

TW 2023-1  
Zoning Amendment  
Town of Waterloo

TO: Seneca County Planning Board  
FROM: Seneca Co. Dept. of Planning & Community Development  
DATE: May 9, 2023

This request for Review of a proposed zoning amendment for the Town of Waterloo will affect the entire town.

**GENERAL INFORMATION**

**APPLICANT:** Town of Waterloo  
66 Virginia St.  
Waterloo, NY 13165

**REQUESTED ACTION:** Amendment of zoning by  
readoption in full.

**SEQR:** Full EAF Part 1  
submitted. Town has  
initiated co-ordinated  
review.

**ANALYSIS**

The Town of Waterloo is proposing to readopt their zoning in full with included amendments. The amendments include redesignating the text from commercial zone to multiple use zone, changes to additions of some definitions, and significant modifications due to renumbering.

At this time, the Town is adding an incentive zone. The incentive zone is designed to protect ecological resources, protect farm operation, preserve open space and historic resources, and provide a mix of housing and secure public works improvements. When a project area is zoned as incentive zone, it will allow the Town Board, with recommendations from the Planning Board, to allow increases in residential unit density, changes in lot area & dimensions, and changes in allowed use in exchange for certain concessions on the part of the developer.

The Town is adding a section for short term rentals (STR). The

Town will require a permit from any person intending to rent a property for less than 30 consecutive days. The permits will be reviewed and approved by the Town Code Officer. The permits will all expire on December 31<sup>st</sup> of the 3<sup>rd</sup> year from the date of issue and will not be transferable if the property is sold. The Town will require that all short term rental permits issued after the date of adoption of the regulations be owner occupied or owner supervised.

Home occupation or business will have additional restrictions including: only one home occupation per residence, lighting, maintenance of characteristic architectural features, trash removal, and exterior displays. The new regulations also enumerate when a home occupation permit would be revoked.

Restrictions on accessory structures are being listed.

A section listing the requirements for development of a camping ground in the A or MU zone is being added to the code. These include: maximum density of number of RVs per acre, size of camp lot, maximum annual period of operation (5/1-11/30), minimum recreation area, sewage & water requirements, and entrance & exit requirements.

Maintenance of animals on residential properties will require a certificate of compliance from the code officer. Dogs and cats are not subject to this chapter. Requirements are divided between large animals (pigs, sheep, and goats) and small animals (geese, ducks, and turkeys). There is a separate section concerning the keeping of chickens.

A number of issues are listed here for information of the Town:

- The definition of home occupation refers to 135-8C(5). This number has apparently changed.
- In 135-11D2, it appears that the number of dwelling units has been left out.
- Is it the Town's intent to allow mobile homes but not stick-built single-family residences in the MU zone?
- Section 135-16C1 references the Town of Riga.
- Section 135-16D: having definitions in the text of a particular zone is a break in the structure of the other zoning districts.
- 135-20A1 refers to dwelling, one-family rather than dwelling, single family as used in the definitions.
- 135-21 2i the location of I makes it look like it is subservient to 135-21 2h.

- The number for section 135-21Q seems to be out of sequence with previous part of the chapter.
- The location of the (3) for 135-21 3 seems to make it look like it is continuation of the numbering for 135-21 2R.
- It seems unusual that the statutory requirements for granting a use of area variance would be removed from 135-24b3 and 135-24b4
- 135-21 2i17 & 18 are identical to 135-21 2i15 & 16.

### **RECOMMENDATION**

The Seneca County Department of Planning & Community Development advises the Seneca County Planning Board to recommend that the Zoning Amendments proposed by the Town of Waterloo be adopted.

### **DOCUMENTS AVAILABLE**

Text of proposed zoning  
FEAF Part I

**WHEREAS**, the request of Town of Waterloo for review of proposed zoning amendments was forwarded for review under Section 239 of the General Municipal Law because it is will impact all areas of the Town, and

**WHEREAS**, the Seneca County Department of Planning and Community Development did review said request and prepared a report dated May 9, 2023, and

**WHEREAS**, the Seneca County Planning Board did meet on May 11, 2023, to consider this request, the report of the Seneca County Department of Planning and Community Development, and other pertinent information, be it therefore

**RESOLVED**, that the Seneca County Planning Board recommends that the zoning amendments be adopted, and be it

**FURTHER RESOLVED**, that the Seneca County Department of Planning and Community Development be directed to forward word of this action to the Town of Waterloo.

Motion \_\_\_\_\_

Second \_\_\_\_\_

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

\_\_\_\_\_  
Amanda Forney, Secretary