

Quick Guide to Draft Zoning Law

Land Use Techniques Included:

Conservation Subdivision - to allow for development and preserved open space at same time.

Average Lot Size in the Ag/Rural District - to allow flexibility in lot sizes provided the overall average meets the density requirement.

Net Acreage - Removes non-buildable lands when calculating how many new house lots someone is eligible for.

Abbreviated Site Plan - a shorter, 1-meeting process designed to allow for Town review of certain development projects when they are in an overlay district, on steep slopes, or where required from the Use Table.

Use Table - identifies uses in each district

Dimensions Table - identifies the dimensions for lots, lot coverage, building sizes, etc. for each district. It also sets a maximum building footprint for commercial uses.

Density Bonus - allows someone to gain additional house lots by providing certain amenities to the Town in return.

Density and Lot size - Uses density (dwellings per acre) in the Ag/Rural district and minimum lot sizes in hamlet districts (to promote smaller lots).

Front Setbacks - used only in the Hamlet Districts

Commercial Design Standards - required of all businesses except minor home occupations. This also includes franchise businesses.

Site Plan Review - uses the model proposed by the Task Force.

Special Use Permit - a review process aimed at review and approval of specific uses that may have characteristics that make them harder to fit into a district or neighborhood. All special uses also require a site plan review to be done at the same time as the special use permit review.

Districts - three types - Ag/Rural, hamlet and commercial. Hamlet is further split into sub-hamlet areas as shown on the map.

Overlay Districts - two types - Water Resources and Flooding - designed to protect streams, wetlands, and floodplains; and Forest Core - designed to protect intact forested areas.

Non-conforming uses, lots and structures - allowed to continue and expand slightly even if they don't meet the zoning rules.

Administration and Enforcement - assigns enforcement to CEO and details their duties to enforce law.

Definitions - has an extensive definition section.

The Following Chart shows Each Section in the Zoning with a brief summary and shows which sections are “pro forma” and language required by State law.

Sections in Highlight are Procedures/Requirements from State Town Law

Section from Zoning	Commentary
ARTICLE I TITLE, ENACTING CLAUSE, SCOPE AND PURPOSES	Legal establishment of law Purposes
Section 1.1 Enacting Clause	
Section 1.2 Title and Scope	
Section 1.3 Purposes	
Section 1.4 Severability	
Section 1.5 Reader’s Aid Boxes	
ARTICLE II DISTRICTS	Establishes the districts and overlays in Town. Map is part of zoning law
Section 2.1 Official Zoning Maps, and Names and Purposes of Districts	
Section 2.2 Interpretation of District Boundaries	
Section 2.3 Zoning Maps	
ARTICLE III USES AND DIMENSIONS	Table of Uses by district Table of Dimensions by district Describes Net Acreage/Density Calculation Describes Density Bonuses
Section 3.1 Permitted and Special Permitted Uses by District	
Section 3.2 Dimension Requirements by District	
ARTICLE IV DEVELOPMENT STANDARDS	Establishes development standards that all uses must follow
Section 4.1 Regulations for all Districts	
Section 4.2 Specific Standards by Zoning District	Establishes development standards specific to districts
Section 4.3 Specific Standards by Overlay Districts	
ARTICLE V SUPPLEMENTARY STANDARDS	General commercial building design standards
Section 5.1 General Standards for Commercial Building Design	

Section 5.2 Design Standards	These are specific commercial building design standards directly from the Task Force proposed site plan law, with some additions recommended from consultants.
Section 5.2.1 Building Placement and Design	
Section 5.2.2 Entrances	
Section 5.2.3 Roofing	
Section 5.2.4 Massing	
Section 5.2.5 Materials	
Section 5.2.6 Fenestration	
Section 5.2.7 Canopies	
Section 5.2.8 Signage	
Section 5.2.9 Parking	
Section 5.2.10 Screening of Accessory Equipment	
Section 5.2.11 Rooftop Equipment	
Section 5.2.12 Lighting	
Section 5.2.13 Landscaping	
Section 5.2.14 Sustainable Transportation Infrastructure	
Section 5.3 Trademarked Architecture and Formula Business Design	This controls franchised building development
Section 5.4 Utilities	
Section 5.5 Additional Standards for Specific Uses	This section details development standards for specific uses such as accessory apartments, home occupations, solar, junk, solar, farm worker housing, multi-family dwelling, and conservation subdivisions.
ARTICLE VI SITE PLAN REVIEW	This comes almost exclusively from the Task Force Site Plan Law model. Process must be consistent with State Town Law
Section 6.1 Intent and Purposes	
Section 6.2 Authorization to Review Board, Exemptions and Applicability	
Section 6.3 Site Plan Considerations	
Section 6.4 Specific Standards and Considerations	
Section 6.5 Site Plan Review Process - General Procedures	

Section 6.6 Site Plan Review Process - Site Plan Checklist	
Section 6.7 Site Plan Review Process - Preliminary Site Plan	
Section 6.8 Site Plan Review Process - Final Site Plan	
Section 6.9 Waivers and Special Circumstances	
Section 6.10 Abbreviated Site Plan Review	This establishes a quick, less complex review for certain uses in certain situations to ensure additional, but not full review.
ARTICLE VII SPECIAL USE PERMITS	This establishes a special use permit process for some uses. The special use permit process is largely dictated by State Town Law.
Section 7.1 Authorization to grant or deny special uses.	
Section 7.2 Applications for special use.	
Section 7.3 Procedures	
Section 7.4 Lapses and Expiration	
Section 7.5 Renewal of Permit	
Section 7.6 Existing violation	
Section 7.7 Deemed to be conforming	
Section 7.8 Expansion of special use	
Section 7.9 Factors for consideration and Conditions	This part of special use permit is established to ensure Caroline's goals for development are met.
ARTICLE VIII NON-CONFORMING USES AND STRUCTURES	This is a required section, but the way you treat nonconforming buildings (grandfathering) can be altered and unique to the Town.
Section 8.1 Nonconforming Buildings, Uses and Lots May Continue	
Section 8.2 Discontinuance of Nonconforming Use	
Section 8.3 Changes, Expansions, Alteration, Restoration	
Section 8.4 Necessary Maintenance and Repairs	

ARTICLE IX ENFORCEMENT AND ADMINISTRATION	Review, but should be fully consistent with NYS Building Code Law procedures.
ARTICLE X ZONING BOARD OF APPEALS	Set by State Law. No editing recommended.
ARTICLE XI REVIEW BOARD	This is the roles, duties, and procedures of the Review Board...set originally in your subdivision law, but augmented to be consistent with State Town Law.
ARTICLE XII AMENDMENTS	Instructions for future amendments to law.
ARTICLE XIII TERMINOLOGY	List of words used in the Zoning Law.
Section 12.1 Use and Interpretation of Words	
Section 12.2 Definitions	
ARTICLE XIV EFFECTIVE DATE	Set by State Town Law