

**TOWN OF RHINEBECK**

**PROPOSED LOCAL LAW NO \_\_\_ OF THE YEAR 2020**

**BE IT ENACTED** by the Town Board of the Town of Rhinebeck as follows:

**Section 1:** \_\_\_\_\_ Title

This Local Law shall be entitled “A Local Law Amending Town Code Chapter 125, Zoning, in the matter of amending the Country Inn 2 Specific Standards to provide density and use maximums in Section 125-68.MM in the Town of Rhinebeck.”

**Section 2:** \_\_\_\_\_ Revise Town Code Chapter 125, Zoning

**A.** Purpose and intent: The Town of Rhinebeck Town Board and Planning Board have identified a lack of specificity related to density for a Country Inn 2, which prevents the Planning Board from being able to adequately assess density allowances for the Country Inn 2 use. A density maximum is needed to provide the Town Planning Board with clear guidance as to the permitted density. Furthermore, there is also a lack of definition of the intent and meaning of private membership club(s) regarding Country Inns. By adding a density maximum and clarity on certain terms, including membership club(s), this amendment will provide flexibility in developing a Country Inn 2, while ensuring that the Country Inn 2 regulations and maximum allowances are more clearly articulated. This revision will provide the Town Planning Board, Zoning Board of Appeals, and the Zoning Administrator with the clarity and context needed to properly, fairly and consistently apply the Zoning Code and the administration of the Zoning Code; and ensure that terminology and standards are clear. Any inconsistency between this law and other sections of the Zoning Code should be interpreted to give effect to the objectives and purpose of this section, and construed in the obvious sense, without distorting the purposes of other uses and related provisions.

**B.** Amend Section 125-68.MM (Specific standards for certain uses) by replacing subsections (1) and (4) with the following:

(1) A Country Inn 2 provides for Commercial Hospitality, consisting of lodging units in spacious settings that are principally intended for vacationing, relaxation, and conference activities. Commonly incidental recreation-oriented uses, including spa facilities, horseback riding facilities, and hiking, swimming, tennis and other similar outdoor activities are an integral part of this use. The provision of hiking trails, which provide opportunities for public use, shall be incorporated into the overall plan for the Country Inn 2 to the greatest extent practicable. Extended vacation and recreation-oriented uses are permitted. Private hospitality membership club(s) that are private member-only whether by virtue of a rewards club or buy-in shall be permitted, subject to all lodging accommodations and various restaurant, food and beverage services being available for general public use, and all area residents having the ability to become members on non-discriminatory terms. In no event shall a lodging unit be used as a primary residence.

(4) A maximum of 110 lodging units are permitted without a bonus. Applicants proposing adaptive reuse and/or rehabilitation of structures listed on the National Register of Historic Places may be eligible for a bonus of up to 10% in the number of lodging units, provided such adaptive reuse and/or rehabilitation complies with Article V, § 125-62G, of this chapter. A maximum of 150 bedrooms may be permitted within a Country Inn 2.

**Section 3. Supersession**

This local law is hereby adopted pursuant to the provisions of Section 10 of the New York State Municipal Home Rule Law and Section 10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Town Law to the extent they may be inconsistent with the provisions of this Local Law.

**Section 4. Severability**

If any section or part of this local law is declared invalid or unconstitutional by a court of competent jurisdiction, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this local law.

**Section 5. Effective Date**

This local law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.