

Town of Queensbury Proposed Zoning Amendments

Language in underline is new language to be added;
Language ~~with line drawn through~~ is old language to be deleted.

§179-2-010 - Definitions

AMUSEMENT CENTER

An indoor or outdoor facility, which may include structures and buildings, where there are various devices for entertainment, including rides and booths for the conduct of games and buildings for shows and entertainment. ~~The definition~~ This includes amusement uses, such as but is not limited to, miniature golf, go-karts (~~or~~ riding areas for dirt bikes, ~~or~~ ATVs or snowmobiles), skating facilities, arcades and batting cages.

OUTDOOR RECREATION

Land uses which offer passive or active recreation activities primarily outdoors that are operated for members or on a commercial basis for ~~members of the~~ general public

RECREATION, ACTIVE

Nonmotorized leisure activities, usually organized and performed with other persons, often requiring equipment and taking place at prescribed and nonnatural places, sites, or fields. Examples include, but are not limited to, baseball, softball, soccer, basketball, tennis and track and field ~~golf and skiing~~. Also included are activities which are principally non-motorized, but in which motorized equipment may facilitate set-up or transportation within the activity area such as golf or downhill skiing.

RECREATION, PASSIVE

Nonmotorized leisure activities, which are not active recreation and usually can take place in areas with minimal disturbance to the natural landscape. Examples include, but are not limited to, hiking, walking, boating, jogging, cross country skiing, biking, plant study, picnicking, kite flying, Frisbee throwing, bird watching, nature photography, swimming, nature classes, model boating, wheelchair racing, fishing, dog walking, feeding of water fowl and sun bathing.

~~RECREATIONAL FACILITIES, COMMERCIAL~~

~~Recreational facilities open to the general public for private gain.~~

~~RECREATIONAL FACILITIES, PRIVATE~~

~~Recreational facilities supplemental to a principal use, for the utilization of proprietors and guests, and excluding any use which is open to the public for a charge.~~

§179-3-040 - Establishment of zoning districts

Subparagraph A(1)(b)

[6] Lot width: ~~500~~ 400 feet.

Subparagraph B(2)(a)

[1] No residential uses shall be allowed within 300 feet of Bay Road ~~and West Mountain Road.~~

§179-4-090 - Parking and loading requirements

Table 5: Parking Requirements	
Use	Minimum Number of Spaces
Adult use establishment	Same as restaurant <u>1 per 4 seats, plus 1 per 2 employees, or if a nightclub is present, the requirement shall be the greater of the two uses</u>
Food service	1 per 4 seats, plus 1 per 2 employees, whichever is greater; or if a nightclub is present, the requirement shall be the greater of the two uses

§179-5-060 - Docks, boathouses and moorings

Subparagraph A(6):

(6) The maximum surface area of any flat superstructure built upon and/or above any dock shall be 700 square feet. The measurement for this area is to include all areas bounded by the sundeck railing. For a peaked roof, the maximum surface area is limited to 1,000 square feet and is measured from eave-to-eave.

Subparagraph A(16):

(16) In all Waterfront Residential zones, boathouses may be constructed, subject to Site Plan Review, on all water bodies that may be regulated by the Town of Queensbury.

§179-8-030 - Tree list

Plant species shall generally be selected from the following list of species. Substitutions may be made at the discretion of the Planning Board.

A. Suggested Deciduous Shade Trees

- Red Maple (Acer rubrum)
- Hackberry (Celtis occidentalis)
- ~~Green Ash (seedless only) (Fraxinus pennsylvanica)~~
- ~~White Ash (seedless only) (Fraxinus Americana)~~
- Ginkgo/Maidenhair (Ginkgo biloba)
- ~~Amur Cork (Phellodendron amurense)~~
- American Plane (Platanus occidentalis)
- Red Oak (Quercus rubra)
- White Oak (Quercus alba)
- Pin Oak (Quercus palustris)
- Little Leaf Linden (Tilia cordata)

B. Suggested Evergreen Shade Trees

Spruce varieties (Picea (varieties))
Cedar/Juniper varieties (Juniperus (varieties))
Pine varieties (Pinus (varieties))
Yew varieties (Taxus (varieties))
Arborvitae varieties (Thuja (varieties))
Hemlock varieties (Tsuga (varieties))

§179-8-040 - Acceptable tree and plant species

The bracketed numbers before the names of specific plants are deleted throughout paragraph C.

Subparagraph C(1)(a) - Larger trees (canopy)

Black Spruce (Picea mariana).
~~Eastern~~ Northern White Cedar/ Arborvitae (Thuja occidentalis).
Red Maple (Acer rubrum).
White Spruce (Picea glauca).
Eastern or American Larch (Larix laricina).
~~Black Ash (Fraxinus nigra)~~.

Subparagraph C(1)(b) - Smaller trees and large shrubs (understory)

American Cranberry (Viburnum trilobum).
Black Chokecherry (Aronia melanocarpa).
Buttonbush (Cephalanthus occidentalis).
Bebb's Willow (Salix bebbiana).
Meadowsweet (Spiraea alba).
Mountain Holly (~~Nemopanthus mucronatus~~ Ilex mucronata).
Northern Spicebush (Lindera benzoin).
Red Chokecherry (Aronia arbutifolia).
Red Twig Osier Dogwood (Cornus sericea).
Shining Willow (Salix lucida).
Speckled Alder (Alnus incana).
Steeplebush (Spirea tomentosa).
Sweet Gale (Myrica gale).
Winterberry Holly (Llex verticillata).
Winterberry Holly (~~Llex~~ Ilex verticillata).
Witch Hazel (Hamamelis virginiana).

Subparagraph C(3)(a) - Larger trees (canopy)

Black Cherry (Prunus serotina).
Red Pine (Pinus resinosa).
Sugar Maple (Acer saccharum).
~~White Ash (Fraxinus Americana)~~.
White Pine (Pinus strobus).
Yellow Birch (Betula allegheniensis).
American Beech (Fagus grandifolia).
Balsam Fir (Abies balsamea).
Basswood (Tilia americana).

Subparagraph C(3)(b) - Smaller trees and large shrubs (understory)

- American Bladdernut (*Staphylea trifolia*).
- American Elderberry (*Sambucus canadensis*).
- American Hazelnut (*Corylus americana*).
- American Hornbeam (*Carpinus caroliniana*).
- Beaked Hazelnut (*Corylus cornuta*).
- Chokecherry (*Prunus virginiana*).
- Hobblebush (*Viburnum lantanoides*).
- Eastern HopHornbeam (*Ostrya virginiana*).
- Prickly Ash (*Zanthoxylum americanum*).
- Shadbush/ Serviceberry, Juneberry Berry (*Amelanchier canadensis*).

Subparagraph D - Invasive plant that are not acceptable

Invasive plants that are not acceptable. As noted on the NYS DEC Invasive Plant Species List to include, but not be limited to the following:

- Norway Maple (*Acer platanoides*).
- Garlic Mustard (*Alliaria petiolata*).
- Japanese Barberry (*Berberis thunbergii*).
- Asiatic Bittersweet (*Celastrus orbiculatus*).
- Autumn Olive (*Elaeagnus umbellata*).
- Japanese Knotweed (~~*Polygonum cuspidatum*~~ *Fallopia japonica*).
- Bush Honeysuckle (*Lonicera* spp.).
- Purple Loosestrife (*Lythrum salicaria*).
- Common Reed (*Phragmites australis*).
- Buckthorn (*Rhamnus* spp.).
- Multiflora Rose (*Rosa multiflora*).
- Black Swallow-wort (~~*Vincetoxicum nigrum*~~ *Cyanchum louiseae*).
- Yellow Iris (*Iris pseudacorus*)
- Winter Creeper (*Euonymus fortunei*)
- Burning Bush (*Euonymus alatus*)
- Black Locust (*Robinia pseudoacacia*)

§179-8-050 – Multifamily and nonresidential landscaping requirements

Subparagraph B

(2) Where parking lots and drives abut the landscaped strip along the street right-of-way, evergreen shrubs selected from the list below must be provided for screening. The screening must be a plant species that grows a minimum of three feet high and extends along the entire street frontage of the parking lot, exclusive of driveways and visibility clips. A landscaped berm may be provided in lieu of required shrubs. The berm must be 18 inches to 40 inches above the average grade of the street and parking lot curbs with a slope not to exceed 3:1. If a parking lot is located 50 feet or more from the street right-of-way line, no screening shrubs or berm will be required.

Common Name	Scientific Name
Suggested Evergreen Low Screening Shrubs	
Euonymous	Euonymous fortunei

Oregon Grape	Mahonia aquifolium
Rhododendron	Rhododendron ("compacta" varieties)
Holly Ilex	("compacta" varieties)
Dwarf Hinoki False Cypress	Chamaecyparis obtuse "Nana Gracilis"
Spruce Picae	(varieties)
Juniper Juniperus	(varieties)
Yew Taxus	(varieties)

§179-8-060 - Buffer Requirements Between Adjacent Uses

Buffer Requirements Between Adjacent Uses

Land Uses	Single-Family Residential	Multifamily Residential	Office	Commercial/ Retail	Commercial/ Recreation	Industrial
Single-family residential	None	B	A	B C	C	C
Multifamily residential	B	None	A	A	B	C
Office	A	A	None	A	B	C
Commercial/ Retail	B C	A	A	None	B	C
Commercial / Recreation	C	B	B	B	None	B C
Industrial	C	C	C	C	B C	None

NOTE: Any use not specified above is considered a commercial use, unless otherwise determined by the Planning Board.

§179-9-070 - Public hearing requirement

The Planning Board shall hold a public hearing on a new application and provide notice consistent with section 179-16-120.

§179-10-070 - Veterinary clinics

Z. Veterinary clinics. Veterinary clinics ~~in the Rural Residential Zoning Districts~~ shall be located on parcels of at least 20 acres. All dog runs or other areas in which dogs are kept must be located at least 300 feet from any property line.

§179-14-040 - Time of appeal

D. Time of appeal. Such appeal shall be taken within 60 days after the filing in the ~~Town Clerk's Office~~ Office of the Zoning Administrator, of any order, requirement, decision, interpretation or determination of the Zoning Administrator. The appeal shall be taken by filing with the Zoning Administrator ~~and with the Town Clerk~~ a notice of appeal, specifying the grounds thereof and the relief sought pursuant to §179-14-030. The Zoning Administrator shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken. The Zoning Board of Appeals, at its discretion, may request the Planning Board to make a

recommendation on such matter and such recommendation shall become part of the record, but shall not be binding upon the Zoning Board of Appeals.

§179-16-120 - Notice of public hearing

~~B. In the case of a subdivision, the applicant shall notify all owners identified above and shall show proof of such notification or attempt at notification. In the case of site plan review, variances and other appeals to the Zoning Board of Appeals, the Town shall be responsible for such notification.~~

Chapter 179, Table 2 - Summary of Allowed Uses in Residential Districts

Commercial Sand and Gravel Excavation is added as an allowed use in the Rural Residential Zones with a Special Use Permit required.

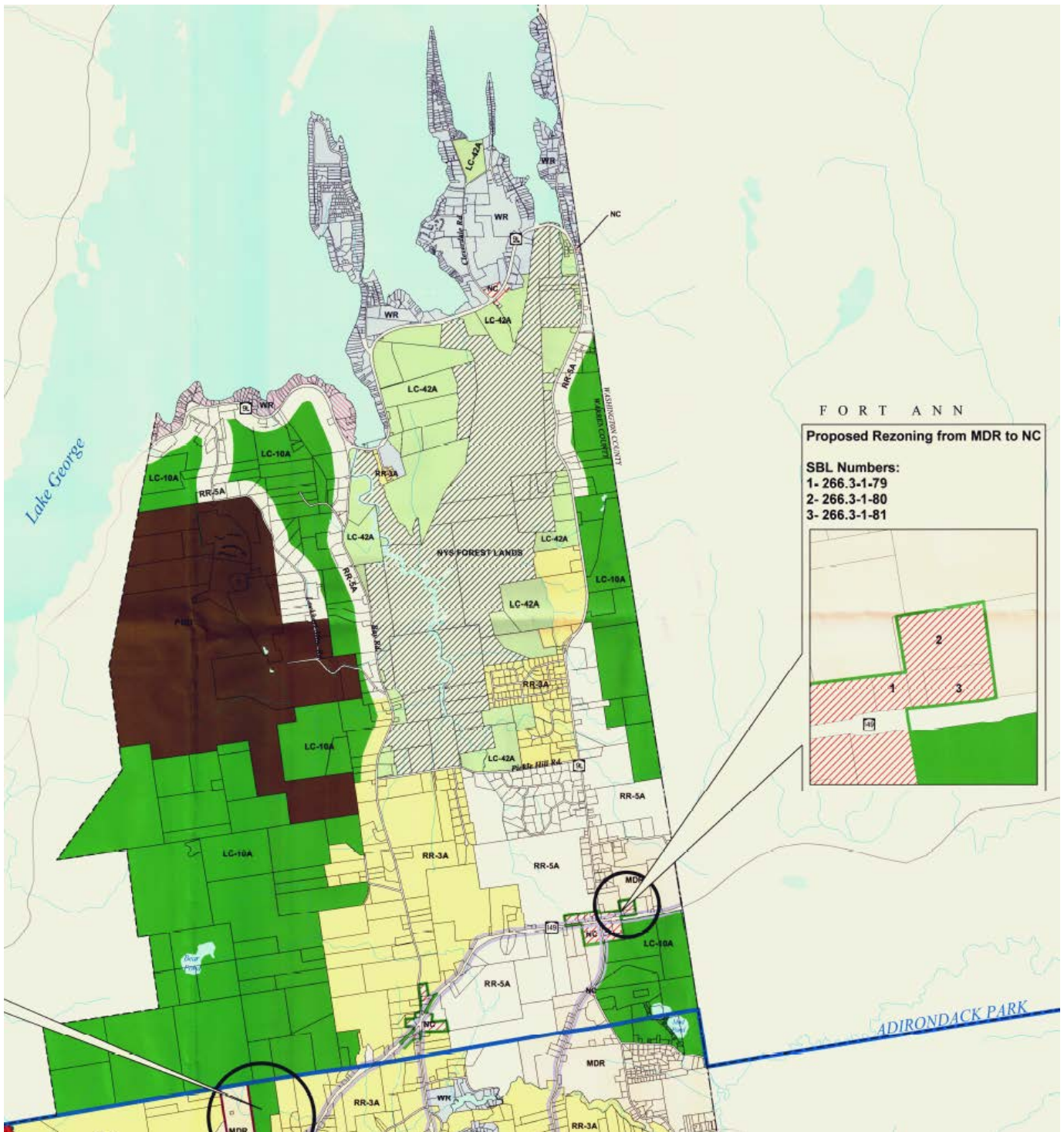
Chapter 179, Table 3 - Summary of Allowed Uses on Commercial Districts

Footnote added to the SPR requirement for Apartment House/Condos, Apartment House/Condos above first floor, Multi-family house/condos and Single Family Dwelling uses in Office (O) zoning districts:

(2) No residential uses shall be allowed within 300 feet of Bay Road. See §179-3-040, B. (2).

Zoning Map

- (1) The parcel identified as Tax Map No. 278-1-18 is changed from Rural Residential (RR) to Land Conservation – 10 Acres (LC10A).
- (2) The three parcels identified as Tax Map Nos. 266.3-1-79, 266.3-1-80 and 266.3-1-81 are changed from Moderate Density Residential (MDR) to Neighborhood Commercial (NC).
- (3) The three parcels identified as Tax Map Nos. 296.13-1-16, 296.13-1-1 and 296.13-1-83 are changed from Moderate Density Residential (MDR) to Commercial Moderate (CM).



In-Park 2014 Proposed Zoning Changes