

## **Background to Potential New Zoning Definition: “Owner Occupied Contractor Yard”**

- The Town Board has been exploring a potential new definition for the Town of Coeymans Zoning Code that may be added to the Residential-Agricultural (R-A) Zone, in conjunction with the revised definition for “Transportation Terminal,” if Local Law No. 1 were to be passed.
- This new definition would address the concern that, by revising the current definition of “Transportation Terminal,” it may cause existing uses in the R-A Zone to be non-conforming.
- In drafting the potential new definition, the Town Board has asked the Town Attorneys to research the Zoning Codes of neighboring municipalities to determine whether those municipalities had similar defined uses.
- Based on that review, the Town Attorneys have drafted the following potential definition that the Town may choose to add to the Zoning Code, as an Accessory Use, to the R-A Zone:

**“Owner Operated Contractor Yard”** A portion of a lot used to store and maintain construction equipment and other materials and facilities customarily required in the contractor’s trade, but excluding the storage of materials or equipment for off-site sale. The owner of such business activity must reside on the premises. Exterior evidence of an Owner Operated Contractor Yard may include one or more of the following: a sign; exterior dumpsters or waste receptacles; stored vehicles or equipment; or vehicles or equipment directly related to the business activity conducted on-site. The minimum lot size for an Owner Operated Contractor Yard shall be \_\_\_\_ acres.

- This definition may alleviate concerns that certain existing businesses in the R-A Zone might be considered pre-existing non-conforming uses if Local Law No. 1 of 2025 is passed.
  - In any event, the existing businesses currently located in the R-A Zone would not be required to alter their operations to comply with the Zoning Code.
  - The addition of this new potential zoning definition – or a definition similar to it – would also allow new businesses of that type to operate.
- The Town is mindful that in the Coeymans 2006 Comprehensive Plan, and in the 2021 update to the Comprehensive Plan, the Town did express some level of concern about allowing additional industry into the residential zones.

- For example, in the 2006 Comprehensive Plan, a goal of the Town was to “continue to promote a separate, but solid balance between the residential, commercial and industrial areas.”
- Additionally, in the 2021 Comprehensive Plan update, one of the “Recommended Actions” was to “[e]nsure a balance of industrial and residential areas of the Town to protect and enhance community character. Industrial development should be focused in existing industrial areas and buffered from existing neighborhoods.”
- A review of past Town Board minutes, particularly during 2012 when an update to the Zoning Code was discussed, also shows that the sentiments in the Comprehensive Plans are consistent with concerns of past Town Boards about potentially expanding commercial uses in the R-A Zone – and/or desire to avoid that outcome.
- **The goal of an “Owner Operated Contractor Yard” would be to address concerns that have been raised by residents and business owners, while remaining consistent with the Town’s Comprehensive Plan.**