

Village of Northville
Zoning and Subdivision Law Update
Summary of Revisions to the Draft
September 23, 2019

This document provides a summary of the changes made to the DRAFT Northville Zoning and Subdivision Law posted online for public consideration on May 1, 2019. The changes reflect community input received at the community meeting on May 1, the Open House on May 11th, in-person and written comments from community members and additional input at Village Board meetings. Some of the changes made are minor; others are substantive. Below is a summary of the key concerns raised by the community and how the Village Board has addressed these concerns in the revised draft Law.

As a reminder, all existing legal uses, businesses etc. are grandfathered from any changes to the zoning.

#1 Reducing the minimum lot size in the existing R-3: There was opposition to the proposed change to the minimum lot size in the area of the Village presently called the R-3 where the minimum lot size is 5-acres. The draft zoning proposed a minimum lot size of 1.5 acres for that area based on the guidance of the new Comprehensive Plan identifying this area as having the most opportunity for new development and recommended changing the zoning to allow for more opportunity.

To ensure that the zoning reflects the guidance of the Comprehensive Plan as is required by NYS Village Law, while respecting the concerns raised by residents living in that area, the following changes to the draft was made:

- Retain the 5-acre zoning but include a Planned Development District (PDD) Overlay on parcels identified in the Comprehensive Plan as an area of opportunity for development.

The use of a PDD was identified in the Comprehensive Plan as a possible tool for new development opportunities. A PDD is a tool that essentially allows for a project specific rezoning when the underlying zoning doesn't fit. The proposed code includes a couple of different options for the types of PDD allowed. They may include more than one property but must include at least 10 acres, maintain a certain amount of open space and other criteria. The proposed project must be entirely planned out including uses, densities and site development plans which then becomes the zoning. A PDD is approved by the Village Board upon recommendation from the Planning Board as it is a rezoning. There is a mechanism that if a PDD is not commenced within a certain timeframe, it reverts to the original zoning.

- As the northern village area was also zoned RR but was never zoned to require 5 acres, that also had to be changed to something else. A new R-3 is proposed with the following characteristics:
 - The same minimum lot and dimensional standards as the R district (minimum lot size 20,000 SF).

- Permitted uses are similar to those in the R-2 and in addition allow individual manufactured homes with standards and townhouses. This is similar to what is allowed in some of this northern area in the existing zoning.
- The PDD Overlay would also be overlaid on some parcels in this district per discussions in the Comprehensive Plan of this being an area of opportunity for new development.

#2 Mixed Use District: There was opposition to rezoning the south side of Division Street and gateway portion of Bridge Street as Mixed-Use rather than R-Residential due to concerns for adverse impacts such as traffic and parking, on the adjacent residential neighborhood. The Comprehensive Plan supports Bridge Street retaining its historic character while recognizing it as mixed-use corridor. The proposal had permitted the adaptive re-use of existing structures for some compatible commercial uses.

To address these concerns the following changes were made:

- Remove Division Street properties from the footprint of the MU-Mixed Use district and rezone them “R2”. The residential properties on Bridge Street remain zoned Mixed Use for the following reasons: they are not threatened by being zoned MU-Mixed as residential is a supported use and new opportunities are created to support the future viability of the structures, the zoning as originally proposed is consistent with the Comprehensive Plan, the street is already busy (not a quiet residential street) because it is the gateway access to the Village and many properties abut or are across the street from nonresidential uses (including churches, school campus and commercial use).
- The language regarding the requirement for off-street parking and screening of new parking lots was reinforced by restating it. This is not new language – just reinforcement for clarity.

#3 Manufactured Home Parks: Concern was raised for the proposal to permit Manufactured Home Parks in the MU-2 when presently neither individual manufactured homes nor MH parks are permitted in this area and it’s a gateway area to the Village/visible from the lake. In the existing zoning, individual manufactured homes are allowed in a portion of the northern village currently zoned R-2.

The following changes were made:

- Reinstatement of allowing new individual manufactured homes in the area that would be the new R-3 in the northern part of the Village with the standards included in the existing draft. The R-3 is described in #1 above. A good portion of this area allows individual manufactured homes in the current zoning.
- Eliminated permitting the development of new manufactured home parks in the MU2.
- Eliminated the MU-2 district and change it to MU (see revised proposed map).

#4 Signage Requirements: Several concerns were raised for provisions that carried over from the current zoning and were not new provisions in this code including: prohibiting plastic signs and internally lit signs, only allowing a couple of different fonts per sign etc. In addition, there was opposition to the prohibition of feather flags which was a new provision. The current zoning is silent on feather flags as they are a modern signage device.

The draft was amended to address signage, including feather flags and other portable signs, in the following manner:

- Eliminated the standard related to font types
- Allows signs to be made of durable materials besides wood. A list of permitted materials will be maintained by the Village Board and updated from time to time.
- Allows a business to have up to two portable signs (such as feather flags or sandwich boards), except that lots/buildings with more than one business, shall be allowed one per business.
- Such portable signs shall be allowed to be placed in the public right-of-way as long as they do not block pedestrian access on sidewalks.
- Portable signs shall only be used when the business is open except that they may be placed outside ½ hour prior to a business opening and up to ½ hour after the business has closed.
- The maximum height of a feather flag shall be 16' including the flag's stand.

#5: Motor Vehicle Service Garages: Concern was raised that the proposed requirements for (new) motor vehicle service garages are generally too restrictive. To address these concerns, the following amendments were made:

- Removed the restriction on the number of cars permitted on site
- Allows fencing to be used as a form of screening
- Allows wrecked vehicles to be stored for a longer time frame - 60 days
- Removed the language requiring that all repairs and storage be inside

#6 Off-street parking Requirements: There were a few comments made about the parking requirements being burdensome.

- The new zoning requires less parking than the current zoning to reflect the village scale and walkability, however, to further reduce parking requirements, a new level of retail parking was added for really small businesses that requires less parking than the current draft and far less than the current zoning. More parking is also allowed to be located in the side yard.
- There was concern that requiring the paving of new parking lots for new businesses is too expensive and may create issues with siting septic.
 - The draft was amended to add a waiver option that could be used by the Planning Board when reviewing projects under site plan review, where there is evidence of septic siting issues.
- Requiring internal landscaping in parking lots shouldn't be necessary.
 - The draft was amended to only require internal landscaping to parking lots of 12 spaces or more and the requirement was reduced to 10% of the parking lot. Landscaping helps maintain areas of perviousness for stormwater run-off which is important in larger parking lots.

#7 Landscaping and Screening: It was recommended that fencing be an allowed form of screening out parking lots, outdoor storage etc. rather than just vegetated screening.

- Fencing was added as an option for screening

#8 Other Map/Zoning District Changes:

- Changed the zoning of the first two parcels on the north side of Mechanic Street to “Mixed Use”
- Changed the zoning on the vacant lot on South First St. behind the Howard Hanna (former CMK) building to “Central Business”