

(LL-25-02)

**A LOCAL LAW TO AMEND THE CITY'S ZONING CODE TO REMOVE THE FOOTNOTE AT SECTION 19-3.3(2)(C) OF THE ZONING CODE AND TO CORRECT VARIOUS DEFINITIONS**

**SPONSOR: CHAIRMAN WILSON, COUNCILMEMBER SHOOK, PATTERSON THOMPSON, HENRY, MENIST, BROWN, JAMES AND GRANT**

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

~~STRIKETHROUGH INDICATES DELETION~~  
**BOLD and UNDERLINE INDICATES ADDED LANGUAGE**

**SECTION 1:** Section 19-3.3(2)(c) "Lot Coverage" is amended to delete the footnote that states "Includes all buildings/structures."

**SECTION 2:** Section 19-10.2 is amended to delete the definition of "Accessory Dwelling Unit (ADU)" and add a definition for "Accessory Apartment" as follows:

~~ACCESSORY DWELLING UNIT (ADU)~~

~~An accessory residential dwelling unit physically connected or attached to a principal single unit or two unit dwelling or connected or attached to an existing accessory structure such as a garage or carriage house. The ADU must be connected by at least one common wall or be structurally interdependent in some other way with the existing structure.~~

**ACCESSORY APARTMENT:**

**A small, independent living space on the same lot as a single family dwelling which is clearly subordinate to that principal use.**

**SECTION 3:** Section 19-10.2 is amended to delete the definitions for "Apartment" and "Backbuilding" as follows:

~~APARTMENT~~

~~A dwelling unit located on an upper floor of a shopfront building or a factory building and having a minimum floor area of 300 square feet.~~

~~BACKBUILDING~~

~~A single story structure connecting a principal building to an outbuilding.~~

**SECTION 4:** Section 19-10.2 is amended to correct the definitions for “Commission,” “Day Care Home/Family Day Care Home,” “Restaurant, Standard” and “Sidewalk Café.”  
**COMMISSION (HDLPC)**

The Historic **District and Landmark** Preservation Commission created pursuant to this Chapter.

**DAY CARE HOME/FAMILY DAY CARE HOME**

~~A day care home is a dwelling in which a permanent resident provides licensed care in a protective setting for up to six children or elderly or disabled adults for less than 24 hours per day. The number counted includes the family’s natural, adopted, or foster children who are under six years of age.~~ **A home-based program that provides regular care for children in compliance with the requirements of New York State Office of Children and Family Service.**

**RESTAURANT, STANDARD (erroneously given retail establishment’s definition)**

~~An establishment engaged in the sale to the general public of commodities or goods in small quantities to ultimate consumers. Any establishment separately defined in this chapter shall not be considered a retail establishment.~~ **An establishment whose principal business is the sale of food in a ready to consume state, normally ordered from a menu and delivered to a table for consumption on premises.**

**SIDEWALK CAFÉ**

An **accessory seating area for a** restaurant or café open to the sky, with readily removable tables, chairs or railings, and no overhead coverage other than umbrellas or retractable awnings, compliant with Section 19-15-14 of the Code of Ordinances.

**SECTION 5:** Section 19-10.2 is amended to move “Development” below “Demolition” to be alphabetically correct.

**SECTION 6:** This Local Law shall take effect upon filing with the New York Secretary of State.

**BE IT FURTHER RESOLVED,** that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

**BE IT FURTHER RESOLVED,** that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

**SECONDED BY COUNCILMEMBER GRANT.**

Submitted to Council: March 4, 2025

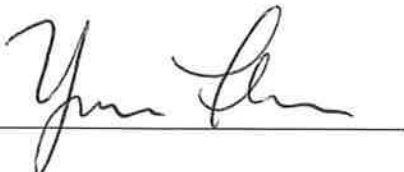
Council Action: Approved

Roll call vote taken: Yes  No

Ayes 8 Nays 0 Abstain 0 Absent 1

Approved by Mayor on March 5, 2025

Mayor's Signature



I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held March 4, 2025

  
City Chamberlain