

**NOTICE OF ADOPTION
TOWN OF MAMAKATING
LOCAL LAW NO. 6 OF 2019
ZONING CODE AMENDMENTS**

PLEASE TAKE NOTICE that after a public hearing held on December 3, 2019 and December 17, 2019, and after adoption of a SEQR Negative Declaration for this Type 1 action, the Town Board duly enacted Local Law No. 6 of 2019, entitled “Zoning Code Amendments,” which law:

1. Amends the purposes section to reference purposes promoted in the adopted Comprehensive Plan;
2. Modifies the use and residential density requirements of the Ridge and Valley Protection Area District as recommended by the adopted Comprehensive Plan;
3. Modifies the use and residential density requirements of the Mountain Greenbelt District as recommended by the adopted Comprehensive Plan;
4. Merges the Winterton and Mountain Residential Agricultural Districts into one zoning district to be known as the “Residential Agricultural Zoning District and modifying the use and residential density requirements as recommended by the adopted Comprehensive Plan;
5. Modifies the use and residential density requirements of the Burlingham Residential District as recommended by the adopted Comprehensive Plan;
6. Modifies the use and residential density requirements of the Neighborhood Residential District as recommended by the adopted Comprehensive Plan;
7. Establishes a separate designation (Lake Neighborhoods) for parcels formerly zoned Neighborhood Residential in the vicinity of the Town’s lakes and modifying the use and residential density requirements as recommended by the adopted Comprehensive Plan;
8. Modifies the use and residential density requirements of the Hamlet Center District as recommended by the adopted Comprehensive Plan;
9. Merges the Village Center and Town Center Districts into a new Village Adjacent District and modifying the use and residential density requirements as recommended by the adopted Comprehensive Plan;
10. Modifies the use and residential density requirements of the Planned Resort-Office Development District as recommended by the adopted Comprehensive Plan;
11. Changes the current Industrial/Office zoning district to Mountain Greenbelt zoning district;

12. Renames the Light Industrial/Office District to the Airport Development District and modifying the use and residential density requirements as recommended by the adopted Comprehensive Plan;
13. Establishes an Interchange Economic Zone Overlay District and establishing use and residential density requirements as recommended by the adopted Comprehensive Plan;
14. Establishes a Route 209 Economic Zone Overlay District and implementing the use and residential density requirements as recommended by the adopted Comprehensive Plan;
15. Changes the definitions pertaining to agriculture uses to parallel definitions promulgated under the New York State Agriculture and Markets Law.
16. Establishes Agritourism (including farm markets, public farm markets, farm stands, farm vacations, and farm breweries, wineries, cideries and distilleries) as permitted accessory uses to the principal uses agricultural operations and specialty horticulture as recommended by the adopted Comprehensive Plan;
17. Changes the term “automobile” to “motor vehicle” and utilizing the definition as promulgated by New York State;
18. Clarifies the meaning of some defined terms, to better match the terms utilized throughout the code;
19. For several instances of defined uses, including but not limited to extractive uses, asphalt plants, and bungalow colonies, clarifies that new uses are prohibited;
20. Clarifies several definitions in accordance with the past interpretation of the Building Inspector;
21. Removes definitions for terms not referenced within the code;
22. Defining new uses that are recommended by the adopted Comprehensive Plan;
23. Redefines “Hobby Farms” as “Small Farms” as recommended by the adopted Comprehensive Plan;
24. Provides that the term Industrial Use does not include extraction of rock, stone or minerals as necessary to implement the Comprehensive Plan recommendations regarding such uses;
25. Prohibits new extractive operations and asphalt plants in the prior IO (now MG) zoning district except operations lawfully existing on January 1, 2020, may continue and authorized expansion of such lawfully existing operations is subject to special permit requirements;
26. Renames the Planned Office district to Interchange Commercial district and adding and clarifying the uses permitted within such district.

27. Changes references to all renamed districts throughout the document;
28. Limits livestock density criteria to farm operations not located within agricultural districts and to agricultural uses not meeting the definition of a farm operation as recommended by the Comprehensive Plan;
29. Implements Comprehensive Plan recommendations relevant to mixed-use resorts in the Ridge and Valley Protection Area (RVP) district;
30. Clarifies differences between resorts and country inns, as recommended by the Comprehensive Plan in allowing country inns in areas where less intensive overnight accommodations are permitted;
31. Modifies or adds particular special use permit requirements as necessary to implement the land use recommendations of the Comprehensive Plan;
32. Prohibits development on slopes over 20% in grade, except for roads or driveways necessary to access flatter areas of a site, as recommended by the Comprehensive Plan;
33. Implements Comprehensive Plan recommendations with regard to the density calculations based on soils;
34. Limits livestock within stream buffers as recommended by the Comprehensive Plan;
35. Implements Comprehensive Plan recommendations regarding the transfer of development rights and the establishment of a development rights bank;
36. Removes the specifics of the Stormwater Control section of the Zoning chapter and instead referring to the Town's separate Stormwater Control Chapter;
37. Notes in Schedule I (The Table of Use and Bulk Requirements) where the existing code permits small-scale and large-scale solar uses;
38. Establishes bulk standards in Schedule I (Table of Use and Bulk Requirements), for new uses including but not limited to Community Facilities (emergency and non-emergency), Breweries, Wineries and Cideries, Park and Rides, Tow Businesses and Truck Stop/Travel Centers in line with those of similar existing uses.
39. Deletes attachments 5 and 6 pertaining to stormwater management practices and acceptable maintenance agreements since that information is included in Chapter 160 and incorporated by reference in zoning code section 199.44.
40. Adds new or revised definitions for small-scale farm, agritourism-farm to table restaurant, adult/senior housing, high-tech agriculture, junkyards and through-lots.
41. Requires that the operator of a bed and breakfast establishment must be a resident property owner.

42. Replaces the proposed provision that would allow an 80-foot high sign for truck stops and travel centers to instead allow off-site advertising signage visible from Route 17 as a special use permit.
43. Clarifies the dimensional requirements applicable to existing nonconforming lots.
44. Clarifies that uses deemed prohibited because they are not listed as a permitted use applies to principal uses.
45. Changes “accessory storage of noxious materials” to “accessory storage” in the use and bulk table for the Airport Development zoning district.
46. Adds bike and boat rentals as a permitted use in the Hamlet Center zoning district.

A complete copy of the Local Law, including the amended Zoning Map, is available for inspection at the Town Clerk’s Office.

BY ORDER OF THE TOWN BOARD
TOWN OF MAMAKATING

JEAN M. DOUGHERTY, TOWN CLERK