

ARTICLE 4
ZONING DISTRICT REGULATIONS

A. Single-Family Residential District 1:

1. Purpose:

To accommodate low density, less intensive residential growth in those areas within the Village that are largely undeveloped, have environmental constraints and/or exhibit rural character.

2. Uses Permitted By-Right:

- a) Single-family dwelling, not including manufactured homes, as defined in Article 2-B, Definitions.
- b) Accessory structures or buildings, subject to the Supplementary Regulations of Article 5-B of this Law.
- c) Private swimming pool, subject to the Supplementary Regulations of Article 5-B-9 of this Law.
- d) Home garden (See Definition, Article 2-B).
- e) Public Parks and Playgrounds.
- f) Government Service Building.

3. Uses Requiring Special Use Permit Approval:

- a) Accessory Apartment, subject to the Supplementary Regulations of Article 5-A of this Law.
- b) Home Occupation, subject to the Supplementary Regulations of Article 5-D of this Law.
- c) Bed and Breakfast (See Definition, Article 2-B).

4. Uses Requiring Site Plan Review Approval:

- a) Churches/Places of Worship (See Definition, Article 2-B).
- b) Schools, public or private.
- c) Museums.
- d) Libraries.

B. Single-Family Residential District 2:**1. Purpose:**

To maintain and protect existing residential neighborhood qualities while accommodating new medium density single-family home development.

2. Uses Permitted By-Right:

- a) Single-family dwelling, not including manufactured homes, as defined in Article 2-B, Definitions.
- b) Accessory structures or buildings, subject to the Supplementary Regulations of Article 5-B of this Law.
- c) Private swimming pool, subject to the Supplementary Regulations of Article 5-B-9 of this Law.
- d) Home garden (See Definition, Article 2-B).
- e) Public Parks and Playgrounds.
- f) Government Service Building.

3. Uses Requiring Special Use Permit Approval:

- a) Accessory Apartment, subject to the Supplementary Regulations of Article 5-A of this Law.
- b) Home Occupation, subject to the Supplementary Regulations of Article 5-D of this Law.
- c) Bed and Breakfast (See Definition, Article 2-B).

4. Uses Requiring Site Plan Review Approval:

- a) Churches/Places of Worship (See Definition, Article 2-B).
- b) Schools, public or private.
- c) Museums.
- d) Libraries.

C. Mixed Use Village Center District:**1. Purpose:**

To delineate an area that provides for a suitable mixture of housing, such as one (1) and two (2) unit dwellings, townhouses and multi-family dwellings and compatible business development creating a low intensity, human-scale urban environment that is pedestrian oriented and complimentary to the existing style and character of the Village. This area is intended to provide for the basic community services, employment, convenience shopping, and recreation for persons residing in nearby residential areas.

2. Uses Permitted By-Right:

- a) All uses Permitted By-Right in the Single-Family Residential District 2 (Article 4-B) subject to all restrictions, regulations, procedures and bulk schedule requirements, specified in said sections.
- b) Two-Family Dwelling/Duplex (See Definition, Article 2-B), subject to all restrictions, regulations, procedures and bulk schedule requirements, specified in said sections.

3. Uses Requiring Site Plan Review Approval:

- a) Multi-family dwelling (See Definition, Article 2-B).
- b) Townhouse (See Definition, Article 2-B).
- c) Condominium (See Definition, Article 2-B).
- d) Churches/Places of Worship (See Definition, Article 2-B).
- e) Schools, public or private.
- f) Museums.
- g) Libraries.
- h) Adult Entertainment Establishment or Adult Oriented Business (See Definition, Article 2-B, and Supplemental Regulations, Article 5-C).
- i) Bank (See Definition, Article 2-B).
- j) Bar (See Definition, Article 2-B).
- k) Bed and Breakfast (See Definition, Article 2-B).
- l) Car Wash (See Definition, Article 2-B).
- m) Club, Private (See Definition, Article 2-B).
- n) Day Care Center (See Definition, Article 2-B).
- o) Garage, Service Repair (See Definition, Article 2-B and Supplemental Regulations, Article 5-F).

- p) Gasoline Station (See Definition, Article 2-B and Supplemental Regulations, Article 5-F).
- q) Hotel (See Definition, Article 2-B).
- r) Laundromat (See Definition, Article 2-B).
- s) Medical Clinic (See Definition, Article 2-B).
- t) Motel (See Definition, Article 2-B).
- u) Personal Service Establishment (See Definition, Article 2-B).
- v) Professional Office (See Definition, Article 2-B).
- w) Repair Shop, Personal Service (See Definition, Article 2-B).
- x) Restaurant, Standard (See Definition, Article 2-B).
- y) Retail Business (See Definition, Article 2-B), not to exceed twenty-thousand (20,000) square feet gross floor area.
- z) Shopping Center (See Definition, Article 2-B).
- aa) Theater (See Definition, Article 2-B).
- bb) Veterinary Clinic (See Definition, Article 2-B).
- cc) Warehouse (See Definition, Article 2-B).
- dd) Wholesale Business (See Definition, Article 2-B).

D. Recreation & Historic District:**1. Purpose:**

To preserve, protect, and enhance publicly-owned properties that have recreational, open space historic, and cultural value to all residents.

2. Uses Permitted By-Right:

Public and private parks, preserves, recreation areas and open spaces.

3. Uses Requiring Site Plan Review Approval:

All buildings, structures and facilities typically associated with the above uses, excluding however, any such building, structure or facility erected by the Village of Victory.

E. Fish Creek Drainageway Overlay District:**1. Purpose:**

To prohibit the construction and placement of buildings and structures and other inappropriate development within the shoreline areas of Fish Creek that may cause increased siltation, erosion and destroy native fauna and flora in or near the creek.

2. Description of District:

The Fish Creek Drainageway Overlay District shall extend on both sides of the part of Fish Creek that runs through the Village of Victory. The Overlay District boundaries begin at the northeast quadrant of the Village at the boundary of the Village of Schuylerville, southwest to where the creek passes under Bridge Street to the point where the creek meets the boundary between the Village of Victory and the Town of Saratoga just southwest of Mennen Road. The district shall extend fifty (50) feet from the shoreline on each side of the creek itself, at low water. If the bed of the creek is moved, the limits of the district boundary shall be moved accordingly.

3. Uses Permitted By-Right *:

- a) Public and private parks, preserves, and open spaces.
- b) Pedestrian trails.
- c) Interactive structures associated with the above uses.
- d) Nature trails.
- e) Picnic areas.

* Permitted activities are restricted to those allowed by NYS Department of Environmental Conservation permit, or similar activities permitted by State

and/or Federal agencies. Clear cutting is not permitted within the Fish Creek Drainage Overlay District.

4. Uses Requiring Site Plan Review:

- a) Private docks.
- b) Private decks.
- c) Private garage.
- d) Shed.

F. Planned Development Districts:

1. Purpose:

To facilitate increased flexibility to achieve more desirable development through the use of more creative and imaginative design of residential, mixed use and commercial areas than is presently achievable under conventional land use techniques and zoning regulations and to preserve, adapt and improve existing open space, land uses and neighborhoods, consistent with the recommendations of the Village's Comprehensive Plan. The PDD serves as a floating zone applicable to certain areas within the Village. The conventional use, area, bulk and density specifications set forth by this Local Law are intended to be replaced through application of the planned development procedure by the approved Planned Development District (PDD) which then becomes the basis legislatively established by the Village Board of Trustees for detailed design, review and control and subsequent development.

2. Objectives:

In order to carry out the intent of this Article, a Planned Development District shall achieve the following objectives:

- a) To provide reasonable choices in the types of environment, housing types, community facilities, and industrial operations available to current and future Village residents.
- b) To provide more useable open space and recreation areas.
- c) To preserve trees, streams, wetlands, natural topography and geological features and prevent soil erosion.
- d) To provide a creative use of land and related physical development which promotes an orderly transition from vacant spaces to rural and suburban uses.
- e) To promote an efficient use of land resulting in smaller networks of utilities and roads.