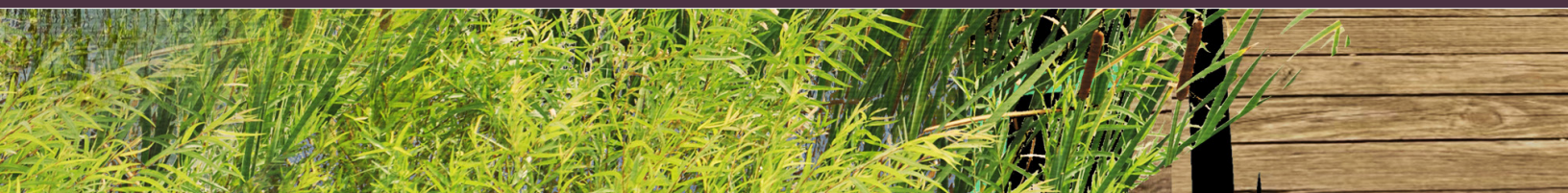
CITY OF KINGSTON

BROWNFIELD OPPORTUNITY AREA STEP 3

Final Implementation Plan | Volume II

December 2015



PROJECT TEAM

New York Department of State

City of Kingston

Perkins+Will

SCAPE / LANDSCAPE ARCHITECTURE

Nautilus International Development Consulting

Jones Lang LaSalle

URS Corporation

Watts Architecture & Engineering

This document was prepared for the City of Kingston and the New York State Department of State with state funds provided through the Brownfield Opportunity Areas Program.

TABLE OF CONTENTS

This document is the second of a three volume set. Together, the three volumes comprise the City of Kingston Brownfield Opportunity Area Step 3 Final Implementation Plan. This volume contains:

OTHER VOLUMES IN THIS SET:

06 DESIGN STRATEGY

The purpose of this section is to outline the conceptual revitalization plan for the waterfront that builds off the established framework and feedback received from the Steering Committee and community. The Hudson Riverport at Kingston Vision Plan is an aspirational plan for creating a vibrant and cohesive Kingston Waterfront that celebrates history and heritage and that establishes a sustainable and sensitive destination. The vision is not prescriptive, instead it sets out to excite and establish a structure to achieve a long-term implementation that embodies the goals and priorities of the community and to truly make Kingston a great waterfront for all.

The plan focuses on parcels inside the BOA boundary however also considers the surrounding context to insure connectivity and sensitivity. Key areas such as Broadway were further explored due to the direct influence on the rest of the waterfront.

The overall methodology for arriving at a plan was to create a conceptual vision for a cohesive long-term waterfront that balanced the framework with larger organizing strategies such as resiliency, transportation, landscape, recreation and market demand. Then individual parcels were further developed to achieve the overarching vision. A phasing strategy was devised to interject enough program to create critical mass and not exceed market absorption. Catalytic projects are identified at each phase to spark revitalization.

OVERALL WATERFRONT VISION

The Kingston Waterfront has tremendous existing assets- the waterfront and boating, maritime history, culture, heritage, industrial building stock, natural resources and a mixed use community and a great location at the mouth of the Hudson River. The vision for the waterfront sets out to create strategic developments that will draw people along the full length of waterfront and create a world-class, vibrant mixed-use waterfront that mitigates the challenges of both contamination and flooding.

A key component of the Hudson Riverport at Kingston is to create a place for existing Rondout community members and regional visitors to enjoy the waterfront and interact with one another and these tremendous natural resources. Thus, the waterfront has a diverse range of edges, with some areas providing amenities for the existing community and others that address a regional scale. The shift from local to regional focus is reflected by the shifting edge condition along the waterfront. Harder edges such as boardwalks and bulkheads support existing maritime industries and protect the historic fabric, while softer and naturalized edge provide habitat and increase resiliency along the Hudson River corridor.

The following topics outline the overall vision through specific lenses:

- Arts, Culture & Heritage
- Health, Wellness & Recreation
- Green Infrastructure
- Transportation
- Community Resiliency

ARTS, CULTURE & HERITAGE

The Rondout has a tremendous maritime history that is about the water, related industries and people. The plan attempts to highlight these tremendous opportunities and provide a platform to attract new and exciting programs that cater to the income level and diverse age of the population:

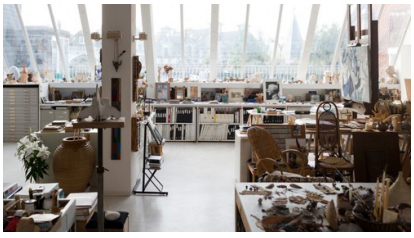
1 Leverage the river and the maritime industry (Historic WW II PT Boats and Tugboats)

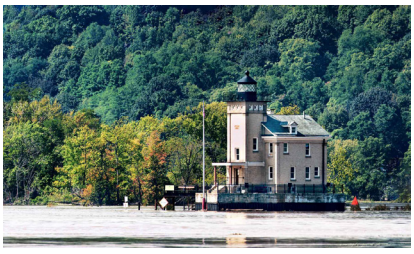
2 Utilize historic building stock and cultural assets (Trolley Museum, Historic Dayliner)

3 Link to existing historic neighborhoods

4 Create opportunities for waterfront education (Clearwater, Maritime Museum, Boat Building School)

5 Provide opportunities for artist studios, lofts, and gallery spaces





HEALTH, WELLNESS & RECREATION

A focus on health, wellness, and recreation supports a more resilient community. It also has the potential to affect tourism and broader investment in the waterfront now and in the future. Additionally, as a portion of the site is a food desert, the neighborhood can greatly benefit from interventions that provide access to healthy foods.

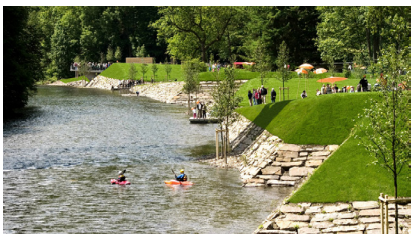
1 Create a waterfront promenade with a 2-mile walking and jogging course

2 Provide access to healthy and affordable food through a neighborhood grocery store

3 Incorporate the Greenline pedestrial and bicycle trail to encourage exercise; link to larger regional biking system

4 Create hiking trails on Island Dock

5 Reimagine Kingston Point Park as a recreation destination with adventure playgrounds, improved BMX course and beach, and exercise trails



GREEN INFRASTRUCTURE

As the plan moves from west to east the vision for the waterfront transitions from a local community based destination to a softer more natural edge that reflects the relationship to the Hudson River and the Region. This is also reflected on the waterside as boat docking transitions into resiliency focused soft edges and habitat opportunities.

Green infrastructure tactics are reflected in the Landscape, Habitat, and Resiliency Strategy portions of this section.

1 Use natural systems to reduce flood risk and erosion- including green buffers, bioswales, berming and elevated right-of-ways

2 Reduce stormwater, upland flooding, and combined sewer overflow

3 Protect and increase habitat on land and in water

TRANSPORTATION

The vision for the Hudson Riverport at Kingston is to be a walkable community with multimodal options. With increased waterfront activity, a district approach to parking multimodal streets are critical to the success of the area. These strategies are incorporated into larger landscape and resiliency strategies that address flooding.

1 Re-envisioned East Strand as a complete street that creates a safe pedestrian focused road for cars, people, bikes, and trolley

2 Incorporate the Greenline pedestrian and bicycle trail throughout the waterfront

3 Provide access for recreational boaters and dayliners

4 Expand the Trolley network to provide non-vehicular transportation options for elderly

COMMUNITY RESILIENCY

The plan sets out to not only redevelop the waterfront and encourage revitalization but also to empower the community. The plan sets out to protect the community during extreme weather events and addresses chronic stressors of society. Various social resource gaps have been identified that the plan sets out to address:

1 Access to healthy affordable food

2 Social equality, a waterfront destination for all

3 Ecological diversity and access to nature

4 Places to gather and interact

5 Stable housing types

6 A mix of uses

7 Quality Jobs

8 Connections to culture and heritage

9 Recreational opportunities

FIGURE 06.1 *The Hudson Riverport Vision Plan through various lenses*


STON POINT
REATION
ECOLOGY EDUCATION
DAY-LINER TERMINAL
WETLAND PROTECTION
TROLLEY
LOW-IMPACT
STRUCTURES
ACTIVE
WATERFRONT
EDGES
COMMUNITY BOAT
HOUSE
HUDSON VALLEY
ATTRACTIONS
FOOD HUB
ON THE WATER
ARTIST RESIDENCES

The overall vision for the Hudson Riverport at Kingston is for a resilient, balanced and achievable waterfront district that unlocks the full potential of the neighborhood and excites the community.

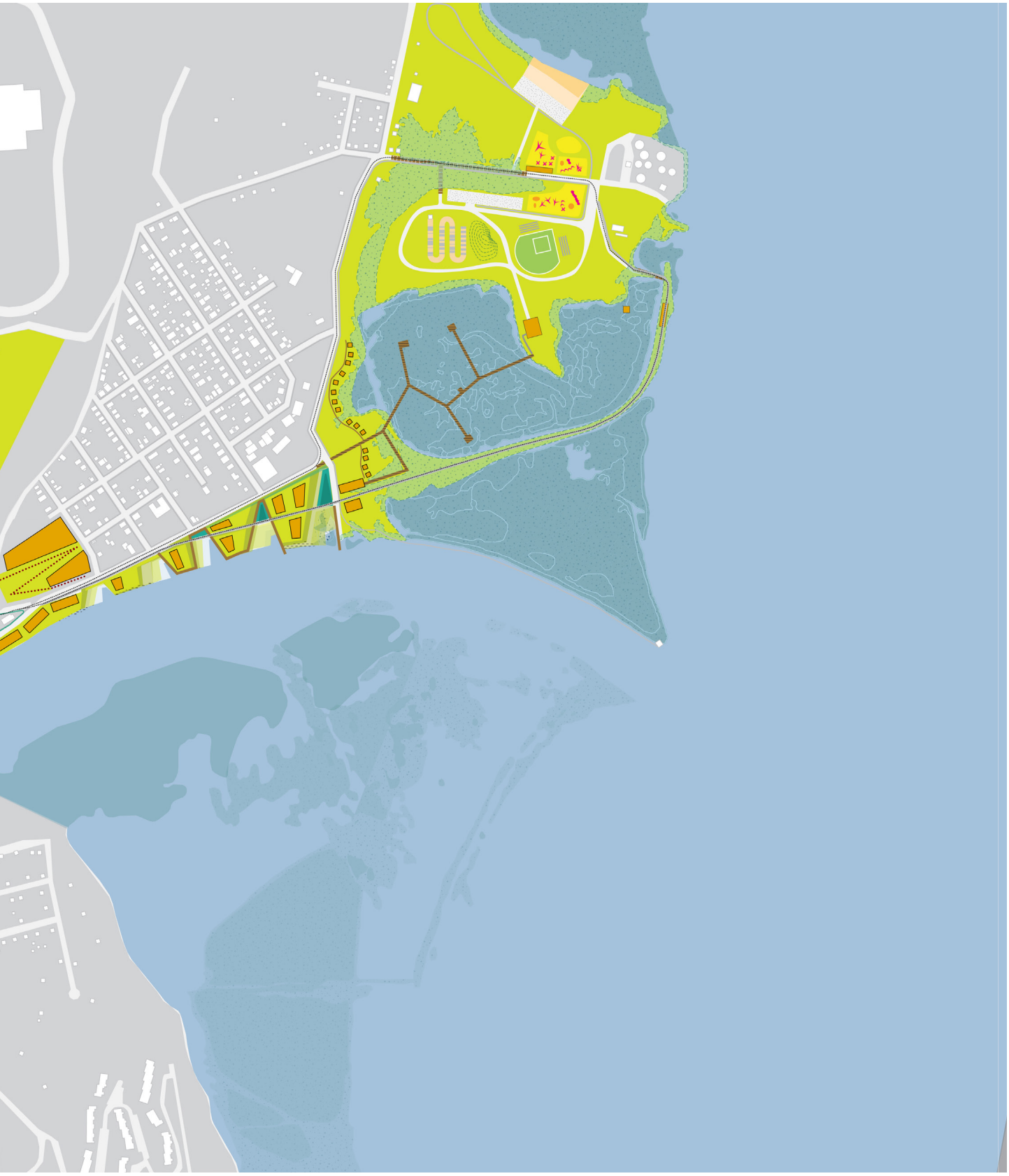
FIGURE 06.2 *Overall Waterfront Vision*

ILLUSTRATIVE PLAN

While it is important to define the incremental steps necessary to redevelop the waterfront it is also critical to define a larger cohesive vision plan. This long-term vision guides decisions and allows a market to be established to absorb some of the more aspirational developments. The long-term vision of the Hudson Riverport at Kingston is laid out in three distinct zones as depicted in Figure 06.4 - Figure 06.7.

The Illustrative Plan here is a conceptual representation of the ultimate build-out of a vibrant mixed-use Hudson Riverport at Kingston. Buildings and landscape strategies are a depiction of what could be achieved through proposed land use and recommendations outlined in the BOA Step 3.

FIGURE 06.3 *Hudson Riverport Vision Plan*



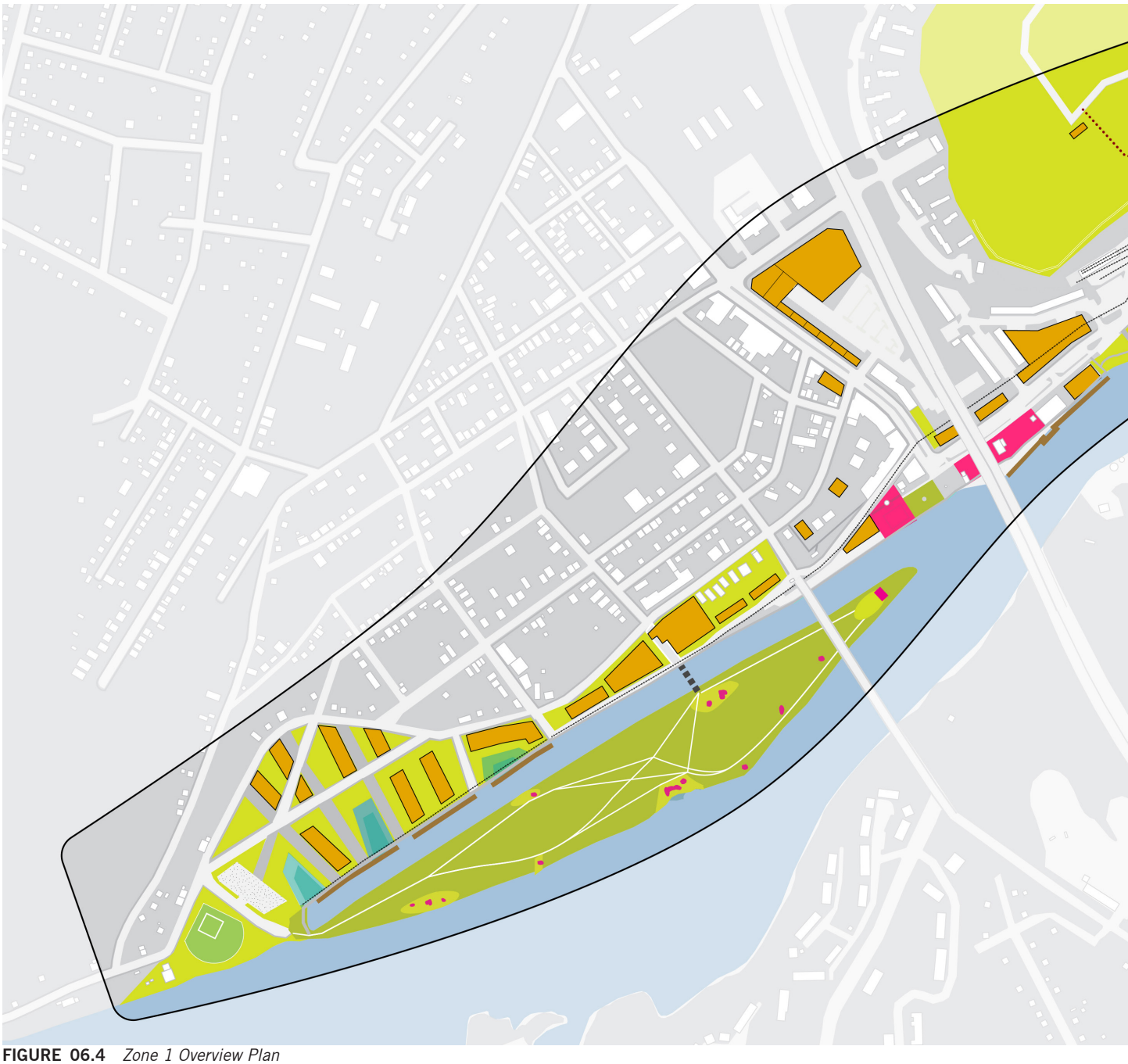


FIGURE 06.4 *Zone 1 Overview Plan*

ZONE 1: RESILIENT RONDOUT

The southwestern most zone stretches from Block Park until the Trolley Museum and waste water treatment plant. The focus of the Resilient Rondout zone is to build off of existing assets and strengthen the core of the waterfront zone. The vision is to create a double-sided walkable and active Broadway from Spring Street to the waterfront. Currently the west side of the street offers a relatively consistent pedestrian experience while the east side lacks a cohesive edge leaving people little reason to walk the sidewalks. Through incentivizing existing ground floor owners to convert housing to retail, walking is encouraged and the overall character of the street is strengthened.

Likewise key destinations at strategic sites, such as at the corner of Spring Street need to create iconic retail stores that set the tone for the new east side of the street. Another key destination is at the end of Broadway at Rondout Landing, is an existing surface parking lot that is the terminus of this main corridor leading to the waterfront. While parking is a critical issue the most important street deserves a much more important destination that creates excitement and orientates the distribution of people to other waterfront destinations—this could be an opportunity for small retail, cultural facilities or artist space. Broadway also needs to be opened up to allow more frequent pedestrian crossing. Building additional crosswalks and breaking up the planting on the medians will encourage a cross flow of pedestrians which will help to establish a double-sided Broadway.

There is an opportunity to provide a variety of smaller flexible spaces within historic buildings to attract new start-ups and allow businesses to grow as the Rondout grows. One example would be creating a culture and food incubator at the Cornell Building that celebrates new and established uptown and regional partners and builds on a thriving theme of food in the area.

This zone also focuses on water by extending the opportunities to access and orientate to the waterfront. Boat docking and boat-related business are prioritized in order to maintain a working waterfront that is welcome to all. Mixed use development above the ground floor is used to create a vibrant 24-hour community.

Currently Block Park sits as an underutilized public amenity that occasionally floods and provides no access to the waterfront. Meanwhile Island Dock is a private parcel that currently has one causeway for access and requires creative solutions to develop due to flooding issues and limited infrastructure. The BOA Plan proposes that Island Dock (approximately 17 acres of uniquely scenic undeveloped land with 6500 running feet of vessel accessible waterfront perimeter) might be purchased by the City of Kingston, possibly with the participation and/or assistance of an intermediate entity or entities, to be developed for public usage. A possible sale of Block Park (approximately 7 acres) by the City of Kingston to a private developer might generate some of the necessary funding for such an acquisition.

There is a potential to raise Island Dock with cheap, barge accessible fill from NYC.

Building heights in this zone vary and are measured relative to the water level. From Block Park to the hotel site, heights are 4-6 floors. Along Dock Street, Broadway, and Rondout Landing, heights are 2-5 floors.

ZONE 1: RESILIENT RONDOUT

1. WATERFRONT SITE

A new hotel provides a unique opportunity to cater to recreational boaters and Hudson Valley Tourists. It can be accessed both at the upper level of Abeel Street and the lower level at W Strand Street.

2. WEST STRAND

West Strand is re-envisioned as a complete street that balances access to cars, pedestrians, bicyclists, and trolley cars. Street-level retail activates the full-length of W Strand Street.

3. ACCESS TO ISLAND DOCK

A pedestrian link connects Island Dock to Hone Street on the mainland. Elevated to the level of the hotel, the link also allows for tall boats to pass underneath.

FIGURE 06.5 *Resilient Rondout Rendering*

4. LANDSCAPE

Island Dock can be transformed into a forested park populated with trails and selective clearings to create a network of outdoor arts installations and recreational walking loops.

5. HABITAT

An environmentally sensitive approach to the creation and location of trails and gathering areas balances habitat needs with park access and facilities.

6. ARTS & CULTURE

Outdoor gathering areas throughout Island Dock Park provide an opportunity for local artists to showcase their work, and through the incorporation of educational markers, tell the story of the Island's history.

FIGURE 06.6 *Zone 2 Overview Plan*

ZONE 2: ADAPTIVE EDGE

The Adaptive Edge zone begins at the eastern edge of the waste water treatment plant and stretches to North Street. The Adaptive Edge zone addresses the serious flooding and contamination in this area and uses the idea of resiliency as part of the character and identity.

Development in this zone includes a mixture of retail and residential uses. The zone also takes advantage of its proximity to Hasbrouck Park. While Hasbrouck is at a significantly higher elevation, the parcel to the north of East Strand and to the west of Tompkins Street offers an opportunity to ascend the hill and connect with a wider trail network that leads to the park. Development of this trail connection can include a community use building and a district parking structure embedded into the hill.

Building heights in the zone are 1-4 floors and are measured relative to the water level.

FIGURE 06.7 *Zone 3 Overview Plan*

ZONE 3: ECO ZONE

The Eco Zone stretches from the southern end of North Street out to the Kingston Point lighthouse and north to include Kingston Point Park. The Eco Zone promotes wildlife habitats in and around the water. The existing marshes are restored and a simple boardwalk allows for public access. This zone also focuses on establishing Kingston Point Park as a regional destination through an eco-hotel along North Street, and event pavilion in the park, a restored day-liner terminal with trolley access, and regional-scale park amenities.

Building heights in this zone are 1-2 floors and are measured relative to the water level.

The HeritagEnergy Terminal at Kingston Point remains as a critical Hudson River infrastructure.

ZONE 2: ADAPTIVE EDGE

1. DEVELOPMENT SITES

A mix of retail and residential uses activate the waterfront and buildings of 1-4 stories take advantage of expansive water and park views.

2. RESPONDING TO RISING WATERS

Parcels are reshaped and elevated to raise development out the floodplain. Water inlets and bioswales further protect development from rising water levels and upland flooding issues.

3. HARDENED EDGES

Hardened edges are reinforced for boat-related industrial and commercial access, allowing for sheltered kayak and row boat launches.

FIGURE 06.8 *Adaptive Edge rendering*

4. SOFTENED EDGES

Naturalized edges create fish spawning habitat, green wetland buffers to reduce wave action and storm surge, while providing recreational access and open space at the water's edge.

5. VIEWS

The waterfront belongs to everyone, including those in upland Kingston. As such, key street and visual corridors leading to the waterfront are been maintained and enhanced.

6. MULTIMODAL

The existing trolley line is preserved and a new parallel pedestrian path extends the Greenline trail for pedestrians and bicyclists.

ZONE 3: ECO ZONE

1. WETLAND BOARDWALKS

A network of environmentally sensitive and low-impact boardwalks provide access to wetlands and education amenities throughout the park.

2. EVENT PAVILION

A multi-purpose pavilion in Kingston Point Park offers a regional destination for large events, weddings, and informal gatherings.

3. BIRD BLINDS & VIEWING PLATFORMS

Bird blinds and overlook platforms provide wildlife viewing areas and intimate places to engage the expansive Hudson River and landscape views.

FIGURE 06.9 *Eco Zone rendering*

4. HISTORIC DAY-LINER

A restored day-liner terminal connects locals, event groups, and regional visitors to the Hudson Riverport via the restored trolley line.

5. LEARNING LANDSCAPE

Ecological and resilient features of the area are highlighted through a network of educational signage.

6. WETLANDS & HABITATS

Existing and restored wetlands are a critical mitigating element to ensure that the existing habitat thrives despite shifting water levels.

PHASING STRATEGY

The History of the Rondout is rooted in its industrial past and Hudson Valley setting. The Lower Rondout was once the transfer point for coal that was brought via the Delaware and Hudson Canal from northeastern Pennsylvania. Coal was moved from canal barges to Hudson River ships at Island Dock and sailed down the Hudson to New York City. This led to an industrial boomtown being established along the waterfront. After advances in railroad made the canal transfer obsolete development around the Rondout stalled. The waterfront remained primarily an industrial and working waterfront which left many of the sites contaminated. With a recent resurgence in Kingston's commitment to revitalize its waterfront this is an exciting time to reinvest in the waterfront.

The proposed phasing for the Hudson Riverport at Kingston Vision Plan is a balance of creating a incremental critical mass without exceeding market absorption. It leverages the fact that as the waterfront is transformed into an exciting destination the demand will increase across sectors. In general the strategy is to focus around Broadway and existing assets in the near term. Then create distinct destination that draw people the length of the waterfront and infill over time. The proposed phasing timeframe is as follows:

- Phase 0 (0-2 years) – Quick Wins
- Phase 1 (2-5 years) – Center and Invest
- Phase 2 (5-10 years) – Connect
- Phase 3 (10-20 years) – Grow the Rondout
- Phase 4 (20+ years) - Long-term Development

CURRENT STATE OF KINGSTON WATERFRONT

Currently the Kingston Waterfront is focused around Broadway with a successful concentration of restaurants, small shops, cultural destinations and residential units. There is a tremendous amount of recreation and charter boat activity. The state of the waterfront and activity declines quickly once removed from the Broadway area, especially as you move east toward the Hudson. Given the industrial past of the waterfront many sites may have contamination, but capable of remediation. Even though there has been some efforts to create consistent paths along the water and out to Kingston Point currently there is little to draw people out. Currently the waterfront is only active during the warmer months with little ways to engage the waterfront in the winter. While there have been many successful strategies put into place by current businesses, such as the Kingston Night Market, there are still significant opportunities to activate and revitalize the entirety of the waterfront.

FIGURE 06.10 *The Kingston Night Market is an existing summer event that draws residents of the city and region to the waterfront*

PHASE 0 (0-2 YEARS) – QUICK WINS

In order to gain momentum and raise awareness it is important to have an identity that visitors can connect with to show physical improvements and actions associated with the BOA plan. There are tremendous efforts already happening around the waterfront that should be continued to leverage with new quick wins identified. Some potential early steps that build upon existing resources such as historic buildings stock, small scale businesses, artists' migration to the city, and local food production could include:

- Pop-up park; Develop identity and early brand strategy
- Set up a pop-up park[s] that echoes the longer term opportunities
- Organize food-focused events; that highlight the Hudson Valley resources
- Invest in wayfinding and signage, that reinforce the overall identity and encourage movement
- Encourage art, antiques and other cultural events that build on the energy of existing activities





FIGURE 06.12 *Examples of Quick Wins*

FIGURE 06.11 *Hudson Riverport Now*

PHASE 1 (2-5 YEARS) – CENTER AND INVEST

The goal of this phase is to set the regulatory framework to incentivize revitalization. At this time it would be important to invest in critical infrastructure to attract new investment such as public street improvements (complete streets), the Kingston Greenline, accessibility improvements and public parking facilities. This will begin to develop the brand of the Rondout as well as to implement the design guidelines and the local management structure. Development is focused around ready sites and existing building stock that can be retrofitted around Broadway and downtown. Suggested steps are:

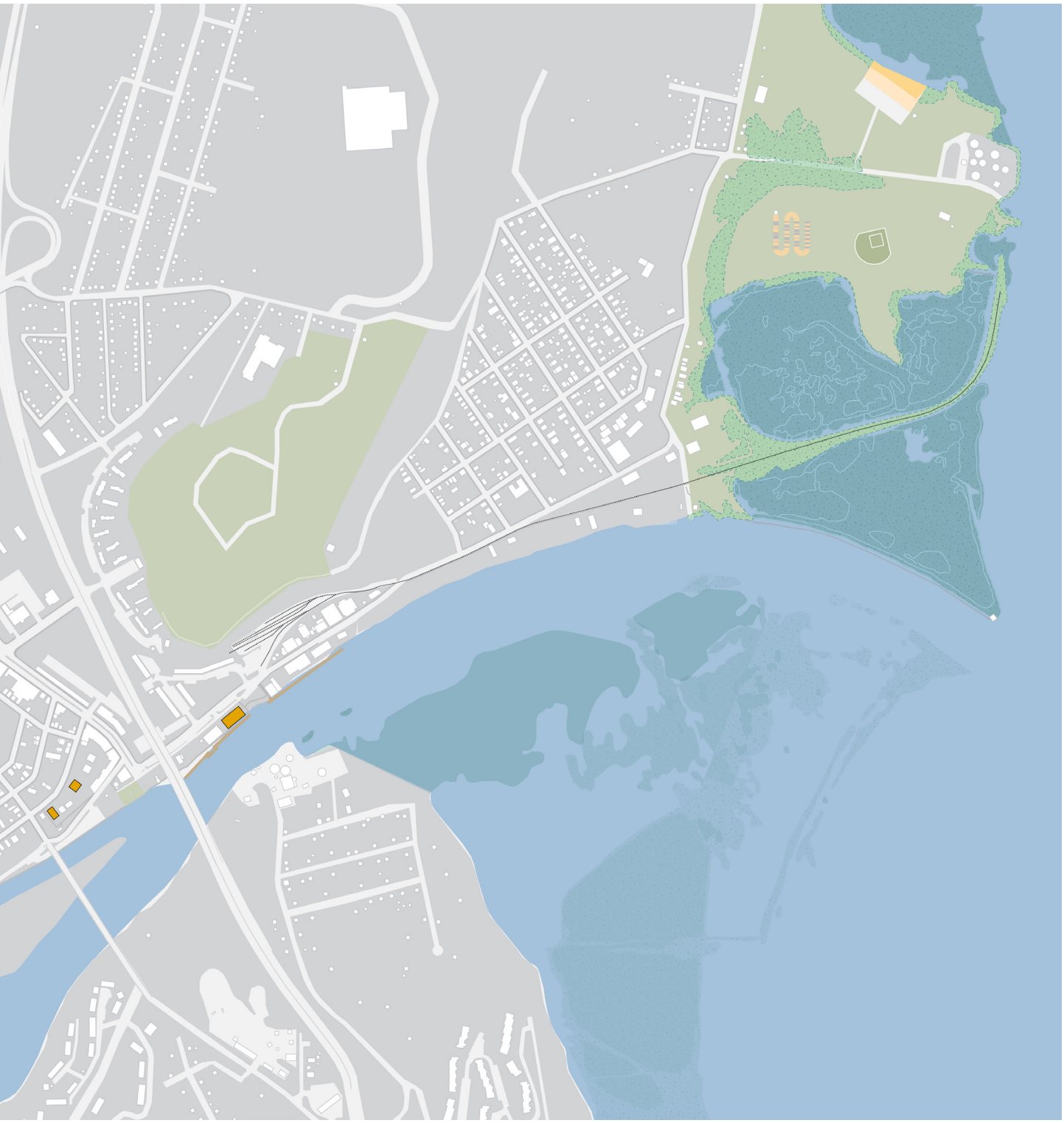
- Complete a comprehensive Brand Strategy to begin to position Kingston with a broader audience.
- Finish community developments at Irish Cultural Center and Maritime Museum Boat Building School.
- Invest in Critical Infrastructure to attract new investment.

Commercial	5,000 sf	
Retail	5,000 sf	
Hotel	0 sf	
Civic	20,000 sf	Irish Community Center
Residential	10,500 sf	Planned Residential Conversion of Church
	9 units	1200 sf per unit
Surface Parking	15 spaces	
Structured Parking	0 spaces	assume 325 sf per space
APPROXIMATE TOTAL SF	40,500 sf	

FIGURE 06.13 *Phase 1 Development Table*

FIGURE 06.14 *Phase 1 Development Plan*

FIGURE 06.15 *Current ongoing projects which are a part of phase 1 development*



PHASE 2 (5-10 YEARS) - CONNECT

Create catalytic projects that develop the market and draw local and regional visitors to waterfront. By establishing new unique destinations people will be motivated to engage the waterfront beyond Broadway. Suggested steps are:

- Build up downtown - target vacant lots and ground floor at Broadway
- Develop eco-hotel destination at the Millens & Sons Strategic Site
- Develop small scale grocer
- Waterfront connections, bulkhead enhancements
- Develop a complete street along East Strand Street; improve multimodal connections; focus on the end to end connections
- Complete Greenline construction
- Island Dock Park
- Improve Regional Park/ Destination Playgrounds

Also include 20 acres of park development at Island Dock- limited design, mowing paths, incorporating art, small infrastructure enhancements, amphitheater.

Commercial	0 sf	
Retail	131,500 sf	includes grocery store
Hotel	32,000 sf	40-key eco-hotel
Civic	0 sf	
Residential	12,000 sf 10 units	1200 sf per unit
Surface Parking	160 spaces	
Structured Parking	200 spaces	assume 325 sf per space
APPROXIMATE TOTAL SF	240,500 sf	

FIGURE 06.16 *Phase 2 Development Table*

FIGURE 06.17 *Phase 2 Development Plan*

PHASE 3 (10-20 YEARS) – GROW THE RONDOUT

Capitalize on new demand and synergies to develop new complete neighborhoods at the waterfront. This phase in fills the space between strategic catalyst sites. Suggested steps are:

- Cut Fill Remediation and Adaptive Edge Development
- Creation of a Food/Culture Hub at the Cornell Building and development surrounding
- 150 Key Hotel at the Noah Hotel strategic site

Commercial	235,000 sf	
Retail	110,500 sf	
Hotel	120,000 sf	150 key hotel, Assumes 850sf per key to capture common space
Civic	91,000 sf	
Residential	103,500 sf 86 units	1200 sf per unit
Surface Parking	81 spaces	
Structured Parking	300 space	assume 325 sf per space
APPROXIMATE TOTAL SF	757,500 sf	

FIGURE 06.18 *Phase 3 Development Table*

FIGURE 06.19 *Phase 3 Development Plan*

PHASE 4 (20+ YEARS) - LONG-TERM DEVELOPMENT

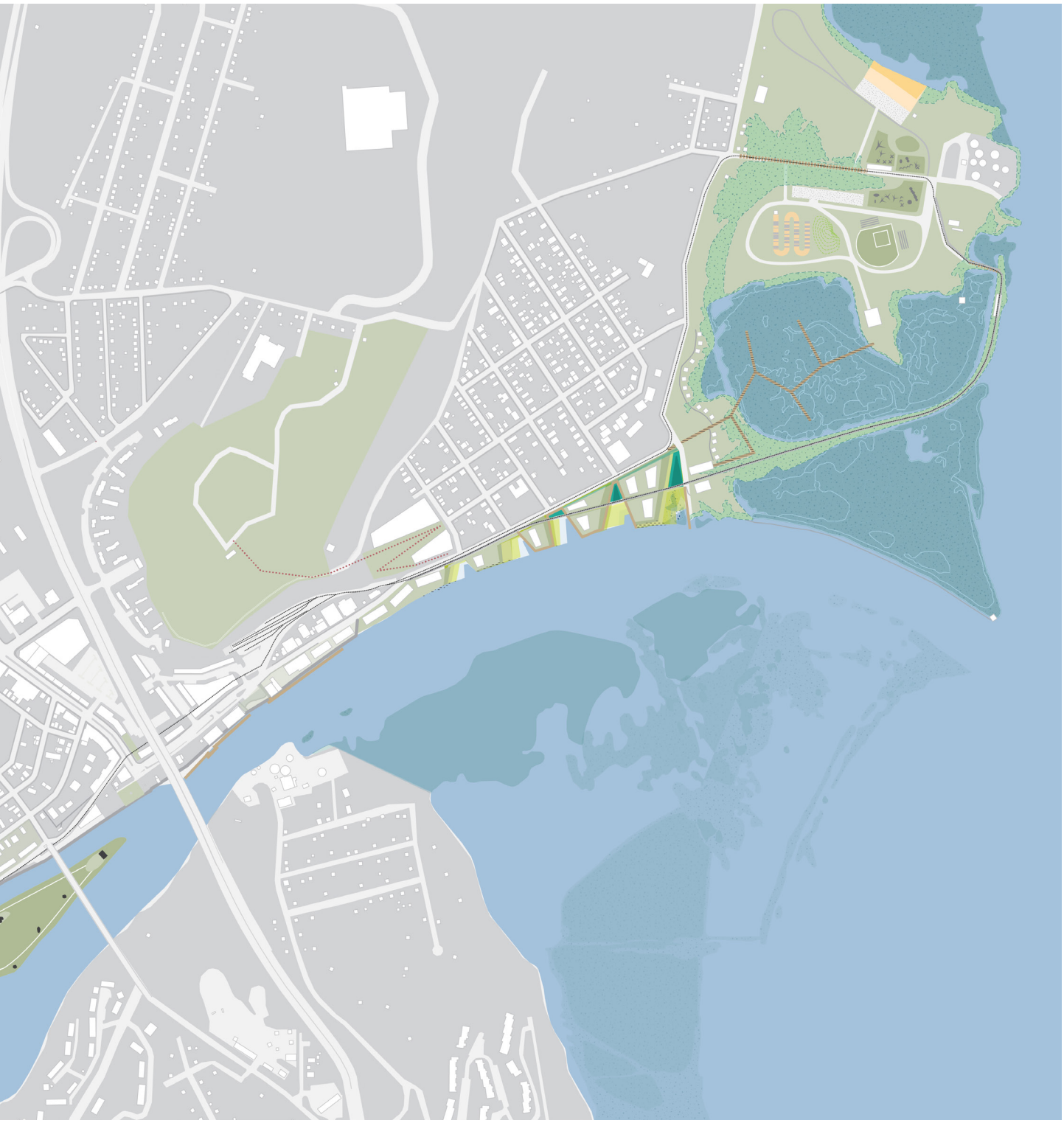
The final phase allows a large scale anchor development to capitalize on the success of the established waterfront. The size and flexibility of the site all the development to respond to market trends. While it is primarily slated for residential the types of units and the mix can change depending on relevant trends at the time of development. The suggested steps are:

- Western Anchor Development
- Promenade/trolley line extension

Commercial	121,000 sf	
Retail	31,000 sf	
Hotel	0 sf	
Civic	0 sf	
Residential	385000 sf 321 units	1200 sf per unit
Surface Parking	45 spaces	
Structured Parking	250 spaces	assume 325 sf per space
APPROXIMATE TOTAL SF	618,250 sf	

FIGURE 06.20 *Phase 4 Development Table*

FIGURE 06.21 *Phase 4 Development Plan*



LAND USE STRATEGIES

LAND USE CATEGORIES

- Residential- Low to medium density units that provide a range of user types such as, market rate, affordable units, senior housing, artist lofts and live-work.
- Mixed-Use Commercial/Residential-This use is typically multifamily residential buildings with stores and/or neighborhood services on the ground floor. Mixed-use buildings with both offices and residences are possible, however no commercial space can be on a higher floor than a residential unit.
- Commercial- Job generating spaces that are typically cleaner than industrial space. These spaces are commonly office space, retail and flexible desk spaces.
- Public Services – This includes all public utilities.
- Community – This includes schools, churches, museums, etc.
- Recreation / Entertainment - Spaces created for community gatherings. Separate from parks and open space, these spaces may have infrastructure and utilities included.
- Industrial- Reserved for manufacturing, transportation, utilities and storage uses.
- Park/Open Space- Open space is any open piece of land that is under developed and is accessible to the public. These spaces are typically seen as assets and opportunities for recreation and access to nature.

The overall Land Use Strategy is to convert underutilized sites, vacant lots and industrial uses with more active uses that create a mixed-use waterfront community for a spectrum of locals and regional visitors. Allowing local scale retail and maker-space at the ground floor with residential units above to attract a diverse day and night population. The strategy transforms the land use focus from more community focused uses at the core near Broadway and transition to a regional focus as you move east towards the Hudson River.

It also realizes that Island Dock as a private parcel for development requires creative solutions. The BOA Plan proposes that Island Dock (approximately 17 acres of uniquely scenic undeveloped land with 6500 running feet of vessel accessible waterfront perimeter) might be purchased by the City of Kingston, possibly with the participation and/or assistance of an intermediate entity or entities, to be developed for public usage. A possible sale of Block Park (approximately 7 acres) by the City of Kingston to a private developer might generate some of the necessary funding for such an acquisition.

This would result in a +24.8 acre net gain of park land for the City.

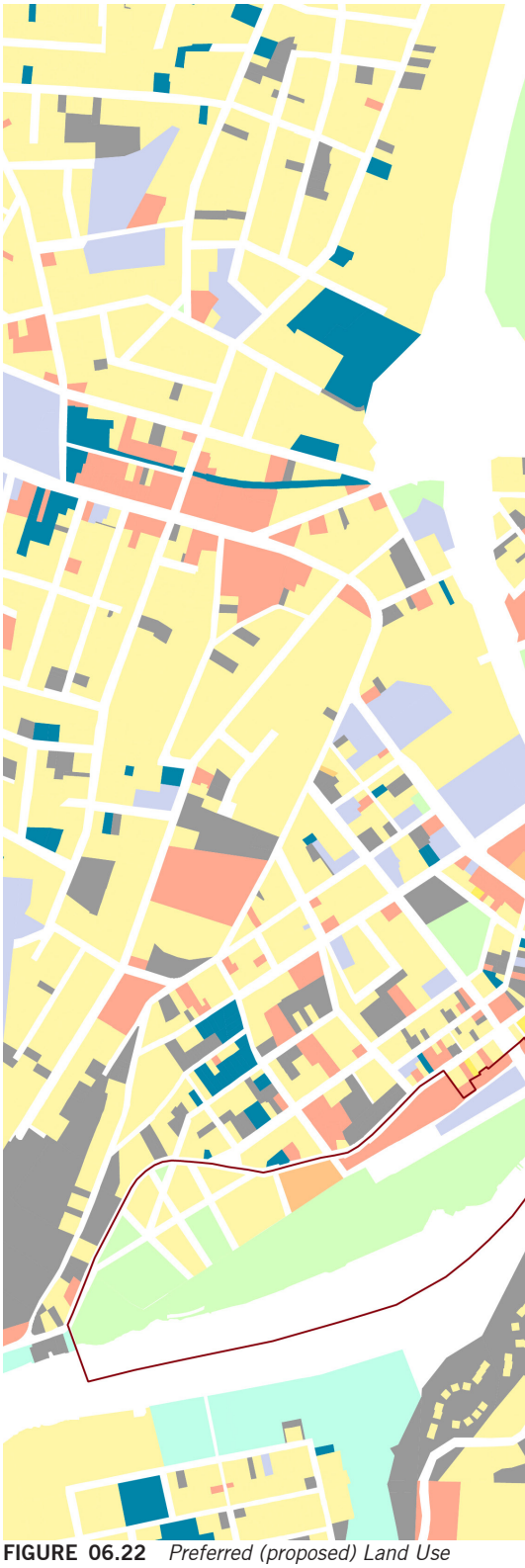


FIGURE 06.22 *Preferred (proposed) Land Use*

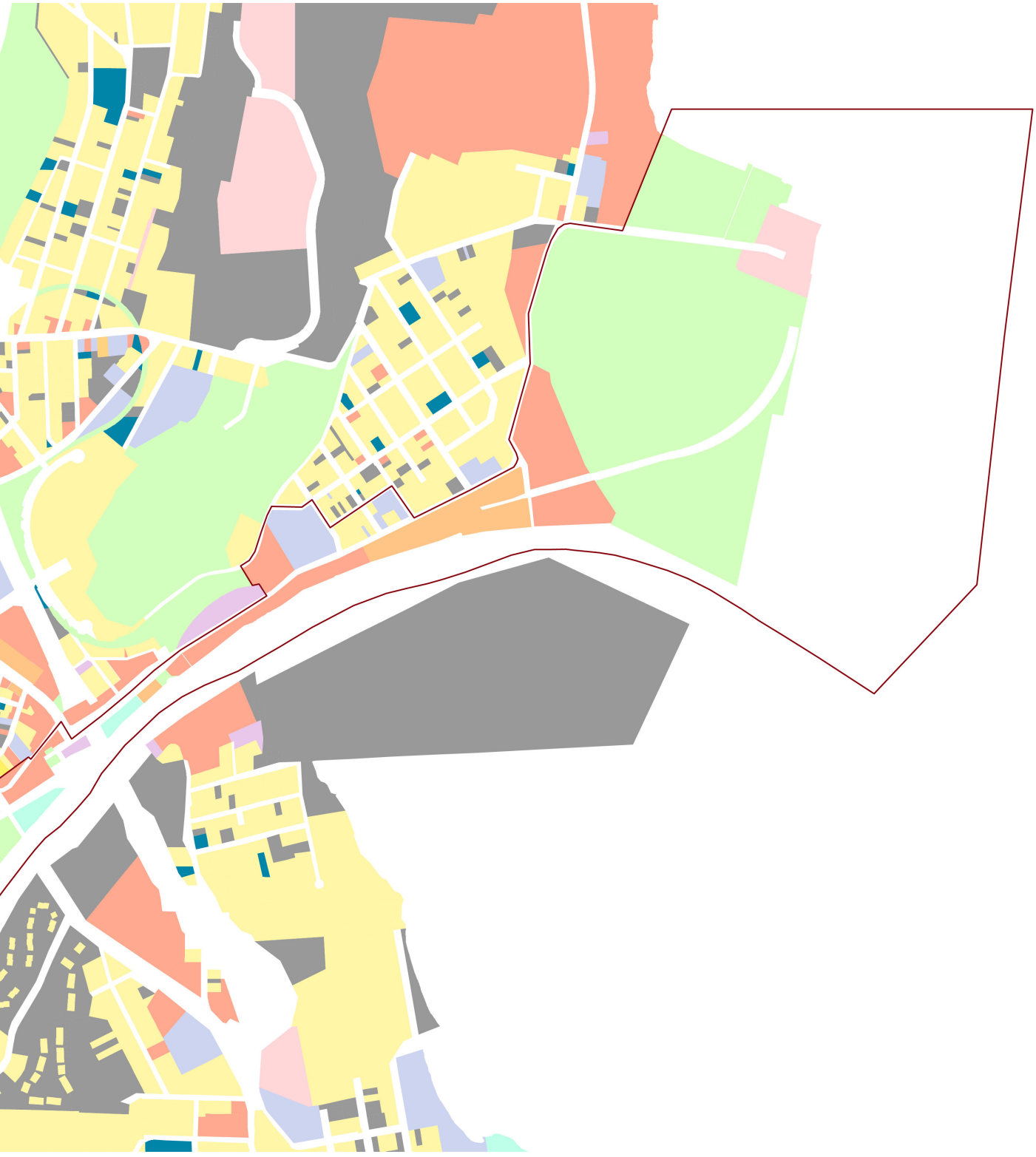


FIGURE 06.23 *Parking Strategies*

Greenline

Waterfront Promenade

Boardwalk

Trolley

Trolley Stop

Parking

5 minute walk radius (1/4 mi)

PARKING STRATEGIES

Kingston is, and is anticipated to remain a car oriented society. Historically surface parking at individual building sites has been the standard. In order to maximize development opportunity and create a consistent and vibrant public interface it is suggested to establish district parking garages at key development sites. These would be strategically located within a five minute walk from one another and near recommended trolley stops for multi-modal ease. The Greenline and a waterfront promenade facilitate walking between parking lots and waterfront destinations. These municipal district parking garages would be subsidized parking structures and would be incorporated into the private development parcels.

FIGURE 06.24 *View Strategies*

VIEW STRATEGIES

As access to the waterfront is vital to all users, especially those in upland Kingston, it is critical to maintain connections to the waterfront — both physical connections and visual. Major view corridors along streets have been kept open. Likewise building heights and plantings have been kept lower at the water's edge to maintain views. Where buildings do stretch higher, greater distances are kept between the buildings to maintain connections and provide more breathing room.

LANDSCAPE STRATEGIES

As much of the BOA lies within a dynamic and shifting floodplain, the landscape strategies for the Kingston BOA are deeply integrated with resiliency and habitat strategies, and draw heavily from the recommendations that the city has outlined in the Harbor Management Plan and the Flooding Task Force, among other plans. Overall goals and specific key strategies are outlined below, though many concepts are further discussed in the Habitat and Resiliency sections below.

The goals for the Landscape Strategies are to:

1. Create an all-season low-maintenance landscape that creates a unified and historic waterfront.
2. Protect and increase habitat on land and in water.
3. Create continuous public access with expansive views from the Rondout to the Hudson.
4. Create recreational opportunities for all ages that activate the waterfront.
5. Harness the power of existing wetland buffers and vegetation, while addressing the increasing risk of flooding and sea level rise along the waterfront through the use of innovative and layered strategies.

ZONE 1: RESILIENT RONDOUT

A raised boardwalk provides continuous pedestrian access along the historic waterfront from the Cornell Building to the bridge entrance to Island Dock. The boardwalk not only provides pedestrian and bike access to the waterfront, but will reduce flooding through its embedded deployable floodwalls (see Resiliency Section for more detail).

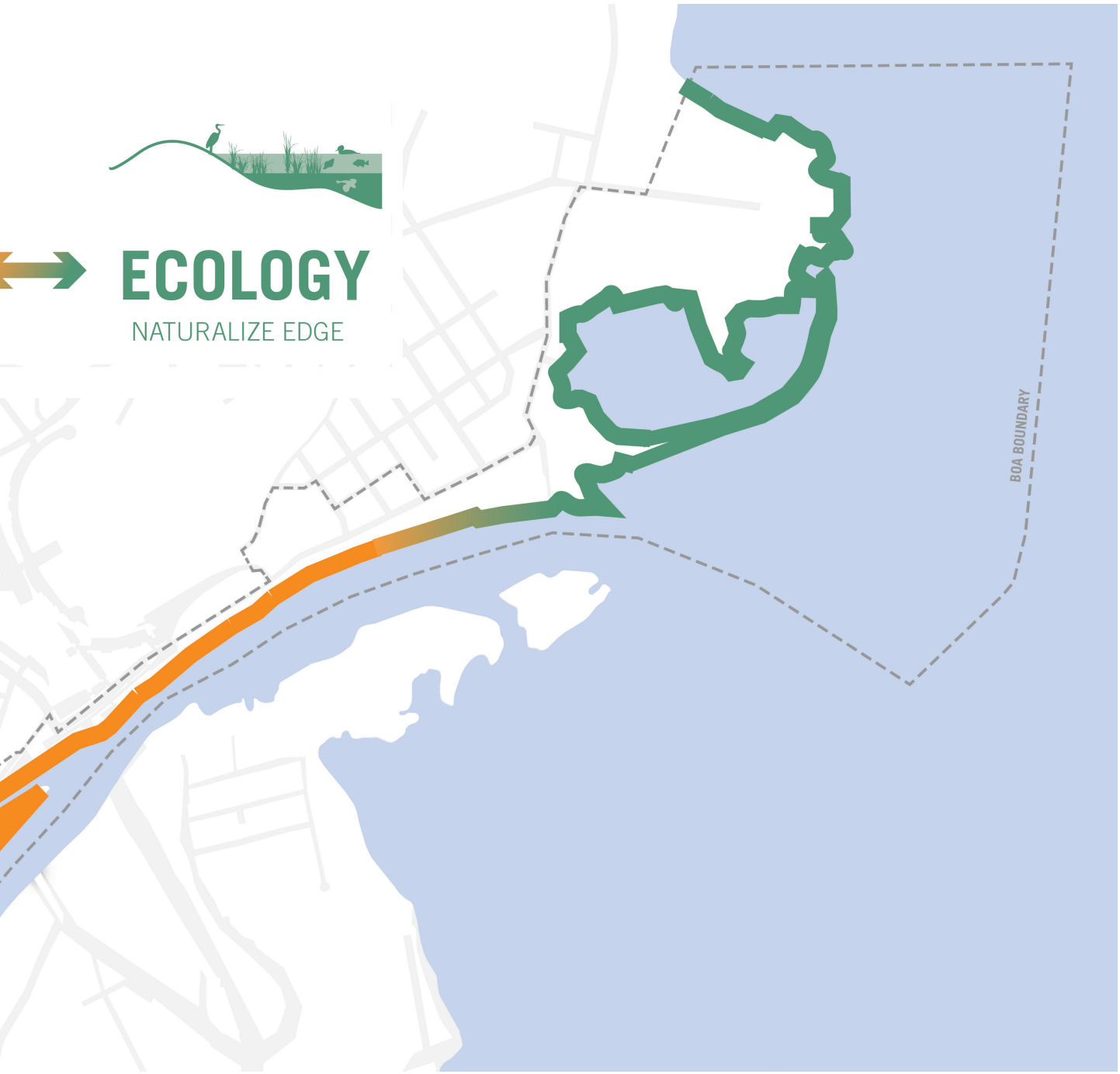
East Strand becomes a green multimodal Complete Street to enable safe access for all users, including pedestrians, bicyclists, motorists and trolley. Landscaping creates a vibrant and comfortable walking environment through increased tree planting and pedestrian zones, and uses a system of bio-swales to direct, clean and store storm water.

Island Dock could become a forested arts park, with trails and clearings cut to create a network of outdoor arts installations and recreational walking loops. A future amphitheater on the nose of the island could allow outdoor concerts to be viewed from the TR Gallo Waterfront Park. Additional sports fields are added near the permeable parking hub adjacent to the Island Dock Bridge.

COMMUNITY

REINFORCE EDGE

FIGURE 06.25 *Landscape Strategies Diagram*


ECOLOGY
NATURALIZE EDGE
BOA BOUNDARY

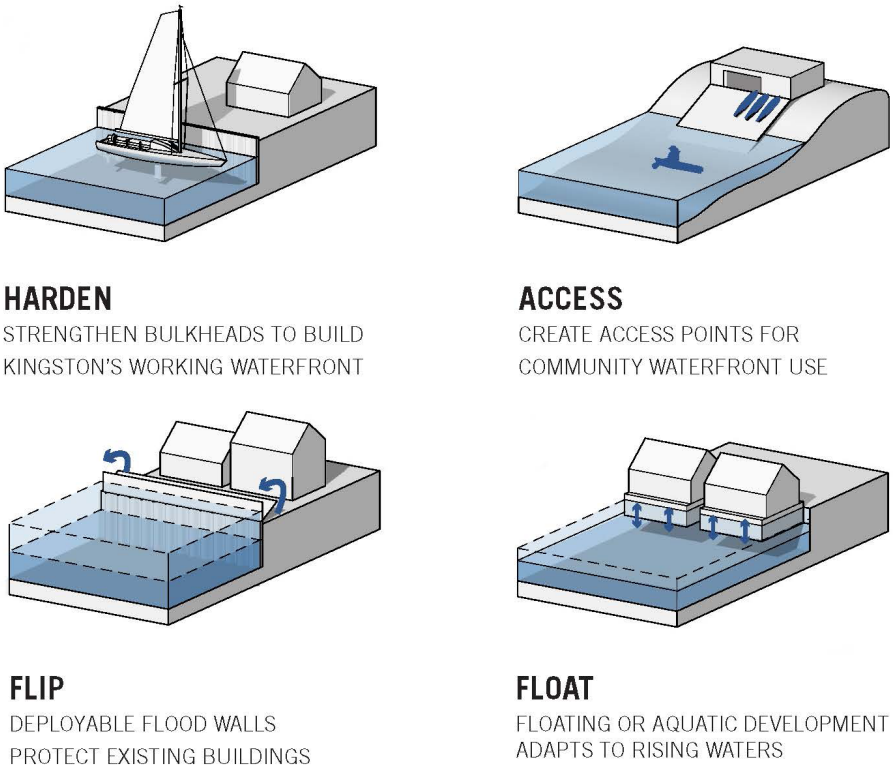


FIGURE 06.26 *Landscape Strategies*

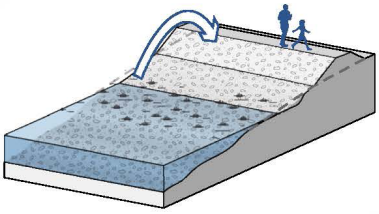
ZONE 2: ADAPTIVE EDGE

As part of the cut-and-fill strategy (see section on Cut-Fill Strategy below), the waterfront parcels would be reshaped to align with the street grid, building up developable parcels and creating water inlets to safely adapt to rising Hudson levels. The reshaped shoreline would include a mix of hard and naturalized edges. Hardened edges are reinforced for boat-related industrial and commercial access. Soft, naturalized edges create fish spawning habitat, green wetland buffers to reduce wave action and storm surge, and recreational access points for residents.

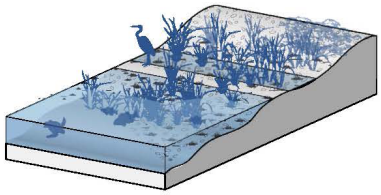
Each 'Reef Street' can be programmed differently depending on its context. Inlets with deeper waters and harder edges can accommodate dry docks and boat docking. Shallower inlets provide ideal locations for community kayak launches, fishing piers, and overlook decks.

The Adaptive Edge is connected to the Rondout via the Trolley and Greenline, which run diagonally through the development parcels, providing multi-modal linkage to and from the historic core for residents.

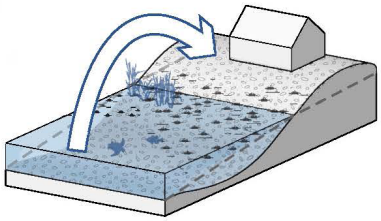
ECOLOGY



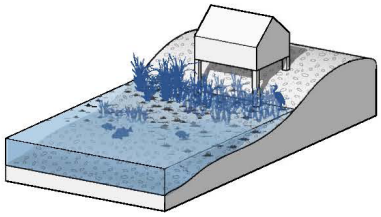
LIFT
RAISED TRAIL OR LEVEE REDUCES FLOODING + CREATES VIEWS



RESTORE
WETLAND RESTORATION CREATES HABITAT + REDUCES STORM SURGE IMPACT



MOUND
CUT + FILL CREATES HIGHER GROUND FOR DEVELOPMENT AND RESTORES SHORELINE FOR HABITAT



STILT
CONSTRUCTION ON PIERS REDUCES IMPACT ON ECOSYSTEM + REMAINS FLEXIBLE TO RISING WATERS

ZONE 3: ECO ZONE

As the ecological assets are the key feature of this zone, the Landscape Strategies here are focused primarily on protecting the existing wetlands, and creating Green Buffer zone for migration with SLR and future flooding scenarios.

The ecological benefits of this area would be highlighted through the creation of a teachable landscape. A learning boardwalk provides access to the wetland areas, and education signage illustrates their important role in resiliency and ecology. Bird blinds and overlook platforms provide wildlife viewing areas, as well as places to take in the expansive Hudson views. An elevated walkway would also connect pedestrians to the Kingston Lighthouse, providing waterfront access to an area of the river that has long been inaccessible.

Finally, building off of existing active programming, the plan activates Kingston Point Park as a regional activity park, and adds additional amenities such as a large-scale adventure playground, sports fields, and picnic shelters. The topography of the park creates high points that encourage investment in pavilions, restrooms, and other amenities that would turn the park into a regional waterfront destination.

HABITAT STRATEGIES

The Kingston BOA has ample natural assets along the Hudson River and Rondout Creek, though the industrialization of much of the waterfront has meant that historically many of these assets have become isolated, compromised or inaccessible to the public. The Hudson acts as an avian highway—the North American Flyway—and many species such as Osprey use the Kingston waterways for feeding and resting during spring and fall migrations. Kingston Harbor and Rondout Creek provide critical habitat for migratory fish species that move from the Atlantic to freshwater havens for spawning. The American Shad, among other anadromous species, migrates up the Hudson and seeks refuge in Rondout Creek, while large and small mouth bass find overwintering habitat in the critical wetland habitat south of Kingston Point Park. Currently, man-made Island Dock has grown into a hardwood forest ecosystem, providing a critical node of habitat for nesting birds, mammals, and insects.

The Habitat Strategies set out to restore and protect existing natural habitat, as well as integrate new habitat corridors throughout the BOA. The strategies include providing new habitat opportunities at the edges through selective softening of the shoreline, creating reef streets that provide small niches and vegetation for fish to hide and spawn, by restoring existing wetlands and creating wetland buffers, and creating educational trails and access points for birders, school children and citizens to learn about and access these abundant natural resources. These strategies are discussed in detail by zone below.

ZONE 1: RESILIENT RONDOUT

A key strategy in Zone 1 is the acquisition of Island Dock by the City to protect Island Dock as a forested public park in perpetuity. A light-touch design carves out trails and small groves for art installation within the existing canopy, retaining a maximum amount of habitat while creating a unique experience of nature for Kingston residents. Reforestation and reseeding of gravel areas would allow natural succession to be an active program within of the park.

FIGURE 06.27 *Osprey use waterways for feeding*

FIGURE 06.28 *American Shad use Kingston Harbor and Rondout Creek*

The 'complete' East Strand Street acts as a greenway corridor, planted with floodplain and riparian trees and vegetation that can handle a range of water levels, while providing food and habitat for local fauna. Increased tree canopy along streets throughout the Rondout will provide beauty for residents, and habitat for migrating species.

In addition, the waters of the inlet north of Island Dock are currently partially stagnant, due to three abandoned barges that restrict the water flow to the mainland and prevents tidal flow from freely moving. This plan advocates that the barges be removed to restore tidal flow. This will drastically improve water quality and habitat within the inlet for freshwater species and reverse the accumulation of sediment in the Inner Channel.

ZONE 2: ADAPTIVE EDGE

As part of the cut-and-fill strategy (see section on Cut-Fill Strategy below), the shoreline south of Ponckhockie would be reshaped to create Reef Streets that align with the street grid, building up developable parcels and creating water inlets to safely adapt to rising Hudson levels. Selective edges would be softened to support wetland vegetation, while an eco-concrete rip-rap (a low pH concrete that supports aquatic vegetative growth) would line the hardened edges used for marine industry and dock access.

Additionally, the plan advocates that larger sections of one of these reef street be utilized for pilot fish freshwater habitat creation, which could be a part of the larger Hudson River Estuary Program. Habitat creation techniques may include the use of eco-concrete modules, riffle construction, eelgrass planting, and freshwater mussel bed seeding.

Large bioswales in these zones are also planted in native perennial and meadow mixes, providing food and habitat for key pollinators.

ZONE 3: ECO ZONE

This area boasts one of the largest wetland regions along the Rondout and provides key habitat for fish spawning and overwintering. It is also a critical stop-over for migratory species along the Hudson River Flyway. However, as sea levels rise in the coming decades, these wetlands are at risk of declining unless wetland buffers are created that allow space for the wetlands to migrate upland with the rising waters. A wetland migration buffer is thus a key habitat strategy to ensure that this habitat remains despite shifting water levels.

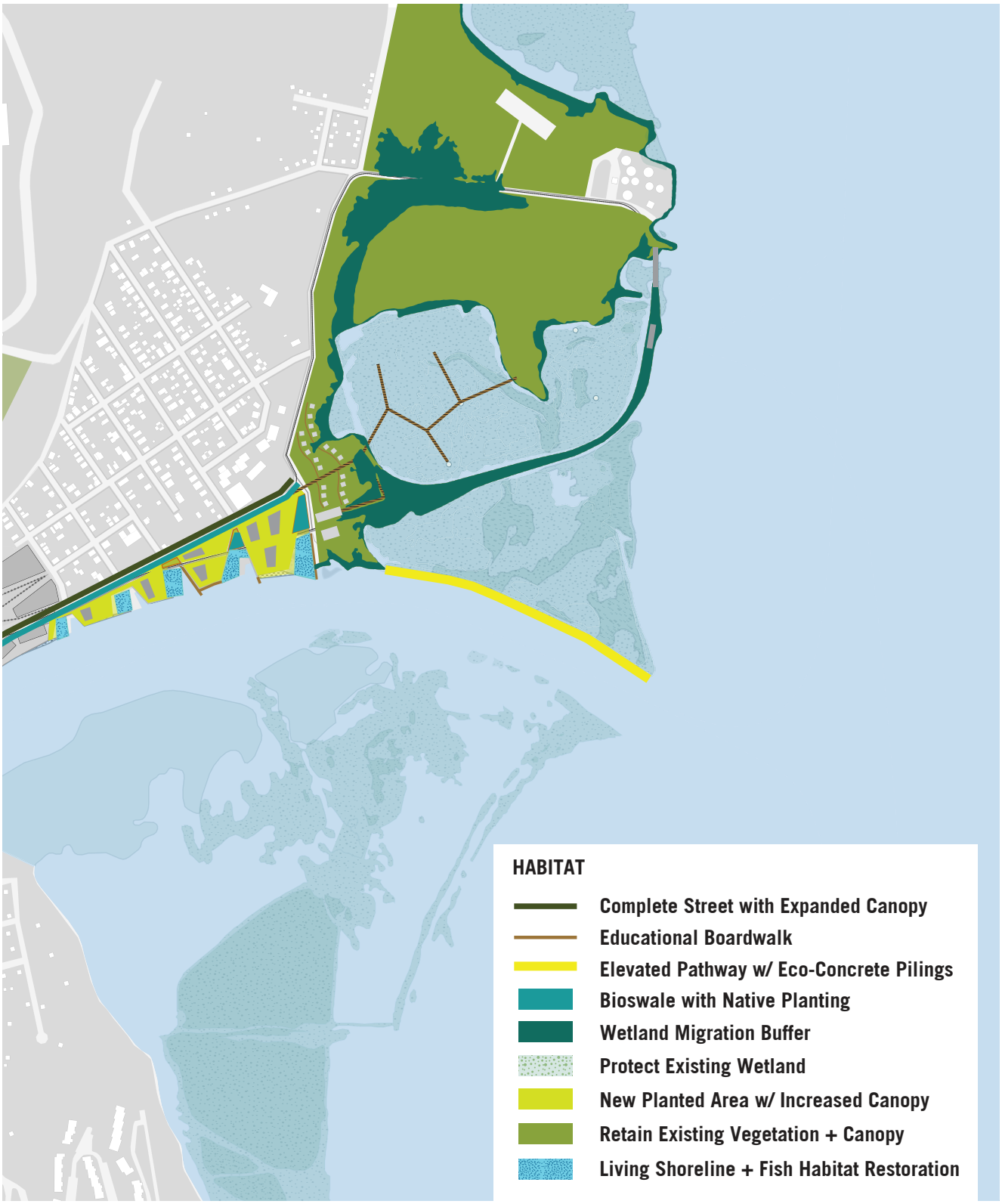
Rather than cutting off residents to their wetland resources, this plan proposes creating a learning boardwalk that would allow residents and school groups to study and access these remarkable amenities. Bird blinds and overlook decks would create safe spaces to view migrating species, and increase awareness of this often overlooked waterfront resource. The boardwalks would be sensitively constructed to have the minimal amount of disturbance to existing wetlands.

Beyond the boardwalks, the elevated walkway to the Lighthouse could provide another ideal pilot project for fish habitat creation, through the use of eco-concrete pier casings.

FIGURE 06.30 *Example of learning boardwalks*

FIGURE 06.29 *Eco-concrete can create fish habitat*

FIGURE 06.31 *Habitat Strategies*


HABITAT
Complete Street with Expanded Canopy
Educational Boardwalk
Elevated Pathway w/ Eco-Concrete Pilings
Bioswale with Native Planting
Wetland Migration Buffer
Protect Existing Wetland
New Planted Area w/ Increased Canopy
Retain Existing Vegetation + Canopy
Living Shoreline + Fish Habitat Restoration

RESILIENCY STRATEGIES

The study area is vulnerable to flooding from both above and below. Waterfront flooding from the Rondout Creek results from heavy rainfall, while Hudson River flooding brings waters from high tide events and storm surges upstream. Additionally, runoff from upland stormwater moves downhill to the Rondout valley. Currently flooding in the Rondout is expected to worsen over the coming decade as the sea levels rise with the potential to accelerate over the coming century. The Sea-Level rise projections adopted by the Planning for Rising Waters: Final Report of the City of Kingston Tidal Waterfront Flooding Task Force are up to 3 feet over the next fifty years.

	2060s	2100
Sea-level Rise	20"	33"
Sea-Level Rise with Rapid Ice Melt	36"	68"

FIGURE 06.32 *Sea-level rise projections*

The success of any long term development will depend on being able to protect and respond to a range of flooding scenarios.

This plan adopts the Flooding Task Force Guidelines for sea level rise and Flood Projections through 2100—and plans for a range of scenarios that include a potential rise in Hudson levels of 20" to 36" by 2060. The strategies adopted from the Task Force include:

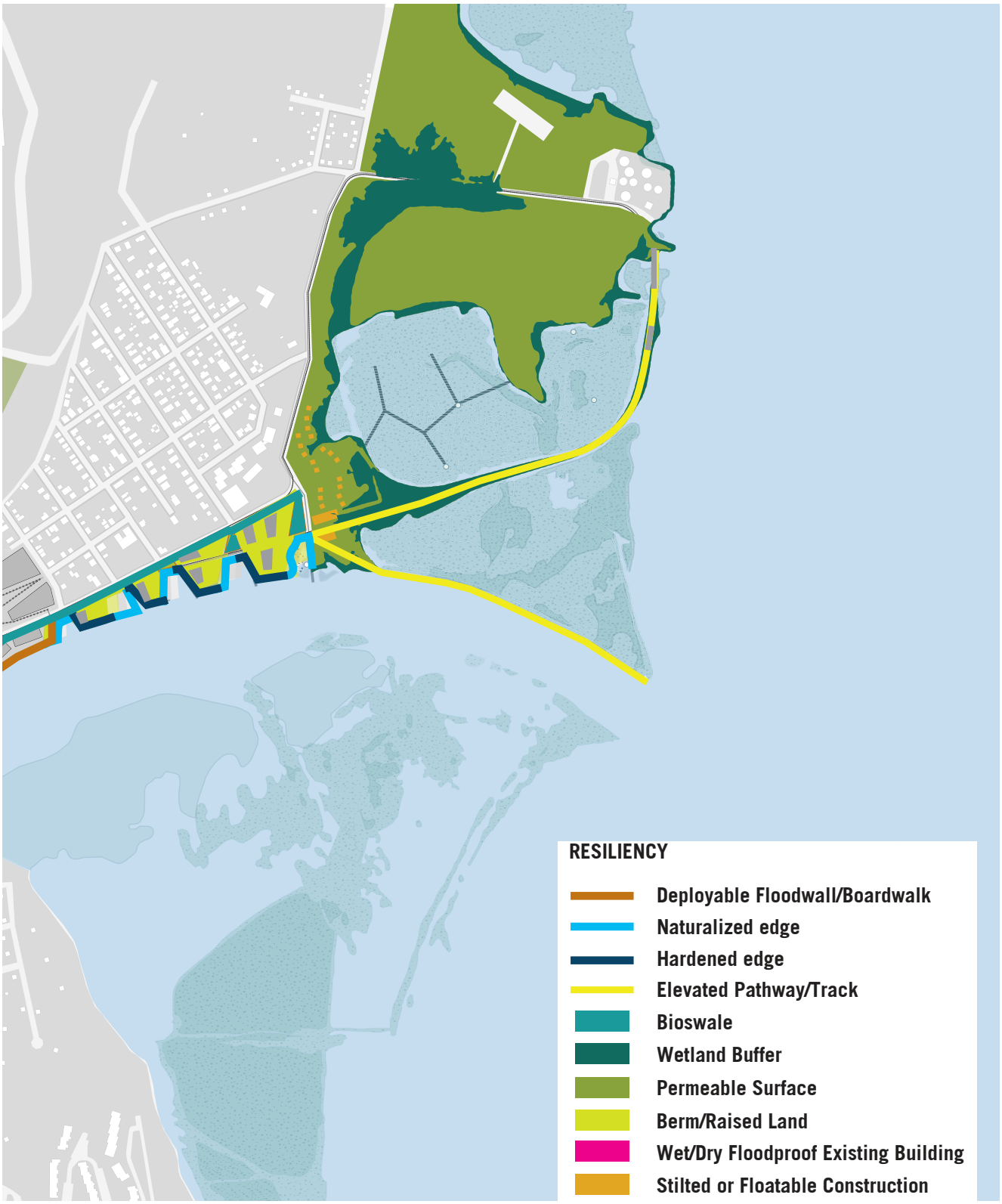
1. Using natural systems to reduce flood risk and erosion-- including green buffers, bioswales, berming and elevated right-of-ways;
2. Promoting a waterfront economy and economic revitalization alongside resiliency efforts by including both hard and soft edges;
3. Promote Kingston's Climate Action Plan through reducing greenhouse gas emissions through green infrastructure and green architecture;
4. Using natural shorelines and innovative architecture to create resilient neighborhoods,
5. Reducing stormwater, upland flooding and combined sewer overflow through green infrastructure and best stormwater management practices;
6. Providing areas for wetlands and high waters to migrate inland;
7. Adapting all new development within the projected flood zone to the rising sea levels and increased flood risk.

FIGURE 06.33 *Bioswales are an example of a resiliency strategy*

In addition, rather than creating expensive walls or barriers that increase risk of a catastrophic breach while cutting off the community from the waterfront, this plan calls for a layered approach to resiliency that uses a toolkit of upland and lowland strategies to create a Resilient Rondout.

The strategies are outlined on the following pages, and are organized by zone to describe how each of the different layers of resiliency work in tandem: edge, buildings, surface, and community. As the eventual level of sea level rise is unknown, the use of a multi-layered system allows for a more flexible system than traditional sea wall or levee, traditional high-cost engineering solutions that can actually produce dangerous, high risk flooding scenarios if they underestimate the height of future water levels even by an inch. By creating a layered defense, this strategy produces a resilient and flexible edge that can adapt to rising waters from multiple sources and at multiple levels.

FIGURE 06.34 *Resiliency Strategies*


RESILIENCY
Deployable Floodwall/Boardwalk
Naturalized edge
Hardened edge
Elevated Pathway/Track
Bioswale
Wetland Buffer
Permeable Surface
Berm/Raised Land
Wet/Dry Floodproof Existing Building
Stilted or Floatable Construction

ZONE 1: RESILIENT RONDOUT

This area includes strategies that will help existing historical buildings adapt to rising waters and runoff from uphill regions.

EDGE

A raised boardwalk along the Rondout waterfront is armored with a deployable floodwall that flips up in times of high waters, and flattens to allow access to the waterfront at other times. Additionally, restoring flow to the Island Dock inner channel will allow flood waters to outflow more rapidly, lessening the impact of peak stormwater events.

BUILDINGS

Existing buildings within the updated 2060 floodplain are retrofitted with either (1) dry floodproofing- building or site modifications that prevent water from entering during a flood event, or (2) wet floodproofing-- building modifications such as vents that allow a building to strategically flood in times of high water without causing structural damage. New infill buildings within the 2060 100-yr floodplain must be designed to be resilient to Kingston Flooding Task Force projections.

SURFACE

Permeable surfaces will replace hardscape wherever applicable to increase stormwater retention and reduce flooding downhill. The green 'complete' East Strand Street will feature linear bioswales and increased tree plantings to act as linear sponge for stormwater from both up and downhill. The most likely remediation plan at Island Dock will be installation of a membrane covered with soil capping which will result in a raised elevation on the property.

COMMUNITY

The community is a robust network of business owners and local residents who use this area as a hub for gathering, social events and information sharing. The area around Broadway especially feels as the town square of the waterfront. This area should continue to grow as the organizational center of the community and serve as the command center in the case of an event and rallying in times of need. This should be also the community core that helps fight for the appropriate direction of development and investment in the Hudson Riverport at Kingston.

INFILTRATE

RETAIN

FIGURE 06.35 *Zone 1 Resiliency Strategies*

INFILTRATE
EAST STRAND AS GREEN COMPLETE STREET WITH BIOSWALES

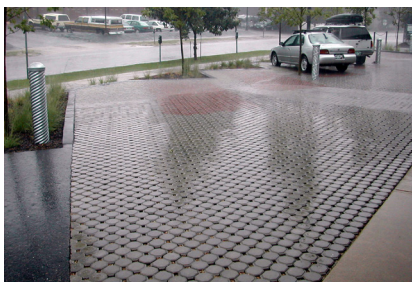
RETAIN
INCREASED TREE COVER INCREASES STORMWATER RETENTION

PROTECT
FLOODPROOF OR WET-FLOODPROOF EXISTING BUILDINGS

PERMEATE
PERMEABLE PAVEMENT INCREASES RETENTION + DECREASES FLOODING UPHILL

FLIP
DEPLOYABLE FLOOD WALLS ATOP BOARDWALK WATERFRONT PROTECT EXISTING BUILDINGS

PROTECT



PERMEATE

FLIP

ZONE 2: ADAPTIVE EDGE

This area includes strategies for new development on current brownfield sites outside of the floodplain, and for reducing stormwater runoff from adjacent Ponckhockie uphill.

EDGE

A cut-and-fill strategy (see detailed steps of Cut-Fill Strategy below), the shoreline would be reshaped to create Reef Streets that align with the street grid to open up views, build up developable parcels and create water inlets to safely adapt to rising Hudson levels. Sloped landforms would allow easy access to the waterfront, while selective softened edges would be planted to create habitat and buffer waters from Hudson River storm surges.

BUILDINGS

All building sites are elevated via cut and fill above the 2060 100-yr floodplain.

SURFACE

The East Strand linear bioswale empties into two large bioswale areas that direct and absorb flooding from uphill and provide a secondary area for overflow for Rondout and Hudson flood waters. Public access spaces will be created from permeable surfaces and pavement, vegetated areas and tree plantings to create floodable and resilient public spaces.

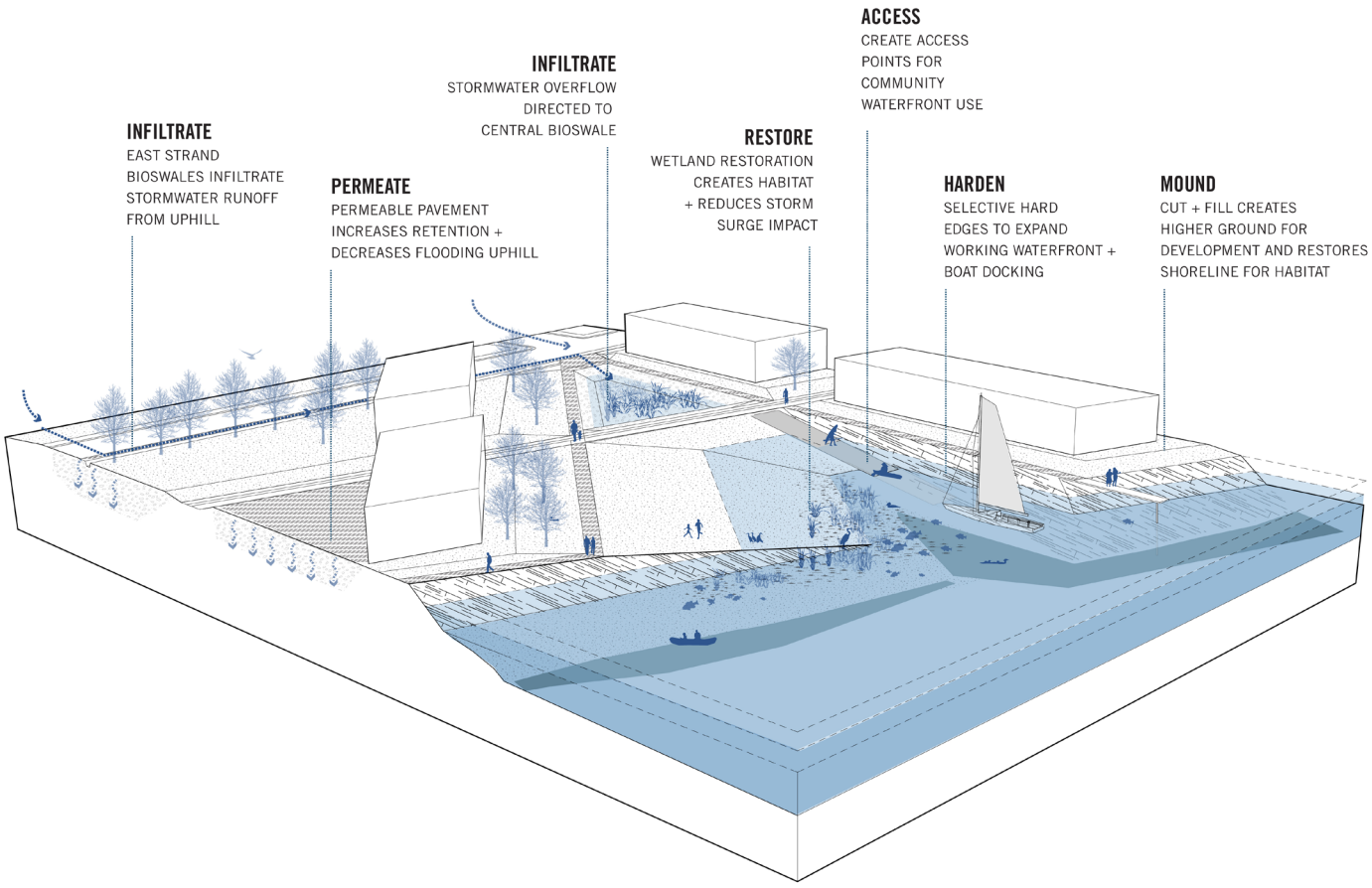
COMMUNITY

As the most vulnerable location for development within the BOA boundary community resiliency will be a key theme and focus. Reinforcing networks and providing a range of housing options ensures a diverse community of all income and social levels while balancing new development with the existing Ponckhockie neighborhood. It will also be critical to make physical and virtual connections between water and community. The waterfront needs to provide plenty of shade opportunities to address raising temperatures. Buildings and landscape need to address flood and storm events and provide areas of refuge and place for communities to come together and organize.

INFILTRATE

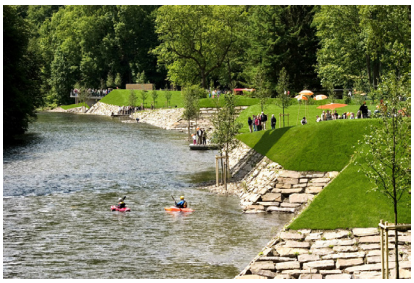
PERMEATE

FIGURE 06.36 *Zone 2 Resiliency Strategies*




RESTORE


ACCESS


MOUND

ZONE 3: ECO ZONE

This area focuses on preserving the best tool Nature has against flooding: wetlands.

EDGE

Wetlands located along the Rondout and the Hudson serve a key ecosystem benefit by intercepting overland flow and detaining floodwaters. Wetland vegetation dissipates the velocity of flood water and anchors soil, thus decreasing erosion. By temporarily storing and slowing overland flow and floodwaters, wetlands serve to reduce flooding, erosion, and property damage. However, as sea levels rise, wetlands must be allowed to migrate uphill to maintain their size and resiliency benefits. The plan advocates for protecting these wetlands by creating a buffer within the new Flood Task Force 2100 100-year floodplain, allowing room for wetlands to migrate inland. Educational signage would be included to help residents understand the important role these wetlands are playing in creating a resilient Kingston.

BUILDINGS

Sensitive development of an eco-hotel would include innovative stilting architecture that would have a light touch on the landscape and allow flooding waters to move unimpeded.

SURFACE

Preservation of existing canopy and wetlands will ensure that this zone functions as a sponge for runoff of stormwater from uphill that causes downhill flooding as well as waterfront flooding. Any new roads to the eco-hotel will be composed of permeable surfaces.

COMMUNITY

The community focus here is on advocacy, education and protecting the delicate ecosystem. With a focus on experiencing the water, the views and the environment to connect to larger systems. The community organizes around a similar mission to restore, preserve and enhance the natural beauty and habit and passes that commitment on to future generations.

RETAIN

STILT

FIGURE 06.37 *Zone 3 Resiliency Strategies*

RETAIN
PROTECT EXISTING
TREE COVER FOR
STORMWATER RETENTION

STILT
CONSTRUCTION ON PIERS REDUCES
IMPACT ON ECOSYSTEM + REMAINS
FLEXIBLE TO RISING WATERS

BUFFER
GREEN BUFFER ZONE
ALLOWS WETLANDS TO
MIGRATE INLAND AS
SEA LEVEL RISES

EDUCATE
LEARNING BOARDWALK
ALLOWS ACCESS TO WETLANDS
+ INCREASES AWARENESS OF
THEIR IMPORTANCE FOR
RESILIENCY AND ECOLOGY

PROTECT
EXISTING WETLANDS ARE
HABITAT FOR FISH + WILDLIFE,
REDUCES STORM SURGE IMPACT,
AND INCREASES STORMWATER RETENTIO


BUFFER


EDUCATE


PROTECT

CUT AND FILL STRATEGY

This section looks more closely at the Cut and Fill strategy utilized for Zone 2, the Adaptive Edge. As described in the resiliency section of this document, this area is not only prone to flooding but also at high risk of inundation from sea level rise in the coming decades. The areas within this zone are all historic or active industrial sites, with a high risk of contamination from a mix of organic and nonorganic pollutants, including two prior spills confirmed by the NYSDEC. As sea levels rise, the risk of in-soil contaminants leaching into the Rondout and the Hudson only grows, so doing nothing in this area could have unfortunate long-term consequences beyond the sites.

This plan proposes a cut + fill strategy to both treat contamination on site and bring development parcels out of the flood plain. Given that moving fill on site is much less expensive than trucking fill in from off site, this is also a cost effective measure for addressing both contamination and flooding. This process has been used at brownfield sites throughout the world, including the Olympic Park in London. As the exact amount and specific type of contaminants can only be estimated through historical use, the following steps are recommended to refine the strategy in the future:

STEP 1: TESTING
Soil and groundwater is tested for concentration and type of contaminant. Areas of high contamination with high cost for treatment (i.e. some heavy metals) can be disposed of offsite.

FIGURE 06.38 *Soil washing technique*

STEP 2: CUT + FILL
Soil is moved on site to bring parcels to a minimum of +11 North American Vertical Datum (NAVD), as recommended by the Flooding Task Force. Due to changing Sea Level Rise scenarios, a more aggressive minimum height of +13 - 16 (NAVD) may need to be considered in key locations, and should be reviewed prior to further design and implementation. The cut soil undergoes remediation on site specific to contaminant. Given the available information, it is believed that a majority of the contaminated soil can be treated with in-situ methods such as soil washing, thermal treatment, bioremediation and/or containment. Depending on the remediation process chosen, it may take anywhere from a few months to several years before a site would be ready for development. Time could be saved by disposing of the most contaminated soils offsite.

STEP 3: ADAPT
The edge is reshaped and replanted to create new habitat opportunities, buffer rising water levels and future storm surge, reduce shoreline erosion, prevent contamination of waterways, and provide resilient parcels for development.

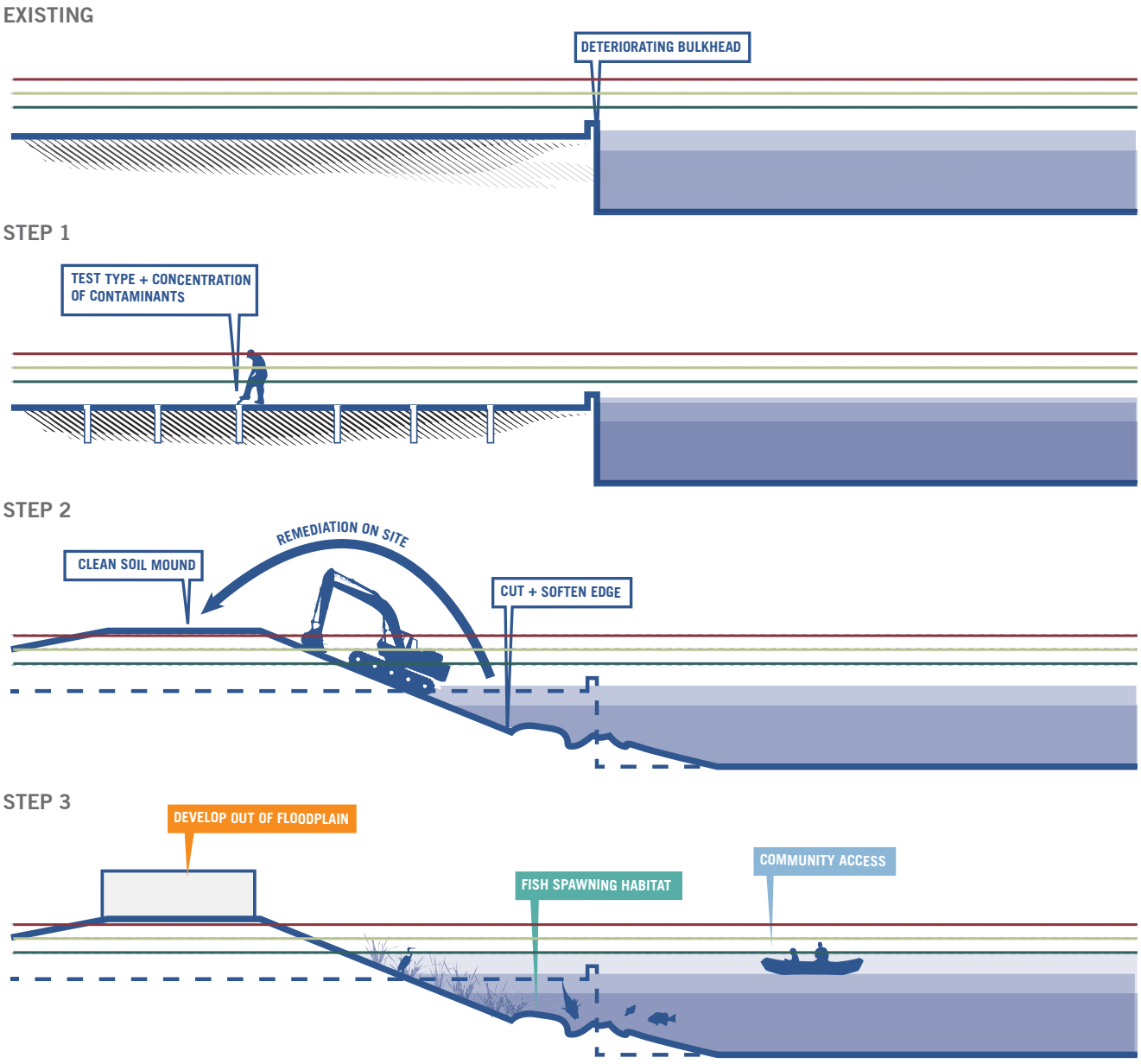
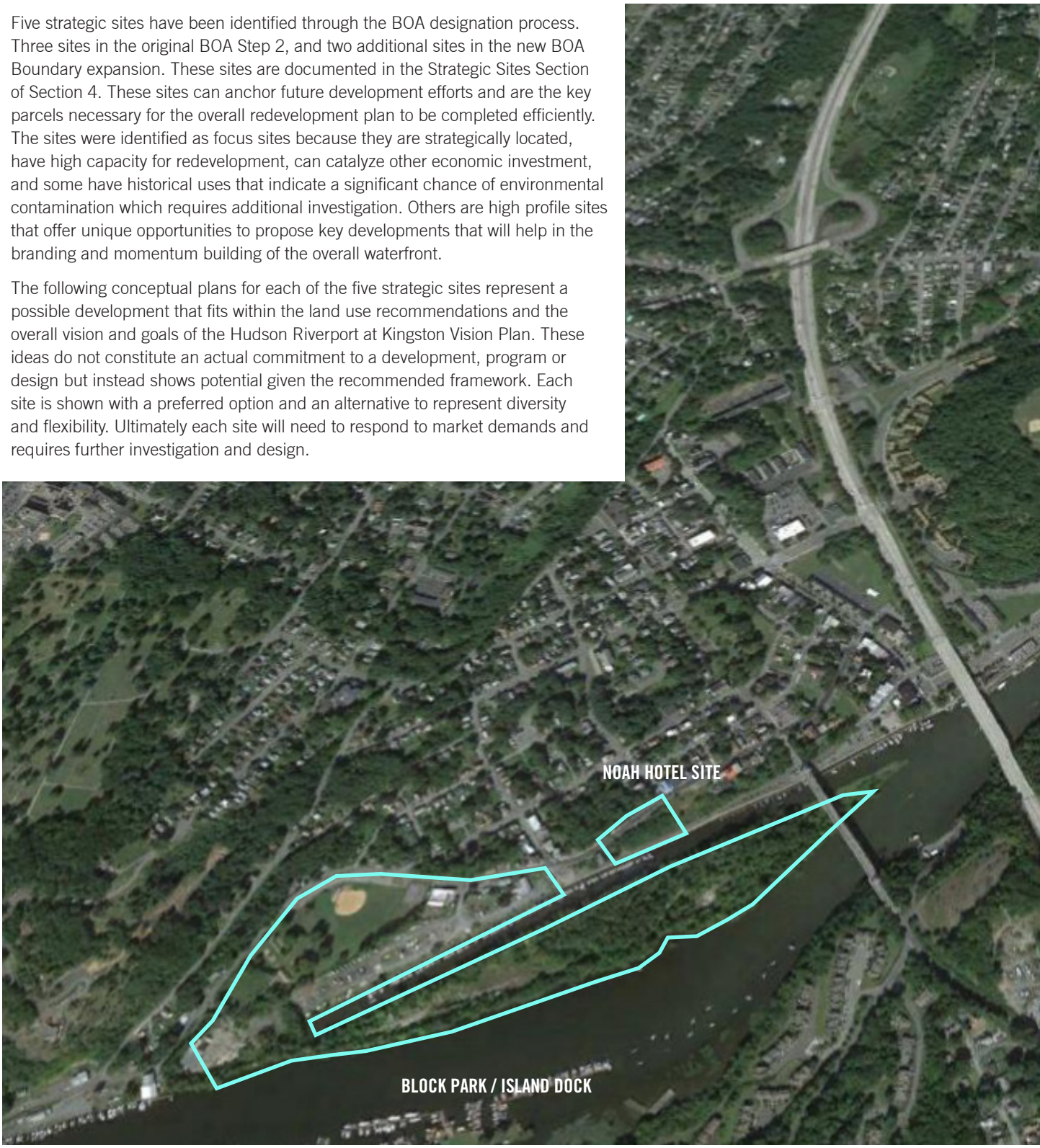


FIGURE 06.39 *Cut and Fill Strategy*

STRATEGIC SITES

Five strategic sites have been identified through the BOA designation process. Three sites in the original BOA Step 2, and two additional sites in the new BOA Boundary expansion. These sites are documented in the Strategic Sites Section of Section 4. These sites can anchor future development efforts and are the key parcels necessary for the overall redevelopment plan to be completed efficiently. The sites were identified as focus sites because they are strategically located, have high capacity for redevelopment, can catalyze other economic investment, and some have historical uses that indicate a significant chance of environmental contamination which requires additional investigation. Others are high profile sites that offer unique opportunities to propose key developments that will help in the branding and momentum building of the overall waterfront.

The following conceptual plans for each of the five strategic sites represent a possible development that fits within the land use recommendations and the overall vision and goals of the Hudson Riverport at Kingston Vision Plan. These ideas do not constitute an actual commitment to a development, program or design but instead shows potential given the recommended framework. Each site is shown with a preferred option and an alternative to represent diversity and flexibility. Ultimately each site will need to respond to market demands and requires further investigation and design.




MILLENS AND SONS
THE LANDING
KOSCO ASSEMBLAGE

KOSCO ASSEMBLAGE

This site is 4.14 acres on the south side of East Strand, adjacent to the former L&M Auto Parts Site. The site was acquired by Historic Kingston Waterfront, KOSCO, LLC in September 2007. The site is currently rented to local artisans and is rented by the NY State Police, Ulster County Sheriff's Department and DEC to dock emergency response vessels.. It was the location of the Kingston Oil Supply Company (KOSCO) Service Department. Until seven years ago, the site was the base for 25 technicians for residential and commercial heating customers and marine fueling terminal. Tanks were removed from the site seven years ago. However, there is no evidence of any spills or leakage from the KOSCO tanks. The site is surrounded by a chain link fence and includes four one-story structures. Historically, the site was used for rail operations.

FIGURE 06.40 *KOSCO Assemblage - Existing Condition*

FIGURE 06.41 *KOSCO Assemblage - Preferred Option*

PREFERRED OPTION

The site can be reshaped with a cut and fill strategy and any contamination can be dealt with in-situ and is not an obstacle to redevelopment. The site work maintains view corridors along streets and provides new means to engage the waterfront. Two new development sites will be created outside of the floodplain. This site is an opportunity to bring city fabric to the waterfront and a vibrant mixed-use community. Each building will be retail and maker space at the ground floor with residential above. Buildings range from 3 - 4 stories and provide a range of unit types including market rate, senior housing, artist lofts and affordable units.

Total long-term development in the preferred option: 60,000 SF including 38 residential units.

FIGURE 06.42 *KOSCO Assemblage - Design Alternative*

DESIGN ALTERNATIVES

In the design alternative it is assumed that no large scale site work would be performed to address flooding and remediation issues. Instead the edge would remain approximately in the same location and a 50 foot right of way would be preserved for recreation and resiliency efforts. A single development lines East Strand Street north of the trolley tracks. The anticipated use for this would be flexible office space with retail at the ground floor. Because of limited site work the building parcel would need to be lifted roughly 6 feet out of the flood plane to ensure a safe ground floor. Parking is captured on site and placed in the basement to bring the ground floor up.

Total long-term development in the alternative option: 45,000 SF of flexible office space with retail at the base. No residential units are included in this alternative.

ECONOMIC IMPACT ANALYSIS

Figure 06.43 provides the program plan for the proposed development of KOSCO Assemblage.

On this basis and using the key assumptions, the proposed development of KOSCO Assemblage is anticipated to generate the economic impacts seen in Figure 06.44.

PHASE		LAND AREA	TOTAL (EXCL. PARKING)	COMMERCIAL	RETAIL	HOTEL	CIVIC	RESIDENTIAL		SURFACE PARKING	STRUCTURED PARKING	
no	years	SF	SF	SF	SF	SF	SF	SF	no. of units	no. of units	no. of units	SF
1	2016-2020	-	-	-	-	-	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-	-	-	-	-	-
3	2031-2040	15,000	60,000	-	15,000	-	-	45,000	38	20	-	-
4	2041-2050	-	-	-	-	-	-	-	-	-	-	-
		15,000	**60,000**	**-**	**15,000**	**-**	**-**	**45,000**	**38**	**20**	**-**	**-**

FIGURE 06.43 *KOSCO Assemblage Program Plan*

PHASE		ONE TIME JOBS	ONGOING JOBS	ONE TIME TAXES	ONGOING TAXES	20 YEAR PV OF TAXES (ONETIME AND ONGOING)	TOTAL ANNUAL ECONOMIC IMPACT
no.	years						
1	2016-2020	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-
3	2031-2040	56	17	$616,046	$389,541	$6,288,361	$2,384,177
4	2041-2050	-	-	-	-	-	-
		56	**17**	**$616,046**	**$389,541**	**$6,288,361**	**$2,384,177**

FIGURE 06.44 *KOSCO Assemblage Economic Impact Analysis*

THE LANDING

Kingston Landing is located southeast of the intersection of North Street and East Strand, bordered on the north and the west by B. Millens Recycling operations. This 3.77 acre site is vacant land and marshland located at the mouth of the Rondout Creek. It offers unobstructed views of the Hudson River, Kingston Point Lighthouse and surrounding environs. The property was acquired by Historic Kingston Waterfront, Kingston Landing, LLC in April 2005. The site is reclaimed land. During the 1970's a portion of the eastern area was reclaimed using fill material. About half of the parcel is submerged at high tide. The western half of the property is marshland. There is a boat launch ramp to the Rondout Creek at the southwest corner of the property. The property has 215 feet of frontage along the east side of North Street. There are currently no on-site structures. The site was formerly used as a marina from the early 1970's to the 1980's. The most appropriate reuse for this property is likely to be a destination project that will take advantage of its prominent location, such as a restaurant, retail and cultural uses.

FIGURE 06.45 *The Landing - Existing Condition*

FIGURE 06.46 *The Landing - Preferred Option*

PREFERRED OPTION

The site will not be reshaped but any contamination can be dealt with dealt with in-situ and is not an obstacle to redevelopment. A single development parcel will be created above the flood plain. The proposed development on site will be a focused single building of 2 - 3 stories that creates a mixed-use trolley terminal with retail and cultural space. This trolley stop becomes the major hub for the eco-hotel destination and provides opportunities to access the waterfront, day-liner trail and access the lighthouse trail. There would be a concentration of uses that would entice people to get off the trolley and spend a couple of hours. Minimal on-site parking is provided and instead a district parking garage at North Street and East Strand.

Total long-term development in the preferred option: 5,500 SF.

FIGURE 06.47 *The Landing - Design Alternative*

DESIGN ALTERNATIVES

The site will remain as is, there is no major cut-fill proposed or other soil movement. Contamination can be treated on-site where feasible. Remaining contamination can be removed and soil replaced from an external source. A development site can be raised out of the floodplain on stilts and a simple platform will be created for a trolley stop. The main focus of the development is a water and research institute that can take full advantage of location.

Total long-term development in the alternative option: 35,000 SF

ECONOMIC IMPACT ANALYSIS

Figure 06.48 provides the program plan for the proposed development of The Landing.

On this basis and using the key assumptions, the proposed development of The Landing is anticipated to generate the economic impacts seen in Figure 06.49.

PHASE		LAND AREA	TOTAL (EXCL. PARKING)	COMMERCIAL	RETAIL	HOTEL	CIVIC	RESIDENTIAL		SURFACE PARKING	STRUCTURED PARKING	
no	years	SF	SF	SF	SF	SF	SF	SF	no. of units	no. of units	no. of units	SF
1	2016-2020	-	-	-	-	-	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-	-	-	-	-	-
3	2031-2040	5,500	5,500	-	2,000	-	3,500	-	-	5	-	-
4	2041-2050	-	-	-	-	-	-	-	-	-	-	-
		5,500	**5,500**	**-**	**2,000**	**-**	**3,500**	**-**	**-**	**5**	**-**	**-**

FIGURE 06.48 *The Landing Program Plan*

PHASE		ONE TIME JOBS	ONGOING JOBS	ONE TIME TAXES	ONGOING TAXES	20 YEAR PV OF TAXES (ONETIME AND ONGOING)	TOTAL ANNUAL ECONOMIC IMPACT
no.	years						
1	2016-2020	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-
3	2031-2040	7	2	$76,712	$41,063	$674,651	$271,535
4	2041-2050	-	-	-	-	-	-
		7	**2**	**$76,712**	**$41,063**	**$674,651**	**$271,535**

FIGURE 06.49 *The Landing Economic Impact Analysis*

MILLENS & SON SCRAP METAL RECYCLING

Millens & Son Scrap Metal Recycling operates its vehicle and equipment maintenance facility at the end of North Street. The site includes a small brick and concrete block structure built at the front of the lot that is used for vehicle and equipment maintenance and storage. A gravel area to the east of this building is used to store trailers, miscellaneous heavy equipment and scrap metal in roll-off containers. Historically the site has been used for cement works, storage and vehicle maintenance. The Landing and KOSCO sites assemblages are the critical areas for redevelopment. The KOSCO site is strategically located adjacent to the Millens Property and the Central Hudson Former Coal Gas Facility, which is also under consent order. The Millens Site has been recently added to the State list in the second half of 2008 and there is a consent order for that site as well.

FIGURE 06.50 *Millens & Son - Existing Condition*

FIGURE 06.51 *Millens & Son - Preferred Option*

PREFERRED OPTION

The site is combined with adjoining properties to create a destination 40 key eco-hotel site. These sites include private and public lands mostly of condemned houses that have sustained damage from flooding and are beyond repair. The construction of the hotel would be low impact, such as building on stilts with small footprints, to preserve the sensitive nature of the site. Likewise, the building will be kept low, 1 - 2 stories to maintain views and limit impact. The hotel would be one larger structure to house common facilities such as check-in, restaurant, meeting space, offices and back-of house services. Guest rooms would small, low impact bungalows sited in the wetlands along a boardwalk.

Total long term development in the preferred option: 35,000 SF including 40 hotel units.

FIGURE 06.52 *Millens & Son - Design Alternative*

DESIGN ALTERNATIVES

No Site assemblage would be formed. The site would be utilized as a small scale civic and event destination with supporting classroom space. Given the limited ability to develop due to extreme flooding issues this alternative focuses on the portion of the site at the highest elevation and closest to the road.

Total long term development in the alternative option: 20,000 SF

KEY SITES: MILLENS AND SON SCRAP METAL RECYCLING

Figure 06.53 provides the program plan for the proposed development of Millens and Son Scrap Metal Recycling.

On this basis and using the key assumptions, the proposed development of Millens and Son Scrap Metal Recycling is anticipated to generate the economic impacts seen in Figure 06.54.

PHASE		LAND AREA	TOTAL (EXCL. PARKING)	COMMERCIAL	RETAIL	HOTEL	CIVIC	RESIDENTIAL		SURFACE PARKING	STRUCTURED PARKING	
no	years	SF	SF	SF	SF	SF	SF	SF	no. of units	no. of units	no. of units	SF
1	2016-2020	-	-	-	-	-	-	-	-	-	-	-
2	2021-2030	35,000	35,000	-	3,000	32,000	-	-	-	45	-	-
3	2031-2040	-	-	-	-	-	-	-	-	-	-	-
4	2041-2050	-	-	-	-	-	-	-	-	-	-	-
		35,000	**35,000**	**-**	**3,000**	**32,000**	**-**	**-**	**-**	**45**	**-**	-

FIGURE 06.53 *Millens and Son Program Plan*

PHASE		ONE TIME JOBS	ONGOING JOBS	ONE TIME TAXES	ONGOING TAXES	20 YEAR PV OF TAXES (ONETIME AND ONGOING)	TOTAL ANNUAL ECONOMIC IMPACT
no.	years						
1	2016-2020	-	-	-	-	-	-
2	2021-2030	48	35	$538,864	$621,833	$9,593,709	$7,882,326
3	2031-2040	-	-	-	-	-	-
4	2041-2050	-	-	-	-	-	-
		48	**35**	**$538,864**	**$621,833**	**$9,593,709**	**$7,882,326**

FIGURE 06.54 *Millens and Son Economic Impact Analysis*

BLOCK PARK/ISLAND DOCK

Block Park is a 7 acre site located between Abeel and Ravine Streets and the inner channel of Rondout Creek from Island Dock. Block Park is currently a City operated public space and includes a softball diamond, basketball courts, seasonal bathrooms, handball courts, a pavilion, picnic area, and a playground. The park occasionally floods during heavy rain both from the creek and from upland water flowing down the hill to the north. The water pools in the south west corner of the park. Also included in the strategic site is the privately owned Hideaway Marina.

Island Dock is a 17 acre (including water) manmade island that is currently privately owned. Historically, it was a transfer point for coal from small boats carrying it on the Rondout to large boats that would carry it on the Hudson to New York City. The island is currently covered with trees and contains a private dirt road for vehicular access.

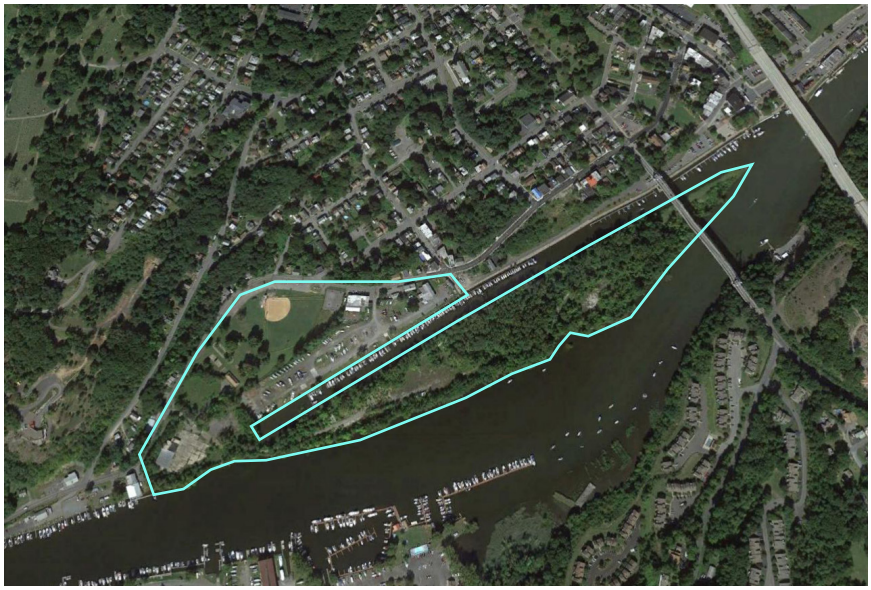


FIGURE 06.55 *Block Park / Island Dock - Existing Condition*

PREFERRED OPTION

As described previously, the preferred long term option proposes that Island Dock (approximately 17 acres of uniquely scenic undeveloped land with 6500 running feet of vessel accessible waterfront perimeter) might be purchased by the City of Kingston, possibly with the participation and/or assistance of an intermediate entity or entities, to be developed for public usage. A possible sale of Block Park (approximately 7 acres) by the City of Kingston to a private developer might generate some of the necessary funding for such an acquisition. In this option, the mainland is primarily a residential development with ground floor retail opportunities

FIGURE 06.56 *Block Park / Island Dock - Preferred Option*

in the eastern-most buildings. Hideaway Marina could be relocated to the north-easternmost portion of the site boundary where it would maintain its existing capacity. German Street is extended from the Rondout diagonally through the development parcel and Abeel Street is straightened out as it cuts east-west through the development parcel.

Bioswales and other disaster mitigation infrastructure are incorporated into the landscape between buildings along with a network of pedestrian walk ways. The Greenline, trolley line (in the long-term), and boardwalk extend from Ravine Street west along the water to the entrance to Island Dock. The softball diamond is relocated to the south west corner of the parcel. A parking lot with pervious pavement is located adjacent to it as vehicular traffic is restricted from Island Dock.

On the Island, existing trees are largely preserved as minimal walking trails are provided throughout. Small clearings are created where sculptural art can be displayed. At the eastern tip of the island, a small amphitheater provides a venue for musical and theatre performances or outdoor movies.

A pedestrian bridge connects the island to Hone Street on the mainland. This bridge is elevated to allow for tall boats to pass underneath.

Total long term development in the preferred option: 538,000 including 321 residential units.

FIGURE 06.57 *Block Park / Island Dock - Design Alternative*

DESIGN ALTERNATIVES

The design alternative suggests that there will be no change in ownership at Block Park and Island Dock. Instead Island Dock remains as a private development. Here Island Dock is turned into a small scale mixed-use community similar to Roosevelt Island. Development is kept in the center of the island to maintain a green promenade at the perimeter. The street grid is extended to the island to maintain views and create a comfortable organization strategy that the community was accustomed to. Given the one road access, roads need to be incorporated within the island upgrades as well as the additional infrastructure upgrades to facilitate a community of this size. Buildings ranging from 2 - 6 stories with parking in the basement are created in clusters. The parking is used to bring the building above the flood line.

Total long term development in the alternative option: 650,000 including 400 residential units.

ECONOMIC IMPACT ANALYSIS

Figure 06.58 provides the program plan for the proposed development of Block Park/Island Dock.

On this basis and using the key assumptions, the proposed development of Block Park/Island Dock is anticipated to generate the economic impacts seen in Figure 06.59.

PHASE		LAND AREA	TOTAL (EXCL. PARKING)	COMMERCIAL	RETAIL	HOTEL	CIVIC	RESIDENTIAL		SURFACE PARKING	STRUCTURED PARKING	
no	years	SF	SF	SF	SF	SF	SF	SF	no. of units	no. of units	no. of units	SF
1	2016-2020	-	-	-	-	-	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-	-	-	-	-	-
3	2031-2040	-	-	-	-	-	-	-	-	-	-	-
4	2041-2050	96,000	461,000	51,000	25,000	-	-	385,000	321	40	200	65,000
		96,000	**461,000**	**51,000**	**25,000**	**-**	**-**	**385,000**	**321**	**40**	**200**	**65,000**

FIGURE 06.58 *Block Park / Island Dock Program Plan*

PHASE		ONE TIME JOBS	ONGOING JOBS	ONE TIME TAXES	ONGOING TAXES	20 YEAR PV OF TAXES (ONETIME AND ONGOING)	TOTAL ANNUAL ECONOMIC IMPACT
no.	years						
1	2016-2020	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-
3	2031-2040	-	-	-	-	-	-
4	2041-2050	405	210	$4,423,712	$4,814,221	$74,526,154	$47,099,924
		405	**210**	**$4,423,712**	**$4,814,221**	**$74,526,154**	**$47,099,924**

FIGURE 06.59 *Block Park / Island Dock Economic Impact Analysis*

NOAH HOTEL SITE

The Noah Hotel site is approximately 1.75 acres and it includes a group of vacant and under utilized properties previously studied and cleared for redevelopment. It is located at the intersection of Abeel Street and Hone Street. The site is a hill site and therefore offers frontage both on Abeel Street and W. Strand Street/Dock Street. The site in the past has been identified as a potential hotel site and is where the site gets its informal nickname, the Noah Hotel Site. There are sweeping views of Rondout Creek from the upper level and it offers proximity to Island Dock and a potential to connect at the higher elevation of Abeel Street without affecting boating.

The site is strategically located at the mid-point between Block Park and Broadway with significant proximity to recreational boat activity. Directly across of W. Strand Street/Dock Street is the pedestrian promenade that runs the majority of the waterfront. There is no sidewalk on parcel side of the street on W. Strand/Dock Street.

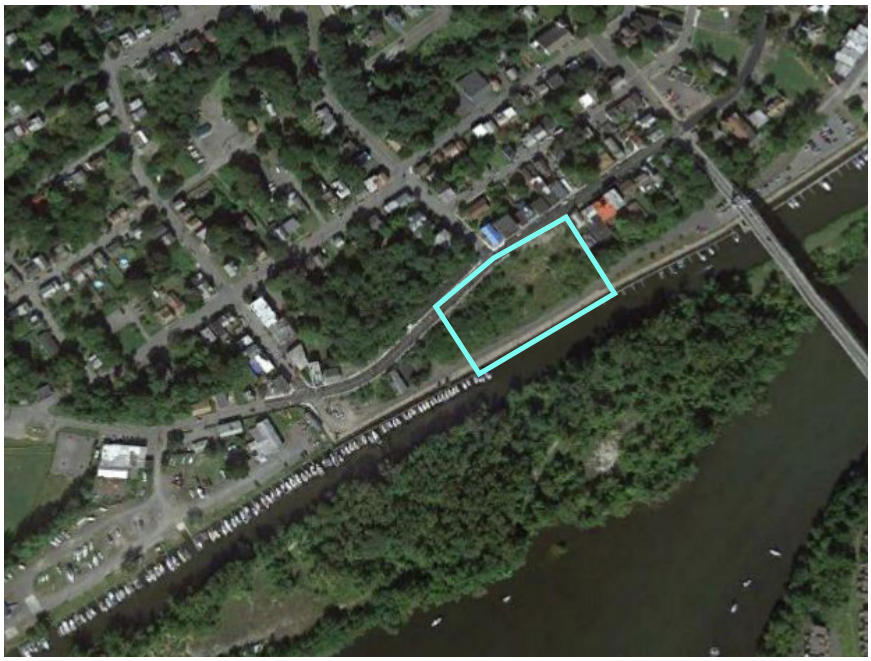


FIGURE 06.60 *Noah Hotel Site - Existing Condition*

FIGURE 06.61 *Noah Hotel Site - Preferred Option*

PREFERRED OPTION

The Noah Hotel site will be developed as it was originally planned as a hotel. This provides a unique opportunity to cater to recreational boaters looking for a more formal night stay off the water. It would also fulfill an unmet need for capturing Hudson Valley tourists looking to spend extended time in a quaint Hudson Valley River Community. The hotel is double sided in that the building can be accessed both at the upper level of Abeel Street and the lower level at W Strand Street. The more traditional hotel drop off and entrance could be off the upper level while the lower level would capture the traffic from the waterfront promenade and would include retail—such as a gourmet general store for recreational boaters. A series of roof terrace would provide restaurant seating and viewing opportunities of the Rondout Creek.

An additional 2 - 4 story commercial building would be co-located on the site to provide space for maritime focused office and support space. Between the two buildings would be a series of public terrace landscape spaces that create a green connection from the upper level and lower level. This is an opportunity to create a connection point to Island Dock and incorporate it into the development.

Given the need to incorporate parking onsite for hotel guests, parking could be part of the larger district wide strategy to provide a municipal garage here and bury parking into the hillside.

Total long term development in the preferred option: 272,500 including 150 key hotel.

FIGURE 06.62 *Noah Hotel Site - Design Alternative*

DESIGN ALTERNATIVES

The alternative scheme calls for separating the upper level development from the lower level development which lends itself better to long term phasing that would respond to the market. Upper level development is reserved for small scale residential development which is in line with existing development on Abeel Street. The lower level development is retail that focuses on the recreational boaters and flexible work space for innovative and growing companies and those needing temporary office space.

Total long term development in the alternative option: 125,000 including 30 units of housing.

ECONOMIC IMPACT ANALYSIS

Figure 06.63 provides the program plan for the proposed development of Noah Hotel Site.

On this basis and using the key assumptions, the proposed development of Noah Hotel Site is anticipated to generate the economic impacts seen in Figure 06.64.

PHASE		LAND AREA	TOTAL (EXCL. PARKING)	COMMERCIAL	RETAIL	HOTEL	CIVIC	RESIDENTIAL		SURFACE PARKING	STRUCTURED PARKING	
no	years	SF	SF	SF	SF	SF	SF	SF	no. of units	no. of units	no. of units	SF
1	2016-2020	-	-	-	-	-	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-	-	-	-	-	-
3	2031-2040	54,500	230,000	70,000	40,000	120,000	-	-	-	-	150	48,750
4	2041-2050	-	-	-	-	-	-	-	-	-	-	-
		54,500	**230,000**	**70,000**	**40,000**	**120,000**	**-**	**-**	**-**	**-**	**150**	**48,750**

FIGURE 06.63 *Noah Hotel Site Program Plan*

PHASE		ONE TIME JOBS	ONGOING JOBS	ONE TIME TAXES	ONGOING TAXES	20 YEAR PV OF TAXES (ONETIME AND ONGOING)	TOTAL ANNUAL ECONOMIC IMPACT
no.	years						
1	2016-2020	-	-	-	-	-	-
2	2021-2030	-	-	-	-	-	-
3	2031-2040	308	393	$3,402,056	$6,482,966	$97,803,977	$89,367,720
4	2041-2050	-	-	-	-	-	-
		308	**393**	**$3,402,056**	**$6,482,966**	**$97,803,977**	**$89,367,720**

FIGURE 06.64 *Noah Hotel Site Economic Impact Analysis*

ECONOMIC IMPACT ANALYSIS

METHODOLOGY

The U.S. Department of Commerce's Bureau of Economic Analysis produces multipliers to help calculate total gross output, value added, earnings, and employment in different counties across the country. This model is called Regional Input-Output Modeling System (RIMS II). The project team has used RIMS II multipliers for Ulster County, New York to create a bespoke model to estimate both direct and indirect economic impacts from the subject project.

In general, a project's total economic impact is the sum of three different economic impacts generated by that project, as calculated by the RIMS II model: the direct impact, the indirect impact, and the induced impact. These impacts can be defined as follows:

DIRECT IMPACT

A project's direct impact consists of the initial expenditures made to carry out that project. For example, the direct impact of a construction project would consist of the payments that the real estate developer makes to his local construction contractor and architect. Following construction and occupation of the project, the direct impact of an influx of new tenants would consist of the amounts these tenants spend to purchase goods and services in the local economy.

INDIRECT IMPACT

A project's indirect impact captures the impact of expenditures made by local businesses as they increase production in response to a developer's or a resident's initial purchases. For example, to complete a construction project, a construction contractor will purchase materials from local vendors, such as plywood, brick and windows. With the payments it receives for these purchases, these local vendors will pay wages to local workers and replenish their inventories by purchasing goods from their suppliers.

INDUCED IMPACT

A project's induced impact measures the impact of workers employed by this project spending their earnings within the local economy. Examples of induced expenditures include a local construction manager using her project-related bonus to buy a new car or a local carpenter using his wages to take his family out to dinner more often.

For the purposes of analyzing this development, we calculate the following indicators:

- One time jobs;
- On-going jobs;
- One time taxes;
- On-going taxes, and
- Total annual economic impact.

The following section provides the key assumptions used to calculate the aforementioned indicators.

KEY ASSUMPTIONS

Figure 06.65 provides several of the key assumptions used in the economic impact analysis model:

ASSET CLASS	RATIO OF JOBS PER SF	DEVELOPMENT COSTS PER SF
Office	1 : 250	$167
Retail	1 : 1,000	$183
Residential	1 : 25,000	$107
Hotel	0.3 : 300	$185
Other / Civic	-	$161

FIGURE 06.65 *Key Assumptions used in the economic analysis model*

1 Jobs per square footage calculations are based on averages from project team client research and third-party sources.

2 Development cost metrics are averages from project team internal research and RS Means, a cost estimating company that publishes information for the public. Please note that the estimates do not include:

- Land costs and associated acquisition costs;
- Cost of the infrastructure improvements associated with the subject project.

3 Hotel metrics are averaged from consultations with professionals from economic consulting firms with specialties in hotel econometrics.

4 We include limited impact from residential properties since they are typically associated with few direct ongoing jobs and thus limited direct ongoing economic impact. However, a conservative tax is applied to the implied increase in localized discretionary income were the units to be occupied.

5 In order to ensure conservative tax estimates, we only draw estimates from Sales Tax, Income, and Hotel Tax to calculate our tax estimate. This group of taxes is what we are most comfortable estimating given the current data. There may, however, be potential for additional tax income.

- Ongoing taxes are comprised of Sales (8%), Income (4%), and Property Tax estimates (3.2%);
- One time tax results are comprised of taxes on earnings, and materials purchases.

6 Net Present Value Calculations are discounted at 6%.

7 The total annual economic impact is the total spend (on-going) by businesses and residents.

SUMMARY OF FINDINGS

Throughout the four phases, which span from 2016 to 2050, the key sites are anticipated to have a significant economic impact on Kingston, New York. The project team estimates suggest that over 650 ongoing jobs could be brought to the area with just over 800 one time jobs. Conservatively, this would translate into over $12M, annually, in additional tax revenue with $9M in one-time tax revenue. When economic impact of the non-key sites is analyzed, the total annual and one time benefits more than doubles.

CATALYST OPPORTUNITIES

In order to catalyze development and further activate the study area, it will be important to attract one or two anchor tenants that intend to use the space for various functions during different days of the week / times of day – not just an office tenant or a large format retailer. For example:

MIXED USE BUILDING

In Quechee, VT there is a famous glass-blowing establishment called Simon Pearce. On the bottom floor, there is a glass-blowing factory. The first floor is a showroom / sales floor with a restaurant/bar. The third floor is a special events space. http://www.simonpearce.com. A similar concept on the site would enhance employment opportunities and drive tourism.

TRADE/ART SCHOOL

Another potential idea is a trade/art school to capitalize on the existing creative population in the Downtown Waterfront Area. An art school would not only serve to drive housing demand for the area, but it could drive demand for artist loft / studio space. Alternatively, there could be a partnership with SUNY to facilitate a satellite program focused on agricultural production / technology / sustainability. These concepts, when paired with the plan to create a ship building school, would create a vibrant district, filled with young adults.

It will also be important to attract residents and visitors to the site with robust programming. The Kingston Waterfront Business Association is doing a superb job of promoting the Rondout with outdoor events such as the Night Market and holiday celebrations (i.e. 4th of July Fireworks) and marketing special events for member businesses. The group, which has formed partnerships with multiple state and local agencies for support, has extensive plans to further promote the district as a dynamic, living waterfront.

07 IMPLEMENTATION STRATEGY AND COMPLIANCE

The previous sections of this report have thoroughly laid out the history of Kingston, the environmental context and the strategies for the revitalization of the Rondout Area. This section will provide more detail on how the previously discussed design strategies will be implemented, this follows on the earlier sections which layout the Phasing Strategy; that was to discuss the timing of implementation; this section will discuss how the implementation should actually occur. The discussion will include discussion of land use, regulatory and laws governing the area, as well as an evaluation of the options for management structures of the BOA Plan area that are essential to the success of the revitalization of the BOA Plan area and the Rondout.

PROPOSED ZONING MAP

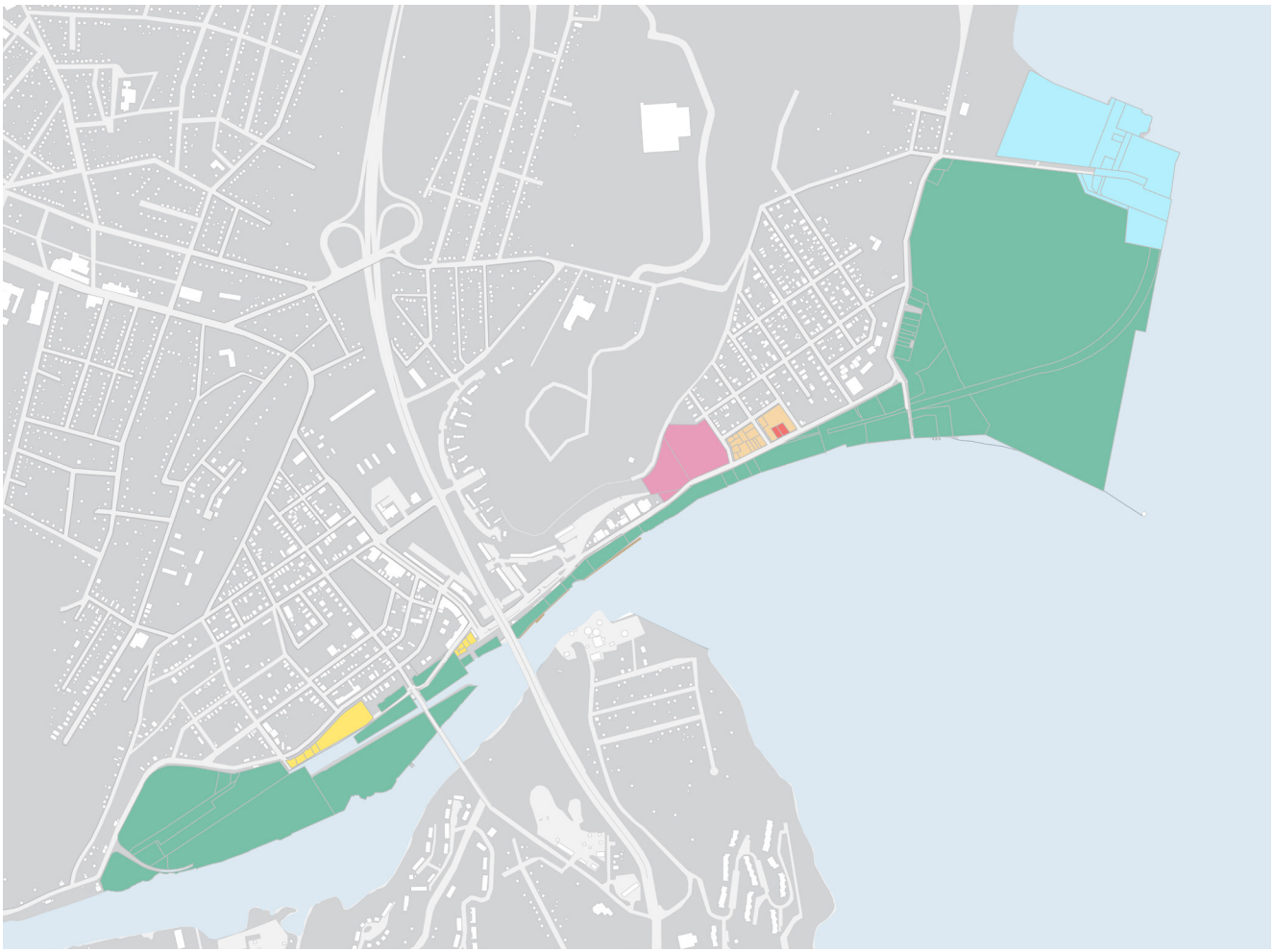


FIGURE 07.66 *Proposed Zoning Map*

The proposed zoning for the BOA Area is to maintain the existing RF-R (Rondout Riverfront District) and extended where possible to capture these specific waterfront focused guidelines. This allows for a large diversity of program and works to achieve other waterfront focused goals the city has established. As the market evolves and the plan is built out it is recommended to revisit height restrictions to provide flexibility to consolidate development. This would maintain bulk and density rules but allows developments to go slightly higher in order to minimize footprints when considering resiliency strategies and building in flood plains.

IMPLEMENTATION PROJECTS MAP

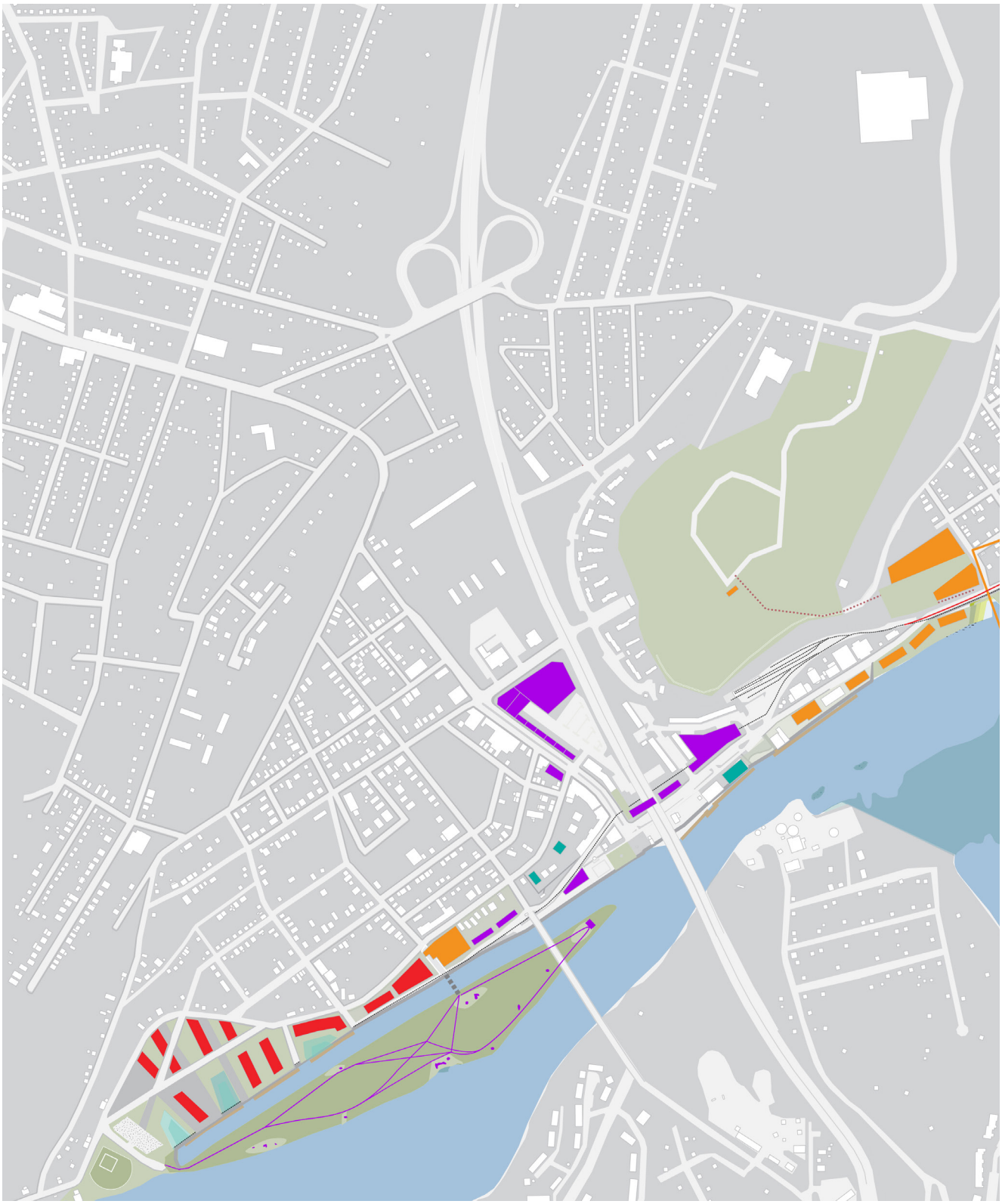
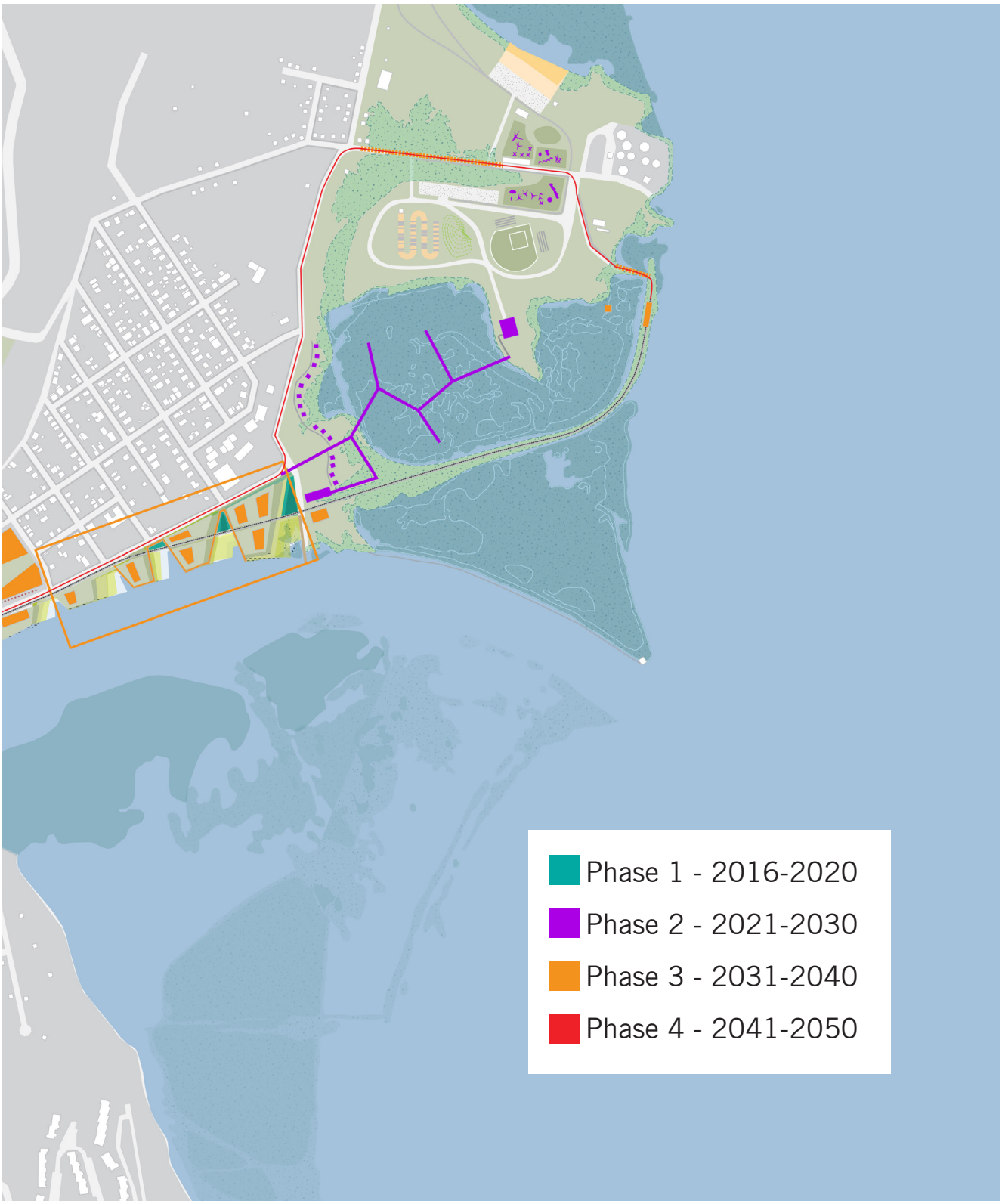


FIGURE 07.67 *Implementation Projects Map*


Phase 1 - 2016-2020
Phase 2 - 2021-2030
Phase 3 - 2031-2040
Phase 4 - 2041-2050

IMPLEMENTATION STRATEGY

LAND USE IMPLEMENTATION TECHNIQUES

With the history of the BOA Plan area discussed earlier, the various BOA properties detailed, and the design strategy laid out along with the phasing plan, these next sections explain some of the real estate realities of implementing such a vision for the future. This will include the discussion of Land Use controls and techniques, and a discussion of the current and future guidelines for the BOA Area.

An important element of the Implementation Strategy are Land Use Controls. When used in regard to real property Land Use Controls broadly interpreted to mean: "any restriction or control, arising from the need to protect human health and the environment; that limits use of and/or exposure to any portion of that property, including water resources." In other words, it is important that during both during the design strategy and moving forward that the Implementation Plan for the BOA to ensure that the recommended and eventual land uses are "smart" – that they provide the City of Kingston with economic growth and proper development while also balancing the fact that some contamination, at one time, was present in the area, and that it is assumed that at some point in time this area will most likely be inundated with flood waters. All of these precautions have been taken in to account during the planning process, next the team will discuss how implementation will ensure that these precautions are kept in place moving forward.

Another important term to keep in mind when planning the redevelopment of areas such as the Rondout are "Institutional Controls." An Institutional Control, are those controls involving real estate interests, governmental permitting, zoning, public advisories, deed notices, and other 'legal' restrictions. The term may also include restrictions on access, whether achieved by means of engineered barriers such as a fence or concrete pad, or by 'human' means, such as the presence of security guards. Additionally, the term may involve both affirmative measures to achieve the desired restriction (e.g., night lighting of an area) and prohibitive directives (e.g., no drilling of drinking water wells).

Some examples of Land Use Controls and techniques were used by the City of Kingston in their Local Waterfront Revitalization Program (LWRP) Implementation Plan. In this plan there were five categories covered: Land and water (General character, uses; Bulk, Scale and Form; Façade composition, Building Materials and Colors; Environmental Quality (pollution prevention); Circulation and Access.

Another example of Land Use Controls or Strategies used in the City of Kingston was in the "Revitalizing Hudson Riverfronts Plan," published in 2010. This included conservation and development strategies prepared by the Scenic Hudson organization and the New York Department of State (NYDOS). This document was organized into various Development Principles; these Development Principles include language that encourages water-dependent and water-enhanced uses, connect people to the river, protects natural resources (fish and wildlife habitat, shorelines, ecological function of water), and protects scenic resources, while employing sound urban planning and sustainable design. The Plan encourages development of form-based design guidelines, specifically to: *"Adopt form-based codes or design guidelines to provide developers with a clear understanding of the community's vision for height, massing, and design of buildings, as well as their relation to the street and public spaces. Form-based codes foster predictable built environments and a high-*

quality public realm by using physical form (rather than separation of uses) as the organizing principles of the code."

All of these types of strategies, when implemented, can provide for a more livable community both for residents, businesses, and visitors alike. For example, combining residential, commercial, and civic uses in a building or set of buildings fosters an active and diversified street life and riverfront; which is enjoyable for visitors and residents and is better for business. This can be enhanced by providing wide sidewalks, attractive street furniture, and sufficient lighting while employing traffic-calming techniques like narrow driving lanes, street trees, and on-street parking, all of which foster pedestrian safety and comfort. Likewise, it is important to respect community scale and character, and to offer a diversity of housing options. To gain long-term economic savings through energy efficiency and reduce the environmental impact of development—including climate change mitigation—riverfront construction should strive to meet or surpass standards established by program such as the Leadership in Energy and Environmental Design (LEED) program.

In both of the above mentioned previous studies it was pointed out that the existing Design Standards and Guidelines would be important moving forward with the redevelopment of the Rondout Area. *"A crucial part of the strategy was to create design standards requiring property owners to: 1) preserve existing trees and vegetation; 2) preserve existing façades of historic structures; 3) cluster buildings in groups to preserve open space; and 4) provide a continuous riverfront pedestrian esplanade the width of the property. The strategy also requires new construction to be in scale and character with existing buildings, and it aims to bring more residents to the district by requiring new structures to contain habitable spaces on second floors. It should be noted that the city planning board has the power to waive any of these standards."*

Zoning – In addition to Design Guidelines and other Land Use Controls mentioned earlier, the city's Mixed Use Overlay District encourages the adaptive reuse of commercial and industrial buildings for multifamily rental housing and to create mixed-income, pedestrian-based neighborhoods. Affordable housing guidelines apply where five or more residential units are created; the Planning Board may deny a development permit if at least 20 percent of the residential units are not established as affordable. Development standards within the district limit commercial uses to street level and require that primary entrances of buildings face onto the street or a small park. They also require shade trees and human-scale lighting, and emphasize pedestrian connections in site plans. These are other important details about the basics of what real estate and land use controls and other elements are in Kingston and how they might affect (both positively and negatively) the redevelopment of the BOA Area.

In order to create a unified Kingston Waterfront that is revitalized, cleaned up and resilient to the present and future flooding that will occur a plan needs to be created for the Management of the Waterfront area. Because there are several options for how the City of Kingston might structure the management of the area the following section discusses the different structures and what might be the best for the implementation of the BOA Plan now and in the future. The organization and maintenance of the BOA Plan area will be vital to its growth and development and this will inform the City and the public about how this all might occur.

REGULATORY LAW ANALYSIS

Resources which codify the existing design standards, per se, in Kingston, are scattered throughout a number of source documents. The codified location of Design Standards is the Zoning Regulations/ Heritage Area Commission Regulations (2005). However, there are other important sources of guideline material. The fact that the current regulations are now 10 years old, and that Scenic Hudson, in 2010, recommended the shift to a "form based code" may make it possible to suggest substantial modifications; there are situations where the codified design guidelines are in conflict with the project teams' design strategy.

Equally important is the process for reviewing compliance. The current regulations define a "Review Board" to oversee applications in the District; later in the BOA Plan the project team suggests that Review Board should be incorporated into the BOA Management and Governance model. There are also elements, such as exterior signage, that are handled by the Planning Department, and any changes or updates to landmark structures is governed by HLPC.

In later sections of the BOA Plan the Project team goes into more detail about the zoning district in the area. At a fundamental level there is an RT Rondout District (1992), Rondout Creek District (2005) and RF-H Hudson Riverfront District in Kingston Zoning that contains quite specific and prescriptive Design Guidelines.

UPDATE TO DESIGN STANDARDS AND GUIDELINES FOR THE BOA

Design standards and guidelines already in place for the Kingston Waterfront BOA are high-quality, cohesive and comprehensive. Many of Kingston's design standards and guidelines have been cited as guides for future growth for other Hudson River communities by Scenic Hudson. Scenic Hudson used the Rondout Area as a case study of how to protect maritime character, preserve historic architecture and enhance waterfront connections in its *Revitalizing Hudson Riverfronts* in 2010. Overall, Kingston's design standards and guidelines are intended to protect historic and natural assets while encouraging appropriate redevelopment. Some key standards already adopted include requirements to:

- Protect scenic quality, water quality and views;
- Preserve existing landscapes, trees and vegetation;
- Protect historic facades and encourage adaptive reuse of historic structures;
- Create mixed-use, mixed-income, walkable neighborhoods;
- Cluster and orient buildings to preserve open space;
- Emphasize pedestrian connections and buffer parking areas;
- Provide public access and a continuous riverfront esplanade;
- Give priority to water-related and water-dependent uses;
- Design new construction to be compatible with existing buildings in scale, form, materials, color, and height;
- Encourage affordable housing.

This section of the Kingston Waterfront BOA Implementation Strategy builds on the design standards and guidelines already in place and recommends updates where needed to implement the BOA plan. It begins with a summary of the existing standards, guidelines and other regulations, including both adopted local laws and other standards. Since considerable analysis and community consensus have been completed by the City of Kingston after the existing design standards and guidelines were originally adopted, the second part of this section reviews more recent studies and plans that contain recommendations affecting the design standards and guidelines in the BOA. The third part of this section evaluates those existing standards and guidelines in light of the recent studies. The section concludes with recommendations for updates to realize the BOA design.

The timeline (Figure 07.68) summarizes the wide variety of documents, regulations and studies relevant to the design standards and guidelines for the Kingston Waterfront BOA and plots them chronologically in time from 1961 through 2015. It is grouped by; policy documents, regulations & zoning, BOA steps, approved plans, and recent studies & task forces with recommendations for design standards or guidelines. These efforts are shown with bars, which are extended to indicate when they are continuing or are still in effect. Specific dates when policies and regulations were adopted or plans and studies completed are shown with stars and diamonds. The Timeline also shows relevant efforts that are already in progress or planned for the immediate future.

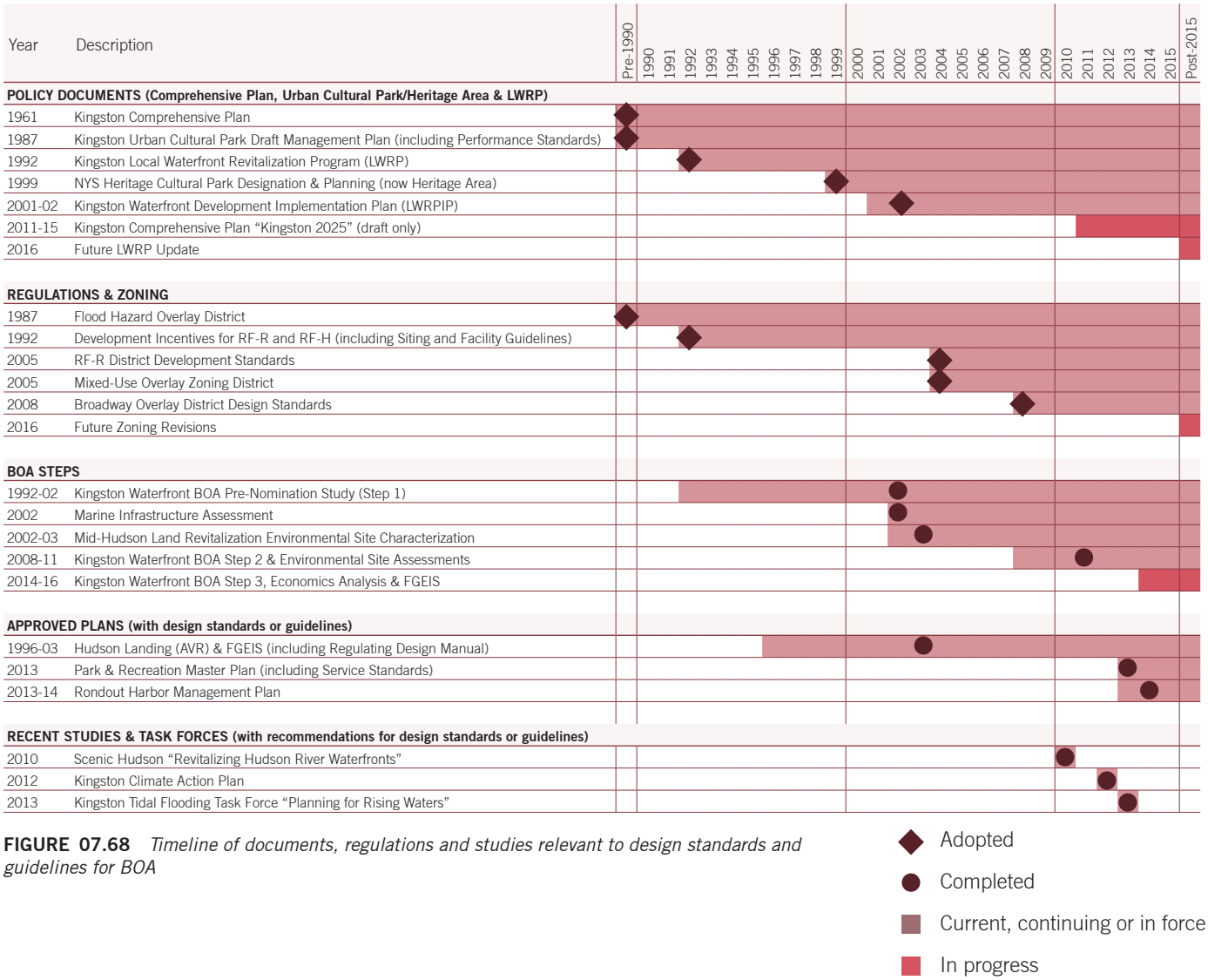


FIGURE 07.68 *Timeline of documents, regulations and studies relevant to design standards and guidelines for BOA*

SUMMARY OF EXISTING STANDARDS AND GUIDELINES FOR BOA

Background of Design Standards and Guidelines – Definitions

Before summarizing the existing standards and guidelines that apply to the BOA, it is important to place them within the context of other land use techniques that can be employed for implementation of the BOA design. Several of these have been addressed above in earlier sections of the Implementation Strategy.

Zoning - Zoning shapes a municipality by establishing zoning districts and setting forth legal regulations affecting the way land may be used and developed within them. Zoning can govern the size of a building relative to its zoning lot (by defining allowable maximum square footages, lot coverage, required open space, density, and bulk), the distance between a building and its lot lines, parking and other physical elements.

Design Standards and Guidelines – Design standards and guidelines are detailed requirements that work within a regulatory environment of local land use controls and address what those controls do not cover. For example, they go beyond zoning regulations, but work within the allowable "zoning envelope," establishing a level of quality and character for future development. Design standards and guidelines should be informed by a local vision established by a Comprehensive Plan and other policy documents and respond to the local context and environment. Effective standards and guidelines contribute to enhancing the value of individual properties and public spaces. They also protect investments by the public, existing owners and new developers over time.

Design Standards - Design standards are a tool to control the quality and functionality of the public realm, which comprises the entire area of non-private lands and open spaces. Elements of the public realm include the sidewalk, curb, street, and other public territory. While zoning regulations control development on private property, design standards may specify the components and character of the space in the areas adjacent to and between private properties. Design standards are requirements, they are not just advisory, and can be specified even to the level of detail shown in engineering drawings.

Design Guidelines – Design guidelines, by contrast, are a tool to ensure the compatibility of new development with the existing historic, community and natural character of an area, and are applied to private property development. Unlike design standards, design guidelines specify aesthetic or appearance outcomes of private development with varying degrees of detail and opportunity for interpretation based on the intent stated in the language, graphics and illustrations.

Other Planning Components – Depending on the type of planning effort, additional planning components may include:

1. A master site plan setting forth a design approach and layout of open spaces, circulation, streets, blocks, and private lots for an area whose development is intended to be completed as a cohesive project;
2. A street map establishing the legal boundaries of public streets and parkland;
3. Infrastructure plans delineating the utilities necessary to support the master plan or desired development.

Adopted Local Law from City of Kingston Codes

Three key local laws from the City of Kingston's zoning codes contain the design standards and guidelines governing Kingston's Waterfront BOA. They are described in more detail below appearing in the order in which they were adopted. In addition, there are two types of overlay districts that offer potentially valuable tools for implementing the BOA.

1. Flood Hazard Overlay District (1987)

City of Kingston Zoning Ordinance, Chapter 405. Zoning, Article IV, Subsection #405-26

The Flood Hazard Overlay District, which is applied on top of a base zoning district, controls much of the development occurring within the BOA and its Strategic Site parcels. Its purpose is to protect human life, health and safety, minimize public and private losses from flooding, and ensure qualification for FEMA's National Flood Insurance Program (NFIP). To accomplish these purposes it regulates uses within the district; requires that uses vulnerable to floods be protected at the time of initial construction, controls alteration of natural floodplains, channels and natural protective barriers such as wetlands, controls filling, grading and dredging, and regulates construction of flood barriers. (Figure 07.69)

When flooding occurs, it comes at a high price to the public. The text of the overlay district notes that public expenditures for flooding include costly flood control projects, rescue and relief efforts, damage to public facilities and utilities, and operational interruptions that erode the tax base. Given that, the standards contained in this overlay are highly detailed. The general standards include anchoring structures to prevent movement or flotation, flood-resistant construction materials and methods, water-proofing of utilities, and adequate drainage. Specific standards are also provided for residential and non-residential construction and utilities, such as elevating the lowest floor above base flood elevation, prohibition of encroachments on floodways, and certification of hydrostatic strength of all structural components. The Fire Officer of Kingston, through the city's building safety function, is charged with administration, inspection and certifying compliance.

FIGURE 07.69 *Flood Hazards on the East Strand, 2015*

Several different zoning designations will be discussed in the following sections, those zoning districts are:

- RF-R (Rondout Creek District)
- RF-H (Hudson Riverfront District).
- RRR (residential district)
- M-2 (General Manufacturing), and
- C-2 (General Commercial).

2. Development Incentives for the RF-R Rondout Creek District and RF-H Hudson Riverfront District – Siting and Facility-Related Guidelines (1992)

City of Kingston Zoning Ordinance, Chapter 405. Zoning,

Articles IV and V, District Regulations and Supplementary Regulations, Subsections #405-25 and #405-31

Most of the land within the BOA and all of its Strategic Sites fall under the RF-R Roundout Creek and RF-H Hudson Riverfront Districts. A small number of BOA parcels are within the C-2, M-2 and RRR districts. (See the Regulatory Law Analysis section for additional information on zoning.) Permitted land uses, development standards, and approval processes apply to any proposed development under current regulations. Assumptions made about applicability of existing design standards and guidelines are based on existing zoning.

The development incentives adopted in this 1992 zoning law permit increases in the allowable floor area ratio (FAR) and/or building height in return for providing public benefits such as waterfront access and affordable housing. The zoning law also offers funding for key projects such as the Maritime Museum and other undefined redevelopment projects in Ponckhockie, and covers potential financing via tax abatements and a revolving loan fund.

The design guidelines included in this zoning law concern siting and facilities and are intended to respect the unique character of the existing area and protect the scenic qualities of the city's waterfronts on the Rondout Creek and Hudson River. They cover protection of the shoreline, clustering and orientation of buildings, adaptive reuse, architectural scale, form and materials, the Mid-Hudson River vegetative corridor, compatibility with neighboring properties, scenic landscapes, parking areas, visual buffers, and avoiding monotony of design.

The design regulations contained in this 1992 zoning text for the RF-R and RF-H districts were a direct result of the 1992 adoption of the City's Local Waterfront Revitalization Program (LWRP), which gives priority to water-dependent and water-enhanced uses. The implementation of the LWRP's policies was used as an incentive to develop planning tools for the waterfront:

Waterfront Design Plan – *"A Waterfront Design Plan should be produced to provide a physical plan and detailed design standards for waterfront redevelopment, following the policies and goals set forth in the Local Waterfront Revitalization Program."*

(LWRP, Section V., B. 1. c., "Waterfront Design Plan," on page V-8)

3. RF-R District Development Standards (2005)
City of Kingston Zoning Ordinance, Chapter 405. Zoning, Article V, Supplementary Regulations, Subsections #405-3.1

Unique conditions in the City of Kingston make the adoption of design-sensitive regulations particularly appropriate for the Rondout Creek area. One important step was the consolidation of oil terminals from multiple sites along Rondout Creek into one major site on the Hudson River. This private initiative rationalized industrial land uses, whose previous and dissipated presence on the Rondout Creek waterfront was an obstacle to the redevelopment anticipated by the LWRP and other later policies. Another unique condition is the City of Kingston's extensive inventory of historic building stock, forcing new construction to be sensitive to the local context and to the legacy of the design and character of the city's urban fabric. The Rondout, for example, flourished in the 19th century when it was the terminus of the Delaware and Hudson Canal.

However, the more generalized policy statements of the 1992 LWRP proved to be insufficient to sharpen the intent of the Rondout's design-sensitive setting. The LWRP Implementation Plan (LWRPIP) in 2002 went on to recommend Waterfront Design Standards as a catalyst for redevelopment along with new mixed-use development, relocation of non-conforming uses and clustering of cultural facilities.

In 2005, the City of Kingston adopted additional provisions relating to development in the RF-R district that prescribed detailed development standards as a tool for developers and planners with the intent of streamlining the design review process. These development standards spell out precise specifications for development to protect existing historical assets along the Rondout Creek. Among other elements, these standards cover: site planning and landscaping standards, clustered development, building height and scale, as well as building materials.

While the 1992 RF-R zoning provided incentives for waterfront access, the 2005 standards specifically require a continuous pedestrian esplanade on all new development with water frontage along the Rondout Creek and specifies its hours of operation, signage, spacing of trees, benches, lights, and ADA access. In addition, the Development Standards set forth requirements for site plan review.

4. Mixed Use Overlay Zoning District (MU) (2005)
City of Kingston Zoning Ordinance, Chapter 405. Zoning, Article IV, District Regulations, Subsection #405-27.1

The Mixed Use Overlay zoning district helps promote development in areas, like the Rondout, with existing infrastructure. By allowing adaptive reuse of industrial and commercial buildings for rental housing, it encourages infill development. At the same time this Overlay supports vibrant mixed-use, pedestrian-friendly, mixed-income neighborhoods with guidelines for affordable housing and standards for streetscapes. While not currently mapped for the BOA, the Overlay is an important tool in the city's repertoire of guidelines that may be useful for the BOA.

In 2004, Kingston's Common Council considered adoption of this Mixed Use Overlay District and an amendment to the Comprehensive Plan. Both were designed to allow for adaptive reuse of industrial and commercial buildings for rental housing, including affordable units, due to rapidly rising housing costs. The findings of the Comprehensive Plan's Environmental Impact Statement (EIS) (2005) identifies adverse impacts, in the community character section, for housing, neighborhoods and historic resources if the integrity of existing buildings and streetscapes are altered by inappropriate design, materials, and construction. To mitigate those adverse impacts, the EIS recommended Design Guidelines. These recommended Design Guidelines have not been adopted; however, the Mixed Use Overlay District that was adopted includes development standards that are supported with intent language and eight development standards that recognize the safety, comfort and interest of pedestrians as it relates to the extent to which buildings face streets and public open spaces with entrances, windows and usable outdoor space.

The eight development standards are:

- Street level building spaces shall be limited to commercial activities with residential spaces allowed at the second or above floors.
- Primary entrances of buildings shall face a street or small park.
- Sheltering elements shall be included as part of the adaptive reuse site plans.

- Shade trees shall be essential features of adaptive reuse site plans.
- Human-scale lighting shall be essential features of adaptive reuse site plans.
- Small parks should be encouraged as part of the adaptive reuse site plans.
- Reinforce pedestrian connections between buildings and the street, between buildings and through parking lots as part of the adaptive reuse plans.
- Minimize the dominance of parking, screen parking lots from the street and make parking lots cooler as part of the adaptive reuse site plans.

Primarily developed to encourage affordable housing opportunities in under-used mill buildings, and to promote redevelopment while enabling pedestrian-based vibrancy, the Mixed Use Overlay is more of a land use tool than a design standard or guideline. Given the legacy of mill buildings in and around residential districts that became activated, several measures were developed to mitigate land use conflicts. These are also useful for the BOA.

5. Broadway Overlay District Design Standards (2008)

City of Kingston Zoning Ordinance, Chapter 405. Zoning, Article V, Supplementary Regulations, Subsections #405-31.2 and Local Law #4

The Broadway Overlay District Design Standards affects Broadway parcels and extends from the intersection of Clinton Avenue and Albany Avenue to Broadway and McEntee Street. In addition to extensive illustrations prescribing design guidelines and examples of applying those guidelines to signage, façade and other construction in the Broadway Overlay District, its design standards contain specific procedural requirements, standards to apply, waivers and other provisions in this part of the zoning code. Submittal requirements and opportunities for exceptions to the requirements are all described. (Figure 07.70)

FIGURE 07.70 *Design standards for upper Broadway could be extended to the Rondout, 2015*

There is evidence of the success of using the Broadway Overlay portion of the code. While it is not currently mapped in the BOA, the Draft Comprehensive Plan recommends that it be extended further to the Rondout from its current eastern boundary all the way to Broadway's southern terminus in the BOA:

From the Comprehensive Plan:

"Protect the existing character of the neighborhood, Strategy 10.5.1: Borrow and extend Broadway Overlay District Design Standards. The existing design standards for Broadway provide a good basis upon which to regulate buildings in the Rondout

and insure that new structures fit into the fabric of the neighborhood."

There is agreement among many with experience in Kingston that the Mixed Use and Broadway Overlay Districts succeed in promoting quality redevelopment.

Other Standards

In addition to the adopted City of Kingston Zoning Ordinance, other design standards can be found in a variety of adopted policy documents described below in chronological order, including where the LWRPIP mentions that the value of design standards bolsters any future design standards or guidelines that are adopted as a part of the zoning code.

1. Kingston Local Waterfront Revitalization Program (LWRP) (1992) and Waterfront Development Implementation Plan (LWRPIP) (2002)

The Local Waterfront Development Program (LWRP) adopted in 1992 and its implementation plan, entitled Waterfront Development Implementation Plan (LWRPIP), adopted ten years later in 2002, are the most important and direct source for the zoning ordinances governing the BOA design standards and guidelines, as well as providing direction and a policy basis for all future planning for the BOA area. Together they give priority to water-dependent and water–enhanced uses, create distinctive riverfront districts, control waterfront development, and protect public access and views to Kingston's rivers. The LWRP is a comprehensive analysis and forecast of the community's needs and expectations for redevelopment of the waterfront. In addition, it lays out implementation and administrative processes to realize the plan. The 1992 LWRP also provided the necessary foundation for the Urban Cultural Park Plan, which is discussed below.

GOALS:

In addition to forming the policy basis for all waterfront planning in Kingston, the 1992 LWRP proposed 14 goals and projects to enhance and encourage development on the waterfront. Of those 14 goals below is a discussion of two goals that relate directly to this analysis and provide recommendations on updates to design standards and guidelines for the BOA:

"Goal 3: Enhance public access to the waterfront"

The City of Kingston has committed to providing comprehensive public access to the Rondout Creek and Hudson River waterfronts. The plan proposes a waterfront esplanade that would provide pedestrian and bicycle access from Block Park to Kingston Point Park and recommends that the access be extended northwards along the shore of the Hudson River. The Implementation Plan recommends view corridor protections and access point provisions to ensure that new development encourages access to the water. Substantial park enhancements offer increased waterfront access.

"Goal 5: Ensure that the design of new development is consistent with natural and historical character"

The Kingston waterfront's rich architectural history and natural resources are among its strongest assets. Kingston's Rondout and Hudson River waterfronts are New York State designated Significant Habitat Areas. The waterfront plan recommends a specific set of design standards to ensure that future development protects and

enhances these environmental and historic resources.

These two goals clearly express the highest priority of waterfront access from one public park on the west to one public park on the east. The importance of natural and historical character is another equally important goal. Following the LWRPIP's list of goals, it describes "Structuring a Development Alternative" and lists ten "Assumptions" and seven "Givens."

Among the so-called "givens" for structuring a development alternative, two are related to design standards and guidelines for the BOA:

1. "There will be public access along the waterfront in a riverfront trail."
2. "The waterfront will be developed to maximize multi-modal access, with high-quality pedestrian connections."

Following the LWRPIP's "Structuring a Development Alternative," there is a section called "Proposed Land Uses," and then "Waterfront-Wide Improvements" two of which relate to design standards and guidelines for the BOA:

1. Design Standards
"The City will develop a set of design standards to guide future development and rehabilitation of buildings on the waterfront. These standards will help the City to direct the way the waterfront develops and ensure that it becomes an active and vibrant regional destination. The standards will also allow the City, the community, and developers to work more effectively as new projects are proposed throughout the study area."

2. Public Access

"Public access will be provided along the waterfront through a riverfront trail. The trail, which may deviate from the shoreline in some locations, will offer pedestrian access around Island Dock to its connection to Block Park, and then eastward along West Strand Street through West Strand Park. From there it will continue along the shoreline to the tip of Kingston Landing. At Kingston Landing it will split into two trails, one to go around the west side of Kingston Point Park continuing around the park to the current Rotary Park entrance. The other leg of the trail will follow the trolley tracks to the former Dayliner dock and the bridge connecting into Kingston Point Park."

This very specific prescription is spelled out in various ways throughout the zoning code.

CATALYST PROJECT – WATERFRONT DESIGN STANDARDS:
The LWRPIP recommends three catalyst projects, one of which is the adoption of Waterfront Design Standards. In an appendix, the LWRPIP includes a memorandum from design consultants (Appendix E, Design Standards Recommendations, November 20, 2002, Memo from Marian Hull) which outlines these recommended design standards for the Rondout waterfront including some model language. The recommendations are an elaboration by subject area of purposes sought in developing future design standards. The memorandum also references performance standards that are established in the Urban Cultural Park Plan, discussed below.

The structure of this memo's recommendations (Land and Water; Bulk, Scale and

Form; Façade Composition, Building Materials and Colors; Environmental Quality' Circulation and Access; and Management and Development) comprise some important categories for design standards and guidelines. They differ from those adopted in the City's code, but the adopted zoning largely fulfills their intent.

2. Urban Cultural Park Management Plan (1987) and NYS Heritage Cultural Park Designation & Planning (1999)

Kingston's Urban Cultural Park (UCP) Management Plan is one of several resulting from a law directing the State Office of Parks, Recreation and Historic Preservation to write a state-wide 'Plan for the New York Urban Cultural Park System' (1981), which then directed that a feasibility study be prepared for consideration of designation in Kingston. The UCP plans were viewed as innovative state programs that help communities make better use of their public and historic resources. These resources are often located within declining historic buildings and districts in the heart of older industrial cities. The plans can serve to interpret the heritage of New York State, while supporting the UCP in becoming a regional center of economic and cultural development through a well-defined and realistic redevelopment process.

(Source: Letter from Office of Parks, Recreation and Historic Preservation Commissioner Orin Lehman, to the New York State Legislature, 1981)

The New York State Urban Cultural Park system is designed to be a partnership with coordination and consistency between the State with its various functions; such as transportation, environmental conservation, housing, community renewal, and economic development; and locally created urban cultural parks that are designated by the State Legislature and have successfully completed a management plan approved by the State Office of Parks, Recreation and Historic Preservation. The park system law establishes an Advisory Council to help connect the Urban Cultural Parks with state agencies. The New York State Legislature changed the name from "urban cultural park" to "heritage area" when regional additions were made to the system. Today the state heritage area system is made up of twenty state designated heritages areas that include both urban settings and regional areas.

Since designation, the Kingston UCP has spawned interest and investment, with increases in visitation of the Rondout and coordination for programming that benefits the tourism sector of the Kingston economy.

ROLE IN PLANNING:

The Heritage Area is managed by the City of Kingston with certain authority and powers retained by the state. The Heritage Area is a joint venture of the State and the City of Kingston. The Heritage Area Commission performs management functions.

Applicability to Design Standards:

The plan describes the regulatory and review role of the Commission is "to preserve and protect resources within the Park boundary which are of special significance to the Park. Specific examples of this role include matters related to land use and preservation and design of buildings and improvements." In practice, the Commission reviews all development proposals within the Rondout, as it is also designated to review projects for consistency with the policies of the LWRP.

The plan contains programs for park improvements and use which call for certain standards for landscaping and streetscapes, signage, and façade improvements.

These standards regulate Landscape and Streetscape; Signage; and, a Façade Program. Illustrations including dimensional requirements as well as detailed standards by sub-zone of the Heritage Area can be used as an informational tool for decision-making.

As the plan's adoption date precedes that of the City's Design Standards and Guidelines, the plan's recommendations for design guidelines governing streetscape, landscaping, signage, and façades can be viewed as policy recommendations that were put into consideration in anticipation of the adopted regulations.

PERFORMANCE STANDARDS:
In addition to design standards, the plan describes a set of performance standards that are intended to measure the success of meeting a set of objectives that are derived from both plans as well as community specific goals. The goals themselves are derived from four statewide goals: preservation, education, recreation, and economic development. While these performance standards are not regulatory in nature, they are, instead, more of a list of action items whose accomplishment can be tracked. Their presence in the plan and their derivation from statewide objectives indicates an important priority which updates to design standards and guidelines for the BOA should attempt to further accomplish.

3. Hudson Landing Regulating Design Manual (2003)
The private, large-scale Hudson Landing development spans across both Kingston and the adjacent Town of Ulster along the Hudson River on a former cement factory and mine site. As part of Hudson Landing's approval process, it was agreed that the developers would provide a Hudson Landing Regulating Design Manual. The comprehensive and highly detailed Manual includes planning, architectural, and landscape guidelines as well as provisions for their administration and implementation. The Manual prescribes a wide range of regulations covering uses, heights, roadways, open spaces, signage, awnings, storefront lighting, architectural styles, building types, massing, design elements and aesthetic characteristics, as well as treatment of the landscape and plant selection. The important factors of the adopted Manual for the BOA are its applicability to a master planned development and identification of a review and appeal process.

4. Parks and Recreation Master Plan – Service Standards (2013)
The City of Kingston's first Parks and Recreation Master Plan was adopted in 2013. It relates to and ties into the City's LWRP, resulting LWRPIP and the Heritage Area in the sense that it "builds on the success of prior plans and actions…meshes with other city physical and economic plans and programs" (Page 3 of the Parks and Recreation Master Plan).

ROLE IN PLANNING:
This Plan was completed during the beginning of the City's current process of updating its Comprehensive Plan. It is "intended to complement that broader… plan program…it is suggested to incorporate this plan [the Comprehensive Plan] within it by reference" (Page 4 of the Parks and Recreation Master Plan). Since the Comprehensive Plan has yet to be adopted, the Parks and Recreation plan stands alone at the time of publication. However, if it is intended to be incorporated into the Comprehensive Plan, the plan can be viewed much as a Comprehensive Plan, with

goals, objectives, and strategies whose implementation will occur through the zoning code, a capital plan, and other tools.

APPLICABILITY:
The applicability of the Plan's objectives to updates for the BOA design standards and guidelines are identified throughout the Parks and Recreation Master Plan document in terms of individual parks and facilities.

Kingston Point Beach - This 10.6-acre municipal beach and park contains few structures, and most of the park is used for passive recreation. However, vehicle parking and access are identified as an issue, with inadequate pedestrian access and possibly inadequate quantity of parking should the large vacant land holdings adjacent to the north be developed. The pressures added on this park with new large-scale development would require close attention to detailed standards. On-going issues even without additional development nearby are swimming health, dog waste, and interpretive signage, along with risks to its access and usage with sea level rise and storm events. The Plan suggests that development next door would be a leverage opportunity for some of these standards to be put in place, and for extension of the Hudson River Greenway to address flood hazards.

Kingston Point/Rotary Park - The 87.4-acre park plan, extensively restored and upgraded by the Rotary organization, calls for additional upgrades and facility improvements, many of which originated in the LWRP. As such, they are recorded and reflect prior community consensus for consideration. The increase in use of the park would also result from completion of a rail trail. Some of the upgrades contemplate waterside activities, including a ferry landing and non-motorized watercraft access.

T.R. Gallo Waterfront Park/Rondout Landing Dock - This 1.36-acre park, landing, parking area and linear walkway, is well used, but the Plan suggests the addition of wayfinding signage. To increase the utility of the waterfront location, the Plan suggests an area be set aside for recreation services and supply, boat rentals, boat put-ins, and bike rentals. Metered parking is suggested to increase revenue. There is an observation of some businesses encroaching past their allowed areas of the sidewalk.

Rondout Lighthouse - The primary issue for the lighthouse is access. This issue is discussed in the LWRP and US Army Corps of Engineers' Rondout Harbor Management Plan, and is raised in this plan again. The plan specifically suggests adapting part of the unused portion of North Street for the beginning of a walkway to the lighthouse.

OPEN SPACE PLANNING:
Most of the plan's analysis on open space plans is in conjunction with greenway planning. However, an important objective is that the Conservation Advisory Council write an open space plan. The plan also emphasizes that open space can be publicly or privately owned. For updates to the BOA design standards and guidelines, the importance of this section is its call for the creation of an inventory of open space assets.

LAND USE LAWS & REGULATION:
The plan suggests that zoning be evaluated for how well it is improving aesthetics

around parks, and how effectively it is achieving distinctive streets and creating plazas. The plan recommends examining standards for open space.

SIDEWALK ENCROACHMENTS:
The Plan suggests that a clear process and a set of standards be established for reviewing commercial (usually dining) uses adjacent to sidewalks to promote quality sidewalk dining, but also to protect pedestrian access and mobility and to retain public waterfront access.

OPEN SPACE DESIGN:
The plan suggests that the Conservation Advisory Council complete its work on conservation guidelines. Such guidelines can protect site features and other unique characteristics of a specific property, as they affect open space. This work should inform the creation of an Open Space Design permitting process. It notes that such standards are density-neutral, and provides flexibility for the arrangement of building sites or parcels. These standards can be then be used to provide flexibility for minimum lot sizes in exchange for dedicated open space.

INCENTIVE ZONING:
The plan recommends that the zoning code include options for density increases in exchange for dedicated open space. The plan recommends that the base densities be lowered so that increases can be leveraged for open space. It also recommends that recreation fees be considered for non-residential developments as a further tool to expand options for the creation or operation of open space. While the specifics of these recommendations are not currently adopted, the principle of incentive zoning for the Rondout is contained in the adopted Zoning Ordinance and its subsections on design standards and guidelines.

SUMMARY OF RECOMMENDATIONS OF PRIOR STUDIES THAT AFFECT DESIGN STANDARDS AND GUIDELINES FOR BOA

Considerable work has taken place in Kingston since the adoption of the existing design standards and guidelines. These efforts have included community input and consensus. Particularly relevant to the design standards and guidelines for the BOA, is that there have been three studies; a regional guide to Hudson riverfront revitalization, a city-wide action plan to address climate change, and a task force on flooding in Kingston post-Hurricanes Irene and Sandy. Their recommendations that affect the design standards and guidelines for the BOA are summarized in the next section and are in chronological order. In addition, there are current planning projects underway that will impact the design standards and guidelines for the BOA. Those include a major update of the city's Comprehensive Plan and a Harbor Management Plan for the Rondout Creek.

Studies and Task Forces

1. Scenic Hudson, "Revitalizing Hudson Riverfronts" (2010)

"Revitalizing Hudson Riverfronts" released by Scenic Hudson in 2010 offers a set of principles to ensure that the Hudson Valley's beauty, rich history, and abundant natural resources will be protected in the future. The principles support a regional vision to direct new growth towards Hudson River cities with existing transportation and other infrastructure, while preserving the area's open spaces for farming, habitat and recreation. Recommendations regarding adaptation to the effects of sea level rise are featured. As mentioned earlier, some of the adopted measures in the City of Kingston relating to design standards and guidelines for the Rondout are showcased in "Revitalizing Hudson Riverfronts" as models for other municipalities. The document also follows and is based on much of the City's work leading up to the writing of the BOA plan itself.

Many of the principals put forward in this study are already incorporated in one way or another in the design standards and guidelines for the BOA. While the rationale for design standards and guidelines is provided and the City has adopted measures, the document contains other specific recommendations that are not contained in adopted regulations. Two in particular stand out. 1) For waterside design standards, the report recommends creating "watertrails" or "blueways" (Page 40 of Revitalizing Hudson Riverfronts). The creation of on-water routes affects some considerations for waterside access, but also has implications for the change in the location of the shore's edge with sea-level rise and storm surges. 2) As an administrative and procedural recommendation, this report's recommendation is that an Architectural Review Board (ARB) be considered (Page 83 of Revitalizing Hudson Riverfronts). Both of these topics are discussed in more detail below and have been included in the recommendations for updates to Kingston's design standards and guidelines for the BOA.

Scenic Hudson authored "Revitalizing Hudson Riverfronts" with grant assistance from the New York State Department of State Office of Coastal, Local Government and Community Sustainability. The City of Kingston administered the grant and members of the community as well as others active in these issues in the Hudson Valley were part of an advisory group.

2. City of Kingston Climate Action Plan (2012)
The City of Kingston's "Climate Action Plan: 2010 Community-Wide & Local Government Operations Energy and Greenhouse Gas Emissions Inventory" (CAP) is a comprehensive audit of municipal consumption and waste generation using the ICLEI-Local Governments for Sustainability (formerly International Council for Local Environmental Initiatives) model. The CAP quantifies overall greenhouse gas output, recommends measures for reduction, and calls for an integration of planning and goal-setting across a wide spectrum of operational, policy, and regulatory practices. Across this wide-ranging plan there are some measures that are relevant to these updates to the design standards and guidelines for the BOA.

Most importantly, the CAP calls for: "As part of Comprehensive Master Plan and Zoning Code Update adopt goals and policies that promote a compact, transit-oriented, bikeable and walkable community; promote infill development; prohibit new development in floodplains and preserve and protect open space, biodiversity, and water supplies." (Page vi of the CAP). This CAP recommendation, though general, applies to the design standards and guidelines updates by recognizing the overriding role of a recent, concise Comprehensive Plan and its implementing Zoning Code. Updates to the City's design standards and guidelines are a part of the zoning code, and can only be effective if they are based on the Comprehensive Plan.

The CAP's recommendations that directly relate to updates of the design standards and guidelines for the BOA can be found in Section IV; Recommendations for Updates to Design Standards and Guidelines for BOA.

3. Tidal Flooding Task Force, "Planning for Rising Waters" (2013)
The Tidal Waterfront Flooding Task Force was appointed by the Mayor in 2012 and charged with evaluating Kingston's vulnerability to flooding, storm surge, and sea level rise along both the Hudson and Rondout riverfronts. Scenic Hudson spearheaded this collaborative public planning process to help the community design strategies to increase their resilience, protect life and the natural environment, and strengthen economic development.

The resulting report, "Planning for Rising Waters," presents 24 general recommendations for the City and many more detailed, site-specific ones for riverfront neighborhoods. Within the BOA, the Task Force sets forth recommendations for West Abeel, Sass/Block Parks, Island Dock, The West and East Strand, Ponckhockie, Rondout Lighthouse, North Street, and Kingston Point Park.

The Task Force's recommendations that directly relate to updates to the design standards and guidelines for the BOA can be found in Section IV; Recommendations for Updates to Design Standards and Guidelines for BOA.

Current Planning Projects

1. City of Kingston Comprehensive Plan, "Kingston 2025"
The City's draft Comprehensive Plan is at an intermediate stage of development. The draft plan's stated Goals, Objectives, and Strategies appear to be close to final form, at a high level of detail and clearly capture careful data collection, consultation with the community, and review by City staff. The expert advice found in the plan provides a pathway for implementation through actions that also reach across the City's recent planning efforts.

Direct reference in the draft Comprehensive Plan to adoption of the "Kingston Climate Action Plan" (CAP) and "Planning for Rising Waters" indicates the city's intentions to fully integrate all long-term planning analysis. The draft Comprehensive Plan also mentions the commencement of the BOA Step 3 plan (see below), but does not yet integrate the draft BOA Plan's proposed actions into its body or adopt the goals and strategies of the planning efforts and studies as it does with the CAP and "Planning for Rising Waters," which have already been completed. The draft Comprehensive Plan's reference to the BOA plan, however, provides a solid policy basis for any of its proposed zoning changes in the future.

However, the Comprehensive Plan is in draft, and does not yet represent the final consensus of the community. In terms of the draft Comprehensive Plan's obligations under SEQRA, it states that the Comprehensive Plan itself will be a Generic Environmental Impact Statement (GEIS) (City of Kingston Draft Comprehensive Plan, page 5). Therefore, any proposed changes to zoning will either be measured, and their impacts and mitigations considered, within the draft or final Comprehensive Plan, unless some other requirement or interpretation of SEQRA will alter how environmental review is completed. In either case, the BOA Plan's recommendations for updates to the design standards and guidelines are not available at this time nor are they not anticipated to be explicitly integrated into the draft Comprehensive Plan.

For the purposes of documenting consistency between the draft Comprehensive Plan and this BOA, the draft Comprehensive Plan states:

"Also following the adoption of the Vision, the City Community Development Agency has selected consultants to prepare its Phase 3 Brownfield Opportunity Area Plan. This Plan will likely contain relevant land use recommendations that will need to be considered in future plan updates" (City of Kingston Draft Comprehensive Plan, page 4)

Therefore, any zoning changes proposed as a part of the final Comprehensive Plan that implement its strategies (usually generated through policy objectives and a map of "generalized land uses," which does appear in the draft Comprehensive Plan), that are recommended as a part of the proposed BOA plan are not present in the draft Comprehensive Plan at this intermediate stage of its development, though they are anticipated to be addressed in a later plan update.

However, the structure of the draft Comprehensive Plan in proposing zoning changes and its identification of land use elements leaves open the possibility for the BOA Plan's recommendations for updates to the design standards and guidelines to be integrated into any other proposed zoning changes contained in the draft or final Comprehensive Plan. The draft Comprehensive Plan could refer to the BOA's recommendations for updates for design standards and guidelines as a part of the overall package of city-wide zoning changes. Such a reference would reinforce the importance of recommendations for updates to the design standards and guidelines for the BOA. In either case, the draft Comprehensive Plan's mention of the BOA plan tightens the relationship between the two planning documents, and solidifies the policy basis for any proposed zoning changes in the future.

The elements that are most important related to design standards and guidelines are listed below with comments as to their relevance.

DRAFT COMPREHENSIVE PLAN RECOMMENDATIONS: TIDAL FLOODING TASK FORCE

By restating and categorizing recommendations of the Tidal Flooding Task Force report (Page 10 of the Draft Comprehensive Plan), the Draft Comprehensive Plan clearly indicates the importance of climate change considerations to any future land uses. Such attention to climate change means that recommendations for updates to the design standards and guidelines in the BOA are supported by extensive City efforts elsewhere.

Among these, in particular is the recommendation to guarantee open space over the long term (City of Kingston Draft Comprehensive Plan, page 10). While provisions in the code for incentive zoning in the RF-R and RF-H districts exchanging increased height or FAR for public access to the waterfront over the long term are already in place, underscoring the permanence of access to open space indicates the priority of this recommendation.

DRAFT COMPREHENSIVE PLAN RECOMMENDATIONS: ECONOMIC DEVELOPMENT

One important recommendation is to streamline the development review process (City of Kingston Draft Comprehensive Plan, page 36). While the rationale for this recommendation is more universally concerned with economic development, it does support the recommendations of updates to the design strategies and guidelines related to procedure and administration which are discussed below. One recommendation, to create a Zoning Handbook (City of Kingston Draft Comprehensive Plan, page 36) is related to the next recommendation for the creation of a design standards and guidelines handbook or manual for the BOA.

DRAFT COMPREHENSIVE PLAN RECOMMENDATIONS: LAND USE

The plan describes obstacles to timely land use approvals. Recommendations related to eliminating “redundant” or overlapping review periods may pose a threat of loss of state funding for the Urban Heritage Area, and may therefore not have consensus for a final version of the plan. The disadvantages to some of the Comprehensive Plan’s recommendations are described in the recommendations for updates to design standards and guidelines for the BOA.

DRAFT COMPREHENSIVE PLAN RECOMMENDATIONS: UPTOWN - DESIGN STANDARDS

While the plan’s recommendations for more specific design standards for the Uptown Core area, containing the historic Stockade District, would apply outside the Rondout waterfront area, these recommendations can support the recommendations for updates for design standards and guidelines in the BOA as well.

DRAFT COMPREHENSIVE PLAN RECOMMENDATIONS: RONDOUT

Specific recommendations for the Rondout relate directly to updates to design standards and guidelines for the BOA. The Plan recommends that structures in flood-prone zones should be constructed to FEMA standards (City of Kingston Draft Comprehensive Plan, page 82). Such specificity supports recommendations below for updates to design standards and guidelines for the BOA proposing that new standards and requirements, especially related to climate change, should be

specifically detailed.

The plan reports on the popularity and success of the Broadway Overlay District, and recommends that it be extended to the Rondout waterfront.

2. Rondout Harbor Management Plan (HMP)

The US Army Corps of Engineers, New York District, who authored the Rondout Harbor Management Plan (HMP), bring a different perspective from other documents: it views the Rondout waterfront from the water and assesses issues related to its function as a harbor. Therefore, there are operational and infrastructural issues that are somewhat differently considered than elsewhere.

The HMP identifies several important issues that are related to land use and development in the BOA.

The Wastewater Treatment Plant (WWTP), a public asset, is described in the HMP as having its critical functions relocated out of the flood zone over time. After relocation, the property it now occupies could be redeveloped. It would be important, therefore, to include measures and conditions for the site in the BOA Plan. As with the Block Park site, however, too few certainties about the redevelopment plans prevent the creation of detailed design standards and guidelines at this time, except to note that it will be important to develop design standards and guidelines for the WWTP site in the future.

The HMP calls for the adoption of the 500-year standard for flooding to protect structures. While the specifics of the level of protections can be debated, one objective of recommendations to updates for design standards and guidelines for the BOA below is to support protection of structures from the effects of sea level rise and storm surge.

The HMP calls for the reengineering of certain waterfront properties which are necessary for water-related use. The recommendations for updates to the Design Standards and Guidelines stresses the necessity of water-dependent or water enhanced uses on the waterfront, so upgrades to properties to continue their water-related uses is supported.

The HMP calls for the use of certain waterfront parcels for use as riparian buffers, including Island Dock. The intent to increase the use of soft infrastructure to mitigate the effects of sea level rise and storm surge is included in recommendations below for updates to the design standards and guidelines for the BOA.

EVALUATION OF EXISTING STANDARDS, REGULATIONS AND GUIDELINES

This section reviews projects completed within the BOA under existing design standards and guidelines, and input received from design professionals involved in those projects.

Projects Completed in BOA Under Existing Regulations

Very few development projects have been completed on the Rondout Creek waterfront since development incentives where adopted in 1992 and development standards in 2005. The small sample of projects makes it difficult to evaluate the effectiveness of the existing design standards and guidelines as actually applied. The following are brief descriptions of five completed projects:

The Hudson River Maritime Museum (HRMM) Boathouse – In 2012, the Museum constructed the first new building on the Rondout Creek in 20 years. It is widely admired for its maritime character, appropriate materials and historic colors. The barn-like building, with a raised first floor, is designed to tolerate five to six feet of flood waters; the height was determined based on historic flood levels at the site. Its open walls allow for flood water to pass through (wet-proofing) thereby avoiding the necessity of constructing walls with high hydrostatic pressure tolerances. Instead, the building was constructed on piles. The building's mechanical equipment was placed on the second floor out of the flood plain. But most of these features, designed to address adaptation to rising sea levels and storm surges, were included at the discretion of the applicant without the direction or requirements of the reviewing bodies. The architect turned to the nearby Cornell and Steel House buildings for inspiration. (Figure 07.71)

Feeney's Shipyard - In the Wilbur neighborhood west of the BOA, two industrial buildings were constructed for Feeney's Shipyard on the site of this established maritime use, and were completed recently without notable public comment or unusual review. (Figure 07.72)

"Rosita's" – The former Rosita's Restaurant building on the Rondout Creek, most recently shuttered, is now owned by the adjacent Hudson River Maritime Museum who plans to use it for building wooden boats. The previous restaurant renovation didn't fully meet the design guidelines, but was approved by the City at the time. The existing building is located near the waterfront lot line. Fortunately, a well-informed applicant is now anticipated for its revitalization and has an opportunity to leverage

FIGURE 07.71 *The HRMM Boathouse respects the historic character of the Rondout while addressing climate change, 2015*

FIGURE 07.72 *A new building (right) for maritime uses was approved under current development standards at Feeney's Shipyard, 2014*

FIGURE 07.73 *The façade of the former Rosita's Restaurant matched its Mexican cuisine, 2014*

FIGURE 07.75 *Historic Kingston Waterfront Headquarters*

FIGURE 07.74 *The Steel House was approved for reuse as a restaurant under current development standards, 2015*

available incentives for increased FAR and height to provide public waterfront access. (Figure 07.73)

Steel House Building - Review was conducted with development standards in place for adaptive reuse as a restaurant. The existing building is located near the bulkhead and the restaurant's private deck is cantilevered over the Rondout Creek. Public access to the waterfront currently goes around the building to the East Strand, but does not connect to the adjacent property to the east. (Figure 07.74). Ideally, the public walkway would be restored to the waterside of the Steelhouse building by increasing the cantilever deck width. An enhanced steelplate bulkhead structure could support the extended cantilever. The Steel House Building is an example of designing to accommodate flooding, using a concrete floor and raised utilities.

The vision of Historic Kingston Waterfront: Historic Kingston Waterfront has stitched together dozens of waterfront properties to embrace the Local Waterfront Development Plan's vision of a continuous public waterfront from the Hudson River Maritime Museum to The Landing, a span of approximately ¾ mile. The former scrap yards and fuel tanks on this corridor are long gone. The scenic Rondout Creek is now visible for the first time in generations.

Historic Kingston Waterfront's Fleet Obsolete collection of historic WWII PT Boats and Historic Tugboats are now publicly accessible along the entire East Strand. Along with celebrating the rich maritime culture of the Rondout, Historic Kingston Waterfront has hosted art shows and other cultural events at the Cornell Steamboat Co. Building.

The public access development potential of the East Strand Waterfront Corridor can be substantially enhanced by restoring and extending the Ponchockie side streets to the waterfront walkway, thereby creating a series of "development rectangles" each with pedestrian frontage on all four sides. These rectangles will lend themselves to varied and complimentary mixed uses. (Figure 07.75)

Administrative Processes

The review of proposed projects in the RF-R and RF-H Districts is, at this time, perceived by some project applicants to be conducted in a duplicative and drawn out fashion. Applicants are faced with obligations to present proposals separately to the Heritage Area Commission, the Kingston Planning Board, and, if applicable, the Historic Landmarks Preservation Commission (HLPC). These three boards currently meet on separate days, with distinct sets of appointed members, and consider proposals under separate criteria. This process may drain the resources of some project applicants, especially small businesses.

A broader question has been raised of how the three review bodies consider their mission. Whether proposed projects are to be assessed solely using the specific standards and guidelines laid out in the text of the regulations, or partially based on the judgment of board members appears to be an important concern. Where there is no specific prescription for a given design proposal, the proper criteria to use in assessing it has been a continuing discussion.

Current design regulations apply more to relatively minor projects than to major, large-scale projects. However, there is apparently no distinction within the approval process of size and complexity of a proposed project. On the one hand, a minor façade restoration is obliged to adhere to procedural requirements and development standards equal to those of a major project. On the other hand, insufficient submittals for a minor project; that may lack useful graphics, dimensioned renderings, or details about materials or colors; can leave too much guesswork for the reviewing board.

Implications for Design Standards and Guidelines Updates

The provision in the #405-31 zoning for the RF-R and RF-H districts provides density increases as incentives to provide a set of improvements that benefit the public, the most compelling of which is open space. The very specific list of public benefits available discusses open space and public access in great detail. But, due to the very small number of completed projects in the RF-R and RF-H zones, there are few real-world lessons to be drawn as to this portion of the regulation's effectiveness. However, there are important implications in the existing design regulations concerning the creation of permanent open space and public access to the waterfront.

For the Rondout waterfront, the effort up until now to build a continuous waterfront that is publicly accessible by all sites has been complicated by the fact that each site has different elevations, existing waterfront edge conditions, land and water uses, and topography. Some parcels contain easements requiring permanent public access while others do not. Looking forward, with sea-level rise and storm surges, the actual location of the water's edge is anticipated to change over time, and any memorialization of public access on private property when the water's edge is changing means that the public access may not be fixed in space. For these reasons, any success of the existing design regulations in creating an environment for permanent future public access or open space would be difficult to predict. (Figure 07.76)

FIGURE 07.76 *The water's edge may change over time, 2015*

RECOMMENDATIONS FOR UPDATES TO DESIGN STANDARDS AND GUIDELINES FOR THE BOA

The design standards and guidelines applicable to the BOA that the City of Kingston has already adopted are of high quality, cohesive and comprehensive. Since their adoption, thorough and excellent planning has been undertaken by the City through a number of recent studies and plans. Updates to the design standards and guidelines for the BOA are therefore primarily focused on incorporating the recommendations from those more recent efforts.

Fortunately, many updates are already underway for the City of Kingston as a whole that also embrace the BOA. This section begins with a list of those city-wide initiatives which should be supported to advance the BOA implementation. There are also some specific recommendations for the BOA. The section then describes recommendations for additional updates to design standards for the public realm and to design guidelines for private development sites within the BOA. The recommendations end with options to strengthen the enforcement and application review processes for projects within the BOA using design standards and guidelines.

Updates Underway for the City of Kingston

City-wide initiatives now underway that will have positive outcomes for the design standards and guidelines in the BOA should be encouraged and supported. In some cases, these recommendations include adding special sections specific to the Kingston waterfront including both the Rondout Creek and Hudson River to initiatives already underway (see bullets in the next section).

Zoning Code Update:
Support the revisions, expected to be underway soon, of Kingston's Zoning Ordinance that will align and be consistent with the updated Comprehensive Plan, Kingston 2025, and the BOA Implementation Plan.

Green Buildings:
Support the recommendation in the Kingston CAP to create and adopt green building standards for the City of Kingston, and to promote sustainable operations and maintenance for existing commercial buildings.

Climate Change:
Support the recommendation in the Kingston CAP to prepare and adopt a Kingston Climate Adaptation Plan.

- Recommend a special section on the waterfront based on the LWRP.

New Standards for Sea Level Rise and Flooding:
Support the recommendation of the Kingston Tidal Flooding Task Force to adopt sea level rise and flood-level projections by New York State Governor's 2100 Commission for planning purposes. Support the recommendation of New York State's Department of Environmental Conservation to consider exceeding the state's two-foot freeboard requirement.

- Determine design standards for specific projects in the BOA, such as the Rondout Wastewater Treatment Plant (WWTP) relocation.

Resiliency:
Support the recommendation of the Kingston Tidal Flooding Task Force for the City to prepare a Kingston Long-Term Resiliency Plan. Consider exceeding FEMA standards.

- Recommend a special section on the waterfront based on the LWRP and BOA.

Flood Risk:
Support the recommendation of Kingston's Tidal Flooding Task Force to require all new development in the Flood Hazard Overlay District to take flood risk into account.

FIGURE 07.77 *View to waterfront from Gill Street: increases in FAR and building heights may block these waterfront views, 2015*

Relocation of Critical Infrastructure Out of Floodplain:
Support the recommendation of Kingston's Tidal Flooding Task Force that critical infrastructure be relocated out of the Flood Hazard Zone.

- Recommend taking the next step on the feasibility study and capital plan for relocation of the Rondout WWTP above the 500-year floodplain.

Open Space Inventory:
Support the recommendations from the City's Parks and Recreation Master Plan for the creation of an inventory of open space assets.

Conservation Guidelines:
Support the recommendation of the Parks and Recreation Master Plan that the Conservation Advisory Council complete its work on conservation guidelines.

Incentives for Open Space:
Support the recommendation of the Parks and Recreation Master Plan that the zoning code include options for density increases in exchange for dedicated open space. (Figure 07.77)

- Recommend there be an analysis of how public waterfront access in the BOA could be leveraged in exchange for incentives other than the existing incentives for FAR and height increases.

Street Lighting:
Support the recommendation in the Kingston CAP to adopt an energy-efficient City Lighting Ordinance.

- Consult the Heritage Area Commission about updates to street lighting in the BOA.

Green Infrastructure:
Support the recommendation in the Kingston CAP to establish standards and guidelines that encourage or require the use of green infrastructure. (Figure 07.78)

- Recommend a special section on the waterfront based on the presence of brownfields, high water table, and other waterfront conditions including plans and tactics for different areas.

FIGURE 07.78 *Shoreline erosion at Kingston Point Park: green infrastructure for the waterfront has unique requirements, 2015*

FIGURE 07.79 *The Steel House is located directly at the shoreline, 2015*

Design Standards Updates for Public Realm

Continuous Waterfront Walkway

- Add new design standards for providing continuity of the waterfront pedestrian esplanade that support the working waterfront, recreational boating and other water-dependent or water-enhanced uses in the BOA.

Current development standards require all new development with water frontage along the Rondout Creek to provide a continuous pedestrian esplanade. This standard appears to be in conflict with the LWRP's goal of prioritizing water-dependent and –enhanced uses. Ideally, the public walkway would be restored to the waterside of the Steelhouse building by increasing the cantilever deck width. An enhanced steel plate bulkhead structure could support the extended cantilever. This would permit an uninterrupted waterfront walkway as envisioned by the Local Waterfront Development Plan. The importance of this continuity cannot be overstated. (Figure 07.79, Figure 07.80)

Access To and From the Water

- Add new design standards for waterside infrastructure that support access to and along the shore both to and from watercraft.

The BOA Design Strategy contains several BOA-wide and Strategic Site land uses and waterfront access strategies. While conceptual at this stage, certain actions can be taken that will guide the further refinement of the Design Strategy as it approaches implementation and formal commitments.

Kingston's existing design standards have no requirements for access from the water to the land or vice versa. Such a public amenity depends on the private objectives of private owners and is available only at individual waterfront sites. The lack of waterside infrastructure especially limits the possibilities for recreation boaters and the "blueways" and "watertrails" recommended in "Revitalizing Hudson Riverfronts." Access can occur by requirements for edge infrastructure on shorelines with bulkheads as well as innovations on natural features and ecological amenities that enhance the recreational boating experience and strengthen the ecological health of the Hudson Estuary as a whole. In the Town of Rhinebeck just across the Hudson River, for example, New York State Department of Environmental Conservation (NYSDEC) approved hanging "habitat boxes" for fish refuges on bulkheads at the train station and public dock. Along the BOA shoreline, standards could be proscribed for fenders, cleats, bollards, emergency access ladders, life rings, wake protection, railings, rail openings, and float ramps. Design standards for waterside infrastructure are an essential part of public waterfront access and will make the interconnections between the land and water in the BOA a reality. Ecological benefits would be an additional positive outcome for these connections. (Figure 07.81, Figure 07.82)

FIGURE 07.80 *...The sidewalk is presently disconnected around the Steel House, 2015*

Lighthouse Access

Support recommendations of the LWRP, Parks and Recreation Master Plan and Harbor Management Plan to reconstruct a walkway to Rondout Lighthouse as shown on the BOA plan. The walkway's design and specifications

FIGURE 07.81 *Waterside infrastructure supports access to and along the shore, 2015*

FIGURE 07.83 *Many policy documents recommend reconstruction of a walkway to the Rondout Lighthouse, 2012*

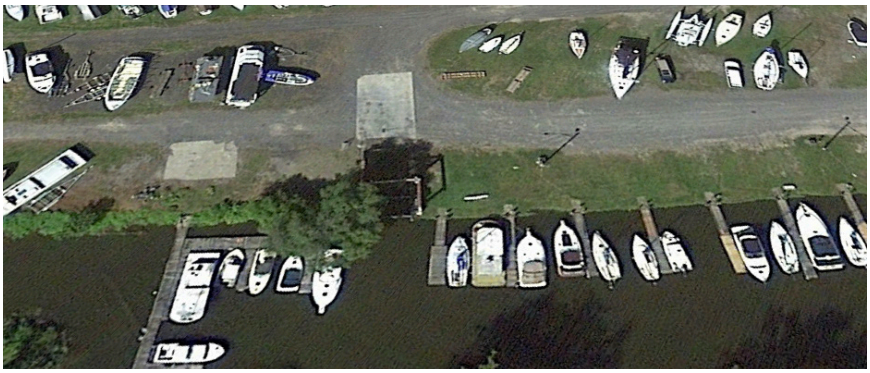


FIGURE 07.82 *Access launch and boat slips at Hideaway Marina, 2015*

FIGURE 07.84 *Balance a lively streetscape with public access, 2015*

would be heavily dependent upon site-specific conditions and marine engineering solutions. (Figure 07.83)

Sidewalk Usage:

- Establish a clear process and a set of standards for reviewing commercial (such as dining and advertising), hospitality and street fair uses on sidewalks.

Use of the sidewalk by businesses are not covered in the current design standards for the BOA. Standards should include dimensional requirements that would address the use of sidewalks by private adjacent uses. They are needed not only to promote quality sidewalk dining and a lively streetscape, but also to protect pedestrian access and mobility, especially when necessary to retain the public's access to the waterfront. Typically, a privilege to operate a business on the public sidewalk is associated with the consumer affairs or licensing function of a municipality. Both the requirements for such businesses and the site requirements can be cross-referenced in the zoning code. (Figure 07.84)

Design Guidelines Updates for Private Development Sites

Manual or Handbook for Private Developments:

- Consolidate the design guidelines for private developments on the Rondout Creek and Hudson River waterfronts (including BOA portions of them) into a Kingston Waterfront Design Standards and Guidelines Manual or Handbook.
- Clearly articulate the intent of the guidelines and their public benefits.

Design guidelines for private developments in the BOA are currently scattered throughout several zoning sections. Their intent is sometimes based on other policy documents and are not immediately apparent. This makes it difficult for developers and their design professionals to understand what is allowed as-of-right versus what will require special approvals and review. For most developers, building a private project as-of-right is substantially more cost-effective than going through the special approvals process. The handbook could be done relatively soon to support ongoing investment and economic development while the Comprehensive Plan and Zoning Code updates are being developed and adopted.

Planned Unit Development (PUD) for Sass-Block Park Development:

- Follow the model of the Hudson Landing regulating design manual on large waterfront parcels, such as the Block Park/Island Dock swap, and develop planning, architectural and open space guidelines customized to a master site plan.

The complexity of the current State Environmental Quality Review (SEQR) process for larger parcels, such as the Hutton Brickyards/Sailors Cove site, is time-consuming and expensive. There is currently no PUD or similar provision for large properties with waterfront frontages in Kingston. This has resulted in time-consuming application processes for some large-scale riverfront developments, like Sailors Cove. Using a successful precedent in Kingston, such as Hudson Landing, as a guide will help reduce the uncertainty for developers and the public at the same time. (Figure 07.85)

Green Buildings within BOA:

- Require LEED BD+C Silver within the BOA boundaries.

In addition to the recommendation of the Kingston CAP to adopt green building standards city-wide, requiring new buildings within the BOA to comply with LEED BD+C Silver would distinguish it as a premier and sustainable area within Kingston.

FIGURE 07.85 *Follow model of the Hudson Landing for guidelines on large waterfront parcels, 2015*

ADMINISTRATIVE UPDATES FOR THE CITY OF KINGSTON

While the design standards and guidelines for the BOA themselves are underpinned by intent, well-drafted and detailed, their enforcement and the overall application review process are also important components of their effectiveness in promoting future growth that protects the BOA's historic and natural assets. The following recommendations detail updates that address how these standards and guidelines can better achieve their higher purpose through administration and implementation.

Guideline Enforcement:

- Establish a clearer process and provide funding for enforcement of design standards and guidelines.

There are currently overlapping responsibilities for enforcement of design standards and guidelines between the Planning Department, Building Department, and others. Because enforcement of the land use ordinances and building codes are a chronic issue for local governments, adopting clear lines of responsibility or assigning single-entity or officer roles would improve adherence to local government regulations. However, a weak link in the procedural chain for design standards and guidelines is that many provisions are related to construction; or the realization of plans for development. That phase of any building project is controlled by the building safety function of a local government. However, the approval in anticipation of the construction is overseen by the Planning Board. Therefore, there needs to be a stronger accountability and departmental management between these two different

functions of city government. If staff time, training, or departmental communication can be identified as the gap, then funding to close this gap should be secured to enforce conditions of approval. Ideally, once an application is approved, the responsibilities for enforcement should be identified at that time and adequate provision of resources to carry them out provided. This will result in even-handed oversight, protection of adjacent property values, and a more coherent physical environment.

Consolidation of Waterfront Design Standards and Guidelines:

- Consolidate all waterfront design standards and guidelines in one place as part of the Zoning Code update.

The City will undertake an environmental impact assessment of the Draft Comprehensive Plan in the near future. At that time, all proposed Zoning Code changes that implement the goals of the Kingston 2025 Comprehensive Plan will be analyzed for impacts on the environment. Among those proposed changes in zoning could be a recommendation to consolidate the Waterfront Design Standards and Guidelines in one place. Waterfront design standards and guidelines are currently found in separate locations in the zoning code. Some of these observations - and potential solutions - about the difficulty of working with the Zoning Code are already called for in the Draft Comprehensive Plan.

Conformance with Design Standards and Guidelines:

- Allow the Planning Board to verify conformance with the design standards and guidelines based on the analysis of the City Planning Staff.

A consequence of the lack of consolidation of the design standards and guidelines in the current Zoning Code is that it is complex and time-consuming for the bodies reviewing applications to verify that an application conforms to all of the requirements. The Draft Comprehensive Plan notes that "administration of the district design guidelines by a separate approving board lengthens and delays approval time, thereby acting as an impediment to improvement of structures and economic development. It is therefore suggested that the Planning Board verify conformance, upon review and recommendation by City Planning Staff."

Application Review Process:

- Improve the review process for applications.

Depending on their complexity, the review process of applications for new developments in the BOA currently involves a number of different bodies: the Planning Board, Heritage Area Commission and Historic Landmarks Preservation Commission (HLPC).

1. The Planning Board reviews applications for all projects in the RF-R and RF-H Districts and Flood Hazard Overlay District including special permits in the RF-R and RF-H district. It determines incentives for those seeking increases in FAR or height in exchange for public benefits, such as public waterfront access. The Planning Board also reviews projects within the boundaries of the Mixed Use and Broadway Overlays Districts.
2. The Heritage Area Commission reviews applications within the boundaries of the Heritage Area, which includes the Broadway Overlay District and its design standards. The Commission also reviews applications within the larger Coastal Management Zone for consistency with the LWRP.

3 The HLPC reviews proposed exterior changes to landmark-designated buildings or properties located within historic districts.

Among the changes that could improve the application process are: 1) consolidating review hearings on one night; 2) holding the meetings of more than one organization on the same night, and 3) convening and adjourning each concerned body by grouping relevant applications.

Architectural Review Board:

- Study the advantages and disadvantages of creating an Architectural Review Board (ARB).

The discussion above on the series of reviews by separate bodies is not intended to diminish the importance of each organization's mission or code-defined role. But there is a blurring of the important distinction between administering specific provisions of various parts of codes, and interpreting conformance to design standards and guidelines based on the qualities of a proposed project.

One solution that has been suggested is to create an Architectural Review Board (ARB) specifically to interpret the objectives of Waterfront Design Standards and Guidelines, and leave the administration of other parts of the codes to the other agencies. This suggestion is included, for example, in "Revitalizing Hudson Riverfronts." As illustrated below, an ARB has the potential to provide an objective application of clear criteria for a project, the basis of whose approval is evidence rather than opinion or preference, for projects that must comply with design standards and guidelines.

The specific features of an Architectural Review Board, and their respective strengths and weaknesses, are summarized in Figure 07.86.

ARCHITECTURAL REVIEW BOARD

FEATURE	PROS	CONS
Credentialed Membership (in design professions)	Expertise and practice of objectivity (others are ex-officio)	Personal aesthetic vision or preferences; fewer "lay" members; frequent recusal due to business role in projects (esp. for smaller communities).
Decisions are credible	Application of clear criteria must be supported with evidence; "relief valve" for controversial advice is Planning Board's ultimate decision	Members need continuous training; small scale of some projects may not merit such close review and slow approvals; more useful for large master-planned projects.
Mission furthers only design objectives	Objectivity; clarity of criteria	"Too professional," not citizen – friendly; members too busy professionally to have necessary public outreach role; Misunderstanding of "authentic" versus "reflective of community character."
Interpretive powers are objective	Intent of criteria applied case-by-case, not prescriptive, allowing design innovation: each property and project's reasons for approval are transparent; applications must be detailed	Developers prefer clarity of criteria at the start; expensive or onerous for small project applicants; enforcement still decoupled from building safety function of city government.
Prescriptive architectural guidelines less needed	Clear distinction between interpretation and administration as advisory to Planning Board	Another layer of review.

FIGURE 07.86 *Architecture Review Board - Strengths and Weaknesses*

LOCAL MANAGEMENT STRUCTURE TO IMPLEMENT THE BOA

MANAGEMENT STRUCTURE RECOMMENDATIONS

Management of the Kingston Waterfront Brownfield Opportunity Area Plan (the BOA Plan or Hudson Riverport Vision Plan) will be a complex undertaking because the implementation of the plan will span over a more than 20-year period and involves a wide variety of projects ranging from public infrastructure, transportation, and open spaces to large-scale private developments and individual properties. This will require not only the active participation of the City of Kingston, Ulster County and New York State, but also of numerous stakeholders from property owners and private developers to existing businesses, residents, community members, and other local organizations. New partnerships will need to be formed and existing relationships strengthened. Funds will need to be raised from multiple sources, strategic development sites marketed, incentives negotiated with potential investors, specialized consultants retained, and progress overseen. Successful implementation of the BOA, which includes the Rondout Creek from Island Dock to the Rondout Lighthouse and the Hudson River from Kingston Point Park to Kingston Point Beach, will require a strong management structure to coordinate these efforts and to lead the BOA implementation projects forward.

RECOMMENDATIONS

As part of this BOA Plan, it is recommended that the City of Kingston create a new Kingston Waterfront Development Authority; structured as a Local Development Corporation (LDC) and classified as a municipal development authority. The goal of that entity will be to manage the redevelopment of the Kingston waterfront within the boundaries of the Local Waterfront Revitalization Program (LWRP), which covers both the Rondout Creek and Hudson River waterfronts which includes the BOA Plan Area. Implementing the BOA Plan within a management structure for the LWRP as a whole brings synergies and unifies the vision for Kingston's waterfront revitalization.

The Kingston Waterfront Development Authority will stimulate development by centralizing overall management and coordination of both the LWRP Implementation Plan (LWRIP) and the BOA Plan. The LWRP already carries with it existing funding and embraces a wide range of uses including port functions. Using the larger LWRP boundaries, known as the Coastal Management Zone (CMZ), will bring consistency and alignment with existing public policies. As an LDC the KWDA can finance redevelopment with a portfolio of options: by issuing bonds to support redevelopment projects, administering low-interest loans, mobilizing the city budget, providing grant funding for infrastructure, as well as raising funds. The KWDA will incentivize development by offering tax incentives and, assisting with loans as well as prioritizing public infrastructure to support specific site developments. The KWDA is able to handle the cleanup of brownfield sites and oversee private sites receiving tax incentives from New York State's Brownfield Cleanup Program. As an LDC it can control and manage property through legal agreements, for example, it can facilitate the proposed land swap between Block Park and Island Dock. The KWDA is able to fund its own operations by collecting fees, such as fees for leasing or renting properties, and receiving grant funding and federal subsidies. (Figure 07.87)

FIGURE 07.87 *The LWRP covers both the Hudson River and Rondout Creek riverfronts, 2015.*

As an alternative, the city could consider using an existing structure but expand its scope and revise its Board of Directors to fit the needs of the BOA Plan. Among the existing structures that have been suggested are the Kingston Local Development Corporation (KLDC) and the Ulster County Industrial Development Agency (UCIDA). Either one of these entities would have to modify its functions and Board of Directors to enable it to manage the redevelopment of the Kingston waterfront.

A key to evaluating the advantages and disadvantages of the recommended KWDA, and other alternatives, is to understand its specific responsibilities. These advantages and disadvantages are discussed in more detail in the sections that follow.

RESPONSIBILITIES

The design strategy for the BOA Plan envisions a world-class, vibrant, mixed-use waterfront that confronts both existing contamination of brownfield sites and the increasing risks of flooding from storm surges and sea level rise. The BOA Plan also recognizes that all this must balance protecting and enhancing Kingston's existing assets; its boating, history, culture, heritage, industrial building stock, natural resources, and mixed-use community. To achieve this broad vision, the most effective management structure to coordinate and administer the Implementation Plan needs to be an entity that can undertake a wide variety of responsibilities.

Key responsibilities could include the following:

1. As a basic requirement, the management structure to implement the BOA Plan needs to have the ability to startup, manage and coordinate the redevelopment as a whole; oversee the approval and permitting process for development projects; have the expertise to facilitate applications and review projects; and encompass the capacity to lead and advance the BOA Implementation Plan over time.

(Note: The list below corresponds to the "Responsibilities" used in the examples of potential management structures which are detailed in Figure 07.88 and Figure 07.89, which begins with number 1 describing their legal entity.)

2. Loans – Review loan applications and creditworthiness, issue loans, and be accountable for timely repayment.
3. Fund Raising - Prepare grant proposals for funding and be able to raise funds to advance BOA implementation projects, collect fees for rental and leasing of properties, apply for bonds from banks for specific purposes.
4. Bonding Authority - Issue bonds to support BOA redevelopment projects, such as site preparation and infrastructure.

5 Incentives - Offer incentives, such as tax exemptions and Payment in Lieu of Taxes (PILOTs), to potential investors to attract public and private investment in the BOA.

6 Relationships with local government - Establish permanent relationships and work closely with the Mayor's Office, City departments, and local agencies that provide policy support and funding for implementation.

7 Relationships with State and Federal agencies - Cultivate and maintain close relationships with relevant agencies of State and Federal government.

8 Private Sector Connections - Provide support to and work closely with private sector businesses and business associations.

9 Marketing of Development Sites - Promote and market the BOA's Strategic Sites and other BOA development properties.

10 Capital Commitments - Promote capital commitments by the public sector in public improvements (such as, brownfield remediation, infrastructure, utilities, parking, public streets, flood protection, and public open space).

11 Political Independence - Protect staying power over different political cycles (especially for multi-year projects); and preserve autonomy from direct political pressures.

12 Negotiations with Developers - Negotiate with developers and private investors (balancing the interests of investors with other stakeholders, such as residents, environmental activists and community advocates).

13 Property Acquisition – Acquire, hold and dispose of land, and create and monitor easements.

14 Ongoing Outreach - Reach out to local communities of residents, businesses and multiple other stakeholder groups on an ongoing basis.

ADVANTAGES

The Kingston Waterfront Development Authority (KWDA) has the advantage of being created by the City of Kingston as a not-for-profit corporation with the authority to undertake all of the responsibilities listed above. As a Local Development Corporation (LDC), it will be relatively easy to establish under Section 1411 of the Not-for-Profit Law of New York State. Industrial Development Agencies (IDAs), by contrast, require enabling legislation enacted by the State legislature making them more difficult to establish than LDC's.

In addition to being relatively easy to establish, the KWDA has the advantage of providing autonomy from election cycles while allowing for oversight by the City of Kingston, and being a strong partner for collaboration with other local organizations.

The City of Kingston can maintain oversight of the KWDA by the Mayor's appointment of its leadership. It is envisioned that the KWDA would have a dynamic leader with a sense of direction and purpose, who works with the City to select the Board of Directors. The Chairperson of the Board is the most important person for the implementation team. That person should not be a City of Kingston employee, as the KWDA needs to function as an autonomous entity, not constrained by the current political situation. He or she should demonstrate strong leadership, vision and ability to bring together a team. The Board members will be selected to reflect the main stakeholders, support good relationships with the Kingston City government and have the ability to get things done. They need to be visionary and action-oriented. It would be very helpful to engage people who have expertise in such areas as grant writing, banking and finance, legal arrangements with public entities, community outreach, business, management and real estate. The Board should define its direction, mission and purpose with clear job descriptions for its members and for staff. The ability of Board members to raise revenue from different sources will determine how many paid managers and employees the KWDA can recruit. A visionary leader and a strong Executive Director will, in turn, have a powerful influence on how quickly parts of the LWRP and BOA plans are implemented.

While a Community Development Corporation (CDC) could be established with similar capabilities, its structure would work better for the limited area defined by the BOA Plan, whose boundaries include parts of the Rondout and Ponckhokie communities. The larger Coastal Management Zone (CMZ) covered by the LWRP, which includes a number of different communities, would be more difficult to manage effectively under a CDC.

It is likely and desirable that any newly established entity such as the KWDA, would work closely with existing agencies and organizations to draw on their expertise and commitment in certain areas. These would include organizations such as the Heritage Area Commission, Ulster County Chamber of Commerce, Kingston Land Trust, Kingston Local Development Corporation, Kingston Waterfront Business Association, RUPCO (formerly the Rural Ulster Preservation Company), Scenic Hudson, Ulster County Development Corporation (UCDC), and others. It will be important for these groups to work collectively in the same direction, as each has a defined focus. It will be the responsibility of the KWDA to coordinate multiple collaborators to lead the revitalization of Kingston's waterfront.

DISADVANTAGES

As a Municipal Public Authority, the Kingston Waterfront Development Authority would come under Section 2(2)(b) of the Public Authorities Accountability Act (PAAA, 2005) and Public Authorities Reform Act (PARA, 2009) of New York State. These were enacted by the New York State Legislature to rationalize and introduce more controls over Industrial Development Authorities (IDAs), Local Development Corporations (LDCs) and Community Development Corporations (CDCs) that are "affiliated with, sponsored by, or created by a local government." The KWDA would be required to submit annual reports to the independent New York State Authorities Budget Office (ABO) established by the PARA; and would need to post information on its mission, current activities and finances on its website (more information can be found on the ramifications of the PAAA and PARA in Appendix A). While this paperwork can be onerous, the disadvantages of those requirements can be offset by the fact that the KWDA would also include the Local Waterfront Revitalization Plan (LWRP) and therefore have more capacity to support the appropriate staff to meet the requirements of the ABO.

Another disadvantage of establishing a new not-for-profit entity is that it requires legal documentation and can be time-consuming. If the length of time it would take to establish a new entity is of concern to the City of Kingston, using an existing structure but expanding its scope and revising its Board of Directors to fit the needs of the BOA Plan would be an alternative.

In either case, it will be necessary for the City of Kingston to discuss with knowledgeable legal counsel any local management entity, the tasks and responsibilities that will be required, and how to structure its by-laws, board membership, oversight, and financing arrangements.

TYPE OF PUBLIC STRUCTURE	PROS	CONS	EXAMPLES IN NY STATE *EXAMPLES IN APPENDIX A
Local Government: City of Kingston (CoK) Town of Babylon	• Ability to raise revenue from taxes, government grants • Authority to acquire and market land • Consistent interaction with State government • Works with local stakeholders • Ability to invest in public infrastructure, oversee cleanup • Has staying power • Empowered to negotiate with developers • Authority to acquire and dispose of property	• No ability to provide loans or grants • Not independent • Subject to political interests • Needs to balance private sector, community and environmental interests	Kingston Office of Economic Development and Strategic Partnerships (KOEDSP)*; Planning Department*; Wyandanch Office of Downtown Revitalization*
Economic Development Corporation (EDC): City of Kingston, Ulster County City of New York State of New York	• Ability to provide loans and incentives to investors in distressed areas • Ability to raise funds from government grants, business contributions • Bonding authority • State, county or city sponsored agency • Works closely with private sector • Ability to market strategic development sites • Can provide funds for public infrastructure • Has staying power • Empowered to negotiate with developers • Ability to acquire land • Is independent	• Main objective of EDCs is economic development, so may not take environmental, social or community concerns into sufficient account • May not work closely with local government • Would need to work out commitments of budget and staff for BOA Implementation Plan	Ulster County Development Corporation (UCDC)*; South Bronx Overall Economic Development Corporation (SoBRO)*; Empire State Development (ESD)*
Industrial Development Agency/Authority (IDA): Ulster County City of Yonkers City of Buffalo	• Ability to provide loans and grants to businesses • Ability to raise funds through fees from businesses participating in approved projects • Ability to offer tax incentives, e.g. tax-exempt financing • Bonding authority & can issue bonds through EDC • Property tax exemptions recaptured through PILOTS (payments in lieu of taxes) • Authority to acquire and lease properties • Works closely with local government and businesses • Is independent • Ability to promote capital commitments in public spaces • Has staying power	• Require enabling legislation by NY State (NYS) • Mainly assists industrial and manufacturing businesses, so may not take environmental, social or community concerns into sufficient account • Statute prohibits from assisting retail projects and lending to not-for-profits or public utilities • Restrictions on civil facilities projects • Would need consistent interaction with NYS agencies that provide funding; audited by NYS • May share staff with EDCs • May not have staff capacity to oversee and market Kingston BOA Implementation Plan • May outsource some services	Ulster County Industrial Development Agency (UCIDA)*; Yonkers Industrial Development Authority (YIDA)*; Buffalo Urban Development Corporation (BUDC)*
Municipal or State Development Authority	• Ability to raise money via rents from commercial tenants, fees concession revenues, grants and donations; corporate membership • Board can include reps from State, County, City, business, community groups, etc. • Can market properties to business investors • Staying power if it raises sufficient revenue to have enough full time staff • Is independent	• Public authorities have accountability for audits to NYS Authority Budget Office (ABO) • Kingston BOA may be too small for a state authority • May lack sufficient staff capacity and resources	Battery Park City Authority; Brooklyn Bridge Park Development Corp.; Numerous IDA, CDCs, and LDCs have been classified as public authorities by the NYS ABO

FIGURE 07.88 *Evaluation Matrix of Potential Management Structures: Public*

TYPE OF NOT-FOR-PROFIT STRUCTURE	PROS	CONS	EXAMPLES IN NY STATE *EXAMPLES IN APPENDIX A
Community Development Corporation (CDC): City of Kingston Town of Babylon	• Can be created for a specific purpose, e.g. "Rondout Waterfront CDC" • Assists with loans, incentives, surety bonds • Can obtain community development block grants (CDBG) for waterfront development from NYS • Board may have city, state and community members • Ability to acquire public property; targets vacant or underutilized commercial property • Manages community development projects • Works in partnership with community organizations, development corporations, public sector, and others • Ability to lead community visioning; design open spaces; draft zoning regulations • Ability to assist with building community resilience for climate change	• Would need to ensure sufficient oversight and accountability • Would come under ABO regulations if classified as a "public authority" • Would need to engage support of private sector • Would need to engage with NYSDOS and DEC on a consistent basis • Lack of staying power • May lack staff capacity and resources	Wyandanch Community Development Corporation (WCDC)*
Local Development Corporation (LDC): City of Kingston City of Yonkers	• Could be created as a municipal development authority for a specific purpose • Ability to assist with loans, incentives, surety bonds • Administers revolving loan funds; assists businesses with gap financing • Works closely with local government • Can receive federal subsidies • Authority to acquire land and raise revenue from leasing and financing • Easy to establish by county, city, town or village	• LDC classified as public authorities can issue bonds, but have accountability for loan funds and bonds to NYS ABO • In the past some LDCs in NYS have overseen large projects without competitive bidding or sufficient financial oversight • May lack staff capacity and resources	Kingston Local Development Corporation (KLDC)*; Yonkers Downtown Waterfront Development Corporation (YDWDC)*

FIGURE 07.89 *Evaluation Matrix of Potential Management Structures: Not-for-Profit*

EVALUATION MATRIX

While many different types of local management structures have been employed for waterfront revitalization around the country and the world, for implementation of the BOA Plan an entity recognized by the laws of New York State is required in order to qualify for the benefits associated with a BOA designation, such as New York State tax incentives, that help ensure the desired uses materialize on the strategic brownfield sites.

Many different types of management structures acceptable in New York State were considered in this study. The results of that analysis are found in the detailed Evaluation Matrix on the pages that follow. The matrix is a summary of the potential management structures for the BOA Plan. Figure 07.88 is organized into public structures, such as an existing local governmental department Economic Development Corporation (EDC), Industrial Development Agency (IDA), and municipal or state authority. Figure 07.89 is organized into not-for-profits such as a Community Development Corporation (CDC) and Local Development Corporation (LDC). Those types of structures can be found in the left-hand column. The pros and cons of each type of entity are summarized in the central two columns. On the right-hand side, examples of each type of organization are listed. Those noted with asterisks are described in more detail.

Based on the results of the cross-comparison in the Evaluation Matrix, the types of entities that most closely matched the ability to carry the responsibilities for the BOA Plan were found to be the IDAs, LDCs and CDCs. All three can be classified as Municipal Public Authorities, and LDCs and CDCs could also be organized as not-for-profits.

DESCRIPTIONS OF DIFFERENT STRUCTURES MOST CLOSELY MATCHED TO BOA MANAGEMENT RESPONSIBILITIES

Industrial Development Agencies or Authorities (IDAs)

According to the Office of the New York State Comptroller's report; Industrial Development Agencies in New York State (May 2006); legislation was enacted in 1969 to provide for the creation of IDAs to facilitate economic development for specific locations within New York State and to define their powers as public benefit corporations. IDAs generally work to improve economic conditions in their jurisdictions by attracting, retaining and expanding private businesses through financial incentives. Conceived to advance industrial and manufacturing developments, they also have latitude to assist many other types of projects, such as educational facilities and transportation improvements. The statute, however, prohibits them from assisting retail projects except in certain cases such as retail associated with tourism. Each IDA is established by the New York State Legislature at the request of a sponsoring municipality and is governed by a board appointed by the local municipality. Since 2008, IDAs have been unable to finance facilities owned or operated by not-for-profit corporations

Local Development Corporations (LDCs)

LDCs are private, not-for-profit corporations typically established by local governments for public purposes, such as economic development. According to New York State Comptroller's report; Municipal Use of LDCs and Other Private Entities (April 2011). LDCs were created to reduce unemployment and promote job opportunities, provide job training, conduct research to attract or retain industry, and assist with "lessening the burdens of government." Given these objectives, LDCs' powers are broad and they are exempt from many provisions of local governments, such as being able to issue debt that is not subject to the limits on debt for the local municipalities.

Community Development Corporations (CDCs)

CDCs are not-for-profit corporations that are community-based structures engaged in the revitalization of their neighborhoods, which are typically low-income and underserved. CDCs often grow out of active grass-root participation. CDCs can be involved in a range of efforts to assist their communities, for example they are known for developing affordable housing and commercial properties, neighborhood organizing and planning, economic development and job-creation, as well as providing services to residents such as education, job-training and social services.

OTHER BOAS IN NEW YORK STATE

When researching existing designated New York State BOAs and ones in progress that could serve as models for Kingston; there are twelve that are designated BOAs; however, none have yet completed Step 3. Currently among the Step 3 BOA communities, the most similar to Kingston's in terms of land uses is the Town of Babylon's Wyandanch BOA. Figure 07.90 is a detailed description of the management structure of the Wyandanch BOA. Also relevant were the South Bronx Overall Development Corporation's (SoBRO) South Bronx, Port Morris and Harlem River BOA and Buffalo Urban Development Corporation's (BUDC) South Buffalo BOA. (See Appendix A "Examples of Potential Management Structures" for detailed information on the South Bronx and South Buffalo BOAs.)

There are no other BOAs in Step 3 within Kingston's New York Department of State region, which is Region 3, Mid-Hudson. The only BOA in geographic proximity to Kingston is a Step 1 effort by Ulster County, which is conducting a county-wide pre-nomination study that, according to the New York Department of State's information on BOA projects, will be "coordinated with and build on existing economic development and priority growth area plans."

PREVIOUS PROPOSALS FOR LOCAL MANAGEMENT STRUCTURES

Both an Industrial Development Authority (IDA) and an Economic Development Corporation (EDC) have been previously proposed to manage the redevelopment of the Kingston waterfront.

Kingston Industrial Development Agency (IDA)

The 2008 the "Kingston Waterfront Development Implementation Plan" recommended that "the city form an Industrial Development Agency (IDA) or a waterfront authority to manage the redevelopment of Kingston's waterfront" (Page 56 of the Waterfront Development Plan) This recommendation was never implemented because of the uncertainty surrounding the use of an IDA at the time at the State level, which then resulted in the earlier discussed PARA in 2009.

Ulster County Development Corporation (UCDC)

Another possibility raised by the 2008 "Kingston Waterfront Development Implementation Plan" was for the City of Kingston to consider working with the Ulster County Development Corporation (UCDC). The plan notes that this would require agreements between the City of Kingston and the County Of Ulster to coordinate their respective roles, financial contributions, priorities, staff levels and other resources devoted to the project. This recommendation was never implemented because the UCDC's set of responsibilities extends across Ulster County, which is a broader geographic area than the BOA Plan covers. As such it would be unable to wholly dedicate its resources to Kingston or to prioritize the BOA Plan projects for the Kingston waterfront.

LAND BANKS

The establishment of a land bank is being explored by the City of Kingston to assist with issues like affordable housing and returning vacant or abandoned property to the tax rolls. While a land bank structure may be a useful tool for redevelopment of the City of Kingston as a whole, it may not be a relevant tool for implementing the BOA Plan. The 10 existing land banks in New York have been established in areas with large numbers of abandoned properties, such as in Rochester, Buffalo and Newburgh. The current situation in Kingston's BOA is considerably different: there are few vacant or abandoned properties within its boundaries and the BOA-designated Strategic Sites are either public parks or already owned by private parties and developers. (See "Newburgh Land Bank" in Appendix A for more information on land banks.)

Management Structure of Wyandanch BOA

The Town of Babylon's Wyandanch Downtown Brownfield Opportunity Area (BOA), which is devoted to downtown redevelopment, is the furthest along in the planning process of all New York State projects receiving Step 3 grant funding. The local management structure, the Town's Office of Downtown Revitalization, is unique to this project and illustrates important considerations for other BOA plans including Kingston's. Development that is underway in Wyandanch is reassuring because it provides an example that there can be tangible outcomes from BOA planning. It is also helpful, in learning lessons of success, to recognize the specific land ownership and planning background conditions in Wyandanch along with the decisions that were made to ensure successful implementation of the plan. Described below are the background conditions pre-BOA, genesis of the BOA project, resulting management structure, timeline of the process, and similarities to and / or differences from Kingston's BOA.

BACKGROUND CONDITIONS PRE-BOA

Currently, the Wyandanch BOA project area is entirely owned or controlled by the Town of Babylon, both from long-time ownership patterns and as a result of acquisitions and the use of eminent domain during earlier urban renewal projects. Key properties in the 105 acre BOA area were initially vacant, brownfield, blighted, or under-utilized sites. The land assembly meant that development of a vision for the area could proceed smoothly under one owner, a single public entity, and that construction could proceed across the entire project at once rather than on a site-by-site basis. The assemblage also removed obstacles to redevelopment, such as avoiding a lengthy and costly acquisition process for private developers and assuring that contiguous sites were available for development (i.e., no holdouts). The local municipality undertook the planning process while also having control over the land which was a significant advantage.

The town conducted a Blight Study as well as an area-wide brownfield assessment which pre-date the Town's entry into the BOA program and were part of the reason it was able to skip Step 1. Implementation of the Urban Renewal Plan took place during Step 2.

The Town's elective leadership committed significant financial, staff and political resources to the planning for the BOA. Early planning means that anticipated property tax revenue and other positive economic outcomes for the community will appear well after the soft costs of its planning documents are expended, and after completion of the project itself.

GENESIS OF THE BOA PROJECT

The Wyandanch Community Development Corporation (WCDC), a local not-for-profit, formed over 50 years ago to address chronic disinvestment, which brought their concerns about possible contaminated sites and lost opportunities to the attention of the then Town Supervisor Steve Bellone, and the Wyandanch community as a whole in the early 2000s. From the WCDC's leadership during a community visioning process, the Town of Babylon completed and adopted a "Wyandanch Rising Hamlet Plan," which is a typical process used to manage comprehensive planning for the larger territories of Long Island's Towns.

Following the Hamlet Plan, the Blight Study led to the creation and adoption of an Urban Renewal Plan. This led, in turn, to the Town of Babylon obtaining a BOA grant with the intention the Town would act as an umbrella planning structure for the overall project.

The Town then engaged consultants to draft a Master Site Plan, and following its completion, a complete Form-Based Code and Open Space Master Plan that would regulate the Master Site Plan's development. The National Development Council, one of the consultants on the plan, worked out the financial feasibility analysis for developments, including tax abatements and low-income housing tax credits. The Town's Industrial Development Authority (IDA) provided a tax abatement in the form of a Payment in Lieu of Taxes (PILOT). With the Master Site Plan, Open Space Master Plan and Form-Based Code in place, the Town then developed marketing materials, issued a RFQ (Request for Qualifications) and then an RFP (Request for Proposals) for a Master Developer comprised of investors and developers to carry out the detailed design, construction, and long-term management of the income-producing portions of the project. Large, up-

FIGURE 07.90 *Case Study Management Structure of Wyandanch BOA*

front investments on the part of the Town of Babylon in new infrastructure made the site more attractive to developers and the Master Developer is now in place.

RESULTING LOCAL MANAGEMENT STRUCTURE

Overseeing this process as a whole is the Office of Downtown Revitalization with a small Town staff dedicated to BOA implementation and downtown redevelopment housed within the planning function of the Town of Babylon's government. The nature of the project's complete build-out scenario helps accelerate implementation of the BOA. In addition to overseeing the Master Developer, the Office of Downtown Revitalization's ongoing work includes preparing the BOA Step 3 Implementation Strategy, as well as administering grants and other funding.

TIMELINE

2003	Revitalization started; community visioning process undertaken
2004	Wyandanch Rising Hamlet Plan adopted by Town Board; Office of Downtown Revitalization established
2005	Wyandanch Rising Implementation Committee formed
2007	Wyandanch Blight Study
2008	US Post Office opened in downtown
2009	BOA Step 2 Nomination complete; Wyandanch Downtown Revitalization Plan adopted; Urban Renewal Plan adopted; Generic Environmental Impact Study adopted
2010	Intermodal Transit Facility Environmental Assessment; sewer extension groundbreaking; Conceptual Plan for downtown Wyandanch and Straight Path Corridor completed
2011	Selection of Master Developer for hamlet area; Form-Based Code and Open Space Master Plan adopted
2014	Form-Based Code amended

SIMILARITIES AND DIFFERENCES FROM THE KINGSTON WATERFRONT BOA

Similar to the City of Kingston, the Town of Babylon has been engaged in a long-term planning process which positions the BOA within the framework of a larger vision for its redevelopment. Like the Kingston BOA Plan, Wyandanch is undertaking downtown revitalization for areas affected by multiple brownfield sites and is in need of economic development. Land uses in both of the BOAs encompass residential, commercial, and retail activities as well as public open spaces. In the Wyandanch BOA, like Kingston's, brownfield cleanup incentives and major investments in sewer infrastructure and multi-modal transportation linkages are fundamental as catalysts for private-sector investment. Community benefits, such as job creation, are also an integral part of both efforts. Those were achieved in Wyandanch through collaborations with the local WCDC, which is a model Kingston is well-positioned to follow.

Major differences between the two BOAs is the difference in land ownership and waterfront maintenance costs. The Wyandanch BOA does not include any waterfront areas, whereas Kingston's faces the high costs of waterfront infrastructure and flood protections which add a premium onto its redevelopment. In addition, the Town of Babylon owns or controls the entire Wyandanch BOA project area, whereas all the Strategic Sites and many other properties within the Kingston BOA are privately held. This allowed Babylon to take a different approach to planning and development: a master planning process followed by detailed controls established under an overall site plan, open space plan and form-based code. By contrast Kingston's BOA management structure will need to be instrumental in providing incentives for private-sector development and highly strategic in how it leverages public investments in infrastructure, public transportation, and open spaces.

EXAMPLES OF POTENTIAL MANAGEMENT STRUCTURES

In Figure 07.91 there are 11 examples of potential management structures currently operating in New York State. At least one example is provided for each of the potential types of legal entities. These are organized in the same sequence as those in Figure 07.88 and Figure 07.89: first the public organizations and then the not-for-profits. Each example is summarized against the set of aforementioned responsibilities which are numbered 1 through 14 and are shown in the left-hand column. How the example matches with the responsibility is shown in the right-hand column. Each example is organized in the same order by number to allow for direct cross-comparisons between them. These examples can be found in Appendix A.

TYPE OF STRUCTURE	EXAMPLES IN NY STATE
PUBLIC	
Local Government	City of Kingston (CoK) Kingston Office of Economic Development and Strategic Partnerships (KOEDSP) Kingston Planning Department
Economic Development Corporation (EDC)	Ulster County - Ulster County Development Corporation (UCDC) City of New York - South Bronx Overall Economic Development Corporation (SoBRO) State of New York - Empire State Development (ESD)
Industrial Development Agency/Authority (IDA)	Ulster County - Ulster County Industrial Development Agency (UCIDA) City of Yonkers - Yonkers Industrial Development Authority (YIDA) City of Buffalo - Buffalo Urban Development Corporation (BUDC)
NOT-FOR-PROFIT	
Community Development Corporation (CDC)	Town of Babylon - Wyandanch Community Development Corporation (WCDC)
Local Development Corporation (LDC)	City of Kingston (CoK) - Kingston Local Development Corporation (KLDC) City of Yonkers - Downtown Waterfront Development Corporation (YDWDC)

FIGURE 07.91 *Examples of Potential Management Structures*

VOLUME II FIGURES