



Woodstock Housing Oversight Task Force in consultation with Nan Stolzenburg FAICP

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## Report to the Town Board

### Summary of Proposed Zoning Changes to Address Housing Needs

#### Subdivision Law Updates

1. Updated purpose statements to be consistent with the Comprehensive Plan and to elevate the role of regulations in providing a variety of housing opportunities that fit into the character and environment.
2. Updated definitions to be sure all terms used are clarified. For example, terms such as conservation subdivision and rural and small-town character were added.
3. Added a new Article IX, that details required procedures and design standards for a conservation subdivision for major subdivisions. The Task Force recommends that all major subdivisions be designed as a conservation subdivision. This new section is the dominant change to the Subdivision Law. This is a housing and environmental planning technique that results in:
  - a. A variety of lot sizes and layout flexibility to maximize ability to have small lots, clustered subdivisions, and other lot layouts that enhance affordable housing opportunities and conservation of sensitive environmental features at the same time.
  - b. Preservation of 50% of the parcel as open space while allowing the number of dwelling units allowed by zoning. Note that Conservation Subdivision is 'density neutral' – meaning that the number of dwelling units is not decreased – it is a lot layout technique. Preservation of open space affects where dwelling units go, not how many.
  - c. Identification of primary and secondary environmental resources to be included in protected open space.
4. Added more references and detail throughout law to additional environmental features that should be included in subdivision review to elevate environmental resource importance. Added in identification of these resources as required information for submissions. As part of this, added language that promotes more evaluation of environmental conditions on proposed minor subdivision parcels and authorizes the Planning Board to require new lots be approved with an identified building envelope for future building. These changes included

adding in references to use of native plant species where landscaping is required. New references are added as well to both SEQR and TWEQR (environmental review processes). Environmental considerations are enhanced throughout with language related to wetlands, sensitive environmental locations, use of native species of plants in landscaping, streams, use of the Town's Natural Resource Inventory, and other features. This will promote future protection of important environmental features important to Woodstock.

5. Added language from NY Town Law 276 related to required subdivision processes including time frames and referrals, to further aid Planning Board. These procedures now mirror requirements from NYS Town law. The draft now emphasizes the importance of the pre-application meeting with the Planning Board by making this a mandatory meeting instead of optional.
6. Added in 'Reader Aid' boxes to offer additional explanation of concepts.
7. Added in language in appropriate location to emphasize the Town's housing goals.
8. Added in language in appropriate location to detail how restrictive covenants or easements are to be approved, formalized on plats, and with long-term expectations for maintenance of open space preserved in a conservation subdivision.
9. Added in more language to detail who owns open space lands in a conservation subdivision and how they are maintained over time.
10. Updated language where appropriate so that some standards currently approached as a 'may be required' to be 'shall be required'. This was at the request of the Planning Board to ensure clear direction on both their part and for applicants and to remove vagueness as to performance expectations of the Town.

## **Zoning Law Updates**

1. Updated purpose statements to be consistent with the Comprehensive Plan and to elevate the role of regulations in providing a variety of housing opportunities that fit into the character and environment.
2. Updated definitions to be sure all terms used are clarified. Housing-related terms such as average lot size, base zoning district, building envelope, co-housing, continuing care facility, critical environmental area, density bonus, three and four-plex dwelling units, family, modified site plan review, senior housing, tiny house, townhome, and Woodstock Community Home were added or updated to be consistent with the housing-related changes recommended. Updated uses that may have a residential component (artist studio, guest house) so that they are all considered accessory dwelling units and must follow ADU requirements.

3. Updated zoning district purpose statements and descriptions for clarification. Added in the newly adopted Water District Wellhead Protection Overlay District, that was approved by the Town Board during the HOTF process.
4. Made more references to the various overlay districts so that it is understood that all overlays in any area must be followed. This emphasizes that the various protections required via the overlay districts are met when housing developments are proposed.
5. Added a new requirement so that total residential density allowed when a parcel is split or developed is to be calculated from the net buildable acreage on a site, not the total acreage so that the actual number of homes better reflects the actual capacity of that parcel of land. Net acreage is calculated by subtracting out specifically identified environmental features from the total parcel acreage.
6. Added ability to use average lot sizes in minor subdivisions so that the overall density of the district is maintained, but that smaller, more affordable lots could also be created. Lot sizes can be variable in major subdivisions via the conservation subdivision design process included in the zoning and subdivision.
7. Added in language to coordinate conservation subdivision language in zoning to that in subdivision law so that the zoning also reflects that all major subdivisions shall be designed as a conservation subdivision.
8. Changed the Planned Residential District (PRD) to a Floating Residential District (FRD) to be allowed in all districts, except in any Scenic Overlay District area. This would require Town Board approval similar to the current PRD, but offers more detail about design and development standards needed to meet Town expectations, especially related to the environment and community character. A FRD differs from a PRD because it is a well-detailed district with set development standards, but it is not mapped until approved by the Town Board. The FRD includes:
  - a. Allowing for a variety of housing types.
  - b. Allowing for a higher density of residences in those developments.
  - c. Requiring that 60% of the houses within an FRD be affordable and moderate-income housing, long-term.
  - d. Establishing environmental criteria that must be met in order to have an FRD, including being designed with the same standards as a conservation development (with 50% of the lot permanently preserved), detailed screening and landscaping requirements, requirement that all multifamily structures meet design standards, and specific criteria the proposal would have to meet before the Town Board could approve the FRD. It includes a rigorous application process with detailed submissions to allow the Town to adequately review the proposal and its impacts.

9. Updated design standards such as requirements that all glare, heat, dark sky, parking lot, and similar performance expectations are met for any three and four-plex, townhouse, and multifamily housing development.
10. Used the map analysis and multifamily building capacity analysis to develop new development standards for multifamily uses to enhance housing opportunities in a manner that also ensures for protection of the environment and consistency with the capacity of the Town for such uses. New density, design, siting, and other performance standards are established for multifamily housing.
11. Created a new housing chapter to consolidate the majority of housing-related development standards. These are correlated with an updated Use Table to reflect additional housing opportunities being proposed. Allowed housing types proposed include:

<b>Housing Type</b>	<b>Review Process (All required design and siting standards must be met)</b>
Single-Family Dwelling (See Attachments 260a and b)	Permitted with Building Permit Except in LI/SLI, FW
Single-Family Dwelling, Semi Detached, and Row or Attached Dwelling (See Attachments 260a and b A and B)	Permitted with Building Permit Except in LI/SLI, FW
Two-Family Dwelling (See Attachments 260a and b A and B)	Permitted with Building Permit Except in LI/SLI, FW
One Accessory Dwelling Unit, Detached Pursuant to 260-88, as Accessory to Single-Family Dwelling (260-88 (C))	Permitted with Building Permit
One Accessory Dwelling Unit, Interior or Attached to Principal Dwelling Pursuant To 260-88 (B), As Accessory to Single-Family Dwelling	Permitted with Building Permit Except in LI/SLI, FW
A Second Accessory Dwelling Unit, detached or interior/attached Pursuant to 260-88 (A)	Special Use Permit (Article VI) only when the unit is deed restricted to be an affordable unit, or Affordable Housing Fee paid in lieu of,
Manufactured Home on individual lot (See 260-92.3 and Attachment 260 a and b)	Permitted with Building Permit in R5, R3, R1.5
Tiny House on individual lot (See 260-92.2 Attachment 260 a and b)	Permitted with Building Permit in R5, R3, R1.5
Three or Four-Plex Dwelling Units Reviewed and Approved of through the Modified Site Plan Process (See Attachment 260 a and b and 260-89)	Modified Site Plan Review (260-89) Except in LI/SLI, FW, No short term rentals permitted. One unit shall be deed restricted for an affordable unit, or Affordable Housing Fee paid in lieu of the unit. No STR allowed
Boarding And Rooming House (See Attachment 260 a and b) when a principal use.	Special Permit (Article VI) in R5, R3, R1.5, HR, HC and NC
Multifamily Dwelling, Greater Than 4 units but with a maximum 8 Units, in One Single Structure on one Parcel (See 260-90)	Not in R8 or Scenic Overlay District; Special Permit (Article VI); No STR allowed
Clustered Lot Development (See 260-92.4)	Not in R8 or Scenic Overlay; Special Permit

	(Article VI) up to 40 Units; >40 Units only as FRD (260-92.1) with Maximum set by Table 2 of Attachment 2; FRD not allowed in Scenic Overlay
Multifamily Dwelling, Greater Than 4 Units but with a maximum 8 Units, with Multiple Such Structures on One Parcel (See Attachment 1 and 2, 260-90, and 260-92.4)	Not in R8 or in Scenic Overlay; Special Permit (Article VI) up to 40 Units; >40 Units only as FRD (260-92.1) with Maximum set by Table 2 of Attachment 2; FRD not allowed in Scenic Overlay
Co-Housing (See 260-90)	Not in R8 or in Scenic Overlay; Special Permit (Article VI) up to 40 Units; >40 Units only as FRD (260-92.1) with Maximum set by Table 2 of Attachment 2; FRD not allowed in Scenic Overlay
Floating Residential District	(See 260-92.1); Not in R8 or Scenic Overlay District
Conservation Subdivision for All Major Subdivision (5 Lots or More)	(See 260-91 and Article IX of Chapter 202); Requires 50% open space
Continuing Care Facility (See 260-92.5)	Only allowed via the FRD process (260-92.1)

- a. The proposed update includes not allowing any multifamily, three or four-plex structures, or 2-family dwelling to be used as short-term rental. The proposed update includes allowing one short term rental per parcel allowed pursuant to existing short-term rental regulations.
- b. Clarified that guest houses, granny flats, coach houses, carriage houses, and similar are now all to be considered accessory dwelling units, and must meet those requirements.
- c. Included a requirement that a second ADU, three/four-plex structures, multi-family structures, and all FRD developments have deed-restricted affordable units to ensure that these new housing projects all have affordable housing components. Added a definition for affordable housing.
- d. Added in details on how affordable units are to be provided for.
- e. All ADUs, three and four plex, multi-family, co-housing, FRD, clustered lot development and continuing care community developments have siting and design standards oriented to ensuring environmental capacity, environmental protection and consistency with community character goals of the Town. All must also meet water, septic, setback and other dimensions. All Accessory Dwelling Units (ADUs) must meet setback, parking, and lot coverage requirements of the district.
- f. Two detached ADUs would be allowed only with a second requiring a special use permit, deed-restricted for affordable housing or payment in lieu of to a housing trust.

- f. Accessory Dwelling Units – permitted with development standards, and designed to encourage more housing opportunities for long-term rentals. Allows for a second ADU on the parcel under circumstances that lead to affordable housing.
- b. Added Three and Four-Plex Dwelling Units, which are multi-family dwellings to be reviewed through a Modified Site Plan Review process. This will allow 3 and 4 Plex structures to be built with review by the Town but in a modified process that is more efficient and timelier. The process will allow for careful review, hearing and environmental review with design and siting standards. One unit within each of them are required to meet affordable housing needs, and structures are required to be built with a design similar to a single-family home. No short-term rental uses would be allowed in such structures.
- c. Multifamily Dwelling Units – still required to be approved by special use permit, but now with more density, siting and design standards. Screening, architectural standards, and double sized lots are required, maximum number of units per acre are established, and maximum number of units per parcel are established. Multifamily units are limited to 8 units per structure.
- d. Conservation Subdivision – this is the chapter that coordinates with the subdivision law. Floating Residential District (See Above)
- e. Floating Residential District (see Above). Not allowed in the Scenic Overlay District.
- f. Tiny Houses and Mobile Homes - Mobile homes remain as in current zoning, except they are renamed to manufactured homes. Tiny houses have been added in as an allowed residential housing type with controls. When on a single lot, they are treated as a single-family dwelling.
- g. Co-housing and Clustered Lot Development – with a special use permit, this was added to recognize that smaller, clustered cottages or other housing structures have been common in Woodstock and with additional design and siting standards, can provide other valuable housing opportunities. Details how one parcel can be developed as a unit with clustered cottages using the same conservation and rural character-oriented development standards as all other types of multi-housing opportunities. All must still meet the strict multifamily density, setback, and other dimensional requirements.
- h. Continuing Care Retirement Communities – added as an important option for an aging population in Woodstock and requires them to be developed according to the Floating Residential Zone requirements and meeting all New York State laws regarding such developments. Not allowed in any Scenic Overlay District.
- i. Density Bonuses – added section to incentivize provision of below-market dwelling units to encourage more housing affordability and promote senior housing. This section allows for increased density in return for provision of deed-restricted Woodstock Community Home dwellings.

12. Modernized and updated language pertaining to 'mobile homes' referred to as 'manufactured homes'.
13. Added ability to use shared parking lots when available to allow for more efficient use of existing or planned parking so that the town could maximize efficient use of parking areas but reduce parking lot construction and parking lot requirements that may restrict housing opportunities.
14. Added requirement that EV charging stations or outlets for EV charging be placed in new parking lots for > 10 cars. This does not directly address housing, but is important to provide this infrastructure over time as more electric cars are on the road.
15. Enhanced references to both County and Town design guidelines that already exist. More emphasis on design of housing developments and multi-family dwellings are important to ensure maintenance of community character so important to Woodstockers.
16. Added a chapter for the Planning Board procedures consistent with State Town Law regarding voting, membership, process, and authority, as this was missing from current zoning, and outdated and incomplete in older laws.
17. There was a general clean up (such as to make sure that one section is consistent with other sections).
18. Added references to the Critical Environmental Area in appropriate sections of the law.