

Town of Southport, NY Zoning Update Public Meeting



Southport Community Center

April 21, 2015, 6:00-7:30 p.m.

Lisa Nagle, AICP, Principal

Elan Planning/Design/Landscape Architecture PLLC

Nicolette Barber, AICP, LEED-ND, Planner

Hunt Engineers, Architects & Land Surveyors, P.C.

Agenda



- Comprehensive Plan
- Linking the Comprehensive Plan and Zoning
- Project Status
- Questions and Comments

Comprehensive Plan



- What is happening in your community?
- How do you anticipate what is coming?
- What would you like the community to be, and how should it look?
- How do you accomplish and sustain that vision?

Comprehensive Plan



- Build on previous planning efforts.
- Engage the public to help determine assets, opportunities and needs.
- Produce a shared vision for the future.
- Develop recommendations to implement policies and objectives.
- Create a future land use plan that exhibits a sustainable approach for growth.
- Outline a specific implementation plan to achieve the vision.

Creating a Strategy-Based Planning Document



The Comprehensive Plan

Inventory & Analysis

- Demographic analysis of past, present, and future
- Assessment of land use patterns
- Build-out analysis
- Recreational needs assessment
- Historic features

Recommendations and the Future Land Use Plan

- Vision
- Goals, objectives and policies by topic area
- Graphical depiction of desired build-out scenario

Implementation Strategy

- Immediate, short, and long-term
- Report card
- Training and education

Implementation Strategy



Recommendation	Project Champion	Potential Partners/Funding	Immediate*	Short-Term	Medium-Term	Long-Term	Ongoing
Goal 1: To gain town wide recognition and support of agricultural resources							
1.1 Establish and maintain an Ag & Farm Committee	Town Board	Town Board, Town Attorney	H				
1.2 Ensure implementation of the town policy of having farmer representation on the Planning Board, Zoning Board of Appeals, and any formal committee of the Town	Ag & Farm Committee	Town Board, Planning Board, Zoning Board of Appeals	H				
1.3 Add a part-time professional planner to advance ag/farmland protection	Town Board	Town Board	H				
1.4 Support zoning changes recommended in the farm-friendly audit	Town Board	Zoning Board of Appeals	H				
1.5 Develop Agriculture Protection Guidelines	Ag & Farm Committee	Town Board	H				v
Goal 2: To protect and enhance the Town of Ballston's agricultural resources							
2.1 Provide information to farmers and farmland owners	Ag & Farm Committee	Cornell Cooperative Extension of Saratoga, American Farmland Trust, NYS Ag and Markets, FSA in Washington County, Farm Bureau	H				
2.2 Explore feasibility of Purchase or Lease of Development Rights program	Ag & Farm Committee	Ballston Town Attorney, Saratoga County, USDA Farmland Protection Grants, NYS Farmland Protection Grants, Ag Stewardship Association, Cornell Cooperative Extension of Saratoga County, Saratoga Plan	H				
2.3 Explore various zoning techniques to protect farmland	Ag & Farm Committee	American Farmland Trust		M			
2.4 Develop and implement a program for prospective/young farmers	Ag & Farm Committee	USDA Beginning Farmer and Rancher Development Program (BFRDP), ATTRIA, National Young Farmers Coalition, The Greenhorns, NY Farmnet		M			

Project Background



- Comprehensive Plan adopted March 2014
- In NY, zoning ordinances must be in conformance with an adopted comprehensive plan.
- NYSERDA funding for the zoning update awarded 2014
- Consultants chosen and Steering Committee appointed
- Project began October 2014



**Town of Southport
Final Comprehensive Plan**
Town of Southport, New York
March 2014



Zoning



Zoning is the means by which the government regulates real property within its jurisdiction with a view to protect the health, safety, morals and general welfare of the public under the police power.

Zoning must be enacted in accordance with a well-considered comprehensive plan in order to avoid an arbitrary exercise of government power.

How does a CP relate to Zoning?



The comprehensive plan is insurance that the ordinance bears a “reasonable relation between the end sought to be achieved by the regulation and the means used to achieve that end.”

*James A. Coon Local Government Technical Series
Zoning and the Comprehensive Plan*

Project Background



Zoning Ordinance Update

1. Funded by Round 2 of NYSERDA's *Cleaner, Greener Communities* program
2. Goal is to update zoning to reflect specific “high-priority” actions stated in the Comprehensive Plan.
3. Form-based code for town centers.

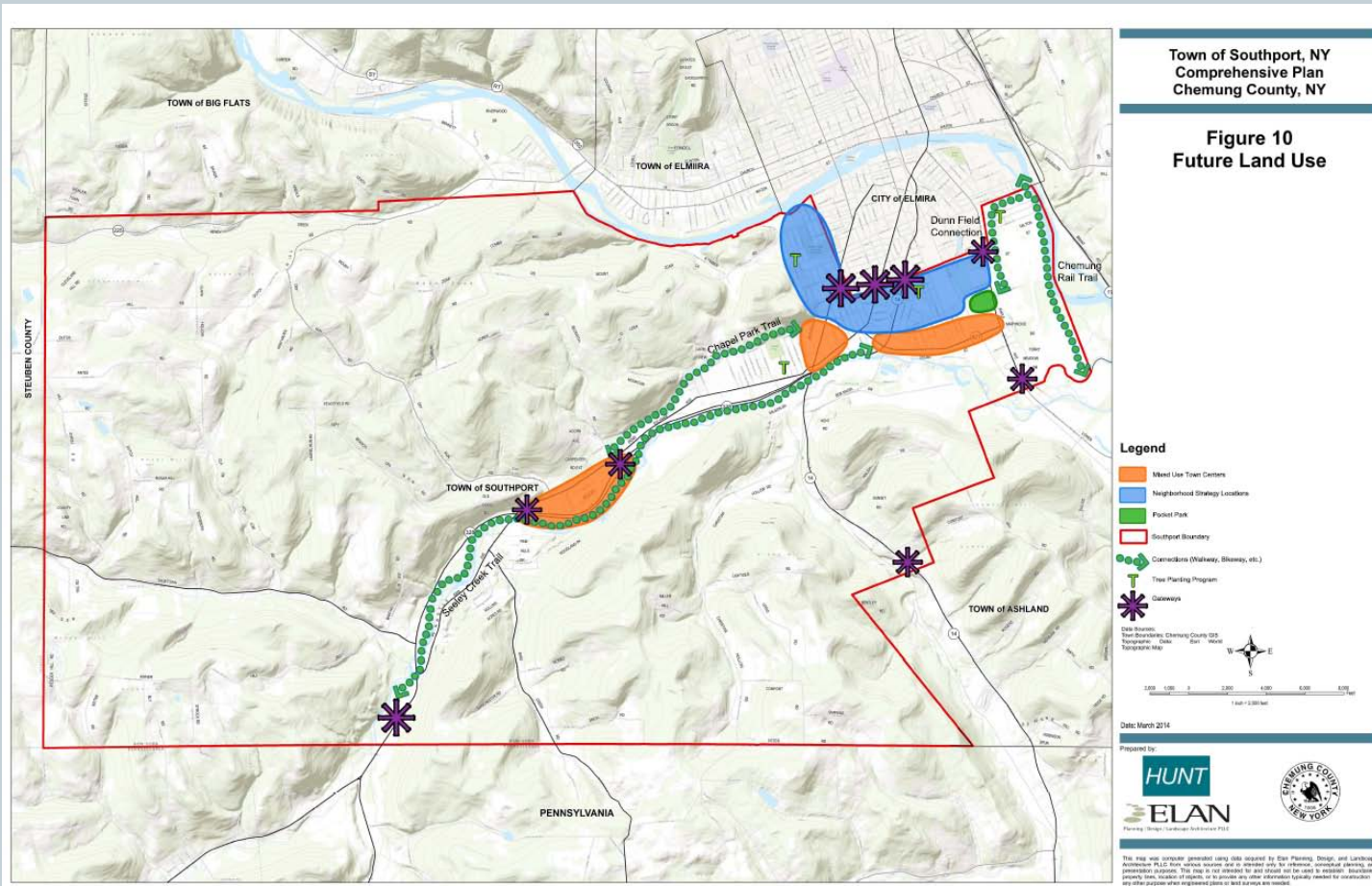
Starting the zoning changes

1. Prepare Diagnostic Report
2. Purpose: reiterate vision and goals of the Comprehensive Plan

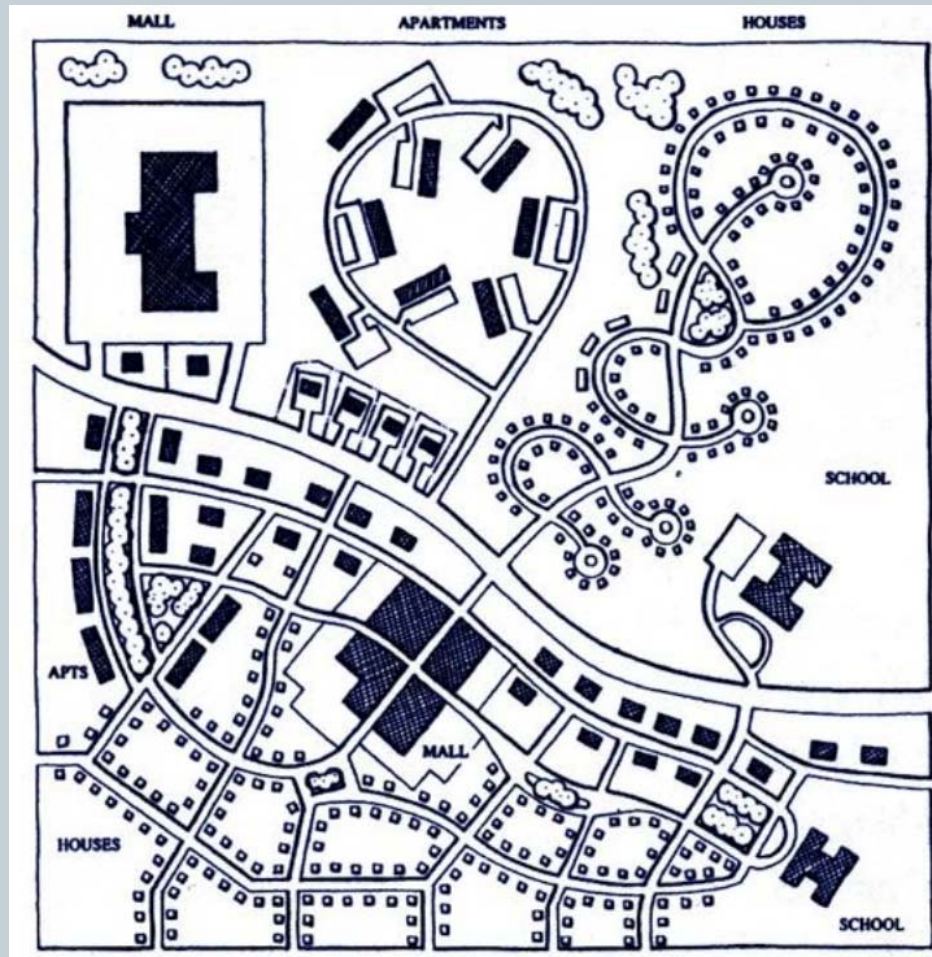
Project Background



Future Land Use map proposed increased density in Bulkhead, Cedar Street, Pine City.



Form-Based Code



Traditional neighborhood:

- Mix of land uses
- Configuration based on historic street pattern
- Walkable

Conventional Zoning:

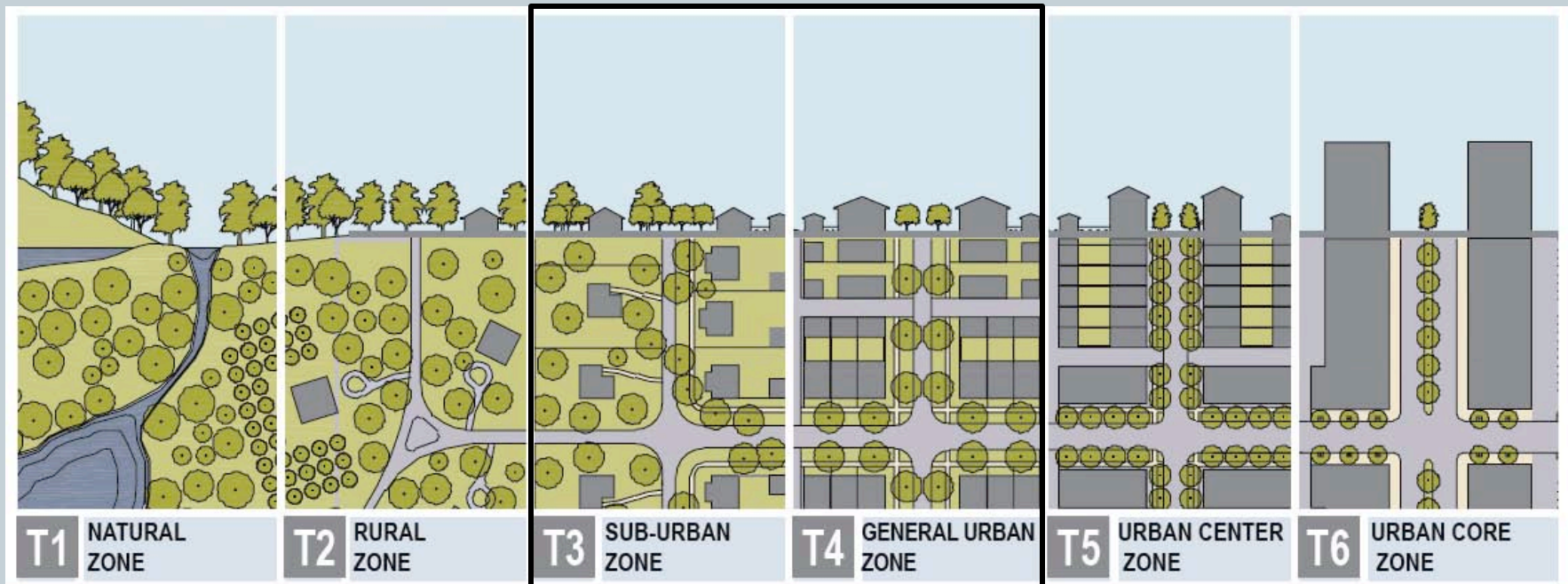
- Separation of land uses
- Single use districts
- Lack of connectivity

Form-Based Code



Form-based codes in CN and CR:

- Concerned with the relationship between building facades and the public realm
- Form and mass of buildings in relation to one another
- Scale and types of streets and blocks



Form-Based Code

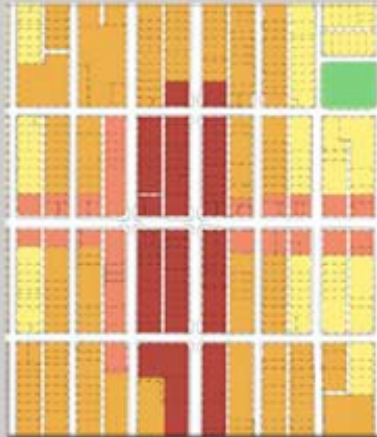


URBAN DESIGN



Illustrative Plan

FORM-BASED CODE



Regulating Plan



Building Form Standards



Public Space Standards



20

PAY BY PHONE
PARKING

628-257-4011

43

Lawyer

Genuine Italian

Wolfe State
Historic St



Commun
Theatre







flow
handmade adornments
BODY + HOME

YOU WANT
TO KNOW
WHAT'S
NEW?

Jeep

Town of Southport



- **Moving from the plan to the specifics/laws presents challenges:**
- ❖ A stakeholder walking tour found that increased density may not work in practice.
- ❖ The Steering Committee voiced concern that the market would not likely support a 2-story minimum.



Town of Southport



Cedar Street: industrial character



Bulkhead: regional shopping



The 'Street Wall'



Bulkhead, Southport



Bridge Street, Corning

Form-Based Approach for Commercial Zones



Comprehensive Plan Goals



1. Generate Economic Development Opportunities
2. Accommodate the Changing Population
3. Enhance the Community Character
4. Protect Natural and Historic Resources

How can zoning do these things?



Town of Southport
Final Comprehensive Plan
Town of Southport, New York
March 2014



Diagnostic Report



GOAL #1: Generate Economic Development Opportunities

Action: Examine zoning along important corridors to determine ideal development strategy.

- Areas designated for increased density in future land use map: Bulkhead, Cedar Street, Pine City.
- Setbacks, lot coverage and heights revised

Action: Consider lower parking requirements for offices and commercial uses.

- Parking table for CN and CR reviewed; most uses will have off-street parking spaces decided in conversation with the Planning Board “per site plan review”

Action: Allow small pockets of commercial in residential neighborhoods.

- PDD process for new development

New form-based regulations for CN and CR

• Setbacks, lot coverage and heights revised

TABLE . COMMERCIAL NEIGHBORHOOD (CN)

DRAFT-NOT FOR DISTRIBUTION

Town of Southport, NY

(See Table 1)

BUILDING CONFIGURATION	
Principal Building	35' max, 2 stories max.
Accessory	2 stories max.
LOT OCCUPATION	
Lot Width	50 ft. min.
Lot Coverage	65% max.
SETBACKS - PRINCIPAL BUILDING	
(g.1) Front Setback Principal	10 ft. min.
(g.2) Front Setback Secondary	25 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	10 ft. min.
SETBACKS - ACCESSORY	
(h.1) Front Setback Principal	20 ft. min. + bldg. setback
(h.2) Front Setback Secondary	5 ft. min. or 3 ft. at corner
(h.3) Side Setback	5 ft. min.

PRIVATE FRONTAGES (See Table 2)

Common Lawn	permitted
Porch & Fence	permitted
Terrace or Lightwell	permitted
Panoramic	permitted
Stoop	not permitted
Shopfront & Awning	not permitted
Gallery	not permitted
Arcade	not permitted

PARKING PROVISIONS

(See Article ., Parking and Off-Street Loading)

"ft." stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

BUILDING CONFIGURATION

- Building height shall be measured in number of stories excluding Attics.

- Stories may not exceed 12 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 22 feet.

- Height: see building height definition.

SETBACKS - PRINCIPAL BLDG.

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.

- Facades shall be built along the Principal Frontage to the minimum specified width in the table.

SETBACKS - ACCESSORY BUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.

PARKING PLACEMENT

- Uncovered parking spaces may be provided within the second and third Layer.
- Covered parking shall be provided within the third Layer.
- Traffic containers shall be stored within the third Layer.

BUILDING CONFIGURATION

Principal Building	35' max, 2 stories max.
Accessory	2 stories max.

LOT OCCUPATION

Lot Width	50 ft. min.
Lot Coverage	65% max.

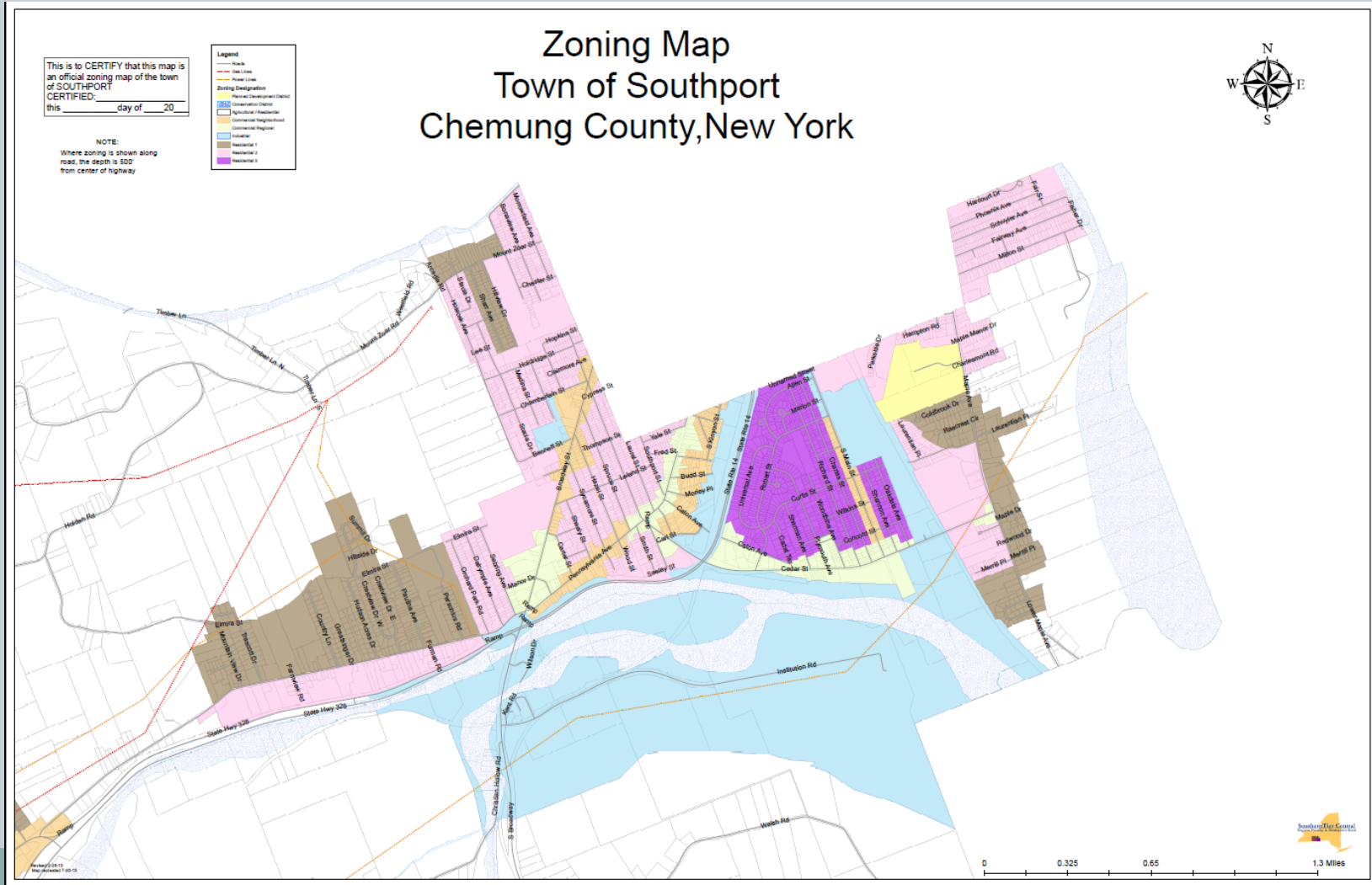
SETBACKS - PRINCIPAL BUILDING

(g.1) Front Setback Principal	25 ft. min.
(g.2) Front Setback Secondary	25 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	10 ft. min.

SETBACKS - ACCESSORY

(h.1) Front Setback Principal	20 ft. min. + bldg. setback
(h.2) Front Setback Secondary	5 ft. min. or 3 ft. at corner
(h.3) Side Setback	5 ft. min.


Zoning Map changes



Zoning Map changes




Legend

- Roads
- Gas Lines
-  Senior_overlay





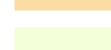




Zoning Designation

-  Planned Multiple Residential
-  Conservation District
-  Agricultural / Residential
-  Commercial Neighborhood
-  Commercial Regional
-  Industrial
-  Residential Transition
-  Residential 1
-  Residential 2
-  Residential 3

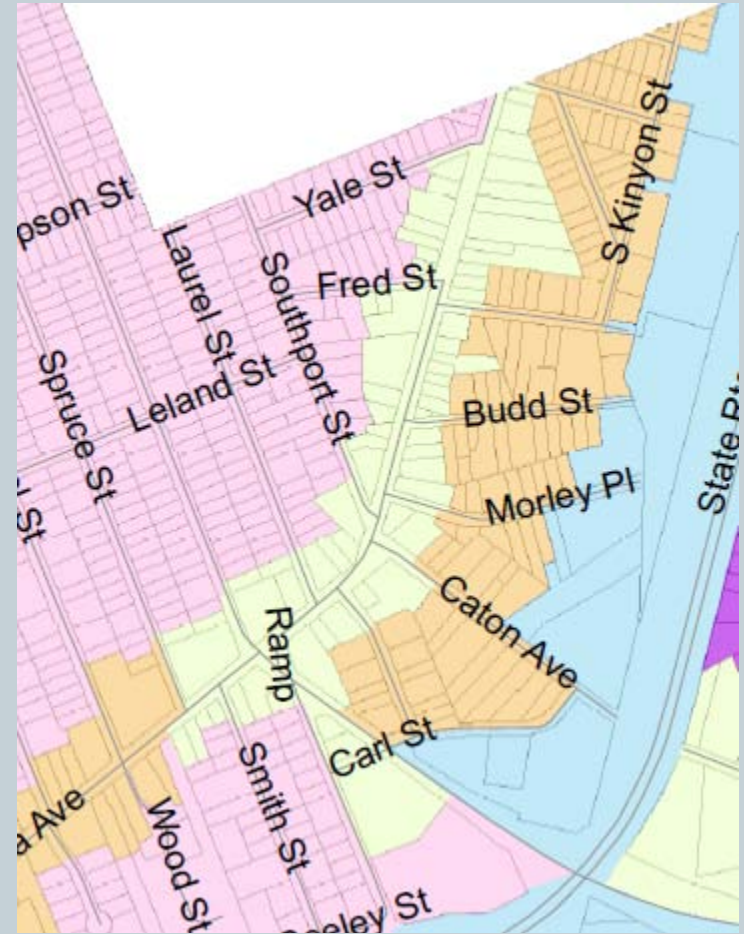
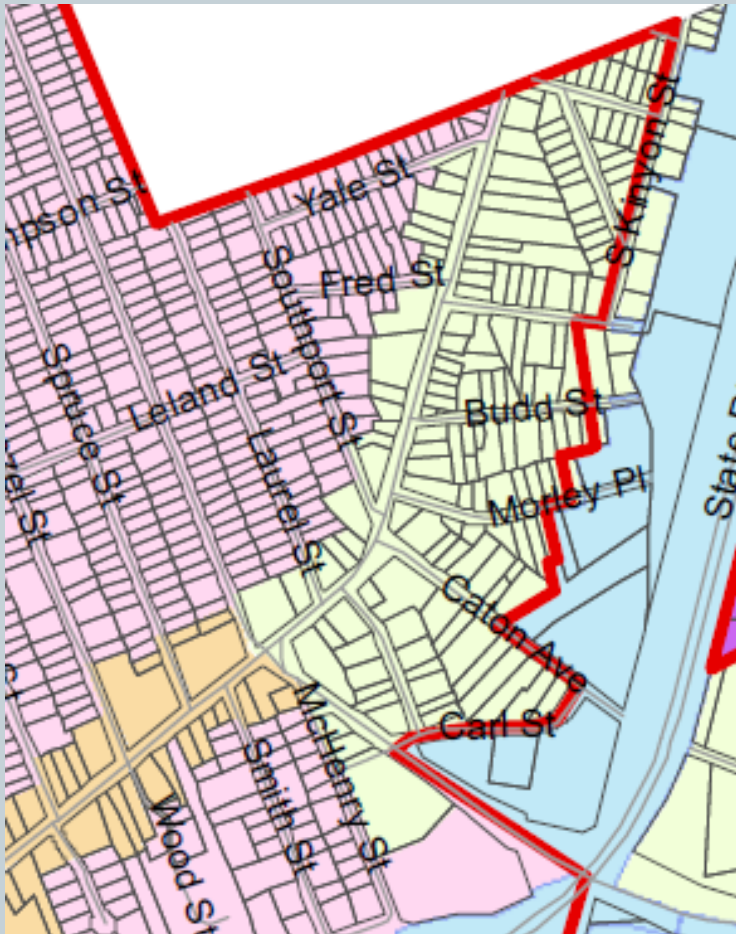
Legend

- Roads
- Gas Lines
-  Power Lines

Zoning Designation

-  Planned Development District
-  Conservation District
-  Agricultural / Residential
-  Commercial Neighborhood
-  Commercial Regional
-  Industrial
-  Residential 1
-  Residential 2
-  Residential 3

Zoning Map changes



Diagnostic Report



GOAL #2: Accommodate the Changing Population

Action: Allow accessory apartments in designated zoning districts.

- Revise Use Regulation Table

Action: Investigate definitions of “family” to regulate use of accessory apartments.

- Revise definition of “family” and “home occupation” where permitted, consider different levels of home occupation and review

Action: Consider allowing “live work” units by defining and allowing this use in zoning.

- Update definitions and use table

Action: Establish the infrastructure to allow seniors to “age in place”

- Remove PMR and PSHOD districts and replace with PDD

Diagnostic Report



GOAL #3: Enhance the Community Character

Action: Consider restricting the modification of single-family homes into multi-family structures in specific zoning districts.

- Review locations for multi-family housing; examine multi-unit uses and PMR District purpose and location

Action: Encourage future development to locate within Bulkhead, Cedar St, Pine City.

- Form-Based Code in CN and CR

Action: Encourage mixed-use on underutilized or vacant sites within Bulkhead, Cedar Street, Pine City.

- Form-Based Code in CN and CR

Action: Encourage the development of walkable, connected neighborhoods

- Form-Based Code in CN and CR; commercial sundries allowed in PDD

Diagnostic Report



GOAL #4: Protect Natural and Historic Resources

Action: Adopt a conservation subdivision in places of a cluster subdivision.

- Residential Cluster Development (RCD) regulations in AR zone

Action: Provide buffers around streams restricting vegetation removal in the 50' buffer

- Map both 50' and 100' stream buffers for purposes of comparison

Action: Implement higher floodplain management standards.

- Examine site plan review to ensure consistency with floodplain damage prevention local law

Action: Promote green infrastructure techniques

- Incorporate into parking requirements and site plan review procedures

Action: Locate future development away from important natural resources

- 100' buffer around State wetlands (consider 100' buffer around streams)
- Modify conservation subdivision regulations (new RCD language)

Southport's Zoning Code

Chapter 525 in the Town Code

Chapter 525. ZONING

[HISTORY: Adopted by the Town Board of the Town of Southport 8-27-1946; printed as codified as Ch. 30 of the 1975 Municipal Code, as amended; amended in its entirety 6-10-2008 by ordinance (Res. No. 114-2008). Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Land use boards — See Ch. 15.
Empire Zones — See Ch. 39.
Air pollution — See Ch. 185.
Numbering of buildings — See Ch. 227.
Unsafe buildings — See Ch. 234.
Uniform construction codes — See Ch. 245.
Building permit fees — See Ch. 286, Art. I.
Flood damage prevention — See Ch. 307.
Mobile homes and mobile home parks — See Ch. 352.
Property maintenance — See Ch. 402.
Signs — See Ch. 425.
Site plan review — See Ch. 431.
Stormwater management; erosion and sediment control — See Ch. 452.
Subdivision of land — See Ch. 464.
Swimming pools — See Ch. 468.

525a Use Req Table

525b Bulk and Density Cont Sch

Article I. Title, Purpose and Authority

§ 525-1. Short title.

This chapter shall be known as the "Zoning Law of the Town of Southport, N.Y.," and may be cited as "Town of Southport Zoning Law."

§ 525-2. Authority.

Pursuant to Article 16 of the Town Law of the State of New York, the Town Board of the Town of Southport, in the County of Chemung, State of New York, hereby resolves, enacts and publishes as follows.

§ 525-3. Purpose.

- A. The zoning regulations and districts herein set forth and as identified upon the Zoning Map of the Town of Southport⁽¹⁾ are made to promote the public health, public safety, and general welfare of the

Town of Southport, NY
Wednesday, April 1, 2015



Use Regulation Table

ZONING

525 Attachment 1

Town of Southport

Use Regulation Table

[Amended 3-10-2009 by ordinance (Res. No. 65-2009); 5-10-2011 by ordinance (Res. No. 87-2011)]

ZONING DISTRICTS:

AR Agricultural Residential
R1 Residential Low Density
R2 Residential Moderate Density
R3 Residential High Density
PMR Planned Multiple Residential
RT Residential Transition
CN Commercial Neighborhood
CR Commercial Regional
I Industrial
C Conservation

KEY:

Use designations:

P Permitted as of right
S Permitted under site plan approval by Planning Board
F Permitted in a floating zone
X Permitted in existing structure site plan for demolition/expansion of existing structure or new construction
P+S Permitted if principal use is permitted; site plan if principal use requires
Blank Not permitted in that district

Use	District									
	AR	R1	R2	R3	PMR	RT	CN	CR	I	C
Residential										
Single-unit dwelling	P	P	P	P	F	P	P			
Two-unit dwelling	P		P	P	F	P	P			
Midunit dwelling					S	F	S			
Alternative dwelling park	S									
Bed-and-breakfast	P		S			S	S			
Inn	S									
Boardinghouse							S			
Dwellings with a business	S					S	S			

525 Attachment 1:1

06-01-2011

Bulk and Density Control Schedule

ZONING

525 Attachment 2

Town of Southport

Bulk and Density Control Schedule

[Amended 11-12-2008 by ordinance (Res. No. 174-2008); 5-10-2011 by ordinance (Res. No. 87-2011)]

District Use	Minimum Lot Area Per Principal Use		Minimum Yard Requirements (setbacks)			Maximum Lot Coverage (%)	Maximum Building Height		Minimum Habitable Dwelling Area Per Unit (square feet)
	Residential (acres)	Other Use (acres)	Minimum Lot Width (feet)	Front (feet)	Side (feet)	Rear (feet)	Feet	Stories	
Agriculture									
Crop		5	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Livestock		10	N/A	N/A	150	150	N/A	N/A	N/A
Industrial		100							
Stable, commercial		10	150						
One-unit dwelling	3		150	40	20	40	15	25	2
Two-unit dwelling	4.5		150						
Alternative dwelling park		25	250						
Mini storage		2	150	40	20	40	35		
Compassroad		5	250						
Flex machines		5	250						
Heavy equipment repair		5	250						
Industrial uses		2	150						
Dwelling with business	3	1.5	150						
Other uses		1	150						

525 Attachment 2:1

06-01-2011

Progress so far...



1. Five Steering Committee meetings (open to the public)
2. Stakeholder walking tour (November 2014)
3. Draft changes to zoning map and ordinance prepared
4. First public meeting (tonight!)



Still to go...



1. Final draft zoning ordinance and map changes
2. Public Hearing
3. Recommendation to Town Board
4. Compliance with State Environmental Quality Review Act (SEQRA)
5. Adoption





Questions & Comments