

Technical Zoning Recommendations

OVERVIEW

As discussed earlier, local land use regulations are the primary factor in determining how the Village of Granville will look, grow and develop in the future. The Village is authorized to develop and/or amend its land use regulations under New York State, Village Law § 7-722. New York State's zoning enabling statutes require that zoning laws be adopted in accordance with a comprehensive plan.

The Village of Granville Zoning Ordinance, first adopted in 1928 with minor amendments through the years of 1934 and 1968, is presented in fifteen (15) sections. The existing regulations were created to regulate and restrict the location of trade and industry. It is recommended that the Village should conduct a thorough review of the regulations and develop a new ordinance and set of land use regulations. The new land use regulations should promote the future growth of the Village, while still maintaining its historic character and few remaining open spaces. The following section discusses recommended changes to the land use regulations that will be necessary to fully implement the Village of Granville Comprehensive Plan:

ZONING LANGUAGE AND STRUCTURE

The Village of Granville's existing Zoning Ordinance is generally clear and straightforward. However, the following improvements are recommended to make the Ordinance more clear and consistent with the goals of the Comprehensive Plan:

1. Definitions: The existing Zoning Ordinance limits its definitions to the description of the three current zoning districts. Precise definitions are needed to ensure fair and uniform enforcement of the land use regulations, and to protect the Village from those who may challenge enforcement decisions. According to the New York Zoning

Law and Practice, Volume III, "...zoning ordinances are subject to the same rules of construction as apply generally to municipal ordinances. Words will be construed in accordance to their common meaning, unless their context requires a different interpretation or they are otherwise defined in the ordinance." Much care should be taken to develop definitions that are unambiguous and clear.

A "Definitions" section should be added near the beginning of the ordinance, and should include many of the uses that are incorporated into traditional land use regulations. Zoning ordinances often include 40 or more definitions.

2. Organization: The existing Zoning Ordinance could use improvement in terms of organization. The following is an outline of a typical zoning ordinance:

<i>Sample Basic Zoning Code Model</i>		
<i>Section</i>	<i>Description</i>	<i>Examples</i>
General Provisions	Contains the operational rules and provisions applicable to the entire ordinance	Title; purpose; applicability of code; establishment of zoning districts;
Definitions	Definitions of terms used throughout the zoning ordinance	"Dwelling Unit"; "structure"; "lot" etc.
Zoning District Regulations	Includes all zoning district and overlay district regulations	Residential; commercial, traditional neighborhood overlay, gateway district
Special Development Standards	Includes specific development standards applicable to one or more uses or districts	Parking; non-conforming uses; adult uses; bed and breakfasts; signs
Administration and Enforcement	Procedural requirements for all administrative reviews, appeals, enforcement and penalties	Sire plan review; conditional use permits; architectural review; zoning code amendments; permits
Zoning Maps	Map(s) showing zoning district boundaries	Separate map or pocket map
<i>Adapted from "Preparing a Conventional Zoning Ordinance" by Charles A. Lerable.</i>		

3. Appearance: Overall appearance will affect how the new ordinance is written, received, and understood. The existing ordinance is unorganized, utilizes a difficult to read font and paper size, and does not have any cross-references. Care should be taken to develop a Zoning Ordinance Update that is easy to read, utilizes a consistent style, is uncomplicated, and is placed on 8 1/2" by 11" paper. The map should be placed in a separate pocket folder, items should be cross-referenced, and tables, charts, and graphics should be utilized whenever possible.
4. Table of Contents & Appendix: The existing ordinance does not have a table of contents. It is recommended that the new ordinance include a table of contents that clearly lists the items included in the document and an appendix that cross-references items found in the new ordinance.
5. Zoning Map: The existing zoning map is difficult to read and does not note when it was last updated. A new map should be developed upon completion of the zoning update, and should be drafted in either Computer Aided Design & Drafting (CADD) or Geographic Information System (GIS). The map should have a legend displaying the new zoning classifications, and should include the date of map preparation, the accuracy of the data, and the information on where and/or when the base data was created.

REVISIONS TO THE ZONING DISTRICTS AND MAP

New Zoning Districts

The Village should revise its zoning map to be in accordance with the Comprehensive Plan. The Village's current three-district system may be replaced with the following:

1. Village Residential District: The predominant land use in the Village is residential. This will not change. However, stipulations within the district should ensure that future development fits into the current land use patterns in the Village, and that the trend of subdividing housing units into rental units is curtailed. Apartments should be grand fathered into the zoning, but additional augmentations should be allowed by special permit only.
2. Low-density Residential District: New and future residential development is scheduled for the subdivision off North Street. This location should be rezoned as low density, and should include requirements for sidewalks, landscaping, and frontage.
3. Neighborhood Business District: Village mixed-use areas are intended to continue to serve as neighborhood gathering places, allowing for a wide range of small businesses, housing types, and public and semi-public facilities. Land uses may include local stores, restaurants, small service providers, professional offices, attached and or detached housing, village and town facilities, and a post office.
4. Commercial District: Currently, the Village's commercial district is located along Quaker Street, Main Street, and Church Street. It is recommended that Main Street convert to Neighborhood Business mixed use area and that the remaining locations continue to be classified as commercial. It is recommended that the current definition of "Commercial" be

re-defined and that provisions within the definition of the Commercial District having to do with site plan development standards and design be determined during the Zoning Ordinance update process.

5. Industrial: It is recommended that the current definition of “Industrial” be re-defined to accommodate facilities that manufacture, design, assemble or process a product for wholesale or retail sale in areas where such uses have been historically located, and where infrastructure is already in place to serve industrial type uses.
6. Land Conservation: It is recommended that the Village create a new Land Conservation district that will preserve and protect those areas where *intense* development should be avoided due to special or unusual features of topography, drainage, floodplains, slope or other natural features that may represent a hazard to building or structures. Development proposals of any kind within these areas should be looked at with greater scrutiny.

Overlay Districts

In addition, two new overlay districts should be considered for inclusion in the zoning update:

1. Traditional Neighborhood Overlay District: This is to allow for the creation of specific design guidelines for the Village’s Main Street. Design standards related to architecture, massing, parking, landscaping, and lighting should be promoted to develop the “historic” feel of Main Street.

*Use and Intensity
Regulations*

2. Gateway Overlay District: This will allow for the creation of specific design guidelines for the Village's gateway(s).

The Village will need to establish use regulations and intensity (dimensions) for each of its zoning districts. Recommended and permitted uses within each district should be refined through a public participation process and include discussion among the Village Board of Trustees, the Planning Commission and the general public. In addition, a table outlining the permitted uses, and area or building requirements should be included.

In general, the range of uses in the Village Mixed-Use area should be significantly less inclusive than in the commercial districts. This is to create a Village center along Main Street.

Affordable Housing Incentives

The Village should consider adopting an Incentive Zoning section within the Zoning Ordinance Update. With the 2000 Census information depicting a rise in poverty rates and in low-moderate income residents, private developers should include affordable housing units as part of their new housing developments.

*Architectural Design
Review*

Architectural design guidelines should be created for the new zoning classifications. When developing guidelines, the Village must be careful not to apply them in an arbitrary and capricious manner. The guidelines should be specific, and may include the color and type of facades, the material used in construction, trim, height, lighting, and landscaping.

Interim Zoning Changes

Ultimately, implementation of the Comprehensive Plan will require most of, or all of the above provisions. However, the Village may not be able to make these changes all at once. In the interim, the Village could adopt zoning changes that implement the Comprehensive Plan in a more gradual fashion, beginning with the most pressing issues.

A high priority change would be the establishment of the two (2) overlay districts. The original underlying districts would remain the same, however the creation of a Village center along Main Street, and the creation of new gateways would begin. In addition, the list of allowable uses in the Zoning Ordinance should be updated and a definition section should be added.