



**PUBLIC VISIONING REPORT
AND
NEEDS ANALYSIS**

WORKING DRAFT

Prepared by

Shuster-Turner
Planning Consultants

Stone Ridge, New York

June 11, 2013

1. INTRODUCTION

Over the last twelve months, the Comprehensive Plan Advisory Committee has convened a number of times to pour over the significant catalog of existing planning studies and to discuss issues confronting the City. Shuster-Turner, the planning consultant has prepared and compiled a number of planning studies including:

- Existing Land Use Maps;
- Environmental Constraints Maps;
- Public Facilities Maps;
- City Staff and Departmental Interviews;
- Review and Report on Past Planning Efforts;
- Review of Variances;
- Review of Statutory and Case Law Compliance of Existing Codes;
- Consistency of Land Use and Zoning analysis;
- Demographic conditions analysis.

The Comprehensive Plan Committee then embarked on a three phased public outreach effort. This effort was comprised of:

- Online and paper surveys on a number of topical areas including sentiment on existing conditions; support for potential policies; and prioritization of existing needs;
- Identification of Strengths, Weaknesses, Opportunities and Threats in a small-group workshop meeting;
- Online submission of suggestions through the City website;

Additionally, the Comprehensive Plan Advisory Committee itself was comprised of a diverse assemblage of citizens engaged in civic, business and trade organizations as well as City staff.

These prior reports, analyses and public outreach processes culminate in this Public Visioning Report and Needs Analysis, which concludes the first phase of the Comprehensive Plan preparation process. Essentially this document provides a synopsis of public outreach results and provides a Vision, Goals and Objectives for future development in the City of Kingston, based largely on the Citizen and Stakeholder input. This Vision is then followed by a short summary of demographic conditions (with detailed conditions appended), a review of prior planning efforts and resulting policies, and a synopsis of existing physical and regulatory conditions. The conclusion of this report are precise recommendations on the

topical and geographic areas that require further planning as part of Phase 2 of the Comprehensive Plan.

For conciseness, the reports and information compiled as well as input received will be included as an appendix hereto and will be a central repository for the background information upon which the Comprehensive Plan policies depend.

2. SYNOPSIS OF PUBLIC VISIONING

A. Survey

In order to arrive at a Vision for future development in the City of Kingston, the City engaged in efforts to gauge the general sentiment of stakeholders. The first tool employed for this purpose was an on-line survey conducted between December 21, 2012 and May 3, 2013. Additionally, paper copies of the survey were made available through the City Planning office, although none were submitted.

The survey was advertised in the Daily Freeman, over the radio, through engagement of organizations, and through the Ward representatives themselves. It was posted on both the City's official website and it's unofficial social media page. There were 325 completed surveys. The general results of the survey are as follows:

Quality of Life:

- Geographic location, emergency services were highly rated attributes of Kingston;
- Employment opportunities and property taxes were seen as the greatest challenges;
- Most people felt that quality of life and environmental quality in Kingston is "Average;"
- The City's Arts and Entertainment Opportunities ranked highly;

Natural and Cultural Resources:

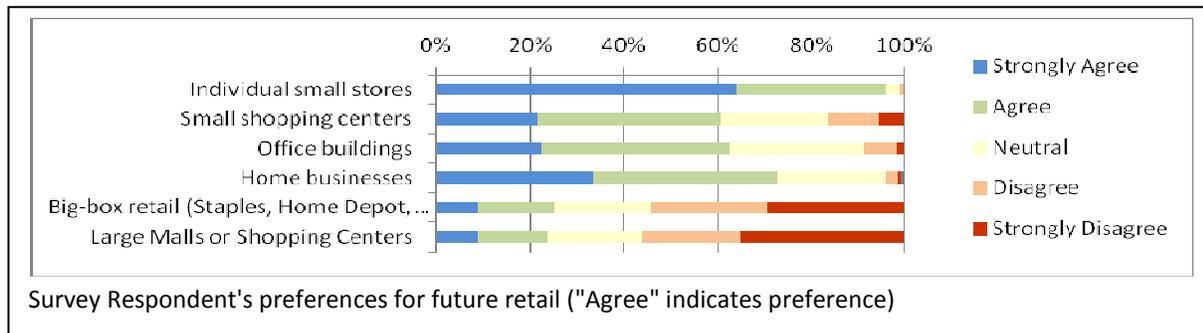
- There was overwhelming response on the importance of historic and cultural resources;

Housing and Development:

- There was more support for adding lower density housing and senior housing to the City, and less support for higher densities and "affordable" housing;
- There was support for providing assistance for low- and moderate-income residents to improve their homes;

Land Use Policy:

- Most did not feel the existing density was too great, and most did not feel the City was too restrictive on new development;
- There was support for incentive zoning where a developer would help to pay for street and utility improvements;
- There was less support, although still support for funding improvements with taxes;
- There was support for expanding sewer and water capacity to support future development;
- There was strong support for encouraging development and coordinating between local governments;
- By an overwhelming margin, respondents identified reducing crime rates as the top management issue, with water and sewer infrastructure, schools, and community character also receiving strong support;
- There was strong support for small stores and small shopping centers and opposition to "big-box" retail and larger malls;
- All tourism and entertainment uses received support, with small inns and beds and breakfasts and restaurants receiving the most support;
- There was support for light industry such as laboratories and assembly, lumber yards and building supply, and foundries and metal fabrication;
- The general sentiment was more mixed for heavier industry with power plants receiving the highest degree of opposition;



Transportation:

- The strongest sentiment regarding transportation infrastructure was for the construction and improvement of sidewalks and bikeways;
- There was general support for additional traffic roundabouts throughout the City, including at the I-587 and Broadway intersection, although there was some limited strong opposition as well;

- Most felt that transportation infrastructure, especially streets, needed improvement;
- There was not strong indicated need for expanded bus service, and most respondents indicated that they would only occasionally use bus service locally or to New York City, and probably would not participate in ride sharing;

Public Health:

- Most people felt that healthy foods were attainable in Kingston;

Community Facilities and Services:

- Most agreed with moving the Police Station to midtown;
- There was strong support for moving an Ulster Community College campus to Kingston;

Neighborhood Revitalization:

- Property maintenance enforcement was the number one neighborhood need, followed by traffic calming, police protection, and park improvements;

Of the people who took the survey:

- The majority owned single-family homes that they rated in good, safe and healthy condition;
- Most felt comfortable walking in their neighborhoods, although 15% a significant number felt uncomfortable;
- Most owned a private automobile;
- There was a good representation of varying age groups, except for children;
- There was a good representation of varying marital status;
- The vast majority of respondents were employed or retired;
- There was a good representation of varying incomes;
- There was a good representation of educational attainment, although the majority of respondents had at least attained a bachelor's degree;
- Most respondents were Kingston residents although a full 25% were non-resident or part-time residents or worked, visited frequently or owned property in Kingston;
- There was a good representation of varying terms of residency;
- There was a good representation geographically amongst the City's wards.

Additionally, a surprising number of respondents to the survey significantly expanded upon the answers of the survey by completing sections at the end of questions allowing for

additional input. Some of the most common sentiments expressed in this optional survey section include:

- Existing structures should be reused and upgraded over construction on new sites;
- Approval process should be streamlined and land use regulations made less restrictive;
- Form-based zoning regulations should be pursued/explored;
- Development of green space/open space should be discouraged;
- For economic development - build upon the character, charm and uniqueness of existing neighborhoods and commercial areas;
- In attracting employment, aim for higher-paying jobs over just more jobs;
- Promote more seasonal events;
- Limit the location and hours of drinking establishments;
- Promote green industry such as renewable energy generation;
- Industry must be appropriately located.

The full results to the survey are appended hereafter.

B. "SWOT" Meeting

On January 31, 2013 at 6:00 PM, the City of Kingston Comprehensive Plan Steering Committee held a meeting for the purpose of collecting background data, views and opinions from community residents and stakeholders.

This meeting was well-attended by roughly 80 to 100 members of the public and local media. The



Break-out Group - January 31, 2013

attending public was broken into twelve groups. One or two members of the Comprehensive Plan Steering Committee were assigned to each group as facilitators, but facilitators were asked not to contribute their own opinions to the group discussion.

The facilitators then led their group through the SWOT exercise. This exercise has facilitators prompting group discussion on the Strengths, Weaknesses, Opportunities and

Threats present or confronting the City. Participants then were asked to vote on a compiled master list of top responses.

The following are the top responses indicated by the public

Strengths

- Historical and Cultural Heritage
- Location / Proximity to Hudson River and Catskills
- Waterfront
- Racial Economic Diversity

Weaknesses

- Transportation infrastructure/ Bike lanes / sidewalks / traffic lights and buses
- No Spanish speaking police and teachers
- Lack of employment opportunities and quality jobs
- Lack of opportunities for representation for Spanish population

Opportunities

- Beautify Broadway Corridor
- Bike lanes/ rail trails/ green space
- Better mobility / walkability
- Desire from Latino Community to improve economy

Threats

- Aging Infrastructure
- Racial profiling by society and police
- Climate change
- Emphasis on auto travel/ auto-centric uses

C. General Submission of Comments on Website

Lastly, the City posted all background information developed as part of the Phase 1 reconnaissance on a new City webpage devoted to the Comprehensive Plan. This webpage allowed interested residents to submit comments on any of the material posted, or simply to submit suggestions. This web submittal was made available starting in October of 2012, and remains available to date (June 2013). In that time, the City has received 21 suggestions. While these suggestions are only representative of a single person's views, the additional effort needed to write and submit a comment in this manner merits some consideration.

The following were relevant unique ideas or sentiments expressed through this venue and not addressed in the survey or SWOT meeting:

- Transportation resources from homeless shelters to employment centers and BOCES programs is required;
- Expanded shuttle bus/trolley/light rail especially between Uptown and the Rondout would help to increase patronage;
- Rush hour traffic discourages business patronage in Midtown;
- Extend waterfront walkways;
- Divide the Broadway corridor into distinct nodes instead of a linear corridor;
- Encourage cluster development over large-lot low-density;
- Make sure comprehensive plan objectives are measurable;
- Make the comprehensive planning process ongoing and continuous, instead of infrequent;
- Involve kids in the planning process;
- Incorporate green building practices;
- Preserve the Port Ewen Suspension Bridge;
- Promote view appreciation from Hasbrouck Park through construction of a platform;
- Provide seasonal ferry service to Island Dock;



3. VISION

Based on the public input received, the following Vision for Kingston is proposed:

In 2025, Kingston will be a City of Neighborhoods - neighborhoods diverse in land use and diverse in population. Development will be focused around four cores at the Stockade District; at the Rondout; at a future Hudson Landing Core; and at a new core in Midtown centered at the existing Ulster Performing Arts Center. These cores will be comprised of mixed-use centers with multifamily residential incorporated with ground floor retail; pedestrian and bicycle friendly streets; active use of sidewalks; traditional architecture and historic identity. These nodes will be connected not only by a network of streets supporting slow-speed/high-capacity vehicular travel, but by a network of on-road and off-road bicycle paths, and by public transit ranging from shuttle bus to trolley. Extending outward from the cores, lower densities of mostly well-maintained and predominantly owner-occupied two-family and single-family residential neighborhoods will dominate, with occasional neighborhood corner stores and well-designed townhouses and multifamily residential interspersed. Remote or environmentally-sensitive areas will remain as open space, agriculture, forestry or used for clustered, very low-density residential. Employment opportunities will be diverse from County government, historic tourism and specialty retail in Uptown; to arts and new media in Midtown; to cultural, water-related, restaurant and entertainment uses in the Rondout; and to clean, green industry along existing active rail lines and within Kingston Business Park.

4. GOALS AND OBJECTIVES TO ACHIEVE BEFORE 2025

Goal 1: Promote a new planned commercial node in Midtown centered around the Arts, Entertainment and Ethnic Diversity;

Objective: Establish an outdoor venue/park and program at least ____ arts-related festivals per year;

Objective: Reduce crime in Midtown Census Tracts to within existing City-wide averages;

Objective: Improve the appearance of the Midtown Area;

Objective: Decrease vacancy rates of Broadway storefronts to below ____%;

Objective: Attract at least ____ new significant gallery and/or museum uses within comfortable walking distance of UPAC;

Objective: Promote additional housing for artists and craftsman;

Objective: Establish the area as a destination for multicultural food and dining providing outlets for fresh and prepared food and produce, as well as restaurants on non-traditional cuisine;

Objective: Focus any future investment in new government and educational facilities within Midtown to the extent practical;

Goal 2: Encourage continued and vibrant mixed-use land use patterns in Uptown centered around area historic resources and County offices;

Objective: Decrease vacancy rates in the Stockade District to ____ %.

Objective: Promote a transit hub in the vicinity of County offices or in Midtown;

Objective: Promote increased availability of parking;

Objective: Support and encourage specialized retail and service uses to build on the existing quaint retail environment;

Goal 3: Encourage continued and vibrant mixed-use land use patterns in Rondout centered around water access, restaurants, and programmed recreation;

Objective: Increase the number of programmed events at the Rondout to ____ per year;

Objective: Extend public waterfront access to Kingston Point Park;

Objective: Promote additional cultural and Museum uses along the Strand;

Objective: Encourage additional year-round retail, as well as event programming;

Goal 4: Encourage development of a new Hudson Landing mixed-use area consistent with the Hudson Landing Design Manual;

- Objective: Promote construction of the first phase of the proposed project;
- Objective: Construct public improvements and public amenities of the project;
- Objective: Maintain and promote additional use of the unique open space network;

Goal 5: Promote maintenance and improvement of existing stable neighborhoods outside the "mixed-use cores;"

- Objective: Significantly reduce the number of illegal conversions of single- and two-family dwellings;
- Objective: Encourage improvement of existing single- and two-family residences;
- Objective: Increase homeownership to ____%, more consistent with Ulster County averages;
- Objective: Discourage new multifamily uses outside of the identified core areas;
- Objective: Maintain and promote traditional architectural form consistent with the existing neighborhoods, including provision of front porches, short setbacks, and traditional building scales;

Goal 6: Preserve constrained lands as open space, agriculture or very low-density residential clustered development as appropriate;

- Objective: Promote agricultural use in outlying areas of the City;
- Objective: Promote conservation of environmentally constrained lands;

Goal 7: Enhance employment opportunities and promote economic vitality within the City; and jobs

- Objective: Attract new active user to Kingston Business Park and along existing active rail lines;
- Objective: Attract ____ new regional employers of at least 150 positions each;
- Objective: Reduce and maintain unemployment at less than the New York State average;
- Objective: Build upon existing strong industry clusters in the City, from Crafts and Art Production to Manufacturing to Micro-Brewing to Information Technology and Data Management;

Objective: Promote small-business entrepreneurship, especially in the Arts and New Media Clusters;

Objective: Promote development of human capital through job-training and adult education from advanced specialized education to English-language classes to build a more qualified local workforce and attract industry;

Objective: Promote tourism based on historic resources and regional destinations as a new industry cluster;

Goal 8: Promote slower, safer but more continuous traffic flow in and out of the City and its core areas;

Objective: Improve all intersections under City jurisdiction to level of service D or better;

Objective: Transform all city streets within core areas into "Complete Streets" inclusive of pedestrians, cyclists and on-street parking;

Objective: Reduce the actual speed limit in residential neighborhoods;

Objective: Improve the perceived quality of roads within the City;

Goal 9: Promote further preservation of City historic and Architectural resources and leverage them for further economic development;

Objective: Continue protection of existing historic assets through voluntary recognition

Objective: Simplify the regulatory programs and protections to ease processing of development approvals involving Historic resources;

Goal 10: Improve public infrastructure including City Streets, water and sewer infrastructure, as well as enhanced park facilities;

Objective: Eliminate events during which maximum sewer capacity is exceeded;

Objective: Improve the condition and appearance of the City's roadways and sidewalks;

Objective: Increase the utilization of neighborhood park and recreation facilities;

5. EXISTING DEMOGRAPHICS

As part of the background research leading up to the needs analysis, the Shuster-Turner compiled and reviewed a variety of demographic information. The strong trends observed included:

- Nominal growth and population below historic peak;
- Slow, steady housing growth;
- Increase in vacancy rates over the last ten years;
- Higher than County-average and increasing rental occupancy;
- Marked improvement in education attainment, but still lagging the County;
- Increased unemployment over the last 10 years, but rate and rate of increase lagged the national average;
- Unemployment fueled by a loss of real estate, construction, and professional services;

In summary, broad demographic trends show that while the City of Kingston population remains stable over the last 30 years, housing units have grown, particular, rental households. The population remains well below historic highs. The City has been hit by the recent recession and has seen growth in unemployment, especially among construction-related and public administration jobs. The effects of these demographics is reflected in the increased residential vacancy rates in the City, as well as the closure of public schools, firehouses and the Kingston Hospital.

Additionally, the consultant also compiled a number of maps in order to understand the demographics of the City on a Census Block Group Basis. These maps, along with analysis and the demographic data described above are appended to this report.

Based on the analysis of intra-city demographics, a concentration of concerning demographic indicators exists in the Midtown area. Midtown generally exhibits higher densities, lower median incomes, higher unemployment, higher average household sizes, and lower homeownership than the City in general. The Midtown area also represents the most racially and ethnically diverse area of the City, which raises social equity concerns.

The Rondout and Ponckhackie neighborhoods also exhibit lower median incomes, higher unemployment, and below average homeownership, although generally the divergence is not as acute as in Midtown. Ethnic and racial diversity is also strong in these neighborhoods.

6. PLANNING NEEDS ASSESSMENT

The Planning Needs Assessment is an analysis of what further studies are required in order to achieve the City's Goals and Objectives. It begins from an analysis of existing conditions, regulatory policies, and previous planning efforts, and ends with a detailed recommendation for further study during Phase 2 of the Comprehensive Planning process.

A. Past Planning Efforts

The City of Kingston has an extensive established catalog of planning studies and policies. Recent planning efforts with the most continuing relevance are centered around four particular areas of the City.

West Broadway/Strand/Rondout/Kingston Point

The Rondout has received the most and the most recent attention of all area of the City. This is in part due to the availability of public funding through the State's Coastal Resources programs. Additionally, the City utilized Urban Renewal funding to address the redevelopment of this area, which made the area the first area to undergo revitalization. The first significant plan for the Rondout dates back to 1972, when the Broadway West planning report made a number of significant recommendations for the revitalization of the area including:

- Recommending emergency repairs by the City to preserve historic structures;
- Creation of a rehabilitation loan program;
- Establishment of urban design standards;
- Development of the West Strand Plaza;
- Sale of City-owned buildings with requirements for restoration and various street, sidewalk and park improvements;
- Use of federal community development funds to finance repair and restoration of building facades, acquisition and re-sale of the Sampson Opera House (the former Freeman Building) and site improvements;

The area also received planning attention in the Urban Cultural Parks study, which dates back to 1982. Recommendations of that plan include:

- Establishing a unique architectural and cultural identity for the Rondout;

- Restore the Kingston Point Core Area to include major recreation facilities;
- Locate a second visitor center in the Rondout Core Area focusing on the transportation theme (the other is the aforementioned Stockade Visitor Center which opened in 1986 and focused on government);
- Encourage the mixed use development and redevelopment and renovation of historic buildings in the Rondout District;
- Expand West Strand Park [T.R. Gallo Park] along the Waterfront from the Port Ewen Bridge to the Maritime Museum to further encourage revitalization of the Rondout Waterfront;
- Reestablishment of day liner docking in Kingston Point Park in order to link with the Trolley Museum and bring visitors into the Rondout Core Area. Expand opportunities for active and passive recreation at this park;
- Upgrade and renovate Block Park along Abeel Street;
- Reestablish the dike and pier to the Rondout Lighthouse which originally linked the lighthouse to the mainland;
- Wilbur Avenue Park should remain a passive, pastoral atmosphere;
- Create Island Dock Park located on the east tip of Island Dock in conjunction, and in cooperation with the private redevelopment of Island Dock. The park should be passive in nature and include interpretive features depicting the island's historic role as a major storage and cargo transfer facility;
- Public and private docking should be permitted along Rondout Creek;
- Provide public parking areas in the Rondout Core Area ;
- Make the West Strand Area priority planning area #1;

The Local Waterfront Revitalization Plan (LWRP), prioritizes State Coastal Zone policies for the Hudson River and Rondout Creek waterfronts. The Local Waterfront Revitalization Plan, provided the basis for new zoning , public infrastructure improvements, public recreation, public access and a publically-funded museum project along both waterfronts.

The more recent follow up to the LWRP - the Waterfront Implementation Plan, also proposed a number of discrete recommendations relative to the Rondout. These include:

- Develop a set of design standards to guide future development and redevelopment;
- Public access should be provided along the waterfront in a riverfront trail which may deviate from the shoreline in some locations. The trail should provide access from Island Dock, to Block park, and then eastward along West Strand Street through the park and continue to the tip of Kingston Landing;

- Reconstruct East Strand to accommodate cars, pedestrians, bicycles, trolley service and local business delivery needs;
- Resolve odor problems at the wastewater treatment plant. This should be a main priority. Short term strategies include chemical treatment to mask the odor problem while the City secures funding to construct tank seals and system wide controls;
- Trolley Service should be provided along the entire length of the primary study area, with service operating from West Strand Park to the former Dayliner Dock. Future extensions may include service to Island Dock, particularly if a proposed Hudson River aquarium is located there, the former Tilcon Quarry and Hasbrouck Park with the potential for connections from the park to the rest of the city;

The Ulster County Non-Motorized Transportation Plan, recommended the extension of the Trolley to Kingston Point from the Strand.

The Economic Base Diversity Plan recommended the promotion of tourism through restaurants, waterfront access and special events for the Rondout. It stressed the necessity to promote special events during the slower winter and early spring months.

Uptown/Stockade District

The Uptown/Stockade District received the second most planning attention. Much of this attention may have stemmed from the presence of Ulster County offices in this part of the City, as many of the recommendations and policies extend from the County's transportation plans.

The Urban Cultural Parks study includes a number of recommendations:

- Establish a unique architectural identity for the Stockade District;
- Focus on diversity of activity and showcase history to create economic growth and full utilization of existing structures;
- Create a centrally located park for small concerts and event somewhere in the Stockade District;
- The study recommended making the Uptown district the second highest priority behind the West Strand Area;

The Uptown/Stockade District area has been the subject of numerous Ulster County Transportation Council transportation studies, that have had significant land use components. This is not surprising, since the area contains a number of County offices. Key recommendations that are of continuing importance and value include:

- An intermodal transit hub project proposed in the vicinity of the County offices near Schwenk Drive, increasing the accessibility of not only the County offices, but also of the adjacent Stockade District;
- A catalog of suggested traffic circulation improvements for the Stockade district including recommendations to reverse traffic flow on paired one-way streets, and installing coordinated timed traffic signalization;
- Recommendations for programmatic parking enhancements - including having employees utilize on-street parking (rather than free off-street parking) in areas;
- Streetscape improvement recommendations including taller lighting, sidewalk extensions, street trees, and better wayfinding signage;
- A plan for a traffic roundabout at the intersection of Interstate 587 and Route 32;
- Create a City gateway at Washington Avenue by instituting a planted median, signage and identifiable structures such as a stone entry wall with the name of Kingston on it;
- Enhance the bridge at Washington Avenue over the Esopus Creek with ornamental lighting, trees and seasonal/community banners/flags;
- Define and delineate turning lanes and create raised pedestrian havens at the Schweink Drive/Hurley Avenue/Washington Avenue intersection;
- Explore the possibility of converting I-587 to a state highway and providing intersections from it to an extended Uptown street system. The plan would expand and intensify Uptown and the Kingston Plaza area and create opportunities for mixed use development;

The Economic Base Diversity Plan contained recommendations on the economic development activities that should be pursued in Uptown. These include:

- Develop *Uptown* initiatives to attract customers on weekends and evenings, by building on the district's appeal as a specialty retail location. For example, re-opening the old theater as weekend or evening attraction.
- Promote tourism by attracting food festivals and antique fairs as well as sporting events at Dietz Stadium.

Midtown

Midtown did not receive as much timely focused planning attention, but some studies do provide recommendations relevant to the area.

The oldest and most focused study, was the Central Broadway planning study performed in 1976. This study looked to address the loss of competitiveness of the downtown area in the face of automobile-convenient development in the surrounding suburbs including the Town

of Ulster. Basic recommendations included traffic signalization, installation of small parking lots and streetscape improvements. While many of the improvements were made, they have not done enough to strengthen the desirability of the Midtown Broadway corridor for retail.

The Urban Cultural Parks study also recommended establishing a unique architectural and cultural identity for Midtown. It suggested the area should be the third priority after Uptown and the Rondout/Strand.

Ulster County Transportation Council transportation studies included several recommendations including:

- Alternatives for improvement of the five-way intersection at Route 32 and Fair Street;
- Provide better non-motorized access including complete streets to Broadway;

The Economic Base Diversification Plan recommended that economic development activities in Midtown be focused around the Ulster Performing Arts Center (UPAC) and aesthetic improvements;

Hudson Landing

The Hudson Landing is the fourth area and was the subject of a lengthy environmental review process which resulted in the development of an extremely innovative planned development district, inclusive of form-based zoning codes and design guidelines. The City spent extensive time on this area, and the area will be built out in the future with private investment. The City has sought and received state funding to assist in developing public amenities in the area including the Hudson Landing Promenade, a section of the Ulster County proposed "legacy trail" along the Hudson River from Kingston to Saugerties.

Summary of Past Planning Efforts

The City has spent significant time and effort and has an existing catalog of recent and timely recommendations for the future use of land and required public infrastructure improvements to the Uptown and Rondout areas of the City. Additionally, future development of the Hudson River Waterfront will be guided significantly by the Hudson Landing Design Handbook, which can also serve as a basis for other future Hudson River waterfront developments. While Midtown has received some attention, generally the attention pre-dates 1990 and is not contemporary nor based on contemporary physical and economic realities. Other areas of the City have received little planning attention since the last Comprehensive Plan in 1961.

B. Stable Areas of City That Should be Maintained

When determining the need for further planning attention, the most practical approach is to conduct a windshield survey of the City, and query existing Planning and Community Development staff. Based on informal assessment and discussions with City staff, it is believed that large segments of the City are generally stable and should be maintained in their present state. These areas will need to be treated in the Comprehensive Plan with general policies intended to maintain and preserve their existing quality, or to encourage small improvements.

The areas of the City believed to be stable are generally comprised of an urban mix of residential single-, two- and multi-family uses interspersed with neighborhood retail, restaurant and other low-intensity non-residential uses. These areas tend to be of higher aesthetic quality, and better maintained than other areas of the City that are identified as transitional. These areas are shown in tan on Figure 6, attached to the end of this report. This tan area also includes a number of very large tracts, especially in the south part of the City, that are vacant due to physical constraints as described below.

C. Physically Constrained Land

The City has several areas that are not suitable for intensive future development. This principally involves existing flood hazard areas, wetlands, steep slopes, as well as low-lying areas along the tidal Hudson River and Rondout Creek. Not surprisingly, most of these lands have remained generally undeveloped. One exception to this, is the flood hazard area along the Hudson River and Rondout Creek, where water access first fueled water-dependent industry, and later transitioned to the current mix of restaurant, entertainment, recreational and cultural uses alongside remnant industry and brownfields.

Where existing areas remain underdeveloped in these regions of the City, the City should consider significantly restricting future development. Generally significantly physically constrained lands would best be limited to use for agriculture, open space, recreation, and rural-density residential. Physically constrained lands are shown in Figure 6 as the gray hatched areas.

The City is also currently preparing a climate change study that is considering the possible impacts of sea level rise. It is anticipated that the Climate Change Report will propose strategies for future land use of areas that may be effected by sea level rise, and more

specifically, where waterfront areas may be designed to confront challenges, where conservation and open space is advisable and where planned retreat may be necessary.

Physically constrained lands are shown on Figure 6 as grey hatched areas. Further exploration of these areas is likely not necessary as these areas are generally undeveloped and not suited for future development. Where waterfront areas are developed or proposed for development, including the Strand, Hudson Landing site and along the Esopus Creek, separate planning efforts are underway or have been concluded that do or will provide insight into proper land use.

D. Community Service, Utility, and Transportation Infrastructure Capacity

A number of department head interviews were conducted in order to determine Community Service, Utility and Transportation Infrastructure needs.

Parks

The City contains an impressive collection of parks located throughout the City. These parks provide neighborhoods with local recreational needs. However, providing local parks comes with added costs of maintenance, and more recently, the City has looked to consolidate programming at several central locations. Based on provider interviews, there is no pressing need for new parks, and a new park would further tax limited City resources. However, previous planning studies recommend a new neighborhood park in the Stockade District, as well as significant improvements to Kingston Point Park. The Hudson Landing Promenade will offer a new significant regional recreational amenity that may serve to draw tourists to the City.

Sanitary/Storm Sewer

The City has a partially combined sanitary and storm sewer. The sewer is currently beyond its existing permitted capacity due to infiltration during storm events, and there are existing issues with regard to overflows. The City is seeking ways in which to remedy this including retention of effluent during storm events, but any significant increase in housing density would likely tax the system further.

Flooding

The Army Corps of Engineers has decertified the levees along the Esopus Creek, increasing the risk of damage during extreme storm events. The suitability of lands along the Esopus creek to support future development is limited. Additionally, the City currently experiences

flooding along Main Street near Emerson Street, along Hurley Avenue, along Tannery Brook at Amy Court, and along the Strand. Future development in these areas must consider these physical constraints.

Housing and Community Development

The Community Development Agency, has seen the greatest housing needs in the Midtown Area. The CDA has focused much of its rehabilitation and homeownership programs in this area, and has been seeking City infrastructure investments in this area as well. The CDA office has compiled significant data documenting the need for public safety, jobs, and general economic development efforts in the Midtown area. The Midtown Area has become increasingly dominated by communities of Hispanic origin, and programs addressing the Midtown area must be bilingual.

Economic Development

The City Economic Development director sees significant opportunities in the extension of rail-trails into the City and connection at a hub in Midtown. Midtown is seen as the area in most need of economic development efforts and opportunities include arts based live-work and studio spaces around the former textile mills, paint factory, and UPAC. A regional farmers market based (possibly a large market serving regional restaurants) in Midtown as well as a transit hub could also bring economic development to Midtown.

E. Inconsistencies between Land Use and Regulatory framework

In order to determine inconsistencies between existing land use and the existing regulatory framework a two-fold approach was pursued. First the agenda and decisions of the Zoning Board of Appeals was reviewed to determine if there were any locational or subject-based trends for variance applications. Secondly, the zoning regulations were compared to the built environment to determine where general inconsistency may exist.

Based on the review of variance applications, several conclusions were made. These include:

- Residential Intensification - There is a trend toward intensification of residential density throughout the City, but especially in Midtown. A clear policy will need to be developed that addresses this trend. It is understood through conversations with the Planning Department, that many of these variance applications were generated after enforcement actions by the Building Department.
- Parking Requirements - In many instances, parking variances were being sought by those wishing to intensify residential use. However, the City should revisit its parking

requirements, to insure that it is not requiring more pavement of yards than is necessary.

- Barbed wire - Barbed wire, while necessary, especially for some commercial and manufacturing uses, generally is perceived as having a blighting effect on neighborhoods. Clear standards should be established for when barbed wire is permissible.
- Signs - It appears that the City's sign standards may be too standardized across the City. It may be more prudent to regulate signage on a district or area basis throughout the City. It may be appropriate to promulgate design guidelines and an Architectural Board or Special Sign Committee review over strict dimensional standards.
- Use Variances in general - The City is issuing higher rates of use variances than is typical for a community of its size.

With regard to the review of existing land use and zoning several areas were identified throughout the City wherein land use was not consistent with existing zoning. These areas have been identified on Figure 3 and also on Figure 6. Most of this area is centered in Midtown, but there are also significant nodes in Ponckhackie, along Flatbush Avenue, in the neighborhood east of the High School, and along Washington Avenue.

F. Consistency of Existing Land Use Regulations with Statutory and Case Law

A thorough review was conducted of the conformance of existing land use regulations with current statutory and relevant case law. The Zoning Law and other land use sections of the City Code were determined to need significant attention. The most important criticism was that there are many provisions which are outdated and do not comply sufficiently with the more modern provisions and mandates which have been enacted to the state General City Law (GCL).

Many of the provisions of the GCL impose requirements which are not optional and must be picked up by cities in their laws. The City Code needs to be brought into conformity with these requirements.

Also, the Code and Zoning Law appear to be a long compendium of patches and amendments. Hence, the present law is disjointed and irregular. Provisions drafted based on outdated land use planning policies or procedures are lumped in with, and sometimes

grafted to, more modern provisions which were passed later as amendments. This has led to a condition where the regulations have become difficult to understand.

There are provisions of the City Code that conflict with the GCL and conflict with other portions of Kingston's own Code. Over the years, various land use provisions have been enacted and amendments passed which have resulted in the land use provisions being scattered across the Code. For example, the statute for the planning board is at Ch. 96, the ZBA at Ch. 122, site plan review at Ch. 347, etc. This may be why some Code provisions conflict with each other. Also, the scattered arrangement is far from user-friendly. The Code would benefit greatly from a reorganization designed to unify land use regulation and bring all the land use provisions under one Chapter.

Lastly, the Code suffers from age. There are new land planning techniques which have been added to the GCL which are available and not being used. Revisions to the Code provide an opportunity to incorporate some of these more contemporary tools.

7. CONCLUSION OF NEED

The reconnaissance of existing conditions, has led to a pronounced need for intensive planning attention in the Midtown area of the City. A consolidated land use approach to support economic revitalization in Midtown may be the most consistent theme apparent through the reconnaissance phase of the Comprehensive Planning process.

Another area that deserves attention includes the former industrial areas that extend from Midtown along the CSX rail line.

While Uptown and the Rondout exhibit areas of planning concern, these areas have been the subject of numerous planning efforts, many of which proposed strategies that are still largely relevant and have yet to be implemented. Future attention in these areas is likely to be in the form of a restatement of the best unimplemented policies that were born from those planning efforts.

It is clear that there needs to be a clear statement of policies for the City's stable neighborhoods. Here, strategies should be encouraged that are protective of existing land use, and that concentrate on promoting maintenance and investment of existing properties. Where land is physically constrained strategies should be developed in order to discourage any future intensive development and promote use that is compatible with physical constraints.

Lastly, because a comprehensive approach to land use regulation has not been undertaken in more than 50 years, the City's development regulations need significant attention. Strategies need to be developed and applied in order to simplify regulations, make them more understandable, and make them consistent with current statutes and recent case law.