

Pilot Community - City of Kingston LWRP Monitoring Process

Community Background

The City of Kingston, located on the Hudson River and Rondout Creek, adopted its LWRP in 1992 and has been incrementally implementing it ever since. The City actively seeks out funding for the projects identified in its LWRP and, in the process, has created a vibrant waterfront. (See attached chart of Department of State Division of Coastal Resources (DCR) Environmental Protection Fund (EPF) Grants awarded to the City.)

The City's Hudson River shoreline includes several large parcels which are currently being considered by developers for mixed-use large scale projects. The City's primary focus has been on revitalizing the Rondout Creek area. A framework for implementing Rondout Creek projects was formalized in the Kingston Waterfront Development Implementation Plan prepared in 2002 with EPF funding.

A highlight of the City's success has been in the positive transformation of the West Strand and East Strand sections of the Rondout since the LWRP was adopted. This area is now a regional destination, providing residents and visitors with a chance to visit shops, restaurants, museums and engage in water-related recreational opportunities.

LWRP Monitoring Process

The goal of the monitoring process is for the DCR to assess a community's consistency with its LWRP, and to understand implementation activities and decision-making procedures related to the LWRP. Secondly, this process provides a forum for a community to highlight successes and request technical and financial assistance.

The City of Kingston's LWRP monitoring process began with survey questions sent to the City along with a cover letter stating the City had been selected for LWRP monitoring and that a conference call would be set up between DCR representatives and key municipal officials to go over in detail the questions in the survey as part of the process.

The conference call to discuss the City's answers to the survey questions was informative and provided the details necessary for the DCR to make its assessment. The City was well prepared and the call took just under two hours. Participants from the City were: Stephen Finkle, Director of Economic Development; Suzanne Cahill, Director of Planning; Katie Cook, Waterfront Committee Chair.

As a follow-up to the call, DCR staff met with representatives of the City at City Hall. The meeting provided DCR with an opportunity to more fully assess the City's implementation of its LWRP and clarify several items discussed during the call. The City started the meeting with a powerpoint presentation highlighting waterfront projects. The meeting concluded with a tour of the waterfront.

DCR Findings

Overview

Overall, the City's LWRP, and its companion Implementation Plan, are the key documents that guide waterfront development in the City. City officials find the LWRP continues to be relevant and the long-term vision for the coastal area remains the same as presented in the 1992 document. The LWRP remains an extremely useful planning tool that identifies projects and is used as a game plan for downtown and waterfront revitalization. Since adopting the LWRP, only minor changes to the City's zoning law have been made, mostly in regard to design standards adopted for the Rondout Creek area. With the vision still in place, projects identified, and implementation techniques intact, the DCR agrees with the City that no amendments to the LWRP are necessary at this time.

Since the LWRP was adopted, the City has continually made great strides in bringing people to the waterfront, attracting residents and visitors to the restaurants and small businesses which have capitalized on the public water-recreational projects sponsored by the City. During the monitoring process, City representatives made it clear the City considers the DCR to be a strong partner in its efforts. The City credits the DCR with providing the resources for its revitalization and indicated that without DCR assistance, the City would not be where it is today in creating a waterfront destination.

This partnership includes both financial and technical assistance components, such as implementation grants, new project development, advice on harbor issues, and guidance on using their LWRP to guide large redevelopment projects.

LWRP Implementation

As outlined in the LWRP and Implementation Plan, the City's goal of making the Rondout Creek waterfront an attractive, active, walkable, culturally vibrant district is now a reality. Shops, restaurants, recreational opportunities, waterfront amenities, and events provide the attraction. The City has made great progress in cleaning-up brownfields such as the L&M Auto Recycling Facility, and in proposing reuses of former industrial sites, like the Forst Meat Packing Plant. Through adoption of design standards, new development must be consistent with the area's natural and historic character. In addition, incentive zoning, created during the LWRP process, allows the City to obtain public easements along the waterfront from private property owners. These easements have proven key to creating a continuous walkway along the Rondout Creek.

With public investments from the City, State and other federal agencies, the City is implementing the projects outlined in their LWRP. Waterfront amenities, streetscape and pedestrian improvements, have made it easy to visit the City's historic waterfront area. Odor and appearance problems associated with the adjacent wastewater treatment plant are also being mitigated.

This public investment in the waterfront is now being credited with private investment in the area. According to the City, for every \$1 in public money invested, \$8 in private money is invested in waterfront projects. Private investment in the area now totals \$10 million.

There are a number of issues and projects the City would like the DCR to assist them in. They are as follows:

- Legal guidance to the City related to liability concerns expressed by private waterfront owners who have granted easements to the City for the public promenade on their property.
- Advice in managing conflicts related to uses in the channel along Island Dock and main land.
- Funding and training for a GIS system so that waterfront parcels can be digitized.
- Funding for a regional plan to relocate the Wastewater Treatment Plant in 10-15 years time.
- Funding for creating a more defined bike path.
- Funding for establishing connections among the City's business districts (marketing and physical connections).
- Funding for assessing the feasibility of using the jetty as a walkway to the lighthouse.

LWRP Document Accessibility

Paper copies of the document are kept in the City Planning Office, City Economic Development Office, Ulster County Planning Office, City Library, and Heritage Area Center. (The Heritage Area Commission serves as the Waterfront Advisory Committee (WAC).) The document is available for review to anyone who asks. However, WAC members do not have their own copy of the LWRP. The City also does not have an electronic copy of its LWRP or have the document on its website.

The DCR can assist in this matter and will provide the City with CDs containing the LWRP document, which the City should copy for each of the WAC members, and other key agency members. Once the City has an electronic copy, the City should put the LWRP on its website.

Local Consistency Review

City agencies, local officials and the public are aware of the LWRP and the consistency requirements associated with it. With major development projects proposed for Hudson River parcels, the City is actively using its LWRP to help shape these proposals and leverage changes. These changes are resulting in projects that provide greater public access and will result in development that is better integrated into the landscape.

As part of the City local consistency process, applicants or, in the case of direct actions, City agencies complete a Coastal Assessment Form for proposed actions subject to the Local Consistency Law. Currently, the CAF and other information are then referred to the WAC, who makes a determination as to whether or not the action

would be consistent with the LWRP, needs to be modified to be consistent with the LWRP, or is inconsistent with the LWRP. A copy of the WAC's consistency determination is kept on file at the Heritage Area Center and is provided to the referring agency. The City says this process works in an effective manner. Usually one project every other month is reviewed.

However, at the monitoring meeting, it was brought to the City's attention by the DCR, that there is another step in the consistency certification process. According to the City's Local Consistency Law, the WAC has an advisory role only. It is the referring agency's role, not the WAC's, to make the determination of consistency. The agency makes this determination based on the CAF, the WAC recommendation and other info. The City needs to follow through on the entire process as stated in its local law, and make sure the referring agency makes the final consistency determination.

Due to turnover in key City agencies and commissions, including the WAC, the City has requested that the DCR provide it with local consistency training. Presently, only the Chair of the WAC has been trained in consistency review, and the WAC relies on this one trained person. The City requested that this training also include discussion of assessing a project's impacts on the State Designated Scenic Area of Statewide Significance.

DOS Environmental Protection Fund Grants Awarded to the City of Kingston

Year	Amount of Grant	Project Description	Status
1996	\$ 38,000	Design of West Strand Park Bulkhead	Closed
1998	\$ 42,500	Construction of West Stand Bulkhead and Floating Dock	Closed
1999	\$200,000	Preparation of LWRP Implementation Strategy	Closed
2002	\$100,000	<ul style="list-style-type: none"> ■ Removal of overhead utilities and installation of new lighting adjacent to West Strand Park ■ Refurbishing of City-owned trolley track along East Strand ■ Construction of West Strand Park bulkhead ■ Wastewater treatment plant odor mitigation 	underway
2003	\$30,000	Working with a non-profit to document opportunities and needs for waterfront infrastructure revitalization in the Hudson Valley (from walkway enhancements to docks, piers, bollards, and vessel landings)	underway
2003	\$300,000	<ul style="list-style-type: none"> ■ Preparation of waterfront design guidelines ■ Design and construction of East Strand improvements: median and parking, fencing, museum facade improvements ■ Wastewater treatment plant odor mitigation 	underway
2004	\$ 90,000	Working with a non-profit to prepare guidelines and standards for Hudson River Waterfront Development	underway
2004	\$200,000	<ul style="list-style-type: none"> ■ Further design and construction of East Strand streetscape improvements: median relocation, landscaping, way-finding signs, and parking. ■ Design of Sewage Treatment Plant Facade Improvements. ■ Preparation of a feasibility study of establishing ferry service with neighboring communities 	underway
2005	\$350,000	Construction of East Strand improvements: sidewalks and promenade, streetlights, street furnishings, and landscaping.	underway
2006	\$350,000	<ul style="list-style-type: none"> ■ Promenade improvements along Rondout Creek ■ Design for reconstruct of the Dayline Dock at Kingston Point ■ Preparation of a Harbor Management Plan with the Town of Esopus 	underway