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By email

James Noble, Jr., Chairman
Comprehensive Plan Committee
City of Kingston
City Hall
420 Broadway
Kingston, NY 12401

Subject: Comprehensive Plan

Dear Alderman Noble:

Scenic Hudson has a long history of working closely with the City of Kingston to ensure its land use policies contribute to the Kingston waterfront's long-term vitality. Several years ago, we partnered with the City and NYS Department of State to develop the content for *Revitalizing Hudson Riverfronts*, an award-winning, smart growth guide for riverfront development. Most recently we partnered with the City, NYS Department of Environmental Conservation, and Consensus Building Institute to develop *Planning for Rising Waters: Final Report to the City of Kingston Tidal Waterfront Flooding Task Force*, an innovative report that offers 24 recommendations to increase resiliency along the Rondout and Hudson waterfronts by helping them adapt to future sea level rise, flooding and storm surge.

Scenic Hudson commends the Comprehensive Plan Committee for their dedication and hard work necessary to update the City of Kingston's Comprehensive Plan. The Plan's goals, objectives and strategies are consistent with both *Revitalizing Hudson Riverfronts* and *Planning for Rising Waters*. The plan also advances recommendations in the City's *Climate Action Plan*. Scenic Hudson supports many aspects of the Comprehensive Plan, including concentrating density in select areas, implementing complete streets, promoting urban agriculture, protecting open space and addressing sea level rise issues.

Scenic Hudson strongly supports the plan's guiding principal—concentrating density and retail uses in the Uptown, Midtown, and Rondout districts—a sound approach that is consistent with the tenets of Smart Growth. This outcome can be achieved via the plan's specific land use strategies such as a proposal to adopt form-based codes that focus development within existing cores, encouraging mixed use, creating safer walking and bicycling routes, and repurposing existing buildings.

Likewise, Scenic Hudson supports the plan's emphasis on rebalancing its transportation system by implementing its existing Complete Streets policy and creating a system of urban trails is intended to strengthen and connect the core urban areas. Providing a greater diversity of transportation choices can bring economic benefits to business as well as recreational, health and quality of life benefits to residents.

Scenic Hudson applauds the plan's promotion of urban agriculture. Recommending it as a permitted use in the City's zoning code and allowing community gardens and fruit trees in City parks will improve

access to fresh foods. This step can help strengthen the local and regional food system—particularly in low-income communities.

We also applaud the plan’s recommendation to develop and adopt a Natural Resource Inventory and Open Space Plan. While cities are the right place to focus development, City residents also need access to nature, parks, and recreation. An open space plan—as well as the plan’s proposal to create “green streets”—can help manage contaminated stormwater that would otherwise burden the City’s sewage treatment plant. Proactive policies such as these can avoid unnecessary costs to taxpayers, while protecting local waterways that are important to the City’s tourism industry.

Finally, we commend the plan’s inclusion of several strategies that help implement the recommendations in *Planning for Rising Waters*.

- Strategy 10.1.1: Develop a Kingston Waterfront Long-term Resiliency Plan;
- Strategy 10.1.2: Evaluate the use of natural buffers and green shoreline infrastructure to reduce flood risk and erosion and conserve natural resource functions;
- Strategy 10.1.3: New private structures/major renovations with proposed ground floor elevations less than 13’ above 2014 mean sea level must be built to FEMA standards in flood zones; and
- Strategy 10.1.4: Proposed new public structures or infrastructure or major renovations must be constructed to withstand flood elevations of 14’ above 2014 mean sea level.

Ways to improve the plan

Scenic Hudson believes there are a few items that would help strengthen the Comprehensive Plan.

Mixed-Use Cores

- 1) As stated above, Scenic Hudson supports concentrating development within “Mixed-Use Cores” located in Kingston’s Uptown, Midtown, and Rondout districts. Each of these districts is a major activity center served by public infrastructure and this strategy is a sound approach that is consistent with the tenets of Smart Growth. However the document’s Generalized Land Use Plan (map) also identifies a fourth mixed-use core along the Hudson River waterfront.

The Landing Mixed-Use Core extends along the entire City waterfront from just north of Kingston Point Park to the Town of Ulster line. Hudson Landing’s SEQRA approvals and Regulating Plan identify three nodes of development in the 524-acre site, with about 350 acres of open space. This is illustrated in the plan on page 85 in a graphic entitled “Master Plan for Hudson Landing and the AVR Community.” Scenic Hudson suggests that the Generalized Land Use Plan be revised to limit The Landing Mixed-Use Core to the three nodes of development approved for development as indicated in this graphic.

The Generalized Land Use Plan indicates that the Landing Mixed-Use Core extends to the south to include the former Hutton Brickyard. This property was once the site of a proposed development under the name Sailor’s Cove. However, the plan offers no guidance with respect to the future of this site—particularly the scale of development, intensity of uses, or types of uses appropriate for this site. This lack of guidance is problematic because the plan is also silent on this site’s location within the viewshed of several nationally- and New York State-designated scenic and historic areas both on the Hudson River itself and across the River (see #2 below).

Much of the former Sailor's Cove site is also constrained by steep slopes or is within the floodplain. Hence, we recommend that this area be removed from The Landing Mixed-Use Core or, alternately, the Generalized Land Use Plan should identify only the portion of the property that is deemed developable as part of this mixed-use core.

Visual Resources Protection

- 2) The plan does not appear to reference the Hudson River waterfront's context in the viewshed of several nationally- and New York State-recognized scenic and historic areas. While the former cement works and brickyards north of Kingston Point include some blighted buildings, nature has, nonetheless, reclaimed much of the landscape. As a result, Kingston's Hudson River shoreline presents itself to these historic and scenic areas as a natural landscape and intact ridgeline. The Comprehensive Plan should be amended to include a section addressing the need to avoid, minimize, and mitigate the visual impact of future riverfront development when viewed from the Sixteen Mile National Register District, Estates District Scenic Area of Statewide Significance, and the Mid-Hudson Historic Shorelands Scenic District. This is especially important because the former Hutton Brickyard will likely be subject of another development application and is designated in the plan as part of the "Landing Mixed Use Core."

Environmental Constraints/Floodplain

- 3) The map, "Environmental Constraints", identifies FEMA High Risk areas (100- and 500-year floodplains). Based on our review of this map, the High Risk flood areas are not based on FEMA's most recent map. Using the updated map is especially important considering it will have an effect on future development along the Rondout and Hudson River, particularly if future development is to occur at the low-lying former Hutton Brickyard site.

Historic Preservation

- 4) The Comprehensive Plan states that "the overwhelming majority of Kingston residents and stakeholders saw Kingston's historic resources as one of its greatest assets." Given the evident importance of historic preservation, we find it incongruous that the plan would seek to weaken existing historic preservation measures. Objective 6.2 seeks to "Simplify the regulatory programs and protections to ease processing of development approvals involving historic resources." Under that objective, Strategy 6.2.1 proposes the development of procedures to "combine, coordinate and/or eliminate review functions by multiple agencies." While we can appreciate the need to ensure an efficient review process, Scenic Hudson urges caution in sacrificing the city's rich historic resources in the name of expedited review.
- 5) The plan proposes using Form-Based Codes (FBCs) in subsequent zoning amendments. Given the extent of historic districts and sites in the City, it will be important to ensure that any Form-based Codes are developed in a manner that does not detract from Kingston's historic resources. To that end, Scenic Hudson suggests that the Comprehensive Plan reference the eight recommendations included on pages 66-67 of a thesis entitled *Form-based Codes and Historic Preservation: Recommendations for Communities Considering the Adoption of Form-based Codes* by Ashton Elise Mullins. Following these recommendations will help the City ensure that FBCs can guide urban form in a manner consistent with Kingston's historic character.
https://getd.libs.uga.edu/pdfs/mullins_ashton_e_201008_mhp.pdf

Conclusion

Kingston is in an enviable position as a small city sited on both Rondout Creek and the Hudson River, rich in history and possessing a great variety within its historic building stock. Large segments of the population—both aging baby boomers and upwardly mobile millennials—are seeking to live in places like Kingston. If implemented as expressed in this draft, the City's Comprehensive Plan can position the City well for attracting new growth in a responsible way.

Scenic Hudson commends the City of Kingston and Comprehensive Plan Committee for developing this excellent plan.

Sincerely yours,



Jeffrey Anzevino, AICP
Director of Land Use Advocacy

Cc Suzanne Cahill