

COLONIE LAND USE LAW
ADOPTED 1-4-07 by LOCAL LAW #1 of 2007

ARTICLE IV – Chapter 190-4

Establishment of Zoning Districts and Map

A. Base Zoning District Classifications.

For the purpose of this chapter, the Town of Colonie, except the portion thereof that is within the limits of an incorporated village, is hereby divided into the following classes of zoning districts. These descriptions are intended to indicate the general intent of each district, and are not definitive. Specific use and area standards for each district are provided in the Use Regulations and Dimensional Requirements Articles of this Chapter.

- (1) SFR – Single Family Residential District - The purpose of the Single Family Residential District (SFR) is to provide areas primarily for single-family residential development in the form of detached dwellings. The purpose is to create neighborhoods where people live and conduct their domestic activities. The Single Family Residential District is characterized by traditional suburban residential development.
- (2) MFR – Multi-Family Residential District - The purpose of the Multi-Family Residential District (MFR) is to encourage diversity in residential development including single-family, two-family, and multi-family dwellings and to protect the existing residential character from encroachment by inappropriate non-residential development.
- (3) OR – Office Residential District - The Office Residential District (OR) is a mixed-use district with a focus on the integration of office and residential with no retail uses. This district is intended to serve as a transition between districts of higher intensity uses and residential districts. The scale of development is intended to relate to the scale of the adjacent residential neighborhood.
- (4) CO – Commercial Office District - The Commercial and Office District (CO) is characterized by primarily commercial and office land uses with limited accessory retail services. Residential land uses are not allowed in this district. These areas allow the development community the flexibility to build creative and world class office spaces.

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- (5) NCOR – Neighborhood Commercial Office Residential District - The purpose of the Neighborhood Commercial Office Residential District (NCOR) is to promote the development of mixed-use, pedestrian friendly development in neighborhood areas at a scale consistent with small neighborhood uses. This district provides for the intermixing of neighborhood commercial, office, and residential land uses. This neighborhood scale mixed-use district will help reduce the need for excessive parking and lay the foundation for an increase in the use of public transit and pedestrian access. Flexibility is the key to this district, allowing a mix of uses based on the ability of the applicant to be creative. The NCOR district will unify these varied uses through design. Elements such as limited front yard setbacks, two or three story buildings with active retail and service uses on the ground floors, on-street parking where appropriate, and off-street parking on the side or rear of buildings, will be encouraged in this district through the use of design standards.
- (6) COR – Commercial Office Residential District - The purpose of the Commercial Office Residential District (COR) is to promote the development of mixed-use, pedestrian friendly areas. This district provides for the intermixing of commercial, office, and residential land uses. The mixed-use district will help reduce the need for excessive parking and lay the foundation for an increase in the use of public transit. Flexibility is the key to this district, allowing a mix of uses based on the ability of the applicant to be creative. The COR district will unify these varied uses through superior design. Elements such as limited front yard setbacks, multi-story buildings with retail, food service and other active uses on the ground floors, on-street parking where appropriate, and off-street parking on the side or rear of buildings, will be encouraged in this district through the use of design standards.
- (7) HCOR – Highway Commercial Office Residential District - The purpose of the Highway Commercial Office Residential District (HCOR) is to promote the development of mixed-use areas that will also allow for larger format retail development. This district provides for the intermixing of commercial, office, and residential uses. The mixing of uses in this district will help reduce the need for excessive parking and lay the foundation for an increase in the use of public transit. Flexibility is the key

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to this district, allowing a mix of uses based on the ability of the applicant to be creative. The HCOR district will unify these varied uses through superior design. Elements such as limited front yard setbacks, multi-story buildings with retail, food service and other active uses on the ground floors, on-street parking where appropriate, and off-street parking on the side or rear of the buildings, will be encouraged in this district through the use of design standards. The design standards will also aim to create an environment that is as pedestrian-friendly as possible, where appropriate. Additionally, the HCOR district will allow for commercial automobile-services activities, including commercial and retail support uses. The district will consolidate retail uses such as shopping malls and large format retailers. Design guidelines will be fostered to consider neighboring land uses.

- (8) PDD – Planned Development District - The purpose of a Planned Development District (PDD) is to allow for flexible land use and design for parcels where the objectives of Colonie’s zoning and planning documents as well as the needs of the community can be achieved by creative planning and design. The Planned Development District should allow development that is matched to the unique characteristics of its site and allow innovative development techniques that might not otherwise be possible through strict application of standard use, area, bulk and density specifications.
- (9) IND – Industrial District - The purpose of the Industrial District (IND) is to encourage the development of light and heavy industrial uses that require highway access to move goods and materials. These areas provide critical economic development opportunities and allow the Town to grow its industrial base. These areas are prime locations for revitalization and redevelopment.
- (10) ABA – Airport Business Area District - The Airport Business Area District (ABA) is characterized by a variety of uses including office and commercial. Many businesses in this district are associated with the airport and transportation infrastructure such as warehousing and multi-modal distribution. Development within this district must be compatible with the airport and associated uses.

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- (11) LC – Land Conservation District - The purpose of the Land Conservation District (LC) is to maintain land areas that contain important environmental and natural resources. Many of the land conservation areas are already protected or preserved open space areas.

- (12) CEM - Cemetery District - The purpose of the Cemetery District (CEM) is to allow for the operation and maintenance of a cemetery and the buildings and structures incidental and necessary to those operations. Associated uses such as crematories and funeral homes will also be permitted in the Cemetery District.

B. Boundary Descriptions.

- (1) The boundaries of the land use and overlay districts are hereby established on the map entitled "Town of Colonie Zoning Map" adopted by the Town Board and certified by the Town Clerk, which accompanies and is hereby declared to be a part of this Chapter.

- (2) Regardless of other existing printed copies of the zoning map, which will be reproduced or published from time to time, the official zoning map, which shall be on file with the Town Clerk, shall be the final authority as to the current zoning status of the land and water areas, buildings, and other structures in the Town.

- (3) Interpretation of zoning district boundaries. Where uncertainty exists as to the boundaries of the zoning districts as shown on the Zoning Map, the following rules shall apply:
 - (a) Where district boundaries are indicated as approximately following the center line or right-of-way line of streets, alleys, or highways, such lines shall be construed to be district boundaries and follow such center lines.
 - (b) Where district boundaries are indicated as approximately following a stream, lake or other body of water, such stream center line, lake or body of water shoreline shall be construed to be such district boundaries (unless otherwise noted on the Zoning Map), in the event of a change in the

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- shoreline or stream, the district boundaries shall be construed as moving with the actual shoreline or stream.
- (c) Where district boundaries are indicated as approximately following platted lot lines, they shall be construed to follow such lot lines.
 - (d) Where district boundaries are not indicated as approximately following the items listed above, or are not designated on the Zoning Map, the boundary line shall be determined by the use of the scale designated on the Zoning Map, with reference to lot lines, street boundaries, or other such points of reference.
 - (e) Where overlay district boundaries are based upon natural features such as slopes, topographic contour lines, watershed boundaries, soil types or ecological communities, such boundaries may be more precisely established through field investigation by a qualified professional.
 - (f) In the event that none of the above rules are applicable, or in the event that further clarification or definition is considered necessary or appropriate, the location of a district boundary shall be determined by the Zoning Board of Appeals.
 - (g) Any portion of the Town not otherwise included within a specified district shall be considered to be within a Land Conservation District.