

UPPER NYACK

NEW YORK

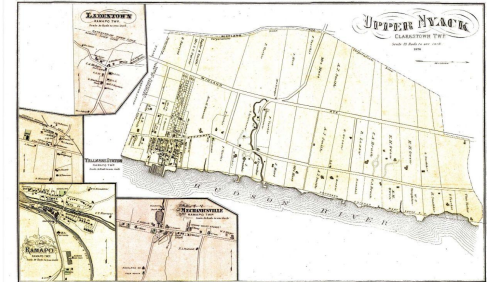
**ZONING LAW
REVISION**

IMPLEMENTING THE COMPREHENSIVE PLAN

Comprehensive Plan Adopted August 2021

Comprehensive Plan Implementation:

- 1. Zoning Law Revision (Fall 2021- Spring 2022)**
- 2. Updating the General Ordinances**
 - a. Quality of life ordinances
 - b. Local environmental laws
- 3. Further Planning**
 - a. LWRP/Harbor Management Plan
 - b. Historic Preservation
- 4. Capital Programs and Project Planning for a Sustainable Community**

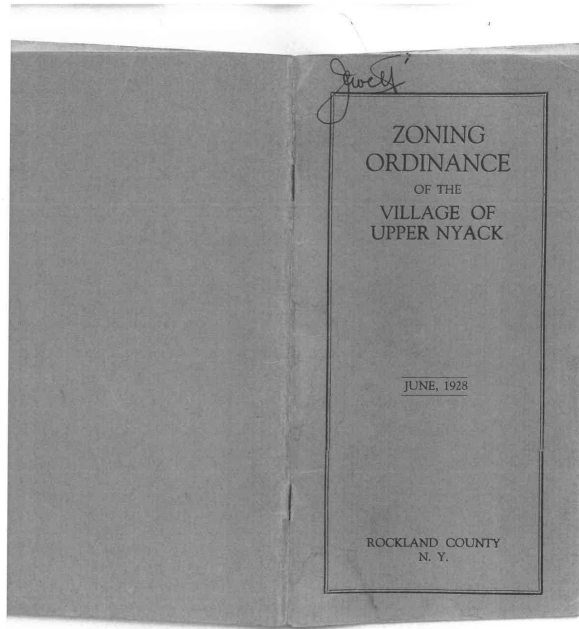


The Village of Upper Nyack
Comprehensive Plan

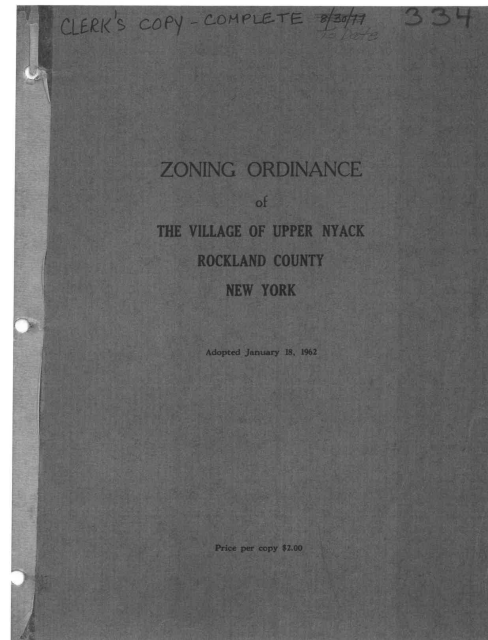
Comprehensive Guidelines
for a Sustainable Community
April 20, 2021

UPPER NYACK- ZONING HISTORY

1928 Zoning Ordinance



1962 Zoning Ordinance



FACTORS CONSIDERED

New York State and Federal Law- Authorization to adopt zoning and limitations on that authority.

The Comprehensive Plan.

Clarity and ease of use.

GENERALLY APPLICABLE CHANGES

Zoning Districts

EXISTING DISTRICTS

R-1 Residence (40,000 sf)
R-2 Residence (30,000 sf)
R-3 Residence (20,000 sf)
R-4 Residence (10,000 sf)
R-5 Residence (7,500 sf)
VC Village Center (4,000 sf)
OB Office Business (25,000 sf)
LO Laboratory Office (50,000 sf)
MB Marine Business (40,000 sf)

PROPOSED DISTRICTS

R-160 Residential Conservation District (160,000 sf)
R-80 Residential Conservation District (80,000 sf)
R-40 Low Density Residential District (40,000 sf)
R-30 Low-Medium Density Residential District (30,000 sf)
R-20 Medium Density Residential District (20,000 sf)
R-10 Medium-High Density Residential District (10,000 sf)
R-7.5 High Density Residential District (7,5000 sf)
VC Village Center (4,000 sf)
OB Office Business (25,000 sf)
MB Marine Business (40,000 sf)
Hudson River Overlay
Residential Special Use Permit Overlay

CURRENT ZONING MAP

Notes:

1. The Zoning Boundaries were derived from the Local Zoning Ordinance and tax maps and reflects current local zoning laws as of the date of adoption.
2. This map was adopted by the Village of Upper Nyack:

Date: 12/18/2003

Signed: *Michael Essey*
MAYOR

Zoning District Classifications

- R-1 Residence (40,000 s.f.)
- R-2 Residence (30,000 s.f.)
- R-3 Residence (20,000 s.f.)
- R-4 Residence (10,000 s.f.)
- R-5 Residence (7,500 s.f.)
- VC Village Center (4,000 s.f.)
- OB Office Business (25,000 s.f.)
- LO Laboratory Office (50,000 s.f.)
- MB Marine Business (40,000 s.f.)



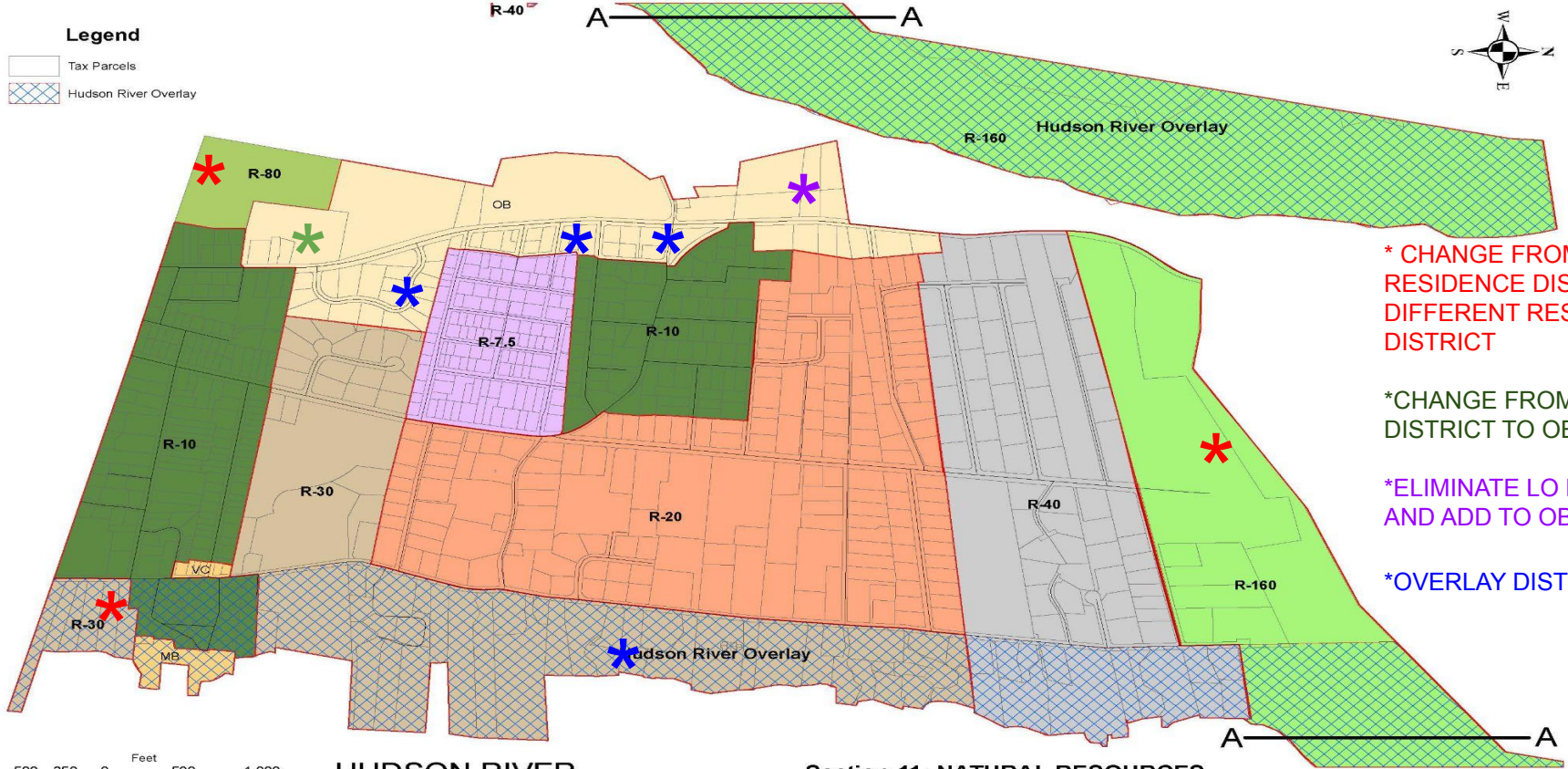
OFFICIAL ZONING MAP
Village of Upper Nyack
ROCKLAND COUNTY, NEW YORK

ROBERT GENESLAW CO. Planning and Development Consultants
2 Executive Blvd., Suite 401
Suffern, NY 10901

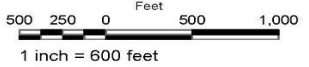
PROPOSED CHANGES TO THE ZONING MAP

Legend

- Tax Parcels
- Hudson River Overlay



- * CHANGE FROM ONE RESIDENCE DISTRICT TO A DIFFERENT RESIDENCE DISTRICT
- *CHANGE FROM RESIDENCE DISTRICT TO OB DISTRICT
- *ELIMINATE LO DISTRICT AND ADD TO OB DISTRICT
- *OVERLAY DISTRICT



HUDSON RIVER OVERLAY ZONE

Section 11: NATURAL RESOURCES
The Village of Upper Nyack Comprehensive Plan
Date: April 20, 2021

GENERALLY APPLICABLE CHANGES

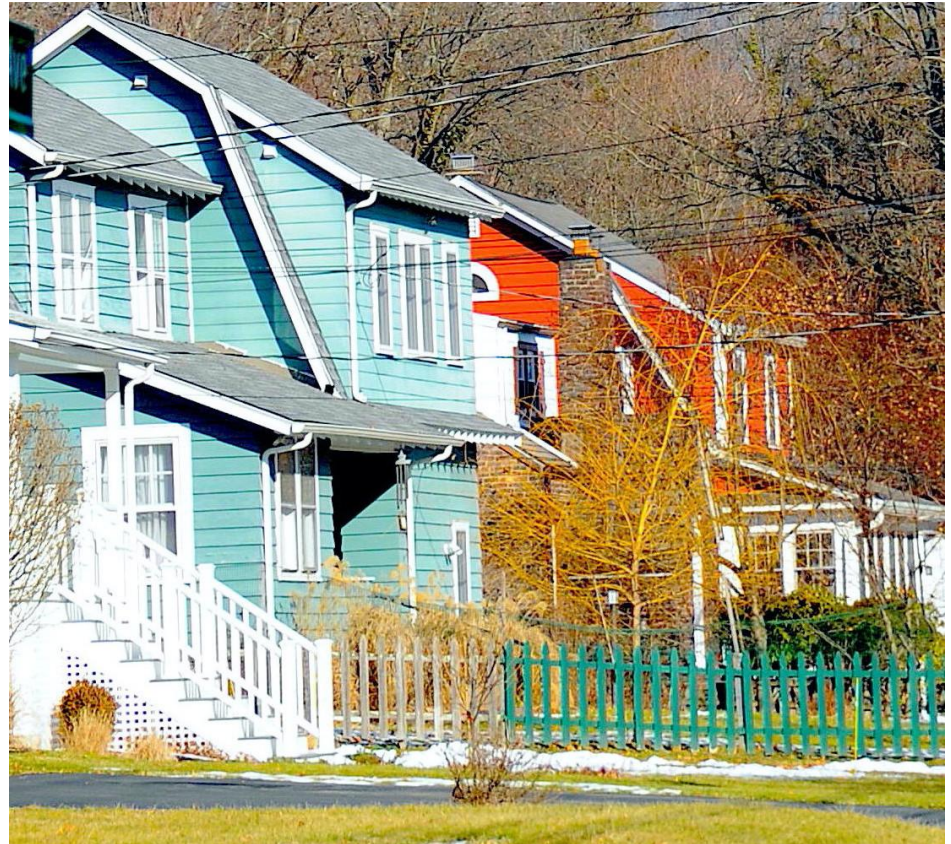
- ❑ Use, bulk and parking requirements in table form.
- ❑ Site plan review standards and criteria.
- ❑ Expanded “Definitions” section.
- ❑ Certain provisions moved from Zoning Law to separate local laws (Tree Preservation, ARB, Subdivision, Stormwater Management).
- ❑ Revised and expanded nonconforming use and bulk provisions.
- ❑ Net lot area as the basis for minimum lot area.
- ❑ Revised steep slopes regulations.

GENERALLY APPLICABLE CHANGES

- ❑ New fencing and walls provision, which provides for deer fencing.
- ❑ Special Use Permits: 5-year renewal process; provide authority for the Planning Board to condition approval for commercial/industrial/marine uses to require ongoing monitoring of noise, traffic, odors, fumes, etc...
- ❑ Wireless telecommunication facility provisions remain consistent with existing law.

RESIDENTIAL ZONING DISTRICTS

- ❑ Most residentially-zoned properties will retain existing zoning classification.
- ❑ Special permit uses will provide opportunities for a more flexible and diverse range of housing options:
 - Multiple dwelling conversion retained
 - Estate use retained
 - Accessory apartment provision added
 - Short term rental provision added
- ❑ Supplemental bulk requirements clarified (accessory structures, swimming pools, etc...)
- ❑ Certain non-residential uses permitted:
 - Principal permitted uses: Wireless Telecommunication Facilities
 - Special permit uses: Home occupations, places of worship, schools, private membership clubs



OB- OFFICE BUSINESS ZONING DISTRICT

District Goal: Merge existing OB and LO into one district with an expanded list of uses to encourage commercial development.

Buffers: Ensure that non-residential uses are buffered from adjacent residential uses.

Proposed Uses:

Principal Permitted Uses:

Retail Establishments, Personal Service Establishments, Banks, Fitness Clubs, Medical/Veterinary/Laboratory Uses, Professional Office, Restaurants, Self Storage Facilities, Warehouses, Cannabis Consumption and Sales; Accessory uses for fabrication, production and servicing and table seating for retail uses selling food items included.

Special Permit Uses:

Day Care Centers; Light Industrial Facilities; Motor Vehicle Dealerships, Rental Agencies and Service Facilities; Senior Care Facilities, Places of Worship, Schools, Community Centers.



OB- OFFICE BUSINESS ZONING DISTRICT

OB: Residential Overlay District



Riverton Subdivision

MB- MARINE BUSINESS DISTRICT

- ❑ All uses other than wireless telecommunication facilities continue to be permitted only with a special use permit.
- ❑ Special use permit criteria and standards:
 - Generally consistent with existing standards
 - Boatyards/yacht club/marina uses, additional provisions for heavy equipment and outdoor storage added
- ❑ No change in district boundary.



VC- VILLAGE CENTER DISTRICT

- ❑ Bulk and parking requirements designed to recognize and foster existing configuration of district.
- ❑ Special use permit required for most uses other than municipal uses, one family dwellings and wireless telecommunication facilities.
- ❑ No change to district boundary.



**QUESTIONS/
COMMENTS**