TOWN OF SKANEATELES ZONING LAW
SUMMARY OF CHANGES IN REVIEW DRAFT OF JULY 26, 2017
Joel Russell, Esq., Zoning Consultant
July 26, 2017

This summary describes proposed changes from the current zoning in the proposed draft of the Town of Skaneateles Zoning Law. I have prepared this draft at the request of the Skaneateles Town Board. It has not been officially reviewed by town officials and is being made available to interested citizens and officials for preliminary review and comment before it will be proposed for adoption.

This revision relies heavily on guidance in the Comprehensive Plan, extensive comments made by Planning Consultant Howard Brodsky in collaboration with the Planning Board, and my own analysis of the current code and the Town's needs based on meetings in Skaneateles and my 23-year history of working with the Town. The document may seem to be long, at 190 pages, but the type size is larger than the current zoning to make it more readable, there are more graphics, and some material relating to zoning districts is repeated in more than one section to make it more user-friendly.

Major changes from the current zoning include the following:

1. The Zoning Law has been extensively reorganized. Howard Brodsky's comments on organizational problems with the current code, and his suggestions for reorganizing it, have informed my work in this regard. The existing zoning is very difficult to navigate and one of my primary goals in revising the code is to make it easier to use and follow. I have also tried to simplify language where possible without significantly changing substance.
2. For an overview of the structure of the code and a flow chart on how to use it, see Article One, entitled "Introduction and User Guide."
3. The new draft uses a different numbering system intended to make it easier to navigate and to make insertions and deletions as the code evolves. Each page has a header that informs readers what section of the code they are reading.
4. Questions, comments, and some changes in substance have been noted in comment bubbles in the margins of the document. I have also left in place some of Howard Brodsky's comments on the existing zoning that raise issues that remain unresolved.
5. The district regulations for each zone have been completely reorganized and simplified, but not substantially changed in substance. Instead of four tables that apply town-wide with columns for each zoning district, there is a separate section in Article 4 for each district containing use and dimensional tables referenced to relevant sections of the zoning. This will enable a landowner to find information most pertinent to a particular parcel of land largely in one section that is specific to each zone. Article 4 also uses graphics to make it easier to understand the dimensional regulations.
6. In order to streamline and simplify the use regulations and permitting processes, some uses which under the current zoning require special permits, or special

permits if they are large-scale and site plan approval if they are smaller scale (shown as P/S or P*/S on the existing use table), would require only site plan approval, regardless of their scale.

7. In keeping with the spirit and substance of the Comprehensive Plan, the use regulations have been made somewhat more flexible and conducive to mixed use, allowing residential uses in what were previously primarily commercial zones (HC and IRO).

8. The five development methods that are scattered among different sections of the existing zoning have been consolidated into Article 6, entitled "Development Options." In order to avoid confusion, the term "open space subdivision" in the current zoning has been changed to "conservation subdivision." The general term for all forms of development other than conventional subdivisions has been changed to "Open Space Development," which encompasses five options: conservation subdivision, cluster subdivision, flag lots (formerly "rear lots"), transfer of development rights (TDR), and conservation density subdivision. It seems to me that there are too many options and two of them (TDR and conservation density subdivision) have rarely been used or even considered for use. The Comprehensive Plan explicitly calls for TDR, however. I am recommending that the conservation density subdivision option be eliminated. Also, the conservation subdivision option and cluster subdivision option may be duplicative. A table in Article 6 lists all of these options and compares their terms in order to facilitate review and discussion.

9. There is a new definition of "open space" that explains that there are two kinds: the open space on an individual lot (such as required yards) and the protected open space that is a required element in an open space development. I hope that this reduces confusion over the meaning of "open space."

10. The Lake Watershed Overlay District (LWOD) and the shoreline development standards have been consolidated into one section, §148-7. Since shoreline structures are all within the LWOD it made sense to put them into the same section.

11. The procedural provisions have been simplified and consolidated into one part of the document, Article 10. The major and minor project review distinction for special permits and site plan approvals has been simplified so that there is only one type of review for special permits. The major-minor distinction remains in place for site plan approval because of the varying scale of projects. The procedures for special permits and site plan approval are the same, however, with a streamlined procedure for minor site plans.

12. The sign regulations in Article 9 have been substantially revised in light of the U.S. Supreme Court decision *Reed v. Gilbert*. While all of the implications of that case remain uncertain, especially with regard to the regulation of commercial signs, I have done my best to chart a middle ground to keep the Town on the safe side of possible interpretations of that decision, while still allowing it to regulate signs consistent with the First Amendment. I have kept numerical standards in the code relating to such matters as sign size, height, setback, etc. the same as much as possible.