

Town of Red Hook: Guide to Proposed Zoning Law Amendments

Article	Section	Existing 1993 Zoning Law	Proposed 2008 Zoning Law Amendments
I		General Provisions	General Provisions
	143-1	Title	Title
	143-2	Scope	Scope
	143-3	Enacting legislation and purposes	Enacting legislation and purposes
	143-4	Word usage; definitions	Word usage; definitions Changes made to the Zoning Law have been reflected in changes to the definitions section
II		Zoning Districts	Zoning Districts
	143-5	Establishment of zoning districts	Establishment of zoning districts Two new Zoning Districts have been added: Agricultural Business (AB) District and Traditional Neighborhood Development (TND) District, and within the TND District, 3 subdistricts: Residential Neighborhood, Commercial Center, and Office-Industrial
	143-6	Intent of zoning districts	Intent of zoning districts References to the purposes sections of the AB District and TND District have been added; references to the density bonus for provision of central water in the R1 and R1.5 Districts have been deleted
	143-7	Zoning District Map	Zoning District Map Amended Zoning District Map provided
	143-8	Interpretation of zoning district boundaries	Interpretation of zoning district boundaries
	143-9	Delineation of flood hazard zones	Delineation of flood hazard zones
	143-10	Applicability of & compliance with zoning district regulations	Applicability of & compliance with zoning district regulations
III		Use Regulations	Use Regulations
	143-11	District schedule of use regulations	District schedule of use regulations Reference to uses in the AB District and TND District have been added
IV		Area and Bulk Regulations	Area and Bulk Regulations
	143-12	District schedule of area and bulk regulations	District schedule of area and bulk regulations Reference to area and bulk standards in the AB District and TND District added
	143-13	Existing lots of record	Existing lots of record
	143-14	Minimum lot area per principal dwelling unit	Minimum lot area per principal dwelling unit
	143-15	Height exceptions	Height exceptions
	143-16	Corner lots; obstructions at intersections	Corner lots; obstructions at intersections

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	143-17	Architectural features permitted in required yards	Architectural features permitted in required yards
	143-18	Accessory structures	Accessory structures
	143-19	Distance between principal buildings on same lot	Distance between principal buildings on same lot
	143-20	Setbacks on highways with substandard rights-of-way	Setbacks on highways with substandard rights-of-way
	143-21	Lot area, width and frontage exceptions and modifications	Lot area, width and frontage exceptions and modifications
	143-22	Transition between zoning districts	Transition between zoning districts
	143-23	Freshwater wetlands & land under water or subject to flooding	Freshwater wetlands & land under water or subject to flooding Replaced with section on Buildable Acreage
V		Supplementary Regulations	Supplementary Regulations
	143-24	Applicability	Applicability
	143-25	General performance standards	General performance standards
	143-26	Off-street parking and loading standards	Off-street parking and loading standards
	143-27	Sign standards	Sign standards Adds sign standards for non-residential uses in the AB District
	143-28	Fences and walls	Fences and walls
	143-29	Excavation as part of site preparation	Excavation as part of site preparation
	143-30	Development near bodies of water	Development near bodies of water
	143-31	Development within the Flood-Fringe Overlay District	Development within the Flood-Fringe Overlay District
	143-32	Home occupations	Home occupations
	143-33	Residential cluster development	Residential cluster development Complete overhaul of cluster regulations with greater emphasis on preserving the natural and scenic qualities of open space through use of a four-step design process. Revises method for determining permitted development potential; deletes provision authorizing Planning Board to change types of residential dwelling units permitted in the district; increases the minimum amount of required open space; amends area and bulk standards to permit smaller residential lots; amends existing requirement for a perpetual conservation easement to permit a deed restriction and plat notation for open space of less than 10 acres.
	143-34	Water supply and sewage disposal	Water supply and sewage disposal
	143-35	Sanitary disposal areas and facilities	Sanitary disposal areas and facilities
	143-36	Swimming pools	Swimming pools

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	143-37	Solar access	Solar access
	143-38	Required screening for nonresidential uses	Required screening for nonresidential uses
	143-39	Agriculture	Agriculture Amended to delete the acreage restriction for the keeping of fowl and farm animals in the AB District
	143-39.1		Adds a new section on the AB District. Includes additional uses to enhance farm income, with a streamlined review process for many uses. Allows landowners to sell development rights at the current zoning rate (as depicted on the 1999 Zoning Map) to encourage conservation of agricultural lands, while permitting some new homes in a farmstead complex; alternatively, lands could be developed at a reduced density based on a sliding scale using conservation subdivision design. Incorporates much of the material from the previous "Important Farmlands Law," including a requirement for clustering and siting standards.
	143-40	Roadside stands	Roadside stands
	143-41	Farms and related uses	Farms and related uses Amended to allow operation of farms in the AB District; to permit Farm Markets 1, 2, and 3 in the AB District subject to the provisions of Section 143-39.1; to add provisions for farm labor housing in the AB District; and to permit farm industries as an accessory use to a farm or land in agricultural use in the AB District
	143-42	Outdoor storage on residential lots	Outdoor storage on residential lots
	143-43	Antennas	Antennas
	143-44	Temporary buildings and uses	Temporary buildings and uses
	143-45	Development within the Hamlet District	Development within the Hamlet District
	143-46	Development within the Historic Landmarks Overlay District	Development within the Historic Landmarks Overlay District
	143-47	Development within the Environmental Protection Overlay District	Development within the Environmental Protection Overlay District Subsection 143-47D(4) (Important Farmlands) deleted - much of this material has been incorporated into the new Section 143-39.1 (Agricultural Business District)
	143-48	Development within the Scenic Corridor Overlay District	Development within the Scenic Corridor Overlay District
	143-49	Development within the Light Industrial Overlay District	Development within the Light Industrial Overlay District

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	143-49.1		Adds a new section on the TND District to permit traditional, village-scale development adjacent to the Village of Red Hook. As-of-right building potential in the Residential Neighborhood Subdistrict is 1 du per net acre; this can be increased through incentive zoning up to 4 du per net acre for TND House or up to 6 du per net acre for TND Townhouse, TND Duplex, TND Cottage, and TND Apartment. A housing mix of 3 types of du is required, none less than 20%. In the Commercial Center, parking requirements have been reduced, and 6,000 sq. ft. per acre of building coverage is allowed as-of-right; this may be increased by incentive zoning depending on the type of use. In the Office-Industrial Subdistrict, permitted building coverage is 20%, double the amount currently allowed in the Light Industrial District; a setback from Route 9 is required to protect the Town's southern gateway.
	143-49.2		Adds a new section on Open Space Incentive Zoning which authorizes adjustments to building potential in the TND District in exchange for preserving open space in the AB District, thereby promoting residential development near the existing centers (where it will stimulate commercial development) rather than on farmland.
VI		Special Permit Uses (only revised sections cited below)	Special Permit Uses (only revised sections cited below)
	143-64	Accessory apartments within existing single-family dwellings	Accessory apartments within existing single-family dwellings Adds the AB District to the list of districts where this use is special permitted
	143-65	Accessory apartments within new single-family dwellings	Accessory apartments within new single-family dwellings Adds the AB District to the list of districts where this use is special permitted
	143-66	Accessory apartments through adaptive reuse of non-dwelling structures	Accessory apartments through adaptive reuse of non-dwelling structures Adds the AB District to the list of districts where this use is special permitted
	143-69	Home occupations Class 2	Home occupations Class 2 Adds the AB District to the list of districts where this use is special permitted
	143-70	Private airstrips and heliports in LD, RD5, RD3, B1 & I Districts	Private airstrips and heliports in LD, RD5, RD3, B1 & I Districts Adds the AB District to the list of districts where this use is special permitted
	143-71	Hunting and/or fishing clubs	Hunting and/or fishing clubs Adds the AB District to the list of districts where this use is special permitted

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	143-72	Outdoor recreation facilities	Outdoor recreation facilities Adds the AB District to the list of districts where this use is special permitted
	143-76	Cemeteries, including mausoleum	Cemeteries, including mausoleum Adds the AB District to the list of districts where this use is special permitted
	143-87	Commercial boarding and/or breeding kennel or animal hospital (enclosed)	Commercial boarding and/or breeding kennel or animal hospital (enclosed) Adds the AB District to the list of districts where this use is special permitted
	143-89	Convenience stores	Convenience stores Adds the TND District to the list of districts where this use is special permitted
	143-91	Gasoline stations and automobile service facilities	Gasoline stations and automobile service facilities Adds the TND District to the list of districts where this use is special permitted
	143-93	Inns	Inns Adds the AB District to the list of districts where this use is special permitted, and establishes a minimum lot area of 5 acres for an inn created through adaptive reuse, and 25 acres for construction of a new inn.
	143-96	Restaurants	Restaurants Adds the AB District to the list of districts where this use is special permitted
	143-103	Commercial communications receiving and/or transmitting facilities; telecommunications towers	Commercial communications receiving and/or transmitting facilities; telecommunications towers Adds the AB District to the list of districts where this use is special permitted
	143-106	Sawmills and related facilities	Sawmills and related facilities Adds the AB District to the list of districts where this use is special permitted
VII-XII		No revisions to these Articles	No revisions to these Articles
Attachment A		District schedule of use regulations	Amended to add Row or Attached Dwellings as a special permitted use in the R1 and H Districts; to delete residential cluster development as a land use; and to add a reference to Sections 143-39.1 and 143-49.1 for uses in the AB and TND Districts
Attachment B		District schedule of area and bulk regulations	Amended to eliminate the density bonus for provision of central in the R1 and R1.5 Districts, and to add references to Sections 143-39.1 and 143-49.1 for dimensional standards for the AB and TND Districts
Attachment C		1999 Reference Map	Added as an attachment to the Zoning Law. This map is solely approved for use in connection with the sale of development rights from lands in the AB District in Section 143-39.1F(1)