

TOWN OF RAMAPO

INTRODUCTORY LOCAL LAW NO. ____ OF 2022

A LOCAL LAW AMENDING CHAPTER 376, ZONING, OF THE TOWN CODE OF THE TOWN OF RAMAPO TO ADD A NEW MU-3 ZONING DISTRICT AND AMEND THE USE TABLE AND BULK REGULATIONS, AND TO AMEND THE ZONING MAP OF THE TOWN OF RAMAPO TO REZONE CERTAIN PARCELS OF LAND FROM THE RSH ZONING DISTRICT CLASSIFICATION TO THE MU-3 ZONING DISTRICT CLASSIFICATION

BE IT ENACTED by the Town Board of the Town of Ramapo as follows:

Section 1: Title

This Local Law shall be known and cited as “Introductory Local Law No. __ of 2022, Amending Chapter 376, Zoning, of the Town of Ramapo Code to Add a new Mixed-Use (MU-3) Zoning District and Amend the Use Table and Bulk Regulations, and to amend the Zoning Map of the Town of Ramapo to Rezone Certain Parcels of Land from the RSH Zoning District Classification to the MU-3 Zoning District Classification.”

Section 2: Legislative Intent

1. The Town Board has been petitioned by Watchtower Bible and Tract Society of New York, Inc. (“Watchtower”), as owner of certain parcels of land located in the Town of Ramapo, to establish zoning regulations for a new Mixed-Use 3 (MU-3) Zoning District and to reclassify those parcels, presently included in the RSH Zoning District, into the MU-3 Zoning District, and extend the boundary of that District to the adjacent centerline of Sterling Mine Road. To facilitate a cohesive mixed-use development that preserves substantial areas of contiguous open space the proposed MU-3 Zoning District establishes a large minimum lot size and specific environmental performance standards such as ridgeline protection, reduced development coverage, and open space preservation.

2. The existing parcels proposed to be reclassified into the MU-3 Zoning District are identified and shown on the Tax Map of the Town of Ramapo as the following tax lots: 38.10-1-10 through 60; 38.13-1-2 through 55; 38.14-1-1 through 76; 38.14-2-1 through 44; 38.14-3-1 through 46; 38.17-1-3 through 11; and 38.18-1-1 through 14. They comprise approximately 242 acres of land in the aggregate and are enumerated in Exhibit A.

3. Having considered and studied the proposed rezoning action, including the petition and related amendments proposed to the Town’s 2004 Comprehensive Plan to reflect current conditions in the area of the Town that would be rezoned, a conceptual development plan for the lands that are proposed to be rezoned, a proposed lot consolidation plan, and the environmental review documents prepared in connection with the overall SEQRA action, including an Environmental Impact Statement and supporting documentation, the Town Board finds that the proposed rezoning is reasonable and appropriate to meet the

current needs of the Town, fulfills the purposes of Chapter 376 as stated in §§ 376-3.A through J, and is consistent with the goals and objectives of the Town Comprehensive Plan, as amended.

Section 3: Legislative Authority

This Local Law is enacted pursuant to the authority granted to the Town of Ramapo by the Municipal Home Rule Law and the New York State Town Law. Further, this Local Law is determined to be an exercise of the police powers of the Town to protect the public health, safety and welfare of its residents.

Section 4: Amendment to Article I, Section 376-5, Definitions

Chapter 376, titled “Zoning,” of the Code of the Town of Ramapo is further amended to add a new Subsection C. to Section 376-5, Definitions, as follows:

Integrated Residential and Nonresidential Campus.

A mixed-use development, consisting of residential and nonresidential uses allowed in a mixed use zoning district, such as offices, media production facilities, or similar uses, that is planned and designed to create a campus-like institutional setting which incorporates all necessary infrastructure, located on one or more adjacent tax lots under common ownership, controlled and managed by a central agency, and operated to provide live/work opportunities for residents of the development.

Open Space

A portion of a development site that is permanently set aside and will not be developed with buildings, structures, or impervious paved areas. Except that open space may be used for active or passive recreation, including gardens, landscaped areas, trails and parking for trailheads, and accessory appurtenances to active or passive recreational uses such as trash receptacles, interpretive and directional signage, picnic tables, and benches.

Ridgeline protection area.

A designated area within a zoning district where restrictions on the location of buildings or structures are required to protect important viewsheds or minimize visual impacts on public viewpoints from roads, parks, or other public areas.

Section 5: Amendment to Article II, Section 376-20, Zoning Districts Established

Chapter 376, titled “Zoning,” of the Code of the Town of Ramapo is amended in part to add a new MU-3 zoning district and symbol to the list of existing zoning districts set forth in Article II, Section 376-20, Zoning Districts Established, as follows:

MU-3 Mixed Use (integrated residential and nonresidential campus)

Section 6: Amendment to Article II, Section 376-21, Zoning Map of the Town of Ramapo

Chapter 376 is further amended by revising the Zoning Map of the Town of Ramapo, duly established pursuant to §137-21, titled “Zoning Map,” to change the zoning district designation of the parcels listed on the table attached as Exhibit A, and to the centerline of Sterling Mine Road where said road abuts any of the said parcels listed on the table attached as Exhibit A, from the existing Residential Specialized Housing (RSH) Zoning District to the proposed Mixed Use 3 (MU-3) Zoning District.

The area being rezoned is shown on that portion of the Zoning Map annexed hereto as Exhibit B entitled, “Proposed Zoning Map Amendment Associated with Watchtower Audio-Video Center” dated _____, 2022.

In the event of a conflict between the list of parcels annexed as Exhibit A and the Zoning Map amendment shown on the Map annexed as Exhibit B, the inclusion of a tax map parcel in the area shown on the Map shall be dispositive.

Section 7: Amendment to Article II, Section 376-31, Use Table

Chapter 376 is further amended by revising the Table of General Use Requirements, authorized by §376-31, “Use Table,” to add the MU-3 Zoning District and the uses permitted in the MU-3 Zoning District, as shown in Exhibit C hereto.

Section 8: Amendment to Article II, Section 376-41, Bulk Table

Chapter 376 is further amended by revising Attachment 5, Table of Bulk Requirements, Part I, authorized by §376-41, to add a new “Use Group p” and corresponding bulk requirements, as shown in Exhibit D hereto.

Section 9: Amendments to Article V, “Yard and Setback Regulations”

Chapter 376 is further amended by revising Section 376-51 A., “Front yard/setback exceptions”, as follows:

A. The Planning Board may permit the following accessory structures in the MU-3, LO and PI Districts within a required front yard:

- (1) Gatehouse.
- (2) Reception office.
- (3) Watchman's post.

Section 10: Amendment to Article II, Section 376-66, Mixed Uses

Chapter 376, titled “Zoning,” of the Code of the Town of Ramapo is further amended to add a new Subsection C. to Section 376-66, Mixed Uses, as follows:

C. MU-3 development: An Integrated Residential and Nonresidential Campus development wherein the residential, office, institutional, and accessory uses are integrated in a campus setting comprising one or several adjacent tax lots under common ownership. Developments within the MU-3 district shall comply with the special permit requirements established for that district.

Section 11: Amendment to Article XII

Chapter 376, titled “Zoning,” of the Code of the Town of Ramapo is further amended to add a new section 376-1219, as follows:

376-1219 Mixed Use Integrated Residential and Nonresidential Campus.

A. All buildings and related uses of land within the MU-3 Zoning District are subject to Conceptual Development Special Permit (CDSP) approval from the Town Board and site development plan approval and review pursuant to this chapter.

B. Approval of a CDSP shall require compliance with the following conditions:

(1) The gross floor area dedicated to residence use shall have a minimum FAR of 0.05 and a maximum FAR of 0.125 based on net lot area of the project site. All campus uses and facilities shall be used and operated by the owner of the campus or by an entity or entities having common underlying ownership with, or that is or are controlled by, the campus owner. No facilities shall be leased to unaffiliated third parties.

(2) The overall development density, inclusive of residence use, shall not exceed a floor area ratio (FAR) of 0.30 based on net lot area of the project site.

(3) Residential uses may include multifamily dwellings in one or more configurations.

(4) The development shall comply with the following development standards:

(a) The minimum distance between detached buildings shall be 30 feet or the separation required by the Uniform Fire Prevention and Building Code (Uniform Code), whichever is greater.

(b) Onsite recreation and open space shall be provided for residents of the development.

(c) There shall be provided a safe and convenient system of drives, service access roads, and walks with due consideration given in planning such facilities to such items as handrails and ramps. Such facilities shall be adequately lighted, and said lighting shall not be directed on adjacent streets or properties.

(d) All parking areas, driveways, recreation areas, and refuse collection areas shall be no closer than 10 feet to any lot line. The requirement which prohibits parking in required yards (§ 376-71A) which may be waived by the Planning Board upon submission of a waiver request with justification that is deemed acceptable by the Planning Board.

(e) Any swimming pool, tennis court, basketball court, or other fixed recreational amenity shall be no closer than 30 feet to any building and 50 feet to any lot line.

(f) Site access shall be from a State or County Road.

(g) The campus shall comprise one or several contiguous tax lots under common ownership totaling a minimum gross lot area of 200 acres within the Town of Ramapo. Except as otherwise noted herein, lot width, setbacks, and yards shall apply to the entire campus. Development coverage and FAR shall be based on the net lot area of the entire campus as determined by Section 376-42.A.

(h) Refuse and recycling collection areas for residential uses shall be separate from collection areas designated for nonresidential uses. Central refuse collection areas shall be located for the convenience of all residential units. All collection areas shall be properly designed to accommodate the refuse and recycling materials produced by the anticipated uses, provide convenient access, avoid conflict with other uses on the site, and be appropriately screened within an enclosed gated structure.

(5) The maximum height of any building shall be 45 feet, provided, however, that as part of CDSP approval, the Town Board may permit additional building

height where it finds that such additional height, in the context of the development of a site pursuant to site-specific building envelope controls set forth in the CDSP, furthers the Town's interests in reducing impacts on the environment, including, but not limited to environmentally sensitive areas, and (1) reduces development coverage, and (2) mitigates visual impacts of the proposed development on surrounding properties and viewsheds to a greater extent than a plan restricted to the conforming building height. The formula to determine the maximum height allowed in the building envelope shall generally follow clustering principles.

(a) A conceptual development plan consistent with the bulk regulations of the MU-3 zoning district, including the 45-foot maximum building height, referred to herein as the "Base Height Plan" shall be provided and shall serve as the baseline for the Town Board's consideration of any alternate conceptual development plan that allows increased building height. Such plan must conform to all dimensional requirements for the MU-3 zoning district, and to the applicable dimensional requirements of the site development plan regulations and the subdivision regulations of the Town. The Base Height Plan may not be dependent upon variances from, or waivers of, the said Code or regulatory requirements. The Base Height Plan shall consist of the following drawings, all prepared in accordance with the Town's site development plan regulations:

1. Planimetric Site Layout Sheet (Sheet 1);
2. Grading, Drainage and Utilities Plan Sheet (Sheet 2), provided, however, that information as to Drainage and Utilities may be omitted; and
3. Drawings depicting the masses (height, width, depth) of all buildings proposed for the site. Architectural details such as variations of façade walls, fenestration, door placements, etc., shall not be required for these drawings.

(b) Town Board may increase maximum building height above the maximum allowed by the MU-3 bulk regulations if the following apply:

1. Compared to the Base Height Plan, there is no increase in Floor Area Ratio.
2. The maximum increase in permitted height for a building within the building envelope may be no more than one foot for every three feet separating the nearest point of the

building and the nearest lot line, and in any event may not exceed 75 feet.

3. The increased height may not violate ridgeline protection requirements.
4. The highest rooftop elevation after increased height may not be higher than the highest rooftop elevation of the Base Height Plan.
5. The overall development coverage to be achieved by increasing height must be at least 10% less than the Base Height Plan. The project shall maintain a minimum of 50% of the gross lot area of the subject property as deed restricted open space or no development area.
6. All buildings benefiting from increased height must contain at least one level, but not more than two levels, of interior parking within the footprint of the respective building.
8. A minimum setback of 200 feet shall be provided between structures greater than 45 feet and the front property line.
9. All buildings greater than 45 feet in height shall utilize earth toned colors and natural materials to minimize visibility from offsite locations.
10. The Town Board shall consider the potential visual and shadow impacts of any increased height on nearby offsite structures.

(6) All developments shall be suitably landscaped and designed to accommodate pedestrian access. Sidewalks are permitted to be located in the required front yard/front setback.

(7) All buildings shall be served by public water service.

(8) All buildings shall be served by municipal sewer service or an on-site sanitary sewer system approved by the regulatory agency with jurisdiction over such system.

(9) All buildings shall be fully alarmed, with connection to a central alarm system, and sprinklered in accordance with the Fire Code of New York State.

(10) The following uses shall be permitted as part of an integrated mixed-use development. All uses are intended for residents and employees of the integrated mixed-use development and shall not be rented or leased to outside parties:

(a) Offices

(b) Residences

(c) Warehouses

(d) Audio and Video Recording Studios

(d) Visitor centers

(e) Central energy plants, which may include a battery energy storage system

(f) Lobby and reception areas

(g) Event spaces for assembly and dining for exclusive use by residents, occupants, and visitors to the integrated mixed-use development

(h) Maintenance workshops

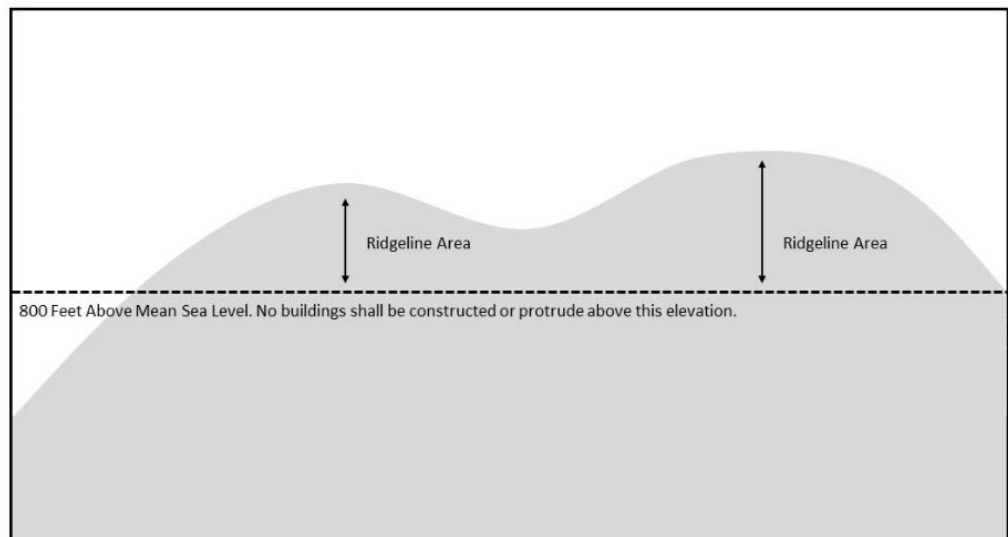
(i) Parking garages and structures

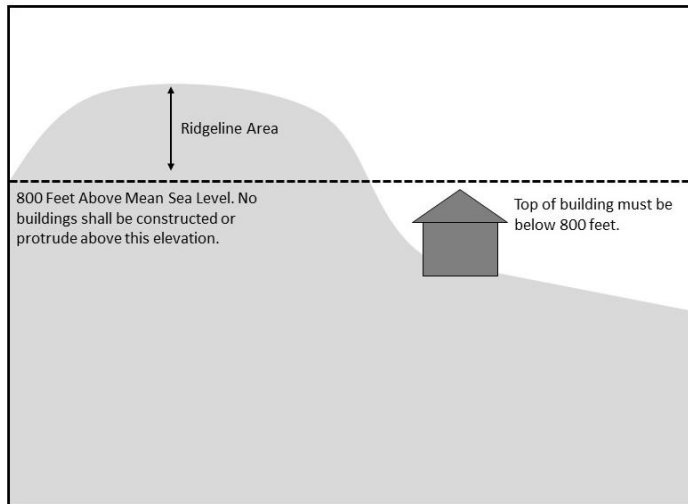
(j) Fitness and recreation buildings and areas

(k) Religious and institutional uses

(l) Media production facilities

(11) Ridgeline protection. Development within the MU-3 Zoning District shall preserve ridgeline areas. Ridgeline areas are defined herein as the vertical height of a hill or mountain above a minimum elevation of 800 feet above mean sea level. No structures shall have footings above a base elevation of 800 feet above mean sea level. Further, the finished height of a structure with footings below 800 feet shall not protrude above 800 feet.





C. Review procedures for CDSP approval. An application for CDSP approval shall be submitted to the Town Board and shall include the following:

- (1) A statement of the objectives to be achieved by the proposed project.
- (2) A legal description of the property(ies) involved, including a survey signed and sealed by a licensed New York State surveyor. Minimum requirements shall include property lines and measurements, tax lot designation(s), street designations, easements, existing structures, locations of utility lines and connection points, curb cuts, site topography, and a north arrow.
- (3) A zoning compliance table showing the zoning criteria required for the site and the proposal's compliance with such criteria and/or the need for, and magnitude of, variances from such criteria.
- (4) Conceptual site plan drawings, including:
 - (a) The location and dimensions (length, width, and height in feet) of proposed structures.
 - (b) Conceptual architectural renderings of proposed buildings.
 - (c) Proposed vehicular circulation.
 - (d) A conceptual landscape plan.
- (5) An analysis of the existing water and sanitary sewer infrastructure and a statement by a qualified professional of the capacity of that

infrastructure to support the proposed CDSP, and a description of any infrastructure improvements that may be necessary to do.

(6) A stormwater pollution prevention plan.

(7) A tree clearing and grading plan.

(8) Open space preservation plan.

(9) A traffic impact study.

D. No application for CDSP approval shall be deemed complete until the lead agency under the New York State Environmental Quality Review Act shall have issued a negative declaration or shall have accepted a Draft Environmental Impact Statement for public comment with respect to the action that includes the proposed CDSP.

E. After approval of a CDSP, and prior to approval of a site development plan by the Planning Board, the Town Board may authorize tree clearing within the limits of disturbance of the CDSP where it finds doing so would allow the coordination of site development activities in a manner that would avoid, minimize or mitigate any associated environmental impact and allow the site to be developed in a coordinated manner that would reduce the duration or extent of construction activities on the site. In particular, where the applicant demonstrates to the satisfaction of the Town Board and the Town's consulting engineer that restrictions on the period of time when tree clearing would be permitted would otherwise prevent the overall site from being developed in a coordinated and efficient manner, the Town Board may permit tree clearing in advance of site plan approval by the Planning Board. Prior to conducting any tree clearing activities the applicant shall provide a restoration bond in such amount as the Town Board deems necessary to ensure that all disturbed areas will restored.

F. The Town Board may approve a CDSP subject to subsequent site development plan approval by the Planning Board. Any site development plan approved by the Planning Board must be consistent with the approved CDSP. The Planning Board's review of a site development plan based on an approved CDSP shall be limited to those details and elements of the site development plan not specifically addressed in the approved CDSP. To the extent that a site development plan includes project modifications, changed circumstances or new information about relevant environmental impacts not addressed or inadequately addressed in the record before the Planning Board, it shall review the changes in accordance with SEQRA.

Section 12: Severability.

If a provision of any article, section, subsection, paragraph, subdivision, or clause of this local law shall be adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this local law.

Section 13: Recreation Fees.

Notwithstanding the provision of playground/recreation space on site pursuant to the provisions of this local law, the Town Board determines that to address the need for playground/recreation land and facilities in the Town to which development pursuant to this local law may contribute, property owners and/or developers constructing dwelling units pursuant to this local law shall pay parkland/recreation fees to the Town if required by the Planning Board, based upon its findings made with respect to the recreation needs of each particular site plan application.

Section 14: Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by the Municipal Home Rule Law.

Exhibit A – List of Affected Parcels

Exhibit B – Zoning Map Amendment

Exhibit C – Use Table Amendment

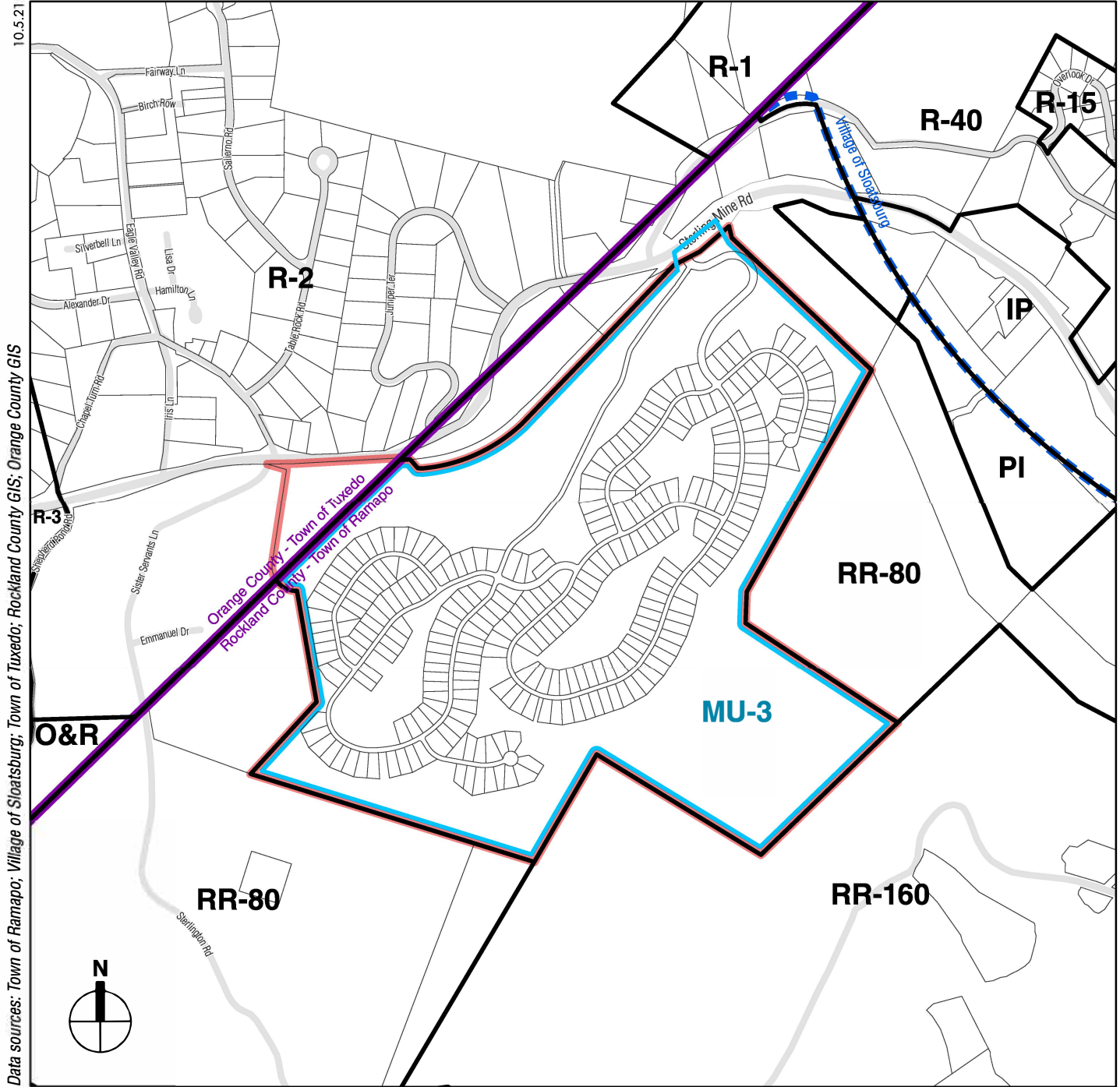
Exhibit D – Bulk Table Amendment

EXHIBIT A

LIST OF AFFECTED PARCELS

Section 38.10, Block 1, Lots 10 through 60
Section 38.13, Block 1, Lots 2 through 55
Section 38.14 Block 1, Lots 1 through 76
Section 38.14, Block 2, Lots 1 through 44
Section 38.14, Block 3, Lots 1 through 46
Section 38.17, Block 1, Lots 3 through 11; and
Section 38.18 Block 1 Lots 1 through 14.

EXHIBIT B
ZONING MAP AMENDMENT



Data sources: Town of Ramapo; Village of Sloatsburg; Town of Tuxedo; Rockland County GIS; Orange County GIS

- Project Site
- Proposed MU-3 Zoning District
- Zoning District Boundaries

0 2,000 Feet

Proposed Zoning Map Amendment Associated with
 Watchtower Audio-Video Center
 June 27, 2022

EXHIBIT C

USE TABLE AMENDMENT

ZONING

376 Attachment 4

Town of Ramapo, New York
 Table of General Use Requirements
 Part I: Residential Districts
 Mixed Use Zones
 § 376-31

A	B	B-1	C	C-1	D	D-1	E	F		G
								Minimum Off Street Parking Spaces (Subject to Article VII)		
District	Uses Permitted by Right	Use Group	Special Permit Uses by Planning Board (Subject to Articles XI and XII)	Use Group	Uses by Special Permit of the Town Board (Subject to Article XVI)	Use Group	Accessory Uses Permitted by Right	For	At Least 1 Parking Space for Each Unit of Measurement Listed or As Otherwise Noted Below	Additional Use Requirements
<u>MU-3</u>					<u>Mixed use development subject to Section 376- 1219</u>	p	1. <u>Same as MU-1, Nos. 1, 2, and 3</u> 2. <u>Same as LO</u>	<u>Mixed use development</u>	<u>As determined by the Planning Board based on a shared use parking analysis. Minimum parking shall be 1 space per dwelling unit.</u>	<u>1. Same as MU-1, Nos. 1 through 4</u>

EXHIBIT D
BULK TABLE AMENDMENT

ZONING

376 Attachment 5

Town of Ramapo, New York
Table of Bulk Requirements
Part I
§ 376-41

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Use Group	Minimum Lot Area	Lot Width (feet)	Front Setback (feet)	Front Yard (feet)	Side Setback (feet)	Total Side Setback (feet)	Side Yard (feet)	Rear Setback (feet)	Rear Yard (feet)	Street Frontage (feet)	Maximum Height (feet)	Development Coverage	Floor Area Ratio (FAR)
p	<u>200 acres</u> ⁶	<u>600</u>	<u>100</u>	<u>20</u>	<u>80</u>	<u>100</u>	<u>20</u>	<u>50</u>	<u>10</u>	<u>500</u>	<u>45</u> ⁷	<u>30%</u>	<u>0.30</u>

NOTES:

⁶ The minimum lot shall comprise one or several adjacent tax lots under common ownership totaling a minimum of 200 acres of gross lot area. The 200-acre minimum lot area requirement is an inextricable element of a mixed-use development use. Therefore, mixed-use developments permitted pursuant to Use Group P are prohibited on lots of less than 200 acres.

⁷ Maximum Height may be increased subject to Town Board approval per §376-1219.B.