

Town of Rhinebeck Supervisor's April 2019 Newsletter

What is the Rhinebeck Town Workforce Housing Law all about?

An overview of our proposed Local Law, "Amending Town Code Chapter 125, Zoning in the matter of establishing a Workforce Housing District as a Floating District"

Based upon the comments that we heard at our April 8, 2019 public hearing on this Local Law, it seems that there is some confusion and misinformation. I am writing on behalf of the Town Board to try and make the intentions of the amendment clearer.

This Local Law is largely patterned on our Active Senior Housing-Floating (ASH-F) district in that any development projects within the Workforce Housing district will be handled as a Local Law by the Town Board as opposed to a Special Use Permit by the Planning Board. The Workforce Housing District would be a Floating Zone and is designed to enable the Town Board to permit, on a case by case basis, a workforce housing development in the Town of Rhinebeck within the Floating zone boundaries. While there is no specific plan at this time, this amendment would allow for one in the future.

The proposed Local Law creates a Workforce Housing District as a floating zone, in only the two Village Gateway zones which are north and west of, and adjacent to the Village. These two Village Gateway zones were designed for and currently allow for development of residential neighborhoods within walking distance of the Village where central water and sewer services are available, and were designed to: "(i) provide a diversity of housing types in the community; and (ii) to promote architectural design that is compatible with the overall historic character of the Village and the Town of Rhinebeck." The districts adjoin the northern gateway to the Village on Route 9 and the western gateway to the Village on Rhinecliff Road and Astor Drive in areas where compact Village-light development at a density of one dwelling for 6,000 square feet of land area is in keeping with what is currently there.

Please see our Zoning Map on our website for reference:

https://www.rhinebeckny.gov/uploads/3/9/4/4/39447425/2018-07-24_zoning_map.pdf

This Local Law creates a Workforce Housing Floating District for these two zones. The law does not, by itself, establish or approve a project-specific workforce housing project. In order for a workforce housing project to be sited within these zones pursuant to this Local Law, the project developer would have to make application to the Town Board for a project specific re-zoning to allow for the project in accordance with the criteria set forth in the law and elsewhere in the Town Zoning Code. The act of re-zoning by the Town Board would be a legislative act. Before such a legislative act could be passed by the Town Board, the proposed project would be subject to rigorous environmental analysis and the development of a concept and sketch plan which would be reviewed and vetted not only by the Town Board and its planning and legal consultants, but by the County Department of Planning, the Town Planning Board, the Workforce Housing Committee, the Waterfront Advisory Committee and their consultants, and the public.

This Local Law is designed to assist the Town in meeting our workforce housing responsibilities as set forth in the Town's Comprehensive Plan and Zoning Code, and by applicable decisional law in the State of New York. It is very possible that it may be years before a proposed workforce housing project comes before the Town Board for approval and mapping in accordance with this law. However, the Town Board feels it is necessary and prudent to have this law in place in the event an opportunity presents itself for a sensible workforce housing development project. In the meantime, the existing underlying provisions of

the Zoning Code are applicable to these districts and will continue to be applied to any other non-workforce housing project or development proposed with these zones.

The advantage of creating a Floating Zone for the development of workforce housing is that the Town Board will have absolute legislative discretion to entertain any workforce housing development project that comes before it, as well as the absolute discretion to deny approval of the project at any stage during, or at the termination of, the approval process.

We hope that you will review a copy of the latest draft of this law, an executive summary of this law, the full Environmental Impact Statement Part 1 for the law, the "Affordable Housing" (former name of Workforce Housing) section of our Town Code 125-62, and our Town Comprehensive Plan "Appendix 5" which outlines the goals of the Town's commitment to Workforce Housing; all available on our Town website.

<https://www.rhinebeckny.gov/workforce-housing-proposed-local-law.html>

The next public hearing on this local law is on May 13th, at our regular Town Board meeting at 6pm.

Please come in and visit or contact me with your questions, concerns, and suggestions. I am in Town Hall weekdays, I promptly answer my emails at supervisor@rhinebeckny.gov, and I am eager to help you however I can.

For all of you who celebrate I wish you a Joyous Easter and a Good Passover. For all who don't celebrate, enjoy this wonderful warm spring weekend.

With Warmest Regards,

Elizabeth Spinzia
Supervisor, Town of Rhinebeck

Overview of the Town Workforce Housing Law by the Workforce Housing Committee Chair

Over the past several months the Town Board of the Town of Rhinebeck has been holding public meetings and hearings on a local law proposed by our Workforce Housing Committee to better allow for the development of workforce housing in the Town of Rhinebeck. The Workforce Housing Committee has been working on this specific project since 2017.

The basic overview of the proposed law is as follows:

- It allows for greater building density for a project in which a minimum of 80 percent of the housing units would be earmarked for local residents - people making no more than 80 percent of the Dutchess County area median income if it's a rental project or one hundred (100) percent of the Dutchess County area median income if it's a "for sale" project.
- The law is limited to the Town's two Village Gateway Districts, which already have the highest allowable density in Town, is within walking distance of the Village of Rhinebeck and public transportation, and allows access to village water and sewer

- The law requires that a proposed workforce housing project be approved by Town Board legislation which will undergo a comprehensive review, including a full environmental review, led by the Town Board and Planning Board in conjunction with the Workforce Housing Committee, with extensive opportunity for public comment. At the culmination of this review, permission could be granted by a legislative act of the Town Board for a workforce housing project with a density of up to ten (10) units-per-acre as opposed to the six (6) units-per-acre currently allowed in the Village Gateway District. This review would include project design, scale as well as any neighborhood impacts such as traffic and noise.
- Under the proposed law, the size of a Workforce Housing project could not be greater than eighty (80) housing units, which under the proposed allowable density would require at least eight (8) acres of land – promoting the kind of low-rise style development that is more compatible with the surrounding area.
- This proposed increased density is designed to foster the financial feasibility of a workforce housing project in the Town of Rhinebeck, with workforce housing projects also almost always requiring state funding assistance in the form of tax credits.

The proposed law is part of an extended effort to develop strategies to promote workforce housing that began with the passage of the Town of Rhinebeck's latest Comprehensive Plan in 2009. The plan clearly identified the creation of housing at a price affordable to local workers as being an important component of maintaining a vibrant and diverse community, helping to ensure that the people working in Rhinebeck's shops, restaurants and businesses also have the ability to live locally.

The need for workforce housing in the Town was reinforced in 2016 when the Town commissioned *Hudson Valley Pattern for Progress*, a non-profit planning and research firm to conduct a detailed analysis of the need for workforce housing in Rhinebeck. The results of the study, which were released in 2017, showed a clear need for additional housing units that were affordable for even people making at or less than the regional median income. While the study showed that a need for increased workforce housing exists among a variety of residents, it is most acute among younger workers and among seniors.

As a committee, we have been working on strategies to promote workforce housing in the Town since shortly after the passage of the Comprehensive Plan. Our efforts have included evaluating workforce housing strategies in cities and towns nationwide as well as getting ongoing input from Dutchess County Planning, regional workforce housing developers and consultants, officials involved with financing workforce housing programs for New York State. Our committee also worked with the developers of *The Gardens at Rhinebeck* to offer workforce housing units as part of that development and to secure an initial financial contribution to the Town's affordable housing fund.

We have also worked to make the process inclusive on a local level, working on an ongoing basis and over many years with the Town Board, the Town Planner, the Town Attorney, members of the Town Planning Board, the Village Mayor, and members of the Village Board.

The proposed law is designed to work in concert with the Town's existing Affordable Housing law, in which developers of more than ten (10) housing units are required to either build affordable housing units on site or pay fees into an affordable housing fund. This fund can be used to help facilitate the creation of a workforce housing project. Any development of ten (10) or more units within the Village Gateway district already requires that 10% of those units be affordable housing units.

The Town Board's review of the proposed Workforce Housing law has been ongoing and our committee encourages anyone interested in the law to review the draft law and other related documents available on the town website, and attend the Town Board meetings and to share their opinions.

Jonathan Mensch, Workforce Housing Committee Co-Chair