

Local Law #2014-4 Overlay Zone

Location and Regulations for Rooming Houses, Boarding Houses, Chapter or Membership Houses, Fraternities and Sororities

Village of Alfred, NY 14802

Definition of Fraternity or Sorority, Chapter or Membership Association House -- A place of residence or assembly, occupied either as a rooming house or multi-unit dwelling, that is occupied and/or operated by a membership association of college or university students or the members thereof, such as a fraternity, sorority or social organization, whether unincorporated or incorporated under the laws of the State of New York, and officially recognized by an institution of higher learning, that provides domestic, social, or other facilities or services to the association as a whole or the members thereof. This term shall include the grounds, buildings, appurtenances, adjacent premises, if directly or indirectly under the control of such association or members thereof.

(Above to replace the present definition in the zoning code's glossary)

Definition and Purpose of an Overlay Zone and of these Amendments to the Alfred Village Zoning Code: Overlay zoning is the creation of a special zoning district, placed over existing zoning districts, which identifies special provisions, uses or requirements in addition to (or instead of) those in the underlying base zones(s). Overlay districts can share common boundaries with the base zone or cut across underlying zone boundaries. Such districts can be either permitting or prohibitory in approach, allowing or limiting particular uses and activities.

The purpose of overlay zones can be to promote particular development objectives, encourage sustainable design and building, protect natural resources or specific areas, such as floodplains, or existing neighborhoods, such as historic districts. They can be combined with other tools such as incentive zoning to promote specific goals of the community.

Establishing zoning districts and imposing zoning restrictions are justified in New York State in order to preserve the character of the community; reduce parking and traffic problems; control population density; and prevent noise and disturbance.

Overlay Zone that Would Include, as Permitted Uses, Rooming, Boarding, Fraternity, Sorority, Chapter, or Membership Houses: This village zone includes portions of two pre-existing zones: B-1 and B-2. Its boundary was defined in accordance with the following considerations:

1. relative proximity to Alfred University and Alfred State College campus property;
2. consistent with existing zones of high use-intensity;
3. having no adjacent borders with R-1 zones or single-family structures;
4. preserving neighborhood character by controlling the extent of parking and traffic congestion, population numbers, noise, and disturbance.

Defined area of village overlay zone: See zoning map.

Lot and Structure Requirements for Overlay Zone Properties Occupied as Rooming, Boarding, Fraternity, Sorority, Chapter, or Membership Houses: (modified Section 303.00)
Section 303.00 A

- A. Each lot shall have at least eight thousand (8000) square feet of land area.

- B. The principal building shall have a total area of at least eighteen hundred (1800) square feet of floor area.
- C. The total area of structures relative to lot size shall not exceed that necessary to allow for the required number of parking spaces on the side and rear of the principal structure.

Off-Street Parking Regulations for Overlay Zone Properties Occupied by Rooming, Boarding, Fraternity, Sorority, Chapter, or Membership Houses: (modified Section 304.00)

Section 304.00 A

- A. The number of off-street parking spaces required for any rooming, boarding, fraternity, sorority, chapter, or membership house shall be one (1) for each bedroom. (With approval from the village's Code Enforcement Officer and Planning and Zoning Board, modifications to this parking requirement might be possible.)
- B. Required driveways shall be surfaced with a durable, dustless material and be no more than twenty (20) feet in width.
- C. The size of off-street parking spaces shall be not less than ten (10) feet wide by twenty (20) feet long for all side-by-side parking or not less than eight (8) feet wide by twenty-three (23) feet long for all parallel parking.
- D. Off-street parking spaces shall be allowed in side and back yards only.
- E. Off-street parking space shall be finished with necessary passageways and driveways. All required space must be on the lot on which it is situated.
- F. All parking areas, passageways and driveways shall be surfaced with a dustless, durable all-weather surface, adequately drained and subject to the approval of the Zoning Enforcement Officer.
- G. Space for maneuvering incidental to parking shall not encroach upon any public way.
- H. Every off-street parking space shall be accessible from a public way.

Occupancy Levels for Rooming, Boarding, Fraternity, Sorority, Chapter, or Membership House:

The allowed occupancy of Congregate Houses shall be determined proportional to the structure's size:

- A. 1800 to 2500 square feet, up to seven (7) residents
- B. 2501 to 3000 square feet, up to eight (8) residents
- C. 3001 to 3500 square feet, up to nine (9) residents
- D. 3501 to 4000 square feet, up to ten (10) residents
- E. Over 4001 square feet, up to twelve (12) residents

All occupancies must be approved by the village's Code Enforcement Officer.

Permitted uses and accompanying regulations as presented in the Village of Alfred Zoning Law (REV. 2006) continue to apply to all properties and Zoning Districts outside the village's new Overlay Zone, established April 28, 2014.