

Local Law No. __ of 2026 entitled:

“Hospitality Overlay District”

BE IT ENACTED BY, the Town Board of the Town of Clinton as follows:

1. Chapter 250 of the Town Code is hereby amended by adding a new subsection G to Section 58 (Hotels or Motels) which shall read as follows:

G. The regulations contained in this Section 250-58 shall only apply to Hotels and Motels that existed prior to July 1, 2025, or applications for such Uses that were submitted on or before July 1, 2025.

2. Chapter 250 of the Town Code is hereby amended by adding a new subsection D to Section 45 (Conference Centers) which shall read as follows:

D. The regulations contained in this Section 250-45 shall only apply to Conference Centers that existed prior to July 1, 2025, or applications for such Use that were submitted on or before July 1, 2025.

3. Chapter 250 of the Town Code is hereby amended by adding a tenth (10th) Zoning District to Section 3 (Zoning Districts) entitled “HOS – Hospitality Overlay”.

4. Chapter 250 of the Town Code is hereby amended by adopting the “Hospitality Overlay District” map attached hereto and made a part hereof. Chapter 250 of the Town Code is hereby amended by adding the “Hospitality Overlay District” to Section 4 (Zoning Map). Section 4 of Chapter 250 shall now read as follows:

The location and boundaries of said districts are shown on the Zoning District, **Hospitality Overlay District**, Ridgeline Protection Overlay, and Scenic and Historic Protection Overlay Maps of the Town of Clinton, which are hereby adopted and declared to be a part of this chapter. Zoning District Maps shall be kept up-to-date and shall be located in the Town Clerk's office for public use.

5. Chapter 250 of the Town Code is hereby amended by adding a new subsection K to Section 7 (Purpose of Each District) entitled “Hospitality Overlay (HOS)” which shall read as follows:

K. Hospitality Overlay (HOS). This Zoning District is intended to support tourism and economic development in the Town while ensuring that the scale and character of Hospitality Uses are compatible with the rural and scenic character of the Town by limiting the development of Hospitality Uses to specific properties within the Town, thereby reducing possible conflicts between potentially incompatible land uses.

6. Chapter 250 of the Town Code is hereby amended by adding a new Section 15.1 to Article III (District Regulations) entitled “Hospitality Overlay District Regulations” which shall read as follows:

§ 250-15.1 Hospitality Overlay District Regulations.

A. Purpose. It is the purpose of the Hospitality Overlay District to support tourism and economic development while ensuring that the scale and character of Hospitality Uses are compatible with the rural and scenic character of the Town.

B. Location. The locations, boundaries, and limits of the Hospitality Overlay Zoning District

are as depicted on the map set forth in Chapter 250 Attachment 13, entitled “Hospitality Overlay” as amended.

- C. **Applicability.** Hospitality Uses are only permitted in the Hospitality Overlay District. The regulations of the Hospitality Overlay Zoning District shall be applied in addition to the underlying Zoning District. The requirements of this Section shall be applied together with all the limitations and requirements applicable in the underlying Zoning District, unless otherwise noted.
- D. **General Provisions.** The following regulations shall apply to all Hospitality Uses:
 - 1. The Hospitality Use shall comply with the regulations set forth in § 250-28 (A) of the Town Code. All sources of amplified sound shall be contained entirely within the approved Buildings or Structures. Fireworks, firecrackers, or other artificially generated loud noises are not permitted. The Planning Board may specify any further restrictions or conditions it deems appropriate relating to the use of amplified sound in order to limit noise from traveling beyond the interior of a Building or Structure.
 - 2. Penalties for offenses. Any person convicted of having violated or disobeyed any provision of this Section shall be guilty of a Violation Zoning Enhanced pursuant to Town Code § 137-1, “Schedule of Fines.”
 - 3. Injunctive Relief. In addition to any other remedies proscribed in this Chapter, the Town is empowered to seek injunctive relief from a court of competent jurisdiction to restrain or remedy violation(s) of this Section.
 - 4. Whenever any Sections of the Town Code are inconsistent with the express provisions of this Section, the express provisions of this Section shall govern, unless explicitly stated otherwise.
- E. **Existing Hospitality Uses:** Applications submitted on or before July 1, 2025. Hospitality Uses in the Hospitality Overlay Zoning District which applied for Site Plan and Special Use Permit approval on or before July 1, 2025, but have yet to receive approval, shall be reviewed in accordance with the provisions of the Town Code which existed at the time its application was submitted. If approved, the Hospitality Use may operate pursuant to the terms of its Special Use Permit and approved Site Plan. In addition, said Hospitality Use must comply with the provisions of subsection D above.
- F. **New and amended applications.** Applications for Hospitality Uses in the Hospitality Overlay Zoning District submitted after July 1, 2025, including new applications and applications which seek to amend, alter, or expand an existing Hospitality Use, must obtain Site Plan approval and a Special Use Permit from the Planning Board in accordance with the procedure set forth in §§ 250-96 (Site Plans) and 250-97 (Special Use Permits). Such Hospitality Uses shall, in addition to the general regulations set forth in subsection D above, comply with the following regulations:
 - 1. The minimum Lot Area shall be thirty (30) acres for the first five (5) units used for overnight sleeping. An additional two (2) acres of Lot Area shall be required for each additional unit used for overnight sleeping. The maximum number of units used for overnight sleeping shall be ten (10).
 - 2. The Total Guest Occupancy shall not exceed twenty persons for a Hospitality Use.

3. Hospitality Uses shall be used for temporary residence only. Additionally, no guest shall be permitted occupancy of a guest unit for more than six (6) consecutive weeks in any six-month period.
4. No golf courses of any kind or related facilities such as driving ranges shall be permitted.
5. Hospitality Uses may include Restaurants and/or other Accessory Structures which may be open to the public. The maximize capacity of the Restaurant shall not exceed thirty (30) patrons.
6. Property Buffer. No Buildings or Structures, including Driveways, Accessways, or Roads, are permitted to be located within two hundred fifty (250) feet of any Lot Line, except where such Driveways, Accessways, or Roads provide access to the interior of the site upon which a Hospitality Use is located. The Planning Board may require appropriate additional buffers and screening between the Hospitality Use and adjoining Lots.
7. Access to the Lot must be from a State or County Road. Access may not be shared with an adjoining Lot and must be adequate for emergency vehicles.
8. The Lot must have at least 150 feet of contiguous and continuous frontage on a State or County Road.
9. The Minimum Required Off Street Parking requirements contained in § 250(J)(3) for "Hotel, other overnight accommodations" must be complied with. Sufficient Parking for guests and Hospitality Use staff shall be located behind the Front Building Line and if possible, in the Side or Rear Yards. No Parking Lot or Parking Spaces shall be located within two hundred fifty (250) feet of a Road or two hundred fifty (250) feet from a Lot Line. Parking shall be adequately screened from public viewpoints. No vehicles shall be permitted to park on an Accessway, Driveway, or Road.
10. Prime Farmland, Watercourses, Wetlands, Ponds, Steep Slopes, and remaining Open Space, must be preserved and incorporated into the Site Plan to the maximum extent practical. At least twenty percent (20%) of the total area of the Lot(s) upon which the Hospitality Use is located shall be reserved as Open Space on the Site Plan.
11. Significant or Historic Buildings, as identified in the Town of Clinton Comprehensive Plan or the Dutchess County Historic Resource Survey, as amended, must be preserved and incorporated into the Site Plan whenever possible.

12. The Zoning Administrator or Municipal Code Enforcement Inspector shall have the right to enter and inspect the Hospitality Use annually for the purposes of ensuring compliance with the requirements of the Town Code and the terms of its Special Use Permit. In addition, a fire safety inspection is required to be completed annually by the Fire Inspector.
13. A fee due at the time that the Special Use Permit is approved shall be paid to the Town in an amount set by Resolution of the Town Board.
14. Additional permits, licenses, and certifications shall be obtained from State or County agencies as required for the operation of the Hospitality Use. These may include but are not limited to:
 - i. The Dutchess County Department of Health for Food Service, Lodging, Swimming Pools, Public Water Supply, Wastewater, and any other relevant permits required by the New York State Department of Health.
 - ii. The New York State Liquor Authority for the service of any alcohol.
 - iv. The New York State Department of Taxation and Finance for a certificate of authority to collect sales tax.
15. Hospitality Uses shall at all times maintain comprehensive general liability insurance with limits of at least \$1,000,000 per claim/\$2,000,000 in the aggregate, which provides that the Town and its officers, agents and employees are additional insured. Hospitality Uses shall annually and upon demand from the Zoning Administrator or Municipal Code Enforcement Inspector provide certificates of insurance, evidencing proof of said insurance coverage.
16. Events. The following regulations shall apply to Events held at Hospitality Uses:
 - i. The maximum number of Events permitted shall be one (1) per month and the total number of Events per calendar year shall not exceed six (6) in total.
 - ii. The hours of operation for Events shall be 10:00 a.m. to 10:00 p.m. on Sunday through Thursday and 10:00 a.m. to 12:00 midnight on Friday and Saturday.
 - iii. The maximum number of attendees shall not exceed thirty (30).
 - iv. A sufficient number of Parking Spaces to accommodate all Event attendees and Event staff must be provided.

7. Chapter 250 of the Town Code is hereby amended by adding the terms “Hospitality Overlay District,” “Hospitality Use(s),” and “Total Guest Occupancy” to Section 105 (Definitions)

HOSPITALITY OVERLAY DISTRICT – Lands that have been deemed to be compatible with Hospitality Uses in support of tourism and economic development consistent with the Town’s rural and scenic character. These lands are depicted on the map titled “Hospitality Overlay” included as Attachment 13 to this Chapter.

HOSPITALITY USE(S) – The Use of a Lot as a Hotel, Motel, or Conference Center, as those terms are defined in Chapter 250-105.

TOTAL GUEST OCCUPANCY – The total number of persons permitted to occupy a unit used for overnight sleeping accommodation in a Hospitality Use.

8. Chapter 250 of the Town Code, Attachments, is hereby amended by adopting and adding Attachment 13, which shall be a map entitled, “Hospitality Overlay.” A copy of Attachment 13 is attached hereto and made a part hereof.
9. Attachment 1 to Chapter 250 of the Town Code entitled Schedule of Use Regulations is hereby amended by removing “Conference Center or Dude Ranch, including accessory lodging facilities” as a permitted Use in Zoning Districts C, AR5, and AR3.
10. Attachment 1 to Chapter 250 of the Town Code entitled Schedule of Use Regulations is hereby amended by removing “Hotel or motel” as a permitted Use in Zoning District H.
11. This Local Law is adopted pursuant to §§ 261–263 of the Town Law and § 20 of the Municipal Home Rule Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety, and welfare of the community.
12. To the extent that any provision of this Chapter is inconsistent with Town Law §§ 263, 274-a, 274-b, or any other provision of Article 16 of the Town Law, the provisions of this Chapter are expressly intended to and do hereby supersede any such inconsistent provisions under the Town’s municipal home rule powers, pursuant to Municipal Home Rule Law § 10(1)(ii)(d)(3), § 10(1)(ii)(a)(14), and § 10(1)(ii)(a)(22) to supersede any inconsistent authority.
13. If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.
14. This Local Law shall take effect immediately upon filing with the Secretary of State.