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Village of New Paltz

B-3 District Zoning Recommendations

DRAFT - July 2007

Prepared for the Village of New Paltz

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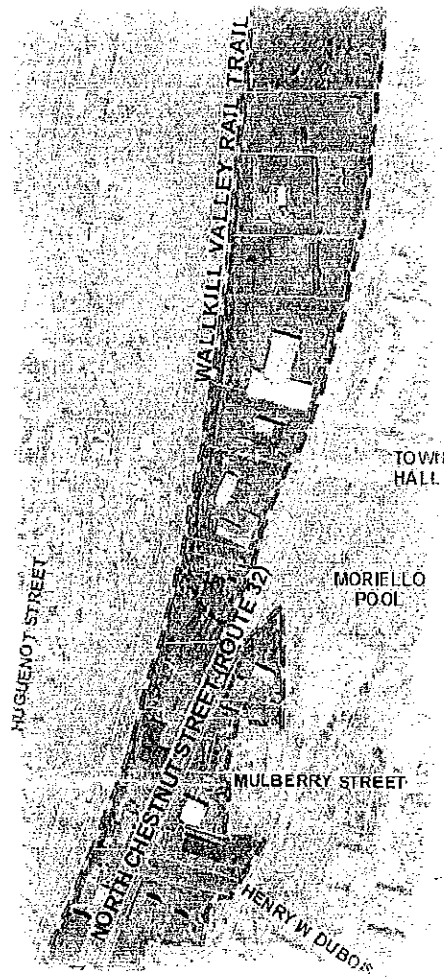
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Introduction

The B-3 District, located along the Route 32 North corridor of the Village of New Paltz, serves as the northern gateway to the village for people traveling south on Route 32. The district could be considered under-utilized at present and lacking in a defined sense of place. The recent *Transportation-Land Use Project* has identified the B-3 District / Route 32 North area as a potential future growth center for the village and the town alike. The transportation project has identified numerous improvements that could be made to the area including installation of additional sidewalks and paths, intersection reconstructions, additional crosswalks, and the establishment of design guidelines for the Route 32 North corridor. Further, due to the distance from downtown (over 1/2 mile) the Route 32 North area presents a good opportunity to establish a secondary center outside of the village core.

Discussions regarding changes to the zoning in the B-3 District have been occurring for a long time. However a December 2005 New Paltz Times' article (included in **Appendix A**) summarizes how a mixed-use development proposal has been the "catalyst" in causing the village to take a look at the zoning for this area. The current zoning would not allow such a development to occur, not just due to use, but density, setbacks, and height requirements all currently prohibit the potential for mixed-use development.

Based partly on the Village's desire to reevaluate the zoning in this area, Behan Planning Associates has been contracted by the Village of New Paltz to review and update the B-3 Zoning District. This plan serves as a summary report of existing conditions, public input for changes to the district, and recommended zoning changes to be made within the district. Following review and approval by the Village Board, the recommendations in this report will be applied to formal changes within the zoning code for the B-3 District.



B-3 District Study Boundary

Existing Conditions

The B-3 Zoning District is located in the northern portion of the village, along about 2/3 of a mile of Route 32 North, also known as North Chestnut Street. The district encompasses approximately 27 of the approximately 1,000 acres comprising the village, or less than 3% of the village. The majority of the district is bounded by Route 32 to the east and the Wallkill Valley Rail Trail to the west. The southern portion of the district is also located on the east side of Route 32. Broadhead Avenue marks the southern end of the district, while the northern end is located near the split of Route 32 and Old Kingston Road.

Other than one single-family residential parcel at the far north end of the district, the entire district is commercially developed. Several of these commercial uses are automotive related, such as sales, service, car wash, and gasoline stations. Other uses in the district include a Salvation Army store, an Agway, a wholesale distributor, a BOCES center, and other smaller service businesses. Current zoning does not allow residential uses within the B-3 District. Table 1 illustrates some of the allowed and not allowed uses for the B-3 District.

Table 1. Examples of allowed and not allowed uses in the B-3 District

Allowed	Not Allowed
Automotive sales, parts, repair etc.	Mixed use buildings
Gas stations, car washes	Residential homes or apartments
General / Professional offices	Senior Housing
Drugstore	Home occupations
Appliances	Bed & Breakfast
Motel	Hotel
Clothing, laundry, dry cleaning	Nursing Home
Grocery store	Educational Use
Lumberyard, equipment rental	Agricultural Use
Restaurant	Industrial Uses

As can be seen in the table, in addition to residential uses senior housing and nursing homes, hotels (but not motels), agricultural, and industrial use are also not allowed.



Example of some of the typical business which currently exist in the B-3 District

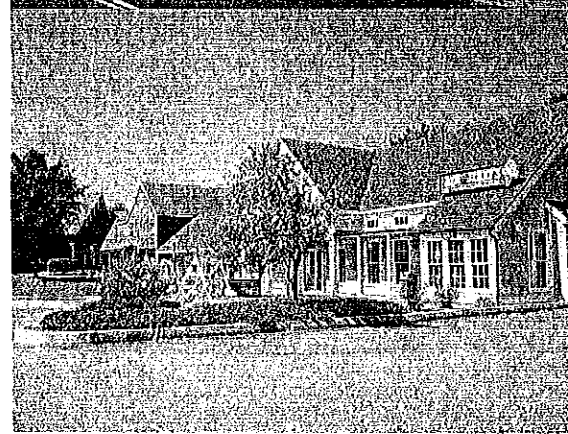
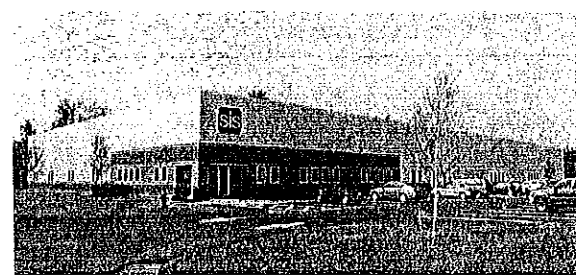
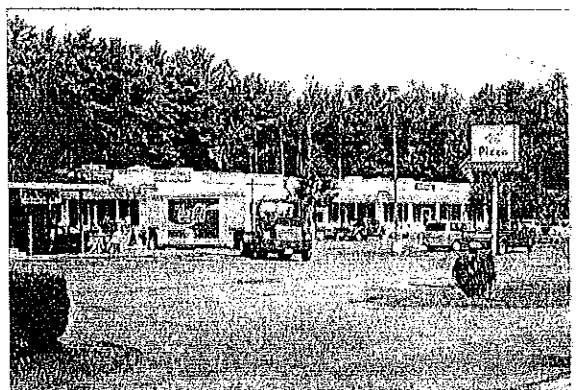
Public Involvement

On March 14, 2007 a public workshop was held to discuss the role of the B-3 district as it is now, and brainstorm how it could be changed in the future. After an overview of the district by Behan Planning, meeting attendees participated in an image preference survey. A series of 25 slides were shown, and the participants were asked to score the slides from -3 to +3 based on the appropriateness for the study area, where -3 is the most inappropriate and +3 is the most appropriate. Furthermore, the participants were given the opportunity to provide brief "gut-feeling" comments on each of the slides.

Overall participants comments and scoring indicated a desire for a pedestrian-scale, walkable, mixed-use corridor. Emphasis was placed on sidewalks, trees, pleasing architectural style, and buildings near the street with parking at the back or sides. Generally participants were against "corporate" or "formula" businesses being located in the corridor. They want buildings that will blend in, have a mixture of heights/styles, and will allow for residential uses - though not solely residential. A summary of the image preference survey is included in **Appendix B**. On the following page are the three images that scored the highest and the three images that scored the lowest in the image preference survey.

Most appropriate

Least appropriate



Images presented as part of the image preference survey during the March 2007 public workshop. Participants rated the three images on the left as most appropriate for the B-3 District, and the images on the right as the least appropriate.

Following the image preference survey meeting participants broke up into two groups to discuss the district in detail. They looked at what they liked and didn't like about the existing conditions, and discussed what changes could potentially be made to the zoning to improve the district.

While participants generally did not want to see more gas stations and automotive related business created in the district, it was noted that this is one of the only areas in the Village where these services exist, and they are a necessary element in our auto-centric society. Despite the automotive nature of the district, there was a strong desire to make the corridor more pedestrian friendly and perhaps slow traffic down in the area. Street trees and medians were put forth as a suggestion as well as having new buildings closer to the street, similar to Main Street in the Village.

Participants specifically stated that they did not want to see adult uses, big box stores, or industrial uses in this area, but that mixed use development was very much desired. They did want to see more service oriented business, such as drug stores and restaurants, as this area could provide more amenities to the surrounding residential development. Also increasing density and the allowed building height in the district to accommodate three, and maybe four-story, development was suggested.

Other topics that were brought up were consolidating curb cuts, reducing the sea of asphalt around some of the existing businesses, and continue to keep parking off the street. Building form and design were discussed, and it was noted that the back side of the buildings in the corridor face either residential development or the rail trail, and therefore design standards should be established for not just the front of new buildings, but also the rear of the buildings. A summary of the notes taken at the public meeting are included in Appendix B. An article from the New Paltz Times summarizing the meeting is included in Appendix A.

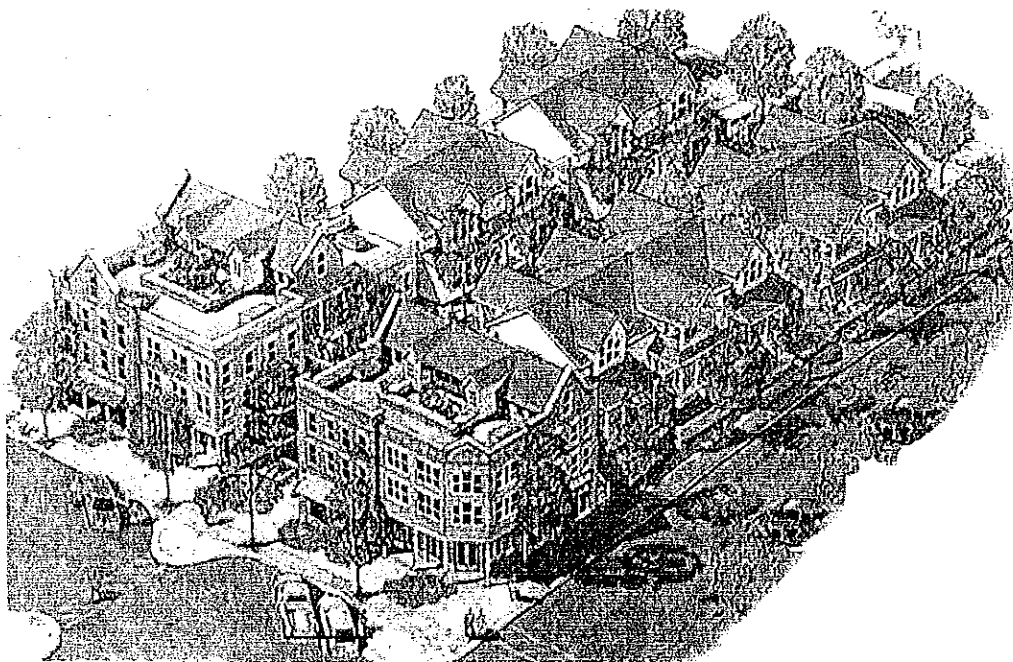
Clearly, the challenge facing the Village of New Paltz is how to support a transition to a mixed and vibrant land use pattern while recognizing the need for existing business to remain and thrive.

Zoning Recommendations

Based on Behan Planning's analysis and the results of the public meeting several recommendations for the B-3 District have been compiled as outlined in this section.

Recommendation #1 - Allow and/or require mixed-use development

The B-3 district is the only district in this area of the Village to not allow any form of residential development. While we do not believe lots in the district should be converted to solely residential uses, a mix of residential and commercial would advance the recommendations of the recently completed transportation plan. A mix of residential and commercial development would provide for a fiscally balanced growth program and create a vibrant livable environment while offering valuable services to the community. We would recommend that residential uses be permitted, but only in conjunction with a mixed-use plan for projects that exceed a prescribed size threshold.



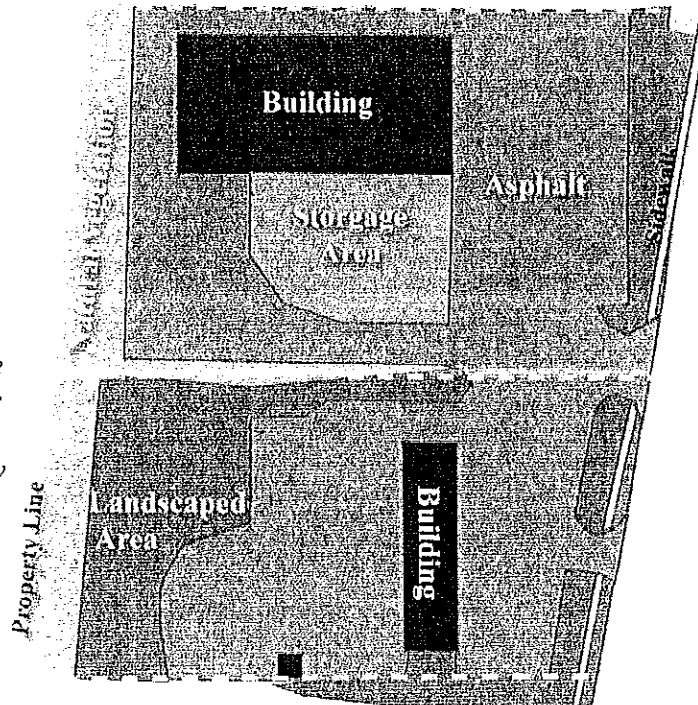
This illustration is a concept for the north end of the B-3 district. The concept includes mixed-use facing Route 32 with residential behind. This is example is meant to be illustrative and it should not be inferred that this plan supports this particular development proposal. - image courtesy of Richard Cussano

Recommendation #2 - Increase allowed density

The B-3 District currently allows a maximum lot coverage of 50%. This percentage could be increased to allow a denser, more compact neighborhood character. Since the existing zoning code includes parking and driveways in the

lot coverage percentage we recommend creating a parking formula to limit the amount of wasted asphalt surrounding new businesses. We recommend increasing the maximum allowed lot coverage to 70% with a stipulated percentage of the coverage to be dedicated to parking and driveways.

The example at right is from the B-3 District. While there is a good amount of landscaping, a shared curb-cut and a sidewalk, there is significant amount of asphalt as the buildings cover less than 20% of the parcel. Also the buildings are considerably far from the road which is contrary to the desired look and feel of the area.



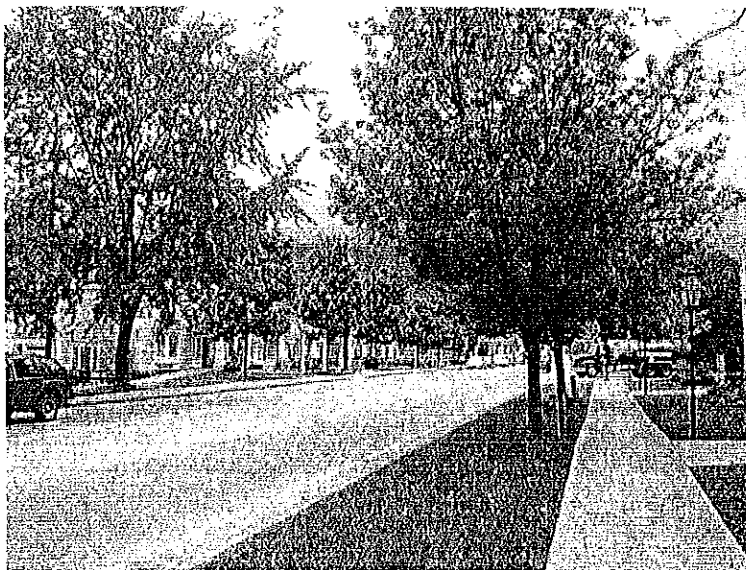
Recommendation #3 - Increase allowed building height

The current allowed height in the B-3 District is only 25 feet. This is lower than even the surrounding residential districts. In keeping with the idea of more density in this area, allowing a third story to development will greatly increase the potential for this area to be a growth center. Given the primary residential nature of the surrounding area, we do not believe allowing four stories would be appropriate. Therefore we recommend increasing allowed building heights from 25' to 40' to allow for three floors and peaked rooflines.

Recommendation #4 - Create landscaping and curbing requirements

While the northern portion of the B-3 district seems to have adequate landscaped buffers along Route 32, the southern portion of the district is desperately lacking landscaping. For nearly 1,000 feet along the east side of Route 32, from the southern edge of the District, there is less than 10% landscaping at the road edge. There area also no sidewalks on this side of the street from the south end to the Gateway Community buildings near New Paltz Town Hall. We recommend creating landscaping standards that require a landscaped buffer along Route 32, and specify maximum number of curb cuts for a property. Additionally the landscaping requirements would include the installation of sidewalks and trees.

An example of the lack of landscaping and curbing in the southern portion of the B-3 District (right) Compared to an example of landscaping, sidewalks, street trees, and minimal curb cuts in Manchester, Vermont (below)



Recommendation #5 - Add additional allowed uses

We recommend that additional uses be encouraged within the B-3 district that would help to serve the nearby residential areas, and new uses be allowed which might help serve the Village overall. To that end, mixed-use development needs to be

added to the allowed uses in the zoning code and use table for B-3. Also "hotel" is recommended to be added to the allowed uses, with "motel" being removed from the allowed uses and also removing "motel" and associated motor-lodge type uses from the definition of "hotel" in the zoning code, to allow these to be separate concepts.

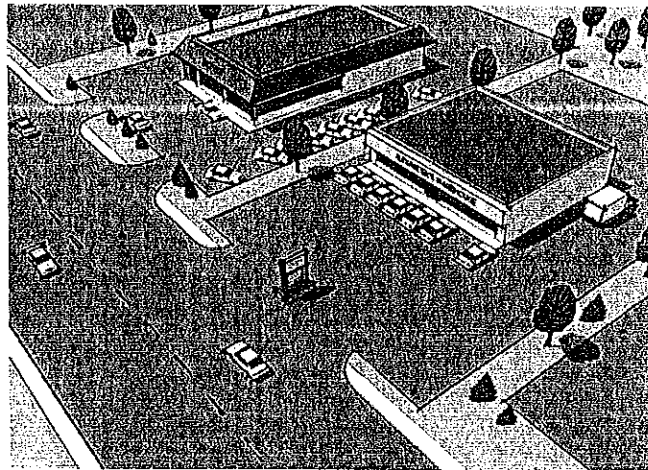
Additionally, the Village could strengthen the special permit regulations to gain control over access management, lot layouts, building design, etc. All uses could be moved to special permit, rather than allowed by right, in order to maximize the Village's influence on proposed development.

Recommendation #6 - Correct and update the use table in the Zoning Code

Schedule A of the Village of New Paltz Zoning Code implies that several retail business and services are not allowed in the B-3 district based on these business being listed in the table and having neither a "P" for permitted nor an "S" for permitted with a special permit. The body of the zoning code however does not state that these business are excluded, and in fact states that "Retail business or service not otherwise specifically mentioned herein" are permitted under special permit. Having spoken with Village staff, Schedule A has been determined to be misleading and incorrect in not identifying all retail business listed in the table as permitted under special permit, thus this should be updated.

Recommendation #7 - Change front yard setbacks

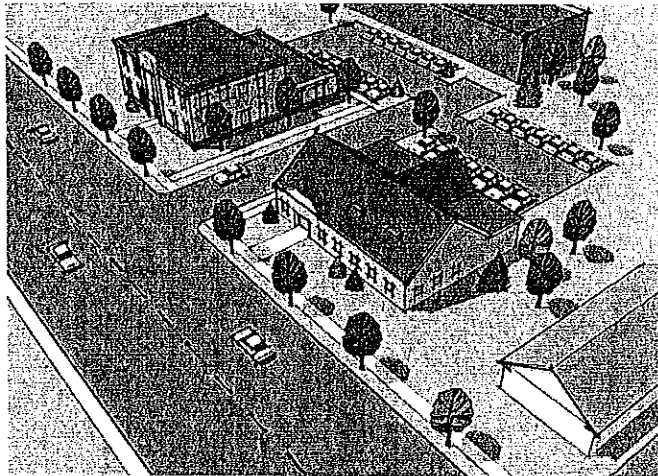
To bring building closer to the street and move parking to the sides and rear of buildings, we recommend reducing the minimum front yard setback from 25 feet to 15 feet. Also the creation of a maximum front yard setback of 30 feet would help ensure buildings are not set too far back, but still allow for increased landscaping in front of buildings if so desired.



These illustrations show how the existing zoning allows large setbacks and vast expanses of asphalt (above), while changes to the zoning could bring buildings closer to the street, reduce curb cuts, and move the parking to the rear of buildings (below). This illustration also demonstrates improved design standards (see recommendation #10)

Recommendation #8 - Revise zone boundaries to include adjacent parcels

Over time, residential properties typically get converted to accommodate business uses, and in some cases it makes sense to adjust the district boundaries to reflect this. Likewise, some residentially zoned parcels are left isolated in a mostly commercial area, which may not be the most efficient use of the land. We would recommend that some of these parcels should be considered for rezoning. In



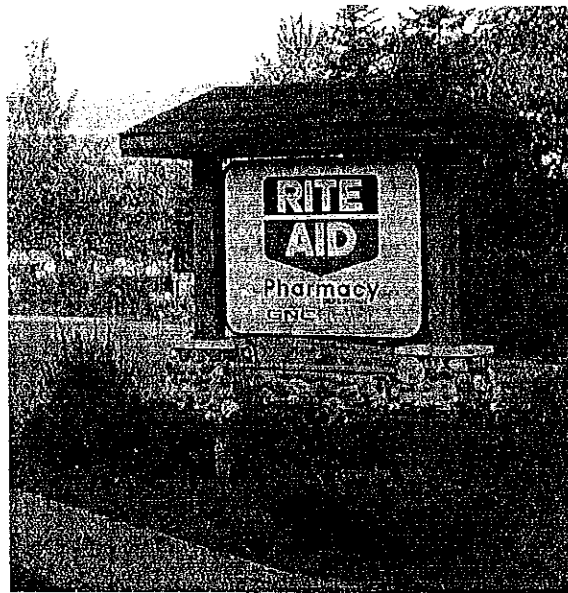
particular, select parcels near the corner of Mulberry Street and Church Street have been discussed as candidates for inclusion into the B-3 district.

Recommendation #10 -Coordinate with the Town of New Paltz zoning

To help assure conflicting land uses will not end up being next to one another we recommend the Village and the Town review their respective zoning ordinances, and confirm that changes to either are compatible with one another. Where there are incompatibilities the municipalities should work together to determine the best solution for the area in question.

Recommendation #10 -Modify existing sign regulation for the B-3 District

While the existing sign regulations provide for limits on sign sizes and lighting, the regulations could be strengthened to include design elements such as sign construction and landscaping around signs. In addition the prohibition of exposed lighting sources in the existing code could be amended to allow attached lights on signs that are of an appropriate style, for example lights that have a wrought-iron or copper bezel and are a pleasing design element of the sign. As an alternative the Village may wish to revise the zoning to prohibit free-standing signs.



An example of sign with design standards in place. The sign is wood with landscaping around it, and while not typical of the chain store it represents, it still maintains the store's logo and color scheme.

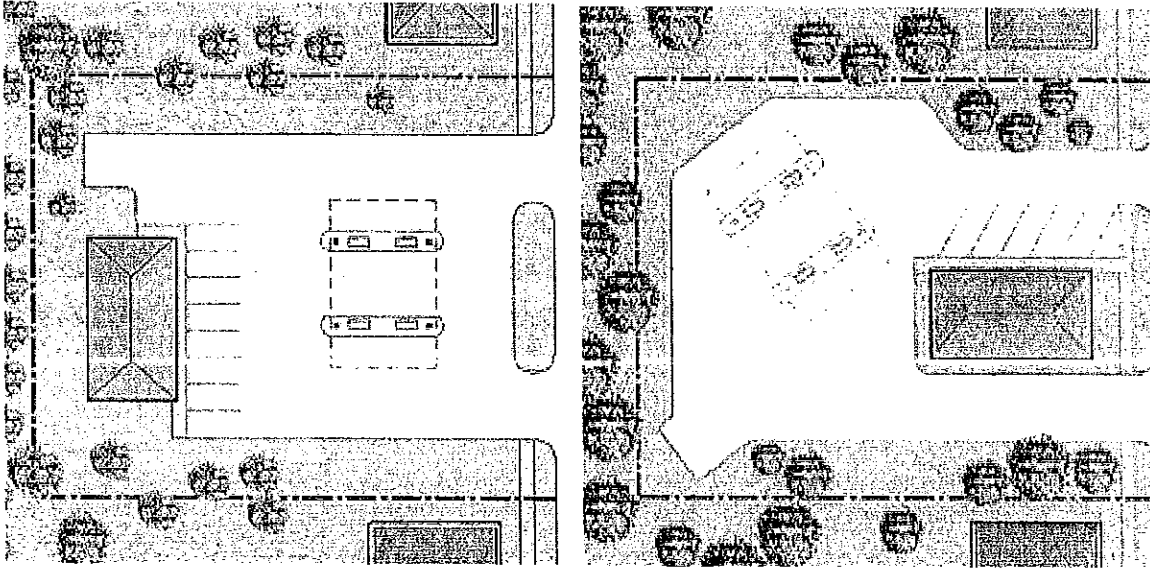
Additional Recommendations

The following additional steps, although outside the scope of the zoning revisions, are recommended to augment the goals of the zoning changes and further enhance the district;

Recommendation #11 - Update and modify the Village parking regulations.

The parking regulations in the current zoning, although not exclusive to the B-3 district, are outdated and often are counter-productive to the visual quality of the Village. Many of the current parking regulations are promoting the type of development which was identified in the workshop as being visually undesirable. We recommend that a thorough review and revision the parking regulations be made which reduces some of the minimum requirements,

identifies goals for municipal capacities and gives the Village Planning Board flexibility and authority to adapt for site-specific constraints. Different requirements may even be investigated to suit different districts. This should be a short-term priority for the Village.



These sketches show how a service station could be developed under existing zoning (left), and how with parking standards put into place, how the same station could be reconfigured to be more in line with the desired look and feel of the B-3 District (right).

Recommendation #12 - Create architectural design standards

Architectural design standards should be created and enforced for the B-3 District. These standards would ensure pleasing architectural styles and details, and eliminate the possibility of boxy and/or "cookie-cutter" buildings being created in the district which detract from the village character. The design standards would apply to all faces of the buildings that can be seen from the public realm, including the rail trail and park. The design standards would also address lot layout, such as placing parking in the rear or at the sides, and moving the buildings closer to the street, with no parking between the buildings and the street. These design standards could be expanded to other districts as part of the master plan update, if desired.

Recommendation #13 - Reinforce east-west pedestrian links

Stronger east-west pedestrian access links should be created which allow people to get across Route 32 safely, and which link the Rail Trail and Moriello Park together. One ideal location for this would be in front of the Town Hall - with the adjacent Park on one side, residential development on the other and the proposed Community Center being built behind, a link here would serve many uses simultaneously. Across the street, the Village should investigate a

pedestrian path which continues over to the Rail Trail adjacent to the Gateway Community Industries property. This trail could be the beginnings of a greenway trail leading from the future Mill Brook Preserve, along tributary #13, to the Wallkill

A second location would be along Mulberry Street, linking the residential neighborhood along Huguenot with the south end of Moriello Park. Both of these proposed east-west paths should be primary candidates for new sidewalks, crosswalks, signaling devices and other upgrades which will clearly define them as safe pedestrian access and crossings at Route 32.

Recommendation #14 - Streetscape enhancements

We recommend that the Village look for grant opportunities and/or partnerships with state road improvement projects to make physical upgrades of the road right-of-way. This would include adding street trees and other landscape buffers between the curb and the sidewalks, consolidating and reducing curb-cut widths, reducing curb radiuses and providing sidewalks in missing areas.

Recommendation #15 - Create a deadline for non-conformance

We recommend that the Village consider creating a 10-year conformance window following adoption of the revised zoning for the B-3 District. Existing businesses in the district which would not be in conformance with the new zoning would have 10 years to bring their properties into compliance in terms of landscaping, signage, lot coverage and setbacks. This will ensure that the entire district eventually fits the desired character of the area.

Conclusion

The B-3 District has some nice amenities, such as the existing sidewalk, the landscaped buffers at the north end of the corridor, and some creative architectural design. However, a large portion of the district has negative elements such as asphalt from the front of the building to the edge of the street, little or no landscaping, buildings set far back with parking in front, and no existing possibility for a mixed-use development. By implementing the recommendation of this plan in the form of changes to the zoning code, the B-3 District can eventually become more pedestrian-friendly, aesthetically pleasing, and more of a destination for people to live and work, rather than an area to drive through to get to get from one side of the Village to the other.

The B-3 District is part of the northern gateway to the Village. It should be more reflective of the style and character of the Village, rather than an "anywhere-USA" feel, but while still keeping some of the valuable services not offered elsewhere in the Village.

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Appendix A

New Paltz Times Articles

Another hamlet?

Village considers rezoning for Route 32 North

by Erin Quinn

A proposed development along Route 32 North is serving as a catalyst for the New Paltz village board to consider drastically rezoning that B-3 corridor. According to mayor Jason West and village trustee Michael Zierler, Rich Cusano, the owner of New Paltz Gardens Landscaping, came to them with an idea about developing his two-and-half-acre parcel just south of Ulster BOCES on Route 32 North.

One plan Cusano had in mind -- that would fit with the existing zoning -- is to build a 70-unit motel with two retail spaces in the front. "The thing about Rich is that he is open to ideas and flexible," said Mayor West. "Most developers that come into my office have a plan that, in their mind, is set in stone. But Rich is interested in hearing ideas, he's willing to work with people, and wants to know what might help benefit the village."

This inspired West and Zierler to look at various zoning ideas they'd spoken about over the years. "We met with Rich and suggested that he take a walk along downtown Main Street to get some ideas how he might design a second hamlet, or extend the downtown district," said West.

"And that's exactly what he did," said Zierler. "The plan his architect drew up looks very much like a downtown. It's almost like a couple square blocks of a downtown area with high, mixed-use density. There are retail spaces on the bottom floors and residential/office spaces on the top two floors. It has a park area in the back with a pedestrian bridge that links to the rail trail...it's a dramatic change to that area."

West has advocated since he ran for office for the need to in-fill existing village spaces and create mixed-use, high-density development along Route 32 North in the village, all geared towards concentrating growth inside the village with the idea that it would limit growth in the outlying areas that are ripe with open-space vistas, natural habitats and valuable environmental resources.

"This is something I've been talking about for years and have been hearing about from many community groups," said West. "Specifically, when people talk about the large proposals that are being considered for the northern portion of the village like Woodland Ponds, Stoneleigh Woods...Having another hamlet in that area could reduce traffic congestion along Main Street. There are so many residential roads that lead onto Route 32 North -- Sunset Ridge, Bonticou Drive, Hummel Road...what if all of those residents could just walk or drive to Route 32 and get their videos, go to a restaurant, do their grocery shopping? That would save a lot of car trips into the heart of the village."

Both West and Zierler recognize that before anything can be considered, the plan should be sent to their planner, Ted Fink, to see how feasible it is. There is the question of whether or not village water and sewer links are possible, how the traffic would be impacted, the overall village character and economic well-being.

"We're not looking at trying to rezone Rich Cusano's two-and-a-half acres," cautioned West. "That was just the proposal that inspired us to put this on the front burner. We are looking at rezoning all twelve lots in that corridor, which right now have vast tracts of undeveloped land. It's like a highway strip. The existing businesses aren't really integrated into the village. Rezoning might help them be integrated more."

"Obviously, one of the first steps would be to talk to business owners and property owners in that district," said Zierler. "We first want to decide on the scope of Ted Fink's work and get some sort of report and analysis from him on how feasible this is. Then we can go to the property and business owners with something concrete."

At the December 14 board meeting, the trustees are expected to vote on the scope of Fink's work. Peter Fairweather, a local resident and municipal planner himself, suggested that the village require Fink to come up with alternatives for rezoning that district, if, in fact, he determines that the high-density, mixed-use idea that Cusano has illustrated is not feasible.

Open and shut

ANALYSIS PREDICTS MORE TRAFFIC, WORSE QUALITY OF LIFE IN TOWN

Without a major overhaul in zoning, the Town of New Paltz could face more traffic, a surplus of new residents and less available open space, according to an analysis by Behan Planning Associates. "This analysis should serve as a wake-up call to those who would say that we are better off with the status quo," said Seth McKee, the co-chair of the town's open space commission. "This analysis shows the high cost of bad planning to our economy, our environment, traffic and tourism. It shows the high cost if we do nothing about it."

The planning firm gave its review to the town board February 15. The report factored in the cumulative effect of the town's current laws and zoning on future development.

With current zoning, the wetlands law, the steep-slopes law, and even the \$2 million bond to purchase priority open space, the result of the build-out analysis painted a grim picture.

As planner John Behan pointed out, New Paltz zoning currently encourages suburban sprawl, and if the town was completely built out, it would look much less like a small tourist town.

"We're looking at 3,000 new homes, 8,160 new people and 1,400 new school children," Behan said.

Given a two percent growth rate per year, Behan's analysis shows that much of the town's remaining 7,000 acres would be gobbled up by single-family homes.

According to the build-out analysis, 600 new homes could be developed along Canaan-Butterville Road in the foothills that border the Mohonk Preserve and the Shawangunk Ridge. Another 700 homes could be built on existing farmland and orchards.

Maps drafted for the analysis showed suburban sprawl in the northeast woodlands, which would breakup wildlife habitat and negatively impact large networks of wetlands and streams.

The tax-burden, according to Behan, would rise significantly if the town were completely built out.

"Every new residential home costs (the town) approximately 25 cents in taxes for basic services, not to mention the cost to the school district," he said. "Open space and commercial development help offset the tax base, which only increases with residential development."

Even with some remaining undeveloped land, the town could still face problems, town supervisor Toni Hokanson said.

"We were told by the land-use and transpiration study that, even at half build out, we'd have gridlock on Main Street," Hokanson said.

Last year, the town adopted the open-space plan prepared by Behan. The plan called for 3,000 acres of land to be conserved and an analysis of build out in the town.

While the report did show that recent moves to preserve open space would have some impact, they might not do the whole job, McKee said.

"We have passed a \$2 million open-space bond," he said. "This will help to mitigate some of these impacts, but it will certainly not eliminate them."

Behan suggested that the town consider environmental impact surveys to better identify where growth should occur and where it shouldn't.

According to Behan, the town could also explore allowing developers to trade land wanted for open space with more commercial parcels or offer to buy the development rights of properties they wanted to preserve.

"New Paltz is at a crossroads here and you are in the perfect position to make sure that you grow the way you want to grow and don't end up in a fiscal, environmental mess," he said to the town board. "I've seen too many towns do nothing until it was too late. Then it becomes either too expensive, or impossible to turn things around. New Paltz is taking the right steps towards smart growth, but you need to get serious about it now."

Doing nothing, according to Behan, would have an adverse impact on the economy, the agricultural industry, property values, tourism, the environment, water quality and the basic quality of life for people living in New Paltz.

"What you want to create is a sustainable growth pattern," he said, "which in turn leads to a sustainable economy, increased property values, healthier air and water quality, continued increase in tourism dollars and a better quality of life for everyone."

Hokanson said she wanted the board and the community to take another look at the more than ten-year-old master plan and see if it still matches the town's goals.

"I am reluctant to go ahead with zoning changes suggested in the master plan if the community does not believe that it is the direction we should be heading," Hokanson said. "I think we need to have a serious dialogue and get as much input as possible before we propose those zoning changes."

-- Erin Quinn

2-2-19

Appendix B

Public Workshop Summary Material