

**VILLAGE OF RHINEBECK
LOCAL LAW NO. ___ OF THE YEAR 2024**

**A LOCAL LAW TO AMEND THE ZONING CODE OF THE VILLAGE OF RHINEBECK TO
CREATE THE BULKELEY SCHOOLHOUSE OVERLAY DISTRICT**

BE IT ENACTED by the Board of Trustees of the Village of Rhinebeck as follows:

Section 1. Legislative Intent

The Bulkeley Schoolhouse is located within the Residential District, which limits residential uses to one- and two-family dwellings. The Village intends to support the adaptive reuse of the former Bulkeley Schoolhouse, which is listed on the State and National Registers of Historic Places and which has local significance as a former municipal school, through the creation of the Bulkeley Schoolhouse Overlay District. The intent of the local law is to provide flexibility in uses and dimensional regulations to facilitate and encourage the preservation and reuse of the historic structure. The law has the secondary benefit of providing for the creation of additional housing units to meet the increased demand for housing in the Village. Lastly, the adaptive reuse of an existing structure is consistent with the Village's sustainability goals. This local law is adopted pursuant to the powers conferred upon the Board of Trustees by Section 10 of the Municipal Home Rule Law.

Section 2. The Zoning Map referenced in Section 120-5A of the Code of the Village of Rhinebeck, entitled, "Zoning Map; interpretation of boundaries; lots in more than one district" is hereby replaced with the Zoning Map attached to this Local Law as Exhibit A.

Section 3. Section 120-4 of the Code of the Village of Rhinebeck, entitled, "Establishment of Districts" is hereby amended to insert the Bulkeley Schoolhouse Overlay District (BSO) into the list of overlay districts in Subsection B.

Section 4. A new Article VIII.I, entitled "Bulkeley Schoolhouse Overlay District (BSO)" is hereby created to read as follows:

§ 129-39.1. Bulkeley Schoolhouse Overlay District.

- A. Purpose. The purpose of the Bulkeley Schoolhouse Overlay (BS-O) District is to provide flexibility in uses and dimensional regulations to facilitate and encourage the preservation and reuse of the historic structure and to provide for the creation of additional housing units to meet the increased demand for housing in the Village.
- B. Permitted Uses. All principal and accessory uses permitted in the Residential District, as set forth in §120-28, shall be permitted. In addition, multifamily dwellings are permitted through the adaptive reuse of, and within, the former Bulkeley Schoolhouse.
- C. Site Plan approval shall be required for all uses in the BS-O and for all exterior enlargements, demolition, new construction, or alterations of existing structures in

accordance with Article XI of this chapter, except for maintenance and like-kind replacement. In addition to the standards for Site Plan approval in Article XI of this chapter, the Planning Board shall ensure the site plan for each new structure is consistent with the design standards in sections 120-26, 120-27, and 120-39 of the Zoning Code and that all site plans are consistent with the following:

1. The site plan shall require vegetative and other screening to improve privacy and reduce visual intrusion between lots.
2. The site plan shall avoid or minimize adverse impacts of illumination on neighboring lots.
3. The site plans shall require design of buildings and grounds, including architecture, layout, and landscaping, consistent with the residential and historic character of the neighborhood.
4. The site plan shall incorporate any practicable measures to avoid or minimize adverse impacts of traffic generated by new development on the safety of pedestrian, automobile, and bicycle transportation, if any.
5. The site plan shall incorporate any practicable measures, including hours during the day and days of the week when construction is permitted, to avoid or minimize the adverse impacts of construction on the neighborhood, particularly relating to any noise, dust, and disruption and hazardous conditions for automobile, bicycle, and pedestrian travel, if any.
6. Receptacles for the storage of trash and solid waste must for disposal shall be kept inside the building.
7. Each single or multi-family home in the district shall have a front entrance or porch facing the street where the home is located. The Planning Board may waive or vary this requirement if clear and convincing evidence indicates that such orientation is impractical, would lead to substantial adverse impacts or is unnecessary for consistency with historic preservation.
8. Any home on a lot located on South or E. Market Street shall be oriented so that its front shall face South or E. Market Street for consistency with the building orientations elsewhere in the HDO district. The Planning Board may waive this requirement if clear and convincing evidence indicates that such orientation is impractical, would lead to substantial adverse impacts or is unnecessary for consistency with historic preservation.
9. The Planning Board may permit shared driveways to serve two or more lots where it would minimize disruption to sidewalks and street parking or substantially reduce the amount of impervious surfaces and/or loss of vegetation, and where it would not cause any substantial detriment to public safety or to the goals of the R or HDO districts.
10. To the extent practicable and consistent with the goals of this section, including HDO design considerations, the site plan shall include amenities for recreational or leisure activities on otherwise unused open space on the lot occupied by the schoolhouse adapted for reuse as a multifamily residence.

D. Bulk Regulations.

1. Density. The maximum density within the BS-O shall be 31 bedrooms. The minimum density for any adaptive reuse of the Bulkeley School is 15 bedrooms.
 2. Minimum Front yard setback – 10 feet
 3. Maximum Front yard setback – 25 feet
 4. Minimum Side yard setback – 10 feet
 5. Minimum Rear yard setback – 10 feet
 6. Minimum Frontage – 60 feet
 7. Minimum Depth and Width – 60 feet
 8. Off-street Parking – 1.25 cars per dwelling unit minimum
 - a) For multi-family dwellings:
 - 1) At least two of the spaces shall be equipped with EV charging stations.
 - 2) 1 bicycle parking space shall be provided per dwelling unit.
 9. Maximum Lot Coverage Area – 30%
 10. Maximum Building Height – 35 feet.
 - a) Permitted Obstructions. The following structures may penetrate the maximum building height of the Bulkeley Schoolhouse:
 1. Parapet walls or railings around the perimeter of the roof, not to exceed four feet from the roof.
 2. Chimneys or flues.
 3. Elevator or stair bulkheads, not larger than 60 square feet in area.
 4. Roof water tanks or other accessory mechanical equipment provided such equipment is located not less than 10 feet from the street wall of the building and all equipment is screened on all sides.
 5. Additional roof thickness, up to eight inches, to accommodate additional insulation.
 6. Skylights, clerestories, or other daylighting devices not to exceed four feet in height from the roof and shall be located at least eight feet from the street wall edge.
 7. Solar energy systems, which should be invisible from the street due to blockage by the existing parapet and fully contained therein.
 8. Vegetated roofs, not to exceed 3 feet, 6 inches in height, excluding vegetation. Weirs, check dams, gutters, or other stormwater management equipment.
- E. Affordable Housing. Within the Bulkeley Schoolhouse, one affordable housing unit shall be provided.
1. An affordable housing unit is defined as a unit whose rental rate is affordable for households with an income at or below 60% of the Dutchess County area median income as defined annually by the U.S. Department of Housing and Urban Development (HUD). A rental unit is affordable when the annual housing cost of the unit, defined as rent plus any tenant paid utilities, does not exceed 30% of 60% of Dutchess County area median income, adjusted for family size.

- a) The affordable unit may only be rented during the period of affordability to qualifying income-eligible households.
 - b) The affordable unit shall be marketed in accordance with the requirements, policies, and protocols established by local law or resolution of the Village Board.
2. The affordable housing unit shall be physically integrated into the building design and be accessible through the same primary entrance as the other units. The exterior finish of the affordable unit shall be indistinguishable from the other units, but the developer may provide less expensive interior finishes and appliances than the other units.
3. The minimum gross floor area of the affordable unit shall not be less than 80% of the average floor area of the other units.
4. The affordable housing unit shall remain affordable for a minimum of 50 years from the issuance of the initial certificate of occupancy.
 - a) 1. The property shall be restricted using a mechanism such as a declaration of restrictive covenants in recordable form acceptable to the Village Attorney, which shall ensure that the affordable unit remain subject to affordable regulations for the minimum 50-year period of affordability. Among other provisions, the covenant shall require that unit be the primary residence of the household selected to occupy the unit. Such declaration shall be recorded with the Dutchess County Clerk prior to issuance of a certificate of occupancy for the building.
 - b) 2. Each lease for the affordable housing unit shall extend for no more than two years, and the landlord shall verify the tenant household's continued income eligibility before lease renewal.
5. The Building Department shall monitor the compliance of the affordable housing unit with the provisions of this section.

F. Lighting

1. All exterior lighting shall be directed to aim away from adjacent structures, streets, and property lines and shall be dark-sky compliant.
2. Except for security lighting, all exterior lighting shall be placed on timers and motion activated.

G. Additional Regulations

1. All provisions of Articles IV and VIII of this Chapter shall apply to the Bulkeley Schoolhouse Overlay District, unless inconsistent with the provisions of this section.
2. In the event of conflict between the provisions of this section and any other section of the Zoning Law, the provisions in this Section shall prevail.

Section 5. Severability

The invalidity of any word, section, clause, paragraph, sentence, part of provision of this Local Law shall not affect the validity of any other part of this local law, which can be given effect without such part or parts.

Section 6. Effective Date

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.