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**Appendix A  
Waterfront  
Zoning  
Law**

**THE COUNCIL OF THE CITY OF WATERVLIET**

**ORDINANCE NO. 1778**

**INTRODUCED BY COUNCILMAN ANDERSON**

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**AN ORDINANCE OF THE CITY OF WATERVLIET, NEW YORK  
PROVIDING THAT THE CODE OF ORDINANCES, CITY OF WATERVLIET  
BE AMENDED BY REVISING SECTION 272-4, SECTION 272-5, SECTION 272-6,  
AND ARTICLE IV OF SAID CODE.**

The Council of the City of Watervliet, in regular session convened, ordains as follows:

**SECTION I**

That section 272-4 of the Code of Ordinances of the City of Watervliet be amended by adding to said Section the following:

WRD           - Waterfront Recreation District  
WOSD         - Waterfront Open Space  
WBD           - Waterfront Business District

**SECTION II**

That section 272-5 of the Code of Ordinances of the City of Watervliet be amended by adding to said Section the following:

The aforesaid districts are hereby established by the designations, locations, and boundaries thereof set forth and indicated on the Zoning Map of the City of Watervliet, dated July 1, 1961, and revised January 1, 1999 and September 4, 2005 as part of the Local Waterfront Revitalization Program. Said map shall be known as the "Zoning Map of the City of Watervliet" and is hereby decreed to be a part of the chapter.

**SECTION III**

That Section 272-6 of the Code of Ordinances of the City of Watervliet be amended by adding to said Section the following:

D. B-1 District on 3<sup>rd</sup> Avenue between 6<sup>th</sup> and 7<sup>th</sup> Street shall include the west side of 3<sup>rd</sup> Avenue.

E. B-2 District shall include the west side of 2<sup>nd</sup> Avenue and to 3<sup>rd</sup> Avenue at 19<sup>th</sup> Street.

DEPARTMENT OF STATE  
COASTAL PROGRAMS

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**SECTION IV**

That Article IV of the Code of Ordinances of the City of Watervliet be amended by adding to said Article the following:

**Section 272-35 WRD- Waterfront Recreation District**

This District applies to City of Watervliet owned lands located along the Hudson River shoreline that comprises the Hudson Shores Park.

The following regulations shall apply in all WRD Districts, subsequent to any and all other required permits and approvals:

A. Permitted uses shall be as follows:

- (1) Water-related recreational uses, including non-motorized boat launches, floating docks, and seasonally moored vessels; and
- (2) Other outdoor recreational uses, including flea markets and farmers markets, outdoor amphitheaters, special events venues, and bike hike trails.

B. Special Permit uses may include the following:

- (1) Seasonally operated restaurant establishments on barges provided such uses connect to the City's public sewer infrastructure and subject to site plan review.

**Section 272-36 WOSD- Waterfront Open Space District**

This District applies to the portion of the City of Watervliet's shoreline that does not consist of Hudson Shores Park. This segment of the shoreline is characterized primarily by steeply sloping shore lands.

The following regulations shall apply in all WOS Districts, subsequent to any and all other required permits and approvals:

A. Permitted uses shall be as follows:

- (1) Bird watching, recreational fishing, or for the development of a bike/hike trail.

**Section 272-37 WBD- Waterfront Business District**

These districts are comprised of the following areas: Broadway from the North Arsenal Wall to 15<sup>th</sup> Street; Broadway from 19<sup>th</sup> Street to 21<sup>st</sup> Street, and the East side of Broadway from 21<sup>st</sup> Street to 22<sup>nd</sup> Street.

The following regulations shall apply in all WB Districts, subsequent to any and all other required permits and approvals:

A. Permitted uses shall be as follows:

1. One family dwelling;
2. Stores, shops or markets where goods are sold or personal services are rendered, provided that:
  - (a) All goods or products fabricated or processed incidental to such use shall be sold at retail on the premises.
  - (b) Such fabricating or processing done on the premises shall be done by not more than three persons so employed at any one time.
  - (c) Such fabricating or processing shall be confined to the first floor and basement of the premises and that no supplies, materials or goods are stored outdoors.
3. Business and professional offices, banks and fiduciary institutions.
4. Restaurants, including those with outdoor café seating, but not (including a diner or roadside stand) a dining establishment where food is dispensed in the public right of way.
5. Hotels, Bed and Breakfasts.
6. Theaters, bowling alleys, skating rinks or other places of amusement or assembly approved by the Zoning Board.
7. Municipal and other governmental buildings and uses.
8. Signs conforming to the following sign design objectives.
  - (a) Signs for the purpose of identification and advertising. A total of no more than three signs shall be permitted for any one use, and the total area of these signs shall not exceed an area equivalent of 10% of the total area of the ground story façade. The ground story shall not exceed 15 feet in height for these calculations.
  - (b) All signs shall be of design compatible with the building to which they pertain. The use of easily identifiable corporate marks is encouraged, but such shall not be permitted to vie for attentions. No billboard type signs will be permitted.
  - (c) Lighting signs shall be generally uniform in intensity. Exact type shall be determined by a majority of the tenants. No flashing or animated signs shall be permitted.
  - (d) Signs not directly related to facilities within the zone are prohibited, except that the temporary display of signs in connection with special events or activities of a public or non-profit character shall be permitted.
- (e) No signs may be placed above the roofline of a building. No freestanding signs may be of height greater than the height of the building to which they pertain.

**SECTION V**

That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**SECTION VI**

This Ordinance shall take effect immediately.

Approved as to form this 20<sup>th</sup> day of October, 2005

  
\_\_\_\_\_  
Yorden C. Huban, Esq.  
Corporation Counsel

I hereby approve the foregoing Ordinance of the Council.

  
\_\_\_\_\_  
Robert D. Carlson  
Mayor

Introduced by :       **COUNCILMAN ANDERSON**  
Moved by :           **COUNCILMAN ANDERSON**  
Seconded by:       **COUNCILMAN DIAMOND**

Adopted by the following vote:

Ayes ---           **3**  
Nays ---           **0**

October 20, 2005

<b>Table A1: City of Watervliet LWRP Area Permitted Zoning Uses</b>			
<b>District Name</b>	<b>Permitted Principle Uses</b>	<b>Permitted Accessory Uses</b>	<b>Special Permit Uses</b>
R-3 Residential	One-family and two-family dwellings; churches or similar places of worship, convents, or parish houses; Public libraries, museums; or schools, any institution of higher learning, including dormitory accommodations. Fire stations, other public buildings and essential neighborhood services; Public parks and playgrounds (not conducted for profit). Hospitals; Public utilities structures.	For public parks, field houses or other accessory buildings including concessions, are permitted; Bulletin boards or signs connected to permitted uses; Customary accessory uses/structures incidental to principal structure/use.	Cemeteries (Zoning Board of Appeals approval required).
R-4 Residential	Same as R-3 Districts; High-density multi-family and multi-family dwellings; Residential hotels; Boardinghouses, lodging houses, rooming houses and tourist houses; nursing homes, convalescent homes, homes for the aged or elderly or similar uses (with specifications); Not-for-profit clubs, lodges, social and recreational center buildings; Signs (meeting specifications).	Accessory uses associated with Residential hotels (e.g., newsstands and restaurants) provided exterior signs are limited.	Professional offices (limited to 8, meeting parking requirements, City Planning Board approval); Funeral parlors (ZBA approval).
B-1 Local Business	Any use permitted in the R-3 District; Stores, shops or markets where goods are sold or personal services are rendered; Goods made on-site may be sold on-site with specific limitations; Business and professional offices, banks and fiduciary institutions; Restaurants, not including a diner or roadside stand; gas stations; Signs (meeting specifications).		

<b>Table A1: City of Watervliet LWRP Area Permitted Zoning Uses (continued)</b>			
<b>District Name</b>	<b>Permitted Principle Uses</b>	<b>Permitted Accessory Uses</b>	<b>Special Permit Uses</b>
B-2 Central Business	Any use permitted in the B-1 District, <b>except</b> single-family and two-family dwellings; Hotels; Theaters, dance halls, billiard rooms, bowling alleys, skating rinks or other places of amusement or assembly; Schools conducted for gain; Newspaper publishers; Funeral homes and mortuaries; New and used motor vehicle sales and service establishments; Laundry and dry-cleaning establishments; Municipal/other government buildings/uses; Signs (meeting specifications).		
M-1 Manufacture	Any use permitted in the B-2 District, <b>except</b> no dwellings.		Other lawful uses deemed by the ZBA to be non-injurious.
WRD Waterfront Recreational	Water-related recreational uses, including non-motorized boat launches, floating docks, and seasonally moored vessels; outdoor recreational uses, including flea markets and farmers markets, outdoor amphitheaters, special events venues, and bike/hike trails.		Seasonally operated restaurant establishments on barges provided such uses are connected to the City's public sewer infrastructure and are subject to site plan review.
WOSD Waterfront Open Space	Bird watching, recreational fishing, or the development of a bike/hike trail.		

**Table A1: City of Watervliet LWRP Area Permitted Zoning Uses (continued)**

<b>District Name</b>	<b>Permitted Principle Uses</b>	<b>Permitted Accessory Uses</b>	<b>Special Permit Uses</b>
WBD Waterfront Business	One-family dwellings; stores, shops or markets where goods are sold or personal services are rendered; business and professional offices, banks and fiduciary institutions; restaurants, including those with outside seating, but not establishments where food is dispensed in the public right of way; hotels, bed and breakfasts; theaters, bowling alleys, skating rinks or other places of amusement or assembly approved by the Zoning Board; Municipal/other government buildings/uses; signs (meeting specifications).		

**Table A2: City of Watervliet Schedule of Lot Area and Width, Height, and Yard Requirements**

District Name	Minimum Lot Size		Maximum Occupied Lot %	Minimum Floor Area (S.F. per DU)	Maximum Building Height		Minimum Yard Areas		
	Area (S.F.)	Frontage (feet)			(stories)	(feet)	Front (feet)	Side (feet)	Rear (feet)
R-3	4,000	40	50	600	2 ½	35	10	3	20
R-4	20,000	100	30	575	9	90	30	30	40
B-1	2,000	20	80	--	2 ½	35	--	--	20
B-2	2,000	20	80	--	5	70	--	--	20
M-1	8,000	50	40	--	4	60	25	10	25

Notes: S.F. – square feet; DU – dwelling unit;

Source: City of Watervliet Zoning Ordinance, Chapter 272, Schedule of Lot Area and Width, Building Coverage, Floor Area, Height, and Yard Requirements