

# Town of Southport, NY Zoning Update Public Hearing



## Southport Community Center

September 16, 2015

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

# Steering Committee



- Justin Faulkner, *Zoning Board of Appeals*
- Glenn Gunderman, *Town Board*
- Marcia Kimball, *Resident*
- Chris Parsons, *Planning Board*
- Peter Rocchi, *Code Enforcement*
- Joseph Roman, *Town Board*
- Susan Silvers, *Resident*
- Mike Stephens, *Planning Board*
- Dan Williams, *Zoning Board of Appeals*

# Project Background



## Zoning Ordinance Update

1. Funded by Round 2 of NYSERDA's *Cleaner, Greener Communities* program
2. Project must address NYSERDA goal: Use land-use planning to accomplish reductions of greenhouse gas emissions and energy usage
3. Town goal is to update zoning to reflect specific "high-priority" actions stated in the Comprehensive Plan.
4. Form-based code for Town centers.

# Project Background



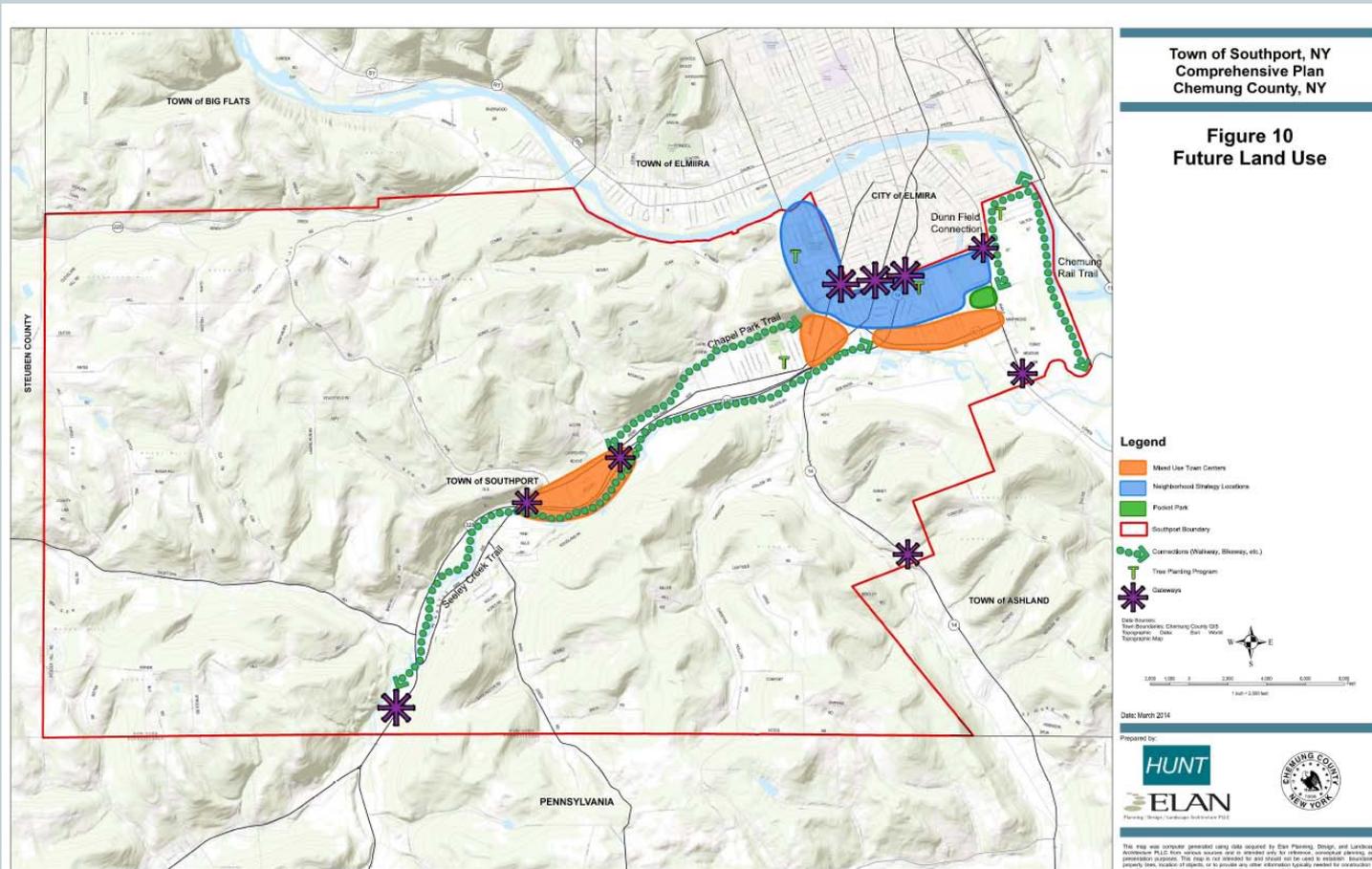
## Mission Statement

1. The Town intends to implement the land-use aspects of the Comprehensive Plan with these zoning changes.
2. The Town supports increased economic activity in its central districts around Pennsylvania Avenue, Bulkhead, and Pine City, while maintaining the quiet and family-oriented character of its residential neighborhoods.
3. The Town supports the preservation of agriculture and the conservation of valuable environmental features in its rural areas.

# Project Background



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



# The Process



1. Nine Steering Committee meetings (open to the public)
2. Stakeholder walking tour (November 2014)
3. Two public meetings at community center
4. Draft changes to zoning map and ordinance prepared



# Why did the Town want to update its zoning?



- Ordinance has not been comprehensively updated in many years
- Planning Board and Zoning Board of Appeals found ordinance difficult to use
- New Comprehensive Plan required different approach to land-use planning
- New York State Energy Research and Development Authority (NYSERDA) provided funding now; savings for the Town
- New York State Town Law requires compliance between Comprehensive Plan and Zoning

# A delicate balance



Business-friendly community

Protection from noise and traffic impacts

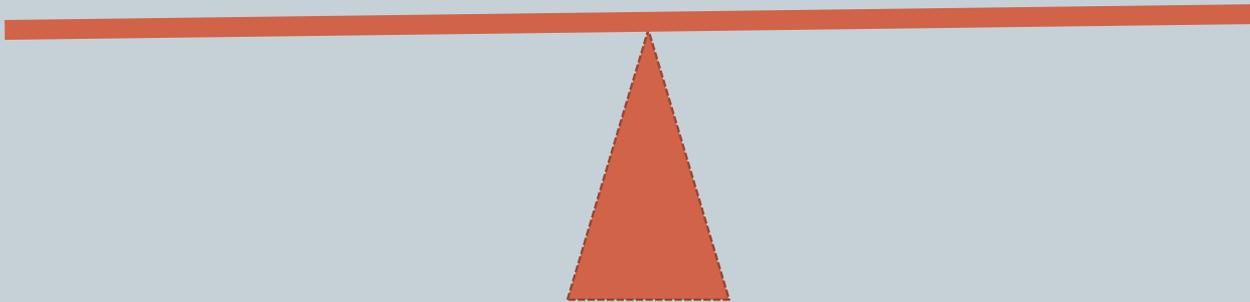
VS.

Freedom to “do what I want with my property”

Protection of neighbors’ property values

Flexibility for project developer and Planning Board

Clear, rigid development requirements



The Steering Committee worked hard to find compromises that work for Southport.

# Changes



- Revised and amended zoning definitions
- Eliminated RT, PMR, and PSHOD districts
- Modified district boundaries for CN and CR districts
- Merge formerly-bisected lots within one district
- Revised district intents to reflect Comprehensive Plan goals
- Introduced special use permit
- Clarified instructions for use regulation table
- Drafted form-based district tables to replace bulk and density control schedule for CN and CR districts
- Updated RCD to allow for conservation subdivisions
- Changed language to commonly understood standards
- Updated site plan requirements
- Deleted town code chapter 431: Site Plan Review and merged with chapter 525: Zoning
- Added provisions for Accessory Dwelling Units in residential areas
- Reviewed and updated sign ordinance
- Revised parking table, gave planning board greater flexibility
- Revised home occupation regulations and introduced live-work units
- Introduced 100' buffer on streams
- Updated requirements for vehicle filling stations, vehicle repair and sales, and contractor's equipment yards
- Simplified administration and enforcement sections
- ... and many more

# Zoning Map changes



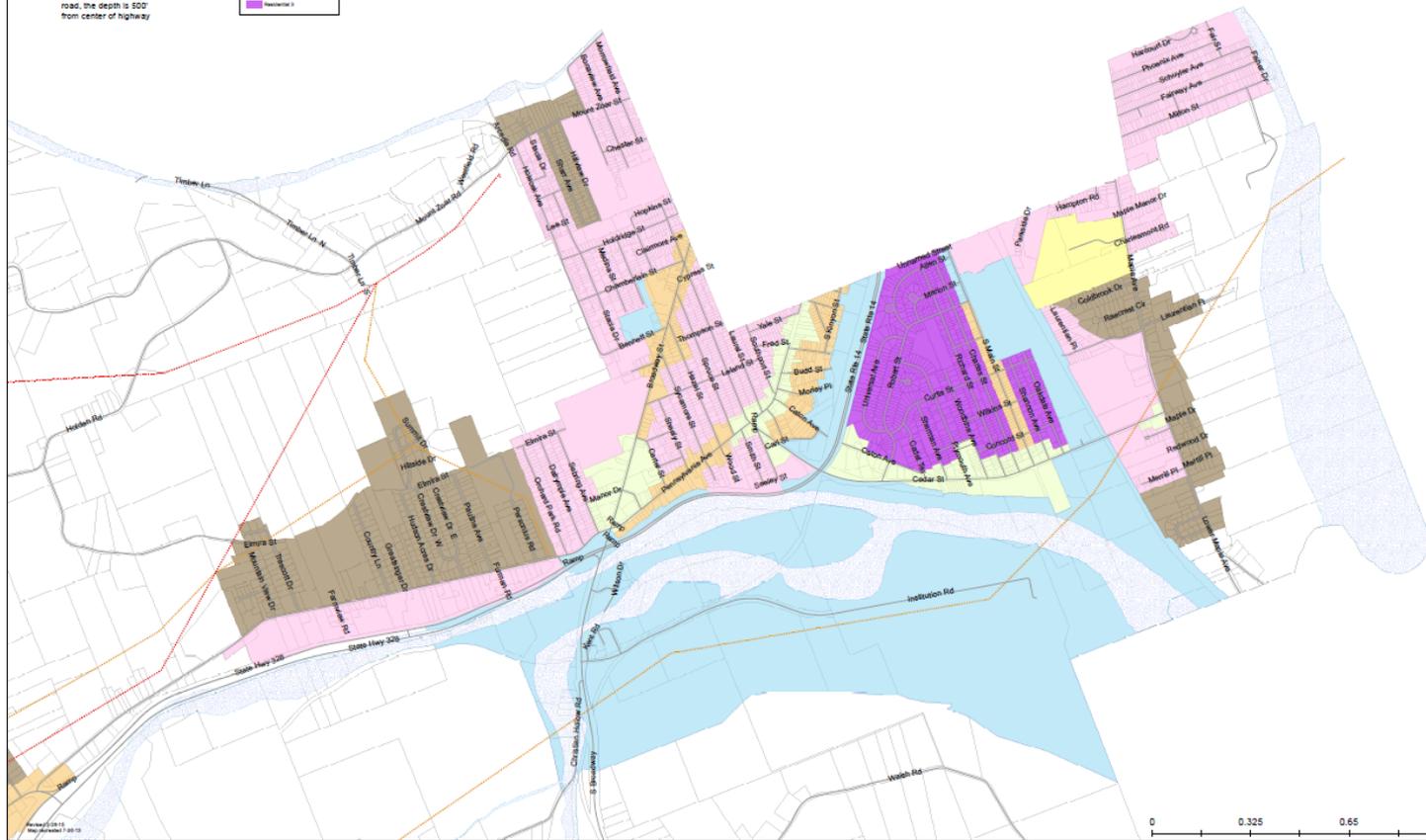
## Zoning Map Town of Southport Chemung County, New York



This is to CERTIFY that this map is an official zoning map of the town of SOUTHPORT  
CERTIFIED: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

NOTE:  
Where zoning is shown along road, the depth is 500' from center of highway

Legend	
—	Route
—	State Lines
—	County Lines
Zoning Designation	
Light Blue	Parkland Development District
Light Green	Conservation District
Light Yellow	Agriculture / Resealable
Light Orange	Commercial Neighborhood
Light Purple	Commercial Regional
Light Blue	Industrial
Light Brown	Residential 1
Light Purple	Residential 2
Light Purple	Residential 3



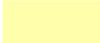
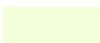
# Zoning Map changes



## Legend

- Roads
- ..... Gas Lines
-  Senior\_overlay

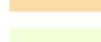
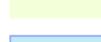
## Zoning Designation

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

## Legend

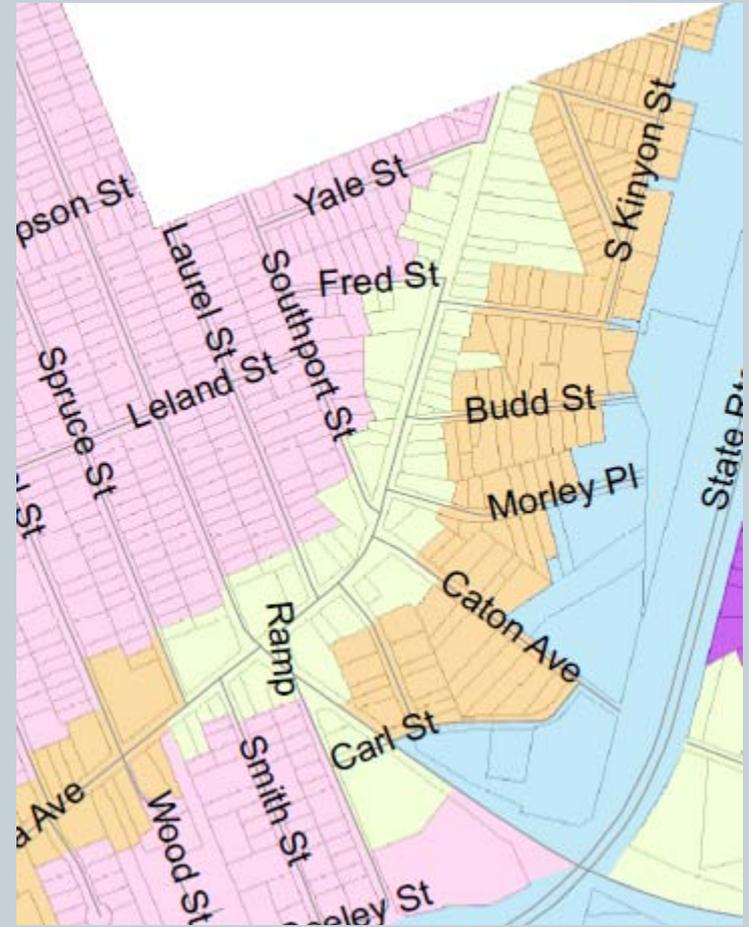
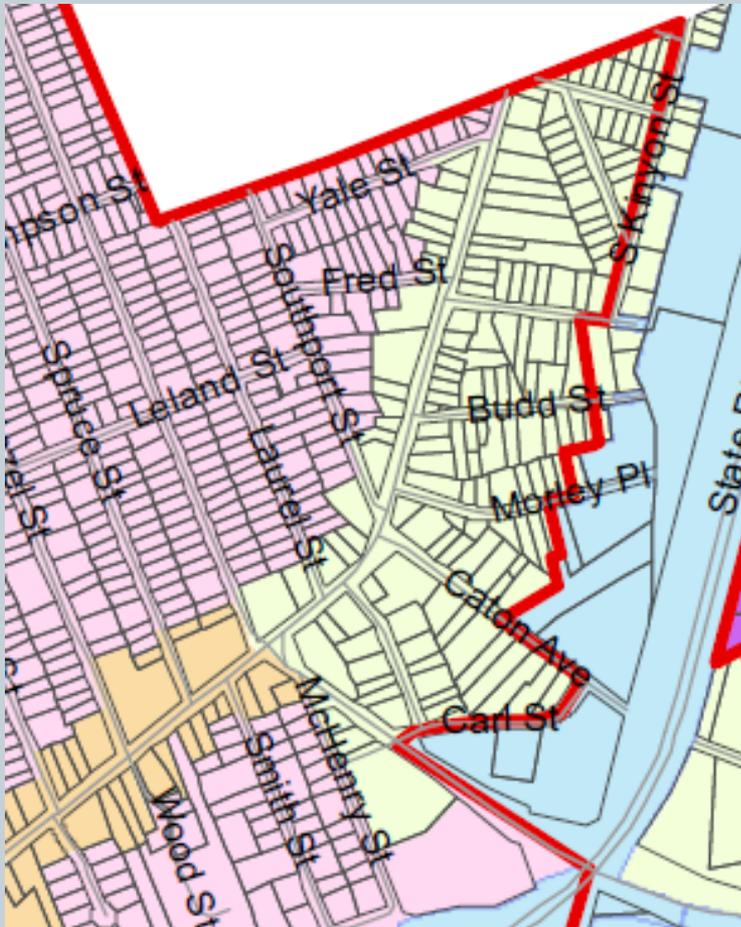
- Roads
- ..... Gas Lines
- ..... Power Lines

## Zoning Designation

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



# Zoning Map changes



# Major Changes



## **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; several uses will have off-street parking spaces decided in conversation with the Planning Board “per site plan review”

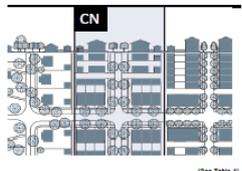
*Action: Allow small pockets of commercial in residential neighborhoods.*

- PDD process for new development

# New form-based regulations for CN

- Setbacks, lot coverage and heights revised

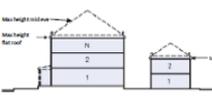
**TABLE . COMMERCIAL NEIGHBORHOOD (CN)** *DRAFT-NOT FOR DISTRIBUTION*  
Town of Southport, NY



(See Table 1)

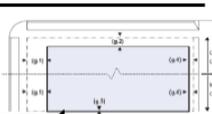
**BUILDING CONFIGURATION**

- 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 PROVISIONS**  
(See Article \_\_, Parking and Off-Street Loading)

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

**PARKING PLACEMENT**

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



**BUILDING CONFIGURATION**

Principal Building	3' 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.

**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
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(h.3) Side Setback	5 ft. min.

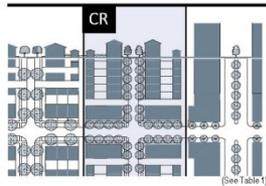
# New form-based regulations for CR



**TABLE COMMERCIAL REGIONAL - CR**

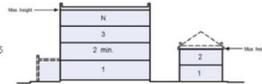
DRAFT-NOT FOR DISTRIBUTION

Town of Southport, NY



**BUILDING CONFIGURATION**

1. Building height shall be measured in number of stories excluding Attics.
2. Stories may not exceed 14 feet in height from finished floor to finished floor, except for a first floor with a maximum of 11 ft and a minimum of 25 ft.
3. Height: See building height definition.



**BUILDING CONFIGURATION**

Principal Building Height and Stories	52' max., 4 stories max.
Accessory Building	2 stories max.

**LOT OCCUPATION**

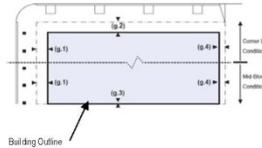
Lot Width	20 ft. min.
Lot Coverage	100% max.

**SETBACKS - PRINCIPAL BUILDING**

(g.1) Front Setback Principal	2 ft. min., 12 ft. max.
(g.2) Front Setback Secondary	2 ft. min., 12 ft. max.
(g.3) Side Setback	0 ft. min., 24 ft. max.
(g.4) Rear Setback	3 ft. min.
Frontage Buildout	80% min. at setback

**SETBACKS - PRINCIPAL BLDG.**

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



**SETBACKS - ACCESSORY**

(h.1) Front Setback Principal	4 ft. min. from rear prop.
(h.2) Front Setback Secondary	5 ft. min.
(h.3) Side Setback	5 ft. max.

**SETBACKS - ACCESSORY BUILDING**

1. The Elevations of the Accessory shall be distanced from the Lot lines as shown.



**PRIVATE FRONTAGES (See Table 3)**

Common Lines	not permitted
Porch & Fences	permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Slopp	permitted
Slitfront & Awning	permitted
Gallery	permitted
Arcade	permitted

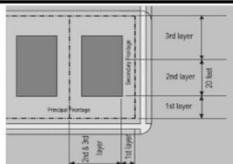
**PARKING PROVISIONS**

(See Article \_\_\_\_ Parking and Off-Street Loading)

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

**PARKING PLACEMENT**

1. Uncovered parking spaces may be provided within the second or third Layer as shown.
2. Covered parking shall be provided within the second or third Layer as shown.
3. Trash containers shall be stored within the third Layer.



**BUILDING CONFIGURATION**

Principal Building Height and Stories	52' max., 4 stories max.
Accessory Building	2 stories max.

**LOT OCCUPATION**

Lot Width	20 ft. min.
Lot Coverage	100% max.

**SETBACKS - PRINCIPAL BUILDING**

(g.1) Front Setback Principal	2 ft. min., 12 ft. max.
(g.2) Front Setback Secondary	2 ft. min., 12 ft. max.
(g.3) Side Setback	0 ft. min., 24 ft. max.
(g.4) Rear Setback	3 ft. min.
Frontage Buildout	80% min. at setback

**SETBACKS - ACCESSORY**

(h.1) Front Setback Principal	40 ft. max. from rear prop.
(h.2) Front Setback Secondary	5 ft. min.
(h.3) Side Setback	5 ft. max.

# Major Changes



## **GOAL #2: Accommodate the Changing Population**

*Action: Allow accessory apartments in designated zoning districts.*

- Revised Use Regulation Table so that accessory apartments (“granny flats”) are allowed

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

- Updated definitions and use table so that “live-work”-units are allowed in CN/CR/AR – districts

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

- Removed PMR and PSHOD districts and replaced with PDD to simplify the process for providing senior-living units

# Major Changes



## **GOAL #3: Enhance the Community Character**

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

- Form-Based Code in CN and CR to allow developers to adapt to changing markets

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

- Form-Based Code in CN and CR allows mix of uses such as residential units above retail

*Action: Encourage the development of walkable, connected neighborhoods*

- Form-Based Code in CN and CR encourages built form that reinforces walking-friendly development; commercial sundries allowed in PDD

# Major Changes



## **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*

- Initiated 100' stream buffer to improve stormwater resilience

*Action: Promote green infrastructure techniques*

- Incorporated shared parking process to reduce impervious surfaces into site plan review procedures
- Also encourage green practices such as porous pavement, bioswales, rain gardens

# Select Issues



## Special Use Permits

- Applied to permitted uses
- Rests with Planning Board – Part of administering the code; it is not an appeal or a variance
- Site Plan addresses site organization (parking, trash, building location, etc.); SUP addresses potential impacts from noise, hours of operation.
- Provides ability to reduce impacts on the ‘neighborhood’
- Special use permit process parallel with site plan review process

# Select Issues



## Contractor's Equipment Yards

- Already had 525-91 that provided many protections
- Edits allowed compromise: small “start-up” businesses allowed in AR District, but bigger businesses only in CR and I Districts
  - Minimum lot size in the AR District: 3 acres
  - No more than 3 commercial vehicles allowed except for ag operations
- Changes in Town Code chapter 497: maximum vehicle weight of 30,000 lbs on roads in the AR District
- Mandatory screening to residential properties

# Select Issues



## Accessory Structures

- Under the old zoning, residents could only have two accessory structures (garages, barns...) on their property.
- Now: any number of accessory structures, but setbacks and lot coverage must still be fulfilled.
- 1,500 sf or larger require site plan review.
- While flexible approach acknowledges that residents “know best,” zoning still limits the impacts on Town resources and neighbors.

# Next Steps



1. Incorporation of Public and Steering Committee (SC) comments
2. Additional comments accepted through Friday 9/25
3. Final SC meeting
4. Recommendation to Town Board; TB closes Public Hearing
5. SEQR Compliance
6. Adoption



# Questions, Comments, a few Rules...



- Please limit oral comments to 3 minutes or less.
- If you have additional comments please email to **crenko@townofsouthport.com** by next Friday, 9/25.
- Written comments may also be placed in the Comment Box tonight.
- Some Q&A and some questions will need to be deliberated by the Steering Committee.

Thank you for attending!