

Summary of Recommended Zoning Changes¹

Submitted to Town of Ballston Town Board 11/29/16 by Nan Stolzenburg AICP CEP/Don Meltz AICP

A. Hamlet Residential

1. Add requirement for sidewalks and that new streets be grid pattern, not cul-de-sac.
2. Allow for increased density as per plan - Increase density to 2-4 units per acre.
3. Concentrate sewer expansion in this district. With sewer, the watershed overlay restriction on density should be removed, and other stormwater and water quality standards should be emphasized.
4. Allow senior citizen housing as per plan.
5. Add design/performance standards and density limitations for multi-family dwellings to ensure consistency in scale and intensity of use in Hamlet.
6. Rework lot size dimensions to reflect hamlet style setbacks, road frontages and build-to line including increasing the maximum lot coverage (in a hamlet this should be higher than 30%). Analysis of existing lots in hamlet should help define what these dimensions should be to promote consistency of new to existing.
7. Remove option for a PUDD.
8. Allow TND as optional design, not mandatory. Or remove TND as a design tool and update zoning to incorporate the TND design elements instead.
9. Offer TDR bonus for use for developments located in receiving areas in Hamlet.

B. Mixed Use North and South

1. Add requirement for sidewalks and that new streets be grid pattern, not cul-de-sac.
2. Add allowance for single family homes with a stated density.
3. Rework lot size dimensions to reflect more hamlet style setbacks, road frontages and build-to line including increasing the maximum lot coverage (in a hamlet this should be higher than 30% - at least outside of the watershed overlay area).
4. Require public pocket parks for residential developments as per the plan.
5. Ensure design standards apply to residential developments – not just commercial uses.
6. Review those design standards and make sure they are going to yield the design expected in a hamlet/mixed use development area. Ensure they are viewed as 'shall' instead of 'guideline'.
7. Remove unlimited density allowance and place upper limit on density for residential uses.
8. Remove option for a PUDD.
9. Concentrate sewer expansion here.

¹ See expanded matrix of recommendations dated 11/28/16 submitted to Town Board for more detail and explanation.

10. Place limits on building size footprint as per plan, for commercial buildings. However, offer a size bonus when TDR is used. Update the TDR draft law to accommodate commercial uses.
11. Keep buildings at a 2-story height.
12. Add in additional access management and traffic calming techniques.
13. See concept map for recommended changes to district boundaries.

C. Rural

1. Add definitions related to agriculture and additional ag-related uses.
2. Add building size limitation on commercial structures to ensure consistency with plan for small scale uses.
3. Ensure that rural design guidelines apply to non-residential uses for this district.
4. Remove the 1 dwelling per 1 acre allowance, and keep density as recommended in the plan at 1 dwelling per 2 acres throughout the Rural District.
5. All major subdivisions should be designed as conservation subdivision and not tied to provision of public water and sewer. Allow for use of community wastewater and well water if conditions on parcel are suitable. If conditions on site do not support that capacity, a density yield plan can determine the number of houses the parcel can support.
6. Consider use of average lot size to offer more flexibility to landowners in design and siting.
7. Consider calculating density based on NET acreage (this is currently used in the conservation subdivision technique) where environmentally constrained lands are reduced or removed from calculation of acres and density. This will fine tune density to better fit with the actual capacity of the land.
8. Add in a buffer requirement for all classified streams (A-C streams as per NYS DEC) and wetlands. (This should be for all areas in Town, not just rural district). Update TDR draft law to include these buffers as a critical design element.
9. Offer a density bonus only through use of TDR on those parcels designated as receiving areas.
10. Remove option for PUDD.

D. Ballston Lake Waterfront

1. Add in stream and wetland buffer requirement for all classified streams and wetlands.
2. Change maximum lot coverage from 30% to 15% or 20% to reduce impervious surfaces.
3. If sewer is built, then density would go to 1 acre minimum lot size around lake as per current zoning. Discuss if this meets other character, environment, and recreational goals, or if density should remain at 2 acres even with the sewer.
4. Remove PUDD option.

E. Business Highway 1 and Business Highway 2

1. Add in additional access management and traffic control tools.
2. Remove BH2 district and make those lands part of Rural District. Keep the BH1 District, and expand it as shown on the concept map.

3. Add in residential design guidelines for BH1 to ensure that subdivisions or uses other than single family homes meet other design goals of the town.
4. Specify a density for residential uses to prevent over-development of residential uses in the BH1.
5. Place building size restrictions on commercial buildings. However, offer a bonus to increase the building size only when TDR is used. Update the TDR draft law to accommodate commercial uses in this manner.
6. Update road standards to emphasize desire for grid, connected roads.
7. Remove PUDD option.

F. Ballston Lake Residential

1. Go back to density established in Plan at 1 dwelling per 2 acres. Remove the 1 dwelling per 1 acre allowance. Reasonable bonuses to be offered only in receiving areas and where TDR is used. Allow for average lot size, and use NET ACREAGE to calculate density.
2. Remove TND requirement. Instead, require use of conservation subdivision for all major subdivisions with a 50% open space requirement. Over time, work to link the preserved open spaces with trails. Develop an open space map (as called for in the Plan) to guide where these open spaces should be so that over time, a green infrastructure for the town is preserved. Conservation subdivision should also be required for any parcel being developed with TDR credits.
3. Remove PUDD as an allowable technique.
4. Remove requirement for a special use permit for animal agriculture that is also located in the NYS Ag District. Establish setbacks and other conditions to protect water quality and nuisances when new animal agriculture comes via incorporation of the NYS modified site plan review process.
5. In the BL Watershed Overlay, reduce maximum building coverage from 30% to 15% or 20%.

G. Ballston Lake Watershed Overlay

1. Update watershed protection requirements based on Ballston Lake Improvement Association and Watershed Management Plan group input (received as part of this process) and other enhancements.
2. Lower maximum building coverage from 30% to 15% or 20%.
3. Where sewers exist, remove 1 dwelling per 1 acre requirement and concentrate on other watershed protection measures as lot size becomes less important.

H. Other

1. Change the draft TDR law: update map to show changes in receiving and sending areas, recognition of streams and wetlands to be buffered from development, adding of receiving areas in commercial areas (Mixed Use North and South and BH1 to offer size bonus for commercial uses. This bonus goes hand in hand with the recommended building size limitation so that the Town benefits from the small development the plan seeks, but allows for larger commercial buildings when TDR is used). Offer some density

bonuses only via TDR program so that all commercial and residential growth can work to protect farmland and open spaces.

2. Require use of conservation subdivision design in Ballston Lake Residential receiving areas.
3. See other handout for details on changes needed to improve Conservation Subdivision.
4. See other handout for details on PUDD. Remove as an allowable technique in all locations.
5. Update Special Use Permit process for agriculture in zoning to be consistent with NYS Town Law 274-b (no special use permit should be required – use a modified site plan review process as outlined by NYS Ag and Markets).
6. Ensure that site plan review and special use processes take place simultaneously so as not to delay the permitting process unnecessarily.
7. For discussion - Consider if the current system where PB does some reviews and ZBA does others works. This needs discussion. Determine if it makes sense to have ZBA do some things and PB to do others. The most efficient way is to have ZBA do variances, appeals, and interpretations and the Planning Board to do subdivision, site plan and special use permits. Zoning changes should also find ways to be efficient and business friendly. Splitting up the review process as you have it now is not usually considered a business-friendly model. To be discussed.
8. Add Ag District boundary to zoning map for information purposes or on another accessible map so that it can be effectively used in review process.
9. Add text to allow only single family homes on slopes > 15%.
10. Add in to ensure all procedures include the required referrals and SEQR processes.
11. Add in a requirement for use of Ag Data statement for all development in the Rural and Ballston Lake Residential districts as per NYS AML 25-aa (wherever there are NYS Certified Ag Districts). Consider also adding requirement for use of an 'Ag Disclosure Notice' to be included in approved plats and plans for projects located in a NYS Ag District. This is currently a requirement of NYS AML 25-aa for all real estate agents, but can be included as a local requirement. This is a notice to alert buyers that the land they are buying/developing is in an agricultural area.
12. Update all definitions – there are many that are missing. The ones related to agriculture especially need work. All uses that require a special use permit should be defined, at the least.
13. Consider addressing regulations for solar and wind facilities, digital signs, PODs, Air B&B's, and other new technologies/uses.