

Frequently Asked Questions about the Town of Caroline Zoning Process

1) What is a Zoning Commission?

Before adopting zoning for the first time, New York State law requires that the town appoint a “Zoning Commission.” The Zoning Commission is a committee separate from the rest of town governance whose sole task is to prepare draft zoning regulations. The Zoning Commission recommends to the Town Board the boundaries of proposed zoning districts and appropriate regulations for each district.

2) How does the public participate in the planning and review process?

The public created the outline of the zoning plan through its input on the Comprehensive Plan; by law any zoning proposal must be based on a town’s Comprehensive Plan. In addition, the public can participate directly in the following ways:

Privilege of the Floor at Zoning Commission meetings. Meetings of the Zoning Commission are open to the public and the public is invited to address the Zoning Commission during the beginning of every meeting.

Mail and email. Questions and comments can be submitted at any time either by mail to the Town Clerk (PO Box 136, 2670 Slaterville Road, Slaterville Springs, NY 14881) or via email to the Town Clerk (clerk@townofcaroline.org) or to the Chair of the Zoning Commission (jeanmcpheeters@gmail.com).

Public Information Meetings. The Zoning Commission will be holding additional meetings to update the Town on its progress on a zoning plan and to gather feedback from Town residents on the proposal as developed to that point.

Public Hearings. After the Zoning Commission has completed its work on a draft plan, that plan will be submitted to the public for review and comment at a formal, legally-noticed public hearing. The Commission will consider revisions to the draft zoning law based on those public comments before sending a proposal to the Town Board for their consideration. After the Commission has submitted its draft to the Town Board, at least one additional public hearing will be held by the Town Board.

3) If zoning is passed or amended, will that involve a public referendum?

No. Adoption by referendum is not allowed under New York State law. The legal process is for the Town Board to vote and adopt zoning as a local law.

4) How does zoning affect property value?

Property value is determined by market conditions. In general, zoning offers stability and predictability and so helps maintain property value. Residents and businesses alike want to make sure that their investment is going to be valuable in the long run. With zoning, local property owners are protected from incompatible businesses opening close to them that would decrease the value of their property. In the long term, zoning, if done well, should add value to properties because it will help Caroline remain a quality place to live and establish businesses.

It is important to realize that the Tompkins County Department of Assessment values properties based on the current use (except for properties that are vacant and that have no current use; in that case the properties are assessed based on “best use”). That means that a residential property will not suddenly be assessed higher if it is located in a district that is zoned commercial in the new zoning law because it will still be assessed as a residence. Likewise, a residential property will not suddenly be assessed lower if it is located in a district that does not allow commercial activity because it was already being assessed as a residence, not for any possible commercial value.

5) How would a zoning plan affect my taxes?

There is likely to be no effect on taxes in the short term. The long-term impacts depend on how markets respond to zoning in the town. The amount of tax you pay is the product of the tax rate and the value of your property. The tax rate is determined by the town budget divided by the value of all the property in Caroline. As noted above, zoning tends to preserve or enhance property value in general, which would mean a stable or reduced tax rate for the town. For a particular property, whether the amount of taxes paid goes up or down will depend on whether markets value that property more or less compared to the average change for all property.

Zoning will also save tax dollars if it restricts sprawl and keeps down the costs of providing community services. Residential development is by far the costliest to a community like Caroline because of the relatively high cost of services required compared to the amount of increased tax revenue.

Zoning would provide more certainty for businesses which will lead to a greater desire to invest in Caroline. Not all businesses have the same impacts and benefits on our Town, and zoning can ensure that businesses coming to Caroline are compatible with our community and locate in the areas most appropriate for commercial activity.

6) What if I own a property that does not conform with the new zoning district, for example, I own a commercial property in a newly-defined residential zone?

In general, a nonconforming use can continue in a particular district. Restrictions will likely be put on how much remodeling, rebuilding, or expansion is allowed for such a building; in general it will not be allowed to make a currently non-conforming building even more non-conforming. In some cases, one may be able to apply for a special use permit to add a non-conforming use.

7) Will zoning hinder growth and make land scarcer and more costly for housing and other uses?

Two important features of zoning are that it gives predictability in future land uses and allows the geographic separation of incompatible land uses. There has been much research done regarding the impact of zoning; done well, zoning protects property owners (both residential and commercial) from issues that would devalue their land and thereby protects the land owner's investment. Zoning does not say "growth cannot happen." The purpose of zoning is to allow a community to define what type of growth is desired in different parts of a town.

More business development takes place when entrepreneurs and investors are confident their investment will pay off economically in the long run. When an area is zoned to allow business, it offers stability and assurance that those properties will be protected for business use. Clarity in the types of allowed commercial activities gives a business assurance that it will be protected from types of uses nearby that would be a detriment to their existence.

8) Don't we already have laws that regulate land use? Why do we need more?

Yes, Caroline does require application of the New York State Building Code, has a Subdivision Review Law, and has a Site Plan Review Law now. Zoning, if implemented, would work with the existing laws and would incorporate and reference those laws. However, at present none of the regulations or laws stated above protect residential property owners from having undesirable land uses move in next door to them, nor are they strong tools for protecting the environment, maintaining community character, or only allowing development that is matched with local conditions, which are all goals of the Town's Comprehensive Plan. The strength of zoning is that it allows regulations to be tailored to specific geographic regions within the Town and allows control over what types of businesses are and are not allowed.

9) What constitutes a “development”?

Development is generally known as the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; and any mining, excavation, landfill or land disturbance may be considered development activities.

10) Will there be any restrictions on the size of dwellings?

The Zoning Commission has made no final decisions yet related to dwelling sizes. At the present time the only size restriction being contemplated is on building height. The Zoning Commission will gather public input on questions like this before creating the draft plan that will undergo further public review at public hearings.

11) Will this plan have any architectural restrictions?

Zoning by itself imposes no architectural restrictions; any architectural restrictions come about through the Site Plan Review Law. As noted above, Caroline already has a Site Plan Review Law and that law has some architectural guidelines for commercial buildings. The Site Plan Review Law will be incorporated into the zoning regulations if zoning is adopted.

In 2020 Caroline’s Land Use and Economic Development Task Force made recommendations for improving the town’s Site Plan Review Law. The recommended revisions include more extensive general architectural requirements for commercial buildings to ensure that these new structures fit into the small-town character of Caroline, as well as updated sign, lighting, and landscaping requirements for commercial structures. There are no architectural restrictions on residential buildings.

12) What is an overlay district and why are they included in the draft zoning?

An overlay district is a zoning district that “lays on top of” the regular (or “base”) zoning districts and can occur across multiple base districts. Overlay districts are particularly useful for special resources that cross the boundaries of the base districts. One example is water resources such as important streams, rivers and wetlands that the town wants to protect. An overlay district precisely maps out the areas containing the special resource and protects that resource with a set of development standards that apply specifically in the overlay area. These standards are in addition to whatever other provisions there are in the base districts under the overlay.

13) The Comprehensive Plan establishes a goal of preserving our rural character and farmland. How might zoning address the preservation of rural areas and farmland?

The Zoning Commission has not made any final decisions yet but it is likely that a zoning proposal would address this issue by controlling density of development (how many dwellings or structures are allowed in an area of a certain size) and layout of development (how or where the new structures are placed on the land). The general idea is to allow new growth but to do it in a smart way that is sustainable environmentally and socially. Prime Farmland Soils and other areas identified as important agricultural areas in the town could also be designated as an overlay district, providing additional protection for these most important agricultural resources.

14) What is being done to protect the town water?

The Comprehensive Plan makes it clear that water protection is an important goal for the town and that will be reflected in any zoning proposal. Though the Zoning Commission has not made any final decisions yet, the principle will be to set the density of development at a level consistent with the ability of the land to sustain that development from a water quantity and quality point of view. Zoning will establish setbacks from wetlands and streams as well to further protect water quality and quantity. An overlay district covering water resources is likely to be used; that overlay may cover just water resources or may be configured to include other environmental resources.

15) Where can I put a new business in town?

As mentioned in other answers, no final decisions on zoning district boundaries or allowed uses within each type of zoning district have been made. The following information is a snapshot of the Zoning Commission's discussion. The Zoning Commission strongly feels that occupations operating out of homes should be allowed in all districts in the Town. Some kinds of home-based occupations may need a special use permit; special use permits attach specific conditions to a use but do not disallow that use. The vast majority of the town will be an "Agriculture and Rural District" and farming and farm-related businesses will be allowed in that entire district. The main hamlets of Brooktondale, Slaterville Springs and Speedsville will continue to have a mix of residential and commercial uses. Some other areas of town where there are already concentrations of residences will likely be designated "residential hamlets"; the Zoning Commission is still discussing what level of commercial activity they would recommend as appropriate for such areas. Some businesses such as bed and breakfast inns, campgrounds, day care centers, kennels, outdoor recreational businesses, restaurants, service businesses, and veterinary hospitals are likely to be allowed almost everywhere in Town. Some commercial ventures (primarily large ones or those that have a significant negative impact on the environment) are likely to be disallowed as not being consistent with the small-town character and environmental values of the town. The Zoning Commission is in the process of examining various commercial activities to identify any that are appropriate for Caroline but due to their size or operational requirements would require a commercial zone to separate them from residential properties. Proposed allowed use tables for each proposed zoning district will be presented at a future public meeting for feedback before the Zoning Commission creates a draft zoning plan.