
Session 2, Track 2 - 2024 RHC Annual Conference – Fort William Henry Conference Center, Lake George
Tuesday, September 24th @10:30 am

Site planning process Process- Zoning to Site Plan Review for Multifamily Rental

Panelists:

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&

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Overview: Zoning to Site Plan Review for Multifamily Rental

1. How to Identify the Zone District
2. The Review Process
3. Bulk Area Controls
4. Parking & Access requirements
5. Additional Requirements
6. Formulate the Concept Plan
7. Additional Overlays / review process
8. Formulating the Site plan, and full plan set
9. Additional considerations - Public comment
10. SEQRA process
11. Neighbors of Watertown Apartments
12. Resources

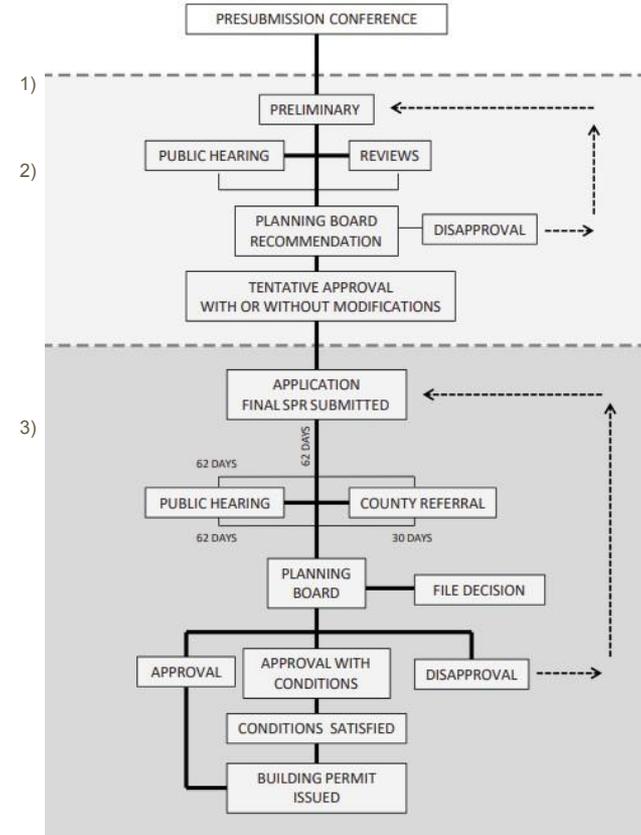


STEP 2: Identify/ Understanding the Review Process

General Regs VI	USES	DISTRICT				
		Hamlet-1 /Hamlet-2	Moderate Intensity	Low Intensity	Rural Use	Resource Management
RESIDENTIAL USES						
x	Dwelling, Accessory	P	P	P	P	P
	Dwelling, Single Family	P	P	P	P	P
	Dwelling, Two Family	P	P	P	P	P
	Dwelling, Multi-family	S	S	S	S	S
x	Dwelling, Manufactured Home			S	S	S

Definitions:

b. DWELLING, MULTIFAMILY – Any building, designed to be occupied in separate dwelling units therein by three or four families; any such building



STEP 3: Identify the bulk area controls

ARTICLE V – DIMENSIONAL REGULATIONS

ARTICLE V DIMENSIONAL REGULATIONS

Dimensional Table

District	Density: # of acres per PB	Minimum		Minimum Setbacks (ft)			Shoreline Restrictions		Max. Building Height (ft) ¹	Max % Lot Coverage	Scenic Overlay Setback (ft)
		Lot Size (ac)	Lot Width (ft)	Front ²	Rear	Side	Min. Lot Width (ft)	Setback (ft)			
Resource Management	42.7	8.5	250	50	75	30	200	100	40	15	150
Rural Use	8.5	5	250	50	75	30	150	75	40	15	150
Low Intensity	3.2	3	150	50	75	30	150	75	40	15	150
Moderate Intensity	1.3	1	100	35	20	20	100	75	40	25	150
Hamlet - 1 ²	N/A	1	60	35	10	10	100	75	40	40	150
Hamlet - 2 ²	-	-	60	35	10	10	100	50	40	40	150

PB – Principal Building Unit

 ¹ 3 story maximum.

 ² Additional Density Requirements

 ³ Front Setback shall be affected from the point at which the width of the lot meets the minimum lot width req.

Note: Reference the Waterfront Overlay District for additional requirements, Article VI – General Regulations.

Additional Density Requirements for Hamlet – 1 (H1)

A. Tourist Accommodations. The minimum land area required for all tourist cabins or similar unattached units shall be one-tenth of an acre.

B. Multi-Family Dwellings. The overall minimum land area required for a multi-family dwelling shall be ½ acre per multi-family dwelling unit.

Additional Density Requirements for Manufactured Homes

A. Manufactured Homes. The minimum land area required for all mobile homes shall be 3 acres.

STEP 4: Identify Parking & Drive Lane/ Access Requirements

(May need access permit)

Off-Street Parking and Loading

A. Off-street parking. Off-street parking spaces shall be required for all buildings constructed, expanded or engaged in new use after the effective date of this Code, except building alterations or additions that will not increase the gross floor area of the existing structure within any two year period by more than 5000 square feet or 25%, whichever is less.

- (1) Parking spaces required in all districts shall be located in the side or rear yard on the same lot as the principal use unless otherwise permitted by the Planning Board.
- (2) All square footage requirements refer to the gross floor area of the building or portion thereof dedicated to the use in question.
- (3) Screening
 - (a) Off-street parking areas for all non-residential uses and apartment buildings located within 50 feet of single family, two family or multi family building dwellings shall be shielded by wall, fencing or other suitable material which shall serve to screen noise and uncontrolled entrance.
 - (b) Parking lots shall be screened from all street or rights-of-way in such a manner as to facilitate adequate site

(7) Parking lot landscaping requirements.

- (a) Buffer planting shall be installed between the parking lot and adjacent properties.
- (b) Buffer planting shall be installed between the parking lot and the street.
- (c) If existing trees and vegetation are left on the site, these may be used in lieu of new plantings.

(8) Parking lots with more than 40 (Forty) cars shall be designed in accordance with the following:

(10) Parking space size.

- (a) All requirements of with the Americans with Disability Act (ADA) shall apply to handicap parking spaces.
- (b) Perpendicular parking (90°)
 - [1] Each parking space shall be a minimum of nine feet by eighteen feet (9' x 18').
 - [2] The minimum aisle width shall be twenty-four feet (24') for two-way traffic.
 - [3] The minimum aisle width shall be twenty-two feet (22') for one-way traffic.
- (c) Angled parking (60°)
 - [1] Each parking space shall be nine feet by twenty-two feet (9'x 22').
 - [2] The minimum aisle width shall be twenty-three feet (23') for two-way traffic.
 - [3] The minimum aisle width shall be eighteen feet (18') for one-way traffic.

B. Off-Street Parking Schedule		
Use	Hamlet	Moderate Intensity, Low Intensity, Rural Use, Resource Management
Residential Uses		
Dwelling, Accessory	1 per dwelling unit	1 per dwelling unit
Dwelling, Single Family	2 per dwelling unit	2 per dwelling unit
Dwelling, Two Family	1.5 per dwelling unit	1.5 per dwelling unit
Dwelling, Multi-Family	1.5 per dwelling unit	1.5 per dwelling unit

STEP 5: Additional requirements

Scenic Road Corridor

- A. In order to preserve the Town's rural character the following roads have been designated as scenic road corridors. Development along or adjacent to these roads are subject to the provisions of this section.
 - 1. John Bliss Road - from County Route 19A (Bonnie View Road) to County Route 19 (Haselton Road);
 - 2. Bilhuber Road from County Route 19 (Haselton Road) to State Route 86;
 - 3. Hardy Road from State Route 86 to Springfield Road;
 - 4. State Route 86 from the Town of North Elba line to the Flume Bridge over the AuSable River;
 - 5. State Route 86 from the Town of Jay line to Bilhuber Road;
 - 6. Fox Farm Road from Route 86 to the Springfield Road;
 - 7. Whiteface Mountain Memorial Highway (State Route 431) from Route 86 to the Toll Gate.
- B. No development within one hundred fifty (150) feet from the centerline of the paved portion of a travel corridor designated in this code shall be undertaken unless or until a site plan has been reviewed and approved, or approved with conditions pursuant to Article IX and a land use and development permit has been issued pursuant to this code.
- C. The following general standards shall guide the site plan review for a proposed development along or adjacent to a designated scenic road corridor:
 - a. Vehicular, bicycle and pedestrian traffic access and circulation should be adequate; including safe and well-designed points of ingress and egress that does not impede traffic flow along the corridor.
 - b. Off-street **parking** and loading areas should be adequate and visually screened from the corridor.
 - c. The proposed development, as detailed in the site plan, should be in harmony with the natural surrounding and existing land uses of the area.
 - d. The open space character of the scenic road corridor should be protected to the greatest extent possible through the placement and design of buildings and signs, landscaping and plantings and minimal removal of existing vegetation.
 - e. In the case of development involving more than two hundred (200) feet of frontage along either side of a designated scenic road, the number of access points to the street, highway or road should be strictly limited and a vegetative buffer should be in place along at least one-half (1/2) of each such frontage.
 - Are there any additional requirements from the Grant Award, or performance measures?
 - ADA accessibility? Energy Efficient Standards?

STEP 6: the Concept Plan

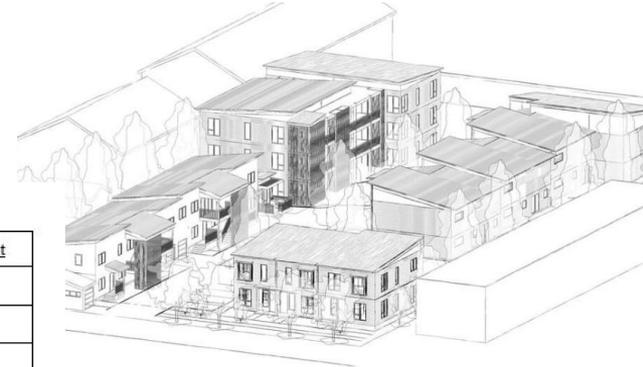
“The site development plan specifies the present characteristics of a particular parcel of land and its surroundings and describes intended activities and their potential impact on the community.” James Coon - Site Plan Review



Multifamily Concept (medium density)

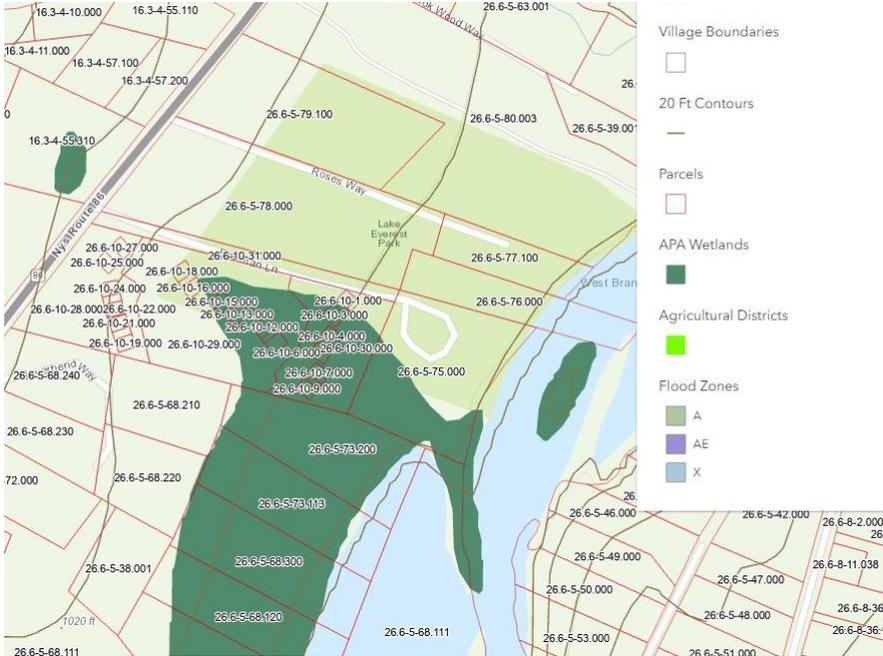
Zoning Table Information for the proposed R2 low-rise multifamily residential use:

ITEM	REQUIRED	Existing	Proposed (Under Separate Action)	Deficient
Min. Lot Area	10,000 sf	72,830 sf	80,019 sf	No
Min. Lot Width	100 ft	195 ft	195 ft	No
Min. Lot Depth	100 ft	366 ft	400 ft	No
Min. Front Setback	30 ft	23.6 ft / 24.59*	24.59 ft	legal, pre-existing, non-comforming to be confirmed by Building Inspector
Min. Side Setback (min / total)	10 / 35	15 / 92.5'	50.10' / 128.77'	No
Min. Rear Setback	35 ft	101.7 ft	101.7 ft	No
Max. Building Height (ft / stories)	35 / 2.5	<35 / <2.5	<35 / <2.5	No
Max. Building Coverage	20%	Not Identified	24%	No
Min. Open Space	45%	29%	52%	No
Parking Spaces	31	Not Identified	32	No



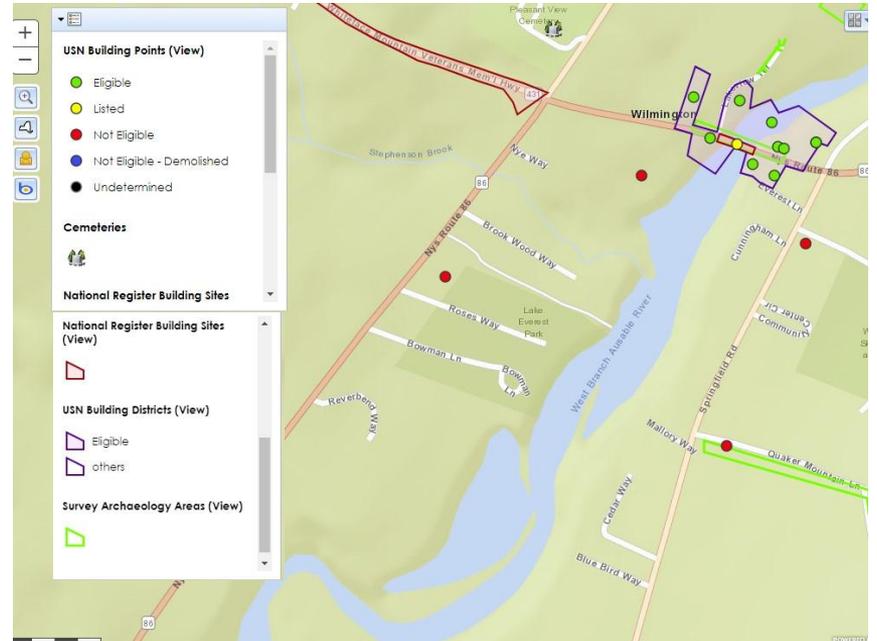
3D Aerial Perspective

STEP 7: Check for Zoning Overlays



<https://essex-gis.co.essex.ny.us/>

- Overlay districts: flood plain, LWRP, National Historic Site, Agricultural, Archeological etc.?



<https://cris.parks.ny.gov/Default.aspx>

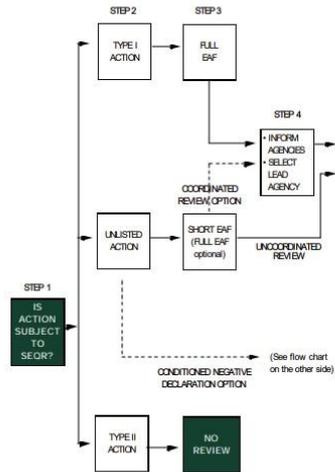
STEP 9: Additional Site selection, and criteria

- Environmental : Lead, Asbestos, previous impacts - remediation history, soils - geotech
- Proximity to existing utilities, services, walkability
- NIMBY to YIMBY
 - Good bad & ugly of Public comment
 - Educate & market the benefits
 - Know the community (audience)
 - Identify who (or who's friends relatives) fits the demographics
 - Does it meet the need of the community?



STEP 9.1: State Environmental Quality Review Act (SEAF, or FEAF)

SEQRA Flow Chart and Time Frames



Basic SEQRA Process

The Division of Environmental Permits central and regional offices listed on the next panel can answer questions and provide you with information to help you learn about SEQRA procedures and requirements.

These references are available:

- The statewide SEQRA regulations, 6 NYCRR Part 617 (the latest revision effective January 1, 2019)
- The SEQRA Cookbook—a step-by-step discussion of the basic SEQRA process
- SEQRA Handbook—<https://www.dec.ny.gov/permits/6188.html>
- SEQRA EAF Workbooks—<https://www.dec.ny.gov/permits/90125.html>
- Citizen's Guide to SEQRA
- Local Official's Guide to SEQRA
- DEC SEQRA website: <https://www.dec.ny.gov/permits/357.html>

Region 1 (Nassau, Suffolk counties)
50 Circle Road, Stony Brook, NY 11790
(631) 444-0355

Region 2 (all of New York City)
One Hunters Point Plaza, 47-40 21st Street
Long Island City, NY 11101
(718) 482-4997

Region 3 (Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester counties)
21 South Putt Corners Road, New Paltz, NY 12561
(845) 256-3054

Region 4 (Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schoharie, Schoharie counties)
1150 North Westcott Road, Schenectady, NY 12306
(518) 357-2069

Region 5 (Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren, Washington counties)
1115 Route 86, PO Box 296, Ray Brook, NY 12977
(518) 897-1234

Region 6 (Herkimer, Jefferson, Lewis, Oneida, St. Lawrence counties)
State Office Building, 317 Washington Street
Watertown, NY 13601
(315) 785-2245

Region 7 (Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga, Tompkins counties)
615 Erie Boulevard, West Syracuse, NY 13204
(315) 426-7438

Region 8 (Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Yates counties)
6274 East Avon-Lima Road, Avon, NY 14414
(585) 226-2466

Region 9 (Allegany, Cattaraugus, Chautauque, Erie, Niagara, Wyoming counties)
270 Michigan Avenue, Buffalo, NY 14203
(716) 851-7165

Central Office, Environmental Permits
625 Broadway 4th Floor, Albany, NY 12233
(518) 402-9167

NYS DEC EAF MAPPER

- [TYPE I Action list \(6 NYCRR 617.4\).](#)
- [TYPE II \(6 NYCRR 617.5\) Action lists.](#)

Neighbors of Watertown 2023 Project



- [Site Plan Application](#)
- [Full Civil Plan Set](#)
- [Engineering Report](#)
- [Phase 1 Env.: index](#)
- [SEAF](#)
- [Planning Commission Approval](#)
- [Variance Application](#)
- [ZBA Letters](#)

Additional Resources:

NYS HCR [Pro-Housing Certifications](#)

TA assistance (Tech TA \$\$) / Feasibility Studies

- [Rural Housing Coalition](#)
- Regional Planning Boards
- Regional Economic Development Councils
- NYS DOS & [DEC Smart Growth](#)
- USDA Rural Development - [Rural Housing Site Loans](#)

NYS HCR Directors of Development:

- Darren Scott: Eastern New York (Darren.scott@nyshcr.org)
- Leonard Skrill: Western & Central New York (leonard.skrill@nyshcr.org)
- Ross Karp, Downstate Director of Development (Ross.Karp@hcr.ny.gov)

Reports

- [Building Balanced Communities for the North County](#) (LCLGRP & Camoin)
- [Rural New York: Challenges and Opportunities](#) (2023 NYS Comptroller)
- [The State of Rural New York](#) (2011-2020 RHC Report)



**Additional questions,
comments,
input.....**

Thank you!