

LOCAL LAW NO. __ OF ~~2024~~2025 FOR THE TOWN OF UNION VALE, NEW YORK

A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District, As Revised

Section 1. Section 210-86 “Definitions” is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

CATERING FACILITY

A facility providing a gathering place for the conduct of scheduled events such as parties, weddings, banquets, business meetings and similar events and food and beverages for invited guests, not to include a bar, tavern or restaurant open to the public though sometimes operated in tandem therewith. Where allowed only by special permit pursuant to §210-56(E) (17), a catering facility shall include short-term accommodations of not more than four consecutive nights. May also be referred to as "banquet hall."

LAND BANKED PARKING

Land designated to be reserved for a portion of parking required by this Code, which the Planning Board approves to be held and preserved as open space, rather than immediately constructed as parking.

Section 2. Section 210-3 District Schedule of Use Regulations/Residential Districts is amended as follows:

210 Attachment 3

Town Code of the Town of Union Vale

Chapter 210

ZONING District Schedule of Use Regulations / Residential Districts [Amended 3-11-2010 by L.L. No. 12-2010; 8-15-2013 by L.L. No. 2-2013; 10-6-2016 by L.L. No. 3-2016; _____ - __-2024 by L.L. No. __-2024]

Key: P Permitted Use P*

Permitted Use subject to Site Plan Approval P**

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP* Use subject to Special Use Permit and Site Plan Approval

SP** Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure / Land Use	Zoning Districts					Special Permit Reference
	RD 10	R D 5	R D 3	R D 1.5	H	
Catering Facility	SP *	X	X	X	X	210-56(E)(17)
Conference Center	SP *	SP*	SP*	X	X	210-53(E)(4)

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Section 3. Section 210-56(E) “Standards and Requirements for Certain Special Permit Uses” is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district, provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 5075 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] The exterior of existing houses, barns and related structures shall be appropriately rehabilitated and restored wherever feasible. Consideration shall be given to quality of original architecture and subsequent modifications, current condition and relationship of the structures to the overall property or area when considering the feasibility of appropriate rehabilitation and/or restoration.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] No building or parking area associated with the catering facility shall be located closer than 200 feet to any property line, nor within 500 feet of the existing exterior wall of an approved Habitable Space. These setback requirements shall apply to all structures associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities design features:

[a] Overnight lodging facilities shall be available for periods of not more than four consecutive calendar days per guest and must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The overnight lodgings shall not be used or hired for transient guests not associated with an event on site.

[b] No more than one of the guest rooms may be attached to the catering facilities; the others

must be accessory outbuildings in order to avoid the appearance of a hotel or motel structure.

[c] The maximum number of guest rooms in the aggregate shall not exceed 10.

[d] The maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

[e] The outbuilding guest rooms may be provided in individual or attached structures.

[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations shall be satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] Screening shall be provided by intervening landform and/or vegetation to reduce visual and other impact on neighboring residential properties in the reasonable discretion of the Planning Board.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least one space per guest room plus either [a] one space for each 150 square feet of service area accessible to customers or [b] one space per 200 square feet of gross floor area, whichever is greater, provided however that the Planning Board shall have discretion to require such lesser or additional parking as may reasonably be deemed necessary where based upon a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, and the Planning Board may approve land banked parking. Land banked parking of up to 25% of the parking which would otherwise be required where:

(1) Sufficient evidence has been provided by the applicant that supports the reduced parking needs.

(2) The area proposed for land banking of parking spaces is an area suitable for parking at a future time.

(3) The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

(4) As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "Land Banked Future Parking."

(5) The Zoning Administrator or Building Inspector shall have the right to inspect the usage of the property from time to time during its operation to determine in their reasonable discretion whether all or any portion of the land banked parking area should be constructed as parking spaces.

[14] Outdoor Use and Occupancy.

[a] Any outdoor activities at a catering facility allowed under this section shall be held only on patio or terrace areas connected to the physical plant and approved as part of the site plan review

and must comply with all setback and buffer requirements herein.

[b] Outdoor activities shall not be operated prior to 10 a.m. or later than 10 p.m., and in no event may amplified sound be used in any outdoor patio or terrace at any time. Indoor activities may be not be operated prior to 10 a.m. or later than midnight but indoor amplified sound must be controlled such that no noise is heard on adjacent properties prior to 10 a.m. or after 10 p.m.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 and §210-64 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

[e] Operations authorized and approved pursuant to these 256(E)17) shall not conflict with any provisions of the Agriculture & Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries.

[15] Noise/sound. Proposed catering facilities must demonstrate compliance with the noise performance standards as outlined in §210-24(A). The Planning Board may require additional noise analysis. Subsequent to special use permit approval, the Town is authorized to conduct field-testing to verify noise levels, or the Town may require the property owner to hire an acoustical consultant to conduct field-testing for submittal to the Town Building Department as part of their inspection requirements.

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~~46~~[a] The Planning Board may specify additional restrictions or conditions it deems appropriate relating to the use of amplified sound in order to reduce noise from traveling beyond the event area, including, but not limited to, prohibiting amplified sounds emanating from tents, pavilions, structures with open doors or windows, and other open or non-enclosed structures.

[b] The Planning Board may specify permitted locations, required setbacks, and additional noise attenuation measures to regulate all sources of amplified sound, including but not limited to music and performances. Fireworks, firecrackers or other artificially generated loud noises are not permitted unless approved by the Town Board and a temporary permit is issued for the event in accordance with §210-45.

[16] Lighting. Proposed catering facilities must demonstrate compliance with the glare and heat performance standards as outlined in §210-24(D). The Planning Board may require a lighting plan. All outdoor lighting associated with the special event facility shall be:

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[a] turned off after closing except as minimally required for safety purposes.

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[b] located, fully shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way. Light trespass across any property line shall not be in excess of 0.4 footcandle

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[c] The maximum height for an outdoor light fixture, as measured from the finished grade to the top of the fixture, shall be no greater than 20 feet.

[d] Outdoor light fixtures installed above 15 feet in height shall have a manufacturer's maximum output rating of no greater than 400 lumens.

[e] The maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000 K.

[17] Signage.

[a] Only one freestanding sign up to 24 square feet is permitted per facility, which shall be located at the primary ingress to the property. Internal directional signs are permitted which shall not exceed 8 square feet.

[b] No sign shall be internally illuminated or electronic but may be indirectly illuminated, unless required by state law or code.

[c] Temporary directional signage is allowed during event activities for parking and traffic flow as well as any required by the Planning Board for safety measures along access roads.

Section 4. If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 5. Pursuant to Section 22 of the Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 6. This local law shall be effective upon filing with the Secretary of State.

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