

ACTIVE ADULT
MARKET

2478 ?

WHAT DOES

AFFORDABLE

NEED ?

Village of Monroe, NY
Thursday, February 7, 2019

Chapter 200. Zoning

Article XII. Special Use Permit Procedures and Regulations

§ 200-49.3. New senior citizen affordable housing.

[Added 12-7-2010 by L.L. No. 2-2010]

A. Purpose. The Village Board, having circulated questionnaires, consulted with other Boards of the Village and after discussions with Village residents, has determined there is need for more numbers and varieties of senior housing within the Village. In order to attract development of such housing, the Village Board has elected to enact provisions that will permit greater options in the number and type of senior housing and will provide density incentives to encourage such development. At the same time, the Board has included provisions that will guarantee a full and detailed review of each senior housing proposal by the Planning Board which must grant the final approval prior to construction.

B. Existing law. The provisions of § **200-49.2** shall continue to apply to any existing senior housing multiple dwellings. Any new proposed senior housing shall only be pursuant to the terms of this section.

[Amended 6-13-2017 by L.L. No. 5-2017]

C. Gross density. The Village Planning Board is authorized to modify those sections of this chapter relative to lot dimensions, building setbacks, lot coverage, livable floor area per dwelling unit, open space and density in the further subdivision or site plan development of properties when necessary to comply with the provisions in this section. Notwithstanding the foregoing, the Planning Board shall not be permitted to vary the specific requirements or general directions set forth in Subsection **E(7)** of this section.

(1) Senior citizen detached single- or two-family dwelling units may be allowed in any district at up to a maximum density level of four buildings, either one- or two-family detached from other buildings, per acre.

(2) Senior citizen multiple-dwelling units may be permitted in any district and may have up to the following density levels:

(a) For one-bedroom units: 20 units per acre.

[Amended 6-13-2017 by L.L. No. 5-2017]

(b) For two-bedroom units: 15 units per acre.

[Amended 6-13-2017 by L.L. No. 5-2017]

(c) Units with more than two bedrooms or any combination of more than two rooms

which are not a living room, bathroom, dining room or kitchen are not permitted.

- (d) The final density permitted for construction shall be established by the Planning Board as part of the detailed review and approval of the project. In no event shall the final density exceed the maximum density established by the Village Board.
- (3) Minimum/maximum size of senior citizen dwelling units shall be as follows:
[Amended 6-13-2017 by L.L. No. 5-2017]
 - (a) One-bedroom units: 800/1,000 square feet.
 - (b) Two-bedroom: 1,000/1,500 square feet.
- D. Housing described in this section shall exist or be designed and constructed for the needs of seniors and is subject to the management or other legal restrictions that require all of the units to be occupied by persons 55 years of age or older. Notwithstanding the foregoing, adults under 55 years of age and children may reside in the units where:
 - (1) The adult is the spouse of a person 55 years of age or older; or
 - (2) The adult's presence is essential for the physical care of a person 55 years of age or older; or
 - (3) The children are residing with their parent, parents or legal guardians where their parent, parents or legal guardians are 55 years of age or older, and the minors residing therein are under a documented physical or other disability and cannot care for themselves.
 - (4) Children or grandchildren residing in the premises under the provisions of Subsection D(2) or (3) above shall have a ninety-day holdover period commencing upon the death of the person 55 years of age or older whose residency in the unit authorized the residency of such child, children or grandchild.
 - (5) A surviving spouse under the age of 55 residing in the premises under the provisions of Subsection D(1) above shall have a twenty-four-month holdover period commencing with the death of the spouse 55 years of age.
- E. Application procedure.
 - (1) An applicant seeking authority to proceed with a senior citizen housing proposal shall initially submit an application to the Planning Board of the Village in such form as the Planning Board may from time to time adopt. Such application shall at a minimum include a conceptual site plan for the proposed project and a narrative outlining both the proposed project and the applicant's criteria for its determination of the need for its proposed project. The narrative and/or conceptual site plan shall show proposed or existing walkways to nearby commercial centers, services and transit stops, if any.
 - (2) Prior to referral of the applicant to the Village Board, the Planning Board may request such supplemental information that it deems necessary to include in its transmittal to the Village Board.
 - (3) Upon the Planning Board's receipt of all requested information or upon notice from the applicant that it has elected to provide no further information, the Planning Board shall forward the application to the Village Board for its review. In its sole discretion the Planning Board may recommend for or against approval of the applicant's request or may simply forward the application without recommendation. The transmittal of the

application shall be deemed to be an administrative act of the Planning Board and not an action of approval or disapproval.

- (4) The Village Board shall receive referrals from the Planning Board at its regularly scheduled meetings and shall schedule an appearance by the applicant within 45 days of receipt of such referral.
- (5) Within 45 days of the applicant's appearance before the Village Board or such later time as the applicant and the Village Board shall agree, the Village Board shall either return the application to the Planning Board for review under such guidelines as the Village Board deems advisable within the parameters set forth above or, failing such referral, the application shall be deemed rejected.
- (6) Any application returned to the Planning Board with Village Board authority to process the application as a senior citizen housing proposal shall thereafter be processed by the Planning Board under the same procedures as all other applications made to that Board. Authority given by the Village Board to process the application shall in no way be deemed to be an approval of the project but simply the authority for the Planning Board to review the project with the ability to modify the provisions of the Village Zoning Law as set forth in this section and to make such modifications, if any, that the Planning Board in its sole discretion deems appropriate. In its review, the Planning Board shall consider the adequacy of recreation, open space, a system of drives, service access roads and walks and adequate lighting; all to the extent deemed reasonable for the site based upon size and location.
[Amended 6-13-2017 by L.L. No. 5-2017]
- (7) Requirements and general directions to be followed by the Planning Board are as follows:
 - (a) Any application shall consist of a parcel of land at least one acre in size.
 - (b) Any proposed structure to be constructed on a site bordering existing single-family detached residential dwellings shall be located at a minimum distance of twice the height of the proposed structure from the nearest existing single-family detached residential dwelling unless the project sponsor obtains the written consent of the owner (in form required for recording) of such bordering residential property for a lesser distance.
 - (c) For projects proposed to be located in or immediately adjacent to residential zones, the Planning Board shall encourage a front yard setback that is consistent with the streetscape of existing residences fronting on the same street as the proposed project.
 - (d) When determining off-street parking, pedestrian walkways to commercial centers and public transportation stops may be considered.
 - (e) When determining interior roadways and parking, adequate unloading/pick-up areas may be required if driveways to or between units are not provided.
 - (f) No approval shall be granted under this section without a public hearing. Notification procedures for public hearings shall be in accordance with **§ 200-72E(4)(b)**. Notification for public hearings within this section shall be to the owners of all properties abutting that property held by the applicant and all other owners within 500 feet, or such additional distance as the Planning Board may deem advisable, from the exterior boundaries of the land involved in such

application as the names of said owners appear on the last completed tax assessment roll of the Village. In the case of a condominium project located within 500 feet of the property, a single notice with proof of receipt may be given to the board of managers of said condominium. Proof of the giving of the required notice shall be required before the public hearing may be opened.

[Amended 5-1-2012 by L.L. No. 2-2012; 6-13-2017 by L.L. No. 5-2017]

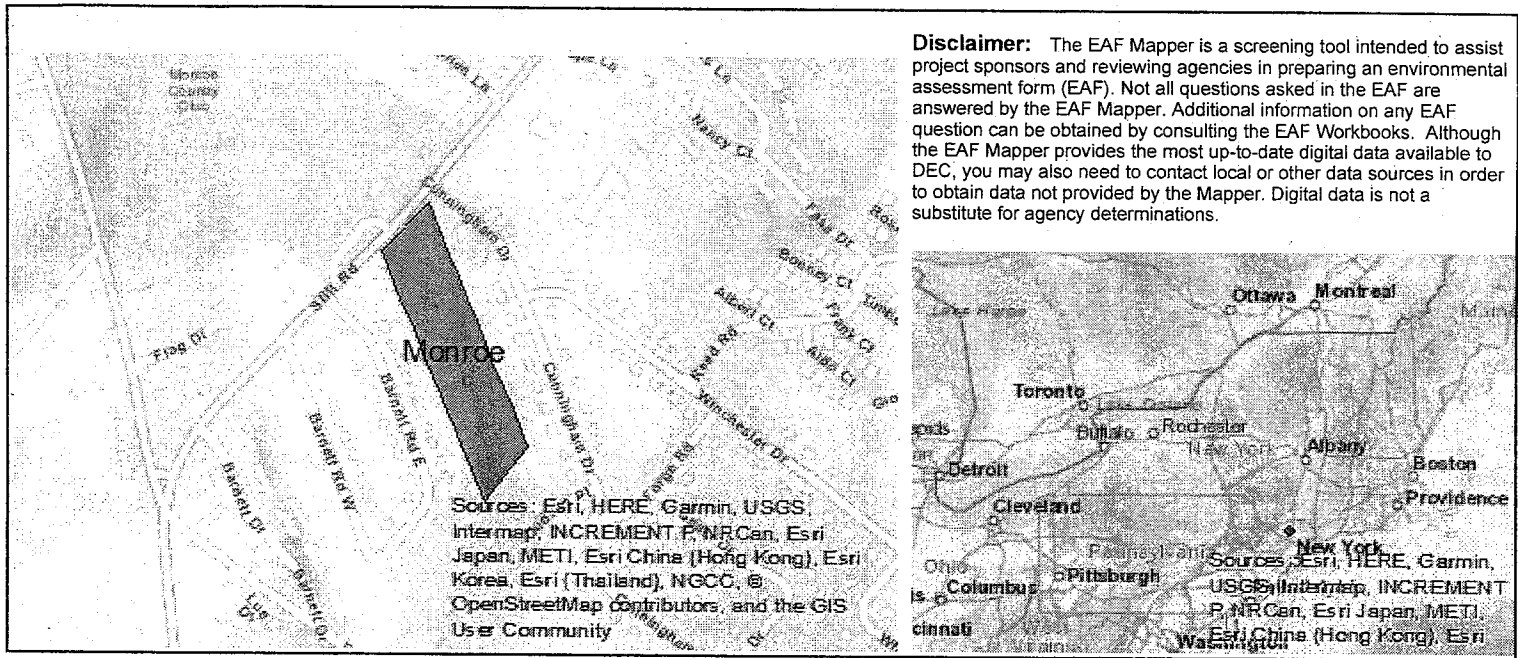
F. Assurances for senior citizen housing projects.

- (1) Legal assurances. Each application for a proposed senior citizen development shall be accompanied by appropriate undertakings, deed restrictions, easements and the like, in form and content satisfactory to the Village Attorney, as may be necessary to provide for and assure continued proper future maintenance and ownership responsibilities for all common areas, facilities and utilities within each stage of development or section thereof.
- (2) Other assurances. The Planning Board may condition its approval upon the applicant obtaining any other necessary approvals from the appropriate village, town, county or state agencies having jurisdiction thereof.
- (3) Performance bond. The applicant may be required to post a performance bond in an amount sufficient in the opinion of the Village Board and in favor of the Village in the form of a cash payment, surety bond or letter of credit to assure that all ancillary facilities, utilities and common areas shown on the proposed site plan are provided, together with provision for their future maintenance and care. Said performance bond shall be in form satisfactory to the Village Board after consultation with the Village Attorney and shall extend for a term of not less than five years after full completion as determined by the Village Board.
- (4) The applicant shall provide assurances to the Planning Board of an adequate availability of public central water and central sewer services.
- (5) The applicant proposing an affordable or senior citizen housing development shall assure the Village Board with the necessary market analysis and documentation to the satisfaction of the Village Board that there is an identifiable need for the project proposed.
- (6) Any proposed senior citizen housing project that receives a final plan approval from the Village Planning Board shall not be entitled to commence work at the proposed site until the applicant has provided to the Village Board in a form acceptable to the Village Attorney the procedure to confirm compliance with the occupancy requirements set forth in Subsection D above as well as the requirements of this section.^[2]

[Amended 6-13-2017 by L.L. No. 5-2017]

[2] Editor's Note: Former Subsection G, Effective date, which immediately followed this subsection, was repealed 6-13-2017 by L.L. No. 5-2017.

[1] Editor's Note: L.L. No. 5-2017, adopted 6-13-2017, renumbered former § 200-63.1 as § 200-49.3.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

SEWER MAP

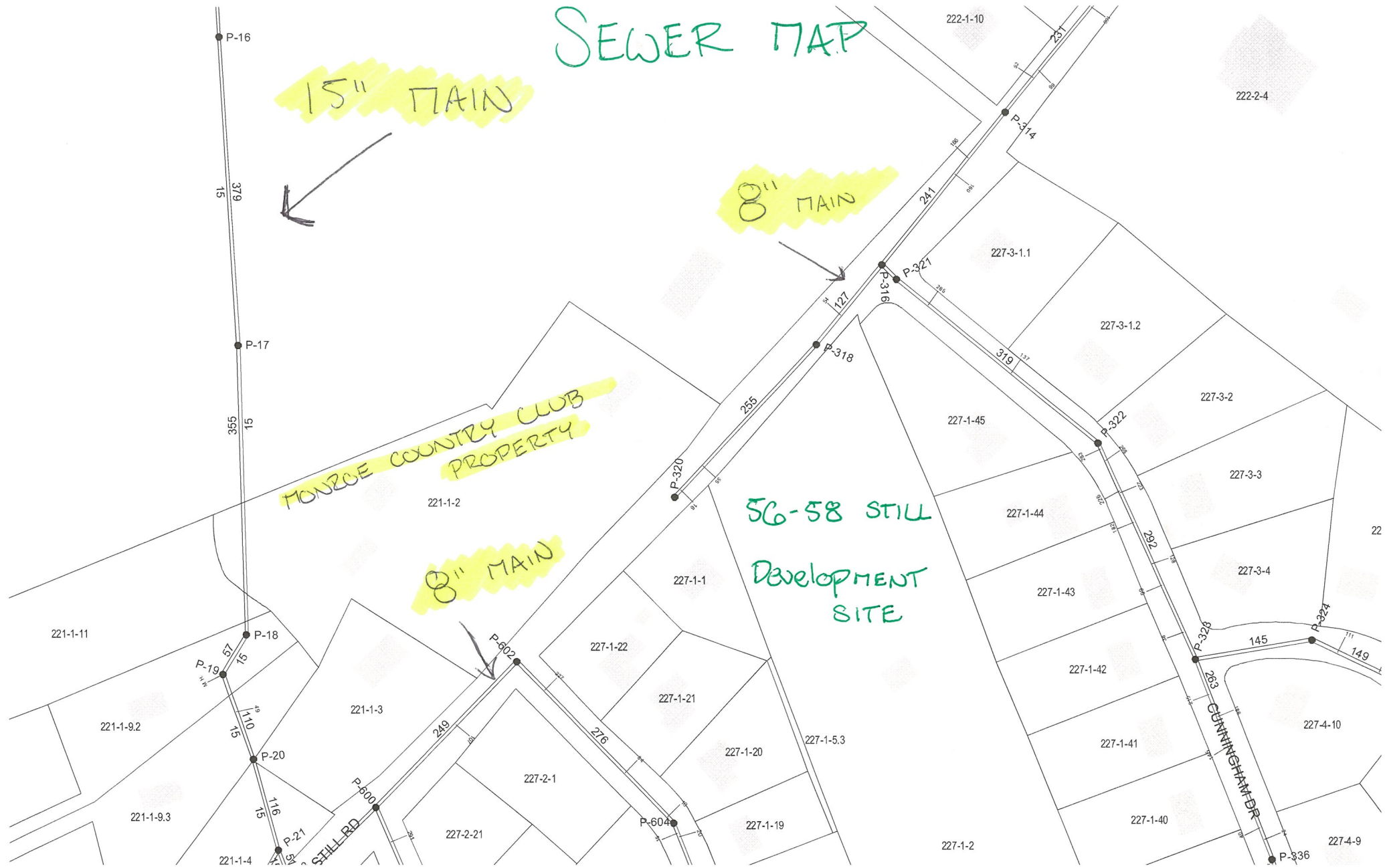
15" MAIN

8" MAIN

MONROE COUNTRY CLUB
PROPERTY

8" MAIN

56-58 STILL
Development
SITE



ZONING

200 Attachment 4

Village of Monroe

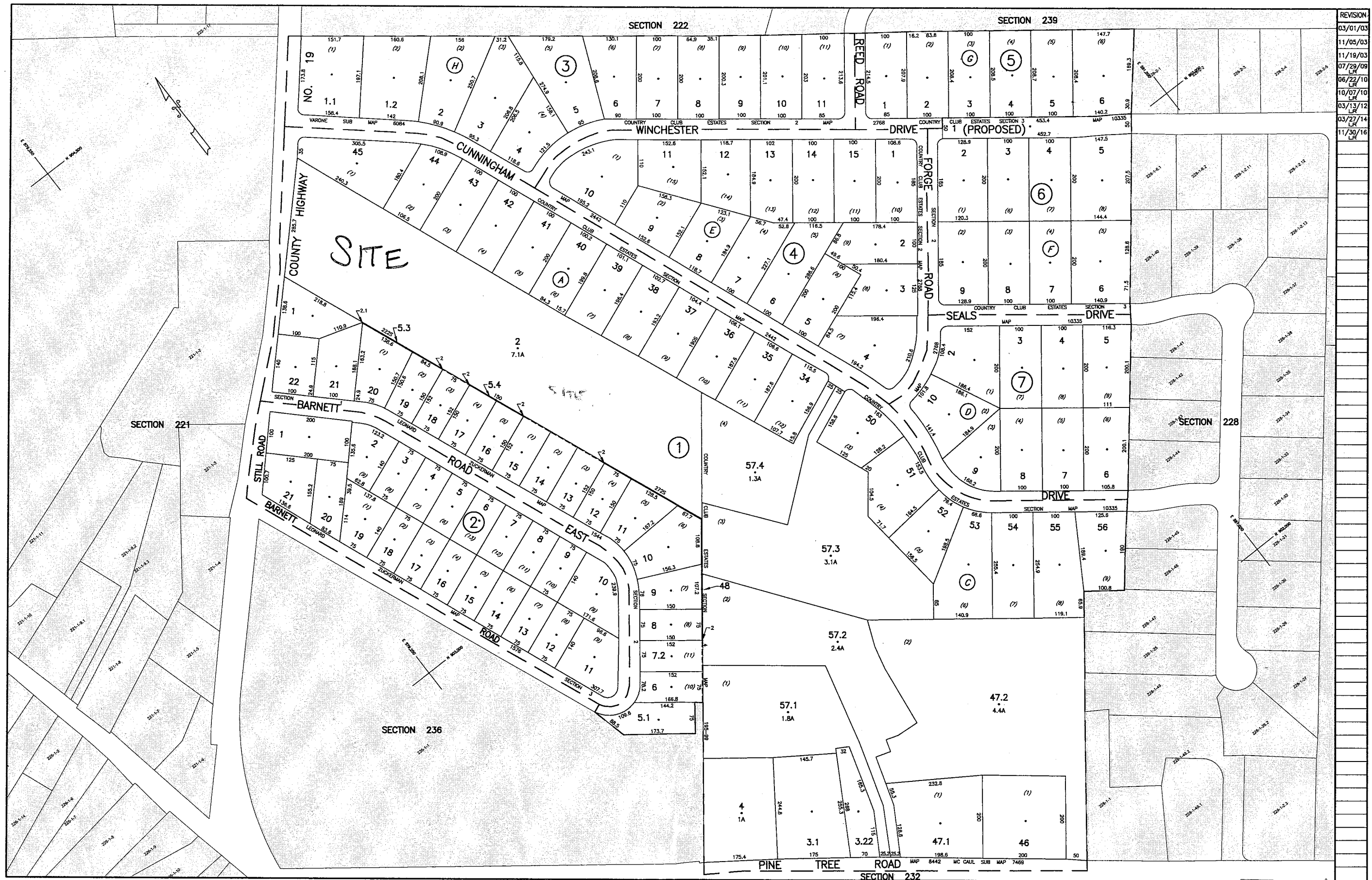
Table of District Uses and Bulk Regulations, SR-20 District
[Added 6-13-2017 by L.L. No. 4-2017; amended 4-3-2018 by L.L. No. 3-2018]

SR-20 DISTRICT			Minimum					Maximum	
Use	Type	Use-Specific Regulations	Lot Area (square feet)	Lot Width (feet)	Front Setback (feet)	Rear Setback (feet)	Minimum Side Yard Setback (feet)	Lot Coverage	Building Height ¹ (feet/stories)
Accessory apartment	Special permit	§ 200-49	20,000	100	40	50	20	20%	30/2
Agriculture/horticulture	Permitted		No minimums specified					No maximum specified	
Bed-and-breakfast	Special permit	§ 200-60	20,000	100	40	50	20	20%	30/2
Community recreation and/or park (noncommercial)	Permitted		No minimums specified					No maximum specified	
Convalescent home	Special permit	§ 200-55	30,000	200	150	40	40	60%	30/2
One-family detached dwelling	Permitted		20,000	100	40	50	20	20%	30/2
Public utility structure or ROW	Special permit	§ 200-48	No minimums specified					No maximum specified	
Religious assembly	Permitted		20,000	100	40	50	20	20%	30/2

NOTES:

¹ The maximum building height shall be the lesser of 30 feet or two stories with a basement.

A maximum building height containing habitable space up to 30 feet/two stories, with a maximum total building height at peak of 35 feet/two stories.



REVISION
03/01/03
11/05/03
11/19/03
07/28/09
06/22/10
10/07/10
03/13/12
03/27/14
11/30/16

LEGEND

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK OR SECTION LIMIT	MATCH LINE	AREAS (DEED) 11.1A or (CALCULATED) 11.8A(C)	STATE HIGHWAYS N.Y. STATE HWY NO 17
SPECIAL DISTRICT LINE	WATER FEATURES	DIMENSIONS (DEED) 66 or (CALCULATED) 755	COUNTY HIGHWAYS COUNTY ROAD NO 4
PROPERTY LINE	GRID COORDINATE/CENTROID	PORTION OF TAX LOT P/a 1-1-1	TOWN ROADS TOWN ROAD 1

ORANGE COUNTY-NEW YORK

Prepared by
Orange County Tax Map Department
124 Main Street, Goshen, N.Y. 10924
Phone 845-291-2498 Fax 845-291-2499

NOTICE
MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION
OF ANY PORTION OF THE ORANGE COUNTY TAX
MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION
OF THE O.C. REAL PROPERTY TAX SERVICE AGENCY

NOT TO BE REPRODUCED FOR COMMERCIAL
PURPOSES FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE



334001
VILLAGE OF MONROE

Scale 1" = 100' Section No. 227

ADJOINING REFERENCE

TAX YEAR 2018