

## Arterial Corridor Protection District (ACPD) (Overlay)

### Purpose Statement

- Amending Local Law No. 2 of the year 2002, the Town of Hounsfield Zoning Law, as amended, to provide updated setback and regulations for the Arterial Corridor Protection Overlay District (ACPD), Planned Development District (PDD) and other various amendments.

In 2002, the Town of Hounsfield established an overlay zone to be known as the Arterial Corridor Protection District (ACPD), Planned Development District (PDD) and other various amendments in the Town of Hounsfield, outside village boundaries, which encompassed the area located within 2,000 feet on each side of the local highway known as Military Road and the New York State highways designated Route 180 and Route 3, as shown on the town of Hounsfield Zoning Map.

A zoning law should be based upon a Comprehensive Plan that has been developed through an open, deliberative process and based upon a consensus as to the type and character vision for the community. The Town of Hounsfield has recently approved an updated Comprehensive Plan. Enclosed is an attachment from the Comprehensive Plan public forum, showing what the Town of Hounsfield residents desires for new residential development within the Arterial Corridor Overlay.

Developing a zoning law that is a good balance of individual property rights and community interest can only be done based upon a good plan. The "Overlay District" was put into law 2002. There has been no new development other than one home (built in 2002) and a lot of questions of "why do we have the Arterial Corridor District" with such enormous road frontage requirements and large acreage for lots.

Taken as a whole, the following steps attached will foster desired development and continue to protect road function, while addressing project and community character. Likewise, appropriate growth will utilize municipal water within water district areas, thus addressing system needs by increasing use levels in strategic locations. At this time it is the Town's desire to promote economic development in specific areas to enhance business and service opportunities, therefore, quality of life for Town residents and visitors.

- Proposed new amendments is in RED
- Current law is in ~~YELLOW~~ with double strikeout

The Town of Hounsfield is requesting the following changes within the Zoning Law as seen on the enclosed attachments.

- Decrease the encompass of the overlay district from **2000'** to **1000'** from the roadway
- To add and revise Article II-Definitions – see attached
- Revise Section 430: Arterial Corridor Protection District (ACPD) (Overlay)
  - C. Permitted Uses/Site Plan Review/Special Permit Uses – see attached
- Revise Section 430: Arterial Corridor Protection District(ACPD) (Overlay)
  - D. Dimensional Regulations (ACP) - decrease acreage, setbacks and road frontage – see attached

*As we all know, zoning is a tool to shape the development of a community.*

## Town of Hounsfield Zoning Law

With Amendments as of May, 1990

\*Local Law No. 2 of the year 2002,  
Amending Local Law # 2 of the year 1988, the Town of Hounsfield Zoning  
Law, as amended, to provide for an Arterial Corridor Protection Overlay  
District, Planned Development District, and other various amendments.

\*\* Local Law No. 2 of the year 1998.  
Amending Local Law # 2 of the year 1988, the Town of Hounsfield Zoning Law,  
providing for regulations concerning Telecommunications Towers.

\*\*\* Local Law No. 1 of the year 2001  
A Local Law, in part, Local Law No.2 of the year 1988, as amended, the Town of  
Hounsfield Zoning Law.

\*\*\*\* Local Law No. 2 of the year 2006  
Amending, in part, Local Law No. 2 of the year 1988 as amended, the Town of  
Hounsfield Zoning Law.

\*\*\*\*\* Local Law No. 1 of the year 2006.  
Amending, in part, Local Law No.2 of the year 1988, as amended, the Town of  
Hounsfield Zoning Law.

\*\*\*\*\* Local Law No. 1 of the year 2012  
Amending in part Local Law No 2 of the year 1988 the Town of Hounsfield  
Zoning Law as amended to rezone part of Route 12F  
from Multi-Use to Marine District

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The following definitions are proposed for Article II - DEFINITIONS in correct alphabetical order:

Farmers Market: An enterprise or association that consistently occupies a given site on a seasonal basis, operating principally a common marketplace where, on designated days and times, growers and producers may sell directly to the public from open or semi-open facilities in accordance with New York State regulations.

Flea Market: A market held at regular, periodic intervals or occasional where new, used and hand-made items, food, and antiques are sold by multiple vendors.

Flea Market - Temporary: A one time, (less than 2 week time period) market where new, used and hand-made items, food and antiques are sold by multiple vendors.

Landscape Nursery: A lot or a building or structure thereon used principally for the growing and/or sale of trees, shrubs, flowers. Plants, grass seed, peat moss, mulch and other products, tools, implements and equipment for lawn or garden care. The term shall include commercial greenhouses.

~~Restaurant: Any establishment, however designated, at which food and/or alcoholic beverages are prepared and/or sold. However, a snack bar or refreshment stand at public or semi-public community pool, playground or park operated by the agency or group or an approved vendor operating the recreational facilities and for the convenience of the patrons of the facility shall not be deemed a restaurant.~~

Restaurant: A commercial establishment used for the preparation, sale and consumption of food and beverages on premises or on a takeout basis. The term includes, but is not limited to, diners, delicatessens, banquet halls, food concessions and snack bars. The term does not include bakeries, grocery stores, fast food businesses, or food vending machines.

Self-Storage Facility – Commercial: Structures constructed for the sole purpose of renting self-storage spaces to rental space tenants on a periodic basis. The rental spaces are typically secured by the tenant's own lock and key. Facility operators do not have casual access to the contents of the space unlike a warehouse. Also, vehicle fabrication or repair, boat repair, or any other equipment use shall be prohibited.

Storage Unit: Any storage structure, other than storage sheds, that are designed for the temporary storage of materials on a site. Storage units include trailers and PODS, as well as indoor boat and equipment storage.

## ARTICLE IV – District Regulations

### \* Section 430: Arterial Corridor Protection District (ACPD) (Overlay)

#### A. 1. Establishment of District

There is hereby established an overlay zone to be known as The Arterial Corridor Protection District (ACPD) in the Town of Hounsfield, outside village boundaries, which shall encompass the area located within ~~2,000~~ 1000 feet on each side of the local highway known as Military Road and the New York State Highways designated Route 3 and Route 180, as shown on the Town of Hounsfield Zoning Map, as amended.

#### 2. Purpose

The intent and purpose of the Arterial Corridor Protection District is to retain the agricultural and open character and maintain the natural and scenic quality of the area while fostering residential, limited commercial and agricultural related development while preserving the arterial function of the state highways that comprise the Corridor. Development in the area should be consistent with the overall Corridor Vision, Corridor Area Goals, and Corridor Wide Strategies found in the Water District No.2 Corridor Plan, in the revised Town Comprehensive Plan, this law and the Town of Hounsfield Land Division Regulations. Therefore the Arterial Corridor Protection District establishes an additional set of standards, which are supplemental to those of the underlying districts in the area of the Town of Hounsfield Water District No. 2.

#### B. Uses Allowed by Special Permit

In order to ensure that development occurs within the Arterial Corridor Protection District adheres to the above purpose and intent; Special Use Permits are required for the more intense uses as listed in the following table of Permitted Uses, Site Plan Review Uses, and Special Use Permit Uses. Special Use Permits shall be issued only after the proper procedure and review process has been followed and the proposal has been determined to be consistent with the Town of Hounsfield Comprehensive Plan, and any amendments thereto, pursuant to the Water District No.2 Corridor Plan amendments thereto, and all applicable provisions of law.

- Community
- ▭ Municipal Boundary
- ▭ 2005 Tax Parcels
- ▭ Waterbody
- ▭ River or Stream
- Roads & Highways**
- ▭ County
- ▭ Federal
- ▭ Interstate
- ▭ Local
- ▭ Ramp
- ▭ State

- Zone**
- ▭ Agriculture and Residential
- ▭ Hamlet
- ▭ Industrial
- ▭ Marine
- ▭ Multi-Use
- ▭ Village of Sackets Harbor
- ▭ Arterial Corridor Overlay

**TO CHANGE ACP FROM 2000' TO 1000'**

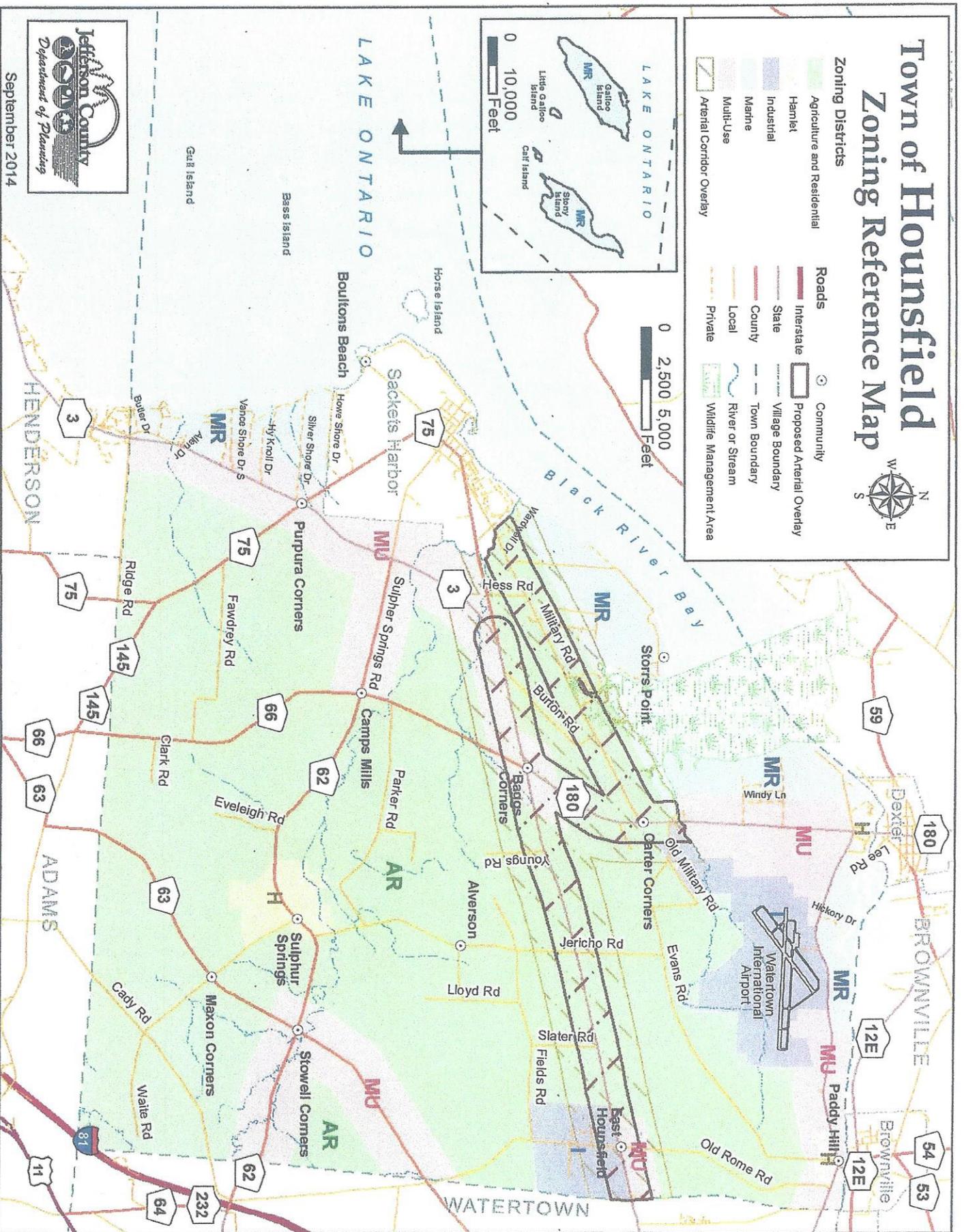
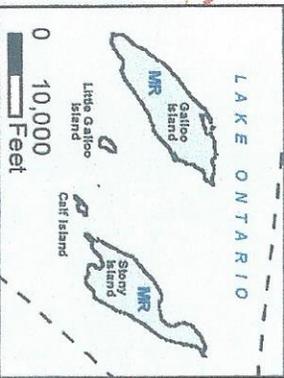


2000' To 1000'

# Town of Hounsfield Zoning Reference Map



- Zoning Districts**
- Agriculture and Residential
  - Hamlet
  - Industrial
  - Marine
  - Multi-Use
  - Aerial Corridor Overlay
- Roads**
- Interstate
  - State
  - County
  - Local
  - Private
- Community**
- Proposed Aerial Overlay
  - Village Boundary
  - Town Boundary
  - River or Stream
  - Wildlife Management Area



September 2014

C. Permitted Uses/ Site Plan Review/ Special Permit Uses

For those portions of Agriculture, Multi-Use and Industrial Districts within 1,000 feet of the Arterial Corridor Protection District, Local Roads and State Roads, the following chart identifies those uses requiring Site Plan Review or Special Use Permit. It also identifies the level of review required.

D. Permitted Uses/Site Plan Review/Special Permit Uses  
Schedule of Uses Per Underlying District Within the ACPD

Uses Per Underlying District Within the Arterial Corridor Protection District (ACPD)				
District	AR	MU	I	MR
<b>USE</b>				
Accessory uses of the above listed uses	P	P	P	*
Adult Entertainment Uses	NP	NP	SUP	*
Agricultural	P	P	P	*
Agricultural Business	SUP	SPR	SPR	*
Airstrips	NP	NP	SPR	*
Auto Service Stations	NP	SPR	SPR	*
Bed and Breakfast Inn	SUP	SUP	NP	*
<b>Campgrounds / Travel Trailer Parks</b>	<b>SUP</b>	<b>SUP</b>	<b>SUP</b>	<b>*</b>
Essential Services	SPR	SPR	SPR	*
Excavation	NP	NP	SUP	*
<b>Farmers Market</b>	<b>SPR</b>	<b>SPR</b>	<b>SPR</b>	<b>*</b>
<b>Flea Markets – Temporary</b>	<b>SPR</b>	<b>SPR</b>	<b>SPR</b>	<b>*</b>
<b>Flea Markets – Permanent</b>	<b>SPR</b>	<b>SPR</b>	<b>SPR</b>	<b>*</b>
Funeral Homes	SPR	SPR	SPR	*
Heavy Industry	NP	NP	SPR	*
Home Occupation	P	P	P	*
Individual Mobile Homes	P	P	P	*
Institutional Uses	SPR	SPR	NP	*
Junkyards	NP	NP	SUP	*
Kennels	SUP	SPR	SPR	*
<b>Landscape Nursery</b>	<b>SPR</b>	<b>SPR</b>	<b>SPR</b>	<b>*</b>
Large Retail	NP	SUP	NP	*
Light Industry	NP	SPR	SPR	*
<b>Motel/Hotel</b>	<b>SPR</b>	<b>SPR</b>	<b>SPR</b>	<b>*</b>
Multi-Family Dwellings	SUP	P	P	*

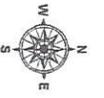
Uses Per Underlying District Within the Arterial Corridor Overlay District (continued)				
District	AR	MU	I	MR
<b>USE</b>				
Recreation, Outdoor - Motorized	NP	SUP	SUP	*
Recreation, Outdoor - Non-Motorized	SUP	SPR	SPR	*
Restaurants	SPR	SPR	SPR	*
Road Stands	P	P	P	*
Self Storage Units - Commercial	SPR	SPR	SPR	*
Shopping Center	NP	SPR	SPR	*
Single and Two Family Dwellings	P	P	P	*
Small Offices	SUP	SUP	SPR	*
Small Retail	SUP	SUP	SPR	*
Storage, Indoor	SPR	SPR	SPR	*
Townhouses	SUP	SUP	SPR	*
Warehouses	NP	SPR	SPR	*
<b>KEY</b>				
* = Refer to Underlying District				
P = Permitted Use				
SPR = Site Plan Review Required				
SUP = Special Use Permit Required				
NP = Not Permitted				

For those portions of Agriculture, Multi-Use and Industrial Districts within the Arterial Corridor Protection District, the following chart identifies the dimensional requirements.

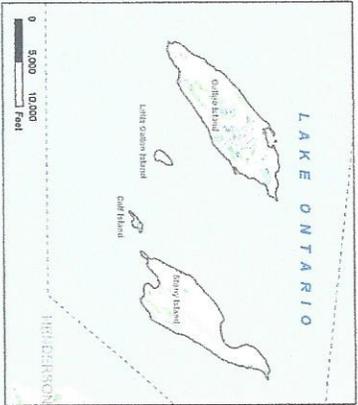
**D. Dimensional Regulations (ACPD)**

Dimensional Regulations Per Underlying District Within the Arterial Corridor Protection District								
District		AR		MU		I		MR
Dimension	Use Category	Frontage Type		Frontage Type		Frontage Type		
		Local Hwy	State Hwy	Local Hwy	State Hwy	Local Hwy	State Hwy	
Minimum Lot Area	Permitted Uses	1 Acre	2 Acres	1 Acre	2 Acres	1 Acres	2 Acres	*
Minimum Lot Area	SUP Uses	1 Acre	<del>5 Acres</del> 2 Acres	1 Acre	2 Acres	1 Acres	5 Acres	*
Minimum Lot Area	SPR Uses	1 Acre	<del>5 Acres</del> 2 Acres	1 Acre	2 Acres	1 Acre	5 Acres	*
Minimum Lot Frontage	Permitted Uses	150 Ft.	<del>300 Ft.</del> 150 Ft.	150 Ft.	<del>300 Ft.</del> 150 Ft.	150 Ft.	200 Ft.	*
Minimum Lot Frontage	SUP&SPR Uses	150 Ft.	<del>600 Ft.</del> 300 Ft.	150 Ft.	300 Ft.	150 Ft.	200 Ft.	*
Minimum Yard Setback from ROW	ALL	50 Ft.	100 Ft.	50 Ft.	100 Ft.	50 Ft.	150 Ft.	*
Minimum Rear Yard	ALL	75 Ft.	75 Ft.	75 Ft.	75 Ft.	75 Ft.	75 Ft.	*
Minimum Side Yard	ALL	25 Ft.	25 Ft.	25 Ft.	25 Ft.	50 Ft.	50 Ft.	*
Maximum Building Height	ALL	35 Ft.	35 Ft.	35 Ft.	35 Ft.	35 Ft.	35 Ft.	*
Maximum Building Coverage	ALL	20%	20%	40%	50%			*

# Town of Hounsfield Parcel Map



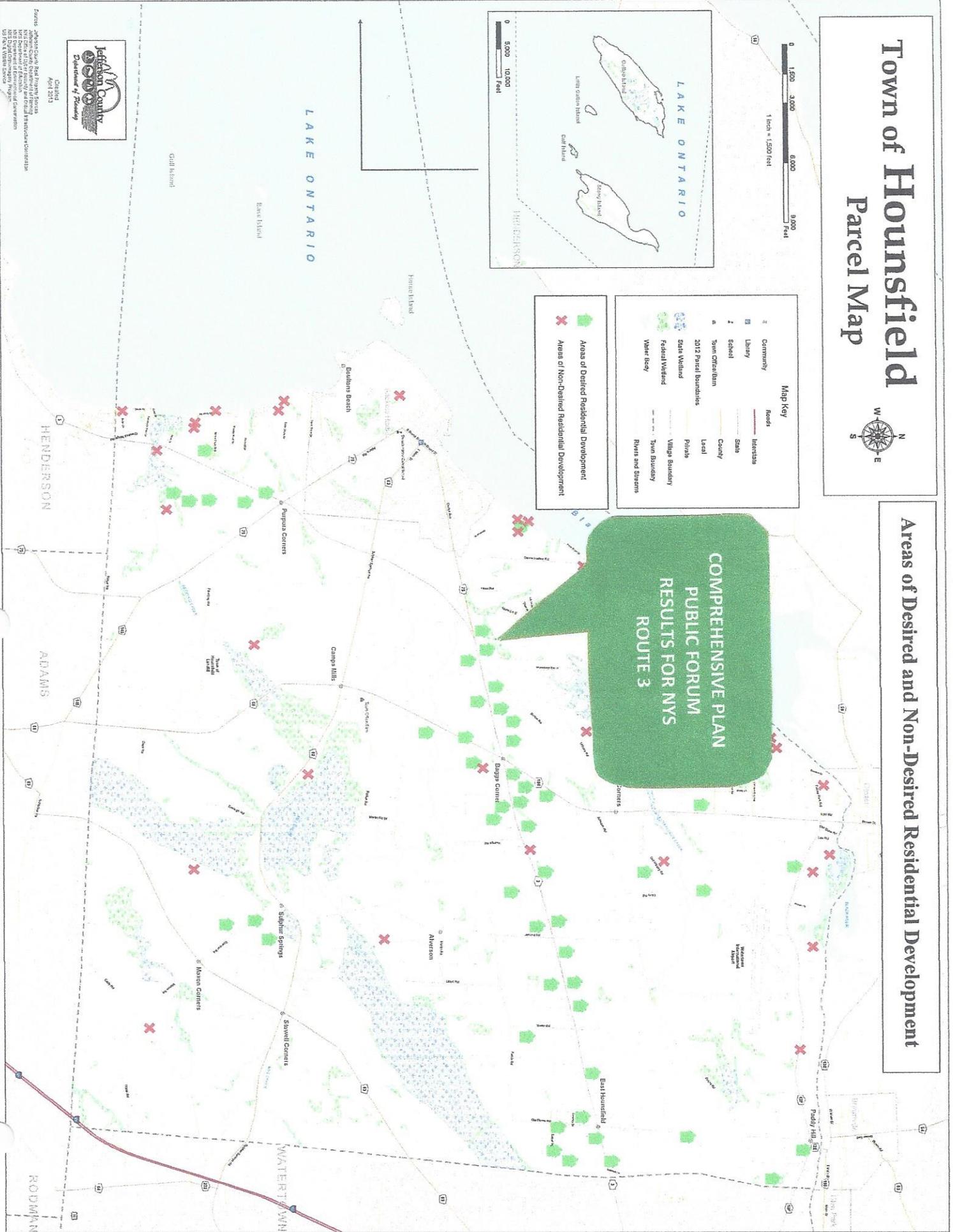
## Areas of Desired and Non-Desired Residential Development



**Map Key**

	Community		Roads
	Library		Interstate
	School		State
	2011 Precinct Boundaries		County
	2012 Parcel Boundaries		Local
	Data Wetland		Private
	Federal Wetland		Village Boundary
	Water Body		Town Boundary
	Areas of Non-Desired Residential Development		Rivers and Streams
	Areas of Desired Residential Development		

**COMPREHENSIVE PLAN  
PUBLIC FORUM  
RESULTS FOR NYS  
ROUTE 3**



Created  
April 2013

Jefferson County Road Planning Services  
Map of Areas of Desired and Non-Desired Residential Development  
for the Town of Hounsfield  
NYS Department of Environmental Conservation  
1055 Delaware Avenue, Albany, NY 12242  
www.dec.state.ny.us