

## ARTICLE II Establishment of Districts

### **§ 250-3. Zoning districts. [Amended 3-28-2000 by L.L. No. 1-2000]**

For the purposes of this chapter, the Town of Clinton is hereby divided into the following nine districts:

C	Conservation Agricultural Residential
AR5	Very Low Density Agricultural Residential
AR3	Low Density Agricultural Residential
H	Hamlet
RH	Residential Hamlet
MR1	Medium Density Residential
CR1	Clustered Residential
I	Office-Light Industry
F	Floodplain
RS&H	Ridgeline, Scenic and Historic Protection Overlay

### **§ 250-4. Zoning Map. [Amended 3-28-2000 by L.L. No. 1-2000]**

The location and boundaries of said districts are shown on the Zoning District, Ridgeline Protection Overlay and Scenic and Historic Protection Overlay Maps of the Town of Clinton, which are hereby adopted and declared to be a part of this chapter. Zoning District Maps shall be kept up-to-date and shall be located in the Town Clerk's office for public use.

### **§ 250-5. Delineation of flood hazard zones.**

The boundary of the Floodplain District is established herein as delineated on the most current edition of the appropriate Federal Insurance Administration Flood Hazard Boundary Map as issued for the Town of Clinton by the Federal Emergency Management Agency. Any revisions, amendments or successors thereto are hereby adopted and made a part of this chapter. The latest edition of the map shall be kept on file in the offices of the Town Clerk and the Town Zoning Administrator for public use.

### **§ 250-6. Interpretation of zoning district boundaries.**

- A. Where district boundaries are indicated as approximately following streets, highways, public utility easements, rights-of-way, or watercourses, the center lines thereof shall be construed to be such boundaries.
- B. Where district boundaries are indicated as approximately following the Town boundary line, property lines or projections thereof, said boundaries shall be construed to be coincident with such lines or projections thereof.

- C. Where district boundaries are so indicated that they are approximately parallel to the Town boundary line, streets, highways, public utility easements, rights-of-way, property lines, lot lines, watercourses or projections thereto, said boundaries shall be construed as being parallel thereto and at such distances therefrom as indicated on the Zoning District Map.
- D. Where a district boundary line divides a lot in single or joint ownership of record at the time such line is established, the regulations for the less-restricted portion of such lot may, with the exception of the Floodplain District, extend not more than 35 feet into the more-restricted portion, provided the lot has street or highway frontage in the less-restrictive district. In the case of Conservation Agricultural Residential District (C), Very Low Density Agricultural Residential District (AR5), and Low Density Agricultural Residential District (AR3), this distance may be extended up to 200 feet into the more restrictive portion by the Planning Board.
- E. If the district classification of any land is in question, it shall be deemed to be in the most restrictive adjoining district.
- F. In all other cases, where dimensions are not shown on the Zoning District Map, the location of the boundaries on said map shall be determined by use of the scale of the map.

**§ 250-7. Purpose of each district.**

- A. Conservation Agricultural Residential (C). This district is intended to protect an area in north-central Clinton with critical natural resources. Silver Lake, Mud Pond, and Long Pond have been included in Dutchess County's Significant Areas because of their unique geological formation and important habitats. Agriculture, very-low-density residential development and recreational uses on a limited scale are allowed in the watershed area of these lakes, but with certain restrictions to preserve the surface water quality and underlying prime aquifer.
- B. Very Low Density Agricultural Residential (AR5). This category is the largest district in the Town, covering most of northern and eastern Clinton. The land is generally characterized by areas of steep slopes, extremely shallow soils with exposed bedrock, or soils with poor permeability. Principal uses include agriculture and single-family dwellings and accessory uses at a density compatible with the natural limitations of the land and clustered where appropriate. The relatively rugged topography in this district makes these areas, for the most part, rural and lightly developed.
- C. Low Density Agricultural Residential (AR3). This district includes a large portion of south-central Clinton and three smaller areas in the northern part of Town. Since moderately deep soils are generally prevalent in these areas, the land is more conducive to both agriculture and development than most other sections. Uses include continued agricultural uses and low-density residential development with clustering and other land conservation techniques encouraged to protect sensitive natural resources, open space, and farm soils.
- D. Hamlet (H). The hamlet districts reinforce the traditional land use pattern in Clinton by allowing more concentrated development in and around existing hamlets. They are designed to have defined boundaries with greenbelt buffers to maintain a central identity and to limit sprawl that would overwhelm their historic scale. The principal residential character of the

hamlets will be retained by encouraging single-family houses on small lots, with some opportunities for small clusters of residential units, either through development of back lots or vacant lots, property on the perimeter or conversions of existing large homes. The current mixed use character of Clinton Corners, Schultsville, and Clinton Hollow will be enhanced by allowing additional public uses and small-scale businesses. Strip commercial or highway business uses are not allowed.

- E. Residential Hamlet (RH). Several of the historic hamlets (Frost Mills, Pleasant Plains, and Hibernia) are now less amenable to even small-scale commercial development and, therefore, have been designated “residential hamlets.” Primary uses are single-family houses and accessory uses on small lots and, if soil conditions are suitable and other performance standards are satisfied, small clusters of residential units. Development of perimeter parcels and vacant or rear lots is encouraged in conjunction with site plan review where required.
- F. Medium Density Residential (MR1). This district encompasses the area between Route 9G and the Town's western border along the Crum Elbow Creek. With excellent transportation access and relatively good soils, a variety of housing options at an average density of one dwelling unit per acre is appropriate. One-family, two-family, multifamily, and cluster residential development are allowed, as well as mobile home parks and camping trailer campgrounds. Adequate setback buffers are required and only a minimum number of driveways are allowed to protect the safety and capacity of the state highway. In order to prevent any possibility of strip development, only a few selected commercial uses are permitted in this district.
- G. Clustered Agricultural Residential (CR1). This designation is reserved for the southeast corner of the Town, east of Salt Point Turnpike. With direct access to Salt Point Turnpike and the Taconic State Parkway and well-drained soils, this district allows moderate residential densities. The intent is to cluster all development in this district. Without increasing the overall density, clustering preserves more open space and agricultural land, allows better site plans in relation to the interspersed natural constraints, limits road and other infrastructure costs that contribute to escalating housing prices, and preserves the long-range option to connect to future central utilities.
- H. Office-Light Industry (I). This district allows for expansion of industrial uses in two existing locations. Permitted uses include light industry, offices, office-research, and nonretail commercial functions to increase the district's flexibility and encourage higher standards of site design. Because of the proximity of these zones to residential uses and nearby hamlets, restrictions on uses that constitute a fire hazard or emit smoke, noise, or dust are enforced and high-quality landscaping and wide buffers are required.
- I. Floodplain (F). The floodplain category contains the low-lying areas and major stream corridors defined on the Federal Emergency Management Agency's maps as one-hundred-year floodplains. Uses in the Floodplain District are limited to agriculture, forestry, recreation, and other uses that would be minimally affected by high water. Structures, especially those that would house either humans or livestock, are restricted.
- J. Ridgeline, Scenic and Historic Protection Overlay District. **[Added 3-28-2000 by L.L. No. 1-2000]**

- (1) High ridgelines are found throughout the Town, but primarily are located in the northern districts designated as AR5 and C. These ridgelines and hilltops are exceptional aesthetic and ecological resources, visible from many perspectives and distances, and typify Clinton's rolling, often rugged, rural topography. The Ridgeline Protection Overlay Area includes lands that are 500 feet or more above sea level. The Scenic and Historic Protection Overlay includes the Taconic Parkway Viewshed, the hamlets included on the Town Zoning District Map and Clinton's seven Critical Environmental Areas. The Taconic Viewshed is defined as lands in the Town of Clinton which are within 3,000 feet of the paved surface of the Taconic State Parkway. This viewshed is a critical part of Clinton's rural scenery, is the first introduction to Clinton for many travelers, and is frequently viewed by residents of the Town. Clinton's hamlets have historic value and are important to the character of the Town. Their location and boundaries are shown on Clinton's Zoning District Map. Clinton's Critical Environmental Areas have been designated by the Town Board to have scenic, environmental, cultural or historic characteristics which merit special protection. Other areas which offer exceptional viewsheds frequently enjoyed by residents and visitors and/or contain structures or sites of historic importance may be designated as part of the Scenic and Historic Protection Overlay by the Clinton Town Board.
- (2) Ensuring that tree lines are uninterrupted, ridgetops are free from man-made structures, and new structures are compatible with surroundings in these overlay areas will prevent the degradation of the rural, historic character and beauty of the Town. Building permit and special use permit applicants are encouraged to: <sup>1</sup>
  - (a) Site projects off of ridgetops and hilltops, out of sight lines from valleys, and below tree canopies in Ridgeline Protection Overlay Areas; and
  - (b) Build structures that are compatible in height and design with other buildings and the surrounding environment in Scenic and Historic Protection Overlay Areas.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).