

4.0 Land Use and Land Use Regulations

The existing, observable land use of each parcel in the Town of New Hartford is important because it reveals the pattern of past growth, the location of areas that should be preserved, and the potential locations for future development. The analysis of existing conditions forms the basis of the future land use plan for the Town.

4.1 Existing Land Use

The Town of New Hartford consists of 22.4 square miles or 14,316 acres of land area exclusive of the villages within the Town’s borders. With a few exceptions, land use information included in this discussion is based on the New York State land use code of the real property database. Apartments and mobile home parks were taken out of the commercial category and listed as high density residential. Recreational land uses were divided into commercial, community service and open space categories depending on the use. A windshield land use survey was taken to fill in missing data and correct outdated information. The land use classifications are described in subsequent sections. A geographic information system (GIS) was used to summarize the area of the parcels by land use category. The resulting totals that are presented below do not include the area of road rights-of-ways. The following table represents the distribution of land uses in the Town of New Hartford:

Table 4-1 Summary of Land Use
Town of New Hartford

Land Use	Acres	Percent
Agriculture	3,857	26.9%
Low Density Residential	4,362	30.5%
High Density Residential	401	2.8%
Commercial	680	4.7%
Industrial	187	1.35
Community Service	644	4.5%
Public Service	278	1.9%
Open Space	508	3.5%
Vacant	3,398	23.7%

Source: Town of New Hartford and peter j. smith & company

4.1.1 Agriculture

Agriculture land uses include land devoted to the growing of crops, orchards and livestock. Over a quarter of the land in New Hartford is dedicated to these uses. The majority of agricultural use is located in the southern half of the Town with the largest areas found along Tibbitts Road and the southeast corner. An orchard is still operating off of Middle Settlement Road.

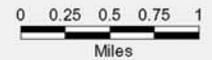
Town of New Hartford Comprehensive Plan

New Hartford, NY

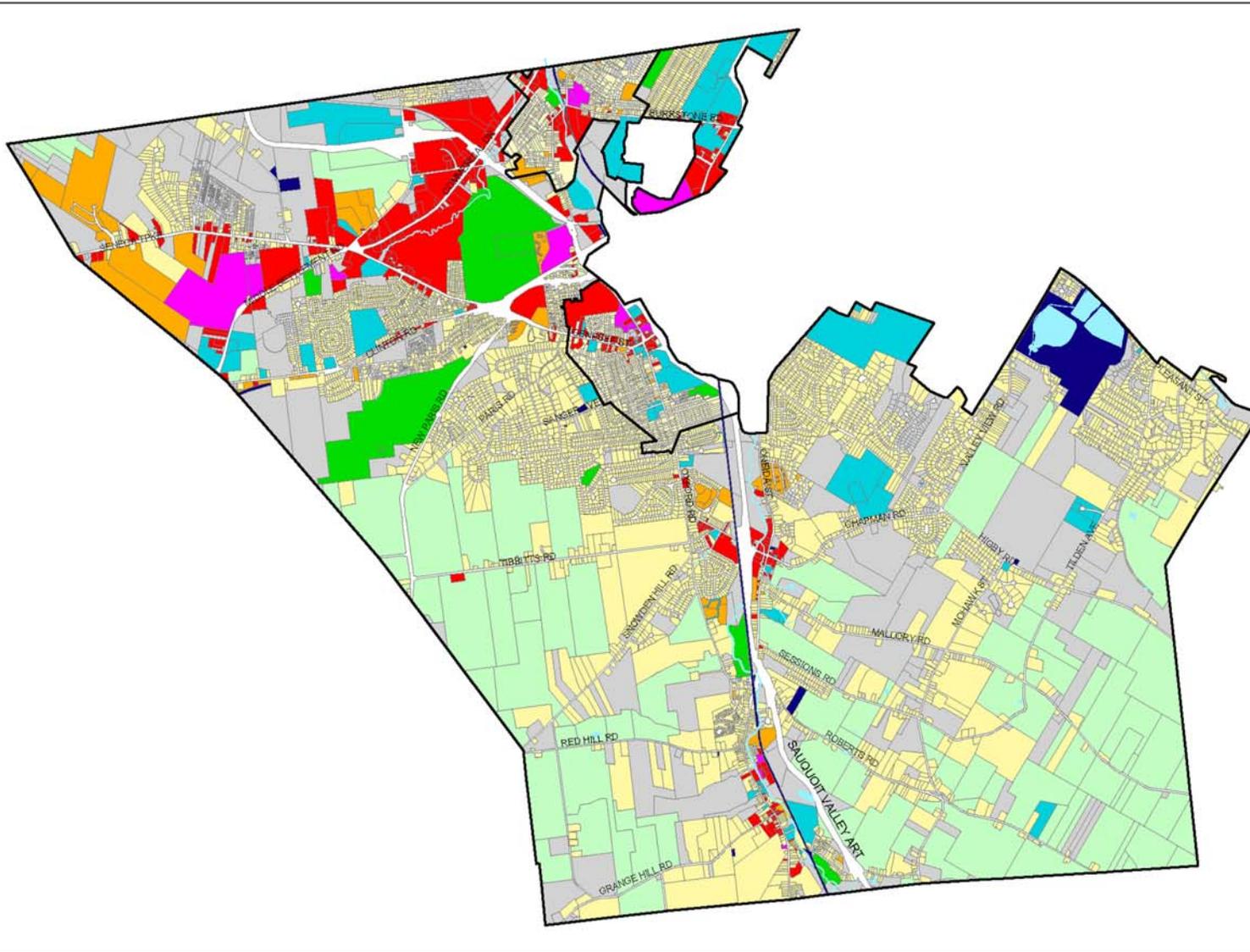
Existing Land Use

Legend

- Land Use
- Agriculture
 - Low Density Residential
 - High Density Residential
 - Commercial
 - Industrial
 - Community Service
 - Public Service
 - Open Space
 - Vacant



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4.1.2 Residential

Residential land uses occupy nearly a third of the Town's area. In the villages, there is a mix of single and two family properties with a few apartment buildings. There is also a mix of single family and two family houses along Oneida Street in the Hamlet of Chadwicks. Outside the villages, there are several single family neighborhoods concentrated around Paris Road, Clinton Road and Higby Road. New high-end housing is being built in the area around Pleasant Street. In the southern half of the Town, there are several estates and large lot single-family properties that occupy a significant amount of land area but provide few residential units.

High-density residential properties in the town include mobile home parks, modular home parks and apartment complexes. The Applewood and Cherrywood modular home developments, in the northwest corner of the town, account for most of the high-density residential area.

4.1.3 Commercial

Generally, there are two types of uses that are classified as commercial property: retail sales and offices. Overall, just under 5% of the Town's land is classified as commercial. Most of the commercial property is dedicated to retail sales. The bulk of commercial property in the Town of New Hartford is located along Commercial Drive. This is a regional commercial destination centered around the Sangertown Mall and Consumer Square. Smaller commercial nodes exist in the Villages of New Hartford and New York Mills and the Hamlets of Washington Mills and Chadwicks. Commercial uses are also located along Seneca Turnpike, Middle Settlement Road, Burrstone Road and French Road.

4.1.4 Industrial

Industrial uses include manufacturing operations and make up only 1.2% of the Town's area. Special Metals on Middle Settlement Road is the largest industrial property. Con Med at French Road and Chenango Street and Par Technology at 8383 Seneca Turnpike are other industrial complexes. Smaller, older industrial facilities still exist in the Village of New Hartford and in the Hamlet of Chadwicks.

4.1.5 Community Service

Community Services include government agencies, police and emergency services, schools, places of worship, and cemeteries. Community services are scattered throughout the Town accounting for 4.5% of the area. The largest areas used for community services are the St. Luke's Hospital and the cemetery on Oneida Street. Several schools, including the B.O.C.E.S. Complex also make up a significant share of the community service area. Places of worship, nursing homes, and Town facilities account for the remainder of the community service area.

4.1.6 Public Service

Parcels designated as public service are used for utility infrastructure such as substations, water towers and communication towers. Railroad corridors are also classified as public service. Public service uses account for 1.9% of the Town's land area. The majority of this area is occupied by the reservoir on Valley View Road. This facility is no longer being used but is being held by the water authority for reserve. The parcel would make an attractive location for a park. There is also a railroad corridor that runs parallel to the Sauquoit Arterial. Other utility facilities are scattered throughout the Town.

4.1.7 Park and Open Space

Park and open space areas make up 3.5% of the Town. The largest of these areas are the Sherrill Brook Park and the Yahnundasis Golf Club. However, the Yahnundasis Golf Club is a privately operated facility. The Washington Mills Athletic Fields and Donovan Memorial Park are other sizeable recreation facilities.

4.1.8 Vacant

Vacant land differs from open space in that it is not dedicated to recreation or preservation. These parcels have either not been developed yet, have been abandoned or are undevelopable. Nearly a quarter of the land in the Town of New Hartford is vacant. There are large parcels of vacant land in the southern half of the Town. Another largely undeveloped area is located around Woods Highway. It appears that some of the vacant land is the result of unfinished subdivisions. These unfinished subdivisions vary in age.

4.2 Land Use Regulations

4.2.1 Current Zoning Law

The Town of New Hartford is currently divided into 21 different zoning districts. There are three agricultural districts, three residential districts, four commercial districts, seven planned development districts, one industrial district, one institutional district, one professional office district and one park district. In addition to the 21 use districts there are five overlay districts: Stream Corridor Overlay District (SCOD), Wetlands Overlay District (WOD), Aquifer Overlay District (AOD), Steep Slope Overlay District (SSOD) and Natural Resource Protection District (NRPD). The overlay districts are designated to protect environmental areas and limit development in flood plains. The type of uses allowed and bulk requirements are established for each district in the form of a schedule of uses, area, and bulk regulation charts. However, there is very little control over the design of developments other than site plan review. The following table shows the distribution of zones by area in the Town of New Hartford:

Table 4-2 Existing Zoning Districts
Town of New Hartford

Zone	Zone Name	Acres	Percent
A	Agriculture	4,414	28.4%
RA1	Residential Agriculture 1	594	3.8%
RA2	Residential Agriculture 2	1,584	10.2%
LDR	Low Density Residential	4,053	26.1%
MDR	Medium Density Residential	906	5.8%
HDR	High Density Residential	387	2.5%
RB1	Retail Business 1	431	2.8%
RB2	Retail Business 2	207	1.3%
RB3	Office Business	285	1.8%
RB4	Neighborhood Business	35	0.2%
PO	Professional Office	11	0.1%
I	Institutional	349	2.2%
M	Manufacturing	381	2.5%
P	Park	150	1.0%
PDI	Planned Development Institutional	419	2.7%
PDMU	Planned Development Mixed Use	174	1.1%
PDMH	Planned Development Mobile Home	329	2.1%
PDP	Planned Development Park	311	2.0%
PDREC	Planned Development Recreation	243	1.6%
PDRES	Planned Development Residential	131	0.8%
PHB	Planned Highway Business	146	0.9%

Source: Town of New Hartford

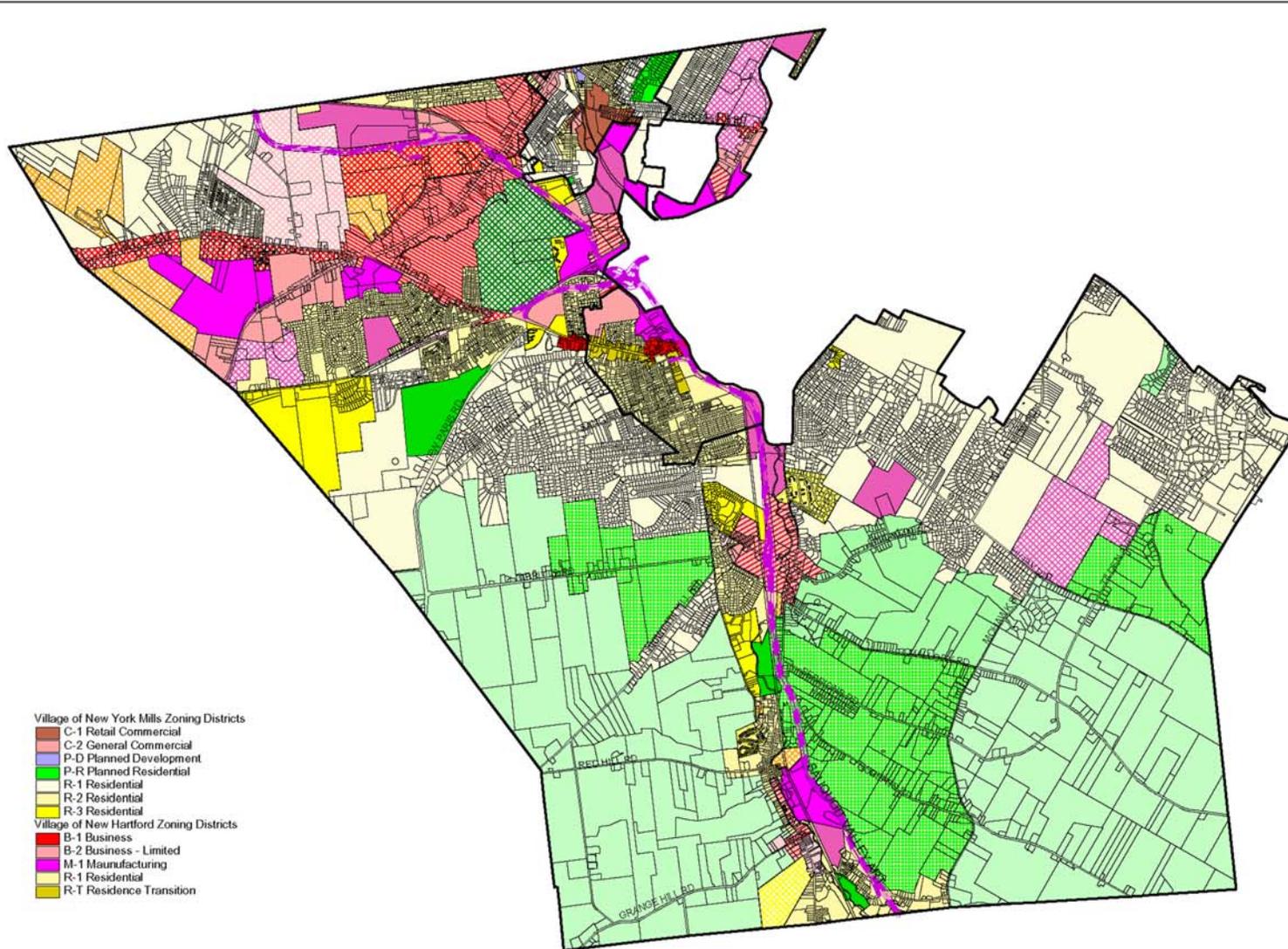
4.2.2 Agricultural Districts

There are three agricultural districts in the Town of New Hartford. Together, they cover 42.4% of the Town. These zones are located in the southern half of the Town away from the Oneida Street corridor. Two of the districts (RA1, RA2) are designed to be transitional zones between a more committed agricultural district and residential districts. The uses allowed in all three districts are similar but there are differences in the lot size for dwelling units.

Town of
New Hartford
Comprehensive
Plan

New Hartford, NY

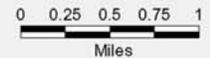
Current
Zoning



- Village of New York Mills Zoning Districts
- C-1 Retail Commercial
 - C-2 General Commercial
 - P-D Planned Development
 - P-R Planned Residential
 - R-1 Residential
 - R-2 Residential
 - R-3 Residential
- Village of New Hartford Zoning Districts
- B-1 Business
 - B-2 Business - Limited
 - M-1 Manufacturing
 - R-1 Residential
 - R-T Residence Transition

Legend

- Town Of New Hartford Zoning Districts
- Agriculture
 - Residential Agriculture 1
 - Residential Agriculture 2
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Neighborhood Business
 - Office Business
 - Retail Business 1
 - Retail Business 2
 - Professional Office
 - Manufacturing
 - Institutional
 - Planned Development Residential
 - Planned Development Mobile Home
 - Planned Development Park
 - Planned Highway Business
 - Planned Development Mixed Use
 - Planned Development Recreation
 - Planned Development Institution
 - Park



4.2.3 Residential Districts

Residential districts make up 34.4% of the land in the Town of New Hartford. The Low Density Residential District (LDR) is dedicated to single-family residential units but allows some community services. The LDR District covers the middle of the Town, just south of the City of Utica and the Village of New Hartford. Other LDR Districts are located in the northwest and northeast corners of the Town. The Medium Density District allows for smaller lot sizes than the LDR and permits two-family dwellings. These districts are located in the Oneida Street/Oxford Road corridor and along Clinton Road. The High Density Residential District (HDR) allows for even smaller lots for single and two-family dwellings. The district also allows multi-family dwellings. The HDR Districts are generally smaller and located on existing multi-family developments. There is a large HDR District located on Clinton Road that has not been developed.



A third of the Town is zoned residential

4.2.4 Commercial Districts

The four commercial districts in the Town of New Hartford cover 6.1% of the Town's land area. Two of the districts (RB1 and RB2) are geared towards retail business. These districts allow the same uses except that the RB1 allows larger establishments without site plan review. These districts are concentrated along Commercial Drive and in the Hamlet of Washington Mills. The RB3 District is designed for office developments. The district is located where current office developments exist or are planned. Much of the district is located on Middle Settlement Road. The RB4 district is designed for small-scale retail to serve the surrounding neighborhoods. Individual RB4 Districts can be found on Clinton Road and in the Hamlets of Washington Mills and Chadwicks. The commercial zones generally control the size of developments and types of uses, but lack design controls.

4.2.5 Professional Office District

The Professional Office District was created to accommodate large single-family dwellings that were converted into offices. The single small district accounts for 0.1% of the Town's land area and is located on Genesee Street just west of the Village of New Hartford.

4.2.6 Planned Development Districts



Applewood Community is one of several planned developments; it is anticipating expansion

Collectively, planned development districts represent 11.2% of the area in the Town of New Hartford. Seven types of Planned Development Districts were created for different types of developments. Planned Developments that have already been built include the St. Luke's Medical Complex, Applewood and Cherrywood modular home developments, The Yahnundasis Golf Club, nursing homes on Tilden Avenue and Middle Settlement Road, and some residential developments along Oneida Street. The Planned Office Park District and Planned Mixed Use District located south of the Judd Road Extension are still largely undeveloped. The Planned Highway Business District was designed

to ensure uniform development for individual businesses created along Seneca Turnpike. Planned development districts are loosely worded to allow the developers a degree of flexibility in design.

4.2.7 Industrial, Institutional and Park Districts

The Industrial, Institutional, and Park Districts were created to accommodate their respective uses. These zones are located around existing facilities.

4.2.8 The Villages

The Villages of New Hartford and New York Mills have their own zoning classifications. Each of the villages provide for a mix of residential uses around a commercial and industrial core. The following tables represent the distribution of zones in the two villages within the Town of New Hartford.

Table 4-3 Village of New Hartford Zoning Districts

District	Acres	Percent
R-1 Residential	270	67.4%
R-T Residence Transition	41	10.3%
B-1 Business	17	4.1%
B-2 Business - Limited	41	10.3%
M-1 Manufacturing	31	7.8%

Source: Town of New Hartford

Table 4-4 Village of New York Mills Zoning Districts

District	Acres	Percent
R-1 Residential	183	50.1%
R-2 Residential	63	17.3%
R-3 Residential	3	0.7%
C-1 Retail Commercial	57	15.7%
C-2 General Commercial	19	5.3%
P-D Planned Development	3	0.8%
P-R Planned Residential	37	10.1%

Source: Town of New Hartford

4.3 Land Use Findings

- The Town has a considerable amount of vacant land (24%) available for development. Much of this land is in the southern half of the Town and requires the extension of infrastructure for development
- The current zoning districts function to concentrate commercial development to nodes and limit commercial development in the southern half of the Town
- Some of the districts were established to protect existing facilities
- The zoning code lacks defined design guidelines or standards with the exception of the Planned Development Park (PDP)
- Much of the development in the town is the result of planned developments
- The town could benefit from reducing the number of zones and establishing design controls to foster a continuity of development

4.4 Land Use Policies

Policy 1 - The Town should continue to explore ways to mitigate the adverse effects of development, both on- and off-site.

Policy 2 - The Future Land Use Plan will be consulted for appropriate type, scope and location of future development

Policy 3 - Zoning changes should be consistent with the Town’s Plan and minimize potential land use conflicts

Policy 4 - The Town should adopt appropriate land use regulations and design standards to enhance the visual character of the Town

Policy 5 - The Town should assess and protect important and significant views

Policy 6 - Development should be sited in a way that maximizes environmental protection

Policy 7 - Critical natural areas and scenic vistas should be preserved

Policy 8 - Reuse of vacant and under-utilized parcels and buildings should be a priority for new development proposals

Policy 9 - New development should take place only in those areas where adequate infrastructure exists

Policy 10 - Agricultural production should be encouraged on the Town's prime agricultural lands

Policy 11 - Opportunities for open space acquisition should be investigated

Policy 12 - Flood plains and flood areas should be protected from future development

Policy 13 - Recommendations of existing plans and state-level agencies for approaches to storm water management should be implemented

Policy 14 - Areas with a tendency to flood should be protected from intense development