

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 adding definitions pertaining to hospitality uses in Article XIII, Definitions, in the Town of Rhinebeck.”

Section 2: _____ Revise Town Code Chapter 125, Zoning

A. Purpose and intent: The Town has identified a lack of certain definitions pertaining to hospitality uses that, as noted by the Town of Rhinebeck Planning Board, are needed to clearly define and clarify the terms so that their meaning will reflect the exact intentions of the Town Board. Furthermore, adding these definitions is vital to ensuring that the terms can be properly, fairly and consistently applied by the Town Planning Board, Zoning Board of Appeals, and the Zoning Administrator in the administration of the Zoning Law; and to ensure that they 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 125-135 (Terms used throughout this Chapter) to add the following definitions.

Commercial Hospitality: A use such as a Country Inn 1 or 2, hotel, motel, or bed and breakfast, which provides bedrooms, suites or guest rooms for transient use. Such use may include customarily incidental uses as permitted herein. A Short-term rental is not considered a Commercial Hospitality.

Bedroom: The portion of a dwelling unit designed to be suitable for sleeping purposes, which may contain closets, may have access to a bathroom, and meets Uniform Building Code requirements for room size, light and ventilation. At the discretion of the Planning Board, where the Board has determined that a den, library, study, loft or extra or guest room designated on building plan submittals has been determined to be habitable, it shall be considered a bedroom for the purposes of this local law. For the purpose of establishing and/or regulating density of a Commercial Hospitality in this chapter, a bedroom shall be defined as providing sleeping facilities for no more than four individuals.

Guest room (Commercial Hospitality): A single room for sleeping, which can include a separate bathroom, occupied by up to four individuals for sleeping purposes. This term is interchangeable with the term ‘bedroom’ for the purposes of establishing and/or regulating density.

Lodging unit: A freestanding physical structure for the allotment of rooms for sleeping purposes in a Commercial Hospitality.

Suite: A combination of bedrooms, which can include a separate bathroom and other rooms commonly understood to constitute a suite setup, subject to their being permitted in this code. Suites may provide provisions for cooking.

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.