



# VILLAGE OF COLD SPRING

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## GUIDE TO THE PROPOSED MODIFICATIONS TO THE VILLAGE'S ZONING CHAPTER (134)

April 2023

### IMPORTANT MODIFICATIONS UNDER CONSIDERATION BY THE BOARD OF TRUSTEES

#### *Overall*

- Transitioning to plain English so the code is easier for everyone to read and understand
- Introducing visual aids so maintaining the traditional form of development is easier to envision, and more accessible to residents and other code users
- Reducing ambiguities in chapter definitions; improving clarity for applicants and for the Zoning Board of Appeals (ZBA)
- Including a graphic use table for easier and quicker reference, along with a clearer dimensional table
- Aligning the Village's special use permit process, site plan review & approval and other supplementary regulations with New York State law for Villages
- Updating the area and use variance processes for the ZBA so the procedures follow current State Law
- Modifying the zoning code so it is consistent with the Village's adopted Comprehensive Plan policies, as required by NYS law
- Identifying more rational zones and zone definitions that reflect actual conditions
- Introducing current, effective planning tools to update and better regulate land uses in the Village

#### *Residential District (Articles 3 and 4)*

- Breaking the current R-1 zone designation into subdistricts for older neighborhoods ("R-O"), newer neighborhoods ("R-N"), historic homes on large lots ("R-L"), and multi-family zones ("MF")
- For each residential subdistrict, aligning code requirements, including bulk standards, with the built reality in neighborhoods, reducing non-conforming lots and the need for variances for basic modifications by homeowners (§ 134-7 and § 134-8)
- Allowing more flexibility for accessory buildings and home occupations

### *Planned Mixed Use District (Article 4, § 134-12)*

- Introducing a rigorous Planned Mixed Use District for the privately-owned Marathon parcel on Kemble Avenue
- Setting out a three-step review procedure for approval of a planned unit development in the PMU District: (1) concept plan approval by the Planning Board; (2) preliminary site plan and review approval by the Planning Board; and (3) final site plan and approval by the Planning Board. Critical impact analyses (for instance transportation impact analysis, fiscal impact analysis) and public engagement are required right from the beginning, and throughout the process.
- Introducing energy efficiency and clean energy standards and sustainability goals
- Introducing parking requirements that are compatible with the historic, pedestrian scale of the Village, reduce car dependency and foster modes of travel other than by car
- Requiring a mix of housing types to align with the existing Village housing stock, while encouraging the creation “granny flats” (accessory apartments) that address affordability and create added income for homeowners

### *Other Districts (Article 4)*

- Appropriately zoning existing parks, preserves and recreational areas of the Village (§ 134-13)
- Eliminating uses that are no longer compatible with Village life, including industrial uses, lumber/building materials stores, and large-scale office and research buildings
- Adding a Scenic Viewshed Overlay to afford additional protections to our picturesque, historic Village (§ 134-14)

## **WHY ARE THE TRUSTEES CONSIDERING THESE MODIFICATIONS?**

- The Zoning Law dates to 1967; it has been updated in an often-piecemeal manner 25 times since then.
- The standing Zoning Law is based on a suburban model that, for all intents and purposes, ignored the existing pattern of development in the Village. This mismatch creates a regulatory burden on residents because many changes require variances, creating process requirements and costing money.
- New York State Law requires local zoning codes to be in compliance with a community’s Comprehensive Plan. Cold Spring’s Plan was passed in 2012; the Village has been out of compliance for eleven years.
- The Village cannot have a Local Waterfront Revitalization Program approved unless the Zoning Code is updated. Our community needs the protections that a Local Waterfront Revitalization Program will afford us.
- Zoning is a critical tool for protecting not only our built environment, but our community character, which was at the top of residents’ concerns when the Comprehensive Plan was under development. The code needs to match the Village so that we can properly protect and enhance the traditional character that residents cherish—and that so many other communities, regrettably, have lost.

## **HOW DO I LEARN HOW MY PROPERTY WILL BE AFFECTED?**

- Find your property, and the type of zone it is proposed to be located within, on the proposed revised zoning map, found here:

[https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/new\\_zoning\\_map\\_16\\_-\\_2023-04-11.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/new_zoning_map_16_-_2023-04-11.pdf)

- Read about District Regulations in the proposed zoning chapter, found here, specifically in Article IV: [https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/2023-04-12-chapter-134-version-2\\_0.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/2023-04-12-chapter-134-version-2_0.pdf)
- Other chapter articles lay out the process and requirements for special use permits, site plans, variances and other, supplementary regulations.
- Other helpful links will take you to the table of uses and the dimensional table, found here: [https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/2023-04-12-table\\_12a\\_table\\_of\\_uses\\_ver\\_2a-revisions.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/2023-04-12-table_12a_table_of_uses_ver_2a-revisions.pdf)  
[https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/dimensional\\_table\\_2023\\_v7\\_draft.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/dimensional_table_2023_v7_draft.pdf)
- Attend public discussions on the proposal, starting April 26 (see below)

## WHERE CAN I GET MORE INFORMATION?

- All materials are on the Village of Cold Spring website, here: <https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>
- Review slides from public presentations on 1/25/23 and 4/19/2023, found here: <https://www.coldspringny.gov/sites/g/files/vyhlf416/f/minutes/01-25-2023.pdf>  
<https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/2023-04-19-cold-spring-zoning-slides-1.pdf>
- Send questions to the Village Clerk at [vcclerk@coldspringny.gov](mailto:vcclerk@coldspringny.gov)

## HOW CAN I ASK QUESTIONS AND GIVE FEEDBACK?

The public hearing on Chapters 134, 76 and 104 is scheduled to open on Wednesday, April 26<sup>th</sup> at Village Hall, 85 Main Street. At this time, the planning consultant will provide an overview of the proposed changes. There will be a written comment and response document that will be available on the Village website so everyone can see how their questions and concerns have been addressed.

Time can be allotted at subsequent Village Board of Trustees meetings for residents to provide feedback and ask questions:

- April 26
- May 3
- May 10
- May 16 (note: this is a Tuesday)

You are welcome to join in person or online via zoom. Weekly agendas and the Zoom link are available here: [Mayor & Board of Trustees | Cold Spring, NY \(coldspringny.gov\)](#)

You can also send questions and comments to [vcclerk@coldspringny.gov](mailto:vcclerk@coldspringny.gov).

Depending on feedback, the Board of Trustees will determine the need to continue the public hearing. If more discussion is needed, the Board of Trustees will take up a vote to leave the public hearing open.

## ARE THERE OTHER CODE CHANGES UNDER CONSIDERATION RIGHT NOW? WHY?

Yes, the public discussion also covers Code Chapter 76, Noise and Code Chapter 104, Signs and Placards. These chapters include references to parts of the zoning chapter, so revisions there need to be reflected in these chapters as well. Other updates to modernize these chapters are included, as well. The proposed chapters and the redlines of the existing chapters can be found here: <https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>