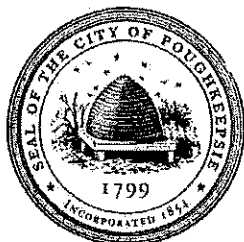


Official Minutes of the Public Hearing of May 2, 2022 for the purpose of receiving comments on the proposed introductory ordinance amending Section 19-3.19 of the City of Poughkeepsie Code of Ordinances, entitled "Central Urban Density Residence District (R-4A)"



THE CITY OF POUGHKEEPSIE NEW YORK

PUBLIC HEARING

Monday, May 2, 2022 6:00 p.m.

Common Council Chambers

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is May 2, 2022 and the time is 6:04 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE proposed introductory ordinance amending Section 19-3.19 of the City of Poughkeepsie Code of Ordinances, entitled "Central Urban Density Residence District (R-4A)"

Councilmember-At-Large Salem called the meeting to order at 6:04 p.m.

I. WELCOME

II. PUBLIC PARTICIPATION: Five (5) minutes per person public comment.

1. Laurie Sandow – S. Grand Ave. – submitted written comments

Tonight's Common Council agenda describes this public hearing as (quote): "for the purpose of receiving comments on the proposed introductory ordinance..."

[amending Section 19-3.19 of the City of Poughkeepsie Code of Ordinances, entitled "Central Urban Density Residence District (R-4A)"]

But this is not an introductory ordinance at all. In fact, it was originally introduced in 2019, when Natalie Quinn as City Planner, and Sarah Salem as the Council sponsor, presented nearly the same text amendments to the R-4A zoning district—basically, the Union Street Historic District, a singular district roughly 1/2-mile square.

It is sad that I barely have to modify my comments from 2019 to speak at tonight's public hearing. As I said back then, and repeat tonight, why is this Council contemplating yet another spot rezoning resolution? Especially considering that later on tonight's agenda, there's an item where Quinn tries to sucker the Council into sending the incomplete, draft Comprehensive Plan—a document dominated by splotches of color and disconnected narrative—describing that action as a "ministerial request" by the County Planning Department.

Why has this Council not refused all spot rezoning while the secretive PK4Keeps steering committee meetings are still underway? Why should we accept, for even a fraction of a second, that the then-City Planner, now-Development Director Quinn is not setting out to reshape the future of this City through a stream of supposedly unconnected resolutions, and legislative bits and pieces?

Why would this Council support a text amendment that will displace the tenants who now hold leases to storefront apartments? Or do Councilmembers plan to get up on their high horses and tell those tenants, "gee, too bad" but don't bother us, go to Legal Services if you seek protection under Good Cause Eviction.

When, at the 2019 meeting, members of the public, myself included, and other councilmembers raised objections to the use and weaponization of the word “bodega”, both Quinn and Salem threw another member of the Planning Department under the bus. But, through documents obtained via Freedom of Information requests, it’s clear that others had already sounded the alarm. I quote: “The proposed commercial uses are remarkably limited to a particular niche market—people who use florists and artisanal food vendors, but don’t use mini-marts or bodegas. Really?”

As was true in 2019, and remains true today, these zoning text amendments are being proposed, at least in part, in direct response to the interests of developers, as in the text amendment that reads, and I quote: “Rooftop and courtyard seating areas for standard restaurants and coffee shops.”

Among the amendments being proposed? (quote) “Artisanal food providers, such as butchers, cheese shops, fish markets, and candy shops”. The word “artisan” does not exist in the current code. And this attempt to introduce it represents nothing more than millennial self-obsession, so self-glorifying that they believe a handle-bar mustache instantly elevates their product to something far superior to anything that already exists. Millennials think they can just declare themselves artisans, having no concept of the time and energy required by apprenticeship, journeyman and possibly, ultimately, master craftsperson status. I wonder, have the advocates of this text amendment ever worked a double-shift, a night shift, or had a sick baby and needed a quart of milk or a bottle of aspirins in the middle of the night, as opposed to a head of lettuce among the (quote, unquote) “variety of fresh produce” they now seek to write into the code?

I repeat myself from 2019: These proposed amendments are an attempt to spot-rezone and demographically gerrymander certain sections of the City, benefitting one very small and limited class of people, to the detriment of another already existing and much larger class, seeking to make the City even more segregated than already exists.

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2. Constantine (Gus) Kazolias – Noxon Rd.

III. ADJOURNMENT:

The Public Hearing ended at 6:16pm.

Dated: May 11, 2022

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on May 2, 2022.

Respectfully submitted,

**Jasmin Nicole Davis
City Chamberlain**

O-R-D-I-N-A-N-C-E
(O-X-X)

**ORDINANCE AMENDING CHAPTER 19, SECTION 19-3.19 OF THE CITY OF
POUGHKEEPSIE CODE OF ORDINANCES ENTITLED “Central Urban Density
Residence District (R-4A)”**

INTRODUCED BY COUNCILMEMBER SALEM:

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie, as follows:

SECTION 1: Section 19-3.19 of the Code of Ordinances of the City of Poughkeepsie is hereby amended by the following additions so as to read in pertinent part as follows:

Section 19-3.19 Central Urban Density Residence District (R-4A).

[Ord. of 4-1-1991, § 2; Ord. of 11-21-1996, § 9]

(1) *Purpose of district.* The purpose of this district is to provide areas for a broad range of housing types with opportunity for appropriate nonresidential uses at a fairly high density commensurate with the scale and characteristics of the city's older neighborhoods; these are areas with access to major transportation arteries and a range of community services.

(2) *Permitted uses.* No building or premises shall be used, in whole or in part, for any purpose except those listed below:

(a) Uses permitted by right:

- 1.** Single-family detached dwellings.
- 2.** Two-family dwellings.
- 3.** Townhouses.
- 4.** Multifamily dwellings.
- 5.** Home occupations, subject to the requirements of Section **19-4.1** of this Chapter or professional offices, subject to the requirements of Section **19-4.2** of this Chapter.
- 6.** Municipal parks and recreational facilities, including refreshments and service buildings accessory thereto and any other governmental uses and structures of the City of Poughkeepsie, the County of Dutchess or the state or federal governments or agencies thereof.
- 7.** Public, private and parochial schools as regulated in Section 19-3.12(2)(a)4 herein.
- 8.** Cemeteries.
- 9.** Renting of not more than two rooms by the resident family, provided that no sign advertising the availability of such rooms shall be displayed.
- 10.** Student home, subject to the requirements of Section 19-4.22 of this chapter.

11. Standard restaurants, cafes and coffee shops, provided such businesses are located in existing buildings and close by 11pm. Drive-through facilities are prohibited.

12. Retail establishments.

13. Convenience stores, provided that a variety of fresh produce is available for purchase.

14. Personal service establishments.

15. Artisanal uses offering a trade or handcrafted service or product, such as but not limited to butchers, cheese shops, fish markets, and candy shops.

(b) Uses subject to issuance of a special permit by the Planning Board in accordance with the requirements of Section 19-6.2 herein:

1. Places of worship, including parish houses, religious schools, meeting rooms and recreation facilities and customarily accessory thereto, subject to the following requirements:

(i) The site shall have an area of not less than 20,000 square feet.

(ii) Except as set forth hereinafter, no building or part thereof or parking or loading area shall be located nearer than 25 feet to any street line or property line in any R-1 through R-6 District. A parish house, rectory or parsonage shall comply with the requirements for a single-family dwelling.

(iii) Lot coverage shall not exceed 50%.

2. Cluster development, in accordance with the requirements of Section 19-4.16 of this Chapter.

3. Nursery or preschool educational establishments or day-care centers, subject to the requirements of Section 19-3.12(2)(b)3 of this Chapter.

4. Libraries, museums and/or art galleries on lots having an area of not less than 20,000 square feet.

5. Golf, tennis and swimming clubs, subject to the requirements of Section 19-3.12(2)(b)6 of this Chapter.

6. Family day-care homes.

7. Agency group homes, agency community residences or family care homes, subject to the requirements of Section 19-3.12(2)(b)8 of this Chapter.

8. Conversion and remodeling of buildings in existence on the effective date of this Chapter for use by practicing physicians or dentists, either singly or in groups.

9. Membership clubs, catering exclusively to members and their guests, provided that the following are prohibited:

(i) Outdoor entertainment, live or mechanical,

(ii) Use of outdoor public address systems.

(iii) Exterior lighting other than that which is essential for the safety of users of the premises.

(iv) Location of any part of the building nearer than 30 feet to any street or property line in an R-1 through R-6 District.

10. Professional or business offices as part of a multifamily dwelling, subject to the following requirements:

- (i) Office uses shall be limited to the first floor.
- (ii) Office uses shall be primarily to serve residents of the immediate neighborhood.
- (iii) Such office space shall be limited to 800 square feet for each 10 dwelling units or major fraction thereof.
- (iv) Entrances and exits to office shall be separate front the residential portion of the building.

11. **Rooftop and courtyard seating areas for standard restaurants and coffee shops.**

(3) *Accessory uses.* Accessory uses shall be as follows:

- (a) Off-street parking.
- (b) Buildings for housing pets; playhouses.
- (c) Garden houses, greenhouses.
- (d) Signs, subject to the requirements of Section 19-4.9 of this Chapter.
- (e) Swimming pools and/or tennis courts and related recreational facilities, subject to the applicable requirements of Sections 19-4.7 and/or 19-4.8 of this Chapter.
- (f) Keeping of not more than three customary household pets over six months old. The commercial breeding or boarding of pets shall be prohibited.
- (g) **Sidewalk seating areas for standard restaurants and coffee shops pursuant to** Section 15-14 of the code.

(4) *Lot and bulk requirements.* Lot and bulk requirements shall be as follows:

- (a) Minimum required lot area for one- and two-family dwellings and townhouses:
 - 1. One-family dwellings, townhouses: 2,000 square feet per DU.
 - 2. Two-family dwellings: 2,250 square feet.
- (b) Minimum required lot area per dwelling unit for multifamily dwellings shall be as follows, except in buildings with offices on the first floor, no additional lot area shall be required specifically for that use:
 - 1. Efficiency or studio unit: 750 square feet.
 - 2. One-bedroom unit: 900 square feet.
 - 3. Two-bedroom unit: 1,050 square feet.
 - 4. Three-or-more-bedroom unit: 1,200 square feet.
- (c) Minimum required lot area for all uses except one-family and two-family dwellings and townhouses: same as R-3 Districts [Section 19-3.14(4)].
- (d) Minimum required lot width:
 - 1. Townhouse: 18 feet.
 - 2. All other uses: 30 feet.
- (e) Minimum required side yards: six feet.

- (f) Minimum required rear yards: 1/2 the height of the principal structure closest to the rear property line or 15 feet, whichever is greater.
- (g) Minimum distance between principal buildings on one site: 2/3 of the height of the taller principal building or 25 feet, whichever is greater.
- (h) Minimum required front yard: none; provided, however, that in cases where the mean front yard setback of residential properties located on the same street line and wholly or partly located within 100 feet of the subject property exceeds 2 1/2 feet, said mean front yard setback shall be the minimum front yard required for the subject property.
- (i) Maximum height: three stories or 40 feet. Maximum F.A.R.: 1.0.
- (j) Maximum lot coverage: 40%.
- (k) Required open space: same as R-4 [Section 19-3.15(4)(i)].

(5) *Parking and loading.* Off-street parking and loading spaces shall be provided in accordance with Section 19-4.3 herein.

(6) *Landscaping and screening.* Landscaping and screening shall be provided, subject to the requirements of Section 19-4.11 of this Chapter.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____

Submitted to Council: Council Action: Roll call vote taken: Yes_____ No_____ Ayes Nays Abstain Absent Approved by Mayor on _____ Mayor's Signature_____	I hereby certify the foregoing to be a true and correct copy of a Ordinance duly adopted at a regular meeting of the Common Council held _____ _____ City Chamberlain
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