



Chapter 8

Future Land Use



GOALS

- > **Provide a blueprint of future land use patterns: a general pattern for the location, distribution and character of the future land uses within the Town of Victor.**

- > **Guide development over a long period of time: work together with other elements of the comprehensive plan to provide for the Town of Victor's long range growth and promote public health, safety and general welfare by providing efficiency and economy in the process of growth.**

- > **Propose a system of future land uses including maximum development densities; Indicate the particular types of uses the Town expects and desires to see in future development taking into account existing infrastructure as well as the agricultural protection, natural resource, cultural resource, growth management, open space, neighborhood development, economic development, transportation and other recommendations included in this Comprehensive Plan.**

INTRODUCTION

The Future Land Use Plan must take into account recent and anticipated levels of growth and development, incorporate and reflect other elements of the comprehensive plan, and strike a balance between competing interests, such as the high level of interest in preserving natural resources and open space and ongoing reservations regarding effects that restrictions on development density might have upon property values.

Going forward, future rezoning, the siting of features, and the development of public policies should be evaluated in the context of all Comprehensive Plan elements, including the Future Land Use Plan presented in this chapter.

Maps depicting the Future Land Use Plan will also serve as the basis for a revision of the Town's zoning maps and revisions to the Town's zoning code. However, the Future Land Use Plan is not a zoning document and should instead reflect the community's vision of its future self. Whereas a zoning code is a regulatory mechanism that specifies a range of uses together with bulk and density limitations to be permitted in the short term, a Future Land Use Plan guides development over a longer period of time and indicates the particular types of uses the Town expects and desires to see in future development.

EXISTING CONDITIONS

A Victor community profile is presented in Chapter 1. Each of the succeeding chapters describes existing conditions relative to the topic focused on by the respective chapter.

EXISTING PLANS AND ACTIVITIES

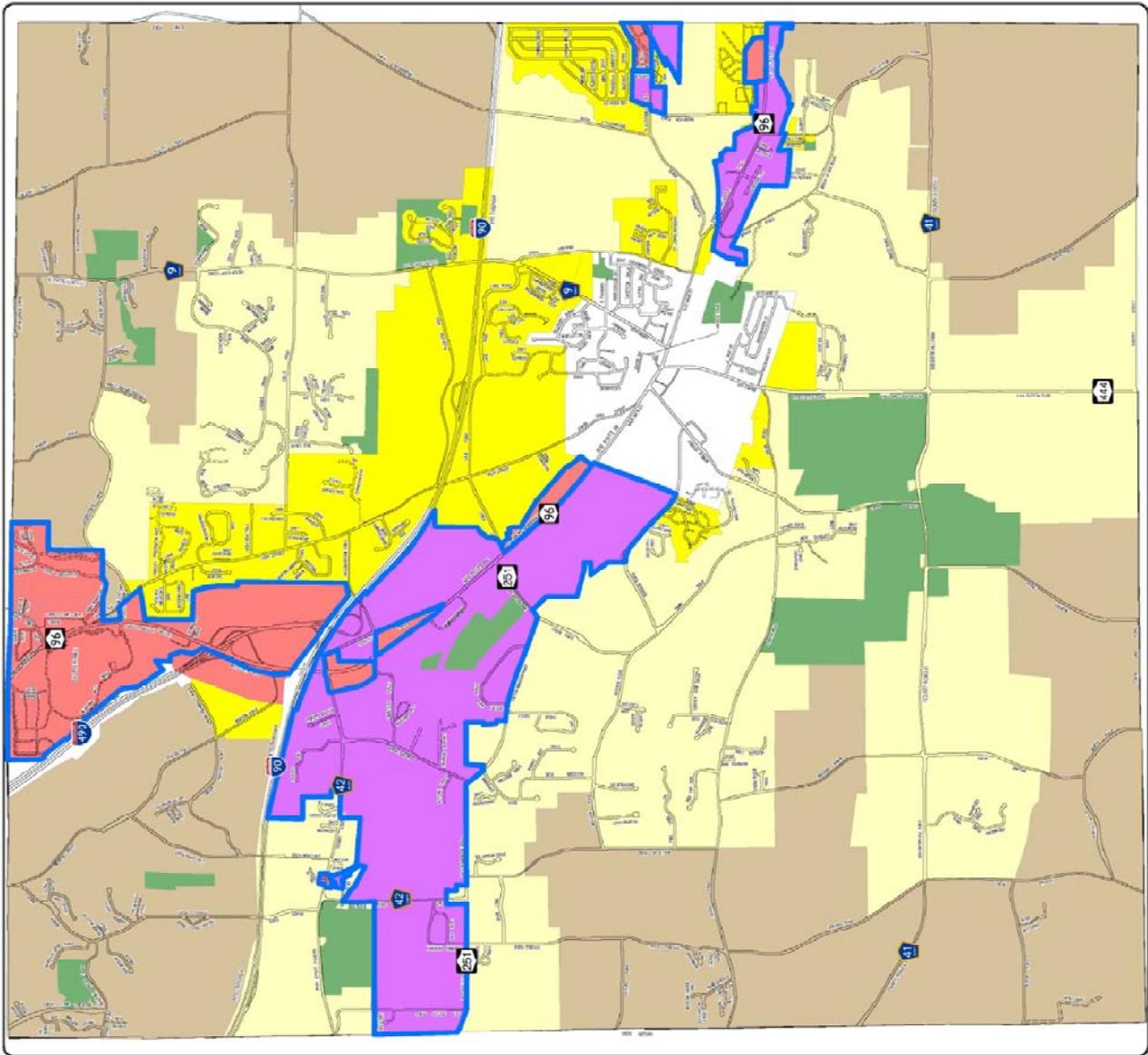
Although a Future Land Use Plan is not a zoning document, the distribution of uses encoded in the present zoning map is a useful reference. The figure presented on the following page depicts both the present mapping of use districts specified in the zoning map as well as the maximum permitted development residential development densities implemented via the density overlay districts¹.

¹ See Chapter 4 for a description of the present system of density overlay districts.



EXISTING TOWN LAND USE AND RESIDENTIAL DENSITY DESIGNATIONS

- Legend**
- Commercial
 - Commercial / Light Industrial
 - Greatest Density
 - Intermediate Density
 - Least Density
 - Public Parks
 - Non-Residential District Boundary



KEY FINDINGS

The following findings that emerged during development of the Future Land Use Plan should continue to guide efforts to implement the plan.

SEGREGATION AND MAPPING OF USES

The general pattern according to which uses are now segregated in Victor does not require much revision. The issues requiring further exploration and development are more related to density and preservation of agriculture and open space than they are to the current separation of residential, commercial and industrial zones.

HIGHER DENSITY RESIDENTIAL INFILL OR REDEVELOPMENT

Higher density residential infill or redevelopment along or within some segments of the commercial and limited industrial corridors should be authorized. As part of this initiative, efforts to implement the Future Land Use Plan should evaluate the need to identify more specifically where within these areas now designated for industrial or commercial uses a mixed use project including a residential development component could be accommodated and approved.

TARGET SIZE

The present estimated build-out should be considered the communities target-size. In general, approvals that would otherwise increase the estimated build-out² should be accompanied by transactions that would reduce the anticipated density elsewhere in the community by a corresponding amount such that the anticipated build-out would remain unaffected.

FACTORS INFLUENCING DENSITY LIMITATIONS

Water and sewer infrastructure are essential to support higher density development and are, therefore, important determinants in assigning maximum development densities. Although public water was a primary factor relied upon to determine recommended maximum residential density, it was not the only factor. The presence of agricultural soil resources and the co-occurrence of other development constraints such as are found in the existing LDD district were also considered in assigning recommended density maximums. All these factors should continue to be considered as the Future Land Use Plan is implemented and as the Town Board considers future rezoning requests that would change the maximum residential density on a particular site.

² Examples of such approvals would include rezonings, particularly rezoning actions associated with the implementation of a planned zoning district, or the award of a density bonus pursuant to an Incentive Zoning program.

SMART GROWTH

As noted in preceding chapters, utility extensions can contribute to sprawl by opening undeveloped areas to more intensive development. Even when developers cover the initial capital cost of extending utilities, the ongoing cost to maintain utility extensions in perpetuity falls upon residents and taxpayers. These effects should always be taken into account when considering approval of a proposed extension even where there is no immediate capital cost to the municipality or to district residents.

MOVEMENT OF DEVELOPMENT RIGHTS

In order to preserve open space, protect farmland and treat property owners fairly, programs that enable movement of development rights will be an essential element of any plan for future land use. Such programs will support preservation of open space, farmland and rural character on a town-wide basis by facilitating movement of development rights from areas within which lower development densities would be preferred to areas where higher development densities would be appropriate and could be accommodated. The present recommendation is for such a program to be implemented as an Incentive Zoning program rather than rely upon a program for the Transfer of Development Rights.

MAPPING OF SENDING AND RECEIVING AREAS

As this Future Land Use Plan anticipates the implementation of Incentive Zoning in lieu of a Transfer of Development Rights program, there is no need for designation of transfer sending and receiving zones. Together with other information presented in this Comprehensive Plan, the completed NRI and associated Open Space Index should provide the Town Board a good basis for evaluating proposals to set aside rural open space as a public amenity in exchange for the award of a density bonus.

TRAFFIC CONGESTION AND ALTERNATE ROUTES

“De-facto” alternate reliever routes are already in use when the Route 96 Corridor is congested and this use will only increase as Route 96 traffic volume and congestion increases³.

Should alternate routes through residential neighborhoods be improved or configured to provide relief, such improvement should avoid development of high-speed bypasses which would be

³ These alternate routes include: east of Route 96, gaining access to High Street to bypass much of Route 96 or leaving Route 96 at Lane Road, travelling on to Lynaugh Road and rejoining Route 96 at the intersection with Lynaugh intersection east of the Village; and, west of Route 96, leaving Route 96 at Route 251 and travelling on Route 251, Cork Road and Dryer Road to the intersection of Route 444 south of the Village.

incompatible with surrounding residential uses and threaten the downtown business district. Any such improvements should preserve residential character and retain neighborhood speeds in a way that ensures they will become attractive to commuters only when Route 96 is congested. Traffic calming⁴ approaches, such as traffic circles (e.g., the circle at Titus and Seabreeze Expressway) could be helpful in implementing any such routes.

RESTRICTING DEVELOPMENT TO MITIGATE TRAFFIC CONGESTION

The approach of restricting land use and arresting development within Victor to manage further increases in traffic volume is impractical and would likely be ineffective. More restrictive development policies within Victor intended to suppress potential increased traffic with trip-ends in Victor could actually convert some proportion of the suppressed volume to “pass-through” traffic instead. In other words, adopting regulations intended to limit or reduce the anticipated build-out, some portion of the development that would otherwise take place within Victor, perhaps even the majority, would likely take place in adjoining communities instead with the potential to increase traffic through Victor nonetheless.

ACCESS MANAGEMENT

Given that traffic volumes will likely continue to increase in Victor, access management⁵ should be an integral part of any set of traffic solutions.

SCHOOL LAND USES AND TRAFFIC

Regarding schools and traffic, the role played by schools in Victor traffic must be considered. Not only are schools sensitive to increased traffic within their vicinity, they are traffic generators. Regarding the potential development of reliever routes, any use of High Street in the vicinity of the school as an alternate route has safety implications if it increases traffic volume within the vicinity of

⁴ The Institute of Transportation Engineers (ITE) defines “traffic calming” as the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users. The goals of traffic calming include: increasing the quality of life, incorporating the preferences and requirements of the people using the area (e.g., working, playing, residing) along the street(s), or at intersection(s); creating safe and attractive streets; helping to reduce the negative effects of motor vehicles on the environment (e.g., pollution, sprawl); and, promoting pedestrian, cycle and transit use.

⁵ The Institute of Transportation Engineers (ITE) defines “access management” as the process or development of a program intended to ensure that the major arterials, intersections and freeway systems serving a community or region will operate safely and efficiently while adequately meeting the access needs of the abutting land uses along the roadway. The use of access management techniques is designed to increase roadway capacity, manage congestion and reduce crashes. Access management generally focuses upon the regulation of interchanges, intersections, driveways and median openings to a roadway with an objective to enable access to land uses while maintaining roadway safety and mobility through the control of access locations, designs, spacing and operation.

the school significantly. Should the use of High Street as an alternate reliever route be considered, the proposal should be accompanied by improvements necessary to mitigate the risks attendant with increasing traffic flow within the vicinity of the school.

IMPACTS OF HIGHER DENSITY DEVELOPMENT

It is appropriate and desirable for higher density development to include appropriate mixes of uses such as residential, commercial and even light industrial.

Higher density development within the Route 96 corridor should be offset by density reductions elsewhere in Town and/or provide an amenity that is of use in accommodating higher traffic volumes. To qualify for any density bonus, it should be necessary to demonstrate that such an amenity would increase capacity well beyond the level required to support only the proposed development and that the proposal would provide additional capacity what would otherwise be required as mitigation in a traditional review and approval process.

Regarding patterns of development that include higher densities, these should have minimal impact on traffic provided the density increase is offset by a reduction elsewhere.

NEIGHBORHOOD COMMERCIAL DISTRICTS

Although Neighborhood Commercial districts would be unlikely to affect traffic congestion on the whole, these could improve quality of life within certain neighborhoods by providing an alternative to relying only on the Route 96 Corridor to reach retail outlets and other services.

KEY USES

Victor is still missing the full range of uses necessary to support a walkable community. Among these, the most prominent is a grocery store. Steps should be taken to understand more fully criteria relied upon by grocers considering a location like Victor and consideration given to how the community might encourage or accelerate development of a grocery at a reasonably accessible location.

GOALS AND STRATEGIES

GOAL A. PROVIDE A BLUEPRINT OF FUTURE LAND USE PATTERNS: A GENERAL PATTERN FOR THE LOCATION, DISTRIBUTION AND CHARACTER OF THE FUTURE LAND USES WITHIN THE TOWN OF VICTOR.

GOAL B. GUIDE DEVELOPMENT OVER A LONG PERIOD OF TIME: WORK TOGETHER WITH OTHER ELEMENTS OF THE COMPREHENSIVE PLAN TO PROVIDE FOR THE TOWN OF VICTOR'S LONG RANGE GROWTH AND PROMOTE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE BY PROVIDING EFFICIENCY AND ECONOMY IN THE PROCESS OF GROWTH.

GOAL C. PROPOSE A SYSTEM OF FUTURE LAND USES INCLUDING MAXIMUM DEVELOPMENT DENSITIES; INDICATE THE PARTICULAR TYPES OF USES THE TOWN EXPECTS AND DESIRES TO SEE IN FUTURE DEVELOPMENT TAKING INTO ACCOUNT EXISTING INFRASTRUCTURE AS WELL AS THE AGRICULTURAL PROTECTION, NATURAL RESOURCE, CULTURAL RESOURCE, GROWTH MANAGEMENT, OPEN SPACE, NEIGHBORHOOD DEVELOPMENT, ECONOMIC DEVELOPMENT, TRANSPORTATION AND OTHER RECOMMENDATIONS INCLUDED IN THIS COMPREHENSIVE PLAN.

STRATEGY 1. IMPLEMENTATION OF THE FUTURE LAND USE PLAN

A map of the Future Land Use plan is presented on page 8.15. Implementation of this land use plan will require amendments to the official Zoning Map and integration with zoning code provisions specifying maximum residential development densities of 0.33 units per acre, 0.5 units per acre and 1.0 units per acre, respectively.

The Concept Level Future Land Use map presented on page 8.15 focuses future development within the core of the community and directs future development to areas already provided with water and sewer. These areas are indicated by the yellow, purple, red and orange areas on the map. The plan also reflects a factual and scientific basis for identifying areas in the town that hold the greatest potential for protecting the agricultural and open space character of the community. These areas are identified on the Concept Level Future Land Use map with a brown overlay and encourage the use of techniques such as Purchase of Development Rights and programs facilitating movement of development rights.

As indicated in the Future Land Use map, the Future Land Use Plan incorporates a hierarchy of three levels of maximum residential density within those areas outside the Village (Neighborhood Density, Medium Density Residential and Rural Conservation Density). This plan recommends that these be implemented using the same maximum residential density thresholds that are now in place (presently, there are three density overlays that limit the maximum residential density to 0.33 units per acre, 0.5 units per acre and 1.0 units per acre, respectively).

To facilitate comparison of the Future Land Use Plan to the system of land use districts now in place within the Town, a schematic map of existing land use zoning districts was presented on page 8.7.

This figure reflects the current zoning map in the way that it distinguishes residential, commercial and commercial/industrial districts and also further delineates the three residential districts to illustrate how they are affected by the three levels of maximum residential development density now specified in the code.

With regard to land uses, the Future Land Use Plan map presented on page 8.15 is generally consistent with existing zoning. A comparison of the Future Land Use map to the Existing Town Land Use map presented on page 8.7 reveals that the boundaries of the commercial and commercial/industrial districts are generally in agreement, as are the boundaries of the mapped residential districts. Some differences do appear, however, when comparing commercial boundaries and the delineation of maximum residential densities:

- > On the Future Land Use map the boundaries of the commercial/industrial area shown south of Interstate 90, west of Route 96 and north of Route 251 has been modified slightly. The commercial/industrial area shown along Route 96 south of the Village is more extensive on the Concept Level Future Land Use map than the corresponding area shown on the Existing Town Land Use map.
- > On the Future Land Use map an area just south of Interstate 90 is designated for the lowest density, whereas the Existing Town Land Use shows it to now be designated for an intermediate density.
- > On the Future Land Use map an area just south of Route 251 near the Town's western border is designated for intermediate density, whereas the Existing Town Land Use shows it to now be designated for the lowest density.
- > On the Future Land Use map most areas around and to the south of Route 41 are shown as being designated for the least density, whereas the Existing Town Land Use shows that some of these areas are now designated for an intermediate density. This includes an area north of Route 41 and east of Route 444.
- > On the Future Land Use map areas east of the Village, north of Route 41 and South of Interstate 90 are shown as designated for the highest density, whereas the Existing Town Land Use shows these areas to currently be a mix of intermediate density and higher density designations.
- > On the Future Land Use map within the area north of I-90 and bounded by Route 9 to the east and Route 96 to the west two adjacent areas are shown, one designated for the highest density and the other designated for the lowest density. The Existing Town Land Use also includes a zone of intermediate density between these two.
- > An area north of I-90 and west of Route 96 in the vicinity of Benson Road is now designated for the highest density whereas the Future Land Use map designates it for the lowest density as there is no public water available. This area would, however, be suitable for intermediate residential density should public water become available.

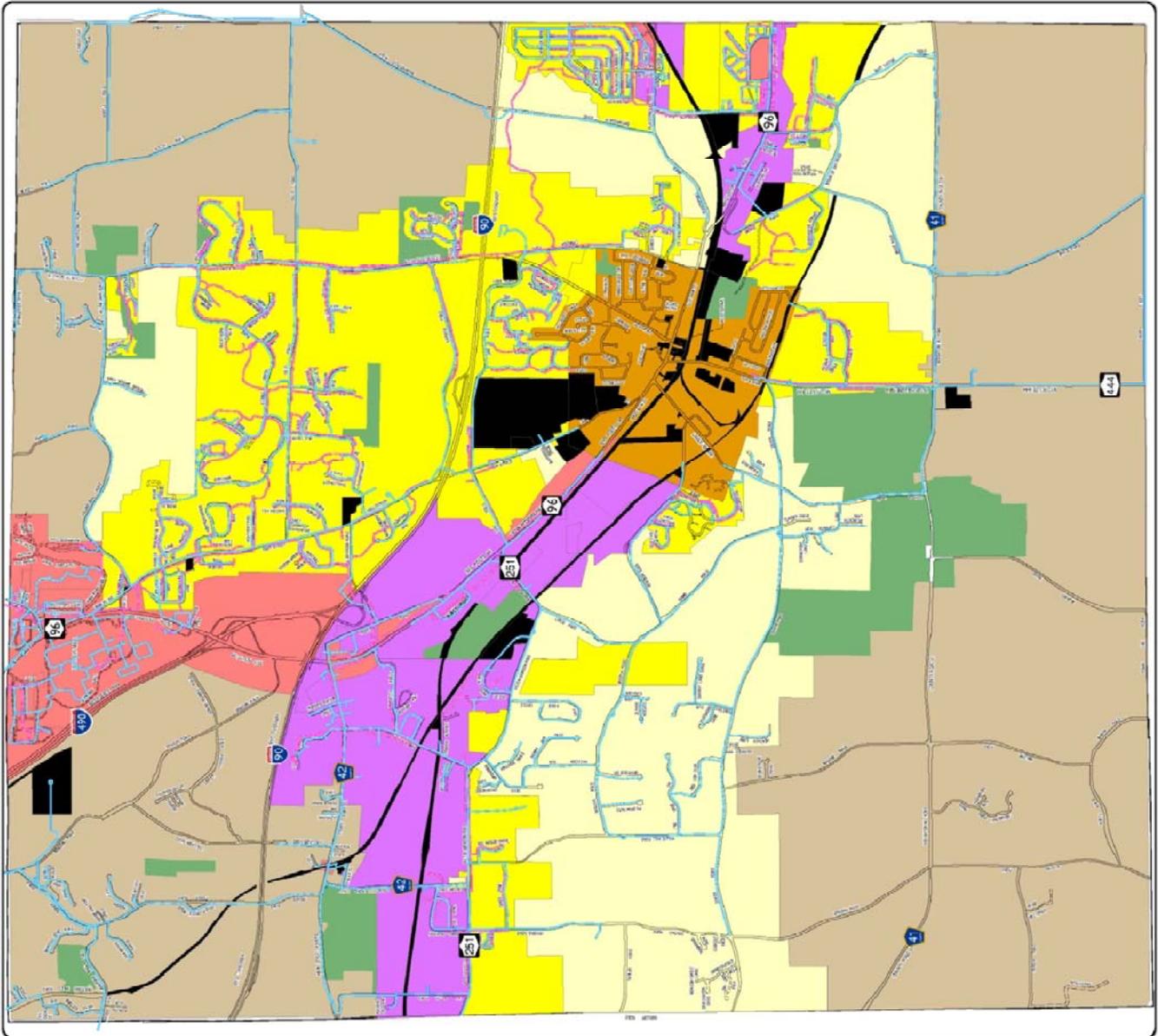
A second iteration of the future land use map appears on page 8.16. This map also identifies regions within which the maximum residential density now applicable under the zoning code would change were the future land use plan to be implemented utilizing the present density hierarchy of 0.33 units per acre, 0.5 units per acre and 1.0 units per acre. In some of these instances the maximum residential density would decrease while in others it would increase. With respect to the areas within which the map indicates a decrease in the maximum residential density, accomplishing the indicated reduction in maximum density has been recognized as an important future land use priority. It is therefore recommended that movement of development rights from these parcels also be accorded high priority during implementation of the program called for in Chapter Strategy 6.



CONCEPT LEVEL FUTURE LAND USE

June 19, 2012

- Legend**
- Commercial High Intensity
 - Commercial / Light Industrial
 - Neighborhood Density
 - Medium Density Residential
 - Rural Conservation Density
 - Village Residential Core Density
 - Institutional / Public Service
 - Public Parks
 - Watermain
 - Sewer





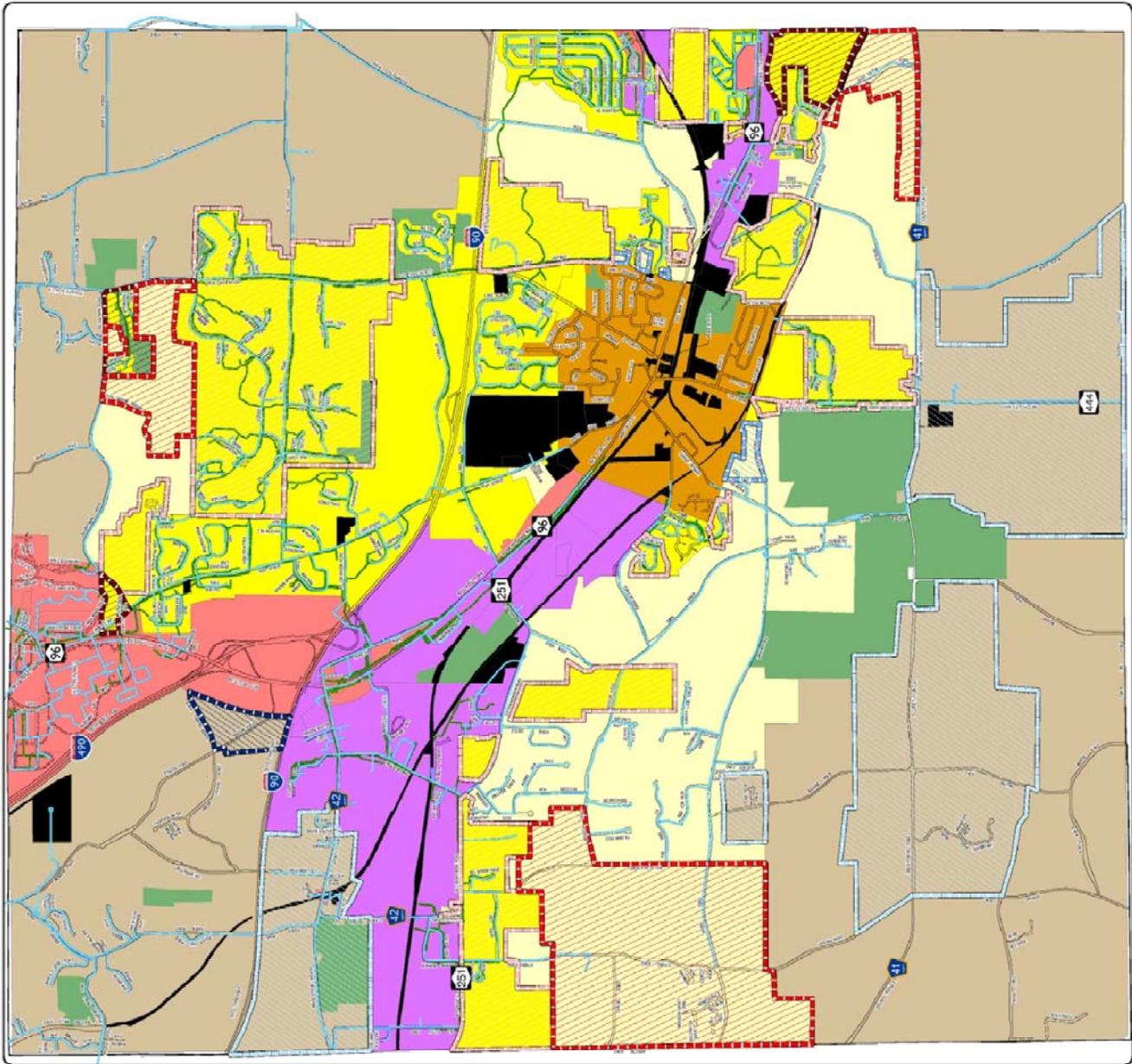
CONCEPT LEVEL FUTURE LAND USE POTENTIAL DENSITY CHANGES

June 19, 2012

- Legend**
- Commercial High Intensity
 - Commercial / Light Industrial
 - Neighborhood Density
 - Medium Density Residential
 - Rural Conservation Density
 - Village Residential Core Density
 - Public Parks
 - Institutional / Public Service
 - Watermain
 - Sewer
- Proposed Changes to Greater Density**
- Least Density to Highest
 - Least Density to Medium
 - Medium Density to Highest
- Proposed Changes to Less Density**
- Highest Density to Rural
 - Highest Density to Medium
 - Medium Density to Rural



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STRATEGY 2. AUTHORIZATION OF MIXED USE DEVELOPMENT AND NEIGHBORHOOD SCALE COMMERCIAL DEVELOPMENT

As used in this plan, the term mixed use development is intended to reference development projects that integrate a compatible mix of residential, commercial and/or light industrial uses upon a single site.

The Town of Victor code currently relies upon a planned district⁶ approach for the approval of mixed use developments. The planned district referenced in the Victor code as appropriate for mixed use development is the Planned Development District (or PDD). In this approach the Planned Development District is defined in the code, but no vacant parcels are mapped in advance as being within such a district. Instead, it is left to property owners and/or developers contemplating a mixed use project to petition the Town Board for a rezoning of their parcel to a PDD district in anticipation of a specific project.

Presently, Victor's two-step PDD approval process includes a referral to the Planning Board and a site specific review in advance of rezoning intended to evaluate the merits of each proposal. A more detailed final Planning Board review comparable to Site Plan approval also follows rezoning. The requirement for site-specific reviews in conjunction with the discretionary nature of a rezoning action leaves the community with significant latitude in determining whether to allow a proposed multiple dwelling project. On the other hand, the guidance provided in the code to assist the Town Board and Town Planning Board in distinguishing desirable from undesirable projects is sometimes subject to varying interpretations leading to some uncertainty in the review and approval process. Residents and applicants alike have been critical of the element of uncertainty remaining in the process.

The Town of Victor code should be amended to include the following within the requirements applicable to mixed use developments:

- > Mixed use developments should not require rezoning to designate a specific land use district. The current regulatory framework which relies upon rezoning to approve a Planned Development District should be replaced by a requirement for the Planning Board's issuance of a Special Use Permit within commercial or light industrial districts according to very specific, clear and objective criteria.
- > Mixed use projects should be encouraged (subject to the satisfaction of conditions and issuance by the Planning Board of the required Special Use Permit) within commercial districts, accepted in exceptional circumstances within light industrial districts, and prohibited within residential districts.
- > Thresholds to limit the number of residential units to be included within a mixed-use project to ensure an appropriate balance between residential and other uses should be developed

⁶ Comparable approaches are sometimes characterized within the planning community as "floating zones".

and included within the standards and criteria applicable to Special Use Permits for mixed use developments.

- > In developing the thresholds referenced in the foregoing bullet, consideration should be given to the potential fiscal effects of the extent to which residential uses are developed within commercial and light industrial districts in place of commercial or industrial uses. The Cost of Services Study completed as part of this plan (see Appendix IV) indicates that residential developments consume more for the cost of community services than they generate in revenue, whereas commercial developments, industrial developments and working landscapes all consume significantly less than they generate. The ratios reported in the study are summarized in the table below.⁷ From these figures, it is clear that the relative balance between residential, commercial, industrial and working landscape parcels throughout the Town could have a significant effect upon property tax rates. Although a vacant commercial or industrial parcel would generate more property tax revenue after conversion to mixed use, the expenditure to revenue ratio would presumably be higher than would be the case for a comparable project that excluded residential uses. From a purely fiscal perspective, it may therefore be prudent to limit the conversion of vacant industrial and/or commercial parcels to residential use through rezoning or approval of a mixed use development.

COST OF COMMUNITY SERVICES
COMPARISON OF EXPENDITURES TO REVENUE BY TYPE OF USE

	Ratio of Expenditures to Revenue	
	Without Education	With Education
Residential	1.55	1.76
Commercial	0.43	0.19
Industrial	0.57	0.29
Working Landscape	0.54	0.50

- > Consideration should be given to whether some form of mapping based upon the identified Special Use Permit criteria should be incorporated in the code to identify in advance certain commercial and/or industrial areas within which mixed use projects would be preferred and to distinguish from them areas within which such projects would be discouraged. In any event, with or without such mapping, both the NRI and the Infrastructure Master Plans called for elsewhere in this plan should be relied upon to determine whether a candidate site is appropriate for such development.

⁷ As the study does not distinguish multiple dwelling residential developments from single family residential developments, whether a different ratio would be found for multiple dwelling residential development is unknown.

- > In order to maintain an appropriate balance of mixed use and other projects within a subject area, consideration should be given to whether some formula or other measure (in addition to the potential mapping referenced in the foregoing bullet) should be developed and codified to limit the number or extent of potential mixed use projects that will ultimately be considered within a given area.
- > The ongoing need and advisability of the current limitation to no more than two stories should be explored and either confirmed or amended to permit additional stories. The limitation to only two stories limits density and leads to projects with greater building coverage and less open space when compared to a project of three or four stories.
- > An offsetting reduction in density elsewhere in the community, as described in the Chapter 4 discussion of Growth Management and Open Space (also see Chapter 4 Strategy 6) should be required as a condition of Special Use Permit approval for each residential unit proposed within commercial or industrial districts as part of a mixed use development. How this requirement operates to effectively limit all potential multiple dwelling residential projects to sites whereon the community would prefer, or accept, a density increase and the criteria applicable to such a determination should be defined during the implementation effort and made clear in new code provisions.
- > Finally, until such time as the traffic congestion problems currently found within the Route 96 corridor are resolved, the benefit derived from proposals to increase density within the Route 96 corridor and to also provide an offsetting reduction in density elsewhere will have to be balanced against the potential increase in traffic congestion within the corridor. This evaluation will have to be completed on a case-by-case, site-specific basis.

In addition to the foregoing regarding mixed use projects, the Town of Victor code should also be amended to make provisions for the Planning Board's issuance of Special Use Permits to approve neighborhood scale commercial uses within neighborhood districts when the proposed project can be shown to be beneficial to the affected neighborhood(s). The code should require issuance of a Special Use permit to conform to a set of clear, specific and objective criteria intended to protect the character of the affected neighborhoods.

STRATEGY 3. AMENDMENT OF THE CURRENT PROCESS FOR APPROVAL OF MULTIPLE DWELLING RESIDENTIAL DEVELOPMENTS.

Presently, the Town of Victor code also relies upon a planned district approach for the approval of multiple dwelling residential uses such as townhomes or apartments. In this approach, as is the case with PDDs discussed in the preceding Strategy, the Multiple Dwelling (MD) district is defined in the code, but no vacant parcels are mapped in advance as being within such a district. Instead, it is left to property owners and/or developers contemplating a multiple dwelling project to petition the Town

Board for a rezoning of their parcel to the Multiple Dwelling district in anticipation of a specific project.⁸

Victor's MD approval process includes a referral to the Planning Board and a site specific review intended to evaluate the merits of each proposal. As is the case with PDDs, the requirement for a site-specific review in conjunction with the discretionary nature of a rezoning action leaves the community with significant latitude in determining whether to allow a proposed multiple dwelling project. With respect to MD rezonings, the guidance provided in the code to assist the Town Board and Town Planning Board in distinguishing desirable from undesirable projects is brief and sometimes subject to varying interpretations. This has led to some uncertainty in the multiple dwelling planned district process, particularly given that such projects frequently pit recognized community needs such as that for entry-level, workforce, senior/retirement and/or other forms of higher density housing in closer proximity to existing utilities, jobs, transportation arterials and retail outlets against the preferences of some residents that such projects be excluded from the vicinity of their neighborhoods.

The current process for approval of multiple dwelling residential projects should be reviewed and amended in a manner that accomplishes and includes the following:

- > Issuance of a Special Use Permit by the Town Planning Board should be substituted in place of the rezoning requirement. This will require amendments to authorize Multiple Dwelling residential as a specially permitted use within appropriate zoning districts (see the following bullet regarding appropriate districts).
- > Multiple dwelling residential projects should not be allowed as stand-alone projects within commercial or light industrial districts. New residential development within commercial or light industrial districts should only be allowed pursuant to a Special Use Permit when they are proposed in conjunction with a new mixed use development that effectively integrates multiple other non-residential uses.
- > Clear, specific and objective criteria should be developed and included in the code to distinguish desirable from undesirable projects in a way that will inject certainty and a significant degree of predictability into the approval process. These criteria should include, but not be limited to, factors related to the presence of utilities, proximity to jobs, services, transportation and transit resources, site and natural resource constraints, walkability, the character of the neighborhood, compatibility with neighboring residential developments, effective buffering and the potential benefit to the community as a whole. Satisfaction of all these criteria and requirements should be cited as pre-conditions to issuance of the required Special Use Permit.

⁸ Two vacant parcels zoned for multiple dwelling can be found within the Town, but these are remnants from an earlier process in which there was a rezoning in anticipation of a specific multiple dwelling project that was never constructed.

- > Special criteria or conditions to be satisfied in cases where the proposed multiple dwelling residential project would be undertaken adjacent to single family residential neighborhoods should be developed and included within the code. These may include, but are not necessarily limited to, the potential need for additional buffering or other comparable measures useful in ensuring neighborhood compatibility and effective transitions between adjoining developments of differing types or densities.
- > Consideration should be given to whether some form of mapping based upon the foregoing criteria should be incorporated in the code to identify in advance certain areas within which multiple dwelling projects would be preferred and to distinguish from them areas within which such projects would be discouraged. In any event, with or without such the both the NRI and the Infrastructure Master Plans called for elsewhere in this plan should be relied upon to determine whether a candidate site is appropriate for such development.
- > An offsetting reduction in density elsewhere in the community, as described in the Chapter 4 discussion of Growth Management and Open Space (also see Chapter 4 Strategy 6) should be required as a condition of Special Use Permit approval for each residential unit proposed within commercial or industrial districts as part of a mixed use development. Transferred or set-aside units should be required for all multiple dwelling residential units proposed in excess of the applicable maximum residential density. For example, development of 100 units upon a 10 acre parcel zoned for residential use at a maximum density of 1 unit per acre would require the purchase and transfer of 90 development units. Whether this requirement should also operate to effectively limit all potential multiple dwelling residential projects to sites within established TDR receiving areas should be determined during the implementation effort and made clear in the new code provisions.
- > As was the case with respect to mixed use projects, the ongoing need and advisability of the current limitation to no more than two stories should be explored, and either confirmed or amended to permit additional stories. The limitation to only two stories limits density and leads to projects with greater building coverage and less open space when compared to a project of three or four stories.
- > Finally, the community has recently experienced instances in which applications for site plan approval have been submitted with respect to vacant land already zoned for multiple residential development. Such circumstances are at odds with the general approach which requires rezoning to a MR district prior to site plan approval. In these recent instances, the land in question had been rezoned some years ago in anticipation of a particular project which was never developed and the land retained its MR district designation nonetheless. Although the site plans recently proposed for approval in these instances have been different from those proposed when the land was originally rezoned, the need for a Town Board rezoning review and approval that would otherwise have been required for such a project appears to have been avoided. Accordingly, it is recommended that all future Planned District (floating zone) rezoning approvals be made specific to the plan proposed and include

provisions for the land to revert to its prior zoning district designation should the anticipated project not take form within a reasonable time.

STRATEGY 4. SEPARATE CLASSIFICATION OF INSTITUTIONAL USES.

The Town code does not now distinguish institutional uses such as public lands and facilities, educational and related uses that are not residential, commercial or industrial in nature. A separate use classification for such uses should be defined and established in the municipal code.

STRATEGY 5. UPDATE ZONING CODE RELYING UPON ZONING AUDIT

An audit of the present zoning code was completed as part of this planning effort. The audit identified a number of provisions that required clarification, refinement or reconciliation with conflicting provisions. The audit results are presented in Appendix I. The code should be updated using the audit as a guide.

IMPLEMENTATION SUMMARY

The following table takes the strategies described in this chapter and describes the actions needed to get each started, responsible parties for undertaking the strategy and the time-frames for accomplishing each.

The time-frames have the following potential ranks:

On-going: This strategy will set into motion a continuous action.

Immediate: This strategy is foundational and should be undertaken as soon as possible.

Short-term: This action should be undertaken within a year of the plan's adoption

Mid-term: This strategy should be undertaken within one to three years.

Long-term: This strategy can be undertaken from three years or beyond.

Strategy	Action Required	Responsible Party	Time-frame
1. Implementation of the Future Land Use Plan including elements required to support implementation of a program facilitating movement of development rights or units. (Also see Chapter 4 Strategy 6).	Implement the Future Land Use Plan through amendments to the zoning text and map amendments.	Town Board	Immediate
2. Amend current PDD approval process and authorize Mixed Use Development and Neighborhood Scale Commercial Development.	Develop and adopt code amendments to revise the current rezoning process to one that requires issuance of a Special Use Permit as described in this plan. Develop criteria and conditions, including those referenced within this comprehensive plan, to guide issuance of the required Special Use permit and to govern development and form of both mixed use and neighborhood scale commercial projects.	Town Board	Immediate

Strategy	Action Required	Responsible Party	Time-frame
3. Amend the current process for approval of Multiple Dwelling residential developments.	Develop and adopt code amendments to revise the current rezoning process to one that requires issuance of a Special Use Permit as described in this plan. Develop criteria and conditions, including those referenced within this comprehensive plan, to guide issuance of the required Special Use permit and to govern development and form of multiple dwelling residential projects.	Town Board	Immediate
4. Develop a separate use classification for Institutional Uses	Develop and adopt zoning text and map amendments to create a separate use classification and zoning map designation for institutional uses.	Town Board	Long-term
5. Update the present Town Zoning Code using the Zoning Audit as a guide.	Review the Zoning Audit, confirm provisions requiring amendment and develop local laws to make the necessary changes.	Town Board	Short-term