

# **Village of Trumansburg Residential Zoning Revision Frequently Asked Questions**

## **What is the history of zoning in the village?**

Zoning has existed in the village since at least 1956. 15 years later, in 1971, it was updated and then remained unchanged for over 40 years. In 2008, the Village completed its first Comprehensive Plan which created a vision for the Village over the next 10-20 years. That vision was the basis for an updated Village zoning law in 2012.

While the 2012 revision expanded the 1971 zoning law to include items like affordable housing, care cottages, manufactured home parks, planned development areas, and stream and wetland overlay districts, many of the regulations from 1971 remained untouched. In particular, lot dimensions were left as they had been since 1971.

## **Why is the Village revising its zoning?**

Zoning laws are meant to be living documents that adapt to changes in our community as well as respond to real-life use. In recent years we have seen increased interest in Trumansburg as a place to live, raise a family, and retire. That interest is driving increased development and an increased interest in managing that development through zoning regulations. As a response, the Village began a Comprehensive Plan revision process in 2017 to update the Village's vision for the next 10-20 years. That process was completed in 2021 and that vision is now the basis for updating the Village's zoning law.

## **What community input has been collected so far?**

In 2017 the Village embarked on a multi-year process to update its Comprehensive Plan. Through the Comprehensive Planning process, including a village-wide survey and multiple in-person information meetings, the Village collected community input on a variety of topics. Land use and zoning were frequent topics of discussion and those

conversations, alongside the full Comprehensive Plan, have been the basis for the Village's zoning revisions.

## **What themes were identified in that community input?**

Zoning-related themes raised during the Comprehensive Plan revision process included pride in the charm and character of the village as well as a need for incremental growth. In particular, a need for affordable housing was identified to create a more inclusive community, attract young families, and provide housing for seniors. Changes, such as reducing the barriers to accessory dwellings and multi-unit housing were suggested to balance the need for incremental growth with the pride in the current charm and character of the village.

## **How is the zoning revision process structured?**

Traditionally, zoning revisions are done in one pass, resulting in a giant set of changes across the entire zoning law. However, that approach repeatedly fails to garner meaningful community input and feedback. Massive changes are difficult to engage with, and it's unreasonable to expect the community to have the time and patience necessary to review changes of that scale. This large-scale approach reduces the amount of feedback from the community and limits the quality of the product.

To allow for more approachable changes to the zoning law, the revision process has been broken into three milestones to adopt changes to the zoning law at the end of each milestone. This document accompanies the initial draft of the first milestone, which primarily focuses on residential zoning in the Village. The future milestones will focus on commercial and industrial zoning as well as overlay districts and zoning administration. This phased approach will allow for easier and earlier feedback from the community.

## **What are the proposed revisions trying to encourage?**

The proposed revisions aim to encourage affordable housing, both subsidized and naturally occurring, which was identified as a community goal in the Comprehensive Plan. The intention is to create a more inclusive community, attract young families, and provide housing for seniors. Affordable housing is encouraged by allowing the addition

of accessory dwelling units and reducing the dimensional and regulatory requirements for smaller multi-unit housing.

Additionally, the proposed revisions aim to allow new housing construction to be consistent with a significant percentage of existing housing in the village. The characteristics of many existing homes in Trumansburg, which add to the beloved village character, are simply not possible for new homes under the current zoning, due to current setback, lot size, or lot width requirements that didn't exist when existing homes were built. To allow these elements of village character to be built again, the proposal recommends changes that bring setbacks, lot sizes, and lot widths in line with what already exists within the village.

These two goals will also encourage incremental growth in both population and housing stock which in turn helps support our local businesses and institutions through increased customers, school population, and tax base.

## **What are the proposed revisions trying to discourage?**

The proposed revisions aim to discourage large multi-unit housing developments which are rarely seen in the village and have been a point of contention in recent years. This is accomplished by limiting the maximum number of dwelling units on a lot to 20, regardless of the size of the lot, and by keeping the current lot size requirements for lots with 5 or more units.

Additionally, the proposed revisions aim to discourage infill development that is out of character with the surrounding housing. This is accomplished by requiring setbacks to respect the setbacks of the surrounding housing to create a consistent visual character of individual neighborhoods.

## **What are the major changes being proposed?**

The major changes being proposed are concentrated in three sections of the zoning law. For the full details please refer to the draft proposal. The commentary below explains the intention behind the proposal for each section.

**Section 302. Dimensional Requirements** - The proposed changes in this section address the desire for affordable housing in the village and the aim to allow new housing construction consistent with existing housing in the village. The changes enable 1-4 unit homes on smaller lot sizes based on an analysis of tax assessment data to understand what currently exists in the village (see below). Since the village already contains a variety of multi-unit housing, these changes reduce the barriers to developing more multi-unit housing that can bring additional housing stock and affordability to the village with minimal impact on the visual character of the village.

**Section 308. Affordable Housing Regulations** - The proposed changes in this section address the desire for subsidized affordable housing in the village. The current zoning law requires subsidized affordable housing in larger developments. However, when affordable housing requirements exist, they incentivize developers to build fewer units to avoid triggering the requirements. This is counterproductive for both affordable and market-rate housing. The proposal changes these regulations from requiring to incentivizing the inclusion of subsidized affordable housing. This change keeps the benefits for developers that choose to build subsidized affordable housing without limiting the building of market-rate housing by developers that would have skirted the requirements anyways.

**Section 309.3. Accessory Dwelling Units** - The proposed changes in this section address the desire for affordable housing in the village and the aim to allow new housing construction consistent with existing housing in the village. Accessory dwelling units are smaller, secondary dwellings on the same lot as a primary dwelling. These can be either attached, like a garage apartment, or detached, like an “in-law cottage”. These units already exist throughout the village, are often affordable, and can create rental income for the property owner, helping to offset their housing costs. However, they are not currently legal to build. The proposed changes reduce the barriers to creating this type of housing and are based on a model law from a county planning department in New York State and tailored to fit the needs of Trumansburg.

**Section 309.4. Manufactured Home Parks** - The Village’s current zoning law, adopted in 2012, includes a series of specific regulations relating to manufactured home parks. In 2015, New York State passed a law placing limits on local government regulation of manufactured homes. New York State Executive Law now expressly provides that a “manufactured home ... shall be deemed to be a conforming single-family dwelling for

purposes of the applicable local zoning law.” As a result, the proposed zoning changes remove the specific regulations relating to manufactured home parks.

## What were the major changes since the initial proposal?

**Section 301. Allowed Uses** - The updated proposal combines residential zones 1 and 2. The difference between the two in the current zoning is that Manufactured Home Parks are allowed in zone 2 and not in zone 1. Since NYS law now prohibits regulating Manufactured Home Parks differently than other residential housing these zones have been combined.

**Section 302. Dimensional Requirement** - The initial draft proposed reducing lot size requirements for lots with 1-20 dwelling units. The updated proposal only reduces the lot size requirements for lots with 1-4 dwelling units. Lots with 5 or more dwelling units require the same lot size as under the 2012 zoning law.

**Section 308. Affordable Housing Regulations** - The updated proposal expands the definition of “Low-income household” to include households making less than 50% of the area’s median family income. Additionally, the updated proposal includes additional approval and enforcement language to ensure proper use of the section.

**Section 309.4. Manufactured Home Parks** - The initial proposal made only minor changes to this section. Since NYS law now prohibits regulating Manufactured Home Parks differently than other residential housing it has now been removed from the updated proposal.

## Why aren’t multiple residential zones being proposed?

During the comprehensive plan revision process, there was strong community support for zoning that focused on “neighborhood-wide” rules rather than “village-wide” rules. One way to address this desire is to create multiple residential zones and have different rules for each zone. The zoning revision committee began work on this approach but quickly realized its pitfalls.

While it may be easy to point at different development styles between neighborhoods such as Whig Street and Larchmont Drive, it quickly becomes an arbitrary decision

where, on the connecting road of South Street, one would draw a dividing line. Rather than drawing arbitrary lines, the committee decided to address this desire through infill zoning requirements that change based on the surrounding houses. The proposal requires front yard setbacks to reflect the setbacks of the surrounding housing to create a consistent visual character of individual neighborhoods.

### What data informed the dimensional changes?

The dimensional changes were driven by an analysis of the tax assessment data for the village. That data includes, among other information, the lot location, the lot size, the number of units on the lot, and for most lots, the lot width. When thinking about dimensional changes, there is a strong argument for allowing the next increment of density to be built in the village. That could be enabled by allowing even smaller lot sizes and lot widths than we already see. However, with the wide variety of lot sizes and widths in the village that approach was discarded as too extreme.

Instead, the committee landed on the approach of enabling what already exists in the village to be rebuilt. Since there are some outliers in the assessment data the committee discarded the most extreme 1% while developing the proposal. While that approach can strike some as still rather extreme, the committee felt that it balanced the need of enabling the development of more affordable housing in the village with the desire to retain our “small-town” atmosphere.

<b>Lot Sizes</b>			
<b>Units</b>	<b>2012 Zoning (sq. ft.)</b>	<b>Assessment Data (99%)</b>	<b>Proposal (sq. ft.)</b>
<b>1</b>	15000	6652	6500
<b>2</b>	22500		
<b>3</b>	27500	9972	10000
<b>4</b>	32500		
<b>5+</b>	37500 + 5000 per additional dwelling		37500 + 5000 per additional dwelling

<b>Lot Widths</b>			
<b>Units</b>	<b>2012 Zoning</b>	<b>Assessment Data (99%)</b>	<b>Proposal</b>
<b>1</b>	100	40	40
<b>2</b>	100		
<b>3</b>	100	40	40
<b>4</b>	100		
<b>5+</b>	100		100

### What properties would become conforming?

A meaningful number of lots in the village are currently “non-conforming”, meaning they wouldn’t be allowed to be built now under current zoning due to the lot size, setbacks, or other regulations. The proposed changes would make many of those lots “conforming”. Some examples of those lots are seen below.

**A single-family home on a lot that is smaller than the current zoning requires**



**A fourplex on a lot that is smaller than the current zoning requires**



**A single-family home on a lot that is narrower than the current zoning requires**



**A single-family home closer to the road than the current zoning allows**



## What other changes are being proposed?

Several other adjustments are proposed throughout the zoning law. Please refer to the following sections in the draft proposal for the details:

- Section 101. Purpose
- Section 206. Alterations of Existing Structures
- Section 210. Junk Yards, Signs, Storage Containers, and Storage Trailers
- Section 210. Board of Appeals Determination
- Section 211. Variance Criteria
- Section 301. Permitted Uses
- Section 303. Location of Accessory Buildings
- Section 304. Frontage Exceptions
- Section 305. Parking
- Section 306. Outdoor Storage
- Section 307. Exterior Lighting
- Section 309.2. Select Commercial Uses
- Section 309.4. Manufactured Home Parks
- Section 310. Planned Development Areas
- Section 401. Permitted Uses
- Section 701. Off-Street Parking
- Section 701.1 Parking Requirements
- Section 701.4 Parking Design Standards
- Section 703. Building Floor Area
- Section 704. Recreational Vehicles and Trailers.
- Section 705. Animals.
- Section 706. Front Yard Exceptions
- Section 707. Side Yard on Corner Lot
- Section 708. Accessory Buildings

- Section 708. Irregular Lots
- Section 710. Decks and Porches
- Section 711. Fences and Walls
- Section 712. Corner Visibility
- Section 714. Reduction of Lot Areas
- Section 717. Motor Vehicle Parking in Front Yard
- Section 722. Swimming Pools
- Section 724. Private Driveways
- Section 1003. Definitions