

**Draft Amendment to the
Village of Alfred Zoning Code**

A. Article One

1. **Section 105.00**, shall be amended to add the text set forth in Schedule “A” to the R-2 district.

B. Article Two

1. **Subsection D of Section 200.00 R-1 One-Family Residence District**, captioned “Prohibited Uses” shall be amended to delete the words “mobile homes” and to replace them with the words “manufactured homes” and to add the following text after the words “manufactured homes”:

“tiny homes”

2. **Subsection C of Section 201.00 R-2 Two-Family Residence District**, captioned “Special Permit Uses”, shall be amended to add the following text:

C. Special Permit Uses

“3. Placement and/or construction of a manufactured home or tiny home.”

3. **Subsection D of Section 201.00 R-2 Two-Family Residence District**, captioned “Prohibited Uses”, shall be amended to delete therefrom the words “mobile homes”.

4. **Subsection C of Section 202.00, R-3 Multi-Family Residence District**, captioned “Prohibited Uses”, shall be amended to delete the words “mobile homes” and to replace them with the words “manufactured homes” and to add the following text after the words “manufactured homes”:

“tiny homes”

5. **Subsection D of Section 203.00 B-1 Central Business District**, captioned “Prohibited Uses”, shall be amended to delete the words “mobile homes” and to replace them with the words “manufactured homes” and to add the following text after the words “manufactured homes”:

“tiny homes”

6. **Subsection D of Section 204.00 B-2 Business District**, captioned “Prohibited Uses”, shall be amended to delete the words “mobile homes” and to replace them with the words “manufactured homes” and to add the following text after the words “manufactured homes”:

“tiny homes”

7. Subsection I of Section 205.00 Research/Development District, captioned “Prohibited Uses”, shall be amended to add the following text after the words “social clubs and lodges”:

“, manufactured homes and tiny homes”

8. Subsection B of Section 206.00 Educational District E-1, captioned “Special Permit Uses”, shall be amended so as to add the following text:

B. Special Permit Uses

“4. Placement and/or construction of a manufactured home or tiny home.”

C. Article Three

1. Section 302.00 Uses Requiring Special Permits shall be amended to delete the following section therefrom:

G. Fraternity, Sorority, Chapter or Membership Association House Requirements.

2. With the deletion of Section 302.00(G), Section 302.00 Uses Requiring Special Permits shall be amended as follows:

H. Large Dwelling Re-Use Requirements is re-lettered as Section G.

3. Section 302.00 Uses Requiring Special Permits shall be amended to add the following text:

“H. Manufactured Homes and Tiny Homes.

1. A Manufactured Home or a Tiny Home may be placed and/or constructed in an R-2 District, or E-1 District provided the conditions set forth in this Subsection H are satisfied.

2. Permits Required.

a. Although a Manufactured Home or Tiny Home may have the capability to be placed on a chassis or wheels and relocated, a Manufactured Home or Tiny Home may only be placed and/or constructed as a detached structure on a foundation and must comply with all set back requirements and minimum lot requirements set forth in Section 105.00 Schedule of Lot and Building Requirements. In the event (i) a Manufactured Home or Tiny Home placed or constructed on a property in accordance with the requirements of this Law is thereafter removed from such property, and (ii) an application for a Special Permit for another Manufactured Home or Tiny Home to be placed or constructed on such property has not, at such time, been made in accordance with the requirements of this Law, the owner of the property shall forthwith

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(x) remove and/or properly close and secure all utility (including, but not limited to, gas, electric, telecommunications, water, sanitary sewer and stormwater) services, lines, facilities and equipment, and (y) remove the foundation(s) and related improvements from the property and restore the former location of the foundation(s) and related improvements on the property to grade, all as may be required and approved by the Code Enforcement Officer and otherwise in compliance with the provisions of applicable law. The Code Enforcement Officer shall have the right to conduct one or more on-site inspections to determine the property owner's compliance with the provisions of this paragraph.

- b. Section 401.00 Certificates and Permits and Section 409.00 (Subsections 409.01 through 409.04) shall be applicable to the development, placement, construction, reconstruction, alteration, use and/or occupancy of a Manufactured Home or Tiny Home.
- c. In addition to the provisions of Subsection B of Section 409.04 Special Use Permits, captioned "Required Findings", the Planning Board may grant a Special Use Permit for a Manufactured Home or a Tiny Home if it is determined that:
 - i. Such application shall conform to the space and occupancy requirements as set forth in Local Law No 5 – 1985, except that the following requirements of Local Law No 5 -1985 shall not be applicable to Tiny Homes;
 - 1. Section 201.00(a) of Local Law No. 5 -1985;
 - 2. Section 202(a) of Local Law No. 5 – 1985;
 - 3. Section 203.00 of Local Law No. 5 – 1985 provided that the total floor area of the Tiny Home is a minimum of 150 square feet;
 - 4. the separation requirements described in Section 206.00(a)-(b) of Local Law No. 5 – 1985; and
 - 5. Section 207.00 of Local Law No. 5 – 1985.
 - ii. Such application will result in the placement of a Manufactured Home that is constructed in accordance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (H.U.D.) and a Manufactured Home or Tiny Home that is constructed in accordance with the applicable standards of the New York State Uniform Fire Prevention and Building Code, including but not

limited to adequate connections to public utilities, water and sewer;

- iii. Notwithstanding the provisions of Section 600.00.B.1 to the contrary, to obtain a Special Use Permit all applications for Manufactured Homes or Tiny Homes shall be subject to the application submission material requirements of Section 602.00; and
 - iv. The placement of a Manufactured Home or Tiny Home will not cause a significant adverse impact on the character of the premises or neighborhood and/or will not be detrimental to public health, safety, and welfare.
- f. Any proposed changes in the placement and/or construction of a Manufactured Home or Tiny Home shall require application for, and issuance of, a new Special Use Permit.

4. Article 3 is amended by adding Section 308.00 Outside Storage of Recreational Vehicles as follows:

“Section 308.00 Outside Storage of Recreational Vehicles

In all districts, the outdoor parking of one (1) Recreational Vehicle only shall be permitted provided the following conditions are satisfied:

- (1) A Recreational Vehicle may not be parked within the space between the front lot line and the principal structure;
- (2) A Recreational Vehicle may not be parked within the space between the property line and any required side or rear setback line for more than 180 consecutive days per year.
- (3) A Recreational Vehicle shall not be used as a permanent dwelling unit for living, sleeping, housekeeping or residential purposes.”

C. Article Seven

1. The definitions of “Dwelling Unit” and “Manufactured Home”, respectively, are hereby deleted and the following inserted in their places:

“DWELLING UNIT One or more rooms designed for occupancy by one family for cooking, living, sanitary and sleeping purposes. A dwelling unit shall include a manufactured home and a tiny home, but shall not include a recreational vehicle.”

“MANUFACTURED HOME A factory-built dwelling unit constructed on a chassis to facilitate its transportation to a lot that is intended to be used as a stationary, continuously occupied dwelling unit and is constructed in accordance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (H.U.D.) and applicable standards of the New York State Uniform Fire Prevention and Building Code and ultimately placed on a foundation. A Manufactured Home shall not be construed as a Recreational Vehicle or a Tiny Home.”

2. The following new definitions are added:

“RECREATIONAL VEHICLE A motorized vehicle or trailer that can be registered by the New York State Department of Motor Vehicles, which is designed to be primarily used for temporary living or sleeping purposes while traveling or temporary use for recreational purposes and which is customarily standing on wheels or removable rigid supports. Recreational Vehicle includes boats, boat trailers, camping units, travel or camping trailers, snowmobile trailers and other similar vehicles.”

“TINY HOME A dwelling unit that is built as a structure and not on a trailer or chassis that is intended to be used as a stationary, continuously occupied dwelling unit and that is less than or equal to 400 square feet in total floor area, but not less than 150 square feet of total floor area.”