

TOWN OF DRYDEN LOCAL LAW No. _____ OF 2020
A LOCAL LAW TO AMEND DRYDEN ZONING LAW SECTIONS 900, 909 AND 701

SECTION 1

Section 701 is amended to add the words "...to the maximum extent practicable..." in order to make it consistent with Section 702 so that Section 701 now reads:

Section 701: Design Guidelines and Standards

All development and re-development of Lots and property in Varna shall comply, to the maximum extent practicable, with the Varna Design Guidelines and Landscape Standards, including:

- A. Landscape Design. Any proposed development or re-development subject to a building permit or review under this Law shall include a landscape and planting plan that includes:
 - 1. A map or sketch of existing vegetation to be retained or removed.
 - 2. A detailed landscape plan that includes a list of the number, type and location of proposed vegetation.
 - 3. A narrative or drawing demonstrating how the development or re-development will preserve open space and existing natural features including mature trees, tree canopies, land forms, existing topography and vegetation.

- B. Streetscape and Sidewalk Design. Any proposed development or re-development subject to a building permit or review under this Law shall include plans for sidewalks or pedestrian paths that contribute to the goal of a unified pedestrian network in Varna. Any such proposed development or re-development shall include a streetscape and sidewalk plan that includes:
 - 1. A map or sketch and list of dimensions of proposed pedestrian paths, sidewalks, and trails.
 - 2. A map and sketch detailing streetscape amenities including lighting, sidewalk furniture (such as benches and refuse containers), signage, and a maintenance plan for such amenities, including provisions for snow removal.
 - 3. Any proposed development or re-development along Route 366 requires sidewalks.

- C. Building and Architectural Detail.
 - 1. No proposed Building shall exceed 40 feet in height.

2. Any proposed development shall be designed to preserve, as much as practicable, the existing views and line of sight of existing buildings and neighboring properties.

D. Streets and Parking.

1. Any proposed development shall provide a circulation plan in and around the development for pedestrians, vehicles, and cyclists which includes a detailed map showing:
 - a. Proposed roads, trails and cyclist paths.
 - b. The connection of proposed roads, trails and cyclist paths to existing public highways.
 - c. Circulation patterns including points of ingress and egress.
 - d. The dimensions of any proposed roads, trails and cyclist paths.
 - e. The location of any proposed curb-cuts to Route 366.
 - f. The location and number of proposed parking spaces.
2. New roads should be designed and located to preserve existing topography, as much as practicable.

SECTION 2

Section 900(G) is amended to include a reference to Article VII so that it now reads:

Section 900: General Regulations

Except as hereinafter provided, the following general provisions shall apply to land use and development in the Town of Dryden:

- A. No land or Structure shall hereafter be used or occupied and no Structure or part thereof shall hereafter be enlarged or its use altered unless such action is in conformance with all the regulations specified for the zone in which said action occurs, any special regulations applicable thereto, and the provisions of this Law.
- B. Until such time as public water and/or sewer facilities are available, the Tompkins County Health Department standards for minimum Lot size shall take precedence over any less restrictive provisions of this Law except as may be provided in the Town of Dryden Subdivision Law.
- C. No Lot shall hereafter be reduced or altered so as to result in a Lot that does not meet the minimum Lot area or Yard requirements prescribed by this Law.

- D. No Yard provided for any Structure for the purpose of complying with the provisions of this Law shall be considered as providing a Yard for any other Structure.
- E. Public utility facilities (including electric, gas, telephone and television cable) and necessary appurtenances thereto, shall be allowed uses in all zones by Special Use Permit.
- F. The provisions of this Law shall not be in conflict with the Town of Dryden Subdivision Law and the most restrictive provisions shall apply.
- G. Waiver or Modification of Lot Requirements during Site Plan Review Approval.
1. To encourage development, or redevelopment, as the case may be, the Town Board reserves the right to waive or modify, upon a determination as herein provided, the area and bulk requirements pertaining to the dimensions of a Lot, set forth in ~~Article~~ Articles VI and VII. An applicant requesting a waiver or modification of Lot requirements must demonstrate by clear and convincing evidence that, to the maximum extent practicable, the proposed development complies with the Residential and/or Commercial Development Guidelines.
 2. In reaching a determination whether the applicant has, to the maximum extent practicable, complied with the applicable Design Guidelines, the Town Board shall consider:
 - a. the recommendations of the Planning Department and the Planning Board;
 - b. the scope of the proposed development, including number of new lots;
 - c. minimization of new public infrastructure;
 - d. maximization of permanently preserved Open Space; and
 - e. utilization of techniques designed to enhance public safety, environmental quality, property values, economic opportunity, town character as expressed in the Town's 2005 Comprehensive Plan, and the overall quality of life for all town residents.
 3. The Town Board shall hold a public hearing on any application to waive or modify Lot requirements under this subsection, and the provisions of Town Law § 265 shall apply.
 4. In reaching a determination about whether to waive or modify any of the above-mentioned area and bulk Lot requirements, the Town Board shall make detailed

findings of fact and conclusions based on the application, the recommendations of the various reviewers, the public hearing and the standards herein set forth.

SECTION 3

Section 909(B) is amended to delete a reference to the no-longer existing “H” (Hamlet) District and replace it with references to the Districts in Varna, namely, VHMUD, VHRD and VHTD

Section 909: Landscaped Buffer Requirements for Multi-Family and Non-Residential Uses

- A. All portions of Multi-Family and non-residential Lots which are not used for Structures, off-street parking and loading areas, sidewalks or similar purposes shall be landscaped and permanently maintained in such manner as to minimize erosion and stormwater runoff and harmoniously blend such uses with the surrounding residential character.
- B. Multi-Family or non-residential uses abutting or directly across a Highway from any residential property in a ~~district~~ districts CV, H, VHMUD, VHRD, VHTD, NR, RA, RR or TNDO, shall have a Buffer Strip along or facing any common property lines. Such Buffer Strip shall comply with the following minimum standards:
 - 1. It shall be a planting of such type, height, spacing and arrangement as, in the judgment of the Board, will effectively screen the activity on the Lot from the neighboring residential area. In the case of industrial uses, plantings shall be at least six (6) feet high at planting and at least 12 feet high at maturity.
 - 2. It shall be at least 20 feet in width, except in conjunction with industrial uses, in which case the buffer strip shall be at least 30 feet in width.
 - 3. No site improvements, including parking areas, shall be allowed within 15 feet of the inside edge of any buffer strip.
 - 4. A wall or fence of location, height, design and materials approved by the Board may be substituted for part or all of the required planting and buffer area.
 - 5. Where the existing topography and/or landscaping provide adequate screening, the board may waive or modify the planting and/or buffer area requirements.

SECTION 4

This local law shall take effect upon filing with the Secretary of State.

SECTION 5

The provisions of this local law are severable. If any court of competent jurisdiction decides that any section, clause or sentence, part or provision of this local law is illegal, invalid or unconstitutional, such decision shall not affect, impair or invalidate any of the remaining sections, clauses, sentences, parts or provisions of the local law.

SECTION 6

This local law shall supersede or repeal any prior inconsistent local law.