

Comprehensive Plan, Zoning Code, and Map Task Force

**The CZM Task Force
submits these
Specific Recommendations
to the
Town Board**

CZM Task Force Recommendations

New Chapter 140 Zoning Text

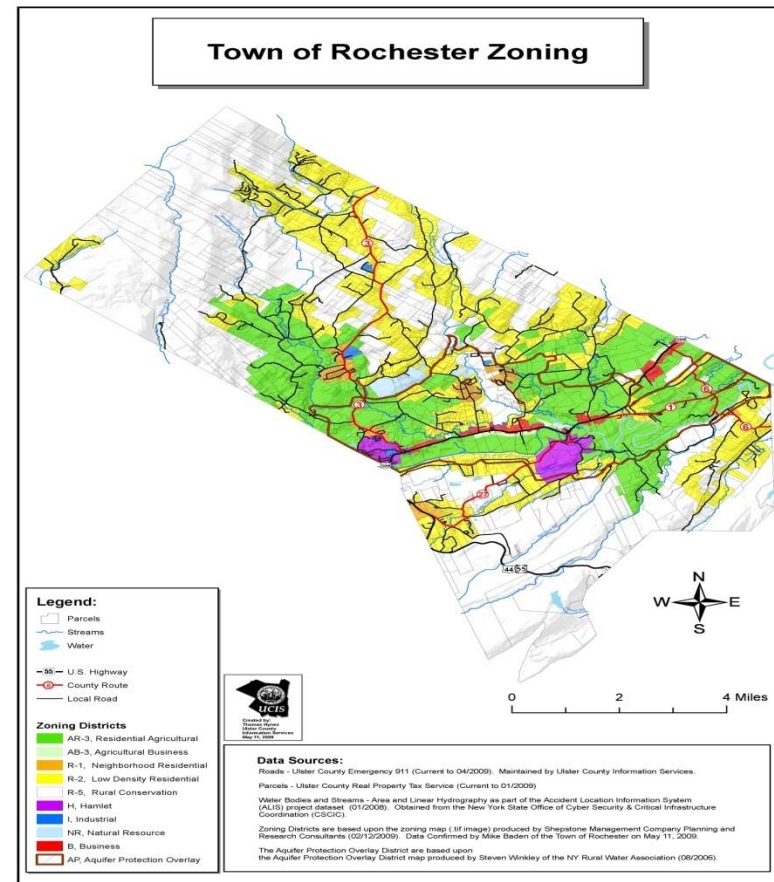
Town of Rochester
Ulster County, New York

ZONING LAW

Draft for Review Purposes Only
May 11, 2009

CZM Task Force Recommendations

New Zoning Map



CZM Task Force Recommendations

New Chapter 125 Subdivision Text

Town of Rochester
Ulster County, New York



SUBDIVISION REGULATIONS

Draft Local Law for Review and Discussion Only — May 11, 2009

Town of Rochester Planning Board
Town of Rochester Town Board

CZM Task Force Recommendations

**Delete
Chapter 130
Telecommunications**

Comprehensive Plan, Zoning Code, and Map Task Force

In addition,
we offer comments
on these topics
which we find
relevant to our review

CZM Task Force Recommendations

Animals

References relating to the keeping of animals have been removed from our proposal because we believe this subject to be not a matter of zoning and we recommend strongly the Town Board address this subject independent of zoning by enacting a separate Code chapter or incorporating it into an amended Chapter 53 (Animals).

CZM Task Force Recommendations

Historic Property Recognition Program

The Town Board, in conjunction with the Historic Preservation Commission, should recognize the wealth of historic properties in the Town and the excellent documentation of these properties, by establishing a Task Force to explore the subject of a voluntary Historic Recognition Program.

CZM Task Force Recommendations

Code Enforcement

We recommend the Town Board enact legislation authorizing the Code Enforcement Office to address the issue of cleanup of properties in a manner similar to Chapter 66 (Unsafe Buildings) rather than addressing this issue through the court system.

CZM Task Force Recommendations

Planning and Zoning Boards

Application forms and checklists detailing the instructions and requirements for Subdivision, Site Plan, and Special Use Permit applications should be updated or created with regard to the Code revisions. This is to aid both the applicant and the Planning Board in the application and review process. These documents should be reviewed and updated periodically.

CZM Task Force Recommendations

Planning and Zoning Boards

The Planning Board should review the thresholds as to when professional review by the Town Planner, Engineer, or attorney is necessary for the review of Planning Board and ZBA applications. This professional review is an important tool for the Planning Board and ZBA. These thresholds should be reviewed and updated periodically.

CZM Task Force Recommendations

Environmental Conservation Commission

The Environmental Conservation Commission should establish an “Invasive Species” list of prohibited plants to be supplied to the Planning and Zoning office for the benefit of both applicants and the Planning Board in the review of landscaping choices on applications.

This list should be reviewed and updated periodically.

CZM Task Force Recommendations

Training and Education

The Town Board should schedule training sessions on the Code revisions to educate the Planning Board, the ZBA, the Planning and Zoning office, the Code Enforcement Office, and any other individuals or agencies the Town Board feels would benefit from this training. We recommend Shepstone Management Company provide this training and the Ulster County Planning Director be invited to attend.

Comprehensive Plan, Zoning Code, and Map Task Force



TOWN OF ROCHESTER

ZONING UPDATE 2009

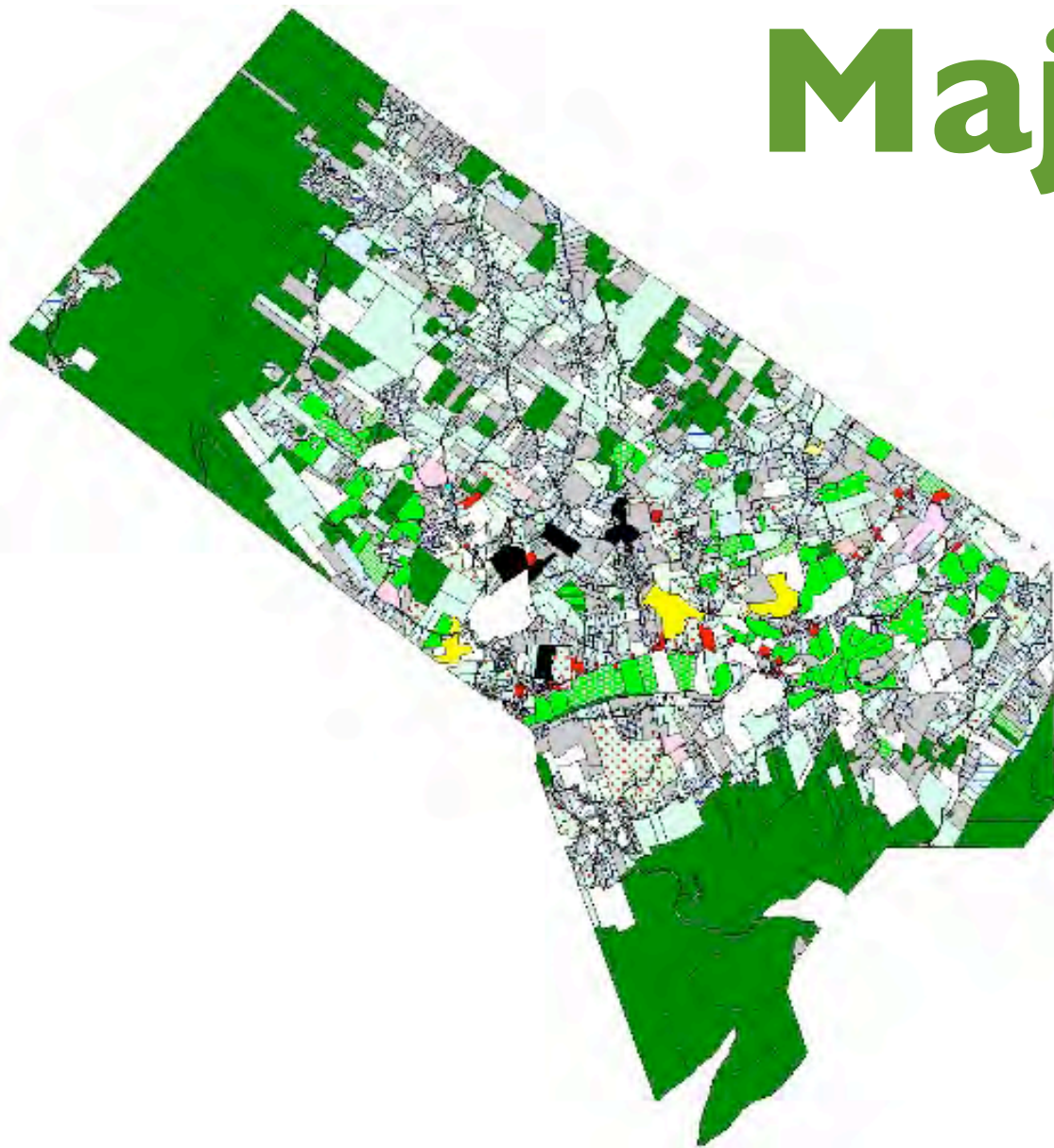


TOWN OF ROCHESTER

ZONING UPDATE 2009

Major Elements:

- **Zoning Law**
- **Zoning Map**
- **Subdivision Regulations**



Town of Rochester Zoning Update

Current Zoning:

Problems

Doesn't match Comp Plan

Flow of regulations not smooth

Terminology out-of-date

Inflexible in many cases

“One size fits all” zoning

Seven arbitrary districts

Proposed Zoning:

Solutions

Clearer streamlined procedures

Densities fitting the land

Stormwater management

Landscaping - nonresidential uses

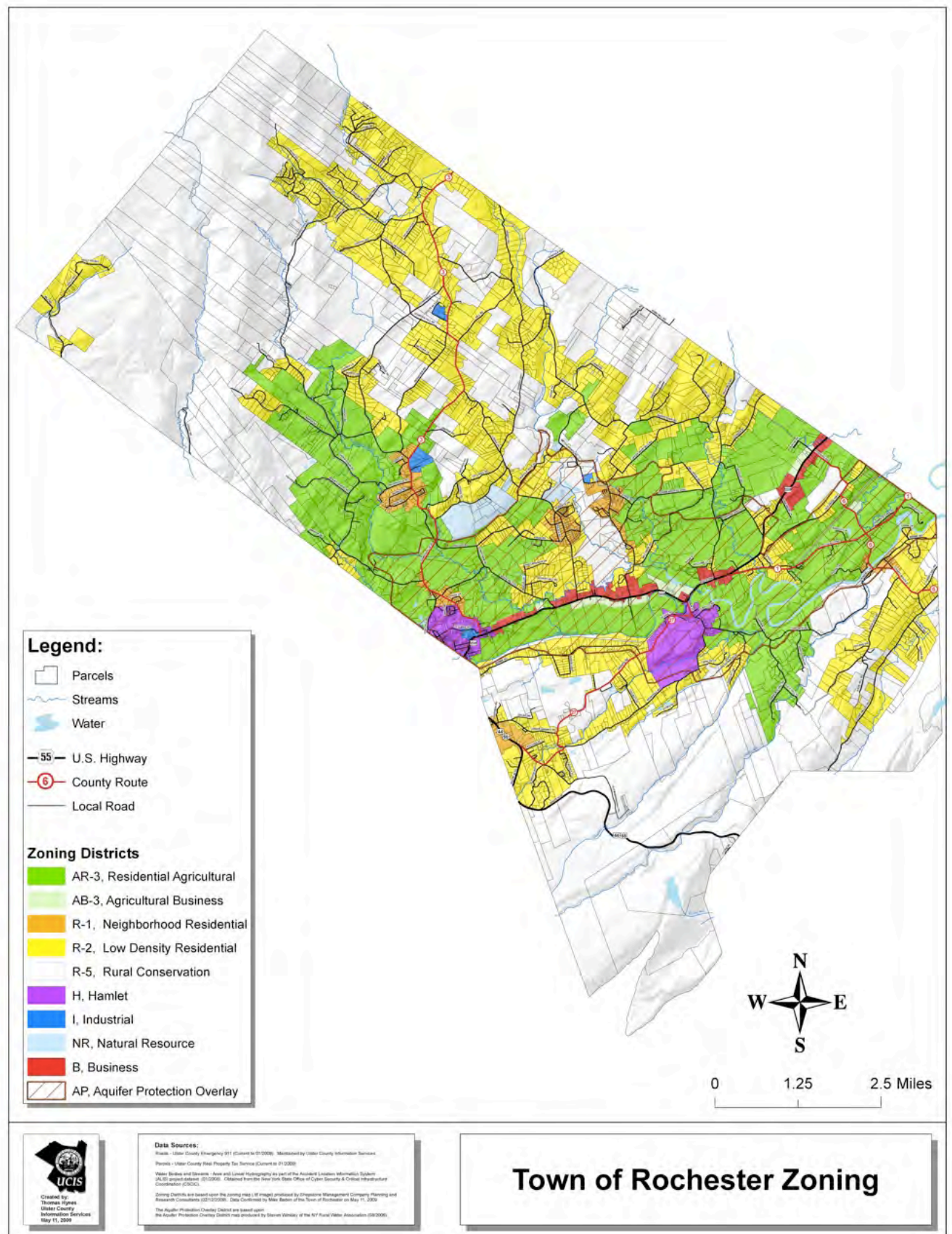
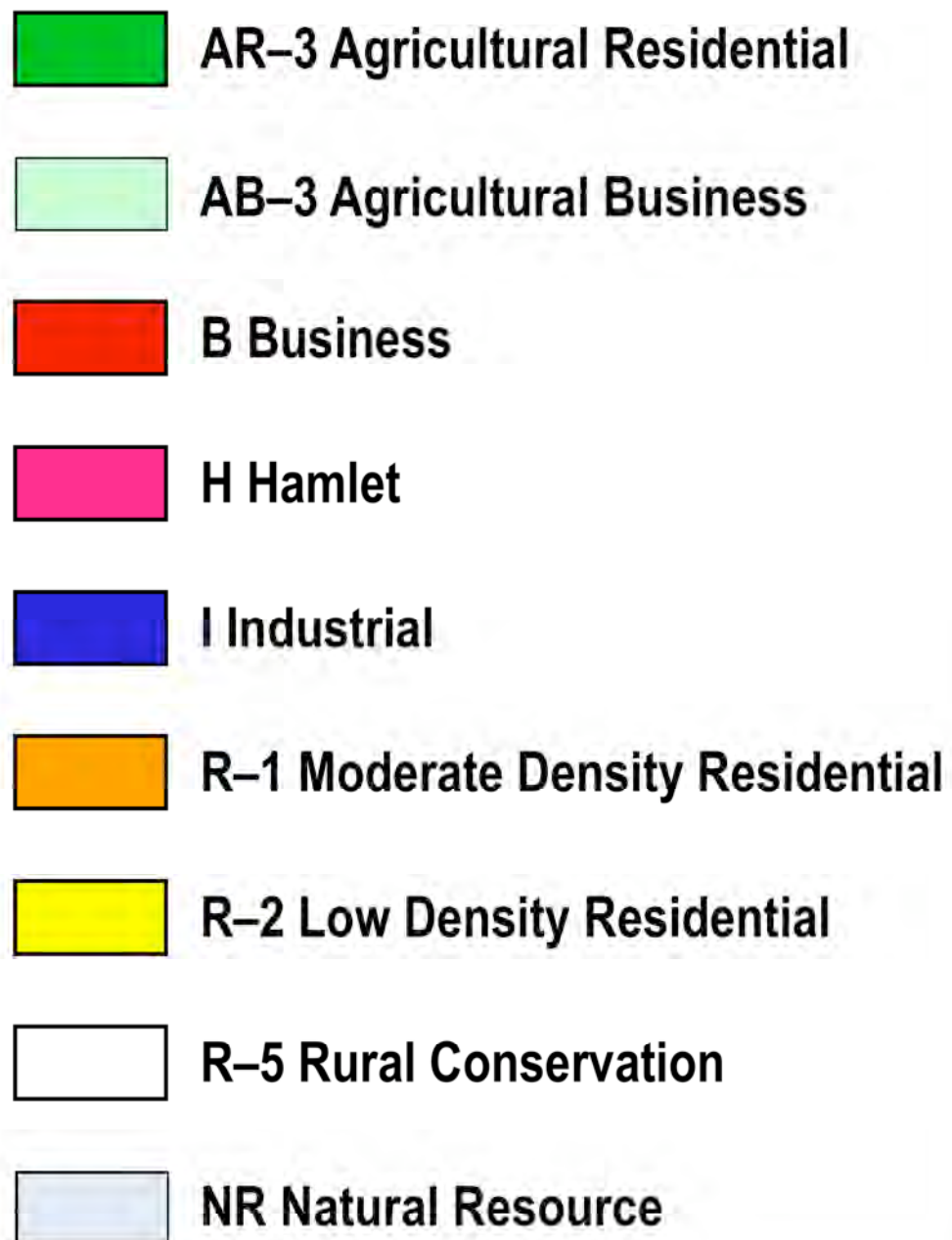
Conservation subdivisions

Simple, flexible and user-friendly


Zoning code now automatically updates with other regulations

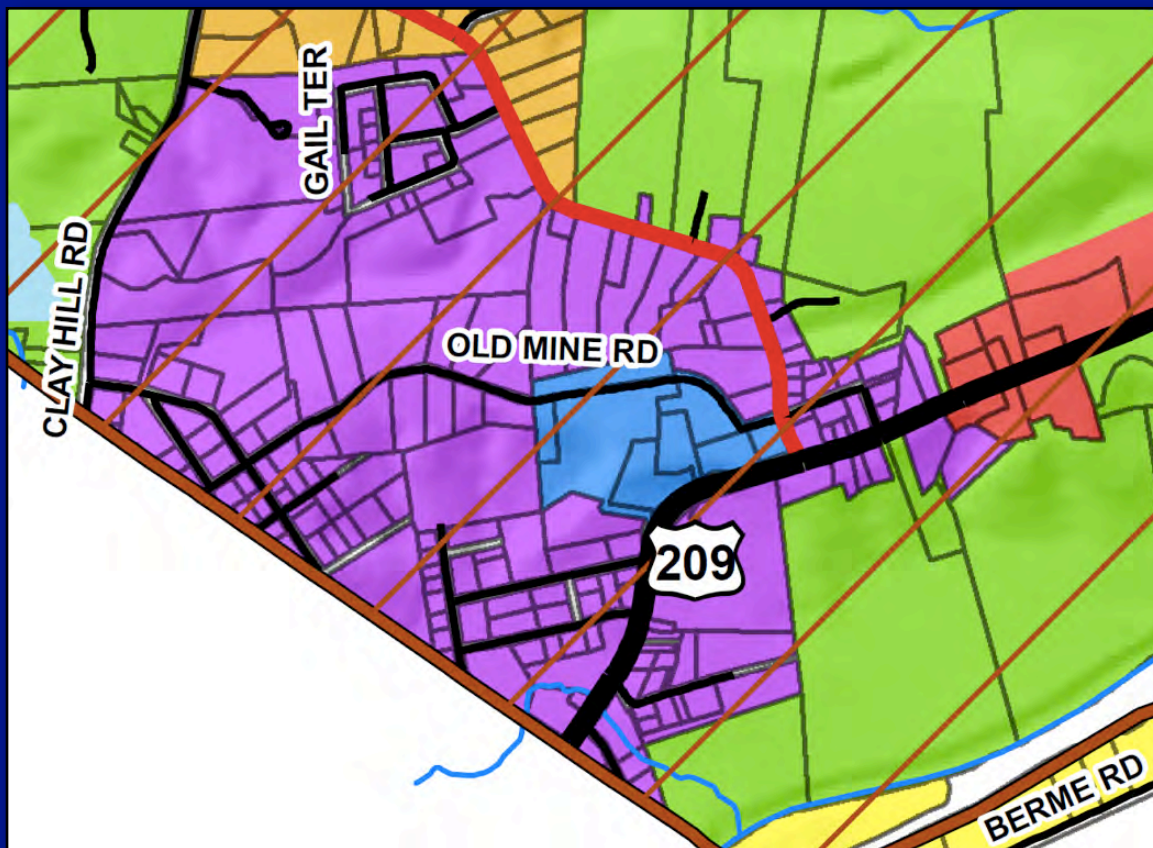
Town of Rochester Zoning Update

ZONING DISTRICTS:

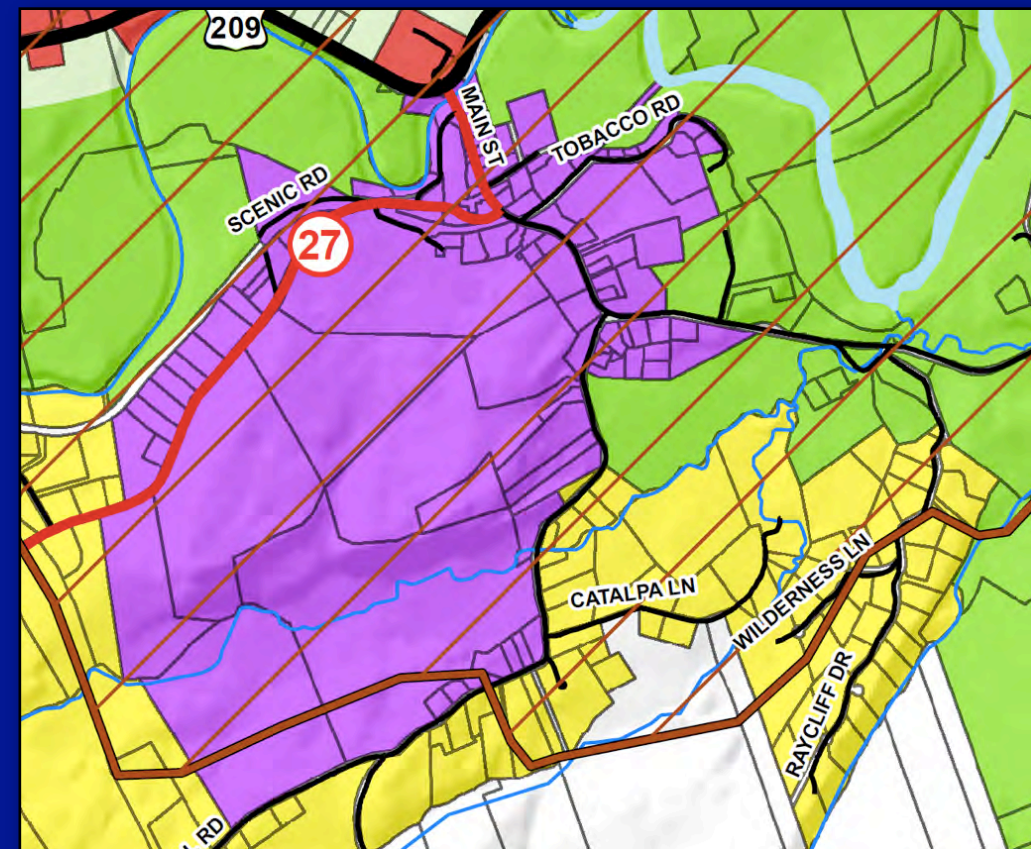


Town of Rochester Zoning Update

Town of Rochester Zoning Law - Schedule of District Regulations					
District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
H Hamlet District: This district is intended to create designated neighborhood shopping centers complemented by higher density residential development that can access those shopping areas as pedestrians or with very short drives. 	Agriculture (non-animal) Bed and breakfast* Cemetery * Day care centers* Fire houses, libraries and other public buildings* Gift, antique or craft shops* Home occupations – Class II* Low-impact retail and service establishments* Offices* One-family dwellings Places of worship* Public parks and playgrounds* Restaurants and taverns* Two-family dwellings (new)	Agricultural retail sales Agricultural tourism enterprises Convenience market (with or without gas) Health care institutions Home occupations – Class III Mixed-use activities Multi-family dwellings Museums, galleries and performance centers Nonprofit club or recreation use Nursery or greenhouse Parking (commercial) Retail and service establishments (non-auto) Telecommunications facilities Two-family dwellings (conversions)	Farm stands Home occupations – Class I Other customary accessory uses Parking areas Private garages Signs Tool sheds	Minimums: Lot area (without S/W): 1.0 acre 1.0 acre Lot area (with S/W): 0.3 acre 0.3 acre Lot width (feet): 75 75 Lot depth (feet): 75 75 Lot frontage (feet): 50 50 Front yard: 20 20 Side yard: 10 10 Rear yard: 15 15 Maximums Lot coverage: 50% 50% Building height (feet) 35 35 Building stories 2.5 2.5 Note: S/W =central sewer and central water Note: Performance standards of §140-20 may apply.	
	* Requires site plan review by Planning Board				



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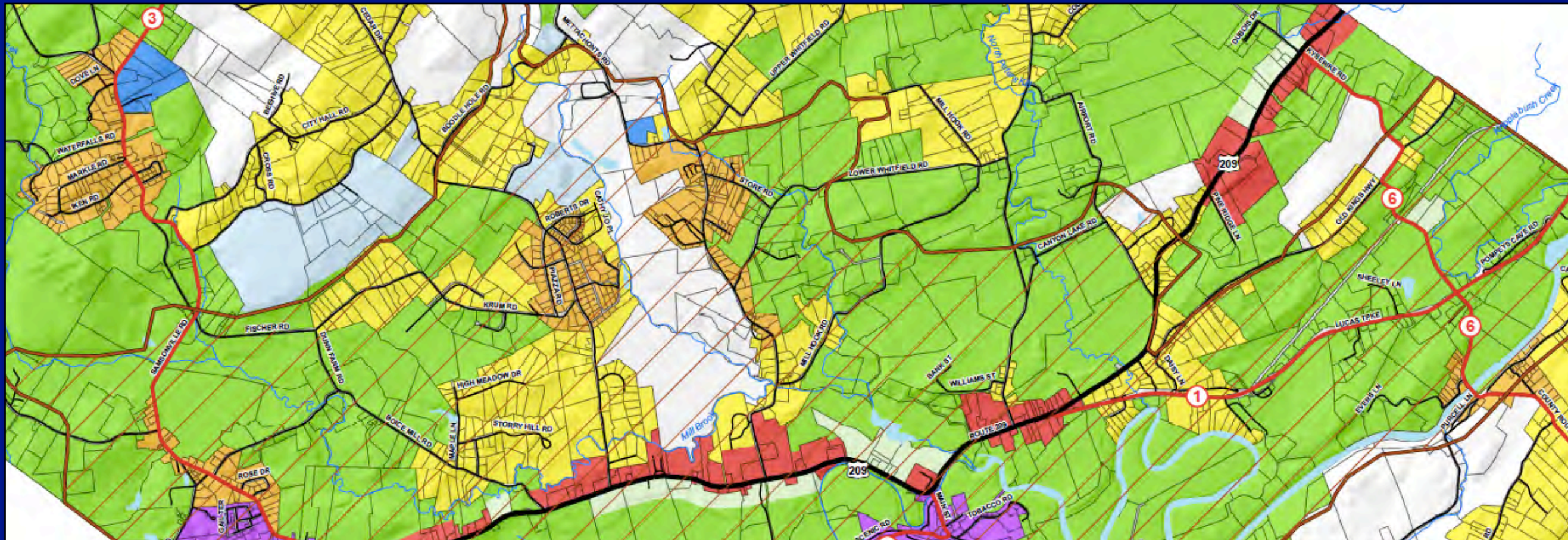


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Town of Rochester Zoning Update

Town of Rochester Zoning Law - Schedule of District Regulations

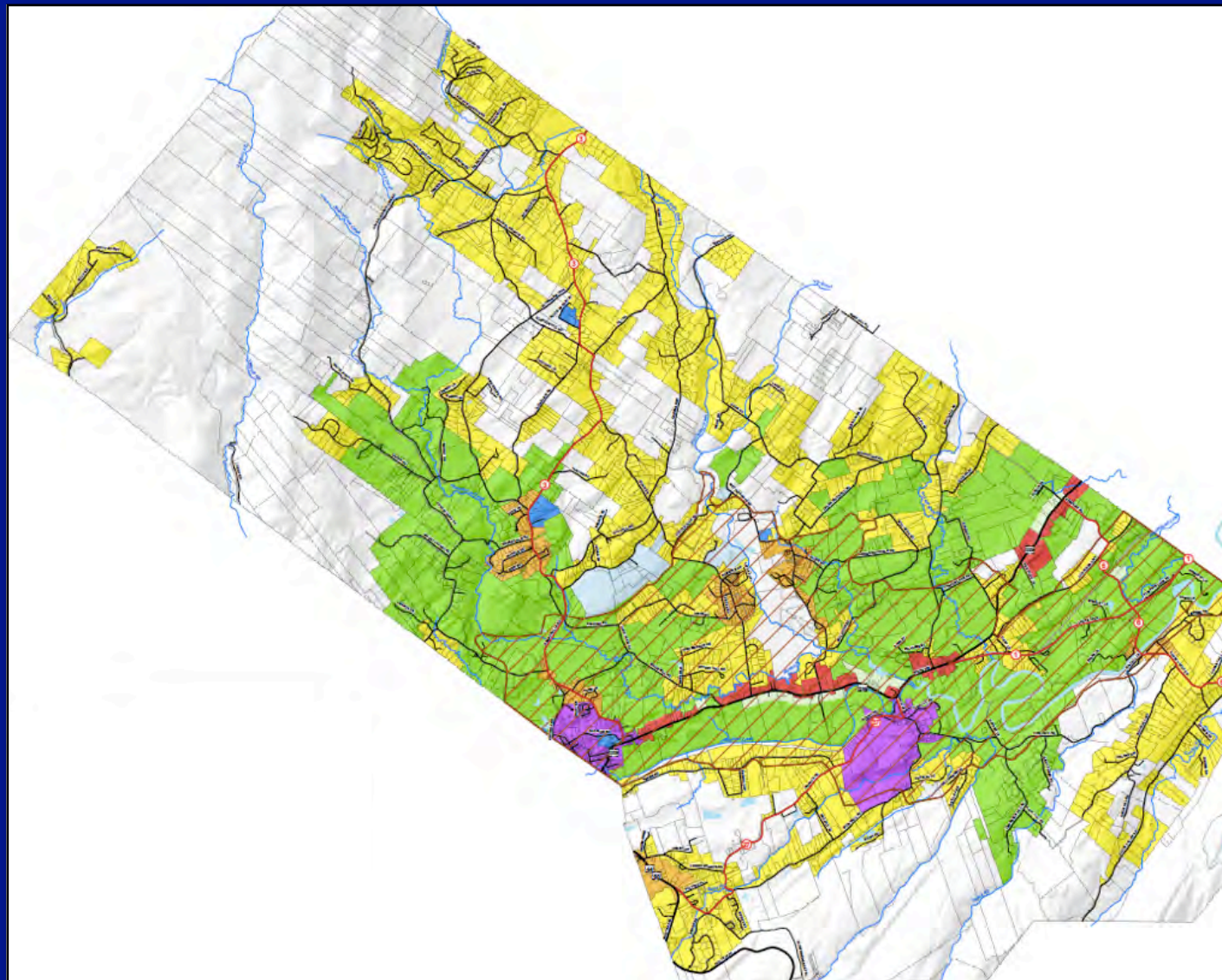
District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
				Residential	Nonresidential
R-1 Neighborhood Residential District: This district is intended to recognize and preserve the integrity of predominately moderate-density residential areas of the Town, together with personal and residential services, and to protect them from intrusions of incompatible uses.	Agriculture (non-animal) Bed and breakfast* Cemetery* Day care centers* Fire houses, libraries and other public buildings* One-family dwellings Places of worship* Public parks and playgrounds* Two-family dwellings (new) * Requires site plan review by Planning Board	Gift, antique and craft shops Home occupation - Class II Low-impact retail and service establishments Mixed-use activities Multi-family dwellings Offices (<1,500 square feet) Restaurants not serving alcoholic beverages Two-family dwellings (conversions)	Farm stands Home occupations – Class I Other customary accessory uses Parking areas Private garages Signs Tool sheds	Minimums: Lot area (without S/W): 1.0 acre Lot area (with S/W): 0.5 acre Lot width (feet): 100 Lot depth (feet): 100 Lot frontage (feet): 50 Front yard: 35 Side yard: 25 Rear yard: 25 Maximums Lot coverage: 40% Building height (feet): 35 Building stories: 2.5 Density(without S/W): 1.00 Density(with S/W): 2.00	1.0 acre 0.5 acre 100 100 50 35 25 25 40% 35 2.5 N/A N/A Note: S/W =central sewer and central water



Town of Rochester Zoning Update


Town of Rochester Zoning Law - Schedule of District Regulations

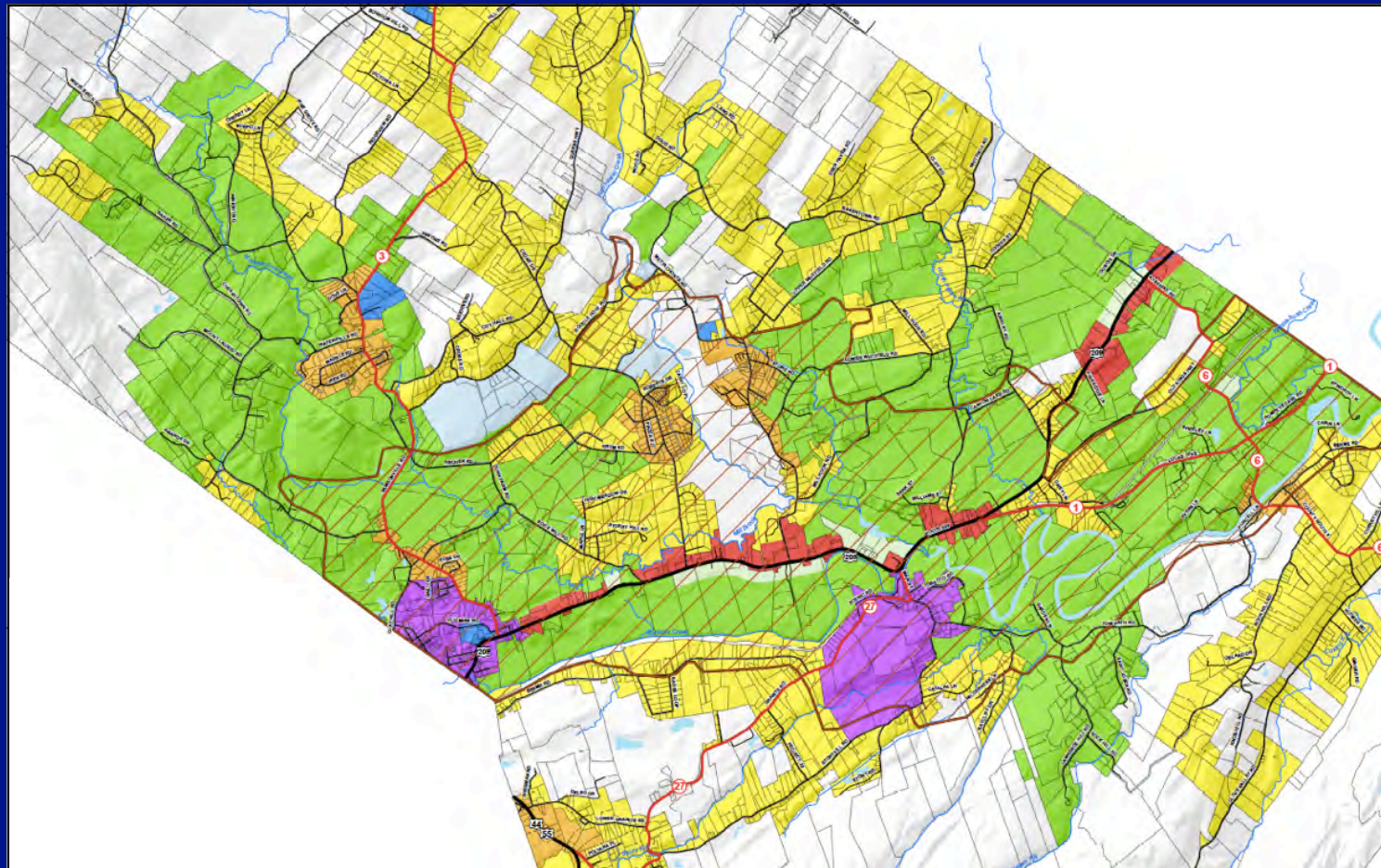
District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
				Residential	Nonresidential
R-2 Low Density Residential District: This district is intended to recognize and preserve the integrity of predominately low-density rural residential areas of the Town and to protect them from intrusions of incompatible uses.	Agriculture (animal)* Agriculture (non-animal) Bed and breakfast* Cemetery * Day care centers* Fire houses, libraries and other public buildings* Home occupations – Class II* One-family dwellings Places of worship* Public parks and playgrounds* Sawmills, temporary portable onsite less than 90 days* Two-family dwellings (new)	Golf course or driving range Nonprofit club or recreation use Manufactured housing park Nursery or greenhouse Telecommunications facilities Two-family dwellings (conversions)	Agricultural labor housing* Farm stands Home occupations – Class I Other customary accessory uses Parking areas Private garages Signs Stables (private) Tool sheds	Minimums: Lot area: 2.0 acre Lot width (feet): 160 Lot depth (feet): 160 Lot frontage (feet): 50 Front yard: 60 Side yard: 40 Rear yard: 40 Maximums Lot coverage: 30% Building height (feet) 35 Building stories 2.5	2.0 acre 160 160 50 60 40 40 30% 35 2.5
	* Requires site plan review by Planning Board		* Requires site plan review by Planning Board		



Town of Rochester Zoning Update

Town of Rochester Zoning Law - Schedule of District Regulations

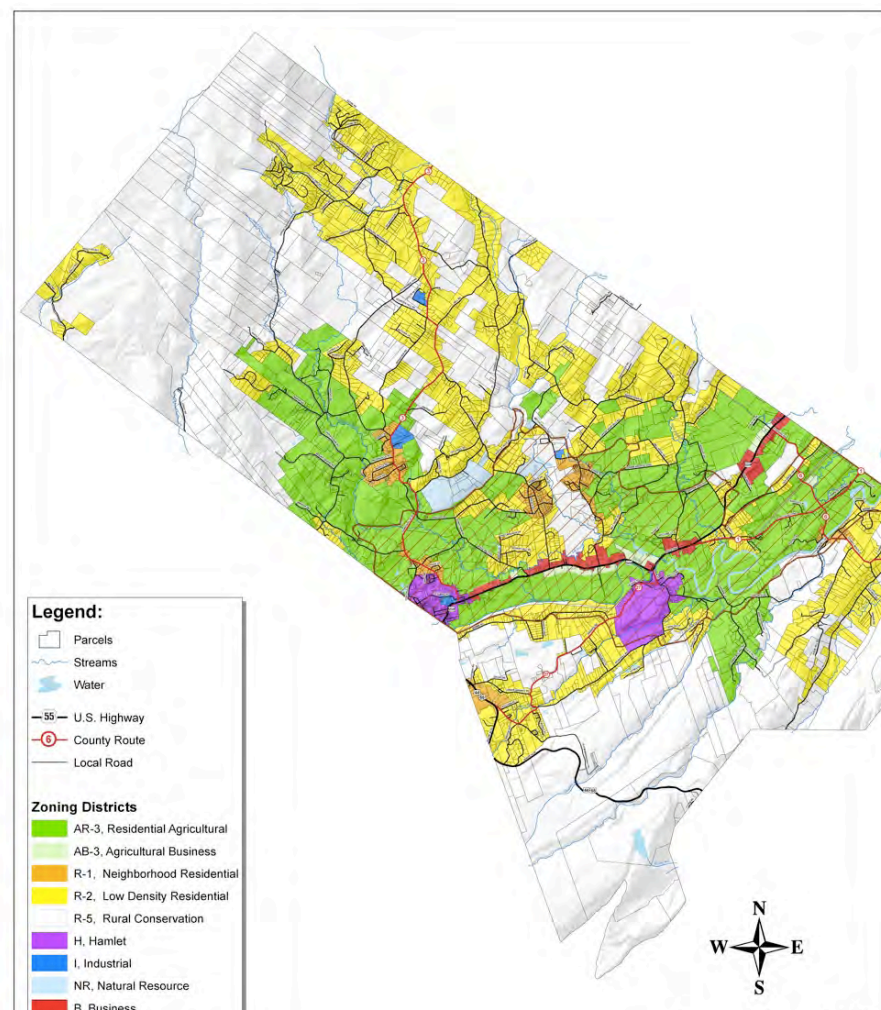
District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
				Residential	Nonresidential
AR-3 Residential Agricultural District: This district is intended to recognize and preserve the high-valued agricultural lands of the Town, while allowing for low density residential development of a compatible nature. The district is further intended to complement the New York State Ag District program and maintain full rights-to-farm within these areas.	Agricultural retail sales* Agricultural tourism enterprises* Agriculture (animal) Agriculture (non-animal) Bed and breakfast* Cemetery * Day care centers* Fire houses, libraries and other public buildings* Home occupations – Class II* Hunting and fishing clubs Mining of <1,000 tons/year per §140-28* Nursery or greenhouse* One-family dwellings Places of worship* Public parks and playgrounds* Sawmills, temporary portable onsite less than 90 days Stables (commercial)* Two-family dwellings (new) Veterinary office, animal hospital or kennel*	Camping resort or RV park Commercial recreation uses Golf course or driving range Helicopter pads Home occupations – Class III Manufactured housing park Nonprofit club or recreation use Private air strips Resort hotel, camp, ranch or lodge Seasonal lodging units Telecommunications facilities Two-family dwellings (conversions)	Agricultural labor housing* Farm mining per §140-28 Farm stands Home occupations – Class I Other customary accessory uses Parking areas Private garages Signs Stables (private) Tool sheds	Minimums: Lot area: 3.0 Lot width (feet): 160 Lot depth (feet): 160 Lot frontage (feet): 50 Front yard: 60 Side yard: 40 Rear yard: 40 Maximums Lot coverage: 30% Building height (feet) 35 Building stories 2.5	3.0 160 160 50 60 40 40 35% 35 2.5
		* Requires site plan review by Planning Board			



Town of Rochester Zoning Update

Town of Rochester Zoning Law - Schedule of District Regulations

District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
				Residential	Nonresidential
R-5 Rural Conservation District: This district is intended to conserve large open areas of the Town that are difficult to develop while allowing for both very low density residential development and those compatible uses that, while they may require large acreages, also typically also involve large open spaces.	Agriculture (animal) Agriculture (non-animal) Bed and breakfast* Cemetery * Day care centers* Fire houses, libraries and other public buildings* Home occupations – Class II* Hunting and fishing clubs Mining of <1,000 tons/year per §140-28* One-family dwellings Places of worship* Public parks and playgrounds* Sawmills, temporary portable onsite less than 90 days Stables (commercial)* Two-family dwellings (new)	Agricultural processing facilities Agricultural retail sales Agricultural tourism enterprises Camping resort or RV park Commercial recreation uses Commercial sawmills Education & conference center Gift, antique or craft shops Golf course or driving range Health care institutions Home occupations – Class III Museums, galleries and performance centers Nonprofit club or recreation use Nursery or greenhouse Private educational facilities Resort hotel, camp, ranch or lodge Seasonal lodging units Telecommunications facilities Two-family dwellings (conversions) Warehouse and storage facilities	Farm stands Home occupations – Class I Other customary accessory uses Parking areas Private garages Signs Stables (private) Tool sheds	Minimums: Lot area: 5.0 acres Lot width (feet): 200 Lot depth (feet): 200 Lot frontage (feet): 50 Front yard: 50 Side yard: 50 Rear yard: 50 Maximums Lot coverage: 15% Building height (feet) 35 Building stories 2.5 Density (dwellings/acre)* 0.33	5.0 acres 300 300 50 100 75 75 20% 35 2.5 N/A
	* Requires site plan review by Planning Board			Note: Performance standards of §140-20 may apply.	

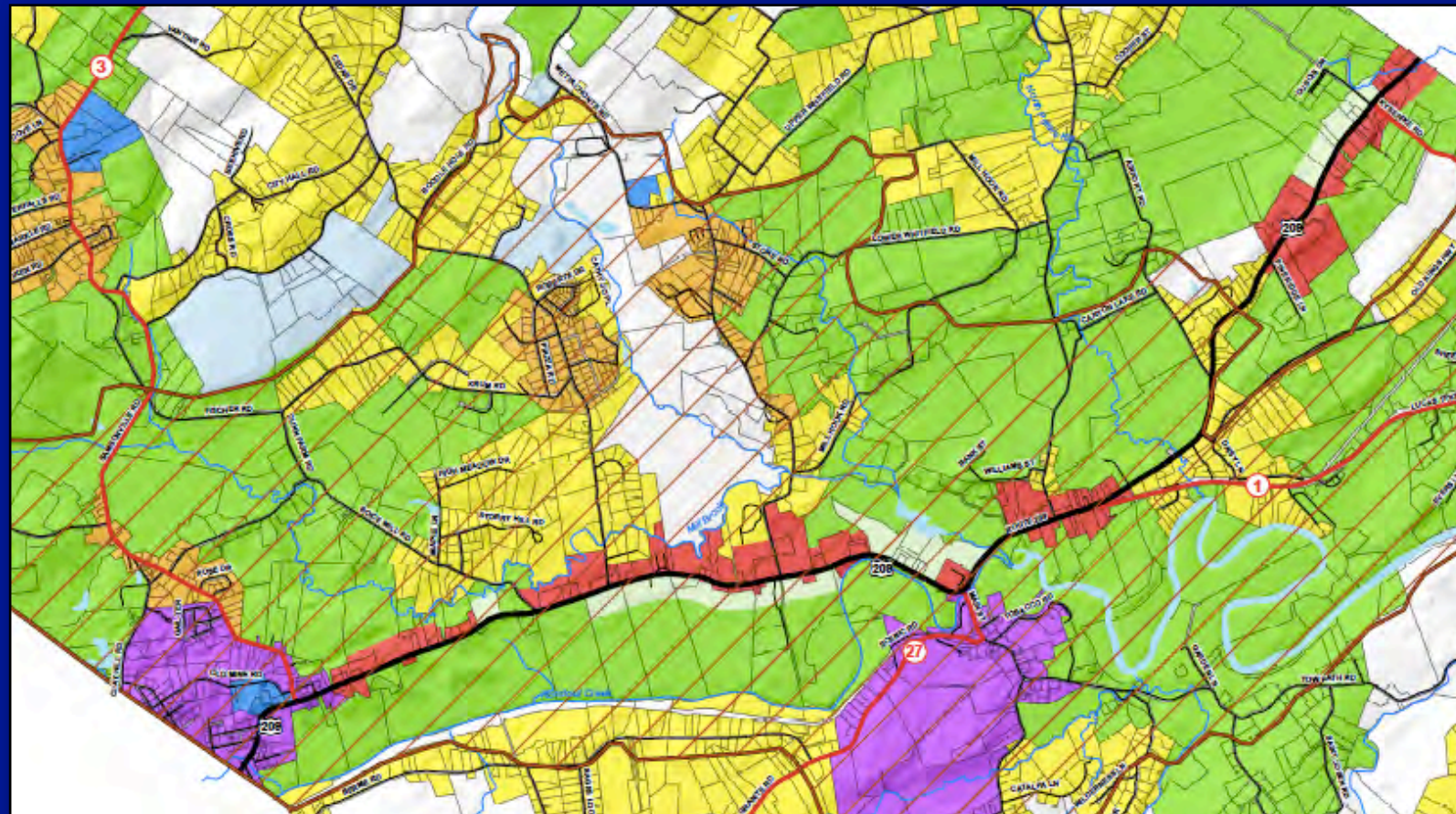


Town of Rochester Zoning Update

Town of Rochester Zoning Law - Schedule of District Regulations

District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
				Residential	Nonresidential
B Business District: This district is intended to provide areas for highway-related commercial uses requiring large land areas and high visibility.	Agricultural retail sales* Agricultural tourism enterprises* Agriculture (animal) Agriculture (non-animal) Bed and breakfast* Cemetery* Day care centers* Fire houses, libraries and other public buildings* Gift, antique or craft shops* Home occupations – Class III* Low-impact retail and service establishments* Mining of <1,000 tons/year per §140-28* Offices* One-family dwellings Places of worship* Public parks and playgrounds* Recording studios* Restaurants and taverns* Retail and service establishments (non-auto)* Sawmills, temporary portable onsite less than 90 days* Spa or health club* Two-family dwellings (new)	Bulk fuel storage Camping resort or RV park Commercial recreation uses Convenience market (with or without gas) Golf course or driving range Hotel and motels Light manufacturing Mixed-use Motorized racetracks Multi-family dwellings Museums, galleries and performance centers Nonprofit club or recreation use Nursery or greenhouse Parking (commercial) Private air strips Retail and service establishments (auto) Self-storage facilities Telecommunications facilities Trucking services Two-family dwellings (conversions) Veterinary office, animal hospital or kennel Wholesale uses	Farm stands Home occupations – Class I Home occupations – Class II Other customary accessory uses Parking areas Private garages Signs Stables (private) Tool sheds	Minimums: Lot area (without sewer) 1.0 acre 1.0 acre Lot area (with sewer): 0.5 acre 0.5 acre Lot width (feet): 100 100 Lot depth (feet): 100 100 Lot frontage (feet): 50 50 Front yard: 35 35 Side yard: 25 25 Rear yard: 25 25 Maximums Lot coverage: 50% 50% Building height (feet) 35 35 Building stories 2.5 2.5	
				Note: Performance standards of §140-20 may apply.	

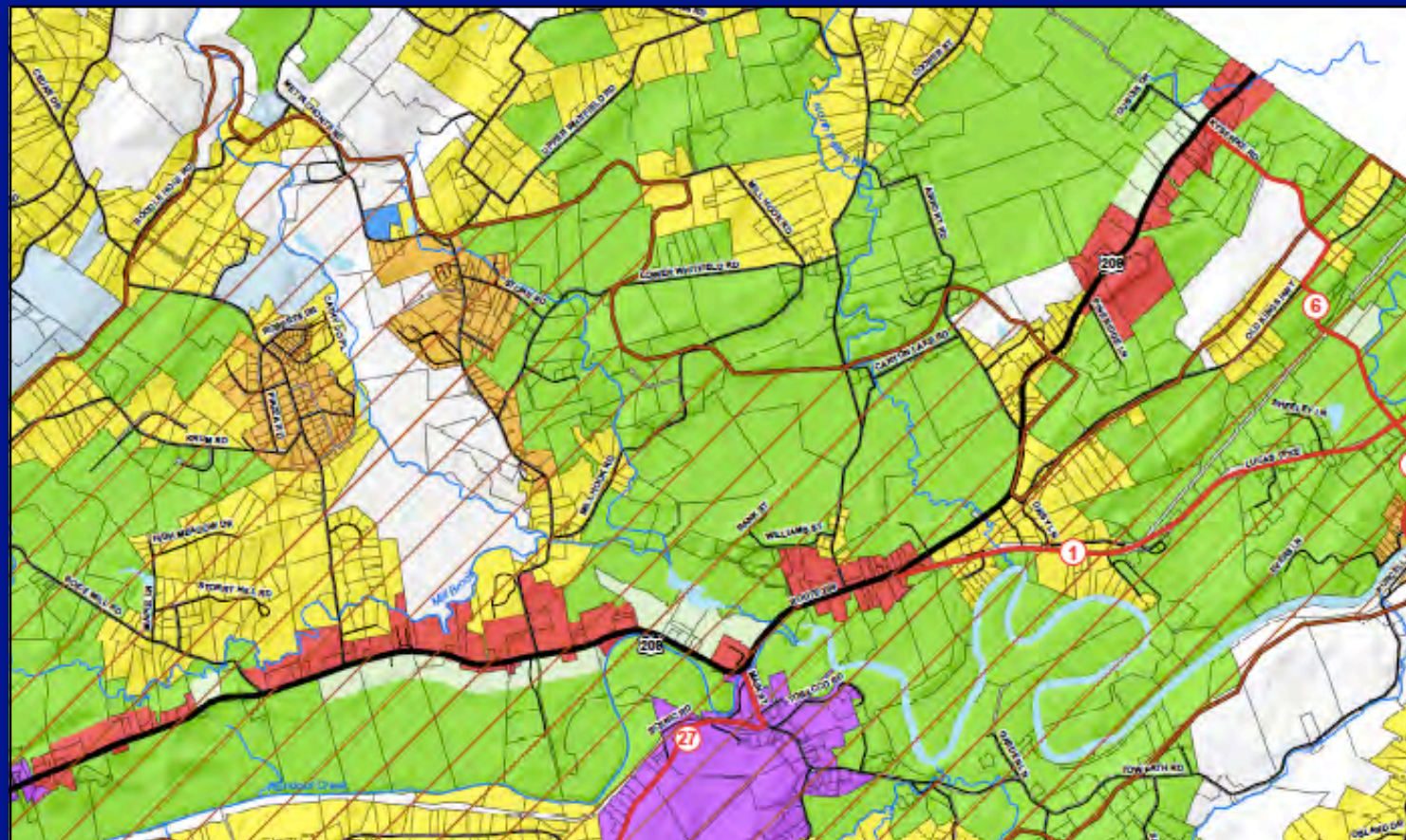
* Requires site plan review by Planning Board



Town of Rochester Zoning Update


Town of Rochester Zoning Law - Schedule of District Regulations

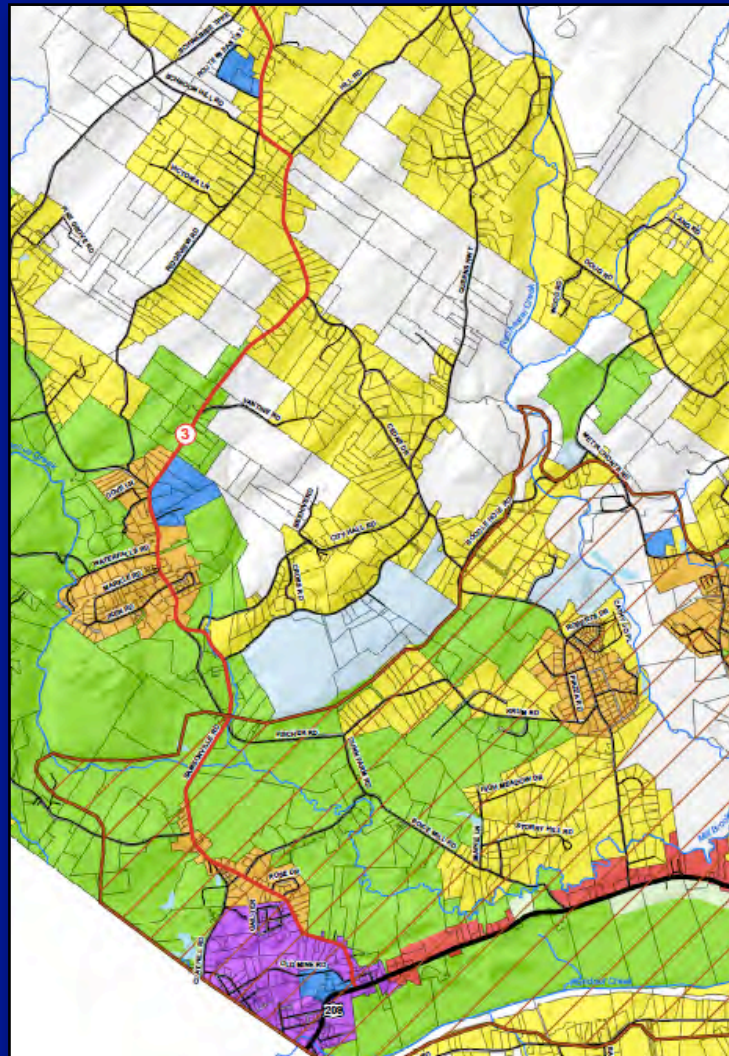
District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
				Residential	Nonresidential
AB-3 Agricultural Business District: This district is recognize and preserve the high-valued agricultural lands of the Town, while allowing for low density residential development of a compatible nature. The district is further intended to complement the adjacent Business District and New York State Ag District program and maintain full rights-to-farm within these areas.	Agricultural retail sales* Agricultural tourism enterprises* Agriculture (animal) Agriculture (non-animal) Bed and breakfast* Cemetery* Day care centers* Fire houses, libraries and other public buildings* Gift, antique or craft shops* Home occupations – Class II* Hunting and fishing clubs Mining of <1,000 tons/year per §140-28* Nursery or greenhouse* One-family dwellings Places of worship* Public parks and playgrounds* Sawmills, temporary portable onsite less than 90 days Stables (commercial)* Two-family dwellings (new) Veterinary office, animal hospital or kennel*	Camping resort or RV park Commercial recreation uses Commercial sawmills Golf course or driving range Health care institutions Helicopter pads Home occupations – Class III Mixed-use activities Museums, galleries and performance centers Nonprofit club or recreation use Private educational facilities Resort hotel, camp, ranch or lodge Restaurants and taverns Retail or office uses <4,000 sq. ft. (no gasoline sales) Seasonal lodging units Spa or health clubs Telecommunications facilities Two-family dwellings (conversions) Warehouse and storage facilities	Agricultural labor housing* Farm mining per §140-28 Farm stands Home occupations – Class I Other customary accessory uses Parking areas Private garages Signs Stables (private) Tool sheds	Minimums: Lot area: 3.0 Lot width (feet): 160 Lot depth (feet): 160 Lot frontage (feet): 50 Front yard: 60 Side yard: 40 Rear yard: 40 Maximums Lot coverage: 30% Building height (feet): 35 Building stories: 2.5	3.0 160 160 50 60 40 40 35% 35 2.5
	* Requires site plan review by Planning Board		* Requires site plan review by Planning Board	Note: Performance standards of §140-20 may apply.	



Town of Rochester Zoning Update


Town of Rochester Zoning Law - Schedule of District Regulations

District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
I Industrial District: This district is intended to recognize existing areas of industrial activity, allow for expansion of these uses and to protect these uses from intrusions of incompatible uses.	Agricultural processing facilities* Agricultural retail sales* Agriculture (animal) Agriculture (non-animal) Home occupations – Class III* Light manufacturing* Mining of <1,000 tons/year per §140-28* Nursery or greenhouse* Sawmills, temporary portable onsite less than 90 days*	Bulk fuel storage Commercial sawmills Distribution facilities General manufacturing Mixed use Nonprofit club or recreation use One-family dwelling Resource recovery, vehicle junkyard & wrecking Self-storage facilities Telecommunications facilities Trucking services Warehouse and storage facilities Wholesale uses	Farm stands Home occupations – Class I Home occupations – Class II Other customary accessory uses Parking areas Private garages Signs Tool sheds	Residential	Nonresidential
				Minimums: Lot area (without sewer) 1.0 acre Lot area (with sewer): 1.0 acre Lot width (feet): 160 Lot depth (feet): 160 Lot frontage (feet): 50 Front yard: 60 Side yard: 40 Rear yard: 40	1.5 acre 1.5 acre 225 225 50 100 75 75
	* Requires site plan review by Planning Board			Maximums Lot coverage: 30% Building height (feet) 35 Building stories 2.5	50% 45 N/A
				Note: Performance standards of §140-20 may apply.	

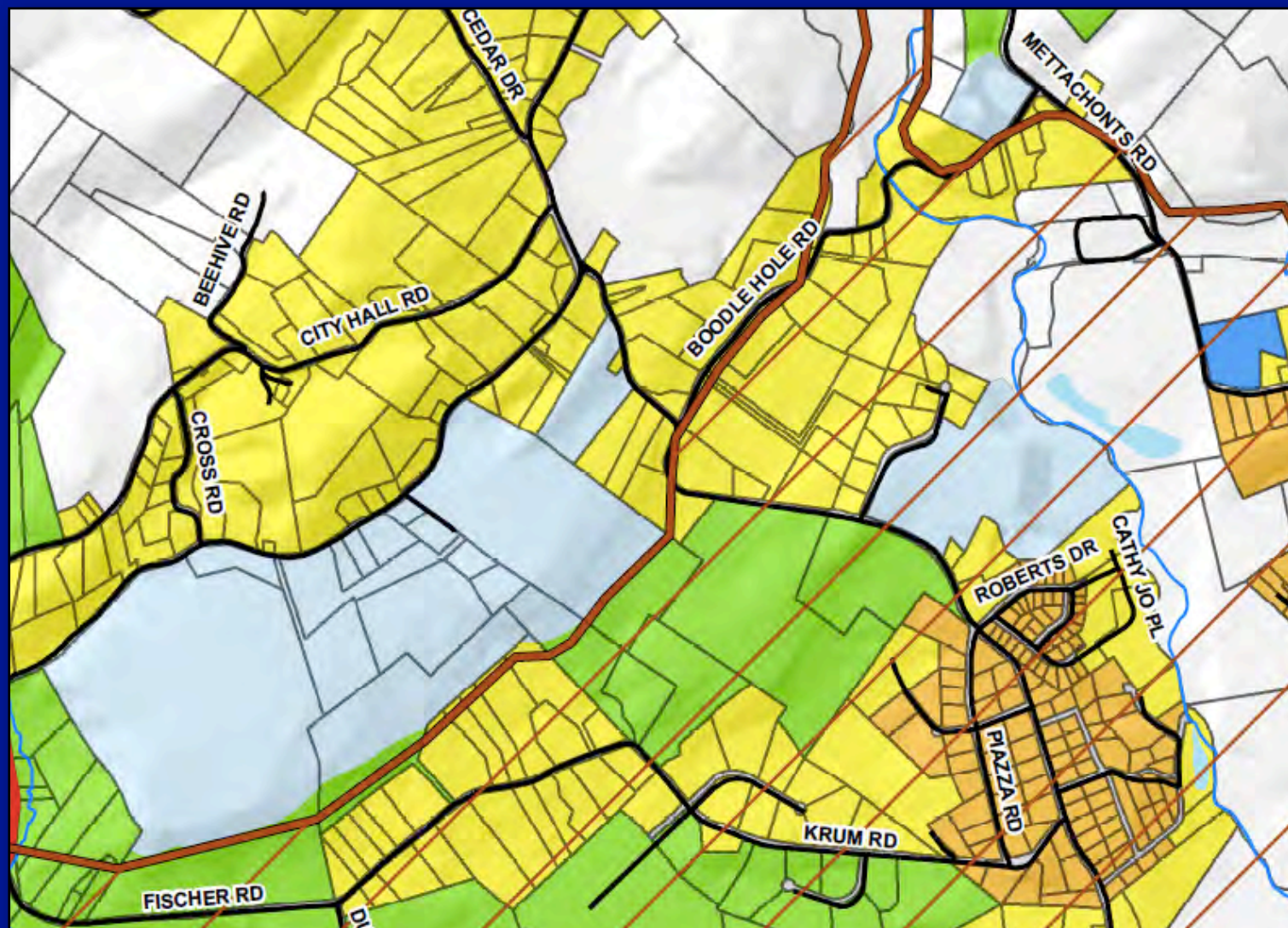


Town of Rochester Zoning Update

Town of Rochester Zoning Law - Schedule of District Regulations

District Intent	Principal Permitted Uses	Special Uses	Accessory Uses	Development Standards	
NR Natural Resource District: This district is intended to recognize existing areas of mining activity, allow for expansion of such uses and to protect these uses from intrusions of incompatible uses.	Agriculture (animal) Agriculture (non-animal) Agricultural processing facilities* Agricultural retail sales* Home occupations – Class III* Mining (under DEC jurisdiction)* Mining of <1,000 tons/year per §140-28* Nursery or greenhouse* Sawmills, temporary portable onsite less than 90 days*	Bulk fuel storage Commercial sawmills Distribution facilities General manufacturing Light manufacturing Mixed use Nonprofit club or recreation use One-family dwelling Resource recovery, vehicle junkyard & wrecking Self-storage facilities Telecommunications facilities Trucking services Warehouse and storage facilities Wholesale uses	Farm stands Home occupations – Class I Home occupations – Class II Other customary accessory uses Parking areas Private garages Signs Tool sheds	Residential	Nonresidential
				Minimums: Lot area (without sewer) 1.0 acre Lot area (with sewer): 1.0 acre Lot width (feet): 160 Lot depth (feet): 160 Lot frontage (feet): 50 Front yard: 60 Side yard: 40 Rear yard: 40 Maximums Lot coverage: 30% Building height (feet) 35 Building stories 2.5	1.5 acre 1.5 acre 225 225 50 100 75 75 50% 45 N/A
	* Requires site plan review by Planning Board			Note: Performance standards of §140-20 may apply.	

* Requires site plan review by Planning Board



Town of Rochester Zoning Update

Town of Rochester Zoning Law **DRAFT FOR REVIEW PURPOSES - MAY 11, 2009**

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Official Zoning Map

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Landscaping Guidelines

- *Flexible review criteria*
- *Site Plan Review & Special Uses*
- *Buffers residences from commercial*
- *Promotes native species*



Parking Standards

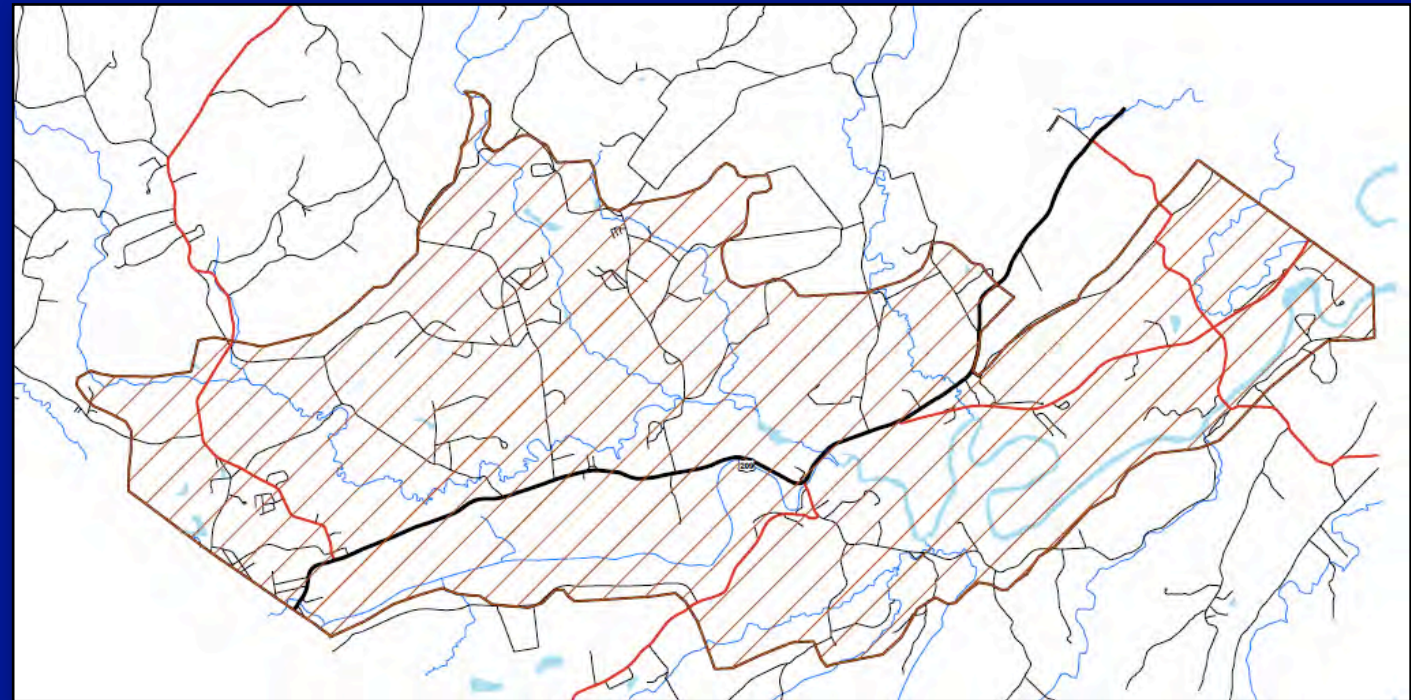
- *Flexible criteria that ensure adequacy*
- *Adaptable to new uses*
- *Route 44/55 and Route 209 access*
- *Defines traffic study requirements*



Town of Rochester Zoning Update

Aquifer Protection

- *Overlay approach*
- *Restricts uses affecting recharge*
- *Limits impervious surface*
- *Extra look at 2,000 gpd withdrawals*



Storm Water Management

- *References DEC standards*
- *Addresses local reviews*
- *Maintenance protections*
- *Encourages natural methods*



Town of Rochester Zoning Update

Mixed Use

- *Traditional neighborhood*
- *Permits revitalization*
- *Pedestrian encouragement*
- *Strengthens centers*

Signs

- *User friendly schedule*
- *Realistic*
- *Flexibility*
- *Surface area definition*



SUBDIVISION REGULATIONS:

Exempt subdivisions (natural subdivisions & lot improvements)

Minor subdivisions (no improvements)

Major subdivision (one with improvements)



Town of Rochester Zoning Update

Town of Rochester Subdivision Law - DRAFT, MAY 11, 2009

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Town of Rochester Zoning Update

Design Criteria

- *Utilizes natural features in design*
- *Storm water management*
- *Road standards*
- *Updates application requirements*



Conservation Subdivisions

- *Developer option with incentives*
- *Encourages open space preservation*
- *Flexible design approach*
- *Economic infrastructure*



TOWN OF ROCHESTER

ZONING UPDATE 2009

