

ZONING

TABLE OF USE REGULATIONS
 [Amended 5-8-1997 by L.L. No. 4-1997²⁵]

P = Permitted use;
 SP = Special permit use;
 X = Prohibited; all other use classifications not listed are prohibited.

Use Classification	District					RA/SC
	RA	R	RM	B	I	
Agricultural						
Agricultural operations	P	X	X	X	X	P
Horse farms	P	X	X	X	X	P
Residential						
1-family dwellings (1 per lot)	P	P	P	SP	X	P
2-family dwellings (1 per lot)	P	P	P	SP	X	X
Multifamily dwellings	X	X	P	SP	X	X
Conversion to multifamily dwelling from 1-or 2-family dwelling	SP	SP	SP	SP	X	X
Mobile home parks or courts	X	X	X	SP	X	X
Other						
Airports and heliports	X	X	X	X	SP	X
Banks	X	X	X	P	X	X
Boarding- or rooming houses	SP	SP	SP	SP	X	SP
Camps and summer cottages	SP	X	X	X	X	SP
Cemeteries	SP	X	X	P	X	SP
Flea markets						X
Funeral homes	SP	SP	X	P	X	SP
Garages for heavy road and construction equipment	SP	X	X	P	X	X
Garages, public, or filling stations	X	X	X	P	P	X
Hospitals	SP	X	SP	X	X	X
Nursing homes and convalescent homes	SP	X	SP	X	X	SP
Hotels and motels	X	X	X	P	P	X
Industries and industrial parks	X	X	X	X	P	X
Kennels	SP	X	X	X	X	SP
Mining and/or processing of sand, shale, gravel, topsoil or other aggregate for commercial purposes	SP	X	X	X	SP	X

²⁵ Editor's Note: This local law also provided that it shall supersede any inconsistent provision of the Town Law.

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Use Classification	RA	R	District			RA/SC
			RM	B	I	
Municipal buildings	P	P	P	P	P	P
Municipal parks and playgrounds	P	P	P	P	P	P
Office buildings	X	X	X	P	P	X
Religious houses of worship	P	P	P	P	X	P
Restaurants	X	X	X	P	P	X
Schools, nursery	SP	SP	SP	SP	X	SP
Schools, private	SP	SP	SP	SP	X	SP
Schools, public	P	P	P	P	X	P
Social organizations	P	P	P	P	X	P
Stables, public, and/or riding academies	SP	X	X	X	X	SP
Stores, retail, and personal service shops	X	X	X	P	P	X
Swimming pools, public	SP	X	X	X	X	X
Tanks, storage	SP	SP	SP	X	P	X
Theaters, except drive-in theaters	X	X	X	P	X	X
Towers, communication transmittal	SP	X	X	SP	SP	X
Utilities, public	SP	SP	X	SP	SP	X ¹
Warehouses and wholesale businesses	X	X	X	SP	P	X

NOTE:

¹ Except underground public utilities.

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TABLE OF DIMENSIONAL REGULATIONS
 [Amended 10-23-1986 by L.L. No. 6-1986; 11-9-1989 by
 L.L. No. 3-1989; 5-8-1997 by L.L. No. 4-1997²⁶]
 (Minimum dimensions in this table may be superseded
 by special conditions for certain uses found
 elsewhere in this Code)

Yard, Area and Bulk Requirements	District				
	RA	R	RM	B	I
Lot area (square feet)					
Minimum per single-family dwelling	65,000	40,000	40,000	40,000	NA
Minimum if served with central water and sewer	40,000	15,000	30,000	30,000	NA
Minimum if served with either water or sewer	40,000	30,000	30,000	30,000	NA
Minimum per two-family dwelling	80,000	80,000	80,000	80,000	NA
Minimum if served with central water and sewer	80,000	40,000	60,000	60,000	NA
Minimum if served with either central water or sewer	80,000	40,000	60,000	60,000	NA
Minimum for agricultural operations	(See Article IV)				
Hospitals, nursing and convalescent homes (acres)	4	NA	4	NA	NA
Multifamily (acres)	NA	NA	5	5	NA
Townhouses served by central water and sewer (square foot of lot per dwelling)	NA	NA	7,500	7,500	NA
Multifamily on minimum five-acre lot (square foot of lot per dwelling)	NA	NA	5,000	5,000	NA
Business or other uses	40,000	40,000	40,000	40,000	87,000

²⁶ Editor's Note: This local law also provided that it shall supersede any inconsistent provision of the Town Law.

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Yard, Area and Bulk Requirements	RA	District R	RM	B	I
Lot width, minimum (feet)					
Single-family dwelling		150	150	150	NA
State highway	250				
County highway	200				
Town highway	200				
If served with central water and sewer	NA	100	100	100	NA
If served with either water or sewer	NA	150	150	150	NA
Two-family dwelling	300	300	300	300	NA
If served with central water and sewer	NA	200	200	200	NA
If served with either water or sewer	NA	200	200	200	NA
Business or other uses	150	150	150	150	200
Yards, minimum (feet)					
Front					
Town highway	100	75	100	100	100
County highway	100	100	100	100	100
State highway	125	150	150	150	150
Side (each)					
Single-family	20	15	30	25	50
2-family	40	30	NA	30	50
Business or other	20	15	30	25	50
Rear	35	35	60	50	75
Camps (all yards)	100	NA	NA	NA	NA
Floor area, minimum habitable (square feet per dwelling)					
1-family dwelling	1,000	1,000	1,000	1,000	NA
2-family dwelling					
[Amended 5-8-1997 by L.L. No. 4-1997 ²⁷]					
1-bedroom	650	650	650	650	NA
2-bedroom	800	800	800	800	NA
3-bedroom	1,000	1,000	1,000	1,000	NA

²⁷ Editor's Note: This local law also provided that it shall supersede any inconsistent provision of the Town Law.

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Yard, Area and Bulk Requirements	District				
	RA	R	RM	B	I
Multifamily dwelling	600	600	NA	NA	NA
Efficiency	NA	NA	500	500	NA
1-bedroom	NA	NA	650	650	NA
2-bedroom	NA	NA	800	800	NA
3-bedroom	NA	NA	1,000	1,000	NA
Building or structure height, maximum (feet)	35	35	35	35	35
Lot coverage, maximum (%)	15	20	20	50	35
If served by water and/or sewer	15	25	20	50	35
Social organizations	40	40	40	40	NA
Fencing, opaque, maximum height (feet)	6	6	6	6	6

TABLE OF ACCESSORY USES

District Use	RA	R	RM	B	I
Barns, sheds and storage buildings incident to agricultural operations	P				
Dwellings over nonresidential uses (not more than 2 per lot)				SP	
Fencing opaque, greater than 6 feet high	SP			SP	SP
Flea markets (social organizations only)	P	P	P	P	P
Garages, private	P	P	P	P	
Garage sales incidental to residences	P	P	P		
Home occupations	P	P	P		
Mobile homes incidental to agricultural operations	SP				
Roadside stands, seasonal	P			P	
Sale of goods made on the premises				P	
Signs (pursuant to Art. IV)	P	P	P	P	P
Storage buildings incident to industrial use					P
Storage buildings incident to residential use	P	P	P		
Swimming pools, private	P	P	P	P	
Vending machines, outdoor				P	P

III. The following uses shall be the permitted uses, special permit uses and accessory uses in the I (Industrial) zoning district:


Column 1: Permitted Uses	Column 2: Special Permit Uses	Column 3: Permitted Accessory Uses
1. Agricultural operation.	1. Airport, heliport.	1. Reasonable and typical accessory uses, subject to supplemental regulation. See Section 137-14.
2. Industrial Park providing coordinated access, design and planning for the more than one of the following permitted uses in one or more structures: Retail, Personal Service, Medical Office, General Business Office, Bank, School of special instruction, Hotel (which may include conference/ banquet facilities), Restaurant.	2. Sales, rental, and repair of machinery and equipment. 3. New and/or used car sales.	2. Hotel may have accessory manager's living quarters.
3. Shop for custom work.	4. Warehouse/distribution; wholesale business, self-service storage facility; wholesale or bulk sales of materials such as landscaping products.	
4. Retail, General Business office, Medical office, Personal Service, Restaurant.	5. Auction house.	
5. Municipal buildings and uses.	6. Gas station with or without accessory convenience retail store under 1,000 square feet of customer floor area. 7. Automotive repair shop with or without accessory gasoline sales.	
	8. Bulk storage.	
	9. Lumber yard.	
	10. Garages for heavy road and construction equipment. 11. Wireless communications facility.	

Note: See general regulations in §137-11 and 137-11.5.

Gas Station - An establishment used for the retail sale of gasoline or other fuel for vehicles intended for use on the public highways, and which may include a convenience retail store containing less than 1,000 square feet of customer floor area, but which shall not include the service, repair or washing of motor vehicles.

General Retail Use - A facility for retail sales of sundries and small items, including but not limited to jewelry, articles of clothing, books, stationery, consumer electronics, groceries and similar such small items. Retail use shall not be construed in any manner to include sales of automobiles, campers, trailers, boats, heavy machinery, or wholesale or bulk sales of materials (such as lumber or landscaping products), nor shall it be construed to include any other land uses or land use categories that are specifically listed or regulated elsewhere in this Chapter.

Hotel (and Motel) - A building containing rooms that are used and hired out solely for the purpose of transient overnight accommodation and which may include related facilities, such as kitchen, dining, banquet or conference facilities. For the purposes of this definition, transient overnight accommodation is a stay of less than two (2) consecutive weeks in the facility.

 Industrial Park - A business use planned and developed with coordinated site layout, access, parking design and overall planning for more than one of the following uses in one or more structures: Retail store, personal service store, medical office, general business office, bank, school of special instruction, hotel/motel (which may include conference/banquet facility), and restaurant.

Outbuilding - An accessory structure, including but not limited to, a pole barn, constructed with a permanent foundation and not intended for relocation. An "outbuilding" may be used for a variety of purposes, such as automobile garage and storage of lawn and garden tools and equipment, but an "outbuilding" shall not include a dwelling or any building that may shelter animals.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village	of <u>Crawford</u>
	Local Law No. <u>2</u> of the year <u>2003</u>

A local law "Business Zoning Amendments"
 (Insert Title)

Be it enacted by the Town Board
 (Name of Legislative Body)

County City Town Village	of <u>Crawford</u>
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Section 1. Legislative intent. The intent of this local law is to continue the adoption of amendments to the Town zoning code to further the purposes and goals of the Town's Comprehensive Plan Update zoning amendments already adopted by the Town Board include laws that increase minimum residential lot sizes in the RA zoning district, authorize and encourage or require cluster development of residential subdivisions and amendment of the provisions governing ODA subdivisions and subdivisions generally. This local law is intended to authorize business use development along State Route 17K, anticipate and regulate

conversions from residential to business uses in the Route 17K corridor, and establish general regulations for business use development.

Section 2. The official zoning map of the Town of Crawford, established by §137-5, titled “Zoning Map,” of Chapter 137, titled “Zoning,” of the Code of the Town of Crawford is amended as follows:

I. By changing the zoning designation of properties listed and identified on the attached schedule to the O-R (Office-Residence) zoning district, as also shown on the map annexed hereto.

II. By changing the zoning designation of properties listed and identified on the attached scheduled to the BP (Business Park) zoning district, as also shown on the map annexed hereto.

Section 3. Section 137-4, titled “Enumeration of districts” of Chapter 137, titled “Zoning,” of the Code of the Town of Crawford is amended by deleting the PUD (Planned Unit Development District) zoning district and by adding the following districts:

BP	Business Park District
O-R	Office-Residence District

Section 4. The Table of Use Regulations of Chapter 137, titled “Zoning,” of the Code of the Town of Crawford is amended as follows:

[Continued on next page]

III. The following uses shall be the permitted uses, special permit uses and accessory uses in the I (Industrial) zoning district:

Column 1: Permitted Uses	Column 2: Special Permit Uses	Column 3: Permitted Accessory Uses
1. Agricultural operation.	1. Airport, heliport.	1. Reasonable and typical accessory uses, subject to supplemental regulation. See Section 137-14.
2. Industrial Park providing coordinated access, design and planning for the more than one of the following permitted uses in one or more structures: Retail, Personal Service, Medical Office, General Business Office, Bank, School of special instruction, Hotel (which may include conference/ banquet facilities), Restaurant.	2. Sales, rental, and repair of machinery and equipment. 3. New and/or used car sales.	2. Hotel may have accessory manager's living quarters.
3. Shop for custom work.	4. Warehouse/distribution; wholesale business, self-service storage facility; wholesale or bulk sales of materials such as landscaping products.	
4. Retail, General Business office, Medical office, Personal Service, Restaurant.	5. Auction house.	
5. Municipal buildings and uses.	6. Gas station with or without accessory convenience retail store under 1,000 square feet of customer floor area. 7. Automotive repair shop with or without accessory gasoline sales.	
	8. Bulk storage.	
	9. Lumber yard.	
	10. Garages for heavy road and construction equipment. 11. Wireless communications facility.	

Note: See general regulations in §137-11 and 137-11.5.

I. The following uses shall be the permitted uses, special permit uses and accessory uses in the BP (Business Park) zoning district:

Column 1: Permitted Uses	Column 2: Special Permit Uses	Column 3: Permitted Accessory Uses
<ol style="list-style-type: none"> 1. Agricultural and silvicultural operation 2. Horse farm. 3. Horseback riding academy. 		<ol style="list-style-type: none"> 1. Reasonable and typical accessory uses, subject to supplemental regulation. See Section 137-14.
<ol style="list-style-type: none"> 4. Business Park providing coordinated access, design and planning for more than one of the following permitted uses in one or more structures: General Retail, Personal Service, General Business Office, Medical Office, Banks with Walk-in Service Only, Schools of special instruction, Restaurant. 	<ol style="list-style-type: none"> 1. Hotel with or without conference center and/or banquet facility. 2. Conference center and/or banquet facility without hotel accommodations. 	<ol style="list-style-type: none"> 2. Hotel may have accessory manager's living quarters.
<ol style="list-style-type: none"> 5. General Retail, Personal Service, General Business Office, Medical Office, Bank with Walk-in Service Only. 	<ol style="list-style-type: none"> 3. Sales, rental, and repair of machinery and equipment. 4. New and/or used car sales. 	
<ol style="list-style-type: none"> 6. Restaurant. 	<ol style="list-style-type: none"> 5. Shop for custom work. 	
<ol style="list-style-type: none"> 7. School of special instruction. 8. Municipal buildings and uses. 9. Meeting rooms for fraternal organization. 10. Day care center, subject to Section 137-13G. 	<ol style="list-style-type: none"> 6. Bank with drive-in facilities 7. Funeral home. 8. Warehouse and distribution center not larger than 100,000 square feet total floor area. 9. Self-service storage facility. 10. Wholesale or bulk sales of materials such as landscaping products, except that wholesale or bulk sales of petroleum products is not included in this use category. 	
	<ol style="list-style-type: none"> 11. Gas station with or without accessory convenience retail store under 1,000 square feet of customer floor area. 12. Automotive repair shop with or without accessory gasoline sales. 13. Wireless communications facility. 	

Note: See general regulations in §137-11 and §137-11.5.

II. The following uses shall be the permitted uses, special permit uses and accessory uses in the O-R (Office-Residence) district:

Column 1: Permitted Uses	Column 2: Special Permit Uses	Column 3: Permitted Accessory Uses
1. Agricultural operation. 2. Horse Farm. 3. Horseback riding academy.	1. Funeral home.	1. Reasonable and typical accessory uses, subject to supplemental regulation. See Section 137-14.
4. One-family dwelling (one per lot). 5. Two-family dwelling (one per lot).	2. Day care center.	
6. One or more of the following: General Business Office, Medical Office, Personal Service.		2. A use or uses permitted in column 1, item 6, may also contain a single accessory residential use.
7. Religious house of worship.		
8. Municipal buildings and uses.		

Note: See general regulations in §137-11 and §137-11.5.

[Continued on next page]

Section 5. Chapter 137, titled "Zoning," of the Code of the Town of Crawford is further amended as follows:

I. Section 137-11, titled "Regulations for PUD Planned Unit Development District," is rescinded and deleted from the Code and the reference to planned unit developments in §137-30F(1)(b) is deleted.

II. A new section, designated as §137-11 and titled "General zoning district regulations," is adopted to read as follows:

§137-11. General zoning district regulations.

A. BP (Business Park) zoning district. The following requirements and regulations shall apply to all uses and development in the BP zoning district:

(1) Coordinated site development is encouraged, including but not limited to, coordinated site layout, access, parking, building design and landscaping.

(2) One of the primary purposes of the BP district is to avoid the creation of multiple curb cuts onto existing public roads and, instead, encourage and require wherever practicable the use of internal service roads and connections to link nearby properties, uses and parking areas. Provision shall also be made, when considering coordinated access to an area, for access to other lands in the rear which might otherwise become landlocked. Coordinated signage is encouraged in order to reduce the number of signs necessary. Signage should be appropriately scaled to the surrounding neighborhood.

(3) Strong consideration shall be given to aesthetic, screening, landscaping, and lighting in order to convey an attractive business appearance that is consistent with the rural community character and to avoid adverse or inconsistent effect on the public and on private properties where businesses will be visible from public streets, parks or adjoining residential properties or districts. The design and appearance of non-agricultural uses, whether discrete or located within

a business park, shall be harmonious with adjoining uses where visible from the adjoining use. The appearance, color, material, texture, and design of structures, including roof pitch and building mass, and the size, shape, location and number of window and door openings, shall be reviewed by the Planning Board as to their compatibility with community character and to avoid unnecessary or abrupt contrast with surrounding structures. As a means of promoting consistency with the rural character of the community, the renovation and reuse of existing buildings is expressly encouraged as a preferred option to demolition and removal.

The Planning Board may seek architectural review input and advice as it deems necessary. The Planning Board shall require architectural elevations, construction materials and signage that respect the local architectural identity and avoid “cookie-cutter” franchise design, layout and finishes. To this end, the Planning Board shall also require that no changes in signage, roofing, windows, or exterior building coloration, finish or trim take place without the prior review and approval by the Planning Board pursuant to these provisions. Side and rear building elevations shall receive a comparable level of finish and ornamentation as the front elevation. Nothing in these regulations shall prohibit flat roofs where the size of the building renders a pitched roof impracticable, but mitigating measures may be required in order to reduce the visual mass of the building and avoid a monotonous appearance. Site lighting shall be shielded and directed to prevent glare or spillover off the property or on to residential properties. Accessory parking shall be located so as to avoid adverse visual impact on adjoining land uses, and shall incorporate native landscaping elements. Site plans shall be laid out to avoid creating harmful visual effects on any adjacent residential property or residential use in all directions. All dumpsters shall be screened and sited so as to be visually unobtrusive. Storm water management facilities shall be designed and constructed such that the facilities, including landscaping, shall appear to the maximum extent practicable as a naturally existing pond or site feature, and such facilities shall

not be excessively deep or abrupt in grade change.

A minimum buffer area of 50 feet or twice the height of a structure, whichever is greater, shall be provided between any non-agricultural use and/or structure in the BP district and any residential district or residentially used property. A minimum 100-foot buffer area shall be provided between any non-agricultural use and/or structure in the BP district and the top of the bank of the Shawangunk Kill. Buffer areas are intended to remain free of uses, buildings, structures, roads and impervious surfaces. However, a driveway, sign or required utility facilities may be constructed in the buffer area where approved by the Planning Board, provided it is constructed and sited so as to avoid creating harmful impacts on the Shawangunk Kill and the buffer area, and on adjoining residential districts or properties in regard to lighting, traffic, noise and vibration and other considerations. Buffer areas shall incorporate either retained or new vegetation and features in order to enhance the appearance of the use and property itself and also to screen residential uses and properties from non-agricultural uses in the BP district.

All screening features and landscaping plantings provided pursuant to this section shall be required to be maintained for the life of the use, and shall be replaced and/or restored as necessary in order to maintain their effectiveness. Any losses due to storm damage, disease, or other factors shall be replaced in kind within a period not more than six months. In the event that in-kind replacement is deemed to be impracticable, the user shall return to the Planning Board in order to modify the approved landscape/screening component of the plan accordingly.

(4) Utility distribution systems serving new uses and structures shall be coordinated such that the extension of electric, cable and other utility lines, uses and structures does not cause unnecessary disruption to developed parcels.

(5) Except for permitted truck parking at warehouse/distribution centers, no van, box truck,

tractor-trailer truck or any component thereof, or other similar vehicle may be stored, parked, or otherwise placed on a lot, except briefly during the course of a delivery or as may otherwise be permitted pursuant to this chapter. For warehouse/distribution centers, truck parking and circulation shall take place only in areas designated on the approved site plan, and shall be sited and screened as needed in order to avoid adverse visual impacts, noise or vibration to adjacent residential uses or districts and to avoid adverse visual impacts to any public roadway.

(6) Accessory parking areas shall be located and/or screened so as to prevent any adverse or inconsistent effect on any adjacent residential property or residential use in all directions.

(7) No outside use, storage, display or placement of vehicles, items and/or materials ("storage area") shall be permitted except as specifically shown on an approved site plan and as expressly permitted by the Planning Board. The Planning Board may also impose specific limitations relating to such storage. Any storage area shall be laid out to avoid or limit visibility to adjoining properties and public roadways, to maintain a neat and orderly appearance, to avoid any potential hazard or nuisance, and to prevent unintended movement of materials off the site. Retained vegetation, screen plantings and/or other screening or containment measures may be required by the Planning Board. The Planning Board may also restrict the area, height, and location of such storage area.

(8) Opaque fencing over six (6) feet in height shall require special permit and site plan approval.

(9) The sale of used cars is permitted as an accessory use only to auto repair facilities and auto body shops. No more than five (5) used cars may be displayed or stored outside at any time. Sale of used cars is not a permitted accessory use to gasoline stations or any use other than auto repair facilities and auto body shops. Any display, parking, impoundment and storage areas, and signs must be specifically shown on an approved site plan and expressly approved by the

Planning Board. No such area or sign shall be constructed or used without express Planning Board approval.

(10) All automotive repair and/or maintenance work and machinery and equipment repair and/or maintenance work shall be performed in a building.

(11) Outdoor vending machines shall not be permitted unless specifically shown on an approved site plan, and are permitted as an accessory use only to a gasoline station.

(12) Sale of gasoline and automotive fuels shall not include filling of propane tanks unless specifically shown and expressly approved as part of a site plan.

(13) When determining the appropriate parking demand and classification of a restaurant, the Planning Board shall consider the percentage of the use that is retail or takeout as compared to provided seating.

(14) All uses in the BP district other than agricultural operations and horse farms require site plan approval.

B. O-R (Office-Residence) zoning district. The following requirements and regulations shall apply to all uses and development in the O-R zoning district:

(1) Strong consideration shall be given to aesthetics, screening, landscaping and lighting during site plan review of any non-residential use. The appearance, color, material, and design of structures, including window and door openings and roof pitch, shall be reviewed by the Planning Board as to their conformity and compatibility with surrounding structures and community character and so that the structure is compatible with a residential appearance. Any lighting provided on the site shall be shielded and directed so that there is no glare or spillover on to residential properties. Accessory parking areas shall be located and/or screened to prevent any adverse or inconsistent effect on adjacent residential properties and uses. All dumpsters shall be screened and sited so as to be visually and olfactorily unobtrusive. Storm water management

facilities shall be designed and constructed such that the facilities, including landscaping, shall appear to the maximum extent practicable as a naturally existing pond or site feature, and such facilities shall not be excessively deep or abrupt in grade change.

(2) No van, box truck, tractor-trailer truck or any component thereof or other similar vehicle may be stored, parked, or otherwise placed on a lot, except briefly during the course of a delivery or except as may otherwise be permitted pursuant to this chapter.

(3) Outside use, storage, display or placement of items and/or materials of any kind is prohibited for business uses. Accessory storage for business uses shall only be permitted if such storage is within a fully enclosed accessory structure that is compatible in appearance, design, color and material to that of the principal structure.

(4) Opaque fencing over six (6) feet in height requires special permit and site plan approval.

C. I (Industrial) zoning district. The following requirements and regulations shall apply to all uses and development in the I zoning district:

(1) Coordinated site development is encouraged, including but not limited to, coordinated site layout, access, parking, building design and landscaping.

(2) The creation of multiple curb cuts onto existing public roads shall be avoided where possible. This provision is intended to encourage and require wherever practicable the use of internal service roads and connections to link nearby properties, uses and parking areas. Provision shall also be made, when considering coordinated access to an area, for access to other lands in the rear which might otherwise become landlocked. Coordinated signage is encouraged in order to reduce the number of signs necessary. Signage should be appropriately scaled to the surrounding neighborhood.

(3) Strong consideration shall be given to aesthetic, screening, landscaping, and lighting in order to convey an attractive business appearance that is consistent with the rural community character and to avoid adverse or inconsistent effect on the public and on private properties

where businesses will be visible from public streets, parks or adjoining residential properties or districts. The design and appearance of non-agricultural uses, whether discrete or located within an industrial park, shall be harmonious with adjoining uses where visible from the adjoining use.

The appearance, color, material, texture, and design of structures, including roof pitch and building mass, and the size, shape, location and number of window and door openings, shall be reviewed by the Planning Board as to their compatibility with community character and to avoid unnecessary or abrupt contrast with surrounding structures. As a means of promoting consistency with the rural character of the community, the renovation and reuse of existing buildings is expressly encouraged as a preferred option to demolition and removal.

The Planning Board may seek architectural review input and advice as it deems necessary. The Planning Board shall require architectural elevations, construction materials and signage that respect the local architectural identity and avoid “cookie-cutter” franchise design, layout and finishes. To this end, the Planning Board shall also require that no changes in signage, roofing, windows, or exterior building coloration, finish or trim take place without the prior review and approval by the Planning Board pursuant to these provisions. Side and rear building elevations shall receive a comparable level of finish and ornamentation as the front elevation. Nothing in these regulations shall prohibit flat roofs where the size of the building renders a pitched roof impracticable, but mitigating measures may be required in order to reduce the visual mass of the building and avoid a monotonous appearance. Site lighting shall be shielded and directed to prevent glare or spillover off the property or on to residential properties. Accessory parking shall be located so as to avoid adverse visual impact on adjoining land uses, and shall incorporate native landscaping elements. Site plans shall be laid out to avoid creating harmful visual effects on any adjacent residential property or residential use in all directions. All dumpsters shall be screened and sited so as to be visually unobtrusive. Storm water management facilities shall be

designed and constructed such that the facilities, including landscaping, shall appear to the maximum extent practicable as a naturally existing pond or site feature, and such facilities shall not be excessively deep or abrupt in grade change.

All screening features and landscaping plantings provided pursuant to this section shall be required to be maintained for the life of the use, and shall be replaced and/or restored as necessary in order to maintain their effectiveness. Any losses due to storm damage, disease, or other factors shall be replaced in kind within a period not more than six months. In the event that in-kind replacement is deemed to be impracticable, the user shall return to the Planning Board in order to modify the approved landscape/screening component of the plan accordingly.

(4) Utility distribution systems serving new uses and structures shall be coordinated such that the extension of electric, cable and other utility lines, uses and structures does not cause unnecessary disruption to developed parcels.

(5) Except for permitted truck parking at warehouse/distribution centers, no van, box truck, tractor-trailer truck or any component thereof, or other similar vehicle may be stored, parked, or otherwise placed on a lot, except briefly during the course of a delivery or as may otherwise be permitted pursuant to this chapter. For warehouse/distribution centers, truck parking and circulation shall take place only in areas designated on the approved site plan, and shall be sited and screened as needed in order to avoid adverse visual impacts, noise or vibration to adjacent residential uses or districts and to avoid adverse visual impacts to any public roadway.

(6) Accessory parking areas shall be located and/or screened so as to prevent any adverse or inconsistent effect on any adjacent residential property or residential use in all directions.

(7) No outside use, storage, display or placement of vehicles, items and/or materials ("storage area") shall be permitted except as specifically shown on an approved site plan and as expressly permitted by the Planning Board. The Planning Board may also impose specific limitations

relating to such storage. Any storage area shall be laid out to avoid visibility to adjoining properties and public roadways, to maintain a neat and orderly appearance, to avoid any potential hazard or nuisance, and to prevent unintended movement of materials off the site. Retained vegetation, screen plantings and/or other screening or containment measures may be required by the Planning Board. The Planning Board may also restrict the area, height, and location of such storage area.

(8) Opaque fencing over six (6) feet in height shall require special permit and site plan approval.

(9) Outdoor vending machines shall not be permitted unless specifically shown on an approved site plan, and are permitted as an accessory use only to a gasoline station.

(10) Sale of gasoline and automotive fuels shall not include filling of propane tanks unless specifically shown and expressly approved as part of a site plan.

(11) When determining the appropriate parking demand and classification of a restaurant, the Planning Board shall consider the percentage of the use that is retail or takeout as compared to provided seating.

(12) All uses in the I district other than agricultural operations require site plan approval.

III. A new section, designated as §137-11.5, titled "General regulations for business development along State highways," is adopted to read as follows:

§137-11.5. General regulations for business development along State highways.

A. The following requirements and regulations shall apply to all business development, property and uses on lots fronting on or adjacent to a State highway. Such requirements shall apply in addition to all requirements that apply in the respective zoning district. Where requirements of this section are more stringent than requirements in the zoning district, the requirements of this section shall prevail.

(1) Lot width and frontage requirements.

(a) Lots shall have a minimum street frontage of 200 feet and minimum lot width of 200 feet at the building setback line. If such lot fronts on and achieves access from a service street or internal driveway running parallel to any of the above state highways, then the minimum street frontage and lot width shall each be 100 feet.

(b) Lots in existence on the effective date of this local law shall not be required to comply with the 200-foot lot width or street frontage requirement.

(2) New roads or streets that intersect a state highway shall have rights of way of 60 feet in width for a distance of 200 feet measured from the centerline of the intersecting state or county road. Curb radii shall be 34 feet for all such intersections and for all driveways entering a state or county road.

(3) The Planning Board shall require, where practical, the interconnection of adjacent properties in order to reduce vehicular turning movements on public roads.

(4) Parking spaces shall be set back at least 60 feet from the centerlines of adjacent streets, except parking spaces adjacent to new service streets shall be set back at least 15 feet from the edge of the curb or pavement line, whichever is greater. No parking space may be located closer than fifteen (15) feet from a property line.

(5) The following uses are prohibited:

(a) Building or development contractor storage and/or equipment yard; outside storage of heavy equipment, vehicles and materials, except that businesses whose primary purpose is the sale or rental of such equipment where otherwise permitted by the zoning law shall not be prohibited.

(b) Fuel oil storage (unless underground as an accessory use to a permitted or special permit use). Notwithstanding the foregoing, fuel storage tanks of 500 gallons or less may be permitted above ground at the rear of buildings, if

screened from other properties with solid fences, walls or landscaping satisfactory to the Planning Board.

(6) Performance standards for certain uses and development: (a)

Truck terminals, warehouses, distribution centers, wholesale and related businesses. Truck and trailer parking, storage and loading areas, all equipment and other material, shall be aligned or screened so as not to be visible from existing and proposed public highways. Screening shall be maintained throughout the life of the use.

(b) Automotive repair shops, auto body shops, machinery and equipment repair. Work bay openings shall be aligned or screened so as not to be visible from existing and proposed public highways. Screening shall be maintained throughout the life of the use.

(c) Car washes. Car wash bay openings shall be aligned or screened so as not to be visible from existing and proposed public highways. Screening shall be maintained throughout the life of the use.

(d) Accessory parking areas shall be sited and landscaped so as to prevent any large, unbroken mass of parking spaces. For every ten parking spaces, a landscaped island at least nine (9) feet wide shall be incorporated. Low berms and/or plantings up to three (3) feet in height shall be provided as deemed necessary by the Planning Board to screen accessory parking areas from public highways and adjoining land uses. Retaining or relocating existing site features such as stone walls and vegetation is encouraged where practical for screening purposes.

(e) Preservation of existing views to the Shawangunk Mountains shall be considered by the Planning Board and shall be preserved to the greatest extent

possible consistent with the intended use of the site.

(7) The Planning Board may require that utility distribution systems serving new uses, buildings and developments are placed underground or located along the rear of lots and that building service lines are placed underground. On all projects, the owner/applicant/developer shall cooperate with the Town and utility companies to coordinate services so as to protect the appearance of the area while serving the needs of future users. Business park site planning shall provide for extension of electric, cable and other utility lines so as to avoid or reduce disruption to existing uses and buildings and approved plans.

(8) Street trees recommended for use are: Red Oak, Red Maple, Thornless Honey Locust, Little Leaf Linden, London Plane and Aristocrat Pear. Other types of trees may be recommended for a particular project. All street trees shall be a minimum of 2 ½ to 3 inch caliper when planted. Hedge maples or similar low growing tree varieties shall be located in areas where aboveground utility lines already exist or are approved. Provision shall be made to ensure that the owner/applicant preserves or replaces such street trees and other landscaping and the Planning Board shall condition site plan approval accordingly.

IV. Paragraph A, titled "Approved zoning districts," of §137-25.7, titled "Major wireless communications facilities," is amended by amending subparagraph (1) to read as follows:

(1) Major wireless communications facilities shall be a special permit use permitted upon site plan approval in the BP (Business Park), I (Industry), B (Business), and RA (Residence/Agriculture) zoning districts. All such facilities require approval from the Planning Board in accordance with the provisions of the zoning law.

Section 6. The Table of Dimensional Regulations of Chapter 137, titled "Zoning," of the Code of the Town of Crawford is amended by adding the following dimensional requirements for

the BP (Business Park) and O-R (Office-Residence) zoning districts:

BP Zoning District

Lot area (square feet): 40,000 if no water or sewer, and property fronts on a Town or county highway.

30,000 if either water or sewer, or both, and property fronts on a Town or county highway.

2 ½ acres if property fronts only on a state highway.

Lot width (feet): 150 if no water or sewer.

100 if either water or sewer, or both.

Yards (feet)

Front Town highway: 100

County highway 100

State highway: 150

Side (each): 30

Rear: 50

Building height (feet): 35

Lot coverage: 40%

Fencing, opaque, height: 6 feet

[Continued on next page]

O-R Zoning District

Lot area (square feet):

Business: 40,000 if no water or sewer.
30,000 if either water or sewer, or both.

Single-family or two-family residence: 2 ½ acres per dwelling unit.

Lot width (feet):

Business: 150 if no water or sewer.
100 if either water or sewer, or both.

Single-family residence: 250

Two-family residence: 400

Yards (feet):

Front	Town highway:	100
	County highway:	100
	State highway:	150

Side (each): 30

Rear: 50

Building height (feet): 35

Lot coverage: 40%

Fencing, opaque, height: 6 feet

[Continued on next page]

of the Code of the Town of Crawford is amended by adding new paragraphs D and E to read as follows:

- D. Site plan approval is also intended to address operational, materials storage and site use and management practices for the protection of groundwater quality and the prevention of both surface water and groundwater pollution via stormwater runoff or by other routes, including but not limited to fuel storage, storage and handling of materials onsite with particular attention to potential water pollutants, and site operations, including waste handling and collection on site. Stormwater management systems shall be designed and maintained in accordance with all currently applicable requirements. The Planning Board shall pay particular attention to site plans in and proximate to groundwater recharge areas, and may require modifications to a site plan in order to protect the same. A map of groundwater aquifers and recharge areas is on file with the Planning Board and with the Town Clerk. Such modifications may include, but shall not be limited to, the requirement of secondary containment, requirements for above-ground storage, or other limitations on all types of materials or equipment use, storage or handling. Storage, transfer, use and handling of all potential groundwater pollutants on a given site shall be considered pursuant to SEQR and the Planning Board's site plan review authority along with appropriate protective measures or restrictions developed thereunder.

The Planning Board shall also consider the effect of site layout and operations on perennial stream corridors and riparian habitat, in cooperation with other regulatory agencies. The Planning Board shall consider the effects of direct stream disturbance and indirect effects, including thermal pollution and other potential effects related to stormwater and stormwater management.

- E. All landscape plantings shall conform to American Nurseryman Association standards and shall be planted in suitable soil. The requirement that landscape plantings shall be properly maintained throughout the life of the use shall be deemed a condition of site plan approval.

[Continued on next page]

Section 8. Section 137-20, titled "Soil and drainage standards," of Chapter 137, titled "Zoning," of the Code of the Town of Crawford is amended by repealing paragraph B thereof; re-lettering existing paragraphs C, D and E to B, C and D, respectively; and adding a new paragraph E to read as follows:

E. Lots abutting a lake or stream.

- (1) Purpose: It is the established policy of the Town of Crawford to protect its surface water resources, not only because of their critical role in the hydrologic cycle and interconnections with groundwater resources, upon which the Town is completely dependent for drinking water, but also because of their importance to a flourishing wildlife population, including threatened or endangered species in some locations, as well for their scenic value and aesthetic importance in the Town's streetscape. While the Town recognizes that both direct and indirect disturbances to surface water resources may be regulated by state and federal agencies, the possibility for disturbances that may significantly impair the appearance and function of these resources remains. Therefore, the Planning Board shall implement the following requirements and considerations set forth below.
- (2) A building setback line is hereby established in all zoning districts, parallel to and 50 feet distant from the present normal shoreline or bank of every lake or other body of water or everflowing watercourse or stream in the Town. No building shall be constructed between said setback line and the shoreline or bank. The location of said shoreline or bank shall be determined by the Engineer for the Town on the basis of a period of normal water level. The placement of non-structural site improvements, including but not limited to parking lots, any type of materials storage areas, and stormwater management features such as detention basins, is discouraged within this setback line as it is considered generally incompatible with the purpose of this section. The Planning Board shall review all such proposed non-structural site improvements for the purpose of determining whether such proposed improvements shall not be permitted within the setback area. The Board may require changes to the plan to accomplish the purposes of this section. Such purposes include but are not limited to consideration of thermal effects of any discharge as it may affect a trout stream.
- (3) No septic tank, sanitary plant, leaching field or other sewage disposal facility shall be constructed or located in any district within 100 feet of the present normal shoreline or bank of any lake or reservoir or other body of water, or watercourse or stream tributary to a reservoir in the Town. The location of said shoreline or bank shall be determined by

the Engineer for the Town on the basis of a period of normal water level.

Section 9. Section 137-3, titled “Usage and definitions,” of Chapter 137, titled “Zoning,” of the Code of the Town of Crawford is amended by adding or amending the following terms and definitions:

Automobile Repair Shop - An establishment used for the repair, servicing or equipping of automobiles and other vehicles intended for use on the public highways, and which may include gasoline sales as an accessory use where permitted by this Chapter and expressly authorized by the Planning Board, but which shall not include the storage, rental, sale or washing of motor vehicles unless expressly permitted by this Chapter. The washing or cleaning of a vehicle at an automotive repair shop is permitted only as incidental to the repair work on that vehicle.

Business Park - A business use planned and developed with coordinated site layout, access, parking design and overall planning for more than one of the following uses in one or more structures: General retail store, personal service store, general business office, medical office, bank with walk-in service only, school of special instruction, and restaurant.

Day-Care Center - A use located in a building other than a residence or a school where care and/or supervision is provided for seven (7) or more children for a period of more than three (3) hours in a day. A day-care center may also be known as a “nursery school” or “child-care center” may exist as a discrete use or as an accessory use to a permitted church, business or industrial use. Day-care centers must be licensed by the New York State Department of Social Services.

Filling Station - An establishment used for the retail sale of gasoline, other fuel, oil or other fluids for motor vehicles intended for use on the public highways, and which may include facilities used for the repair or service of such motor vehicles, but which shall not include the washing of motor vehicles.

Gas Station - An establishment used for the retail sale of gasoline or other fuel for vehicles intended for use on the public highways, and which may include a convenience retail store containing less than 1,000 square feet of customer floor area, but which shall not include the service, repair or washing of motor vehicles.

General Retail Use - A facility for retail sales of sundries and small items, including but not limited to jewelry, articles of clothing, books, stationery, consumer electronics, groceries and similar such small items. Retail use shall not be construed in any manner to include sales of automobiles, campers, trailers, boats, heavy machinery, or wholesale or bulk sales of materials (such as lumber or landscaping products), nor shall it be construed to include any other land uses or land use categories that are specifically listed or regulated elsewhere in this Chapter.

Hotel (and Motel) - A building containing rooms that are used and hired out solely for the purpose of transient overnight accommodation and which may include related facilities, such as kitchen, dining, banquet or conference facilities. For the purposes of this definition, transient overnight accommodation is a stay of less than two (2) consecutive weeks in the facility.

Industrial Park - A business use planned and developed with coordinated site layout, access, parking design and overall planning for more than one of the following uses in one or more structures: Retail store, personal service store, medical office, general business office, bank, school of special instruction, hotel/motel (which may include conference/banquet facility), and restaurant.

Outbuilding - An accessory structure, including but not limited to, a pole barn, constructed with a permanent foundation and not intended for relocation. An “outbuilding” may be used for a variety of purposes, such as automobile garage and storage of lawn and garden tools and equipment, but an “outbuilding” shall not include a dwelling or any building that may shelter animals.

School of Special Instruction - A school conducting a regularly scheduled curriculum of special study of a trade, commercial or vocational nature with all instruction and curriculum occurring entirely within an enclosed structure.

Self-Service Storage Facility - A building or group of buildings containing separate, individually leasable or rentable storage spaces of varying sizes.

Shed - A pre-fabricated or pre-assembled unit designed and intended expressly for the storage of household items, garden equipment and the like. A “shed” may be made of plastic, wood, or a combination of materials, and is delivered to a site for installation. Regardless of its size and exterior finish, a “shed” is not mounted on a permanent foundation and may be moved or relocated without equipment.

Shop for Custom Work - A business premises used for fabrication of items, including but not limited to, clothing and personal articles, jewelry, furniture, and other items made to individual order for sale at retail on the premises only, and not including the mass manufacture of standardized products.

The term “motel” and definition thereof is hereby deleted from §137-3 of the Code.

Section 10. Chapter 137, titled “Zoning,” of the Code of the Town of Crawford is amended as follows:

I. Section 137-13, titled “Supplemental regulations for permitted uses,” is amended by adding a new subsection G, titled “Day-care centers,” to read as follows:

G. Day-care centers.

(1) Driveways shall be located such that sight distance is sufficient to afford safe ingress and egress for the posted speed limit or a speed equal to 85% of the actual average speed, whichever is greater, for the relevant section of road.

(2) Where practicable, day-care centers shall be provided with a one-way traffic flow. Pedestrian circulation areas should, where practicable, avoid crossing traffic circulation ways. Drop-off areas are encouraged and temporary vehicular standing areas may be sited near the building entry. If such areas are provided, they shall be situated so as to avoid creating conflicts with entering and exiting traffic and with internal vehicular and pedestrian circulation.

(3) Outdoor play areas shall be provided and shall be located in side or rear yard areas. Such outdoor play areas shall be enclosed by secure fencing at least four feet high unless it can be demonstrated to the satisfaction of the Planning Board that such fencing is not necessary for the protection of health and safety. Outdoor play areas shall include areas for play equipment and/or open yard areas for unstructured play. Outdoor play areas shall not exceed a 10% slope. Play areas shall not be sited across a street or vehicular circulation area from the building.

(4) Buffer landscaping and/or fencing may be required where deemed necessary by the Planning Board to screen and protect outdoor play areas from dust, dirt or noise or to screen and protect adjacent properties from any site-generated noise. If buffer landscaping is provided, it shall be densely planted so as to create a virtually opaque screen within two years after installation. If buffer fencing is provided, it shall provide opaque coverage and shall be situated with the finished side facing outward from the site. If provided, buffer fencing shall not exceed six feet in height. However, in no case shall fencing or buffer landscaping be located so as to interfere with sight distance into or out of the site driveway(s). Buffer landscaping and/or fencing shall be maintained to preserve the intended function and to preserve a well-kept, attractive appearance.

(5) Adequate off-street parking shall be provided to meet the reasonable needs of the facility. At a minimum, one space per staff member shall be provided, with one additional parking space per six children enrolled during the same time period.

II. Section 137.28, titled “Special conditions and safeguards for certain uses,” is amended by adding a new paragraph I, titled “Self-service storage facilities,” to read as follows:

I. Self-service storage facilities.

(1) Site and design requirements.

(a) Circulation and access. If the site is fenced, the site access drive shall have the fence and its gate set back a minimum of 40 feet from the fronting road. Internal site circulation lanes shall be adequate in dimensional cross-section, width and turning radii to provide for the maneuverability of fire trucks. Aisle width shall be a minimum of 23 feet total for either one-way or two-way traffic flows.

(b) Security. Provision shall be made for adequate site security and access control. If the facility is gated, adequate provision shall be made for access by emergency service providers when the facility is closed. If fencing is provided, no barbed wire or razor wire may be used. Such fence shall not exceed eight feet in height. Notwithstanding the foregoing, the solid rear and/or side wall(s) of a storage building or buildings may be incorporated into a fence line for purposes of access control, subject to Planning Board approval of the exterior finish and of other elements below. Solid or decorative brick, stone, architectural tile, masonry or wood walls may be used for fencing and screening purposes as approved by the Planning Board. The placement of or incorporation of signs or other advertising media on fences or walls is not permitted unless specifically shown on the site plan and expressly approved by the Planning Board.

(c) Appearance, screening, landscaping and lighting. Care shall be taken to provide an aesthetically pleasing, well-landscaped and maintained facility and to avoid a monotonous or fortress-like appearance. Required yards shall be landscaped

with a mix of trees, shrubs of varying sizes and vegetative ground cover as appropriate to the site and as approved by the Planning Board. The color, material and design of structures, including roof pitch, shall be reviewed by the Planning Board as to their conformity with surrounding structures and community character if visible to other properties. Security lighting shall be provided on the site but there shall be no glare or spillover of light on to other properties.

(d) Limits on building length and height.

(a) Limit on building length: 220 feet.

(b) Limit on building height: 15 feet for buildings with flat roofs or 23 feet to the top of the roof for buildings with pitched roofs, measured from the highest finished grade elevation at the side of the building fronting on a street (notwithstanding the definition of "building height" contained §137-3 of this Chapter).

(e) Limits on storage and use. The following is prohibited:

(i) Storage or maintenance of radioactive, toxic, explosive or controlled substances.

(ii) The servicing or repair of automotive equipment, tools or machinery and the construction or fabrication of goods or materials, either inside or outside the bounds of an individual storage unit.

(iii) The operation of power tools, spray equipment, compressors and other equipment.

(iv) Auctions, garage or tag sales or any other commercial or private sales.

(v) Rental or use of parking spaces as or for vehicular storage spaces. Parking spaces shall be used only for temporary parking by storage unit owners or lessees. Unenclosed storage of vehicles or items, including but not limited to automobiles, motorcycles, trucks, trailers, vans, recreational vehicles, campers, boats or watercraft, is prohibited, unless the applicant demonstrates to the satisfaction of the Planning Board that such vehicles or items will not be visible from any off-site location because of existing conditions such as topography or other permanent screening or proposed permanent screening. Notwithstanding the foregoing, nothing in this paragraph shall be construed as permitting the unenclosed storage of wrecked, inoperable or dismantled vehicles or parts thereof.

(f) Limits on unit size. The maximum size of a storage unit is 600 square feet. No person or tenant shall be permitted to rent or lease more than a total of 1,800 square in a single facility or in adjoining facilities under common ownership or control.

(g) Drainage. Adequate drainage control measures shall be provided on the site so that pre-development rates of off-site flow are not increased. Provision shall be made for protecting the quality of the surface water runoff from the site both during construction and operation of the site.

(h) Signs. The provisions of §137-17 shall not apply to this use. Signs shall be permitted as follows: One (1) ground-mounted or pole-mounted sign shall be permitted at the entry of the site. Such sign shall not be located so as to interfere with the visibility of traffic entering or exiting the site. The sign shall not be higher than 10 feet, as

measured from grade to the top of the sign, and shall not exceed 36 square feet in area.

No signage or other attention-getting device shall be mounted to the roofs, doors or sides of any structures on the site or to the site fence. On-site circulation signs shall be provided as needed subject to the review and approval of the Planning Board.

(2) Accessory uses. A leasing office for the purpose of leasing the storage units within the facility may be provided on the site. In addition, a manager's apartment may be provided for the use of a resident on-site manager. The combined total size of the manager's apartment and the leasing office shall not exceed 1,200 square feet.

(3) Parking requirements. Self-service storage facilities shall provide a minimum of one (1) parking space per 100 storage units. In addition, one (1) parking space per 200 square feet of gross leasing office space, but not more than three (3) parking spaces, shall be provided, which parking spaces shall be located adjacent to the leasing office. If an on-site manager's apartment is provided, two additional parking spaces adjacent to the apartment shall be provided.

(4) Separation requirements. In order to avoid an excessive concentration of such facilities in the Town, the bounds of the lot containing a self-service storage facility must be separated by 1,500 feet from the bounds of a lot containing any other self-service storage facility or site approved for such facility.

III. Section 137-14, titled "Supplemental regulations for accessory uses," is amended by adding new paragraphs E, F, G, H and I to read as follows:

E. Trucks, boats, utility and other trailers, recreational vehicles, and agricultural equipment. The use, storage or parking of trucks, boats, utility and other trailers, recreational vehicles, and agricultural equipment is regulated in all zoning districts as provided below:

(1) Unenclosed parking. One each of the following types of vehicles -- truck, boat, utility or other trailer, or recreation vehicle -- used for a non-commercial purpose and owned by the

occupant may be parked unenclosed on a lot occupied by a residence, but shall not be used for any purpose while so parked. No such parking shall be permitted within a required yard of the lot. Upon the written authorization of the Building Inspector, additional such vehicles up to a total of three of any type may be parked unenclosed on a lot occupied by a residence, provided such parking complies with the above requirements. Further, the Building Inspector's authorization shall be granted only upon a demonstration satisfactory to the Building Inspector that all such vehicles shall be and shall remain screened from view of adjoining properties on all sides in all seasons by means of existing or proposed fencing, vegetative screening, topography or other means. The requirement that such screening shall be properly maintained as long as said parking continues is deemed a condition of the Building Inspector's authorization.

(2) Agricultural equipment. Lands in active agricultural use shall be exempt from the limitations established in paragraph (1), except that hay wagons, when not in use, shall not be parked between the street line and the principal building.

(3) Enclosed parking. Additional trucks, boats, trailers or recreational vehicles may be parked or stored within a private garage on an occupied lot in any residence district.

(4) The provisions of this paragraph E shall apply to all such vehicles, trailers and equipment, including claimed existing, or pre-existing, storage and parking, unless the specific storage or parking area has been previously approved by written determination of the Planning Board, Zoning Board of Appeals or Building Inspector.

(5) Where the Planning Board has approved a site plan or subdivision plat for a lot or use and such site plan or plat shows vehicle parking or storage areas, the parking or storage of vehicles must comply with the approved site plan or plat.

F. Structures with no permanent foundation. Structures with no permanent foundation (such as non-commercial greenhouses, sheds under 200 square feet in size, tennis courts, swing sets and other similar play structures) are permitted, provided:

- (1) No part of such structure is sited within the required front yard.
- (2) All parts of such structure are set back at least five (5) feet from all other property lines.
- (3) The structure shall be properly secured to the ground so as to avoid any safety hazard.

G. Structures mounted on permanent foundations. Garages, outbuildings, and other structures mounted on permanent foundations are permitted, provided:

- (1) No part of such structure is sited within the required front yard.
- (2) All parts of such structure are set back at least twenty (20) feet from all other property lines.

H. Fences. Fences are a permitted accessory use to all uses, subject to the following restrictions:

(1) Finished Side. The finished side of all fences, except livestock fences, shall face out toward abutting properties.

(2) Location. Fences may be placed on a property line, except that a fence higher than four (4) feet shall be set back a minimum of three (3) feet from the property line.

Notwithstanding the foregoing, no fence shall be placed within a public road right-of-way.

(3) Sight Distance. No fence shall be placed so as to create a sight distance restriction to traffic visibility on any road or driveway.

(4) Height. In all zoning districts, fences shall be no higher than six (6) feet, except for livestock fences, which may be eight (8) feet. The Planning Board may expressly waive this limitation as part of its approval of a site plan.

(5) Construction. Fences shall be constructed of customary and typical fence materials, such as wooden or metal posts and wires or boards.

I. Storage Containers. The use of metal containers, such as shipping containers, for storage or other purposes is incompatible with all land uses in all districts in the Town of Crawford. The temporary, limited, use of such shipping containers may be authorized by the Zoning Board of Appeals for storage purposes, but only where other means of storage is not feasible and the containers will not be visible off-site. Where such temporary limited use approval is granted, the Zoning Board of Appeals may impose reasonable requirements, including the posting of a bond, to ensure removal of the containers after the temporary use period has expired.

Section 11. Section 137-22, "Parking space standards," of Chapter 137, titled "Zoning," of the Code of the Town of Crawford is amended by adding to paragraph A thereof the following language to read as follows:

Notwithstanding any provision herein to the contrary, where 90° parking is provided, the parking space shall have a dimension not less than 9' X 19' and a circulation aisle of not less than 25 feet.

Section 12. If any word, phrase, provision or section of this law is adjudged invalid by any court of competent jurisdiction, then such judgment shall affect only that particular word, phrase, provision or section and shall have no effect upon the remainder of this local law.

Section 13. Article IX, titled "Amendment and Interpretation," of Chapter 137, titled "Zoning," of the Code of the Town of Crawford is amended by amending the Table of Zoning Map Amendments to add the zoning map amendments set forth in Section 2 above.

Notwithstanding the zoning map amendments, an existing lawful use, including single-family and two-family residences, may continue as a lawful nonconforming use.

Section 14. This local law shall take effect immediately upon filing with the Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)
(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2003 of the ~~(County)~~(City)(Town)(Village) of Crawford was duly passed by the Town Board on May 8, 2003, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after disapproval by the _____ and was deemed duly adopted on _____ 20__,
(Name of Legislative Body)
(Elective Chief Executive Officer)*
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after disapproval by the _____ on _____ 20__. Such local law was submitted
(Name of Legislative Body)
(Elective Chief Executive Officer)*
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors thereon at the (general)(special)(annual) election held on _____ 20_ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after disapproval by the _____ on _____ 20__. Such local law was subject
(Name of Legislative Body)
(Elective Chief Executive Officer)*
to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_ in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification)

I further certify that I have compared the preceding local law with the original on file in this office and that same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ___1___, above.

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Kelly A. Eskew, Town Clerk

Date: ___ May ___, 2003

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

JACOBOWITZ AND GUBITS, LLP

By: _____
Signature

J. Benjamin Gailey
Attorneys for the Town
Title

County City Town Village	of <u> Crawford </u>
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Date: May , 2003