

# Zoning in the Adirondack Park

## Local Land Use Controls & APA Act

# APA Local Government Services

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# Zoning in the Adirondack Park

## *Goal(s)*

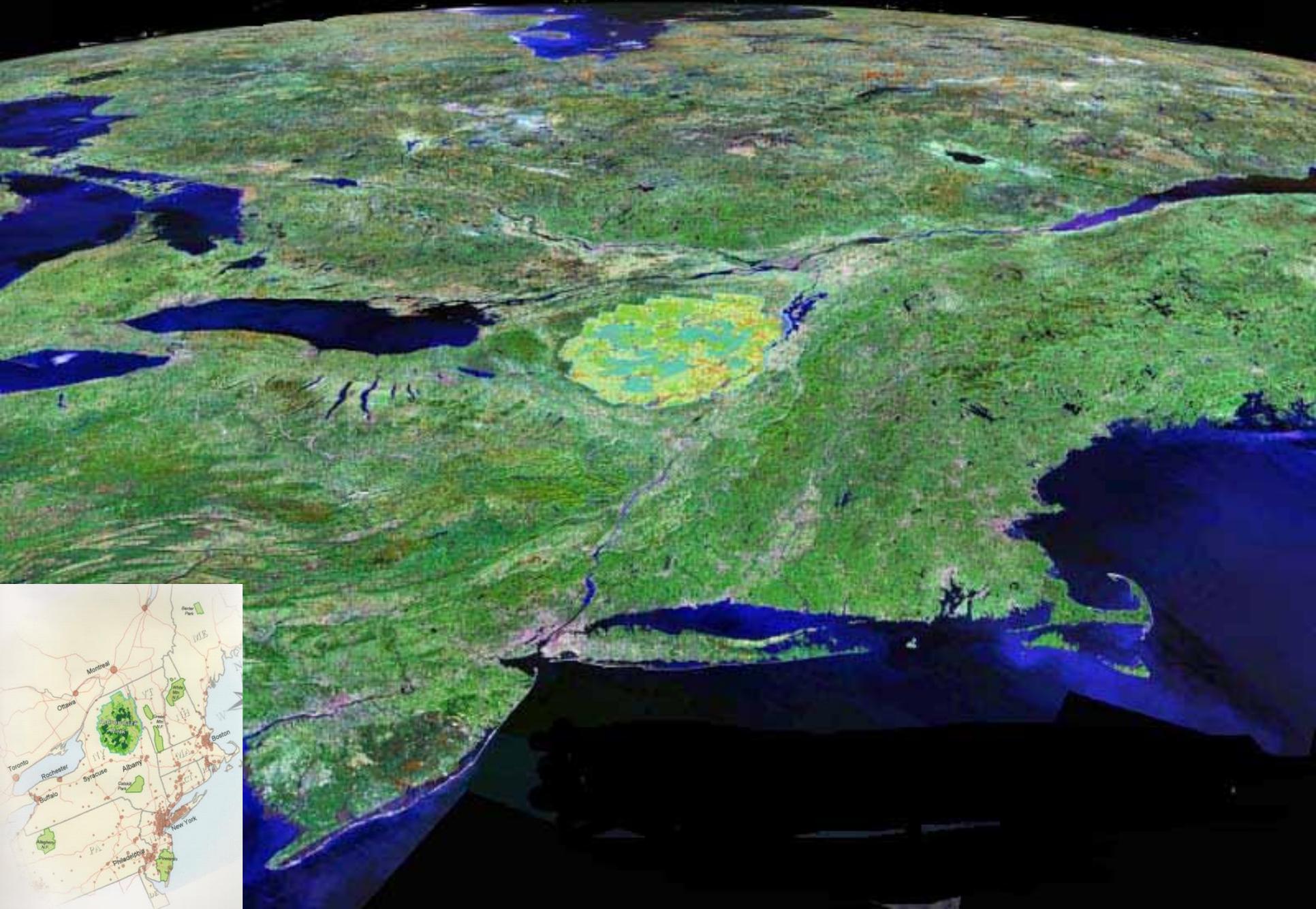
Provide an overview of the intersection between the regional land use controls of the Adirondack Park Agency (APA) Act and the special considerations for local land use controls within the “Blueline”

- APA Regional Controls vs. Local Controls
  - Dispel Common APA Myths
- Appreciate Opportunities for Local Zoning

# Zoning in the Adirondack Park - *Outline*

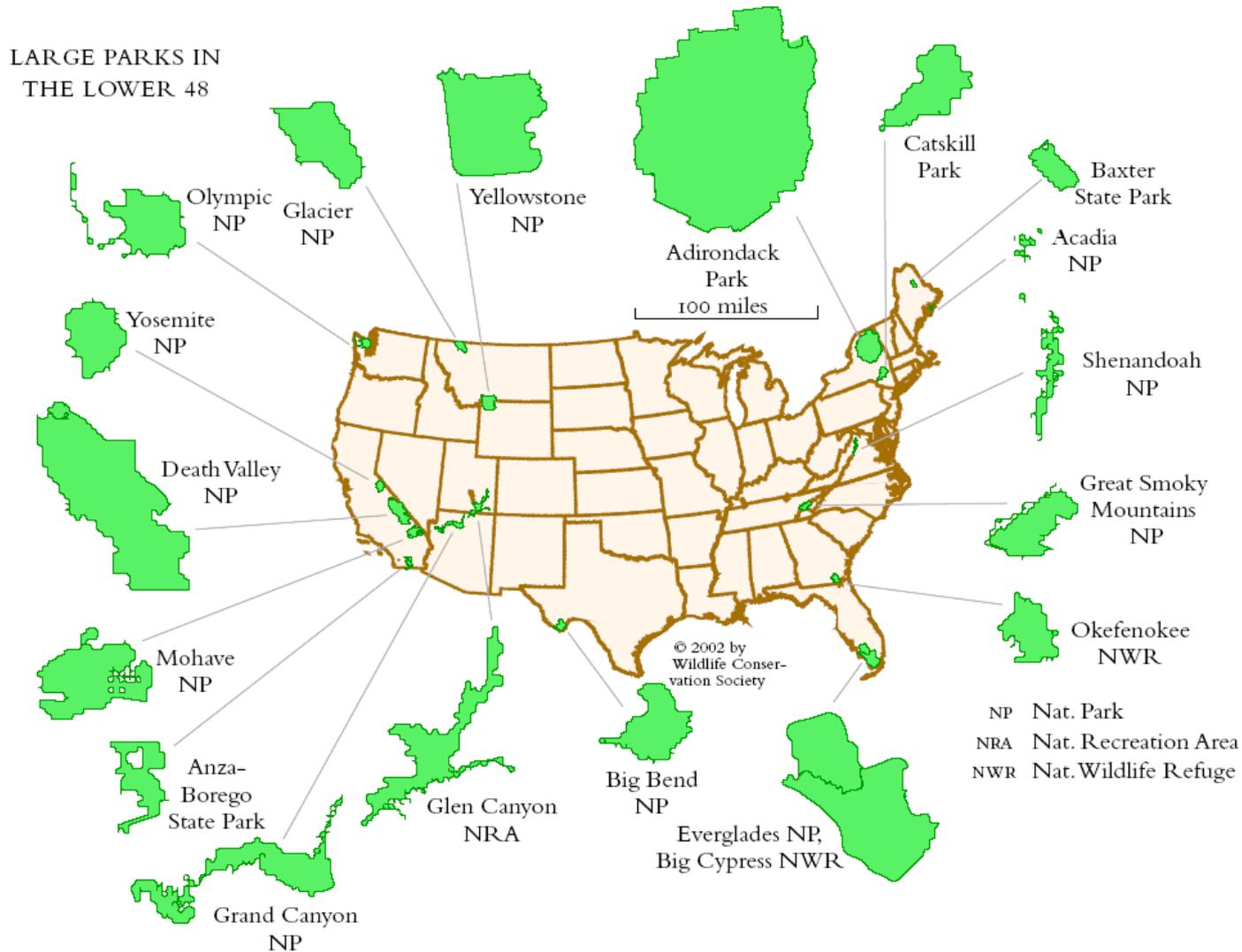
- Adirondack Park
- Adirondack Park Agency
  - Map & Plan
  - Jurisdictional Threshold vs. Standards
- Local Land Use Controls
  - Town/Village Zoning
  - Agency-approved Local Land Use Programs (ALLUPs)
- Key points/differences between APA & Local Controls
- Questions???

# Adirondack Park



# Adirondack Park

LARGE PARKS IN THE LOWER 48



# Adirondack Park



# Adirondack Park Agency & APA Act

# APA Background - Historical Context



# APA Background

- The Adirondack Park Agency Act (**APA Act**)
  - Executive Law §§ 801 et seq.
  - Agency regulations: 9 NYCRR Parts 570-576; 579-588
- The Wild, Scenic and Recreational River System Act (**Rivers Act**)
  - Environmental Conservation Law §§ 15-2701 et seq.
  - Agency regulations: 9 NYCRR Part 577
- The Freshwater Wetlands Act (**Wetlands Act**)
  - Environmental Conservation Law §§ 24-0101 et seq.
  - Agency regulations: 9 NYCRR Part 578

# APA Act – Basic Purpose

“To insure optimum overall conservation, protection, preservation, development and use of the unique scenic, aesthetic, wildlife, recreational, open space, historic, ecological, and natural resources of the Adirondack Park.”

- APA Act §801

# Rivers & Wetlands

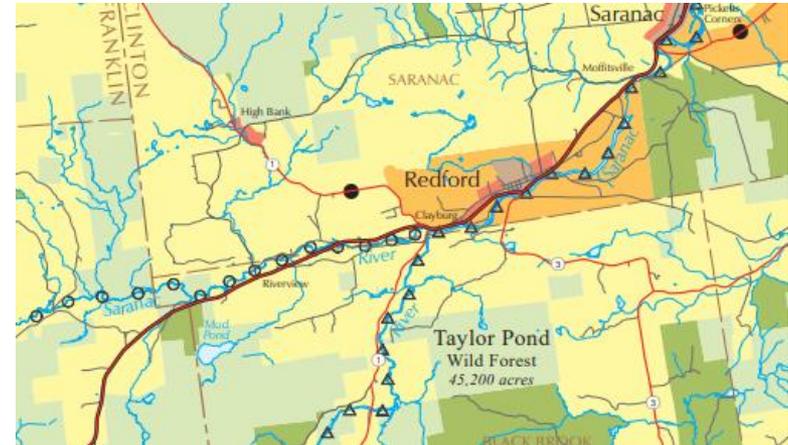
## RIVER CORRIDORS

This is a supplement to the Citizen's Guide which provides basic information about Adirondack Park Agency regulations.

Many river corridors are subject to special protection under New York State's Wild, Scenic and Recreational Rivers System Act, which the Adirondack Park Agency implements on private lands in the Adirondack Park. The Adirondack Park Agency Act also establishes protections for certain river corridors.

For purposes of both laws, river corridors generally include the land within ¼ mile of the river.

### THE WILD, SCENIC, AND RECREATIONAL RIVERS SYSTEM

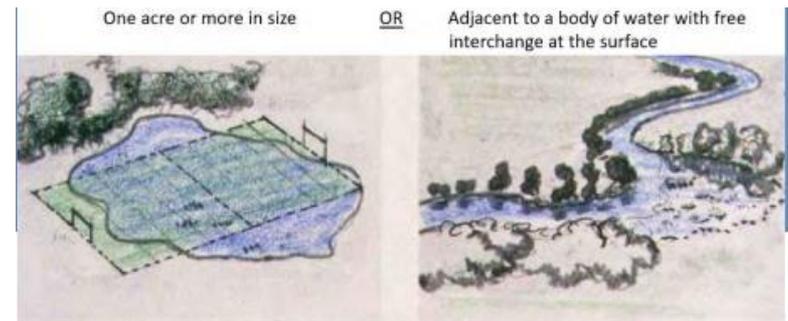


## FRESHWATER WETLANDS

This is a supplement to the Citizen's Guide, which provides basic information about Adirondack Park Agency regulations.

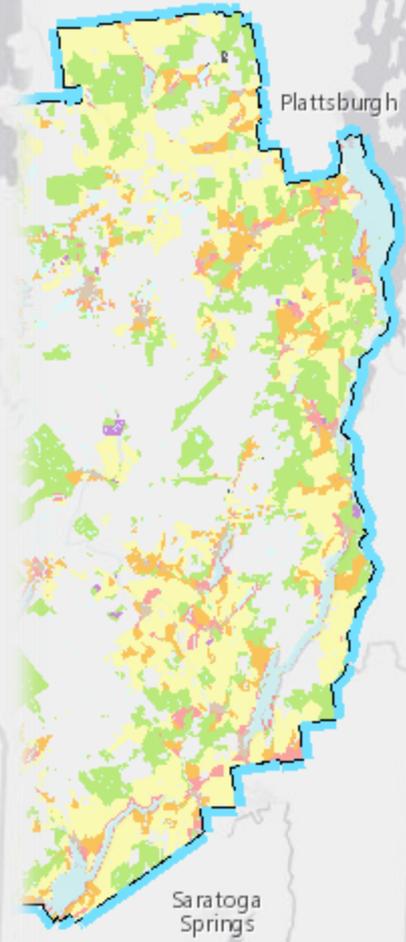
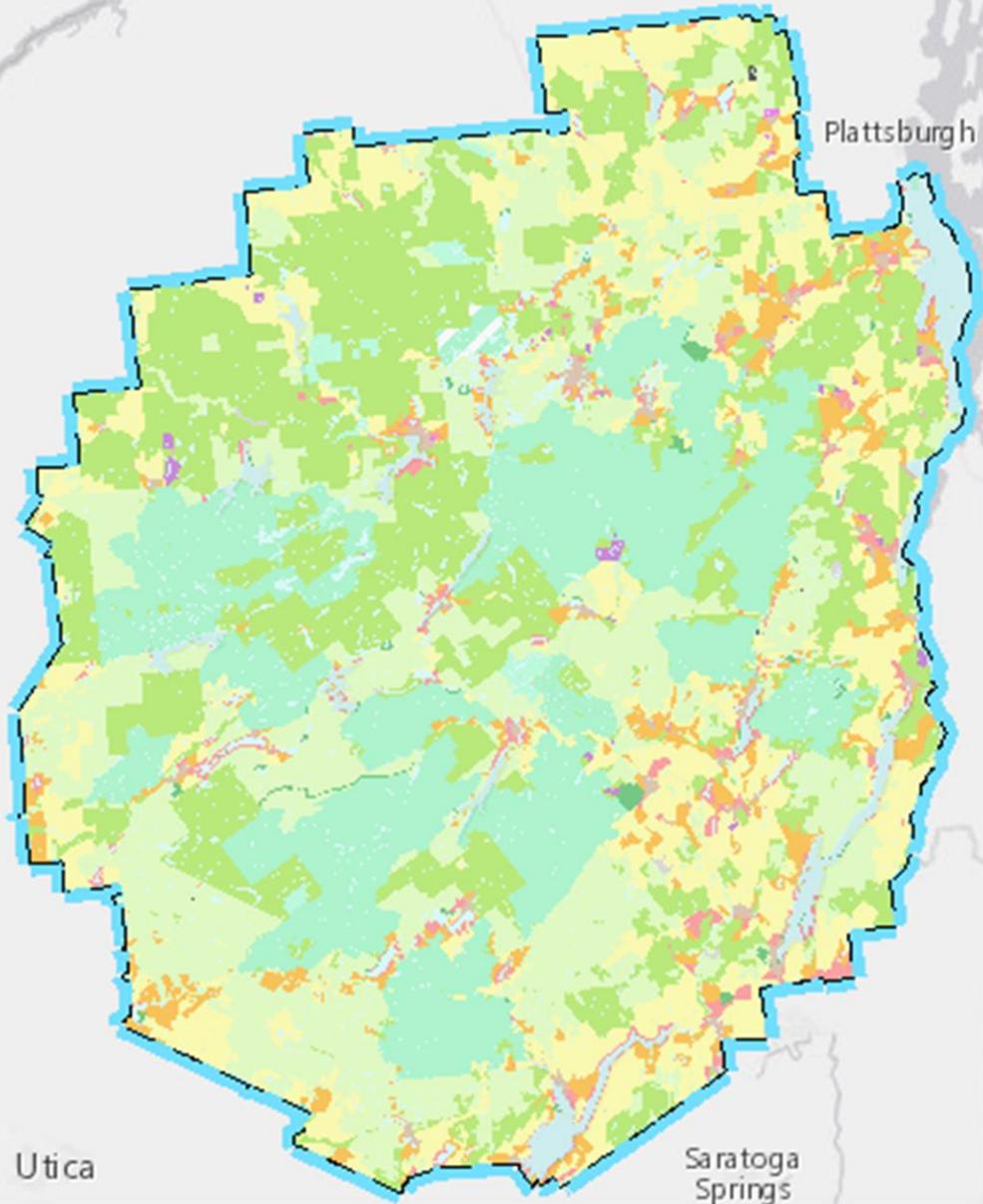
### Regulated Wetlands

Defined in §802 of the Adirondack Park Agency Act, wetlands are "any land which is annually subject to periodic or continual inundation by water and commonly referred to as a bog, swamp or marsh which are either (a) one acre or more in size or (b) located adjacent to a body of water, including a permanent stream, with which there is free interchange of water at the surface, in which case there is no size limitation<sup>1</sup>." Section 578.3 of the Agency's regulations provides additional wetland information, and the criteria for identifying wetland areas are provided in the New York State Wetland Delineation Manual (available at <http://www.apa.ny.gov>).



# State Land

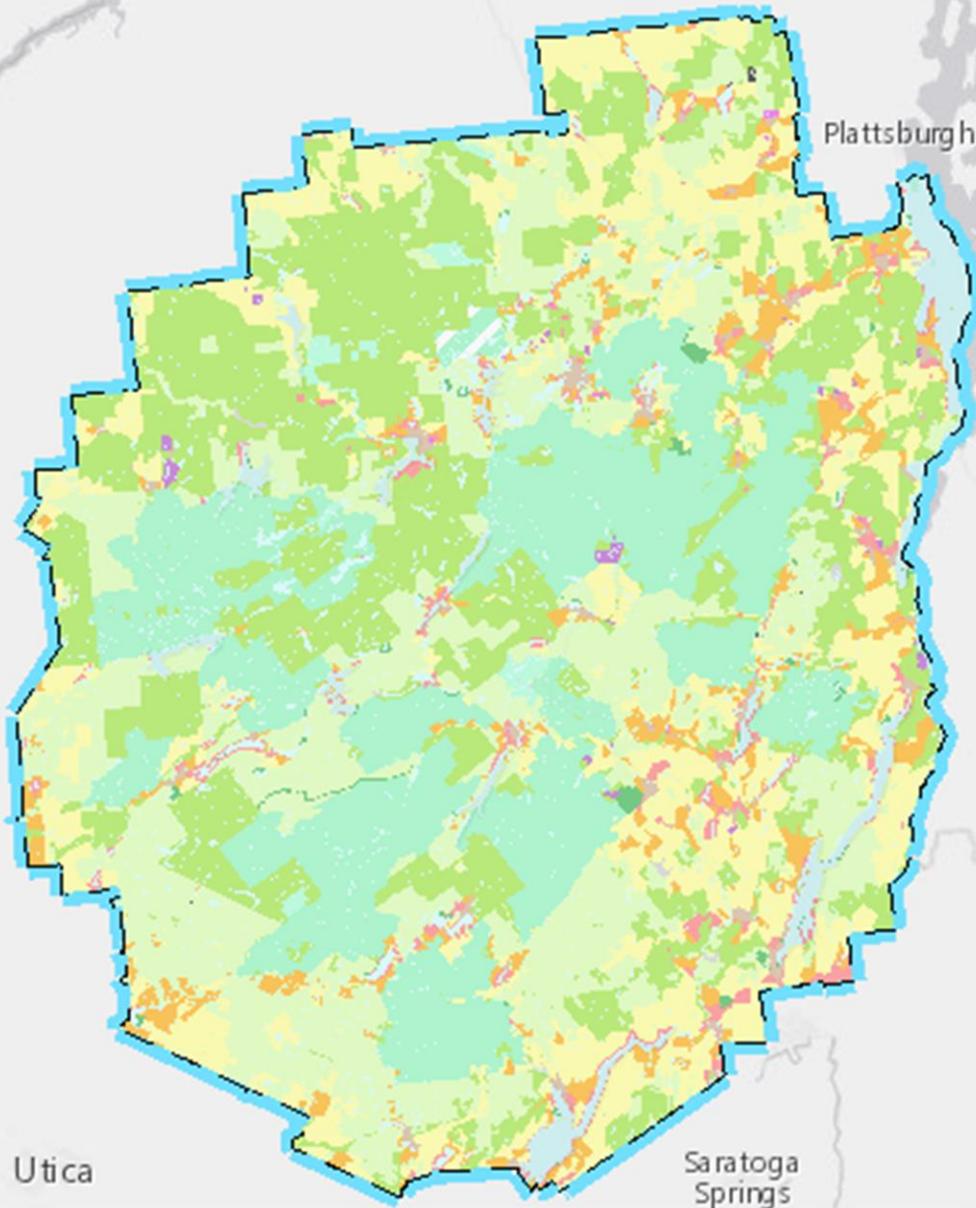
# Private Land



# “*Evolution*” of The Map



# “Evolution” of The Map



# Amending The Map

## APPLICATION FOR AMENDMENT TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP

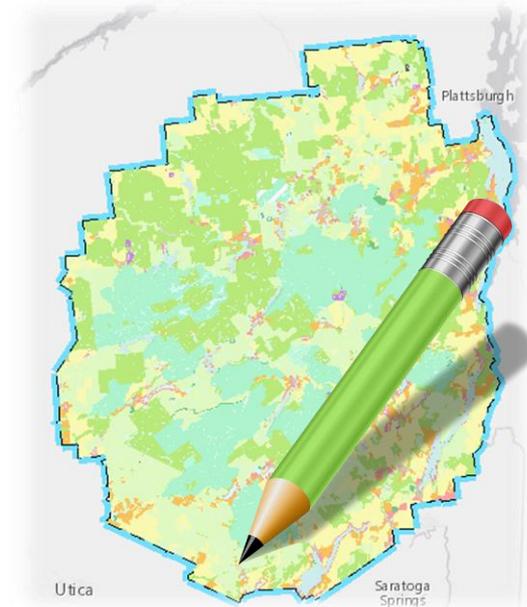
Pursuant to Section 805(2), Adirondack Park Agency Act  
Article 27, New York State Executive Law

### INTRODUCTION

Private lands within the Adirondack Park are classified into six different land use areas by the Adirondack Park Land Use and Development Plan. These land use areas (Hamlet, Moderate Intensity Use, Low Intensity Use, Rural Use, Resource Management and Industrial Use) are shown on the Official Adirondack Park Land Use and Development Plan Map.

Section 805 of the Adirondack Park Agency Act and Part 583 of Agency regulations set forth criteria and procedures for amendment of the Official Map. In general, except for a "Technical" amendment, the Agency must find the amendment reflective of the legislative findings and purposes of the Adirondack Park Agency Act. The proposal must also be consistent with the Adirondack Park Land Use and Development Plan, the statutory character description, and the statement of purposes, policies, and objectives of the land use area to which amendment is sought. The Agency is required to consider the natural resources and open space qualities of the land in question, as well as public, economic, and other land use factors including any comprehensive master plan prepared by the town or village as may reflect the relative development amenability and limitations of those lands. The Agency must also amend the Map using the same type of "regional scale" boundaries (railroads, streams, Great Lot lines, etc.) used in its original preparation. A copy of the relevant parts of Section 805 of the Adirondack Park Agency Act is attached.

The Agency also refers to the "land use area determinants" used in making the original map, as presented in [Appendix Q-8 of the Agency regulations](#).





State of New York  
**Adirondack Park**  
**State Land Master Plan**

## **State Land Classifications**

Wilderness

Primitive

Canoe

Wild Forest

Intensive Use

Historic

State Administrative

**Private**  
**Land Use Areas:**

**Hamlet**

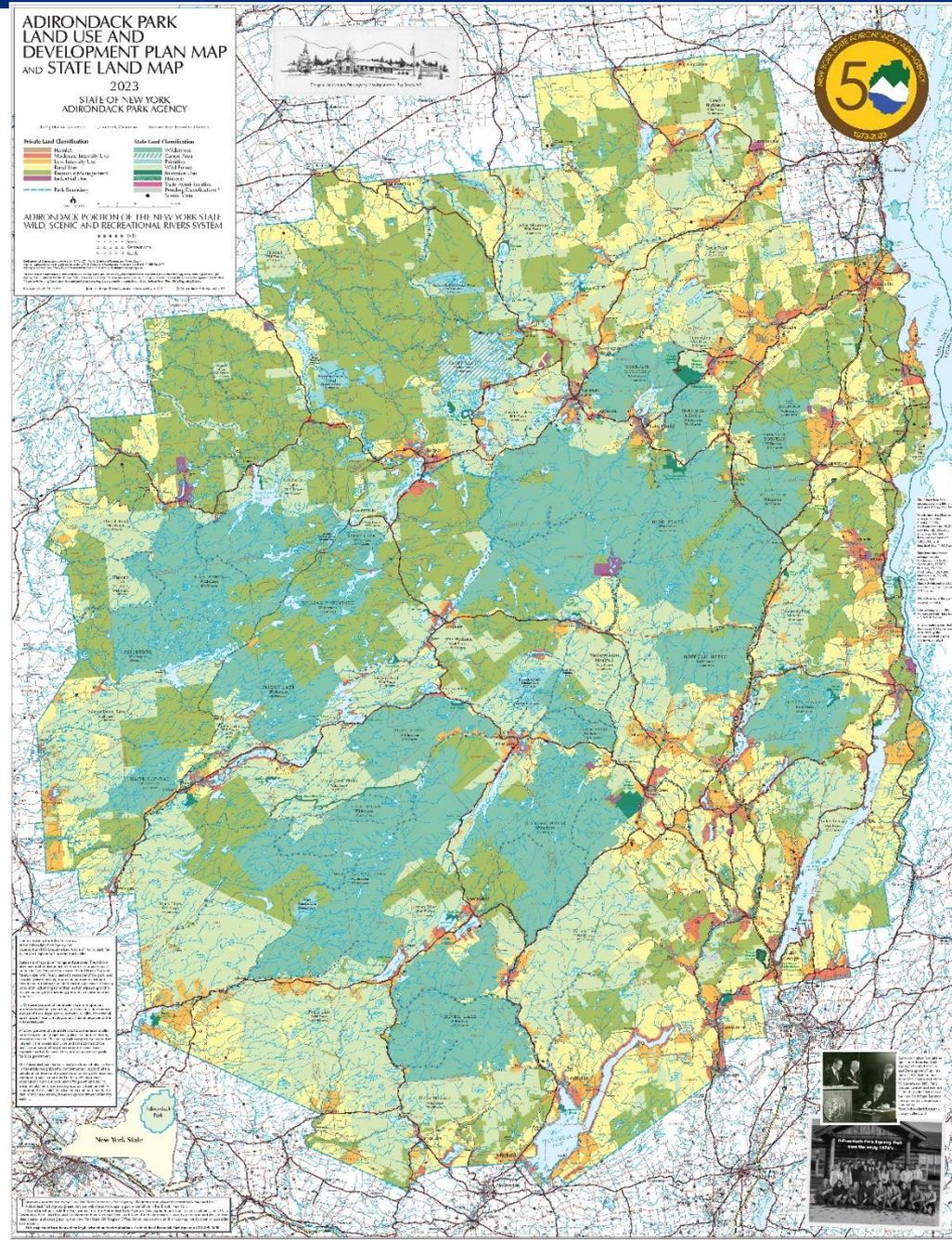
**Moderate Intensity**

**Low Intensity**

**Rural Use**

**Resource Management**

**Industrial Use**



# APLUDP

Overall Intensity Guidelines (OIGs) - noted in acres

## Private Land Classification

n/a	Hamlet	<i>Less Restrictive</i>
1.3	Moderate Intensity Use	
3.2	Low Intensity Use	
8.5	Rural Use	
42.7	Resource Management	
<hr/>		
n/a	Industrial Use	

# Summary of APA Authority Over Land Use & Development & Subdivision

Chart Summarizes APA Jurisdiction

[https://www.apa.ny.gov/Documents/Laws\\_Regs/HotelingTable.htm](https://www.apa.ny.gov/Documents/Laws_Regs/HotelingTable.htm)

Includes

- Overall Intensity Guidelines (OIGs)
- Project Jurisdiction
  - Non-Jurisdictional (NJ)
  - Class A Projects
  - Class B Projects
  - Wetlands
  - Rivers
- Shoreline Restrictions

# APA Defined Terms

## Informational List of Definitions used in the APA Act or Regulations

### Consolidated List of APA Definitions & Miscellaneous Uses Compiled & Updated 2/2/2021

- '802 **“Definitions”** from the [APA Act](#).
- '570.3 **Definitions** from the [Regulations](#).
- '577.2 **Definitions** from the [River Regs](#).
- '578.3 **Definitions** in Wetlands Regs not included.

#### Standards listed in the Act or Regs

#### Undefined term that appears on the Compatible Use Lists in §805

**REWORDED DEFINITION** – intended to mean the same as Act/Reg definition but uses more understandable formatting/language

# From the Summary of Adirondack Park Agency Authority Over Land Use & Development & Subdivisions aka 'RORO' Chart

**Adirondack park** or **park** means land lying within the area described in subdivision one of section 9-0101 of the environmental conservation law including any future amendments thereto.

**Adirondack Park local government review board** or **review board** means the board established in section eight hundred three-a.

**Agency** means the Adirondack park agency created by section eight hundred three of this article.

**Agency member** means an agency member or designee.

- 40 **Accessory use** means any use of a structure, lot or portion thereof that is customarily incidental and subordinate to and does not change the character of a principal land use or development, including in the case of residential structures, professional, commercial and artisan activities carried on by the residents of such structures.
- 40 **Accessory structure** means any structure or a portion of a main structure customarily incidental and subordinate to a principal land use or development and that customarily accompanies or is associated with such principal land use or development, including a guest cottage not for rent or hire that is incidental and subordinate to and associated with a single family dwelling.
- 19 **Agricultural service use** means any milk processing plant, feed storage supply facility, farm machinery or equipment sales and service facility; storage and processing facility for fruits, vegetables and other agricultural products or similar use directly and customarily related to the supply and service of an agricultural use.

## Informational List of Definitions used in the APA Act or Regulations

- 07 **Agricultural use** means any management of any land for agriculture; raising of cows, horses, pigs, poultry and other livestock; horticulture or orchards; including the sale of products grown or raised directly on such land, and including the construction, alteration or maintenance of fences, agricultural roads, agricultural drainage systems and farm ponds.
- 07 **Agricultural use** means any management of any land for agriculture; raising of cows, horses, pigs, poultry and other livestock; horticulture or orchards; including the sale of products grown or raised directly on such land, and including the construction, alteration or maintenance of fences, agricultural roads, agricultural drainage systems and farm ponds.
- 08 **Agricultural use structure** means any barn, stable, shed, silo, garage, fruit and vegetable stand or other building or structure directly and customarily associated with agriculture use.
- 08 **Agricultural use structure** means any barn, stable, shed, silo, garage, fruit and vegetable stand or other building or structure directly and customarily associated with agricultural use.

**Approved local land use program** means any local land use program approved by the agency under section eight hundred seven.

**Basal area** means the sum of the cross sectional areas, measured at 4.5 feet above ground, of all vegetation within a given area.

**Bed and breakfast** means a tourist accommodation located within a single family dwelling or multiple family dwelling.

#### Standards in §573.8(b)

A bed and breakfast shall be considered an accessory use and not a tourist accommodation if the following criteria are met:

- (1) the guest rooms are located within a structure that has been used as a single family dwelling for a period of five years or more prior to conversion to a bed and breakfast;
- (2) the single family dwelling is the owner's primary residence and at least one bedroom is reserved for the owner's exclusive personal use;
- (3) no meals (except breakfast) are served to paying guests and no meals are served to the general public;
- (4) in a structure containing more than three existing bedrooms, no more than 50 percent of the bedrooms and no more than five bedrooms total are available for paying lodgers;
- (5) the use also meets all the criteria of accessory use as defined in 9 NYCRR 570.3(b), except that no accessory structure or guest cottage shall be used as a bed and breakfast;

# Project Class: “NJ” “A” “B” “IC-B”

- **NJ:** Non-Jurisdictional to the Agency
  - No Agency approval required\*
- **A:** Class A Regional Project
  - Agency permit required
- **B:** Class B Regional Project
  - Agency or Approved Program permit required
- **IC-B:** Incompatible B
  - Treated as Class B

\* Most projects in a Critical Environmental Area or affects/involves wetlands require a permit

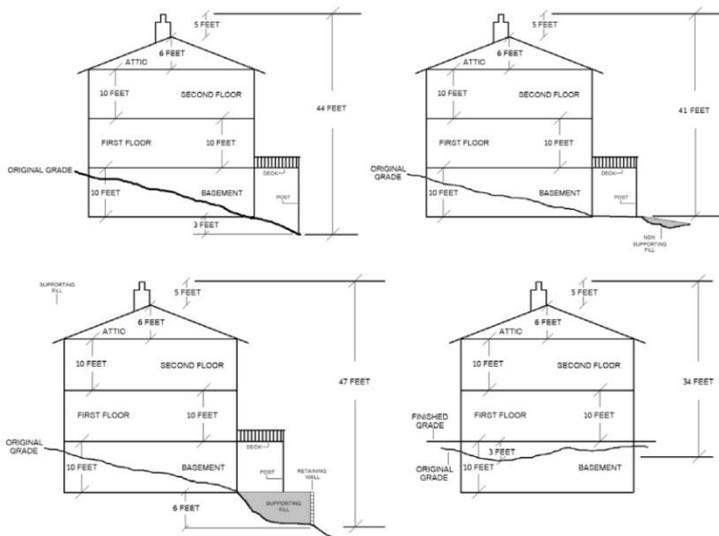
Use Type ↓	APA Land Use Area →	HA	MIU	LIU	RU	RM	IU
01	Single Family Dwelling	NJ	NJ	NJ	NJ	B	IC-B
02	Individual Mobile Home	NJ	NJ	NJ	NJ	B	IC-B
03	Residential Subdivisions	NJ: 2-99 lots	NJ: 2-14 lots B: 2-14 lots if any shoreline lot is <25,000 sqft (0.57a) or <40,000 sqft (0.92a) for non-shoreline lots	NJ: 2-9 lots B: 2-9 lots if any shoreline lot is <50,000 sqft (1.15a) or <120,000 sqft (2.75a) for non-shoreline lots	NJ: 2-4 lots B: 2-4 lots if any shoreline lot is <80,000 sqft (1.84a) or <320,000 sqft (7.35a) for non-shoreline lots	A	IC-B
			B: 15-74 lots	B: 10-34 lots	B: 5-19 lots		
		A: ≥100 lots	B: If any lot does not meet the shoreline lot widths				
		A: ≥ 75 lots	A: ≥ 35 lots	A: ≥ 20 lots			
04	Mobile Home Court	NJ: <100 units	B: < 75 units	B: < 35 units	B: < 20 units	IC-B	IC-B
		A: ≥100 units	A: ≥ 75 units	A: ≥ 35 units	A: ≥ 20 units		
05	Multiple Family Dwelling	NJ: <100 units	B: < 75 units	B: < 35 units	B: < 20 units	IC-B	IC-B
		A: ≥100 units	A: ≥ 75 units	A: ≥ 35 units	A: ≥ 20 units		
06	Open Space Recreation	NJ	NJ	NJ	NJ	NJ	NJ
07	Agricultural Use	NJ	NJ	NJ	NJ	NJ	NJ
08	Agricultural Use Structure	NJ	NJ	NJ	NJ	NJ	NJ
09	Forestry Use	NJ	NJ	NJ	NJ	NJ	NJ
			A: if clearcut	A: if clearcut	A: if clearcut		
10	Forestry Use Structure	NJ	NJ	NJ	NJ	B	NJ
11	Hunting-Fishing Cabin, Private Club Structure	NJ	NJ	NJ	NJ	NJ: < 500 sqft B: ≥ 500 sqft	NJ
12	Game Preserves & Private Parks	NJ	NJ	NJ	NJ	NJ	IC-B
13	Private Road	NJ	NJ	NJ	NJ	NJ	NJ
14	Cemetery	NJ	NJ	NJ	NJ	IC-B	IC-B
15	Private Sand & Gravel Extraction	NJ	NJ	NJ	NJ	NJ	NJ
16	Public Utility Use	NJ	NJ	NJ	NJ	NJ	NJ
17	Public or Semi-Public Building	NJ	B	B	B	IC-B	B
18	Municipal Road	NJ	B	B	B	B	B
19	Agricultural Service Use	NJ	B: < 10,000 sqft	B: < 5,000 sqft	B: < 2,500 sqft	A	B
			A: > 10,000 sqft	A: > 5,000 sqft	A: > 2,500 sqft		
20	Commercial Use	NJ	B: < 10,000 sqft A: ≥ 10,000 sqft	B: < 5,000 sqft A: ≥ 5,000 sqft	B: < 2,500 sqft A: ≥ 2,500 sqft	IC-B	B
21	Tourist Accommodation	NJ: < 100 units	B	B	A	IC-B	IC-B
		A: ≥ 100 units					
22	Tourist Attraction	NJ	A	A	IC-B	IC-B	IC-B
23	Marinas, Boatyards & Boat Launching Sites	NJ	B	B	B	IC-B	IC-B

# APA

## Jurisdictional Thresholds

### Jurisdictional Threshold

- ▶ Requires a Permit
  - Examples: Structures >40 ft, minimum lot sizes, within a CEA

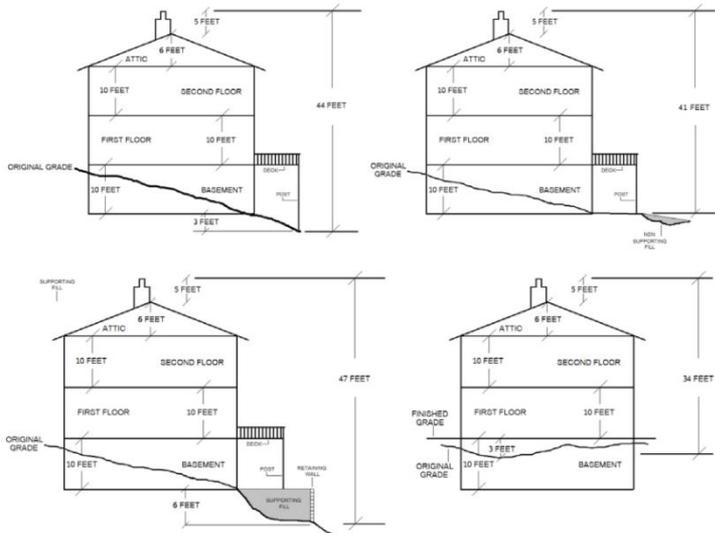


# APA

## Jurisdictional Thresholds vs. Standards

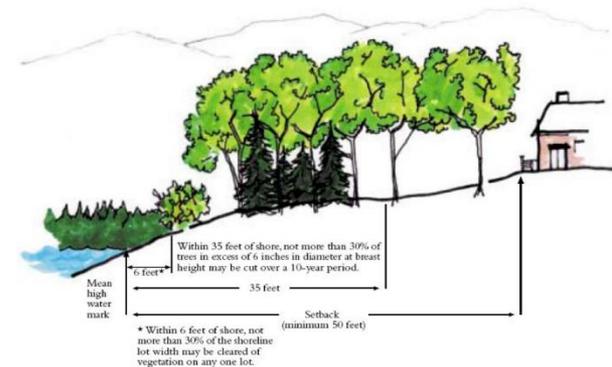
### Jurisdictional Threshold

- ▶ Requires a Permit
  - Examples: Structures >40 ft, minimum lot sizes, within a CEA



### Agency Standard

- ▶ Needs a Variance
  - Examples: Shoreline setbacks, shoreline lot widths, vegetative cutting



# Prohibited Uses?

- APA Act does not categorically prohibit any use\*
  - Agency must make finding for no *Undue Adverse Impact* in order to issue a permit

\* NYS Wild, Scenic & Recreational Rivers Act does have some prohibitions

Have questions about subdividing or developing land in the Adirondack Park?

Contact the New York State Adirondack Park Agency

**(518) 891-4050**

[www.apa.ny.gov](http://www.apa.ny.gov)

PO BOX 99  
RAY BROOK, NY  
12977

When in doubt seek us out!



**Adirondack Park Agency**

**SUMMARY OF ADIRONDACK PARK AGENCY AUTHORITY OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS**

FOR THE PURPOSES OF THE ADIRONDACK PARK AGENCY AUTHORITY OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS, THE AGENCY HAS JURISDICTION OVER THE FOLLOWING PROJECTS:

PROJECT TYPE	AGENCY AUTHORITY	APPLICABLE REGULATIONS
Subdivisions	Yes	Adirondack Park Agency Regulations
Development	Yes	Adirondack Park Agency Regulations
Land Use	Yes	Adirondack Park Agency Regulations
Other	Yes	Adirondack Park Agency Regulations

**REGULATIONS BY TYPE OF CHANGE OF DEVELOPMENT**

REGULATIONS	AGENCY AUTHORITY	APPLICABLE REGULATIONS
Subdivisions	Yes	Adirondack Park Agency Regulations
Development	Yes	Adirondack Park Agency Regulations
Land Use	Yes	Adirondack Park Agency Regulations
Other	Yes	Adirondack Park Agency Regulations

**REGULATIONS WITH AGENCY PRELUDES**

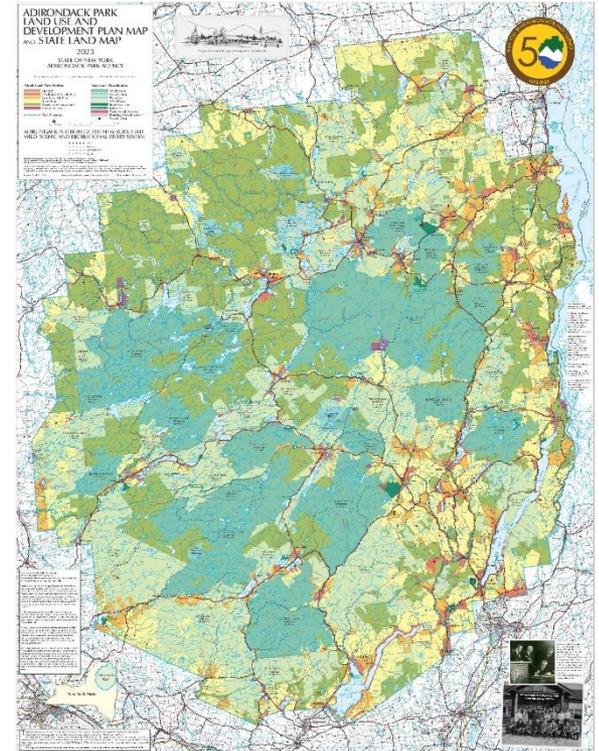
AGENCY AUTHORITY OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS IS SUBJECT TO THE FOLLOWING PRELUDES:

1. THE AGENCY HAS JURISDICTION OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS IN THE ADIRONDACK PARK.
2. THE AGENCY HAS JURISDICTION OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS IN THE ADIRONDACK PARK.
3. THE AGENCY HAS JURISDICTION OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS IN THE ADIRONDACK PARK.

**PROJECTS WITH ONE-QUARTER MILE OF WILDS, SCENIC OR RECREATIONAL OVERSIGHT**

AGENCY AUTHORITY OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS IS SUBJECT TO THE FOLLOWING PRELUDES:

1. THE AGENCY HAS JURISDICTION OVER LAND USE AND DEVELOPMENT AND SUBDIVISIONS IN THE ADIRONDACK PARK.
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# Development Considerations

- §805(4) - 37 Development Considerations
  - Natural Resources
    - Water, Land, Air, etc.
  - Historic Site Considerations
  - Site Development Considerations
    - Slopes, Soils, etc.
  - Governmental Considerations
  - Governmental Review Considerations

[DAP-DevelopmentConsiderations \(ny.gov\)](http://ny.gov)

# Development Considerations & SEQR

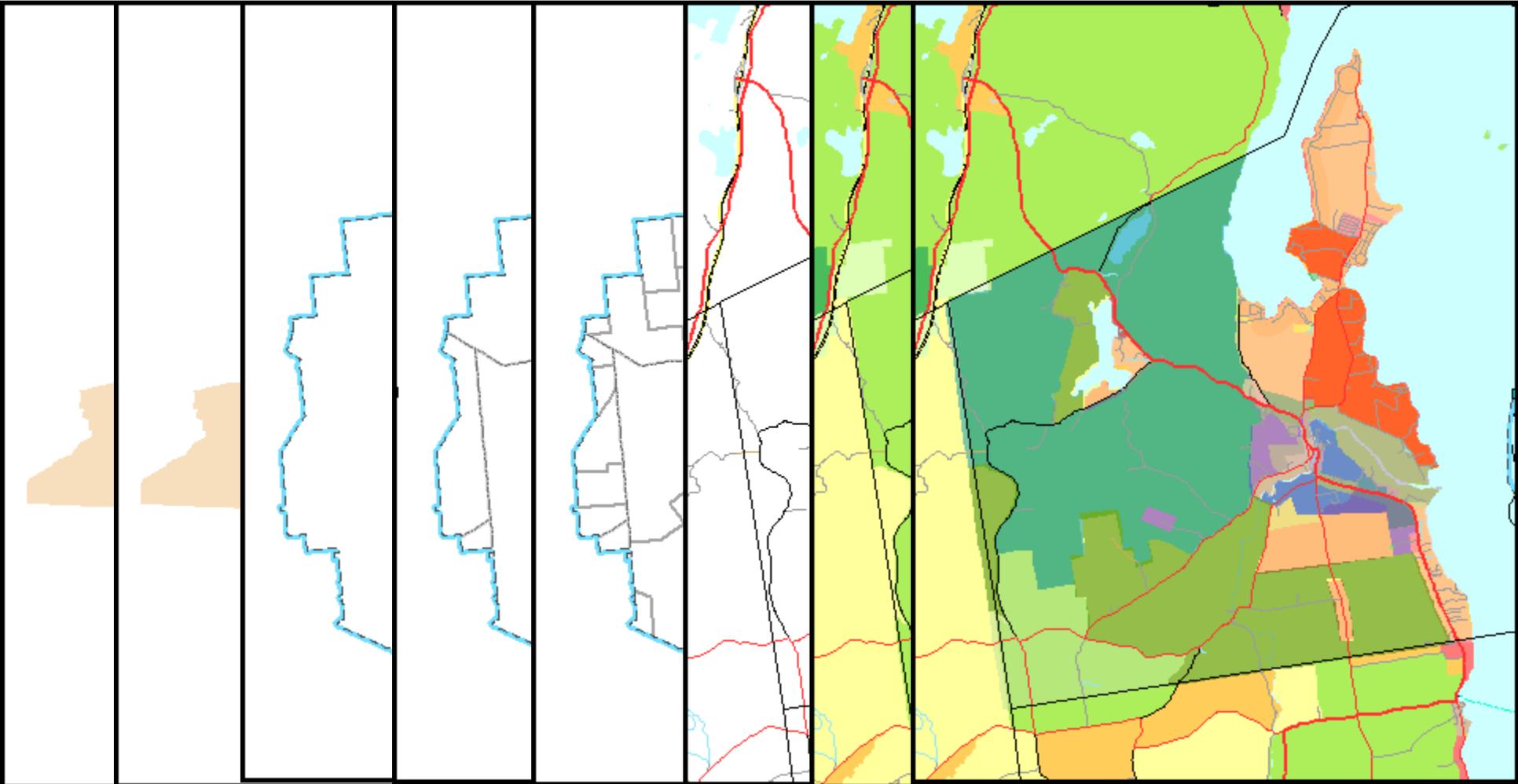
## 6 NYCRR §617.5(c) Type II

(45) actions subject to the class A or class B regional project jurisdiction of the Adirondack Park Agency or a local government pursuant to sections 807, 808 and 809 of the Executive Law, except class B regional projects subject to review by local government pursuant to section 807 of the Executive Law located within the Lake George Park as defined by subdivision one of section 43-0103 of the Environmental Conservation Law

# Zoning

## Local Land Use Controls Overview

# Layers of Land Use Controls



# Types of Local Land Use Controls

- Nuisance
- Preservation
  - Historic or Open Space
- Sanitary
- Site Plan Review
- Subdivision
- Zoning

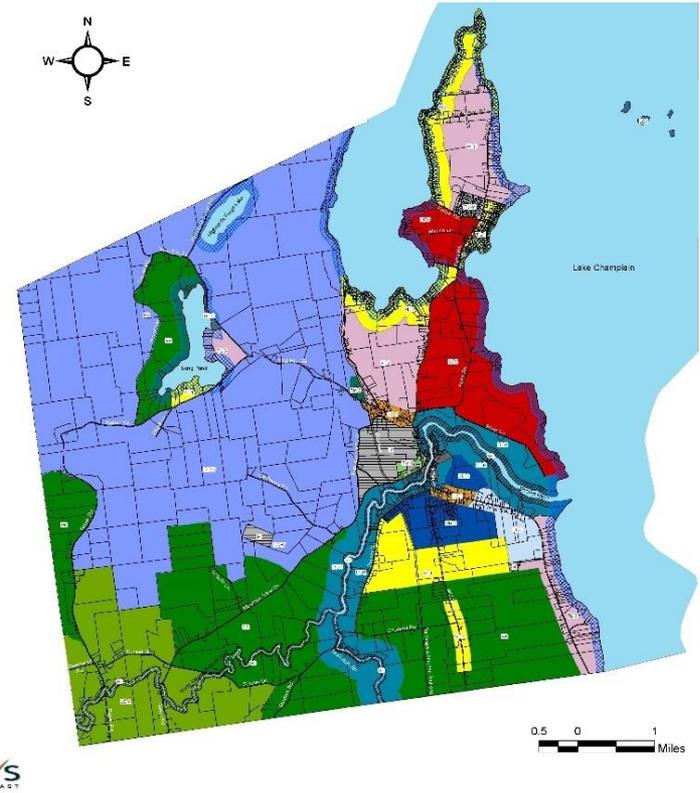
# Zoning - Town Law §261

“For the purpose of promoting the health, safety, morals, or the general welfare of the community, the town board is hereby empowered by local law or ordinance to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes...”

# Zoning Districts & Use/Dimensional Tables

Zoning District	Principal Permitted Uses	Special Uses	Area Regulations (ft. unless otherwise noted)	
HC-1 - Highway Commercial 1	Commercial Use*	Auto sales, service, repair, or rental	<b>Minimums</b>	
[Yellow Box]		Educational Institutions	Lot Size	20,000 s.f. (40,000 s.f. for nonresidential)
	Manufactured home			
	Office, professional & business*	Greenhouse	Lot Width	n/a
		Junkyard	Lot Frontage	n/a
	Restaurant*	Kennel	Front Yard	30
	Restaurant, Drive-in*	Major Home Occupation	Side Yard	15
	Retail store or shop*	Manufactured home park		(30 for nonresidential)
	Retail stand for farm crops	Manufactured home sales		
		Multiple family dwelling	Rear Yard	25
	Seasonal dwelling		<b>Maximums</b>	
Single family dwelling		Lot Coverage	30%	
Two family dwelling	Nursery		(80% for nonresidential)	
	Passenger Station			
Tavern*	Public or Semi-Public Buildings	Building Height	35	
<b>*Requires Site Plan Review</b>	Public utility use	Building Stories	2 ½	
	Tourist accommodations			

Zoning District	Principal Permitted Uses	Special Uses	Area Regulations (ft. unless otherwise noted)	
HC-2 - Highway Commercial 2		Major Home Occupation	<b>Minimums</b>	
[Brown Box]	Retail store or shop*	Restaurant		
	Seasonal dwelling	Tourist accommodations	Lot Size	40,000 s.f.
	Single family dwelling		Lot Width <sup>1</sup>	
			Lot Frontage	n/a
	<b>*Requires Site Plan Review</b>		Front Yard	30 <sup>1</sup>
		Side Yard	30 <sup>1</sup>	
		Rear Yard	20	
		<b>Maximums</b>		
		Lot Coverage	30%	
		Building Height	35	
		Building Stories	2 ½	



# Zoning Districts & Use/Dimensional Tables

Zoning District	Principal Permitted Uses	Special Uses	Area Regulations (ft. unless otherwise noted) Minimums	
HC-1 - Highway Commercial 1	Commercial Use*	Auto sales, service, repair, or rental		
		Educational Institutions	Lot Size	20,000 s.f. (40,000 s.f. for nonresidential)
	Manufactured home			
	Office, professional & business*	Greenhouse	Lot Width	n/a

**Notes:**

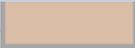
**1. Allowed in any district:**

- a. Accessory Uses and Accessory Structures (associated with an allowable use located on the same lot), including but not limited to boathouses, docks, guest cottages, minor home occupations, signs, and swimming pools.
- c. Public Utility Use.
- d. Private sand, gravel or topsoil extraction less than 50 cubic yards in a two year period.
- e. Travel Trailers.

2. Any use which is not listed as a Principal Permitted Use, use allowed by Site Plan Review, Special Use, or Accessory Use (see above) is prohibited in that zoning district. Any use that is not listed in any district is a prohibited use within the Town.

3. Special Uses are those that require Special Use Review by the Town Planning Board and issuance of a Special Use Permit. See Article XIII for further information.

4. See Articles IV through XIII and Article XV for other special regulations and additional dimensional requirements which may affect certain land use and development.

	Single family dwelling		Lot Width <sup>1</sup>	
			Lot Frontage	n/a
	* Requires Site Plan Review		Front Yard	30 <sup>1</sup>
			Side Yard	30 <sup>1</sup>
			Rear Yard	20
				<b>Maximums</b>
			Lot Coverage	30%
			Building Height	35
			Building Stories	2 ½

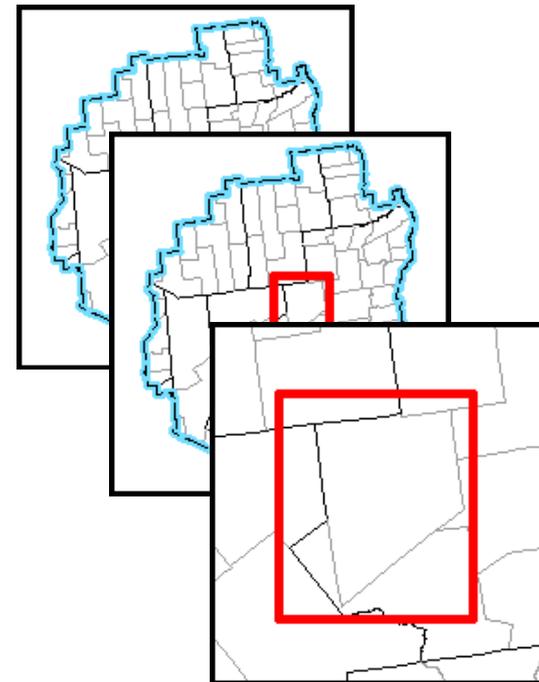
# Zoning & the APA Act

Local vs. Regional  
Land Use Controls

# Reconciling APA Act & Municipal Law

## Enabling Legislation

- APA
  - APA Act is a Regional Land Use Law
- Towns & Villages
  - Operate under NYS Town Law (or Village Law)
  - Uniform Fire Prevention and Building Code (Uniform Code) and the State Energy Conservation Construction Code (Energy Code)





# Towns with Zoning & Subdivision

Include Local Land Use Controls and Standards  
in addition to APA Requirements

## APA Jurisdiction:

APA Act

Rivers

Wetlands



## Town Controls

### Typically Include:

Uses

Lot Sizes/Intensity/Density

Lot Configuration

Roads (frontage & standards)

Historic Districts

Hamlet (Uses & Density)

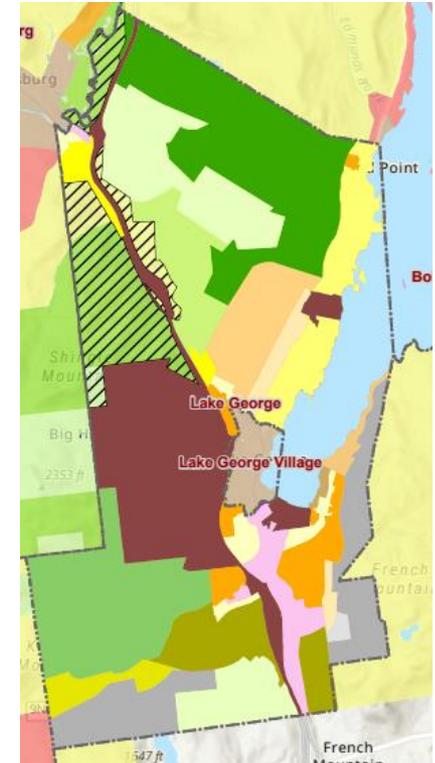
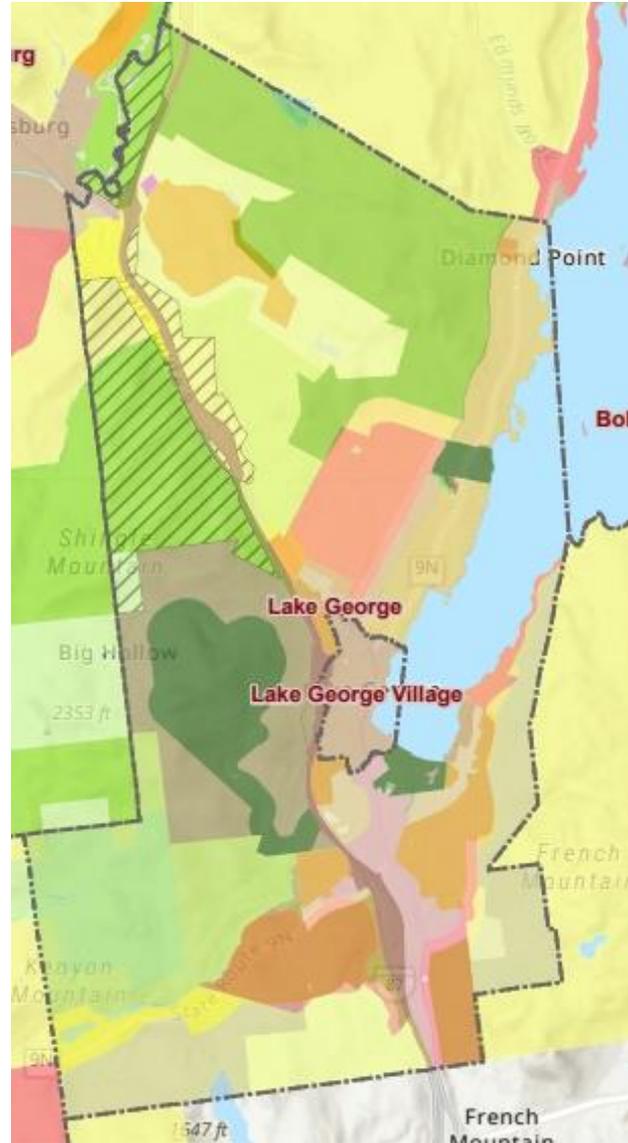
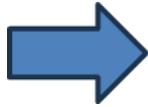
Design Standards

Nuisance

# APA Land Use Areas vs. Zoning Districts

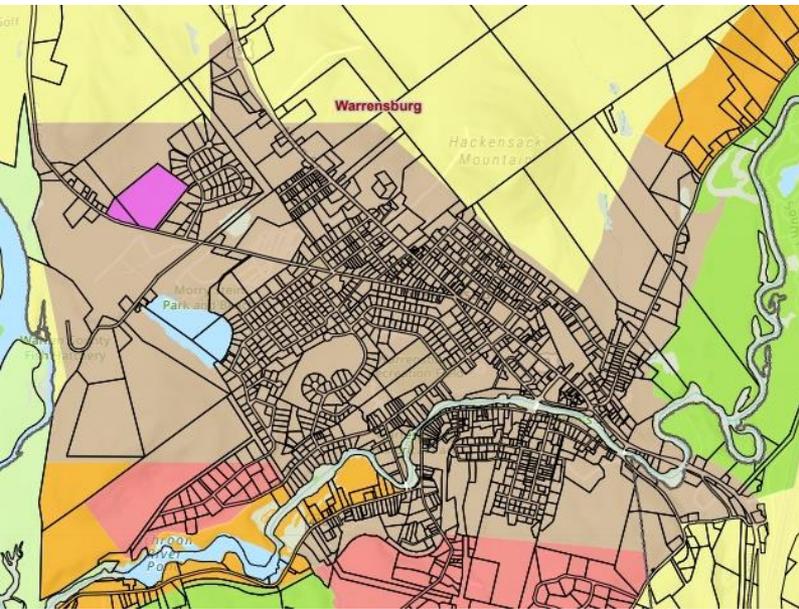


APA Map

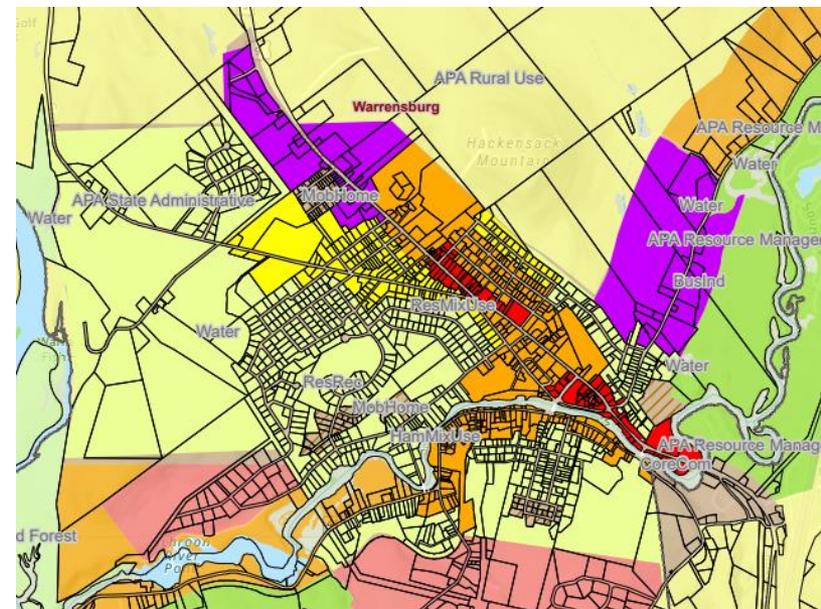
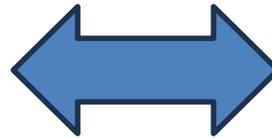


Town Map

# APA Land Use Areas vs. Zoning Districts



APA Map



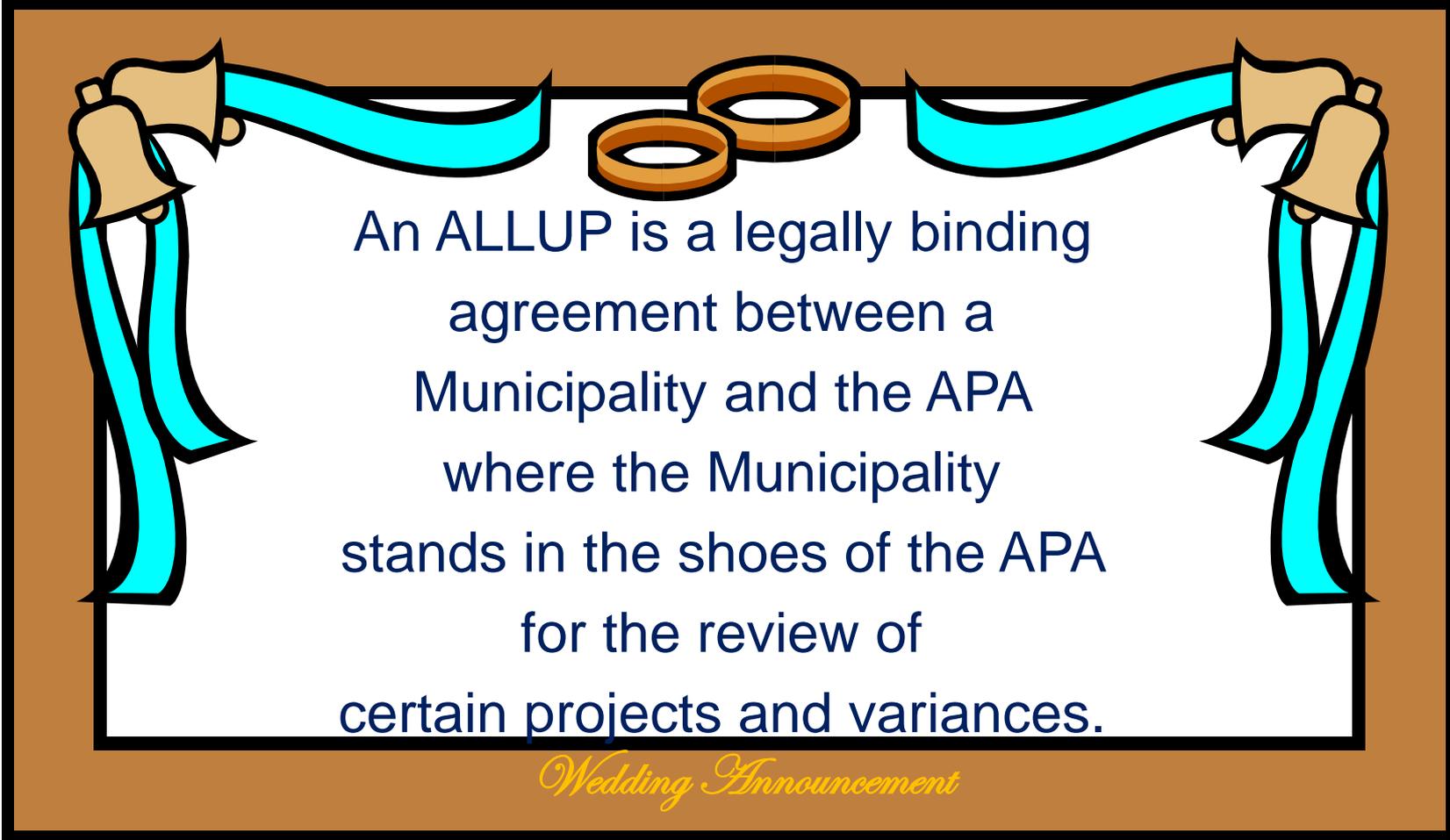
Town Map

# Zoning & the APA Act

## Agency-Approved Local Land Use Programs



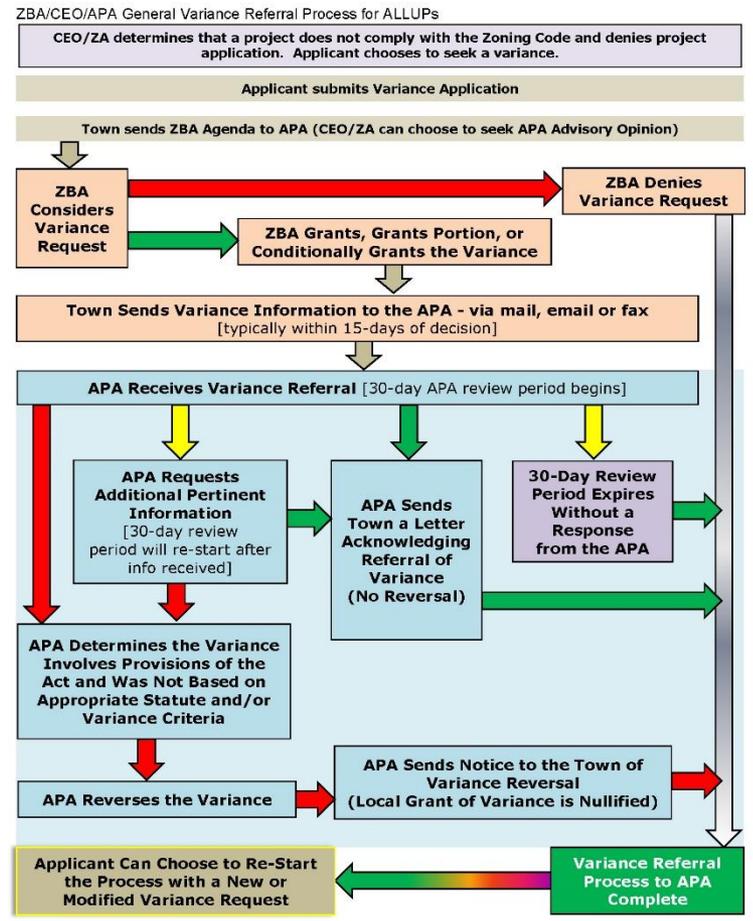
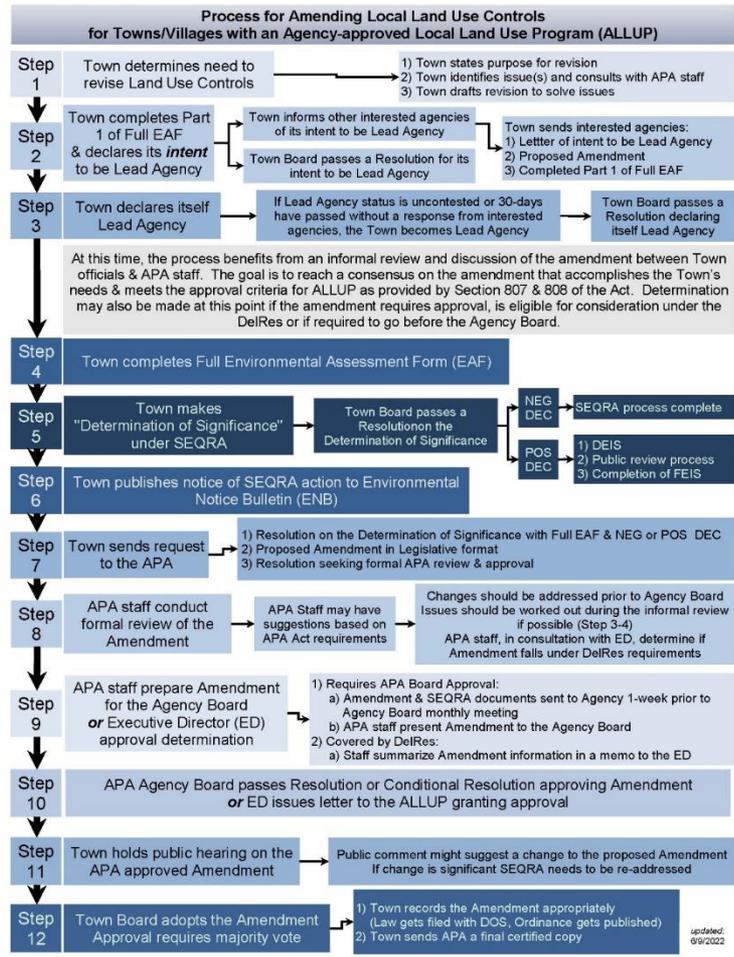
# APA-approved Local Land Use Programs (ALLUPs)



An ALLUP is a legally binding agreement between a Municipality and the APA where the Municipality stands in the shoes of the APA for the review of certain projects and variances.

*Wedding Announcement*

# APA-approved Local Land Use Programs Administration



# Zoning & the APA Act

Review of Projects  
Within the Park



Have questions about  
subdividing or  
developing land  
in the Adirondack Park?

Contact the New York State  
Adirondack Park Agency

(518) 891-4050

[www.apa.ny.gov](http://www.apa.ny.gov)

PO BOX 99  
RAY BROOK, NY  
12977

## Projects in The Park

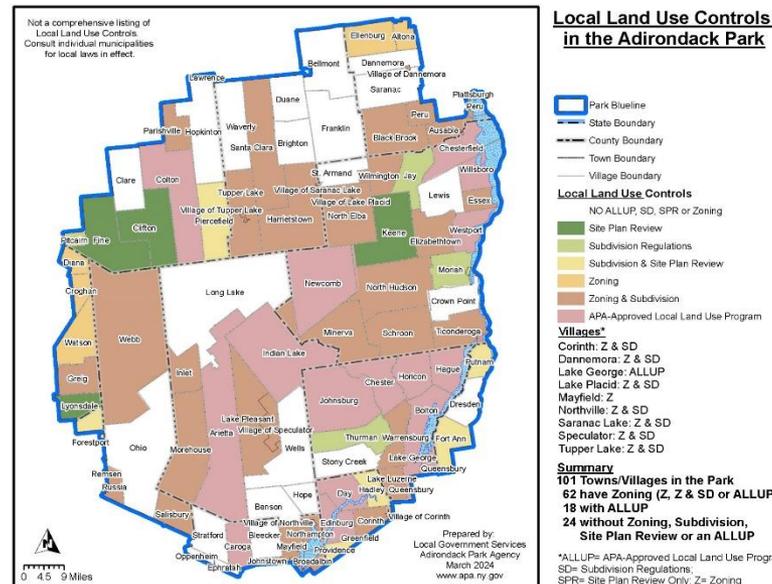
When in doubt seek us out!



Adirondack  
Park Agency

# APA Project Review & Local Zoning

- Agency takes local controls into account in review of projects





Adirondack Park Agency

LOCAL GOVERNMENT NOTICE FORM for Project/Variance Application to the Adirondack Park Agency

The Adirondack Park Agency will not deem an application complete until the appropriate municipal official in the Town/Village where a project is located has completed, signed and returned this form to the Agency.

If the Town/Village where the project site is located has zoning or other regulations which apply to the proposal, the Adirondack Park Agency will be unable to issue a permit if: (a) the Town/Village has either refused to grant a necessary permit or variance, or (b) the proposal is a prohibited use in that jurisdiction.

To be completed by the Applicant: APA Project Number (if available): Applicant Name: Landowner Name: Project site location: Town/Village: Tax Map Number: Project type/description:

If the project involves a subdivision, please provide the appropriate local official a copy of the proposed plat as part of the project description with the plan title and date recorded in the space provided above.

To be completed by the Town/Village:

Does the Town/Village have land use controls? Yes No

If Yes, please complete 1-9 below. If No, please skip to #9 below.

1) If the Town/Village has zoning, provide Zoning District Name(s):

2) How is the "use" defined under the local code?

Is the "use" allowed in the zoning district(s)? Yes No

3) Is the project prohibited by any local law or ordinance? Yes No

4) Does this project require a municipal permit? Yes No

a) If Yes, is the required permit a building permit only? Yes No

b) If No, identify the type of permit required:

5) Does this project require a municipal variance? Yes No

If Yes, identify the type of variance required (e.g., area, setback, etc.)

6) Does the project require any other municipal approval? Yes No

If Yes, identify the approval required:

7) Has the municipality received an application for this project? Yes No

If Yes, has the municipality issued any decision on this project? Yes No

8) Provide explanation for any decisions on this project or inconsistencies the project may have with local laws or any comments you wish to provide to the Agency about the project:

9) Please provide a daytime contact telephone number with the best days/times to be reached, and/or an email address for the official signing this form, should Agency staff have further questions regarding municipal review of this project: ( ) best times e-mail:

Signature of Zoning Official or Planning Board Chair (or Supervisor/Mayor if no such official exists)

Name and Title (Print)

Date

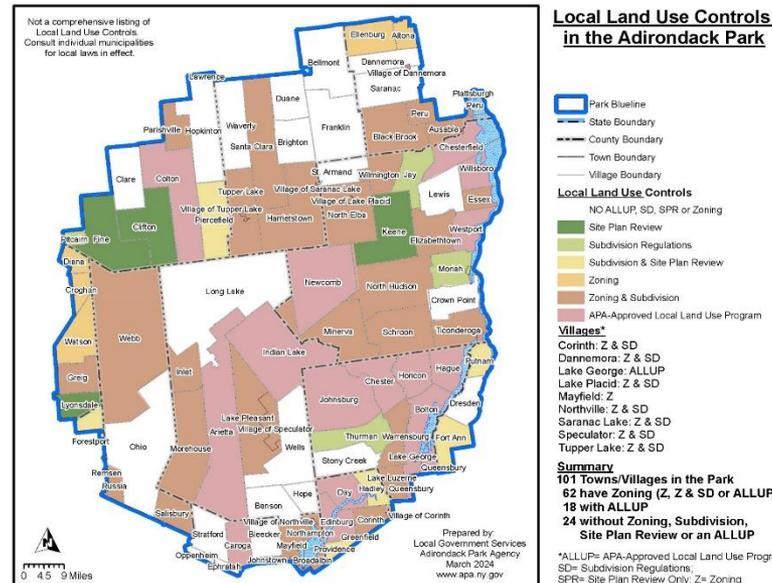
Please return this completed & signed form to the address or fax number below.

Local Government Notice Form



# APA Project Review & Local Zoning

- Agency takes local controls into account in review of projects
- Agency is required to consult with ALLUPs for Class A Projects



# Zoning & the APA Act

## Wrap-up & Questions

# The Home Stretch...

Provide an overview of the intersection between the regional land use controls of the Adirondack Park Agency (APA) Act and the special considerations for local land use controls within the “Blueline”

- APA Regional Controls vs. Local Controls
  - Dispel Common APA Myths
- Appreciate Opportunities for Local Zoning



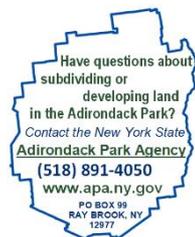


# Key APA Takeaways

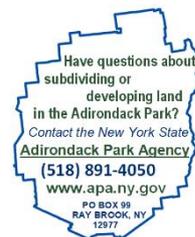
- 🔑 40 Feet is a Jurisdictional Threshold
  - 🔑 Structures >40 ft require a permit (not a variance)



When in doubt seek us out!



When in doubt seek us out!



When in doubt seek us out!



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# Key APA Takeaways



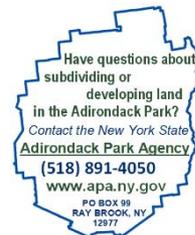
- 🔑 **40 Feet is a Jurisdictional Threshold**
  - 🔑 Structures >40 ft require a permit (not a variance)
  
- 🔑 **Overall Intensity Guidelines (OIGs) are not minimum lot sizes**
  - 🔑 APA's minimum lot sizes are a jurisdictional threshold



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# Key APA Takeaways

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  - 🔑 Structures >40 ft require a permit (not a variance)
  
- 🔑 **Overall Intensity Guidelines (OIGs) are not minimum lot sizes**
  - 🔑 APA's minimum lot sizes are a jurisdictional threshold
  
- 🔑 **Impacts/Involves Wetlands = APA Permit**



When in doubt seek us out!



When in doubt seek us out!



When in doubt seek us out!



When in doubt seek us out!



# Key Local Land Use Takeaways



🔑 Towns are given broad authority

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- 🔑 Uses can be prohibited in certain districts
- 🔑 Property Maintenance Laws
  - 🔑 Junky Yard vs. Junkyard

## Adirondack Planning Forum DRAFT Agenda

Wednesday, April 24<sup>th</sup>, 2024:

☛ Social/Light Hors D'oeuvres – Hotel Saranac Great Hall - 5:00PM ☛

Thursday, April 25 <sup>th</sup> , 2024 Conference Sessions		
8:00AM	* Registration Begins at 8:00AM on Thursday *	
8:45AM	☛ Welcome & Introductory Remarks ☛	
9:00AM to 9:30AM	☛ Refreshment Break & Visit with Exhibitors ☛	
	Track A - Training	Track B
<b>Session 1</b> 9:30AM to 10:45AM	APA Jurisdiction 101	Visitor Use Management
<b>Session 2</b> 11:00AM to 12:15PM	Comprehensive Planning	Flood Risk Reduction & Resiliency
12:15PM to 1:30PM	☛ Luncheon ☛	
<b>Session 3</b> 1:30PM to 2:45PM	Floodplain Regulation for Local Boards	Highest & Best Use: Maximizing Use of Developable Land in the Park's Hamlets
2:45PM to 3:00PM	☛ Refreshment Break & Visit with Exhibitors ☛	
<b>Session 4</b> 3:00PM to 4:15PM	SEQR: The Short Environmental Assessment Form (EAF)	Telecommunications: Permitting & New Technologies



Adirondack  
Park Agency

### Robyn Burgess

Principal Adirondack Park  
Local Planning Assistance Specialist

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