City of Saratoga Springs
Unified Development Ordinance (UDO)
Technical Review Advisory Committee (TRAC)

AGENDA

January 17, 2017
4:00 p.m.
Saratoga Springs Music Hall

1. Welcome And Attendance
2. Public Comment
3. Discussion On TRAC By-Laws

Documents:

UDO TECHNICAL REVIEW ADVISORY COMMITTEE OPEN.PDF

4. Election Of Chair And Liaison To City Council
5. Presentation On UDO Draft Outline (Behan Design And Planning)

Documents:

2016 12 15_UDO_CODE_OUTLINE.PDF

6. Discussion On UDO Draft Outline

7. Adjourn
Unified Development Ordinance (UDO)
Technical Review Advisory Committee (TRAC)

Purpose:
- To review and comment on the technical aspects of the UDO draft documents prior to City Council vote;
- To provide an additional forum for public participation and input regarding proposed language and/or content of the UDO; and
- To assist the general public in understanding the proposed content of the UDO.

Committee Membership:
- Land Use Boards (chair or chair designated representative)
  - Design Review Commission (1)
  - Planning Board (1)
  - Zoning Board of Appeals (1)
- Land Use Board Alternate – Attends in lieu of main representative (chair or chair designated representative)
  - Design Review Commission (1)
  - Planning Board (1)
  - Zoning Board of Appeals (1)
- Office of Planning and Economic Development
  - Administrator (1)
  - Principal Planner (1)
  - Senior Planner (1)
  - Sustainability Coordinator (1) (Liaison to City Council and “Contractor” - Behan Planning and Design)
- City Attorney (1)
- Deputy Mayor (1)

Responsibilities:
The TRAC provides the technical input to carry out the continuing, cooperative and comprehensive planning process for the UDO. The TRAC provides technical review and guidance on draft regulations. The members of the TRAC will participate as representatives from and technical experts of their department and/or Land Use Boards; and as a whole the TRAC shall serve as the technical advisor to the City Council and the Contractor.
The Technical Review Advisory Committee will review consultant draft documents as well as public comments and then provide advice to the consultant. If the TRAC cannot reach agreement on a particular issue or if a significant policy change is being considered, the committee will request direction from City Council as the legislative body to pursue. The TRAC is a temporary advisory committee who will convene to review the Annotated Draft Outline and cease activities upon final City Council approval of the UDO.

**Committee will be responsible to review the following UDO materials:**

- **Annotated Draft Outline of the UDO:** A draft outline will be published which details the suggested organizational structure of the new UDO; chapters, sections and what topics will be covered in each.
- **50% Draft UDO:** A first draft of the new UDO will be published and made available for public review. This draft is anticipated to include most of the new ordinance language and structure, however may not include all graphics, illustrations and photos.
- **75% Draft UDO:** A second draft of the UDO will be published and made available for public review.
- **95% Draft Presentation:** A public meeting will be held to present the 95% draft UDO. This draft is anticipated to be almost complete, but will likely not include all final graphics, illustrations and photos.
- **Materials related to the Final Draft & Public Hearings:** Once the final draft of the UDO has been completed, the City Council and Planning Board will hold public hearings on the proposed ordinance before it can be formally adopted.

**Meetings**

**Bi-Monthly Meetings**

Committee will hold bi-monthly meetings. The committee liaison will coordinate with members to set monthly meeting schedule and meeting times will be posted to the City website calendar. All members should strive to attend monthly meetings. If OPED member is not able to attend, the committee liaison should be notified one week in advance of the meeting unless an emergency situation arises. If a Land Use Board member cannot attend a meeting, his/her Land Use Board can appoint another representative to attend the committee meeting and provide technical direction. All committee meeting notes and/or final draft documents will be posted to the UDO website for City Council and the public to review. If a meeting is canceled, notice will go out 72 hours in advance or as soon as feasible.

**Special Meetings**

Special meetings may be called by the Chair or at the request of the City Council or contractor. Members must be advised at least 72 hours in advance of any special meeting.

**Voting**

Each Member shall vote on all agenda items, except on matters involving a conflict of interest, substantial financial interest or substantial economic interest under state law, the City's Ethics Ordinance, or other applicable Laws, Rules and Policies. In such instances, the Member shall make the required disclosures and shall refrain from participating in both the discussion and vote on the matter. The Member may remain at the table or leave the table, at the Member's option, while the matter is being considered and voted on by the other Committee Members. Unless otherwise
provided by law, if a quorum is present, an agenda item must be approved by a majority of the Committee Members present at the meeting.

**Minutes**

Recording or written minutes shall be made of all sessions of Committee meetings. The Staff Liaison is the custodian of all Committee records and documents. Meeting minutes will be published to the Saratoga Springs UDO website (https://saratogaspringsudo.com/).

**Officers**

**Chair**

The committee chairperson will be elected by the technical review committee and provide operational leadership to the committee. Responsibilities include:

- Managing the routine operations of the committee including running the meetings.
- Conducting all meetings.

**Liaison**

The committee liaison will be responsible for:

- Managing the routine administration of the committee including agendas and minutes using the following guidelines unless agreed otherwise by the committee:
  - Handouts for meetings be sent to members as least one week before the meeting and sent to the contractor to be posted on-line;
  - Meeting dates be established at least one week in advance and/or that the dates be posted on-line;
  - Minutes be shared with members 7-10 business days after the meeting; and/or posted on-line.
  - Communicate the committee input/feedback to contractor on draft documents.
  - Represent the committee to City Council and other City committees as needed.
  - Update City Council members of committee activities on a monthly basis.
  - Act as primary liaison between committee and the contractor.
  - Assist the chairperson in the management of the committee.

**Members**

All committee members, with the exception of the committee liaison, will be responsible for:

- Actively attending and participating in committee meetings and actively advancing the work of the committee. Members should strive to attend all meetings, but no less than 75% of meetings.
- Serving as representatives of their particular discipline(s) and/or Land Use Board. Note: the committee is not intended to create City policy. Policy questions will be elevated to City Council for direction and/or confirmation of direction.
- Meeting schedules and deliverables as agreed upon at meetings.
- Conducting selves in a professional manner, being courteous with, and respectful of, one another.
Public Participation

The City understands the importance and benefit of having a healthy community dialogue about the future of our built environment. Our development review process recognizes developers, policymakers, neighborhoods, and other interested parties all have important interests in development, and provides a venue for these perspectives to be considered. Fostering such dialog is important, and many developers and neighborhoods interact very well throughout the process.

The public is welcome and invited to attend Committee meeting. In order to allow for greater input from the public, speakers shall be allowed to speak for longer than three minutes and will be allowed to speak in an open forum style so long as:

1. Speakers desiring to speak wait until they are recognized by the chair to do so;
2. Speakers do not interrupt other Speakers or Committee members;
3. Speakers confine their remarks to the agenda item being considered; and
4. Speakers preserve order and decorum and treat each other, Committee members, and City staff with dignity, respect and civility.

There will be open public meetings over the course of the project to discuss the work in progress. Draft work products and TRAC meeting notes will be published to the Saratoga Springs UDO website - saratogaspringsudo.com. All suggestions from the public, including those made at public meetings or submitted elsewhere, will be continued to be collected and added to the ongoing review effort for consideration. If interested parties cannot attend public workshops, they can submit comments or questions via email saratoga.udo@gmail.com or faxed to (518) 583-6970 at any time.
PROPOSED OUTLINE – UNIFIED DEVELOPMENT ORDINANCE

The following pages include a preliminary outline—including both a simple overview, and a detailed list—of the proposed format for the new Unified Development Ordinance (UDO). The exact organization is subject to change during development.

Also included are some sample pages to illustrate the layout and features of the proposed code.

SIMPLE OVERVIEW

Cover, Credits, Table of Contents
Article 1 – INTRODUCTION
Article 2 – RESIDENTIAL DISTRICTS
Article 3 – NON-RESIDENTIAL DISTRICTS
Article 4 - OVERLAY DISTRICTS
Article 5 – ARCHITECTURAL STANDARDS
Article 6 – SITE DESIGN STANDARDS
Article 7 – USE REQUIREMENTS
Article 8 – SUBDIVISIONS
Article 9 – PLANNED UNIT DEVELOPMENTS
Article 10 – REVIEW & APPROVAL
Article 11 – ADMINISTRATION
GLOSSARY

INTENDED FEATURES

Some of the intended design features of the new code include the following:

- Easier document navigation. Can jump to a specific section of the code by clicking on the hyperlink reference or bookmarks within.
- See where you are in the code. Each page includes a footer which indicates the current Article, topic and subtopic of that page.
- Hyperlinked definitions – Can jump to the definition of any word which is defined in the glossary.
- A detailed table of contents is provided at the beginning of each article, for easy reference.
- Zoning map which includes locations of Historic Districts, overlays, existing and future trails, and layers which can be turned off or on.
PLANNING APPROACH TO CONTINUE TO IMPROVE DEVELOPMENT REVIEW PROCESS

- As the unified development ordinance is developed and put into place, continue to proactively identify emerging issues and address need to update city plan elements (e.g., as has been done with the complete streets plan) to help reduce reactionary review at the project stage, i.e., put the planning before the projects. These plan elements should not be mere update of data in old plans and reports but contain a broad and deep look at creative and collaborative problem solving.

Zoning District Map

- Work with Advisory Committee to identify zoning districts or zoning district boundaries which need to be revised to comply with the Comprehensive Plan.
- Work with the Advisory Committee to identify zoning districts (if any) which could be eliminated or consolidated.
- Develop a new zoning district map which incorporates the above changes, has more readable districts, and shows the location of overlay districts, trails, tax parcel boundaries and other useful information. In electronic format (PDF) the specific layers of this map can be turned on or off so the public and review boards can see the information they need.

Zoning Districts Intent

- Work with Advisory Committee to ensure each district intent represents intent expressed in comprehensive plan.

Unified Development Ordinance

Cover, Credits, Table of Contents, etc.

Article 1 - INTRODUCTION

OVERVIEW: Article 1 is intended to introduce the UDO, explain what it is, its purpose, what it covers and explain how it works with a Table of Contents. Included in this section are instructions for using the code, features, explanation of Street Types, Frontage Types, Façade Types and Building Types, and how these 4 typologies work together to create a whole development plan. A key feature of this section are Quick Reference Guides to the most common applications and permits, so the applicant can see at a glance the steps they need to take, a flow chart of the process and contact information at the city to initiate their request.

Table of Contents – Full Document (Abridged)

1.1 Introduction
   1.1.1 What this document covers
   1.1.2 Instructions for Using This Code (hyperlinks, bookmarks, page navigation, etc.)
1.1.3 How the UDO Works (Explanation of how Street Types, Frontage Types, Façade Types and Building Types are used, and how they work together; Explains how the code uses Principals, (required) Standards and (optional) Guidelines to help clarify and direct the type of design the city is looking for in each district.

1.1.3 Interpretation of Language (shall vs. should, etc)

1.1.4 Contact Information (Contact info for city departments)

1.2 Approvals & Permit Types (This section includes one-page reference sheets which outline the different approvals and permit types, provide information on when each type is required, how to submit, and a flow-chart of the process.)

- Clearly outline review and approval procedures for applicants and board members
- Encourage applicants to consult with city planning staff in advance of applications.

1.2.1 Site Plan Review (See sample sheet at end)
1.2.2 Special Use Permits
1.2.3 Variances
1.2.4 Mass & Scale Approval
1.2.5 Architectural Design Review
1.2.6 Historic District Review
1.2.7 Subdivisions
1.2.8 Planned Unit Developments
1.2.9 Building Permits
1.2.10 Sign Permits
1.2.11 Solar Access Permit (or other type of solar approval)
1.2.12 Tree Removal Permit
1.2.13 Certificate of Occupancy
1.2.14 Watercourse Activity Permit
1.2.15 Land Disturbance Permit
1.2.16 Stormwater Permit
1.2.17 Demolition Permit

Article 2 - RESIDENTIAL DISTRICTS

Table of Contents (For this specific Article)
- Establish height for accessory structures (typical each district)
- Establish lower height for residential structures (typical each district)

2.1 Listing of Residential Districts (Includes purpose statement of each)

2.2 Building Types (Allowable building types in each residential district-define and consider appropriateness for each district)

- Includes Single family homes, Duplex, Fourplex, Cottage Court, Live-Work, Townhouse, Rowhouse, Apartment, Courtyard Apartment, Mixed-Use, Carriage House (accessory)

2.2 Use Schedule – Residential Districts

DRAFT: December 15, 2016
Assess all allowable uses to determine if they are appropriate for residential setting or if performance standards should be added.

Barns and stables could be permitted as accessory use in SR-1, SR-2, with conditions.

2.3 Rural Residential (RR)
2.3.1 Intent of District
- Update description and intent of district to more accurately reflect contemporary agriculture uses and activities

2.3.2 District Principles
2.3.3 Guidelines (a.k.a. how to review projects in this district)
2.3.4 Area & Bulk Requirements
2.3.5 District Specific requirements

2.4 Suburban Residential 1 & 2 (SR-1, SR-2)
2.4.1 (same outline as previous district, etc.)

2.5 Urban Residential 1 & 2 (UR-1, UR-2)
2.5.1 (same outline as previous district, etc.)
- General Note – Residential districts from here down, Try adding a context based approach to setbacks, where it would be appropriate, such as older denser neighborhoods
- General Note – Residential districts from here down, try developing a context-based design review for new projects to ensure they fit within the character of the neighborhood

2.6 Urban Residential 3 (UR-3)
2.6.1 (same outline as previous district, etc.)

2.7 Urban Residential 4 (UR-4, UR-4A)
2.7.1 (same outline as previous district, etc.)

2.8 Urban Residential 5 (UR-5)
2.8.1 (same outline as previous district, etc.)

2.9 Urban Residential 6 (UR-6)
2.9.1 (same outline as previous district, etc.)

2.10 Urban Residential 7 (UR-7)
2.10.1 (same outline as previous district, etc.)

2.11 Neighborhood Complementary Use 1, 2 & 3 (NCUD-1, NCUD-2, NCUD-3)
- Add conditions and performance criteria which will reduce impact on nearby residential neighborhoods.

2.11.1 (same outline as previous district, etc.)

2.12 Transect 4 – Urban Neighborhood (T-4)
- Revise 2-story requirement to clarify use and intent.
- Clarify intent of Transect zone for desire for mix of complementary uses
- Try to accommodate a mix of uses within a development instead of within a single building.
- Incorporate additional design guidance to promote a variety of heights, diversity of building layouts, roofs and facades. Dictate maximum height by stories instead of feet.
• Incorporate design standards for appropriate building scale to fit with the context of neighborhood character. Break up massing of larger buildings into smaller scale elements.
• Assess build-to lines for appropriate proximity to the street.

2.12.1 (same outline as previous district, etc.)

Article 3 – NON-RESIDENTIAL DISTRICTS

OVERVIEW: Article 3 is intended to provide all of the specific requirements, standards and guidelines which apply to the commercial (non-residential) districts within the city. Each subsection of this article would describe a district, explain what the intended purpose of the district is, and describe the District Principals—which act as a “Constitution” of the most important development considerations to be adhered to. With these District Principals are the Area & Bulk requirements for the district and a listing of any specific requirements for the district. At the end of the subsection, Guidelines would be provided for most districts which describe and illustrate the desired forms, massing, scale and design considerations which the city seeks in that district. Basic design concepts—which may apply to any district—are separately referenced in Article 5 (Architectural Design) as needed. The specific districts or order listed below may change during the development of the UDO.

Table of Contents (For this specific Article)
• General – all commercial districts: Assess current area and bulk requirements to determine if adjustments need to be made.
• Test removal of “total” side yard setback if we already have minimum setbacks for each side.
• Remove or revise unnecessary notes J and K from Area and Bulk Table if not needed.
• Clean up all uses of “Shall” and “Should” which remain.

3.1 Listing of Commercial Districts
3.2 Use Schedule – Commercial / Institutional / Industrial Districts
• During development of the UDO, an “existing” and “proposed” use schedule will be provided which will allow much easier side-by-side comparison of what is proposed for change so that people can compare them.
• Update use schedule to try and include more as-of-right uses, especially in Transect Zones where the form can be well regulated.
• Update use schedule to include more emerging technology uses which could be added, particularly to industrial districts.
• Look at allowance of Car Rental Agencies

3.3 Office/Medical Business 1 & 2 (OMB-1, OMB-2)
3.3.1 Intent of District
3.3.2 District Principles
3.3.3 Area & Bulk Requirements
• Add/revise minimum dimensional requirements for parking setbacks, maximum pervious coverage, minimum landscaped percentage, etc., as needed by district.
• Clarify ground-floor commercial uses allowed vs. upper floor uses allowed, including acceptable locations for structured parking within the building.

3.3.4 District Specific Requirements
3.3.5 Guidelines (illustrations, photos – a.k.a. how to review projects in this district)

3.4 Tourist Related Business (TRB)
3.4.1 (same outline as previous district, etc.)
• Assess purpose and need of this district to determine if it is still necessary.

3.5 Highway General Business (HGB)
3.5.1 (same outline as previous district, etc.)
• Assess purpose and need of this district to determine if it is still necessary.

3.6 Water Related Business (WRB)
3.6.1 (same outline as previous district, etc.)

3.7 Transect 5 Neighborhood Center (T-5)
3.7.1 (same outline as previous district, etc.)
• Revise 2-story requirement to clarify use and intent.
• Clarify intent of Transect zone for desire for mix of complementary uses
• Try an option to accommodate a mix of uses within a development instead of limited within a single building.
• Incorporate additional design guidance to promote a variety of heights, diversity of building layouts, roofs and facades. Dictate maximum height by stories instead of feet.
• Incorporate design standards for appropriate building scale to fit with the context of neighborhood character. Break up massing of larger buildings into smaller scale elements.
• Assess build-to lines for appropriate proximity to the street.

3.8 Transect 6 Urban Core (T-6)
3.8.1 (same outline as previous district, etc.)
• Revise 2-story requirement to clarify use and intent.
• Clarify intent of Transect zone for desire for mix of complementary uses
• Try to accommodate a mix of uses within a development instead of within a single building.
• Incorporate additional design guidance to promote a variety of heights, diversity of building layouts, roofs and facades. Dictate maximum height by stories instead of feet.
• Incorporate design standards for appropriate building scale to fit with the context of neighborhood character. Break up massing of larger buildings into smaller scale elements.
• Assess build-to lines for appropriate proximity to the street.

3.9 Institutional Educational (INST-ED)
3.9.1 (same outline as previous district, etc.)

3.10 Institutional Horse Track Related (INST-HTR)
3.10.1 (same outline as previous district, etc.)

3.11 Institutional Municipal Purpose (INST-MP)

DRAFT: December 15, 2016
3.11.1 (same outline as previous district, etc.)

3.12 Institutional Parkland/Recreation (INST-PR)
3.12.1 (same outline as previous district, etc.)

3.13 Warehouse District (WD)
3.13.1 (same outline as previous district, etc.)

3.14 Light Industrial (IND-L)
3.14.1 (same outline as previous district, etc.)
- Assess purpose and need of this and other industrial districts to determine if they are up to date.
- Add/create area and bulk regulations for this district as they are currently missing.

3.15 General Industrial (IND-G)
3.15.1 (same outline as previous district, etc.)

3.16 Industrial Extraction (IND-EX)
3.16.1 (same outline as previous district, etc.)

Article 4 - OVERLAY DISTRICTS

OVERVIEW: Article 4 is intended to describe each of the overlay districts within the city and provide all of the information needed for an applicant to understand what specific requirements each overlay has, including design requirements, how the design requirements supersede those of the underlying district, the review process required, and what boards have review jurisdiction.

Table of Contents (For this specific Article)

4.1 Listing of Overlay Districts
4.1.1 Reference map of current overlay districts in the City (including tip on how the zoning map can be viewed in PDF format to turn layers on or off)

4.2 Historic District Overlay (This section includes existing zoning Chapter 7.4)
- Show location of this overlay district on zoning map, including location of all designated city landmarks.
- City to determine if boundary of historic district should be updated.
4.2.1 Intent
4.2.2 Location
4.2.3 Design Review Commission (delegation, duties & authority)
4.2.4 Applicability (what actions subject to review, exempt from review)
- Add provision for the review of projects adjacent to historic district properties.
4.2.5 Review Standards and Considerations
4.2.6 Design Considerations
- Strengthen design considerations and guidelines for reviewing historic projects or projects which can impact historic properties.
4.2.6 Maintenance & Repair
- Add provisions to prevent demolition by neglect.
4.2.7 Demolition
- Add additional criteria and review considerations before a demolition permit can be granted.
4.2.8 Historic Review Applications (Opinions, Decisions, Expiration, Extensions)
4.2.9 City Landmarks (listing)

4.3 Design Review Overlay (This section includes existing zoning Chapter 7.5)
4.3.1 Intent
4.3.2 Location
4.3.3 Design Review Commission (delegation, duties & authority)
4.3.4 Applicability (what actions are subject to review, exempt from review)
4.3.5 Review Standards and Considerations
4.3.6 Architectural Review Applications (Opinions, Decisions, Expiration, Extensions)

4.4 Gateway Design Districts 1 and 2
- Show location of overlay district on zoning map.
- Revise and consolidate gateway overlay section to clearly illustrate necessary design intent.
- Assess consolidation of the different overlay sub-types to determine if they are really needed.
- Discuss with city additional locations for this overlay, if any, or modification of boundaries.

4.4.1 Intent
4.4.2 Design Standards
- Revise and reorganize gateway design standards, redraft illustrations
4.4.3 Allowable Frontage Types
4.4.4 Allowable Street Types

4.5 Incentive Zoning Districts
4.5.1 Intent
4.5.2 Location
4.5.3 Requirements & Incentives
- Revise incentive zoning districts section to provide optional incentives for affordable units in different districts where it is desired.
- Assess what districts each incentive is permitted in to determine if they are appropriate or should be changed.
- Provide for partial incentive where development is not 100% senior housing.
- Incorporate incentives for affordable housing in downtown areas where it is close to vital services and shopping.
- Look at units within a larger building as well as stand-alone house units as part of a larger subdivision.
- Provide a waiver of minimum square footage requirements for approved incentive housing options provided they meet desired conditions.
- Assess if 2nd floor requirement for all senior housing is really needed.
- Define a minimum amount of public open space, recreation space, or affordable housing which is needed to obtain the density bonus, with possible sliding scale.
- Clarify actual design or performance standards to qualify, such as affordable housing being integral to overall design (not segregated)
- Confirm with city the intent for incentive to go through subdivision process.

4.6 Corridor Lodging District

DRAFT: December 15, 2016
Discuss with the city the performance and need of this overlay district to determine if it needs to be adjusted or if it should be eliminated.

4.6.1 Intent
4.6.2 Location
4.6.3 Requirements

4.7 Public Water Supply & Wetland Protection

- Show location of this overlay district on zoning map.

4.7.1 Intent
4.7.2 Location
4.7.3 Restrictions

4.8 Watercourse Protection District

- Show location of this overlay district on zoning map.

4.8.1 Intent
4.8.2 Location
4.8.3 Requirements
4.8.4 Permits

4.9 Transitional Buffers (This is a new overlay, not currently found in the existing codes. It occurs in areas where a commercial district abuts a smaller scale residential district, and is intended to protect the residential neighborhood from looming tall buildings immediately adjacent to it. The overlay provides transitional buffers which provide a graduated height reduction. It also serves to protect issues of solar access.)

4.9.1 Intent
4.9.2 Location
4.9.3 Provisions

4.10 RESERVED / FUTURE – Streetscape/Sidewalk Improvement Areas

Article 5 – ARCHITECTURAL STANDARDS

OVERVIEW: Article 5 is intended to define all of the basic architectural elements which are governed under this code. This generally includes all “above grade” or “vertical” design elements such as Façade Types, Building Types and Signs. It also provides basic Architectural Design concepts which would apply generically to any district, but which can also be referenced here for specific purposes. For example, Article 5 may include an illustration of how the mass of a larger building can be broken up into smaller articulations of ‘A’, ‘B’ and ‘C’ sizes. This generic concept can be used to direct the design in almost any district without noting what those sizes are. However, it can also be specifically referenced from the T-5 District with the requirement that the size of ‘A’ can be no more than 50 feet. Simultaneously, that same illustration can be referenced from the T-4 District with the requirement that the size of ‘A’ can be no more than 40 feet. In this way, Article 5 acts as a central clearinghouse of design standards which apply both generically and specifically to any district.

Table of Contents (For this specific Article)

5.1 Intent
5.2 Façade Types (Allowable types in different commercial districts)
5.3 Building Types (Allowable types in different commercial districts)
5.4 Architectural Design (Architectural design guidelines and standards. As noted above in the overview, this section would include basic architectural design concepts and requirements which would apply to any district. It can also be referenced to specify a certain design intent.

- Provide design guidelines and samples of desired parking structures and liner buildings.

5.5 Signs

5.5.1 Intent

5.5.2 Applicability

5.5.3 General Requirements

- Add requirements for sign package reviews of multiple tenant properties.

5.5.4 Sign Size

- Develop a more fine-grained approach to sign size which would permit different sizes and types in different districts where they are most appropriate.

- Define/revise handling of commercial signs in residential districts.

5.5.5 Sign Lighting (allowable methods – meeting Dark Sky compliance)

5.5.6 Permitted Signs

5.5.7 Wall Sign (number, size calculation, allowable lighting methods, etc.)

- Revise code to permit more flexibility in wall sign placement to allow for vertical or projecting design where appropriate.

5.5.8 Wall Lettering

5.5.9 Awning Lettering

5.5.10 Window Sign

5.5.11 Menu Sign

5.5.12 Plaque Sign

5.5.13 Freestanding Sign

- Include provision for “residential subdivision” signs for similar off-street townhouse, apartment or condo developments, provided it meets certain criteria.

5.5.14 Directory Sign

5.5.15 Yard Sign

5.5.16 City Wayfinding (Would incorporate existing information on the city wayfinding signage program)

5.5.16 Exempt Signs (temporary & permanent)

- Provide additional options for temporary civic/cultural event signage.

- Provide some allowance for temporary banners for new/pending business awaiting final sign, with conditions.

5.5.17 Prohibited Signs

- Clarify and strengthen code regarding non-conforming signs.

- Clarify prohibition or limit on digital or video signs, neon, decorations or other advertisements to close potential loopholes.

- Clarify prohibition on vehicle signs, signs mounted on abandoned vehicles, vehicles left in right-of-way and similar common enforcement issues. Strengthen enforcement and penalties.

5.5.18 Additional District Requirements

5.5.19 Enforcement & Fines
Clarify and strengthen code regarding penalties.

5.6 Power & Water Efficiency (This subsection would describe the details of the power and water efficiency standards. The individual district requirements would refer to this as necessary (if the standards were applied differently by district) or could instead be applied globally by project type/size.)

- Requirement for EPA Water sense toilet and aerators
- Requirement/incentive for green roof construction
- Requirement/incentive for solar collectors
- Requirement/incentive for passive solar shading
- Requirement/incentive for bioswales and raingardens

Article 6 – SITE DESIGN STANDARDS

OVERVIEW: Article 6 is intended to define all of the basic site planning elements which are governed under this code. This generally includes all “at grade” or “horizontal” design elements such as Street Types, Frontage Types, site design layout, parking lot design, stormwater management, landscaping, pedestrian amenities and exterior lighting.

Table of Contents (For this specific Article)
6.1 Intent
6.2 Frontage Types (Illustration of the allowable types in different commercial districts. Frontage Types refer to a specific set of design options for the front yard area between the edge of the street and the front façade of the building. The Frontage Type defines what is permitted in this area—dimensional standards for parking, greenspace, street trees, landscaping, pedestrian walkways, etc.)

- Frontage Types & Design
  - Frontage Types apply to commercial districts only.
  - Ensure there are minimum performance standards for urban frontage space along liner buildings, parking structures and similar elements to avoid dead zones.

- Public Space Allowance
  - Add provision where outdoor public space can optionally be provided, in-lieu of build-to, with minimum design requirements.

6.3 Site Design & Parking
6.3.1 Site Design Requirements
6.3.2 Parking Requirements (parking lot layout, dimensional requirements, min/max number of parking spaces by district.)

- Revise and clarify parking waiver ability of Planning Board to set more specific criteria or safeguards in order to qualify for waiver, set temporary conditional approval during trial period, etc. Set a threshold where board can waive certain requirements without zoning board variance approval. Review allowable districts where this threshold waiver may be obtained, consider different thresholds for different districts. Add ability to waive certain dimensional requirements.

- Add provision for in-lieu fees to offset no required minimum parking.

6.4 Stormwater Management

DRAFT: December 15, 2016
6.4.1 Stormwater Management Solutions (Desired use of Bioswales, raingardens, etc)

6.4.2 Stormwater Pollution Prevention Plans
   A. Applicability (and exemptions, i.e. when required)
   B. Contents of SWPPP
   C. Performance & Design Criteria

6.5 Landscaping (General landscaping requirements, tree buffers, fencing and shielding. This subsection would provide common design types that would be referenced from other parts of the code.)
   - Add provision for permeable parking surfaces to count toward landscaped percentage, or not count against total coverage maximum.

6.6 Pedestrian Amenities
   6.6.1 Bicycle Parking (by district)
   6.6.2 Transit Stop Shelters
   6.6.3 Seating Areas

6.7 Exterior Lighting (Meeting Dark Sky compliance. Includes standard lighting design for city property and minimum requirements for private property.)
   6.5.1 Allowable Lighting Methods
   6.5.2 Allowable Lighting Levels

6.8 Street Types (Illustration of the allowable types in different districts. Street Types define a set of different street width and design configurations for different scenarios, based on the findings and recommendations of Complete Streets Plan. Street types are road profiles from curb to curb.)
   6.7.1 Applicability
      - Include provision for the city to require specific street types, pedestrian amenities, lighting, etc as deemed appropriate for “whole site” project development that create private streets. Otherwise they default to the allowed types for the district.
   6.7.2 Street Types & Design
      - Incorporate complete street plan design concepts into allowed street types
      - Show desired street profiles from complete streets plan
      - Include reader references to standard national design resources, such as AASHTO, NACTO, etc.
   6.7.3 Planting Areas & Tree Beds
      - Incorporate specific requirements regarding removal of street trees and adding new street trees. Add provision for the timely or phase replacement of lost street trees.
      - Incorporate provisions from Urban and Community Forestry Master Plan.
      - Show minimum standards for street trees and planting beds.
   6.7.4 Pedestrian Amenities
      - Include standards for pedestrian amenities from Complete Streets Plan.

6.9 Subdivision Types
6.9.1 Conventional (Includes design guidelines illustrating desired layout types, principals, and examples of what to avoid.)
6.9.2 Conservation (Includes design guidelines illustrating desired layout types, principals, and examples of what to avoid.)

6.10 Construction Details. (Due to the fact these frequently change due to technology and design requirements, standard city construction details would be authorized here as an administrative action of the City Engineer and city departmental function. These standards would be referenced outside of the code and may be updated independently of the UDO as an administrative act.)

Article 7 – USE REQUIREMENTS

OVERVIEW – Article 7 is intended to outline all of the specific performance standards for primary uses and accessory uses, helping also to provide review guidance for land use boards.

Table of Contents (For this specific Article)
7.1 Requirements for Specific Uses
   7.1.1 Intent
   7.1.2 Telecommunication Facilities and Towers
   7.1.3 Vehicle Fueling Stations
   7.1.4 Mobile Homes
   7.1.5 Adult Uses
7.2 Requirements for Accessory Uses
   7.2.1 Intent
   7.2.2 Outdoor Eating and Drinking Facilities
   7.2.3 Home Occupations
     • Define different intensity levels of home occupations, based on factors such as accessory structure use, number of workers, vehicles, parking, signs and visible outdoor activity.
     • Define additional performance standards for home occupations to ensure compatibility with neighborhood character.
   7.2.4 Temporary Accessory Dwellings
   7.2.5 Historic Carriage House Conversions (Note—this is not a simple issue for many reasons—and may require a separate special planning and design study of where such conversions or secondary detached dwellings would and would not be appropriate and an extensive development of context-based design guidelines.)
     • Consider a procedure where a very limited number of accessory dwelling unit conversions may be approved a year, for a limited “trial period” of one or two years in limited areas. The city council may elect to renew the trial period, or terminate it based on performance.
     • Establish specific conditions and performance standards under which these accessory dwelling conversions may be permitted. Would apply to existing structures only – not new.
- The intent of this provision would be to provide a mechanism for the adaptive re-use and preservation of existing historic carriage houses.

7.2.6 Wall and Fences
7.2.7 Swimming Pools
7.2.8 Antennas and Satellite Receivers
7.2.9 Solar Collectors
- Explore the adoption of all or part of the Central New York Regional Planning and Development Board and/or the Land Use Law Center at Pace Law School’s Model Ordinance for Solar Photovoltaic Systems.

7.2.10 Short-Term Rental Occupancy
- Incorporate Short-term rental code from city attorney. Coordinate into UDO.

7.2.11 Storage of Vehicles
- Incorporate new provisions prohibiting the storage of vehicles, boats, trailers, RV and similar equipment in residential front yard areas, including enforcement and fines.

7.3 Non-Conforming
7.3.1 Non-Conforming Uses
7.3.2 Non-Conforming Structures

**Article 8 SUBDIVISIONS**

**Overview.** Improvements can be made in terms of clarifying expectations for the applicants, streamlining the review process—in particular process for review of standard subdivisions—the most common type of application—and process for conservation subdivisions which are also important but the current regulations can be simplified. Integrate recommendations of Urban Forestry Master Plan and complete streets policy. This Article would provide the legal authority and detailed process for subdivision design and approval, and would refer to Site Design Standards for illustrations and guidelines of desired layouts, forms, etc.

**Table of Contents (For this specific Article)**
- Rewrite and reorganize this section
- Add graphics to illustrate desired designs
- Separate conventional from conservation
- Allow for small subdivision vs. large
- Clarify expectations

**8.1 Intent & Authority**
- Follow NYS enabling legislation
- Incorporate additional provisions from current code
- Under authority and purpose it does not make it clear that no person shall subdivide property, or otherwise create a lot or sell a parcel that is not legally existing as a lot.
- Should require that parcels that are owned by an adjacent owner that are not legally subdivided and are not in separate ownership prior to the “grandfather” date need to be combined into one lot.

**8.2 Applicability**
• Consider recognizing lot line adjustments (where no new lot or no non-conforming dimensions of a lot are created) for administrative review and approval (and do not include these actions under the definition of a subdivision).

• (Further, for the unified definitions (see Appendix) the current definition of “lot” is not clear in terms of subdivision/zoning jurisdiction and enforcement. The definition includes as a lot those parcels merely having been surveyed or described by meets and bounds and does not clarify whether or not these parcels have been legally created and available for development and have been properly subdivided and approved by the planning board or otherwise legally existing as a separate developable lot.)

8.3 General Requirements
• Approved plan required
• Consider solar orientation analysis

8.4 Review Procedures
8.4.1 Conventional Subdivision
• Short-version procedure for one additional lot (or similar) subdivision (clarify public improvements may likely be required)
• Process from sketch to preliminary to final
• Continue to integrate SEQR review for all subdivision procedures

8.4.2 Conservation Subdivision
• Consider mandatory sketch review and include conceptual site conservation analysis at this phase outlining areas of development, areas to protect with agreement/resolution of major issues (not stuck on details)
• Consider processing preliminary plat much like conventional plat once the concept (sketch plan) is mutually acceptable.
• Place design guidelines and standards in separate section to not overly complicate the overall goal and process.
• Clarify conservation subdivision (refers to “Country Overlay Area”) in comprehensive plan. Applies to all subdivisions in RR and SR-1 districts.

8.4.3 Cluster Subdivision
• Cluster Development (Section 241-13) (limited to UR-1 and SR-2) – this is limited to these two zones, but is not being taken advantage of--consider incentivizing or eliminating..

8.5 Other Referrals & Reviews

8.6 Inspections

8.7 Non-Conforming Lots

8.8 Enforcement
• Provide penalties or other corrective/enforcement actions including illegal subdivisions.

8.9 Attachments/Appendices/Miscellaneous

Article 9 PLANNED UNIT DEVELOPMENTS
Overview. The purpose of Article 9 is to provide the legal framework for the review and approval of a Planned Unit Development. The current code would be improved by including a more clear and objective determination that the benefits of a proposed PUD including any specific additional amenities to be provided are equal to or greater than the additional increase in density or change in use authorized by the PUD. Specific requirements would be developed to advance this objective.

Table of Contents (For this specific Article)
9.1 Intent
9.2 Legislative Authority and Applicability
   • Include provision that the city can require specific street types, pedestrian amenities, lighting, etc as deemed appropriate for “whole site” project development that create private streets. Otherwise it would still default to the allowed types for the underlying district.
   • Consider including community amenities and benefits as part of a PUD so the process includes consideration that public benefit obtained is in proportion to the changes in the base zoning requested.
9.3 Objectives
9.4 Permitted Density
9.5 Application Process
   9.5.1 Application Materials
   9.5.2 Site Plan & Subdivision Review
9.6 Referral for Advisory Opinion
   9.6.1 City Planning Board (evaluation procedures)
   9.6.2 County Planning Board (evaluation procedures)
   9.6.3 Design Review Commission (evaluation procedures)
9.7 Public Hearing
   9.7.1 Public Notice
   9.7.2 Property Owner Notice
   9.7.3 Intermunicipal Notice
   9.7.4 Housing Authority Notice
9.8 Decisions
   9.8.1 Protest
9.9 Amendments

Article 10 REVIEW AND APPROVALS

Overview – The purpose of Article 10 is to detail the legal process and steps required for the review and approval of any permits or plans authorized in the code. Although design standards and “Quick Reference” guides of these approval steps are provided elsewhere in the UDO, this article would provide the actual legal framework for how the reviews are processed.

Table of Contents (For this specific Article)
• General - revise Review and Approval procedures, establish a pre-application meeting.
• Enhance public notification procedures, such as requiring on-premise signage, describe process by which people can sign up for email notifications.
• Integrate POSH position into advisory review of some types of applications to look at how they are addressing sustainability
• Develop an administrative review track for simple applications
• Set criteria for “early determination of major non-compliance” to catch projects which are far off track early in the design stage and make course corrections.
• Outline how complex projects can be required to have review with a technical advisory committee (TAC) prior to formal application for a coordinated review and/or supplemented by review with design/engineering consultant.

10.1 Site Plan Review (This section includes existing zoning Chapter 7.2)
10.2 Special Use Permit (This section includes existing zoning Chapter 7.1)
• Incorporate additional provisions regarding noise impacts on nearby properties.
10.3 Architectural Review (References design requirements in Overlay section)
10.4 Historic Review (References design requirements in Overlay section)
• Add provision that historic preservation design standards also apply to city/municipal projects.

10.5 Land Disturbance
10.6 Stormwater Plans (This section will include most of Chapter 242 Stormwater Management, except for applicability, SWPPP requirements, design and performance criteria which will be under Site Design Standards.)
10.6.1 Intent
10.6.2 Findings & Authority
10.6.3 Stormwater Management Officer
10.6.4 Maintenance and Repair
10.6.5 Administration and Enforcement

10.6 Building Permit
10.7 Sign Permit
10.8 Solar Permit / Model Ordinance
• Define (in glossary) different levels of solar installations so that they can be regulated differently and permitted in different areas of the city.
• Allow for more streamlined review/approval for simple installations, such as flush roof mounted, where freestanding may require more review.
• Integrate NYS model solar law into code as appropriate, utilizing a unified solar access permit
• Clarify solar collector as accessory use or not, depending on installation.
• Define and recommend screening and buffering requirements which may be required.
• Consider inclusion of neighborhood/community solar install as a principal use.

10.9 Tree Removal Permit (add this as a new element)
10.10 Watercourse Activity
10.11 Demolition Permit
- Add provision for 30-day waiting period prior to demolition permit, except in cases where it poses imminent threat to safety. Establish basic criteria for determination.
- Add provision for salvage of façade or significant historic features in lieu of demolition.

10.12 Certificate of Occupancy
10.13 Subdivision
10.14 Variance & Interpretation Appeals (This section includes existing zoning Chapter 8)
  - Update this section to direct the ZBA to review the specific design considerations of the district when determining if a requested variance meets the legal criteria, including issues such as “whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties”, and is in conformance with the stated District Principles,
  - Add provision requiring ZBA to provide a written findings statement outlining decisions which successfully appeal DRC decisions.
  - Authorize the ZBA to develop and maintain a standardized process or definition by which neighborhood character is defined for the purposes of making these determinations.

Article 11 ADMINISTRATION

Table of Contents (For this specific Article)
10.1 Title and authority
10.2 Enabling legislation (Planning Board, Zoning Board of Appeals, Design Review Board)
10.3 Admin and Enforcement (This section includes existing zoning Chapter 9)
10.4 Amendments to Ordinance (This section includes existing zoning Chapter 10)
10.5 Legal Status (This section includes existing zoning Chapter 11)

GLOSSARY / DEFINITIONS

- Combine all definitions from subsections of city code into one section. Cross-check for duplicates, conflicts and consistency with usage in code. Identify terms in code which are missing from definitions.
- Clarify definition of height to not include accessory appurtenances such as chimneys, spires, cupolas, etc.
- Revise definition of agricultural uses to expand activities, include agri-tourism, production for consumption on-site (tastings, events, tours) and retail sales.
- Clarify definition of corner lot to explain remaining two sides of the lot are “sides”.
- Clarify definition of “story”, especially with regards to required 2-story development.
- Clarify definition of “Multifamily”.
- Update definition for “accessory residential structure” to include potential for finished and/or habitable spaces.
- Clarify definitions in code related to dwelling units, and the specific features such as bathrooms, kitchens, etc which differentiate between a normal habitable space used for a playroom or office from an accessory dwelling unit.
- Add a definition for accessory structure. Clarify the inclusion of antennas, satellite dishes, solar panels, HVAC equipment etc and how those relate to required setbacks or distance separations.
- Review and clarify definition of “Alley” in consideration of primary frontage access, coordinate with Street Types.