



02

Current and Future Land Use, Zoning, and Design

02

Land Use Existing Conditions

Existing Land Use Policies

Zoning Existing Conditions

Land Development and Environmental Regulations

Community Views on Land Use and Zoning

Vision, Goals, and Objectives



South Nyack © AKRF

Introduction

Orangetown is the southernmost town in Rockland County, New York. It is bordered to the east by the Hudson River, to the south by New Jersey (Bergen County), to the west by the Town of Ramapo (and its Village of Chestnut Ridge), and to the north by the Town of Clarkstown. Land uses throughout the Town include residential communities of single-family houses, various Town, County, and State parks and open spaces, and centers of retail, restaurant, and office commercial activity generally located in hamlet centers and along major roads. The NYS Route 303 corridor, which runs north-south through the Town, is heavily developed and is predominantly a mix of commercial and industrial uses, including various warehouse, distribution, and manufacturing centers. Other major roadways include the Palisades Interstate Parkway, a limited access highway which runs southeast to north-west through the Town, and US Route 9W, a two-lane road which runs north-south through the Town along the western cliffs of the Hudson River.

The Comprehensive Plan establishes the overall land use vision for the Town, and sets forth strategies and objectives to achieve that vision.

The vision is influenced by the historic growth of the community, existing travel patterns and transportation networks, and current land use regulations that govern the location, scale, and intensity of uses. The future land use vision considers zoning, design, and community character; transportation, mobility and parking; demographic trends and socioeconomic conditions; economic development; and open space and recreation, sustainability, green infrastructure, and climate resiliency.

Existing Land Use Overview and a Future Land Use Vision

This chapter provides an overview of the existing land use patterns within the Town. It discusses existing development trends, and land use and zoning regulations. It then sets forth a future land use vision and goals, and objectives and implementation strategies which evolved from an extensive public engagement process that included surveys, workshops, and online opportunities for involvement in the planning process.

Several land use objectives emerged through the public engagement process which included an online survey and two public workshops:

- Encourage an appropriate balance of residential and non-residential development.
- Update and modernize the Zoning Code to simplify enforcement and remove inconsistencies.
- Develop design guidelines for façades, signage, and streetscapes to preserve, protect, and enhance the unique characteristics of each hamlet.
- Develop measures to increase the efficiency of the code/zoning enforcement process.
- Discourage new warehouse and distribution center land uses in certain zoning districts, particularly near residential areas.
- Develop design guidelines and performance standards to better regulate certain land uses, and to protect open space, viewsheds, historic resources, and community character.
- Strengthen zoning and code protections for natural resources such as wetlands, trees, stormwater, flooding, steep slopes, and ridgelines.



The Manse, home
to Domine Samuel
Verbryck, Tappan ©
AKRF

During this process the public provided observations and recommendations on the types of land uses that should be encouraged or discouraged in the Town's residential areas, hamlets, and commercial corridors. These included development concerns along the NYS Route 303 corridor, calls for open space preservation, a desire for the Town's hamlets to retain their unique character, and an interest in maintaining the single-family housing typology, the most prominent land use throughout the Town, as the principal means of residential housing. These observations and recommendations resulted in the following land use goals:

- Maintain the Town's community and neighborhood character while balancing the need for growth and development.
- Preserve history, open space, and hamlet center character, while promoting a diversity of housing options to ensure members of the community have access to quality housing.
- Promote sustainable development and plan for climate resiliency.
- Preserve the Town's natural resources and increase access to parks and open space.
- Provide a healthy economic environment for community-based businesses that maintain the Town's tax base and provide jobs and services to the Town's residents.

Land Use Existing Conditions

The Town of Orangetown encompasses three incorporated villages: Nyack, Grand View-on-Hudson, and Piermont. The remaining unincorporated areas include eight hamlets, each with its own character and beloved by its residents as evidenced by public feedback throughout the planning process: Upper Grandview, Sparkill, Palisades, Tappan, Orangeburg, South Nyack, Blauvelt, and Pearl River. On March 31, 2022, the former Village of South Nyack was officially dissolved, becoming a hamlet absorbed by Orangetown. Upon dissolution, land use and zoning regulations related to the former Village became the responsibility of the Town of Orangetown.¹

¹ The dissolution of South Nyack passed with a vote of 508 in favor, to 292 against, on December 17, 2020. <http://southnyack.ny.gov/project/dissolution/> (accessed January 6, 2022).












Existing Land Use Patterns and Development Trends

The existing land uses in the Town of Orangetown fall into nine (9) main categories (see **Figure 2-1, Land Use Map** and **Table 2-1** and **Table 2-2**):

- **Single-family residential:** Individual homes on distinct parcels. This is the predominant use of land in the Town, and represents approximately thirty-six (36) percent of land in the Town;
- **Multi-family residential:** Residential structures containing more than one housing unit;
- **Commercial:** Generally, property used for the sale of goods or provision of services, including restaurants and dining establishments, hotels, retail shopping centers, office and professional buildings. Major retail areas include the NYS Route 303 corridor, and the hamlet downtowns of Pearl River (N. Middletown Road & E. Washington Avenue), Sparkill (Main Street), Orangeburg (Orangeburg Road), Blauvelt (E. Erie Street), and Tappan (Washington Street, Main Street, and Oak Tree Road). Major areas of office or professional use include Blue Hill Plaza along the New York-New Jersey state line;
- **Institutional:** This category includes land devoted to government functions, libraries, schools, colleges and universities, civic and religious functions, hospitals, police, fire, and EMS facilities. Significant properties within this category include the Rockland Psychiatric Center, Orangetown Town Hall, Dominican University New York, St. Thomas Aquinas College, and schools comprising the South Orangetown Central School District, Pearl River Union Free School District, Nanuet Union Free School District, and Nyack Union Free School District;
- **Industrial:** These uses include traditional industrial uses as well as warehousing and distribution facilities. They are located primarily, and somewhat densely, along the NYS Route 303 corridor, but also include the Pfizer campus in northwest Orangetown, and multiple facilities clustered near the New York-New Jersey state line to the east of Lake Tappan;
- **Infrastructure:** Property used to provide infrastructure services to the general public;
- **Recreation & entertainment:** This category includes public and private golf courses, camps, and camping facilities. It includes the Henry Kaufmann Campgrounds, Blue Hill Golf Course, Broadacres Golf Club, Manhattan Woods Golf Club, Rockland Country Club, and Tappan Golf Center;
- **Vacant land:** This includes property not in use, in temporary use, or lacking improvement (most often due to land constrained by steep slopes, wetlands, or a lack of roadway access), much of which can be found along Lake Tappan and the Hackensack River which feeds it; and
- **Public parks & open space:** This category is the second largest land use in the Town, at approximately 17 percent, and includes Blauvelt State Park, Tallman Mountain State Park, Veteran’s Memorial Park, Clausland Mountain Park, and various other, smaller parks throughout the Town.

Figure 2-1
Existing Land Use Map

- | | | | |
|---|-----------------|---|------------------------------|
|  | Orangetown |  | Recreation and Entertainment |
|  | Commercial |  | Residential |
|  | Institutional |  | Vacant Land |
|  | Industrial |  | Public Parks and Open Space |
|  | Public Services | | |

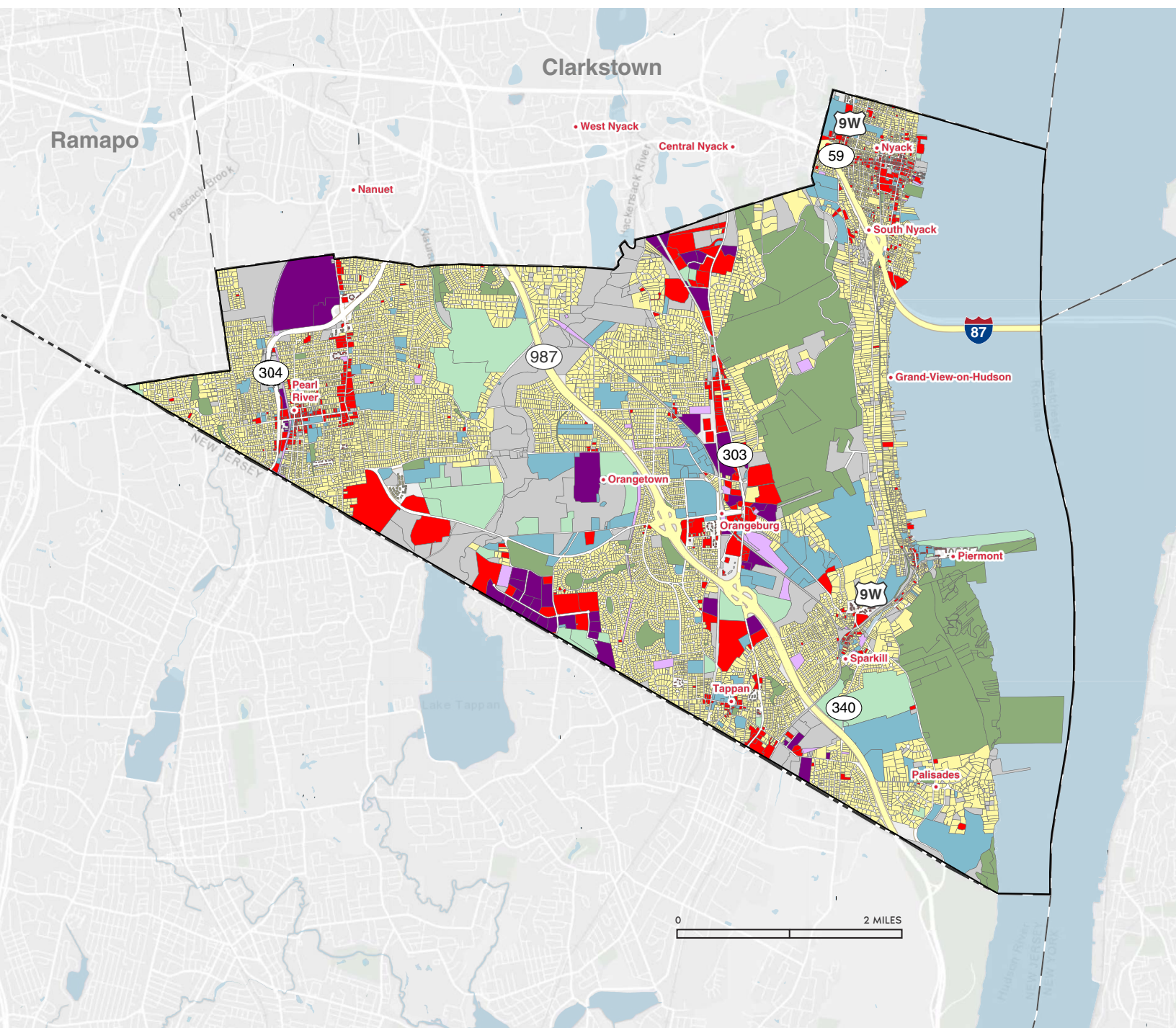


Table 2-1

Land Use in Orangetown 2010

Land Use Type	Acres ¹	Percentage
Commercial	764	5.9%
Institutional	1,152	8.9%
Industrial	505	3.9%
Infrastructure	161	1.2%
Recreation and entertainment	854	6.6%
Residential	5,081	39.4%
Vacant land	2,052	15.9%
Public parks and open space	2,320	18.0%
TOTAL	12,889	100%²

Notes: ¹ acreage rounded to nearest whole acre;
² total percentages add up to 99.8% due to rounding.

Sources: NYS Tax Parcels Data Set

Table 2-2

Land Use in Orangetown 2020

Land Use Type	Acres ¹	Percentage
Commercial	897	6.9%
Institutional	1,216	9.3%
Industrial	622	4.8%
Infrastructure	161	1.2%
Recreation and entertainment	884	6.8%
Residential	5,073	39.0%
Vacant land	1,912	14.7%
Public parks and open space	2,248	17.3%
TOTAL	13,013	100%

Notes: ¹ acreage rounded to nearest whole acre;

Sources: NYS Tax Parcels Data Set

Housing Patterns and Typologies

39%

of Town land is residential

92%

of that category is single-family

8%

multi-family

Table 2-2 illustrates the distribution of land uses throughout the Town among the various land use categories. Residential housing is the largest land use in the Town, comprising 39 percent of all Town land. Within that land use category, approximately 92 percent is single-family, the predominant housing typology throughout the Town. Single-family homes are primarily located on .25 to 1 acre lots in traditional suburban development patterns. Housing lot sizes tend to be smaller closer to hamlet centers, ranging from .10 to .50 acres. Eight (8) percent of residential land use in the Town is devoted to multi-family housing, and within that land use category the vast majority exists in the form of two-family residences. The Town has some, though not many, multi-family developments, including apartment complexes, attached condominiums, and senior housing developments.



Housing, Upper Grandview © AKRF

Commercial and Industrial Development Patterns

6.9%

Town land is commercial development

4.8%

industrial development

Commercial development comprises approximately 6.9 percent of land use within the Town, while industrial development comprises 4.8 percent (see **Table 2-2**). Commercial development is concentrated in hamlet centers, described further below, and along major thoroughfares. Commercial, manufacturing, and warehousing facilities are especially prominent along the NYS Route 303 from the hamlet of Tappan north to the edge of the Town.

NYS Route 303, Tappan © AKRF



In 2002 the Town established the Route 303 Overlay Zoning District to increase land use and zoning controls along the corridor in a manner consistent with the Route 303 Plan. Specifically, the legislative intent was to promote pedestrian safety and vehicular safety along the Route 303 corridor, protect and buffer existing residential areas and abutting districts, promote the most desirable use of land and viewsheds, ensure the harmonious and orderly growth of existing neighborhood commercial areas; and establish landscape screening and buffering provisions. Other areas of significant commercial and industrial development are the Pfizer campus in northwest Orangetown, and the commercial and industrial campuses along Corporate Drive and Blaisdell Road, just east of Lake Tappan and near the New York/New Jersey state line.

Hamlets

Blauvelt

The hamlet of Blauvelt is located in the north central portion of the Town. It is centered around East Erie Street, West Erie Street, Western Highway North, Western Highway South, and NYS Route 303. The hamlet has a total land area of approximately 4.6 square miles, and a population of 5,548 as of 2020.² The hamlet is predominantly composed of residential development and open space (Blauvelt State Park). The limited commercial development in the hamlet is located around the intersection of East Erie Street and NYS Route 303. On the northern and southern edges of the hamlet, along NYS Route 303, there are large commercial and industrial businesses in the form of warehouses and manufacturing facilities.

² 2020 Census.



Orangeburg

Orangeburg is located in the center of Orangetown and is home to many of the Town's institutional uses. The hamlet of Orangeburg is centered around the intersection of Western Highway South and Orangeburg Road, and generally extends from the Palisades Interstate Parkway eastward and past NYS Route 303. The hamlet has a total land area of approximately 3.1 square miles, and a population of 4,565 as of 2020.³ There are several major educational facilities in Orangeburg, which include Tappan Zee High School, Dominican University New York, and St. Thomas Aquinas College. Orangetown's Town Hall, the Orangeburg Library, and the Rockland County Sewer Facility are also located in Orangeburg. The hamlet does not have a distinct downtown area, but there is a mix of commercial development along Orangeburg Road and NYS Route 303, including department and grocery stores, and some large manufacturing and warehousing facilities. Residential development is primarily located in the western portion of the hamlet. The eastern portion of the hamlet contains Clausland Mountain Park.

³ 2020 Census.

Palisades

The hamlet of Palisades is located in southeastern Orangetown, and is almost entirely residential. It is relatively isolated from the rest of the Town, bordered to the north by Tallman Mountain State Park, as well as other areas of preserved open space. Single-family homes in Palisades are generally sited on larger lots than in other hamlets, ranging from one-half to two acres. The hamlet has a historic district known as the Closter Road-Oak Tree Road Historic District, which was added to the National Register of Historic Places in 1990.⁴ That historic district includes 19 residential, commercial, religious, and civic properties of architectural and historic significance dating from the late 1700s to the early 1900s.

⁴ <https://npgallery.nps.gov/AssetDetail/NRIS/90001014>

Industrial Park in Orangeburg © AKRF



Pearl River

The hamlet of Pearl River is the largest hamlet in Orangetown by size and population, with a total land area of approximately 6.8 square miles, and a population of 16,567 as of 2020.⁵ The main roads forming the downtown of the hamlet include North Middletown Road, East Central Avenue, and North and South Main Street. Major institutional uses in the hamlet include Pearl River High School and Middle School, and the Pearl River Public Library. The hamlet includes a stop on the New Jersey Transit, Pascack Valley Line. Commercial clusters along East Central Avenue are composed of mostly one- and two-story buildings. Larger commercial buildings, including gyms, drug stores, and grocery stores, are prominent on North Middletown Road. Outside of these areas of commercial concentration, the hamlet is mostly single-family homes on individual lots and tree-lined streets, save for a few larger commercial/industrial developments in the form of the Pfizer campus (in north-west Pearl River) and Blue Hill Plaza (in southeast Pearl River).

5 2020 Census.

South Nyack

The former Village of South Nyack has a total land area of approximately 1.7 square miles, and a population of 2,699 as of 2020.⁶ As discussed above, on March 31, 2022, the former Village of South Nyack was officially dissolved and absorbed by Orangetown. South Nyack does not have its own distinct downtown, and is predominantly composed of one- and two-story, single family homes. It is roughly bisected by Interstate 287, and is the western terminus of the Governor Mario M. Cuomo Bridge (Tappan Zee Bridge). South Nyack contains Nyack Middle School and South Nyack village Hall.

6 2020 Census.

South Nyack Village Hall © AKRF



Sparkill

The hamlet of Sparkill is among the smallest hamlets in Orangetown, with a total land area of approximately 0.5 square miles, and a population of 1,581 as of 2020.⁷ There is limited commercial development in the hamlet, and that development is found concentrated along Main Street, where it crosses Depot Square/Union Street. The Joseph B. Clarke Rail-Trail runs close to the hamlet's center.

⁷ 2020 Census.



Sparkill Main Street © AKRF

Tappan

The hamlet of Tappan has two general areas of commercial development; along Old Tappan Road at Main Street, and more prominently, along NYS Route 303 south of Oak Tree Road to the New York-New Jersey state line. The hamlet has a total land area of 2.8 square miles, and a population of 6,673 as of 2020.⁸ The majority of the hamlet is residential, although there are a handful of large commercial and industrial properties in the northwest corner of the hamlet. The hamlet includes the 85-acre Tappan Historic District, which was established by Orangetown local law in 1965 (see Chapter 12 of Orangetown Town Code), and subsequently added to the National Register of Historic Places in 1990.⁹ The Historic District includes the DeWint House, one of the oldest surviving structures in Rockland County, and a temporary headquarters of George Washington during the American Revolution.

⁸ 2020 Census.

⁹ <https://npgallery.nps.gov/AssetDetail/NRIS/90000689>

Upper Grandview

Upper Grandview is a small hamlet located in the northern portion of Orangetown, west of the Village of Grand-View-on-Hudson and east of the hamlet of Blauvelt. It is primarily a residential area centered along Route 9W, Tweed Boulevard, and Clausland Mountain Road. Homes in this area are built into the steep hillside and many have sweeping views of the Hudson River.

Public Parks, Open Space, and Vacant Lands

17%

of Town land is public parks and open space

The second largest land use category in the Town is public parks and open space, comprising approximately 17 percent of total land use. Most of that land use is composed of three large parks: Blauvelt State Park and Tallman Mountain State Park, both NYS parks, and Clausland Mountain Park, a Rockland County park. All three of these parks are located in the more steeply sloped region of the Town, generally east of NYS Route 303, and near to the Hudson River (see **Figure 2-2, Steep Slopes Map**). Various smaller parks spread throughout the Town make up much of the remainder of this land use category, and include, among others: Veteran’s Memorial Park, Tackamac North and South Park, Pascack Brook Town Park (open space along the Pascack Brook, preserved for fishing, walking, and passive enjoyment), and Clarke Trail (a walking trail located along a former rail line).

15%

is vacant or undeveloped property

Vacant or undeveloped properties occupy approximately 15 percent of the Town. Much of those lands are located along Lake Tappan and the Hackensack River, with other, smaller undeveloped lands interspersed throughout the Town.

Blauvelt State Park © AKRF

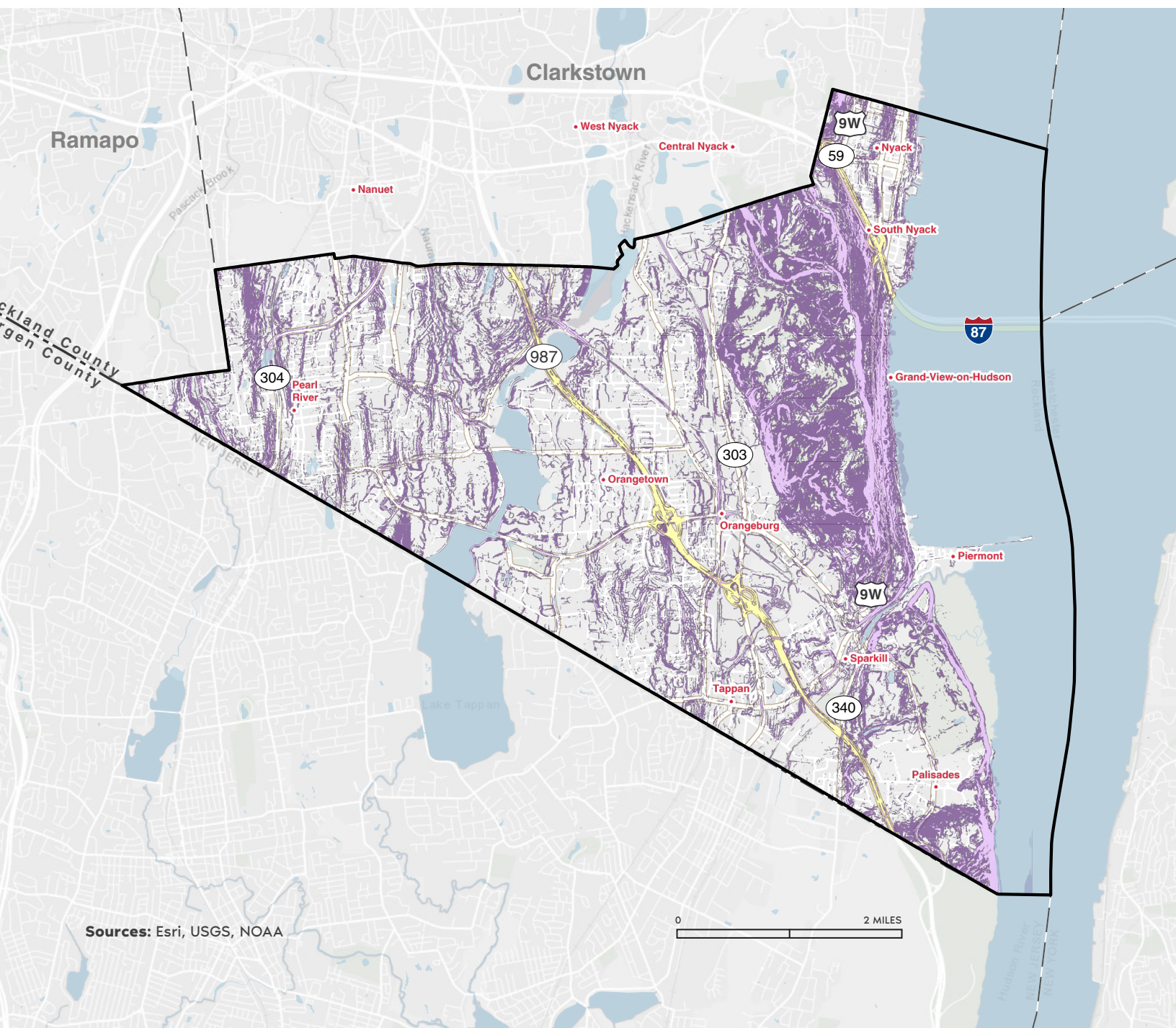


Figure 2-2
Steep Slopes Map

□ Orangetown

Steep Slopes

- 15% – 25%
- Over 25%



Sources: Esri, USGS, NOAA



Intersection of Orangeburg Road and Dutch Hill Road, Orangetown © AKRF

Existing Land Use Policies

Several existing studies address land use, development, and community improvements in the Town of Orangetown including the Route 303 Sustainability Development Study (2002), the 2003 Orangetown Comprehensive Plan, the 2011 Rockland County Comprehensive Plan, the 2018 Orangetown Bike Study, and the 2018 Pearl River Opportunities Analysis. Each of these plans and studies are summarized below.

Route 303 Sustainability Development Study (2002)¹⁰

Released in December 2002, the Route 303 Sustainability Development Study was a joint intergovernmental effort undertaken by The Town of Orangetown, the Orangetown Citizens Advisory Committee, Rockland County, The New York State Department of Transportation, and the New York Metropolitan Transportation Council starting in 1999. The basis of the study was to perform corridor planning from a community perspective, through mutual, cooperative efforts of residents, state and local officials. The study sought to incorporate input from residents, businesses, and landowners along the corridor. Guiding principles of the study included improving quality of life for residents, encouraging sustainable growth and development, and providing effective transportation solutions.

¹⁰ Route 303 Sustainability Development Study, <http://rocklandgov.com/departments/planning/transportation-planning/studies/> (accessed December 22, 2021).

Route 303 Sustainability Development Study (2002)

The study revealed serious resident concerns including traffic safety, roadway travel speed, increasing traffic volumes along Route 303 (including truck shipping traffic), and development pressures along the corridor, including uses (such as manufacturing and warehousing facilities) deemed by residents to be incompatible with existing residential developments nearby.

Study participants identified opportunities for open space preservation and landscape enhancement. Longer-term land use issues identified through the study process included the need to limit and control large-scale commercial development along Route 303, and to buffer existing residential areas adjacent to commercial zones. The ultimate objective of the study was to design a path for future improvements that balanced the need for safety, accessibility, mobility, and sustainable development and land use goals. During the course of the study, the creation of the Route 303 Overlay Zoning District was identified as an early recommendation, and was adopted on January 29, 2002, as Article XIII of the Town's Zoning Code.

Despite the adoption of the Route 303 Overlay Zoning District, many Orangetown residents remain concerned with development of manufacturing, warehouse, and distribution center uses along NYS Route 303. These uses, according to the residents, are incompatible with nearby residential neighborhoods, and have caused increases in traffic volume, noise, and pollution in the area, lowering the quality of life and damaging the community character of the area (see Appendix xx [Community Survey]).



Route 303

2003 Orangetown Comprehensive Plan

The Town Board of Orangetown adopted the Town of Orangetown Comprehensive Plan on May 12, 2003.¹¹ The 2003 Comprehensive Plan was the result of an approximately two-year

¹¹ *Town of Orangetown Comprehensive Plan*, <https://www.orangetown.com/document/comprehensive-plan/> (accessed December 20, 2021).

2003 Orangetown Comprehensive Plan

planning process that included participation of various Town officials, representatives, and departments, in conjunction with public and private groups and the general public.

Land use goals established under the 2003 Comprehensive Plan included: (i) provide additional open space and recreational facilities to serve existing and anticipated population needs, (ii) maintain existing quality of life through separation and buffering of uses considered incompatible with residential neighborhoods, (iii) permit a broad range of housing types, densities, and locations, and encourage higher residential densities in and around the Town’s hamlets, (iv) update zoning regulations to help facilitate housing options for a growing senior population; (v) select areas for economic development that avoid conflicts with residential neighborhoods, and (vi) control strip commercial development on Route 303 through more restrictive zoning and lot and bulk revisions.

Ultimately a Town-wide Land Use Plan was developed as part of the Comprehensive Plan, reflecting the goals developed during the comprehensive plan process. The Land Use Plan was comprised of broad categories intended to guide future land use and development throughout the Town. It envisioned fourteen proposed land use categories, based on existing land uses and anticipated land use trends – some of the land uses already existed, while others were proposed as new categories. The categories are summarized in **Table 2-3** below.

Table 2-3
2003 Land Use Plan Suggested Categories

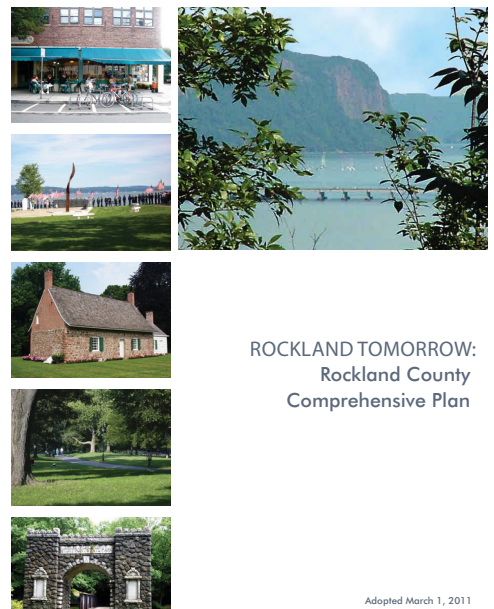
Category	Sub-Category (if applicable)	Details
Residential	Very Low Density Residential	The most environmentally sensitive areas of the Town, including the eastern portion of the Town, adjacent to and within the Clausland Mountain Park. Minimum lot sizes would be 1 to 2 acres, with clustering encouraged to preserve open space. Includes existing R-40 and R-80 Zoning Districts.
	Low Density Residential	Predominant land use category in the Town. This would continue to be the most prevalent type and intensity of development. Includes existing R-15 and R-22 Zoning Districts.
	Medium Density Residential	Concentrated mainly near the Town’s hamlet centers.
Open Space	Public Park/Open Space	Found throughout the Town at the location of every existing and proposed public park and open space area.
	Private Recreation/Open Space	Found throughout the Town and including Blue Hill Golf Course, Kaufmann Campgrounds, Manhattan Woods Golf Course.
Development in Open Space Setting		Found throughout some of the Town’s larger vacant or underutilized parcels, and designed to accommodate development that maintains significant open space and preservation on the parcel.

Category	Sub-Category (if applicable)	Details
Commercial Development	Downtown Area	Strictly downtown Pearl River, because that is more like a traditional downtown. Existing CS zoning in Pearl River could be broadened to encourage additional development.
	Commercial Centers	Located in Orangeburg, Blauvelt, Sparkill, and Tappan. Areas with these designations would be smaller than the Downtown Area designation.
	Hamlet Centers	Located in Orangeburg, Blauvelt, Sparkill, and Tappan. Areas with these designations would be smaller than the Downtown Area designation.
	Mixed-Use Corridor	Would be sited along certain portions of NYS Route 303, and would amend existing CS and CC zoning controls with new regulations designed to limit strip development.
	Commercial/Mixed-Use Area	Would be sited along certain portions of NYS Route 303, and would amend existing CS and CC zoning controls with new regulations designed to limit strip development.
	Other Commercial	Other existing commercial properties not captured in the above categories.
Office/Industrial/Related		Distributed throughout the Town in large blocks, and would include the LI, LO, and LIO Zoning Districts.
Institutional/Quasi-Public		Includes schools, colleges and universities.
Public Parkway		Encompasses Palisades Interstate Parkway in its entirety.

Sources: 2003 Town of Orangetown Comprehensive Plan, pages III-1 to III-3.

2011 Rockland County Comprehensive Plan

The Rockland County Legislature adopted a county-wide comprehensive plan, “Rockland Tomorrow: Rockland County Comprehensive Plan,” on March 1, 2011.¹² The land use and sustainability goals established under the Rockland County Comprehensive Plan included: (i) conserve open space, (ii) promote conservation (cluster) subdivision design, (iii) reinforce existing county centers through investment in infrastructure and housing, (iv) foster and maintain well-designed business and industrial corridors and clusters, and (v) encourage smart growth while preserving quality-of-life and existing community and neighborhood character.



ROCKLAND TOMORROW:
Rockland County
Comprehensive Plan

Adopted March 1, 2011

12 Rockland County Comprehensive Plan, <http://rocklandgov.com/departments/planning/comprehensive-plan/> (accessed December 20, 2021).

2011 Rockland County Comprehensive Plan

To achieve the Plan’s land use goals, it outlined a three-party strategy to guide land use patterns: “Conservation, Centers, and Corridors and Clusters.” That strategy recognized the overall public appreciation of Rockland County’s semi-rural character, and advocated for preservation of those qualities by conserving land areas existing outside commercial centers and corridors. The strategy suggested encouraging a mix of uses in existing municipal centers, including multi-family residential housing, finding that concentrating limited growth and development within existing centers will protect against out-of-scale development elsewhere in the County. Finally, the strategy did not encourage expanding existing commercial corridors and clusters, but recommended preservation, redevelopment, and enhancement of existing ones.

2018 Orangetown Bike Study

In August 2017, the Town of Orangetown engaged Parks & Trails New York, an organization that develops trails and plans bike and pedestrian networks, to conduct a bike study of the Town. The final plan, “Orangetown Bike Study: A Comprehensive Plan for a Safer and More Welcoming Cycling Environment on Orangetown’s Roads and Trails” (Bike Study), was presented to the Town Board in June 2018.¹³ The primary goal of the Bike Study was to create a community vision for the local cycling network, with a focus on connecting residents with local business districts and community facilities including schools, libraries, and parks.

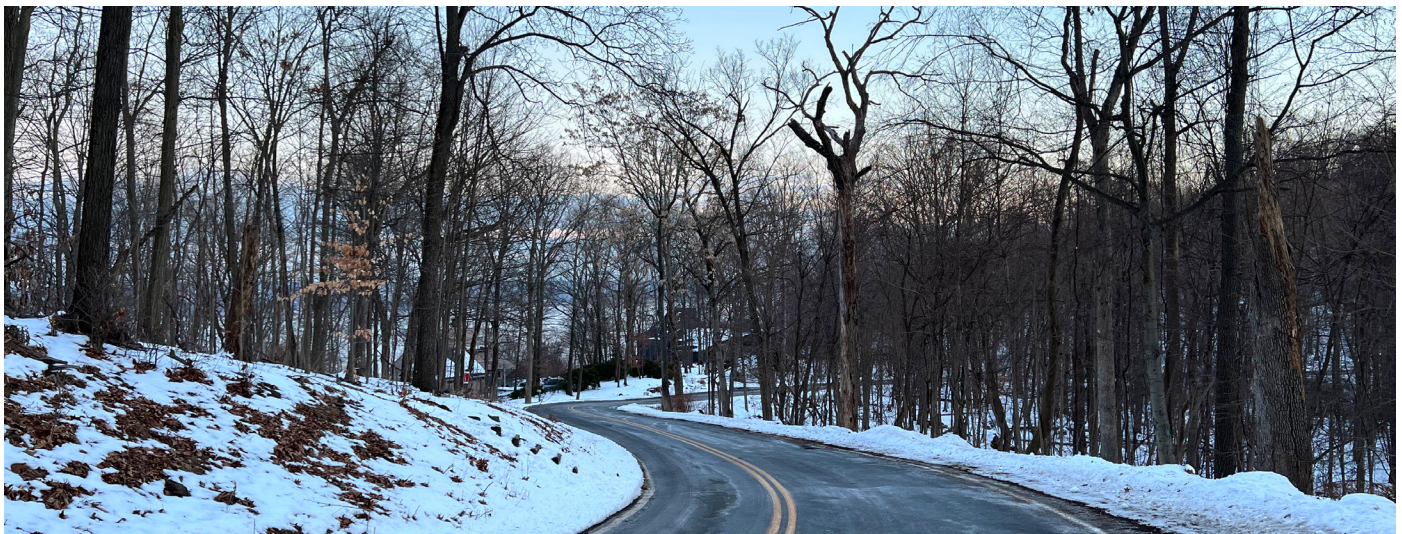
While the Bike Study did not make recommendations specific to land use patterns in Orangetown, many of the Bike Study’s implementation steps to create a safer and more accessible Orangetown implicate land use patterns, namely (i) creating neighborhood bike-ways, (ii) establishing a Town-wide complete streets policy, (iii) strengthening east-west connections across the Town, and (iv) improving the local roadway network.



Joseph B Clarke Rail Trail, Sparkill © AKRF

¹³ Orangetown Bike Study, <https://www.orangetown.com/document/orangetown-bike-study-final-report/> (accessed December 20, 2021).

Blauvelt State Park © AKRF



2018 Pearl River TOD Opportunities Analysis

In 2018, the Pace Law School's Land Use Law Center, together with Kevin Dwarka LLC, submitted the "Pearl River TOD Opportunities Analysis" to the Town of Orangetown.¹⁴ The purpose of the study was to establish a downtown revitalization strategy for the hamlet of Pearl River. Concerning land use, specifically housing, residents had mixed views on how future development of Pearl River's downtown should proceed. While some residents were concerned that encouraging development would alter downtown character, others expressed a desire for a greater variety of housing types, including condos, townhomes, and other dwelling forms. Ultimately, the analysis concluded that Pearl River was well positioned physically and economically for downtown infill development, especially in an around its train station, and the report's land use assessment found that the existing urban form around the train station could accommodate a greater mix of uses, higher intensity of land use, and taller buildings.

¹⁴ *Pearl River TOD Opportunities Analysis*, <https://www.orangetown.com/wp-content/uploads/KDLLC-LULC-2018-Nov-23-PRTOA-OA.pdf> (accessed December 20, 2021).





Tappan © AKRF

Zoning Existing Conditions

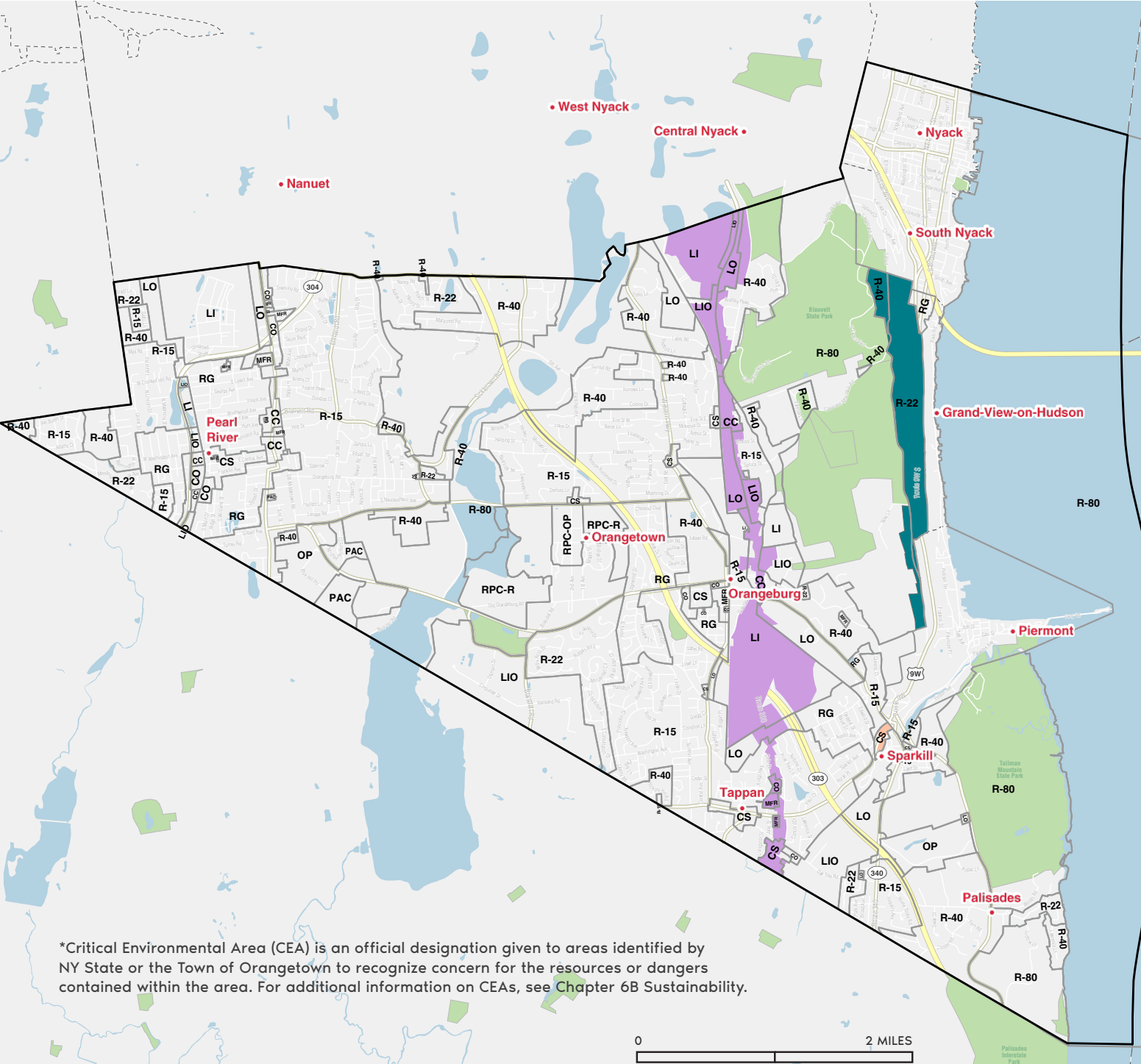
Land use ordinances, which include zoning and subdivision codes, procedures for reviewing development applications through site plan review, and local laws for stormwater management, historic preservation, and natural resource protection, form a community's toolbox for guiding growth and development.

These local land use regulations should reflect the vision and goals established in the comprehensive plan and guide development in a manner that respects the existing community character and the community's vision for its future. Building on the comprehensive plan, the Zoning Code should clearly establish what types of uses are permitted in compatible combinations. Zoning districts should be used to separate incompatible uses and encourage mixes of compatible uses. Performance standards and other metrics can be used to further guide development in an appropriate manner. Orangetown's base zoning regulations were adopted by the Town Board in 1969, and have been amended extensively since that time (see Town Code, Part I, Chapter 43 (§43-1.0 to §43-17.13)). The Town's current zoning map is presented in **Figure 2-3**.

Figure 2-3
Existing Zoning Map



- Orangetown
- Zoning District Boundary
- Designated Critical Environmental Area*
- Route 303 Zone Overlay Sparkill
- Hamlet Center Overlay



*Critical Environmental Area (CEA) is an official designation given to areas identified by NY State or the Town of Orangetown to recognize concern for the resources or dangers contained within the area. For additional information on CEAs, see Chapter 6B Sustainability.

Existing Zoning Regulations

The Town of Orangetown’s zoning regulations can be found in Chapter 43, Zoning, of the Town Code. There are sixteen (16) different districts in the Town.

Residential Zoning Districts:

- **R-80 (Very Low-Density Residence) District**

Primarily a single-family detached dwelling unit with a minimum lot area of 80,000 square feet (just under 2 acres). Other permitted principal uses include farms, places of worship, government buildings and facilities (e.g., libraries, public parks and playgrounds, schools). Camps, museums, and nursery schools are allowed by Conditional Use Permit from the Planning Board. Agency group and boarding homes, and radio and television towers are allowed by Special Permit from the Town Board, and family day-care and group-family daycare homes, nursing homes, and hospitals and sanitoriums primarily for special medical care are allowed by Special Permit from the Zoning Board.
- **R-40 (Low-Density Residence) District**

Primarily a single-family detached dwelling unit with a minimum lot area of 40,000 square feet (just under 1 acre). Other permitted principal uses are generally the same as in the R-80 District. And, similar to the R-80 District, there are a number of uses permitted as Conditional Use Permits from the Planning Board or Special Permit from the Town Board or Zoning Board.
- **R-22 (Medium-Density Residence) District**

The same principal uses are permitted in this district as in R-80, with a decrease in the minimum lot area to 22,500 square feet per residence.
- **R-15 (Medium-Density Residence) District**

The same principal uses are permitted in this district as in R-40, with a decrease in the minimum lot area to 15,000 square feet per residence.
- **RG (General Residence) District**

The same principal uses are permitted in this district as in R-40, with a decrease in the minimum lot area to 10,000 square feet per single-family detached dwelling.



Residential Development, Pearl River © AKRF

- **MFR (Multifamily Residence) District** District—Dwelling units of all types, except single-family and 2-family detached residences, with a minimum lot area of 40,000 square feet.

Non-Residential Zoning Districts:

Like residential zoning districts, non-residential districts include bulk regulations, which provide dimensional standards for buildings and lots in a given zone. The *floor area ratio*, or FAR, is a type of bulk regulation used in the Town’s non-residential districts.

Each non-residential district specifies a maximum FAR within that district. The FAR considers the *total floor area of the building* in proportion to the *area of the lot*, both generally in square feet.

To calculate the maximum allowable floor area for a building, multiply the district FAR and the area of the lot (in square feet).

For example, in the CS (Community Shopping District), the maximum FAR is 1.0. For a given lot that is 10,000 square feet, the maximum allowable floor area for a building would be 10,000 square feet (1.0 x 10,000sf). In turn, that square footage can be allocated over various floor configurations, including:

- One single floor that is 10,000sf, covering 100% of the lot; or*
- Two floors that are each 5,000 sf, covering 50% of the lot, etc.*

Each district also specifies other dimensional standards, such as minimum lot size, setbacks, and height limits, which would be in addition to the FAR. The below descriptions include each district’s FAR and minimum lot size. Additional dimensional requirements are available in the Table of Bulk Regulations in Chapter 43 of the Town Code.

The Town’s non-residential zoning districts are as follows:

- **LO (Laboratory-Office District)** (maximum FAR of 0.40, minimum lot area of 2 acres). The LO District is designed for institutional and office type uses. Permitted principal uses include business and professional offices, fire, police, and ambulance stations, schools of general instruction, executive conference centers, and government offices and office buildings.
- **LIO (Light Industrial-Office District)** (maximum FAR of 0.40, minimum lot area of 2 acres). The LIO District is designed for light industrial and office types uses. It permits the same principal uses as the LO District (except that it does not permit executive conference centers). In addition, it permits airports and heliports, undertakers, and sand pits and gravel pits as special permit uses, and public utility substations and pump stations, light manufacturing uses, and automobile sales and service agencies as conditional use permit uses.
- **OP (Office-Park District)** (maximum FAR of 0.40). The OP District is designed for office park uses. It permits the same principal uses as in the LIO District, plus hotels and conference centers.
- **CS (Community Shopping District)** (maximum FAR of 1.0, minimum lot area of 2,500 square feet). The CS District supports neighborhood commercial, retail, and institutional uses. It is generally mapped in the hamlet areas.
- **CC (Retail-Commerce District)** (maximum FAR of 0.30, minimum lot area of 2,500 square feet). The CC District is designed for retail and commerce. It permits the same principal uses as the CS District, plus trade schools and theatres.

- **CO (Commercial-Office District)** (maximum FAR of 0.20, minimum lot area of 30,000 square feet per lot). Uses in the CO District include business, medical, and other professional offices, public buildings (e.g., libraries, museums), banks, and neighborhood and community centers.
- **LI (Light Industrial District)** (maximum FAR of 0.50, minimum lot area of 2 acres per lot). Uses in the LI District include theaters, commercial recreation establishments, manufacturing uses, warehouses, and business and professional offices.
- **OZ (Route 303 Overlay Zone)** (variable dimensional regulations per §§13.1 to 13.10). The OZ Zoning District was established in 2002 to, among other things, improve pedestrian safety along the NYS Route 303 corridor, limit truck traffic, and protect and buffer existing residential areas and the viewshed of the Palisades.
- **RPC-R (Rockland Psychiatric Center - Recreation Sparkill Hamlet Center Overlay District)** (maximum FAR 0.4, minimum lot area of 5 acres). This Zoning District designation is specific to the site of the Rockland Psychiatric Center, and allows for public and not-for-profit active recreation uses (e.g., playgrounds, athletic fields, swimming facilities, public recreation centers), as well as commercial recreation uses.
- **RPC-OP (Rockland Psychiatric Center Office Park)** (minimum lot area of 10 acres). This Zoning District designation is specific to the site of the Rockland Psychiatric Center, and allows for data centers, business offices, and executive conference/lecture centers.



Rockland Psychiatric Center © AKRF

Table 2-5 lists the permitted principal, special permit, and conditional use permit uses currently allowed in non-residential Zoning Districts.

**Table 2-5
Permitted Principal, Special Permit, and Conditional
Use Permit Uses Currently Allowed**

P – Permitted as of right

SP – Special Permit

C – Conditional

Land Use	LO	LIO	OP	CS	CC	CO	LI	RPC-R	RPC-OP
adult uses							SP		
airports and heliports	SP	SP							
all manufacturing uses except those prohibited under §4.4 of Zoning Code							P		
auditoriums and drive-in theatres					SP				
automobile sales and service agencies		C					P		
banks				P	P	P			
bars				C					
business/professional office	P	P	P	P	P	P	P		P
car washes							C		
churches and similar places of worship				P	P	P			
commercial dog kennels and animal hospitals							P		
commercial recreation (some exclusions)								P	
commercial recreation such as bowling, billiards, driving ranges							P		
data center									P
executive conference lecture facilities	P								P
fast-food restaurants					C	C			
fire, police, community-owned ambulance stations	P	P	P	P	P	P	P		
gas stations, night clubs					C		C		
government offices and office buildings	P	P	P	P	P	P			
hospitals						P			
hotels and motels				C	C	C			
hotels/conference centers			P						
jewelry stores and art shops				P	P	P			
light manufacturing uses		C							
medical offices in existing residential structures					C				

Land Use	LO	LIO	OP	CS	CC	CO	LI	RPC-R	RPC-OP
mixed-use developments 10+ acres (and other conditions)							SP		
municipal parking lots and similar public buildings and government uses	P	P	P	P	P				
personal service stores				P	P				
pet shops				SP	P				
public and not-for-profit recreation								P	
public utility substations and pump stations		C	C	C	C	C			
research, experiment, and testing labs	P	P	P						
restaurants, except fast-food				P	P	C			
retail drug, variety, food, auto supply, tobacco stores, clothing and department stores, physical fitness, personal service stores				P	P				
sand pits and gravel pits		SP	SP						
schools of general instruction	P	P	P	P	P				
schools of religious instruction				P	P				
schools of special instruction				C	P				
senior citizen housing				SP	SP	SP			
theatres (not drive-ins)				SP	SP	SP	P		
undertakers		SP	SP	SP	P	SP			
wholesale sales or storage, and warehouses							P		

Notes: Information compiled in this Table 2-5 can be found in the Orangetown Zoning Code, Attachments 1-12a.

Performance Standards

Chapter 43, Section 4.1 of the Town’s Zoning Code sets out performance standards. This section of the Zoning Code was amended in 1988, 2018, and 2021. The performance standards are applicable to all nonresidential uses (§4.11), and require that “no land or building shall be used or occupied for a nonresidential use in any manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare; [or] liquid or solid refuse or wastes.” These are all considered to be “dangerous or objectionable elements.” All uses subject to performance standards must conform to restrictions set out in §§ 4.16-4.18, which establish methods to measure dangerous or objectionable elements. Continued compliance with these performance standards is required of every nonresidential use (Town Code §4.13).

Performance Standards

The Town's Industrial Use Committee (IUC) is responsible for reviewing applications seeking a determination of conformity with these performance standards, prior to the granting of a building permit. The IUC is made up of five (5) members: Commissioner of the Town's Department of Environmental Management and Engineering (DEME), the Town's Chief Fire Safety Inspector, the Director of the Town's Office of Building, Zoning and Planning Administration and Enforcement, the Town's Public Health Engineer, and the Deputy Commissioner of DEME.

Special Permit Uses

As identified in **Table 2-5** (existing zoning district use table, above), uses in certain districts are only permitted when a special permit is granted (by the Town Board or Zoning Board of Appeals). Chapter 43, Sections 4.32(A)-(Q) establish additional requirements and conditions for the granting of those special permits (in addition to baseline requirements for development in those Zoning Districts), including but not limited to hours of operation, lot areas, lot frontages, distances to lot lines, access roads, fencing, screening, landscaping, density, parking, and buffer areas.

Prohibited Uses

Sections 4.41 to 4.47 of the Zoning Code establish certain uses which are prohibited in the Town. Those prohibited uses include the following:

- Certain manufacturing uses, including those involving primary production of certain raw materials (e.g., asphalt, cement), chemicals (e.g., ammonia, chlorine, nitrates, resins), petroleum products, fertilizers, paint, explosives, and rubber;
- Certain manufacturing processes, including reduction and refining of metals, refining of petroleum products, and processing of wood pulp and fiber;
- Operations involving stockyards and slaughterhouses, grain elevators and slag piles;
- Storage of explosives;
- Dumps, junkyards, sewage treatment plants, incinerators, and sanitary landfill operations (except those municipally owned and operated);
- Quarries and stone crushers; and
- Trailer camps and summer colonies.



Palisades Free Library © AKRF

Land Development and Environmental Regulations

In addition to zoning regulations, the Town Code offers protection of historic resources, quality of life, natural resources and environmentally sensitive areas through supplemental land development and environmental regulations.

The existing regulations are described below.

Land Development Regulations

Regulations on land development, Chapter 21 of the Town's Code, were adopted in 1967. The chapter restrains land clearing operations, requiring a plan submitted to the Planning Board for any clearing, grading, filling, excavation, or topsoil stripping, save for parcels already containing existing one or two-family residents and certain sizes and densities (Town Code § 21-1). The Planning Board is also authorized to require a conservation easement on certain properties seeking Planning Board approval under Chapter 21.

Historic Preservation

The Town's Code also contains provisions protecting historic roads (see Town Code §§ 19-1 to 19-8, "Historic Road Preservation"). Adopted in 1993, the purpose of that chapter is to protect, preserve and maintain roads in Orangetown that qualify as historic roads (as defined under the Town Code), in order to maintain the Town's rich historical, architectural, aesthetic and cultural resources. The Town Code also protects historic areas (see Town Code §§ 12-1 to 12-8, "Historic Areas"). The areas protected are within the hamlets of Tappan and Palisades, and are protected through restrictions on use, development, and renovations/alterations.



Historic District, Tappan © AKRF

Affordable Housing

Chapter 19B of the Town's Code was adopted in 1995 and concerns affordable housing. Section 19B-3 of the Town Code authorized the Town Board to purchase the Tappan Military Housing (single-family housing located at the Tappan Military site in the Hamlet of Tappan) and make it available to former members of the military who once resided in the housing, members of volunteer services of the Town, and first-time home buyers.

Existing facilities include Cortwood Village, a garden-style apartment complex that offers affordable housing for seniors aged 55 and over. Built in 1990 and managed by the Orangetown Housing Authority Board, Cortwood Village provides 95 one-bedroom units, a laundry room, and a community room.

Noise

Chapter 22 of the Town Code, adopted in 1981, concerns noise, and is designed to limit the creation of excessive, unnecessary or unusually loud noises within Orangetown. Town Code § 22-2 prohibits "unnecessary noise," which is defined as "any excessive or unusually loud sound or any sound which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person." The Town Police Department and the Town Office of Building, Zoning, Planning, Administration and Enforcement are empowered to enforce this provision of the Town Code (Town Code § 22-5.1).



Tappan Lake © AKRF

Stormwater Management

Chapter 30C of the Town Code concerns stormwater management practices. These are intended to protect the health, safety, and general welfare of Town residents by regulating non-stormwater discharges into the municipal storm sewer system (MS4) to the maximum extent practicable as required by law. This chapter includes methods for controlling the introduction of pollutants into the MS4 to comply with the Town’s State Pollutant Discharge Elimination System (SPDES) permit. The ordinance prohibits the discharge of any materials other than stormwater into the storm sewer system, save for certain exceptions outlined in Town Code § 30C-5 (such as landscape irrigation and lawn watering, potable water sources, pumped groundwater). A violator may be required to undertake best management practices to control illicit discharges and activities (Town Code § 30C-8). The Town’s Stormwater Management Officer (SMO) is responsible for administering, implementing, and enforcing these protections. The SMO is empowered to, if necessary, suspend a violator’s connection to the storm sewer system.



Flooding Signage © AKRF

Sediment and Erosion Control and Stormwater Management

Chapter 30D of the Town Code, concerning sediment and erosion control and stormwater management, was an environmental protection adopted by the Town Board in 2007. Per the ordinance’s findings of fact (Town Code § 30D-1), the Town adopted the ordinance after determining that increases in impervious land coverage, stormwater runoff, clearing and grading, and improper design and construction of stormwater management practices was negatively impacting the Town. The ordinance requires that no application for approval of a land development activity shall be approved until the appropriate board has received a stormwater pollution prevention plan (SWPPP), and established the required elements of an SWPPP (Town Code § 30D-8). Land development activities are subject to performance and design criteria which are to be guided by technical standards such as the New York State Stormwater Management Design Manual, and New York State Standards and Specifications for Erosion and Sediment Control. If land development is not in conformity with Town Code requirements, the Town’s Stormwater Management Officer may issue a stop-work order and assess penalties in the form of fines (Town Code § 30D-19(B)).



Tallman Mountain State Park © AKRF



Signage, Palisades Interstate Parkway © AKRF

Signs

Chapter 31D of the Town Code, the Sign Law of the Town of Orangetown, was adopted by the Town Board in 2021. Its purpose is to establish a framework for signage that protects the safety and welfare of the public by maintaining an attractive appearance in the community and ensure signs are compatible with their surroundings and consistent with objectives of proper design and zoning considerations. The chapter is administered by the Town’s Building Inspector, who is responsible for inspection, investigation, and ensuring compliance of signs with the chapter.

Trees and Shrubbery

Town Code Chapter 35, the Town’s tree preservation ordinance, was adopted in 1964 and last amended in 1973. The Code requires a written permit from the Shade Tree Commission for tree planting or removal along public highways, parks, parkways, or public places (see Town Code § 35-1(A)-(E)). It also requires the placement of certain protections around trees when work is performed in the same public areas, but the Code does not apply to work done by the Sewer Department or Highway Department of the Town. The Code does not regulate the removal of trees on private property.

Watercourse Diversion and Pollution

Chapter 41 of the Town Code, concerning watercourse diversion and pollution, was adopted in 1970 and last amended in 1976. The Code prevents anyone from diverting any watercourse within the Town (outside the limits of any incorporated village) without first obtaining a permit from the Town Board. The Code establishes water quality standards to protect streams from pollution, including Sparkill Creek (Town Code § 41-10), and requires a permit from the Department of Public Works for the discharge of any liquid into a stream, drain, or watercourse, other than from a one- or two-family dwelling (Town Code § 41-11). This chapter does not contain supplemental regulations for the protection of freshwater wetlands.



Palisades Community Center © AKRF

Community Views on Land Use and Zoning

Community Survey

As part of the public engagement process, a digital community survey including multiple choice questions and short descriptive inputs was available for public response from September 29 to November 3, 2021 (Community Survey) (see Appendix ___, for a full report of the findings from the Community Survey). The survey included questions about existing and future conditions in the Town including land use, transportation, open space, and sustainability. The results of that survey offered insight into how residents view land use regulations, patterns, and issues throughout the Town.

The majority of survey respondents (72 percent) expressed concerns regarding recent development patterns in the Town (see Appendix ___, Community Survey, Q11). Residents reported the following concerns:

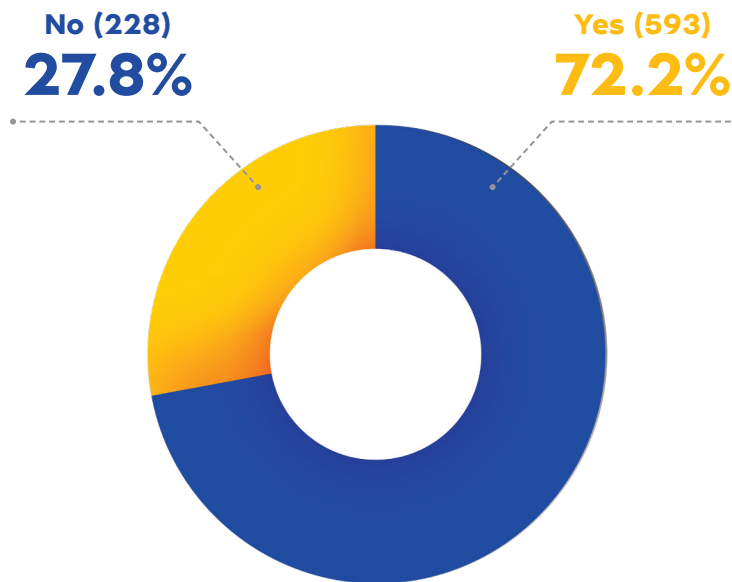
- The Town is experiencing overdevelopment;
- The Town should preserve more open space;

Community Survey

- The Town should enhance efforts to mitigate the environmental impact of development;
- Inconsistency of development approvals with the 2003 Comprehensive Plan;
- High-density and out of character development within the Town’s hamlets;
- Availability of water, sanitary sewer, and stormwater infrastructure to support current development patterns and trends; and
- Noise, pollution, traffic, and pedestrian safety concerns related to the development of warehouse and distribution centers along NYS Route 303.

Question 11

Do you have any concerns about recent development patterns in the Town?

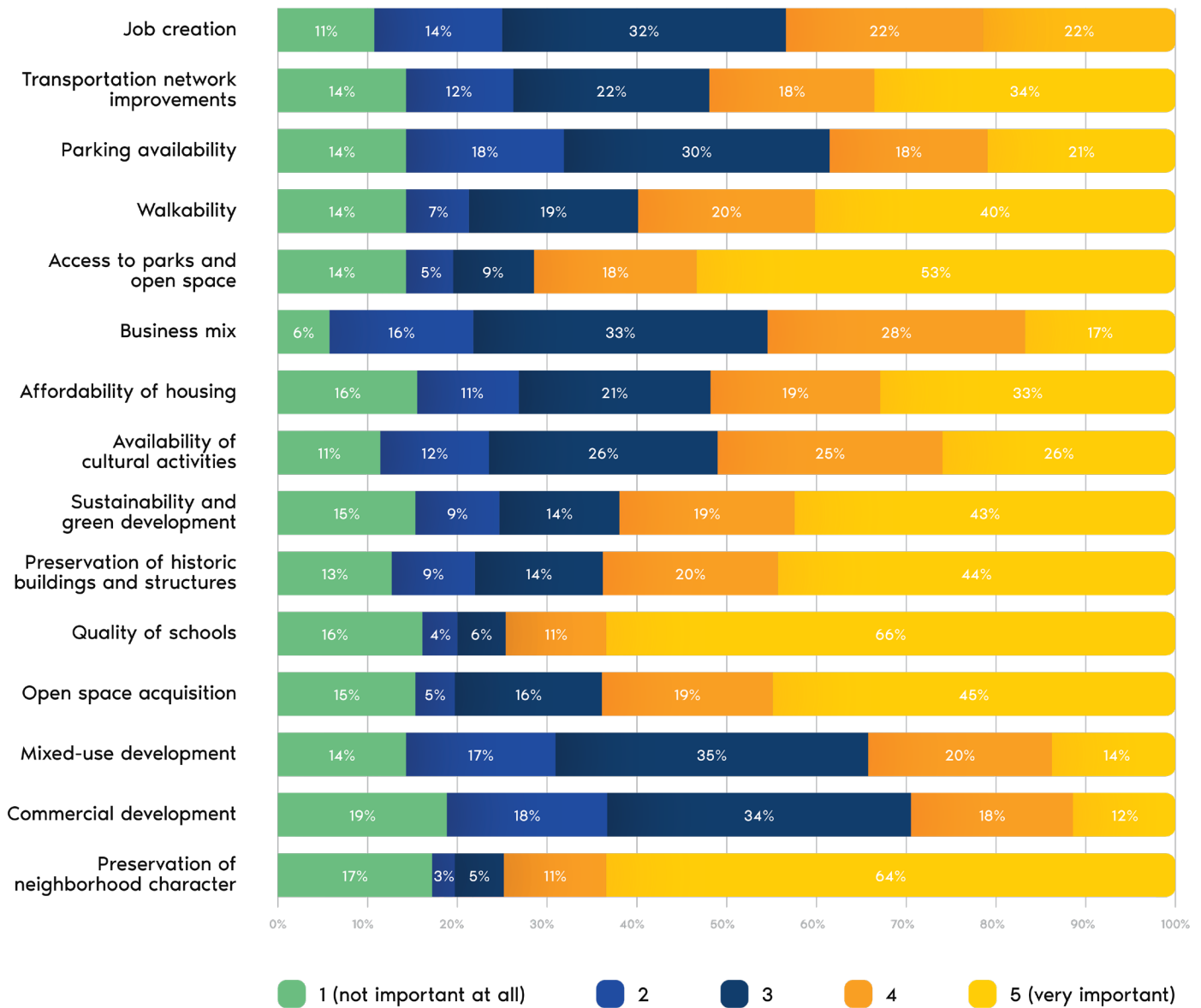


Metropolitan Urban Design (MUD) Workshop

The top land use areas which Community Survey respondents indicated as important to future development were (i) preservation of neighborhood character, (ii) access to parks and open spaces, (iii) open space acquisition, and (iv) preservation of historic buildings and structures (see Appendix __, Community Survey, Q12). Respondents were not supportive of mixed use development or commercial development.

Question 12

Please rate how important the following factors are to you in terms of future development in the Town of Orangetown from 5 (very important) to 1 (not important at all):



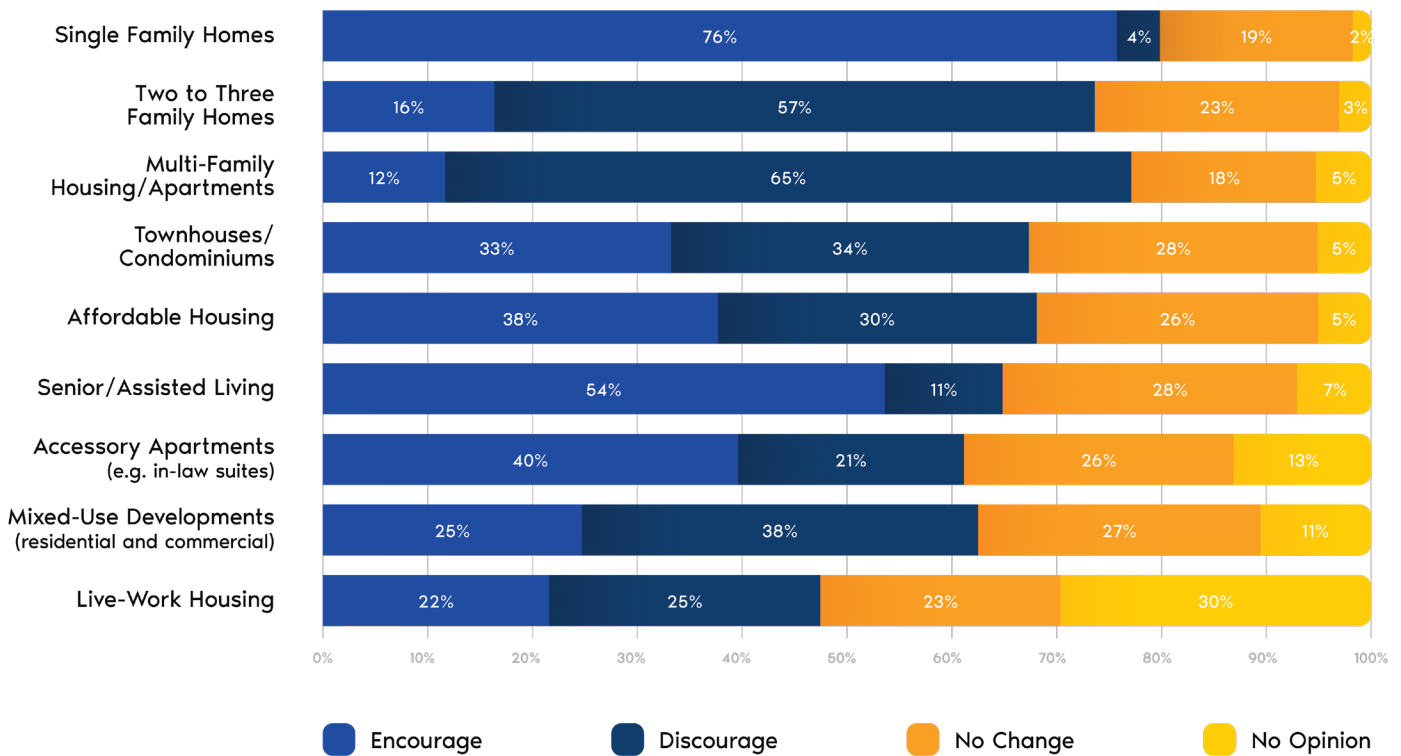
Metropolitan Urban Design (MUD) Workshop

Among the top residential land uses encouraged by respondents were (i) single-family homes (76 percent encouraged), (ii) senior/assisted living (54 percent encouraged), and (iii) accessory apartments (40 percent encouraged). The top residential land uses discouraged by residents were (i) multi-family housing/apartments (65 percent discouraged), (ii) two or

three family homes (57 percent discouraged), and (iii) mixed-use developments (38 percent discouraged) (see Appendix __, Community Survey, Q13).

Question 13

Thinking about the Town as a whole, for each of the residential land uses listed below, please indicate whether you think the use should be encouraged, discouraged, no change, or no opinion.



Metropolitan Urban Design (MUD) Workshop

Concerning commercial land use, and expansion of uses that offer public amenities in the Town, respondents would like to see restaurant/food service, elder care, renewable energy production, and theatre/performing arts uses encouraged. The most strongly discouraged uses were outdoor storage facilities, light industrial/manufacturing, and automobile dealerships.

Residents were especially concerned with the proliferation of manufacturing and warehousing facilities being developed along the NYS Route 303 corridor. These concerns were raised during public workshops and throughout the open-ended responses to the Community Survey. Residents identified the new warehouses and manufacturing facilities

as contributing to noise and pollution in their neighborhoods, taxing on local infrastructure, inducing increased truck traffic, and incompatible with nearby residential land uses.

The Community Survey also asked respondents to indicate their agreement or disagreement with various statements concerning the Town's Zoning Code, enforcement of Zoning Code provisions, and conflicts between different land uses in the Town. When asked about the effectiveness of zoning and local laws in regulating development in the Town, more residents (43 percent) disagreed than agreed (35 percent). The disparity in opinions was even more pronounced concerning enforcement of existing zoning regulations – only 24 percent of respondents agreed while 46 percent disagreed. Respondents also felt strongly that conflicts between commercial and residential neighbors, and institutional and residential neighbors, are a significant problem (see Appendix __, Community Survey, Q15).

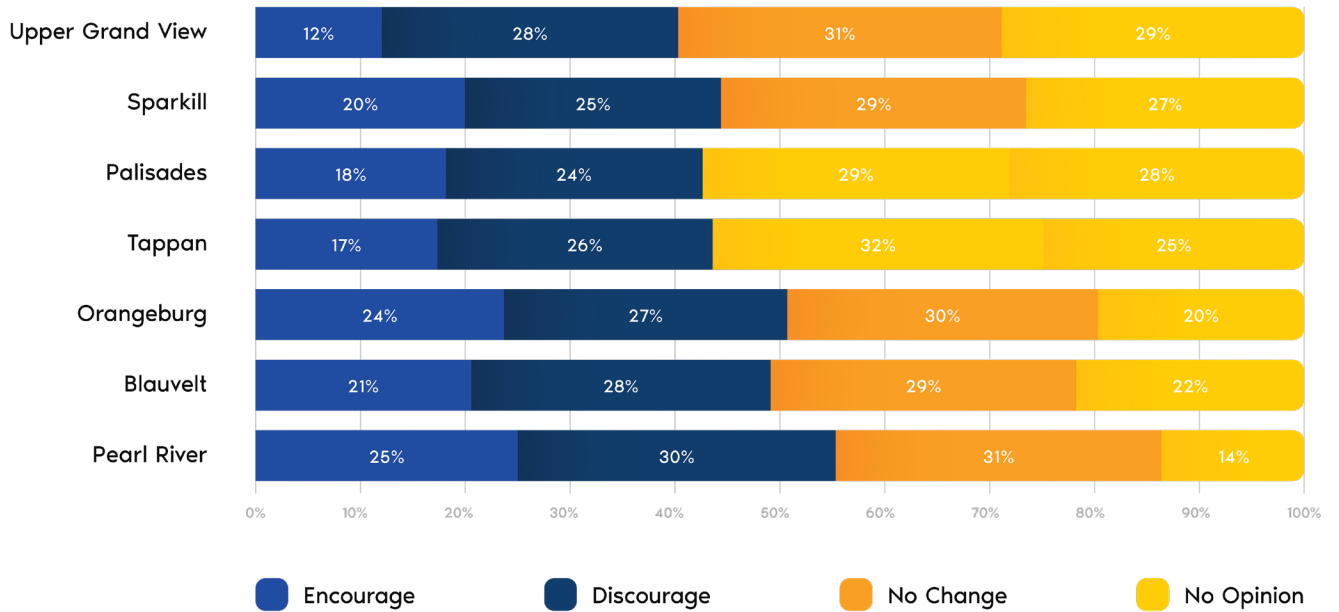
These same opinions were echoed during the Public Workshop on December 6, 2021. Multiple residents expressed dissatisfaction with the level of zoning enforcement in their neighborhoods, especially in the hamlets. Residents living in neighborhoods near NYS Route 303 expressed concerns that variances were being granted too frequently, without sufficient consideration of public input, and without regard to the incompatibility between existing residential use, and construction of new warehouses and manufacturing facilities, and their associated impacts on vehicle and semi-truck traffic in the area.

The Community Survey also solicited feedback on current land use and development trends within the hamlets. The general sentiment of residents of Orangetown's hamlets is that the level of development, both commercial and residential, should not be changed. For each hamlet, the greatest percentage of residents indicated no need for change to current development levels. Following no change, for each of the hamlets, respondents discouraging residential development outnumbered those encouraging such development (e.g., in Tappan 32 percent recommend no change, 17 percent encourage residential development, and 26 percent discourage it; in Pearl River, 31 percent recommend no change, 25 percent encourage residential development, and 30 percent discourage it). In addition, survey respondents discouraging commercial development outnumbered those encouraging such development (and outnumbered those desiring no change) for every hamlet.

Industrial Park, NYS Route 303 © AKRF



Question 16 Thinking about each of the following Hamlet areas, please indicate whether you think residential development should be encouraged, discouraged, no change, or no opinion.



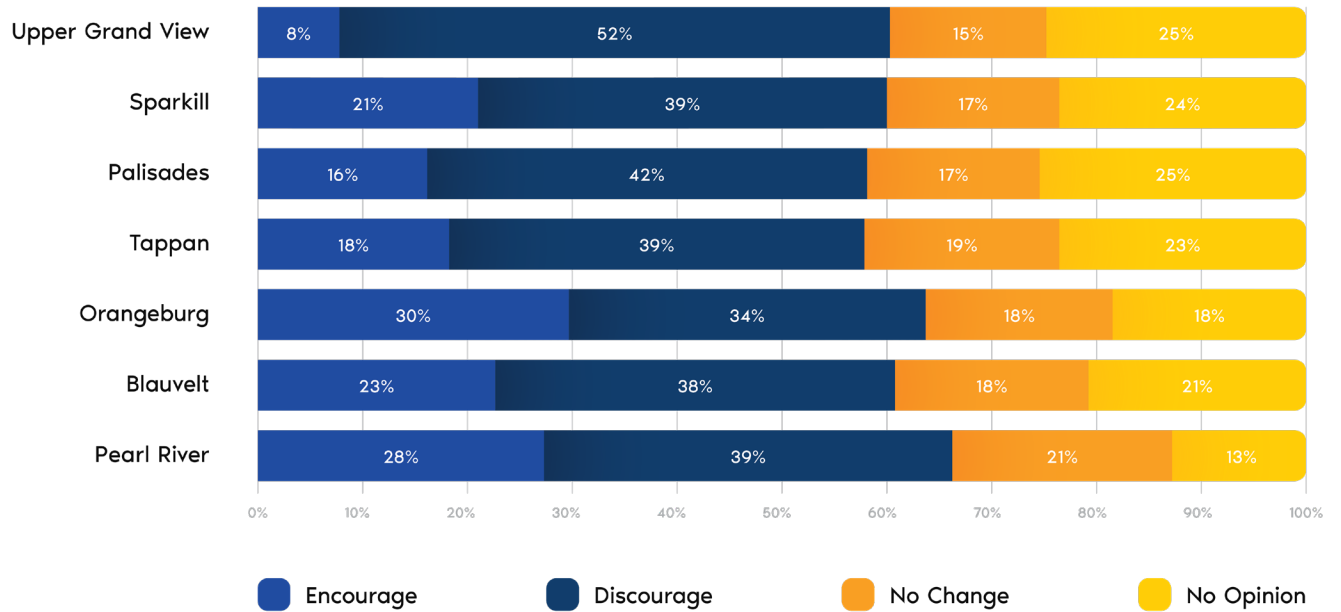
Metropolitan Urban Design (MUD) Workshop

Residential Housing, Pearl River © AKRF



Question 17

Thinking about each of the following Hamlet areas, please indicate whether you think commercial development should be encouraged, discouraged, no change, or no opinion.



Metropolitan Urban Design (MUD) Workshop

During public workshops, residents expressed similar concerns regarding development in the hamlets, namely that allowing residential development, especially multi-family construction, could disrupt the existing fabric of the hamlet communities, and would bring inappropriate density to hamlet centers. However, there were also several residents who note the lack of available housing options for young adults—in particular people who grew up in Orangetown and desired to start their career or family in Town. There was a noted lack of housing options for people looking to enter the housing market, and for those looking to downsize. These sentiments were considered when establishing the land use goals, objectives, and strategies presented at the end of this chapter.

Town Officials Survey

The Comprehensive Plan Committee (CPC) conducted a survey of town officials and staff from September 28 to November 3, 2021 (Town Officials Survey). During that time, the survey received 70 responses from town officials and staff across nineteen (19) different boards and departments.

Regarding current development patterns in the Town, 58.6 percent of respondents expressed concerns. The concerns fell into four main categories, namely (i) transportation,

(ii) housing/development, (iii) environmental, and (iv) infrastructure. Representative concerns included, among others:

- Increases in car and truck traffic throughout the Town, and increasing ‘through traffic’ in residential neighborhoods and hamlets;
- Significant warehousing and factory development near residential areas;
- Construction in environmentally sensitive areas, and a need to increase vegetated buffers and natural landscaping between developments;
- Insufficient infrastructure (e.g., sewers and flood preventions systems) for the current pace of development; and
- Insufficient multifamily housing stock for young adults and seniors seeking to downsize, with public pushback when zoning changes to facilitate these uses are suggested.



Historic Home, Tappan © AKRF

Vision, Goals, and Objectives

The goal of the future land use plan for Orangetown is to ensure that residential and commercial growth is sustainable and achieves the community’s vision and goals.

This 2022 Comprehensive Plan prioritizes protection of environmentally sensitive areas, protection of warehouse and industrial overdevelopment, especially near residential areas, preservation of open space, and contextual infill development where appropriate.

Future Land Use

The future land use map reflects the Comprehensive Plan goal of maintaining the Town's community and neighborhood character while balancing the need for growth and development. The Future Land Use Map echoes the historical growth patterns of the Town of Orangetown, which large swaths of single-family residential neighborhoods and retail/commercial uses centered around the hamlets and major roadways like Route 303.












Central to the development of the Future Land Use Map was the consideration of Goal #2, to preserve history, open space, and hamlet center character, while promoting a diversity of housing options in appropriate neighborhoods to ensure members of the community have access to quality housing. The Future Land Use Map identifies a few new mixed-use areas, where a diversity of housing types (e.g. townhomes, duplexes, mixed-use buildings, and apartment building style condominiums) could be accommodated to meet the needs of first-time home buyers/renters and downsizing seniors looking to stay within the community.

Figure 2-4, Future Land Use Map.

Proposed Implementation Strategies

Analysis of the existing Zoning Code and land use regulations revealed several issues relating to consistency, readability, and ease of enforcement. These issues were echoed by the Town's staff, land use board members, and the public during the public engagement process. This memorandum identifies several areas where the zoning code and land use regulations can be updated.

Figure 2-4
Future Land Use Map

- | | | | |
|---|------------------------------|---|-----------------------------|
|  | Orangetown |  | Residential |
|  | Commercial |  | Vacant Land |
|  | Institutional |  | Public Parks and Open Space |
|  | Industrial |  | Missing Middle Housing |
|  | Public Services |  | Mixed Use |
|  | Recreation and Entertainment | | |

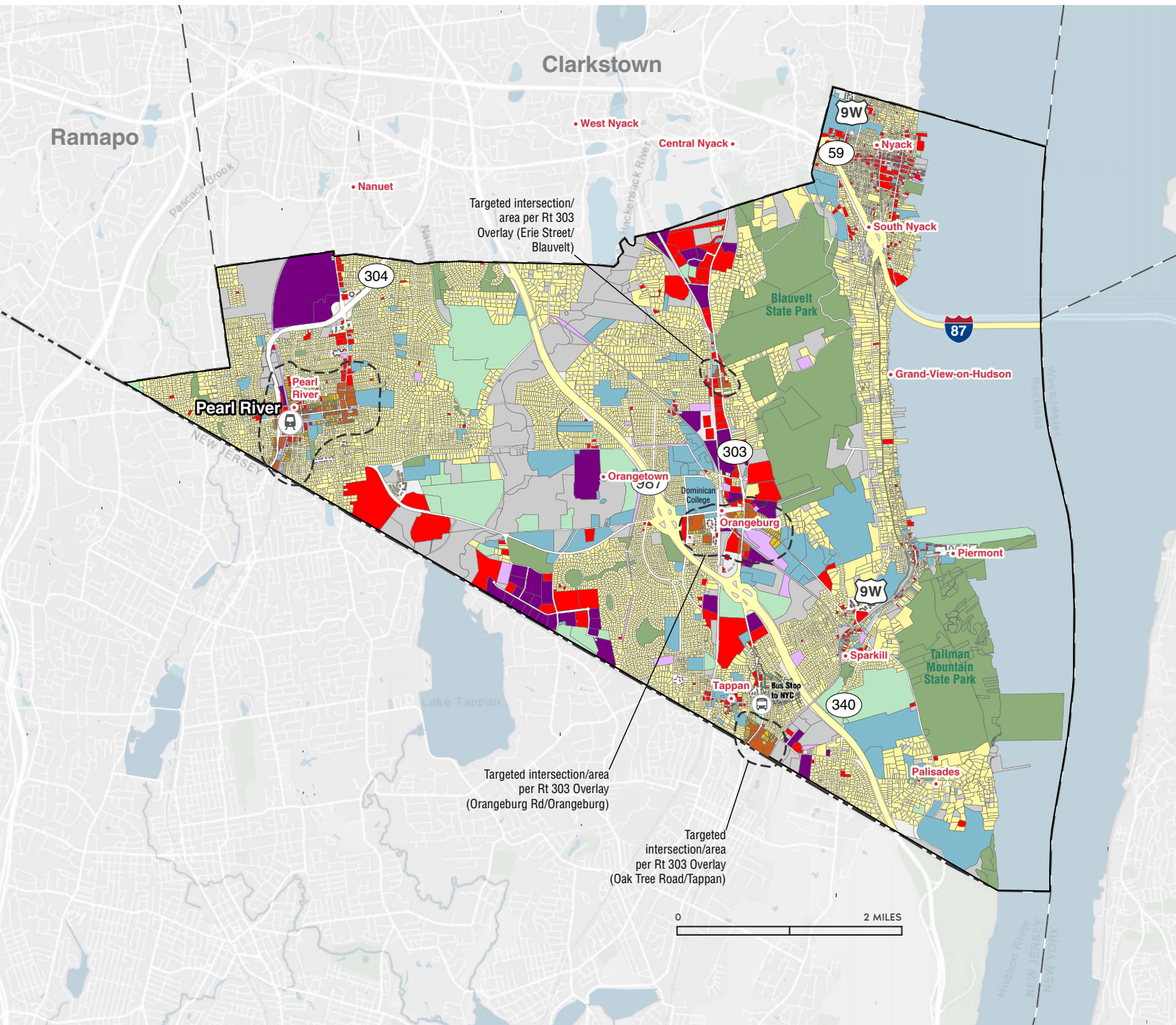
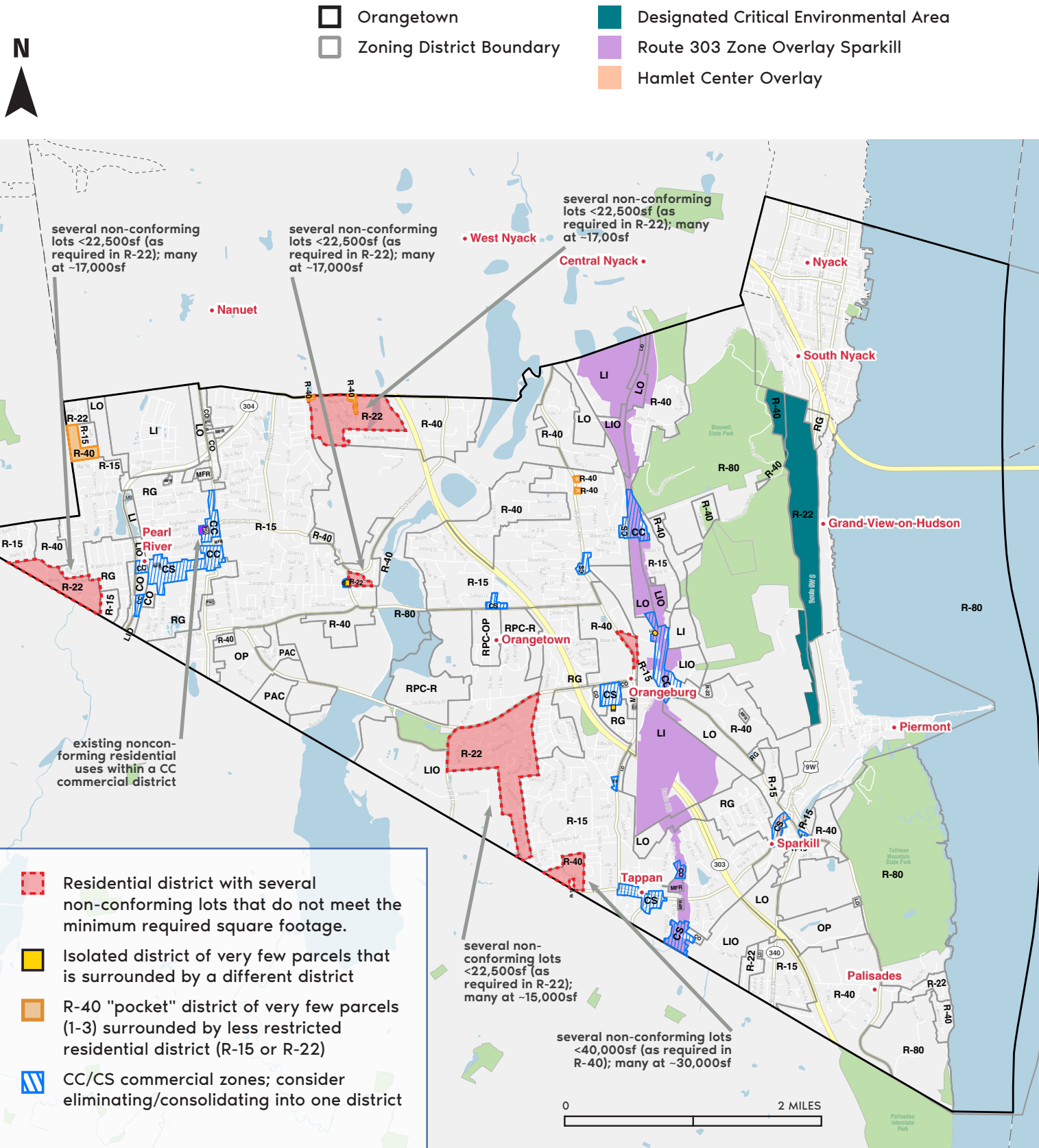


Figure 2-5
Proposed Zoning Map



- The existing Zoning Code is cumbersome in the way it is setup, making it confusing to interpret and difficult to implement. Suggested improvements for consideration:
 - Eliminate and consolidate some of the zoning districts. Several districts have substantially similar allowable uses and dimensional (bulk) regulations. Consider consolidating the following districts:
 - **CS and CC** The main difference between these commercial zones is that many of the allowable uses in CC zones are only permitted in CS zones conditionally or with a special permit.¹⁵ As to bulk regulations, the districts have similar requirements for minimum lot size; however, CS zones allow for higher density.¹⁶ Consider consolidating these districts into a single district, using the higher density standards of CS zones to support economic growth, encourage vertical development, and reduce sprawl.
 - **R-22 and R-15** The only notable difference between these medium density residential districts is the minimum lot size.¹⁷ Very few areas within the Town are zoned R-22. Further, in several of the R-22 districts, many of lots are smaller than the required minimum of 22,500 square feet. These lots are non-conforming by virtue of their size, and likely, their setbacks. Consider consolidating these districts into a single medium-density residential district, using the lower minimum lot size of R-15 (15,000 sf) to grant homeowners greater flexibility in residential design and reduce non-conforming lots and variance requests.
 - **R-40** There are four isolated R-40 zoning districts nestled within higher-density residential districts. These isolated R-40 zones, which consist of three or fewer parcels, could be rezoned to conform with the immediately adjacent zoning district to increase consistency in the zoning regulations.



- Restructure the use and bulk tables to improve readability and understanding of the specific district regulations. Also, consider adding new uses to existing zoning districts.

¹⁵ For example, the following uses are permitted by right in CC zones but require a special permit in CS zones: pet shops, upholsters, undertakers, printing shops, trade schools, and indoor theaters.

¹⁶ In CC zones, the maximum floor area ratio (FAR) is 0.30; in CS zones, the FAR is 0.50 or 1.00 depending on the use.

¹⁷ Minimum lot sizes: R-15: 15,000sf. R-22: 22,500 sf.

- Consider deleting the deed-like descriptions of the zoning district boundaries within the text of the regulations; the boundaries are already established on the zoning map, and having them also detailed in the text increases the complexity and chances for inconsistencies in future amendments.

- Update the zoning districts, as well as allowable land uses and definitions, to recognize uses not previously addressed and assign appropriate performance standards where applicable.

New zoning district:

- **Mixed Use** Mixed Use zoning districts are established and intended to foster a mutually supportive mix of compatible residential and nonresidential uses. By integrating multiple compatible uses, mixed-used development reduces sprawl, auto-dependence, and infrastructure costs (including, fire and police department, sanitation and garbage collection, ambulances, and construction and maintenance of utilities and roadways), while supporting healthy, environmentally sustainable, pedestrian-oriented communities. The district emphasizes the streetscape experience through techniques such as discouraging (or prohibiting) parking areas in the front of buildings, and it is subject to flexible standards that encourage compact development at an appropriate scale and balance of uses to ensure that development is compatible with surrounding uses.

New land uses and definitions:

- **Residential** Update regulations to support a diversity of housing options to ensure members of the community have access to quality housing. Under current regulations, residences generally fall into one of three broad categories: single-family (attached and detached), two-family (duplexes), and multifamily, defined as having three or more dwelling units. By funneling all residence types into these limited categories, specificity and flexibility are forfeited. Instead, expanding housing types to include triplexes, quadplexes, and garden townhomes, can facilitate contextual housing development and changes in housing demand. In addition, a regulatory approach to allow more housing as-of-right would reduce the time and cost associated with new home construction.

Regional example of garden townhome development © AKRF



- **Garden townhome** Row houses that share at least one wall with adjacent units. Garden townhomes have modest lot coverage of not more than 25-35 percent to preserve open space. The open space may be natural or landscaped, active or passive, open to the public or limited to residents. Akin to cluster-style development, garden townhomes provide for enhanced stormwater management for reduced flooding (through less impervious surfaces), decrease infrastructure strain, conserve natural and scenic space, and foster social communities.
- **Triplex** A building on a single lot containing three dwelling units.
- **Quadplex** A building on a single lot containing four dwelling units.



Regional examples of a quadplex (grouping of 4 townhomes) © AKRF

- Commercial/ Industrial

To keep pace with changes in the economy and business growth patterns, zoning regulations should adapt by recognizing and addressing new land use types. Without clear requirements, municipalities are left to rely on ad hoc determinations or discretionary decisions, which bog down the process and lead to unpredictable and unanticipated results. Particularly in the Route 303 Overlay District, there is a need for innovative uses to replace and repurpose existing warehouses and distribution centers. Community feedback emphasized the desire for “clean and green” uses that utilize energy-saving equipment and/or alternative energy technologies and that do not rely on frequent use of large trucks for delivery, construction, or related activities. Consider adding new definitions, including, for example, indoor greenhouse, mini-warehouse, and data center. These uses may be subject to specific conditions, including integration of green technologies and restrictions on truck usage.

- **Mini-warehouse** Also known as self-storage facilities, a mini-warehouse is a building divided into units for long-term or temporary storage of items, and which units are not used for any other purpose (such as small offices, garages, etc.). Mini-warehouses may be: (1) “internal access only,” meaning that individual units are only accessible from internal corridors; this type of facility generally resembles an office building; or (2) “with external access,” meaning that individual units may be accessed from the exterior of the building (and may have internal access as well); this type of facility generally includes rows of garage-like units. While facilities with external access typically have a more industrial appearance, facilities that are “internal access only” blend easily

into other types of development (including, office, retail, and mixed-use) and require less off-street parking for loading/unloading.

- **Indoor greenhouse** Warehouses provide the space and controlled climate necessary for large-scale indoor greenhouses and vertical farms. On the agricultural scale and in terms of production, indoor greenhouses fall between open-field farming (traditional agricultural) and urban farming (e.g., rooftop gardens, community farms). Because of their proximity to more densely populated areas, indoor greenhouses can help reduce financial and environmental costs for the transport of produce to stores and customers.
- **Data centers** With the continual rollout of new internet services and network expansions, data centers continue to grow in demand. Participants at the public workshop expressed an interest in attracting data centers, which they considered to be a “clean industry” with good paying jobs. A data center is a facility that houses networked computer servers and accompanying IT equipment for the purposes of storing, processing, and disseminating data and applications. Because of their crucial role in business and general IT operations, facilities require enhanced utilities including cooling systems, heightened fire protection, network security access, and uninterruptible power supplies. Data centers provide data backup and cloud storage, as well as host websites and support electronic transactions. Data centers attract businesses because the closer the business is to a data center, the faster the business’ overall internet speed. The American Planning Association notes that, “The proximity of data centers to communities is key to attracting connected industries for applications like smart manufacturing, as well as to deliver high-quality advanced services like telehealth, remote learning, augmented and virtual reality, autonomous vehicles, drone delivery, and all the various smart city applications.”¹⁸ However, they do have energy and environmental considerations as they require high levels of power and water (for cooling). Regulations should recognize that data centers can vary greatly in their size, energy requirements, and potential risks.¹⁹ Performance standards could include a requirement for the provision of onsite alternative energy systems.
- **Retail** By defining specific retail uses, land use regulations can be tailored to address issues associated with any particular use.
 - **Tobacco store** Tobacco stores, also known as “smoke shops,” are retail establishments dedicated primarily to the display, sale, offering, or marketing of tobacco or other nicotine-based consumables or related paraphernalia. Under current Town Code, tobacco stores are permitted by right in CS and CC zoning districts. There are no additional restrictions or requirements. To regulate standards and permitted locations for this use, consider requiring a special permit, and/or instituting separation requirements (for example, a minimum separation of 500 feet from any school or playground).

18 “Data Centers Evolved: A Primer for Planners.” American Planning Association, July 22, 2021. <https://www.planning.org/planning/2021/summer/data-centers-evolved-a-primer-for-planners>.

19 For a definition of data center, consider the Zoning Code of Loudoun County, Virginia. Loudoun County, which has the largest concentration of data centers worldwide, provides the following definition: “A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.” Loudoun County Zoning Ordinance, Article 8 Definitions. <https://www.loudoun.gov/DocumentCenter/View/146649>.

Land Use	LO	LIO	OP	CC[1]	CO	LI	OZ[2]	RPC-R	RPC-OP	MU[3]
medical offices in existing residential structures				C						C
mixed-use buildings										P
mixed-use developments 10+ acres (and other conditions)						SP				
mixed-use developments under 10 acres							C			
municipal parking lots and similar public buildings and government uses	P	P	P	P			P			P
nightclubs				C		C				P
personal service stores				P			P			P
pet shops				SP						
public and not-for-profit recreation								P		
public utility substations and pump stations		C	C	C	C					
research, experiment, and testing labs	P	P	P				P			
restaurants, except fast-food				P	C		P			P
retail drug, variety, food, auto supply, tobacco stores, clothing and department stores, physical fitness				P			P			P
sand pits and gravel pits		SP	SP							
schools of general instruction	P	P	P	P						P
schools of religious instruction				P						P
schools of special instruction				P						P
self-storage (mini-warehouse), internal access only										
self-storage (mini-warehouse), with external access										
senior citizen housing				SP	SP					SP
theatres (not drive-ins)				SP	SP	P	P			SP
undertakers		SP	SP	SP	SP		SP			
wholesale sales or storage, and warehouses						P				

Notes:

[1] **CC** - Community Commerce District. This new district merges and replaces the CS (Community Shopping District) and CC (Retail-Commerce District).

[2] **OZ** -Rt 303 Overlay. Uses permitted in this district may be subject to additional standards or limitations as provided in Article XIII, Route 303 Overlay Zoning District, of the Zoning Code.

[3] **MU** - Mixed-Use District. In this pedestrian-oriented district, uses that are auto-oriented should be discouraged or prohibited. For example, although uses such as banks, pharmacies, and restaurants would be allowed, such facilities would not be permitted to have a drive-thru component. The MU district would also permit multi-family residential uses, including: duplexes, triplexes, quadplexes, semi-detached residences, townhomes (traditional and garden-style), low rise apartments, and live-work buildings (retail uses on the ground floor and residential units on upper floor(s)).

*No drive-through component.

- Update the Route 303 Overlay District for clarity, enforcement, and to minimize variance requests.
 - In line with the Legislative Intent outlined in the Town’s Zoning Code,²⁰ target identified commercial, strip style developments for retrofitting with mixed-use and “missing middle” housing, both of which facilitate walkable, environmentally sustainable development.
 - Missing middle housing includes a range of multi-unit housing that are compatible in scale with traditional single-family homes, help meet the growing demand for walkable neighborhoods, and help address the housing shortage.²¹
 - Public feedback provided support for redeveloping strip malls, particularly with mixed-use developments; however, common concerns were for design standards and strain on infrastructure. Consider requiring increased design, façade, and landscaping standards on redevelopments and new developments, as well as contributing to upgrades for existing infrastructure. Identified commercial interchanges:
 - Oak Tree Road/Tappan
 - Orangeburg Road/Orangeburg
 - Erie Street/Blauvelt
 - Consider adding other auto-oriented uses (e.g., drive-through facilities) to the list of prohibited uses in § 13.10.B (6), particularly on sites that abut residential areas; consider requiring a pedestrian/bicyclist-only entrance from the side streets.

²⁰ See § 13.5.

²¹ The housing shortage is particularly acute in Rockland County, which has both the highest rate of rent-burdened tenants in the metro area (59% as of 2017) and among the lowest housing production rates in the country.

Regional example of modern townhomes © AKRF



- Minimize variance requests. Variances provide relief to property owners who seek to use their property in a way not permitted by the regulations, either because the desired land use is not permitted, or because the physical building and/or lot do not meet the minimum or maximum bulk (dimensional) standards. If a particular land use becomes a frequent source of variance requests, it is an indication that the regulations should be updated to clarify that portion of the Zoning Code. Similarly, when stringent dimensional standards hinder favorable development because of the need for variances, this indicates that the dimensional standards should be updated.

- Warehouses and distribution centers:

The ban on “[r]etail warehouse uses including mini-storage uses and distribution centers...in excess of 65,000 square feet” within the Overlay District has been a source of confusion and the subject of variance requests and appeals, specifically, on the issue of whether the ban applies to all distribution warehouses (retail and wholesale), or if the ban is limited to only retail warehouse and distribution centers. This ambiguity has reportedly allowed for interpretations and decisions that continue to allow wholesale warehouses and distribution centers, the proliferation of which has been a repeated and common concern expressed by the local community. To resolve this ambiguity and clearly address the community concern, the text of the Overlay District should be amended to restrict both retail and wholesale warehouses and distribution center. Making this change would prevent new warehouses and distribution centers; however, existing warehouses and distribution centers would become nonconforming uses, meaning that they could continue operations but would be generally restricted from expanding.²²

- Constrained redevelopment:

Within the Overlay District, certain sites may be in technical compliance with the required dimensional standards but may not meet the aspirational redevelopment goals of the Overlay District. Yet, redevelopment on these sites is constrained because of their relatively small lot sizes, which makes it infeasible or impossible to fit the new structures and desired features and still comply with the required setbacks and other dimensional standards. In these cases, property owners would have to obtain variances to proceed, which discourages and hinders redevelopment – even redevelopment that is desirable and in line with the goals of the Overlay District. Therefore, to reduce the need for variances and encourage favorable redevelopment, the dimensional standards in the Overlay District should be loosened.

- As a complementary technique, retrofitting is an approach to upgrade, without necessarily redeveloping, existing developments by integrating enhanced features such as landscaping, bicycle/pedestrian pathways, seating areas, environmental protections, and general aesthetic updates.

²² The ban is referenced in two sections of the Code: § 13.10.B.5., Nonresidential areas, quoted above, and § 15.5.J, Legislative intent, which states that: “particular types of retail and retail warehouse uses shall be prohibited, pursuant to § 13.10.” To implement the recommended change, both sections of the Code would need to be updated to clearly ban both retail and commercial facilities.

- Update nuisance regulations to improve resident quality of life:
 - Review minimum buffer requirements between commercial and residential uses; effective buffers are not necessarily wide, but dense, to enhance visual quality (and provide screens when necessary), reduce noise, and enhance environmental sustainability; they should be planted with mixed, native vegetative, hearty species with sufficient size and density and regularly supplemented with new plantings.
 - Review noise, light, and odor regulations, and increase enforcement of existing provisions. Consider restricting truck deliveries and loud machinery uses to certain hours. Residents report that noise and odors issues have gotten worse as facilities are allowed to expand but nuisance regulations are not enforced to protect residents. In particular, residents expressed concern about recycling facilities with odors that travel as far as half a mile away.

- Where appropriate, update the zoning map and code to create transitional districts between hamlet centers and suburban neighborhoods. Transitional districts take into account the character and scale of the areas on either side of it. Generally, the scale of buildings decreases as you move (or transition) from a higher density downtown to a lower density residential neighborhood.
 - Mixed-use districts, which integrate townhome and apartment housing types with retail spaces, are a natural way to transition between residential and commercial, shopping areas. Buildings in mixed-use districts may include shops, restaurants, or offices on the ground floor and apartments on the upper floors. Typical housing types in mixed-use districts include townhomes, low-rise apartments, and live-work buildings. These housing types are sometimes referred to as the “missing middle” because they sit in the middle of the spectrum between detached single-family homes and multi-family homes, in terms of scale, as well as number of units and often, affordability.²³ In addition to providing more housing diversity, missing middle housing supports locally-serving retail and public transportation options. Missing middle housing fits well among single-family homes, or alongside single-family areas where it can form a transition to the downtown. Public feedback emphasized that, in addition to the array of housing construction styles, mixed-use districts are particularly suitable for senior housing owing to their walkability and access to services and public transit.

²³ The term “missing” refers to the fact that this type of home construction has been largely illegal in the United States since the mid-1940s. “What is Missing Middle Housing?” 2022. <https://missing-middlehousing.com/about>.



Regional example of senior living apartments on a major road © AKRF

- Establish performance standards within the Town's Zoning Code to mitigate traffic impacts.
 - Update the Zoning Code to include design guidelines and protections for rural and scenic roadways.
 - Review flexible/conservation subdivision regulations.
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- Update the Tree Preservation Code to regulate the removal of mature trees (e.g. 8 inches diameter at breast height or greater) on private property.
 - Review Special Permit and Conditional Use Permit Standards and update as necessary to address current uses and concerns. In particular, update the standards for warehouse and distribution centers.

- Develop a steep slopes and ridgeline protection ordinance.
- Develop design guidelines for facades, signage, and streetscapes to preserve, protect, and enhance the unique characteristics of each hamlet.

Regional example of a low-rise apartment in a downtown © AKRF



