

Topic: Zoning; Overlay District; Ridgeline
Protection; Scenic Resources
Resource Type: Regulations
State: New York
Jurisdiction Type: Municipal
Municipality: Town of Blooming Grove
Year (adopted, written, etc.): 2005
Community Type – applicable to: Suburban; Rural
Title: Town of Blooming Grove Zoning & Overlay
Districts Ordinance
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Abstract

Chapter 235, Section 235-5, of the Town Code for the Town of Blooming Grove establishes different zoning and overlay districts and it describes the purpose of these districts. The purpose of the overlay district is to protect specific types of resources such as scenic views/ scenic roads, and ridgelines. Overlay districts do not change the use of the district, but impose on it, specific requirements that must be followed.

Resource

Town of Blooming Grove NY Zoning and Overlay Districts
Code of the Town of Blooming Grove NY
Chapter 235: Zoning
General Code

§ 235-5. Districts established.

[Amended 12-27-2005 by L.L. No. 7-2005]

A. Establishment of districts.

- (1) The zoning districts listed below are hereby established and the Town of Blooming Grove is divided into the districts listed:

Symbol Zoning District

RR Rural Residential District

- RC-I Rural Crossroads I District
- RC-II Rural Crossroads II District
- ORI Office Research/Light Industrial District

(2) The overlay districts listed below are hereby established:

- Symbol Overlay District
- SG Scenic Gateways Overlay District
- SV Scenic Viewshed Overlay District
- RL Ridgeline Overlay District
- SR Scenic Roads Overlay District
- SW Surface Water Overlay District

B. Intent of districts.

(1) Intent of districts.

- (a) Rural Residential District. The purpose of this district is to promote the Town's rural character, protect open space and environmentally sensitive resources, and to guide residential development in a manner that is consistent with the Town's Comprehensive Plan.
- (b) Rural Crossroads I District. The purpose of the RC-I District is to promote the traditional development pattern in which commercial and residential uses would be located at the intersections of rural roads, in a manner compatible with the Town's rural character.
- (c) Rural Crossroads II District. The purpose of the RC-II District is to establish a new focal point for the Town's public institutions and support a mix of both commercial and residential uses.
- (d) Office Research/Light Industrial District. The purpose of the ORI District is to allow areas of well-buffered light industrial, service commercial, office and

research facilities with minimal visual impacts.

- (2) Overlay districts. The purpose of overlay districts in this Zoning Code is to protect specific types of resources such as scenic viewsheds, scenic roads, and ridgelines. Overlay districts do not change the use and dimensional requirements of the underlying land use districts unless specifically so stated. They do impose specific requirements that must be followed. Three visually sensitive districts, Scenic Roads, Ridgeline, and Scenic Viewshed, will require an additional visual assessment review in order to obtain approval. On any given parcel of land, more than one overlay district may apply, and the Planning Board shall have the discretion to determine how best to reconcile the requirements of different overlay district. Unless there is a sound reason to do otherwise, the more restrictive requirements will apply.
- (a) Scenic Gateways Overlay District. The purpose of this overlay district is to protect those areas defined as Town Gateways in order to foster civic pride, promote healthy economic development, and maintain and preserve cultural identity.
 - (b) Scenic Viewshed Overlay District. The purpose of this overlay district is to protect areas of scenic importance. This district serves to provide additional protection to ensure the preservation of scenic qualities, which include landscaping and site design, the preservation of native vegetation, and the design of buildings and structures.
 - (c) Ridgeline Overlay District. The purpose of this overlay district is to protect the ridgelines and hillsides in order to preserve this scenic resource, help protect people and property from potentially hazardous conditions particular to hillsides, and require all practical innovative design solutions.
 - (d) Scenic Roads Overlay District. The purpose of this overlay district is to protect the scenic character of roads in the Town that are in areas that remain substantially undeveloped and/or provide important scenic views, pursuant to the Town's Comprehensive Plan.
 - (e) Surface Water Overlay District. The purpose of this overlay district is to protect the scenic character and water resource values of the surface water bodies in the Town, including any stream, lake, pond or other water body (including wetlands).