AGENDA
February 7, 2017 4:00 p.m. Saratoga Springs Music Hall

1. Welcome And Attendance
2. Public Comment (Limited To 2 Minutes Per Speaker)
3. Approval Of 1/17/17 TRAC Meeting Minutes

Documents:
- 2017 01 17 UDO TECHNICAL REVIEW ADVISORY COMMITTEE MINUTES AMENDED.PDF

4. Discussion And Vote On TRAC By-Laws

Documents:
- UDO TECHNICAL REVIEW ADVISORY COMMITTEE REVISED.PDF

5. Presentation / Discussion On Revised UDO Draft Outline (Behan Design And Planning)

Documents:
- 2017 02 UDO_CODE_OUTLINE V2.PDF
- 2017 02 07 CODE SAMPLE SHEETS.PDF

6. Next Steps
7. Adjourn
City of Saratoga Springs
Unified Development Ordinance (UDO)
Technical Review Advisory Committee (TRAC)

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

PRESENT:
Susan Barden, Senior Planner; Brad Birge, Admin of Planning & Economic Development; Tina Carton, Parks, Open Space, Historic Preservation / Sustainability; Vince DeLeonardis, City Attorney; Amy Durland, Planning Board; Tamie Ehinger, Design Review Commission (Skype); Meg Kelly, Deputy Mayor; Kate Maynard, Principal Planner; and Susan Steer, Zoning Board of Appeals.

CONSULTANTS: John Behan and Michael Allen, Behan Planning and Design

ABSENT: None

CITY OFFICIALS: Mayor Joanne Yepsen

PUBLIC: Maureen Curtin, Samantha Bosshart, Geoff Bornemann, Tom Denny, Matt Jones

RECORDING OF PROCEEDING
The proceedings of this meeting were taped for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript.

OPENING REMARKS:
Mayor Yepsen opened the meeting at 5:17 p.m. and thanked everyone for coming to the TRAC meeting. She introduced the TRAC committee members and she thanked the members for their time and the public for attending.

Tina Carton then read the agenda for the meeting. She stated that there were copies of the agenda and the first public comment on the outline by Sustainable Saratoga.

PUBLIC COMMENT:
Tina Carton opened the public comment period at 5:21 p.m. Tina Carton stated that public comment will be limited to two minutes per individual.

Tom Denny of East Avenue, Saratoga Springs stated he was here to pose a couple of questions regarding the draft outline. Clarify what is the UDO unifying and what is it excluding. He would like clarification and an understanding that the UDO is unifying Chapter 240 in the City Code, 241 Subdivision Regulations, and the Standard Construction details. He also questioned if it would include Chapter 167 PUDs, Chapter 242 Stormwater Management, and Chapter 120 Flood Water Management. He thought it would be helpful to instead of calling it a draft UDO to call this a draft Charter 250, etc. He then stated that the document should clarify and include a statement on what the City did intend to replace and modify in the following chapters. Additionally as a member of Sustainable Saratoga, he stated he was most interested in the Urban Forestry and Community Master Plan and how it would be included and unified in the UDO.

Geoff Bornemann from Sustainable Saratoga stated that Sustainable Saratoga did submit written comments on the draft outline. Sustainable Saratoga is very pleased that the process is moving ahead. They do not understand the difference in the blue text versus the black text in the outline. Mr. Bornemann is concerned that the blue text is the limit and the scope of the UDO and what it will include. He stated that there were a number of items in the diagnostic report that were not included in the draft outline. Sustainable Saratoga is confused on the decision process for development of the outline and would like clarification on what will and will not be included. If the blue text is the limit to the content, Sustainable Saratoga will submit additional comments on the draft outline.

Tina Carton closed the public comment period at 5:26 p.m.

**Discussion on TRAC By-Laws**

The by-laws were distributed to the committee prior to the meeting as well as posted online to the City website as part of the agenda – similar to the process of the Land Use Boards. Tina Carton then reviewed the content of the TRAC by-laws and read off the names of the membership of the committee. Tina Carton then stated that comments were received from committee members prior to the meeting regarding the language surrounding the public comment. The document was edited with edits highlighted in red and sent to the committee prior to the meeting. The edits were exclusively in the public comment section of the document and changed public comment prior from three to two minutes per speaker and added language limiting public comment to the start of meetings. This was cited as being consistent with City Council procedure. There were concerns that unlimited public comment would extend the meetings over the two hours that they are currently scheduled.

Tina Carton then opened the meeting to comments on the by-laws. Amy Durland stated that during the comprehensive plan process there were also public comments at the end of each meeting and these were limited to one minute. A discussion then took place on how successful this was for the comprehensive plan process. Brad Birge and Susan Barden both thought that public comment at the end of comprehensive plan meetings was meaningful to the process. Susan Steer then stated that it should be at the chair’s discretion in case the meeting was lengthy and a second public comment would extend the meeting over the allotted time. It was decided to amend the document and include this additional comment period with language about at the discretion of the chair. Tina Carton stated that she would make these changes and redistribute the document.

**Election of Chair and Liaison to City Council**
Meg Kelly voted to have Brad Birge chair the committee and Tina Carton to assume the role of the liaison. No other members were suggested. Brad Birge did state that he did have some scheduling conflicts. The committee stated that the chair could appoint a chair in their absence.

Vince DeLeonardis formally nominated Brad Birge as chair and Tina Carton as liaison. Both passed with unanimous vote.

Presentation on UDO Draft Outline (Behan Design and Planning)

Tina Carton introduced Michael Allen from Behan Planning and Design. Michael Allen then gave an overview of the draft outline. Behan’s main goal of the UDO project is to streamline the current zoning ordinance and make it more user friendly. Michael then presented to the committee a one page sample draft design concept of street types and frontage types that would be included in the new UDO to illustrate the new look and feel of the document. He explained new summary sheets of approval processes that will serve as reference sheets. Behan will place the most commonly referenced information in the front of the document with the more technical or administrative part of the code at the end of the document.

He then described the organization of the articles in the UDO. For each district, he described that the beginning of each article will include a use schedule for the district followed by bulk requirements and setbacks, the intent of the district, district principles and guidelines, and any special requirements per district. He then went through each article and explained their intended purpose. Article 5 Architectural Standards will include vertical elements and provide general guidance to any zone. Article 6 contains Site Design Standards which include the vertical elements such as ground landscaping and parking, site plan layout and so forth. Article 7 contains use requirements. These may include new requirements for items such as outdoor seating at restaurants and noise.

Some evidence that we hope to include to make better navigation will be the addition of hyper links for the online version. On the bottom of the code, it will list the chapter and subsection to act as a reference guide. There will also be hyper links to the zoning definitions. The zoning map will have all of the districts plus overlay districts, proposed trails such as the Greenbelt Trail, and each of them will be able to be turned off and/or on by district. All of the information will be in one place and not on separate places as currently exists. Behan is still experimenting with having the layers turn off and on. They hope to include an interactive PDF as part of the process.

He then explained that the blue text is a meant to be descriptive and get in a little more detail of what will be in each section. Tina Carton had requested that all elements of the diagnostic report be addressed in the outline but Behan thinks that this approach would make the document too lengthy and cumbersome. The Zoning Diagnostic houses all of this information and the outline is there to express the strategy for organizing – the structure of the new UDO – and not cover each and every point.

The discussion was then opened up for questions.

Discussion on UDO Draft Outline

Amy Durland and Brad Birge both asked if the committee should concentrate on the structure and organization. Behan agreed with this approach.

Amy then asked about the structure of the outline and asked why Enforcement was found in 8.8 and not in the Article 11 Administration. Tina Carton then questioned what was included in 8.8 versus Article 11 in the 10.3 Administration and Enforcement subheading. Amy then questioned
the residential / non-residential distinctions and if transect zones deserve a special article to themselves. Brad then discussed if combining use schedules early in the document would be beneficial to applicants. Amy stated that the Albany UDO outline includes a special district for mixed-use zones.

Michael then gave Behan’s rational for how the districts were organized in this version and stated that during the outline development process there have been other methods tried. The T-4 zone is technically a residential zone but there may be a method to organize multi-use zones in a new article and keep the truly residential zones separate. The issue is the current numbers of zones makes the distinctions cumbersome – he will reconsider the current organization of transect/multi-use districts.

Brad Birge discussed the organization of the outline. The main concern regarding the current organization was how applicants are introduced to the zoning ordinance. The outline presented by Behan starts with districts and then proceeds to the site design and architectural standards. From his experience, applicants would benefit from having the policy first with graphic representation - district rational and conceptually what the City is trying to achieve by the districts - before diving into specific regulations. Behan will consider how to give the rational for all of the districts earlier in the document to better lay the groundwork for the specifics later. Susan Steer spoke of how the Land Use Boards would benefit with better guidance on the intent of districts when interpreting the ordinance for applications.

Amy Durland then discussed the placement of the standard construction details in the outline. Michael stated Behan’s intent and how their intent had changed and evolved over the course of development of the material to date. Kate Maynard provided commentary on how the current standard details are utilized by the Planning Board and how they are edited and updated.

The need to update material then led the committee to discuss what type of content may require changes and updates – such as contact information and content driven by federal and/or state regulation. John Behan stated that they will consider how materials and contact information should be included in the UDO and what should remain stand alone with links as well as methods to provide direction to applicants on where and how to find the relevant material.

Amy Durland then addressed the question of what would be included in the new UDO that was brought up during the public comment period by Tom Denny. Brad Birge described in detail what was originally intended to be consolidated into the UDO. Michael Allen described that Behan is trying to incorporate all of the need to know information into the code but they recognize that there will be instances where they cannot move everything. They will work to integrate the Tree Ordinance into the code into the areas where it specifically belongs – it may not be ported in its entirety as it currently is organized.

Amy Durland discussed Article 5: Architectural Standards. Within this article, Section 5.6 is currently titled Power and Energy Efficiency. The committee suggested renaming this section to better align with its intent. They then would like to ensure that water, energy efficiency, renewable power generation and green infrastructure are properly integrated into appropriate sections of the UDO. While elements of sustainability and environmental standards are dotted through the draft outline, only in Article 5 are they consolidated. Alternatively, Kate Maynard questioned if sustainability and environmental standards should be a standalone article.

The committee then discussed Behan’s process for tracking the issues raised in the Zoning Diagnostic Report, the process for tracking the resolutions of the issues, and the format that Behan will use to make this transparent. Michael Allen ensured the committee that they will be addressing the concerns in the diagnostic report, but they indicated that they do not have plans to log resolutions to each issue in the diagnostic report. While the diagnostic report numbered each
issue, Behan will not be referencing these moving forward. Behan does not want to use footnotes in the draft UDO since it upsets the formatting of the document but does plan on having a tracking process. The committee then clearly requested that Behan should develop a proposal and present to the committee this formal tracking method.

Taime Ehinger pointed back to the earlier discussion on architectural review. From a user perspective, it would make sense to replicate design and review guidelines for ease of the applicants and Land Use Board guidance throughout the UDO even if it is repetitive. Michael Allen then stated that there would be duplication of architectural and design overlay requirements within sections of the UDO. Brad Birge raised concern that the architectural standard article may be confused with the architectural review language in the current ordinance. Architectural review is specific to the gateway overlay districts while architectural standards in the draft outline cover, as described earlier, vertical elements and are much larger in scope.

The committee then discussed the language used to describe Article10: Review and Approvals. Tina Carton then asked Behan if all of the scope within the draft document will be part of the UDO process and what would be completed outside of the UDO process. As an example, the draft outline references an electronic zoning map with layers that turn on and off. Behan stated that the creation of this electronic map was not part of its original proposal, but in experimenting with the creation of the new zoning map this idea emerged. They will try to do what is outlined.

The draft outline seems to include building permits and other permits which are governed by city or state code and not the zoning ordinance. Michael Allen wanted to bring permits into the UDO since this is where applicants will look for information. From the planning staff perspective, the draft outline organization is not the most user friendly and looks forward to Behan reorganizing this section.

The committee then discussed what the expectations were for commenting on the draft outline. Tina Carton will be the point of contact for the City and all committee comments should be directed to her email. Tina Carton requested comments within the next five business days. She will consolidate all comments and send them to Behan. Behan will then address the comments and get a new draft outline back to the committee prior to the next meeting.

Behan expressed that the outline has changed many times and it is expected to still change during the development of the UDO. Behan would like the committee to concentrate their review on the structure. The schematic working draft will help illuminate many of the questions this evening. Michael hopes that the public and the committee consider this as a “big picture” look at the sections and articles, but their placement will evolve over the course of the project.

**PUBLIC COMMENT:**

Brad Birge opened the second public comment period at 6:43 p.m.

Matt Jones of Saratoga Springs asked if the draft UDO outline was available online. Tina Carton explained that it is included in the agenda on the City website as well as the Technical Review Advisory Committee By-Laws. The process is consistent with the current posting of Land Use Board agenda materials. Behan will place the draft outline on the project website.

Committee meetings will be at 4 p.m. in the Music Hall on the first and third Tuesday of each month.

**ADJOURNMENT:**
The next TRAC meeting will be held on February 7th at 4 PM in the Music Hall.
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 the appointed Land Use Board member cannot attend a meeting, his/her designated alternate will attend. 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 input from the public but still keep the meetings to a two hour limit, speakers shall be allowed to speak for no longer than two minutes and will be allowed to speak during the public comment period 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.

Public comment will take place at the start of the bi-monthly meetings, and at the discretion of the Chair, at the end of each meeting. Public comment at the end of the meeting will be limited to one minute per speaker.

There will be open public meetings over the course of the project to listen to the process of the committee and follow 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 saratogaUDO@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.

Items in black text are intended to outline the proposed ordinance structure and organization. Items listed in blue text are intended to provide additional description, including the purpose of that section and samples of what types of material would be covered in it. It is not intended to be a comprehensive list of every item to be included.

SIMPLE OVERVIEW

Cover, Credits, Table of Contents
Article 1 – INTRODUCTION
Article 2 – ZONING DISTRICTS
Article 3 – SUSTAINABLE DESIGN
Article 4 – USE REQUIREMENTS
Article 5 – APPLICATION & REVIEW PROCESS
Article 6 – ADMINISTRATION & ENFORCEMENT
Article 7 – GLOSSARY

INTENDED FEATURES OF THE NEW ORDINANCE:

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

- Easier document navigation. Can jump to a specific section of the ordinance by clicking on the hyperlink reference or bookmarks within.

- See where you are in the ordinance. Each page would include a footer which indicates the current Article, Topic and Subtopic of that page.

- Hyperlinked definitions – Can jump to the definition of a word which is defined in the glossary.

- A detailed table of contents is provided at the beginning of each Article, for easy reference.

- A new document layout designed for easy readability.
WHAT IS INCLUDED IN THE UDO:

The intent of the UDO is to unify and reorganize aspects of the current city code which relate to building and development. The following chapters of the city code are expected to be included:

- **Chapter 240: Zoning Ordinance.** The existing “Chapter 240 Zoning Ordinance” would be removed and replaced by the new Chapter 240 Unified Development Ordinance.

- **Chapter 241: Subdivision Regulations.** Existing “Chapter 241 Subdivision Regulations” would be removed and replaced with new language into Chapter 240 Unified Development Ordinance. Existing chapter 241 would likely be left empty and labeled as “RESERVED”.

- **Chapter 242: Stormwater Management.** Existing “Chapter 242 Stormwater Management” would be removed and incorporated generally intact into Chapter 240 Unified Development Ordinance. Existing chapter 242 would likely be left empty and labeled as “RESERVED”.

- **Chapter 120: Flood Damage Prevention.** Existing Chapter 120 Flood Damage Prevention would be removed and incorporated generally intact into Chapter 240 Unified Development Ordinance. Existing chapter 120 would likely be left empty and labeled as “RESERVED”.

- **Chapter 220: Trees.** Elements from this chapter, including suggested edits identified in the Urban Forest Master Plan, related to land use board reviews would be incorporated into the new UDO. Chapter 220 otherwise would remain in the code, as it applies to city actions such as DPW responsibilities.

A NOTE ABOUT THE ZONING DISTRICTS AND MAP

This proposed outline lists all of the existing zoning districts within the City of Saratoga Springs for the purposes of illustrating the proposed organizational structure of the new ordinance. The Advisory Committee is working to identify zoning districts or zoning district boundaries which may need to be revised to comply with the Comprehensive Plan.
Proposed Outline of the Unified Development Ordinance

Items in black text below are intended to outline the proposed ordinance structure and organization. Items listed in blue text are intended to provide additional description, including the purpose of that section and samples of what types of material would be expected to be included in it. It is not intended to be a comprehensive list of every item to be included.

Cover page, Credits page, Table of Contents

Article 1 - INTRODUCTION

OVERVIEW: Article 1 is intended to introduce the UDO, explain what it is, its purpose, what it covers and how it works. A key principle of this introduction is outlining the efforts of the city to become a more sustainable place to live and work, and how this code hopes to achieve this. Included in this section are instructions for using the ordinance, features, an explanation of Street Types, Frontage Types, Façade Types and Building Types, and how these four typologies work together to describe the desired development patterns for the city. A key feature of this section are Quick Reference Guides to the most common applications and permits, so an applicant can see at a glance the steps they need to take for certain types of permits and approvals, a flow chart of the review 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 (aka Applicability. This subsection will also outline the effective date of adoption and the process by which to handle any pending applications which were in effect at the time of adoption of this ordinance.)

1.1.2 Instructions for Using This Ordinance (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 ordinance describes Guiding Principals, Design Considerations and specific Standards to help clarify and direct the type of designs 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 key city departments. Since names and emails commonly change, contact information would likely be limited to department name / staff position and phone number.)
1.2 Approvals & Permit Types (This section would include one-page “reference sheets” which briefly outline the different approvals and permit types, provide information on when each type is required, how to submit an application, and a flow-chart of the review/approval process. It is intended to outline the review and approval procedures for applicants and board members, and encourage applicants to consult with city planning staff in advance of applications.)

1.2.1 Architectural Review (1-page flow chart and explanation, typical for each subsection listed below)
1.2.2 Building Permits
1.2.3 Certificates of Occupancy
1.2.4 Demolition Permits
1.2.5 Floodplain Permits
1.2.6 Historic District Review
1.2.7 Land Disturbance Permits
1.2.8 Lot Line Adjustments
1.2.9 Mass & Scale Approval
1.2.10 Planned Unit Developments
1.2.11 Sign Permits
1.2.12 Site Plan Reviews
1.2.13 Solar Permits (or other type of solar approval, as eventually determined)
1.2.14 Special Use Permits
1.2.15 Stormwater Management Permits
1.2.16 Subdivisions
1.2.17 Tree Removal Permits
1.2.18 Variances
1.2.19 Watercourse Activity Permits

Article 2 – ZONING DISTRICTS

Table of Contents (For this specific Article only)
- 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.
- Update use schedule to include more emerging technology uses which could be added, particularly to industrial districts.

2.1 Residential Districts
OVERVIEW: This section is intended to provide all of the specific requirements, standards and guidelines which apply to the 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.
Design Considerations would be provided for most districts which describe and illustrate the
desired forms, massing, scale and other considerations which the city seeks in that district.
The specific districts, their names or order listed below may change during the development
of the UDO.

- (General Note: Would establish height for accessory structures (typical each district)
and establish lower height for residential structures (typical each district).

2.1.1 Residential Districts Overview. (This would provide a description of the big-picture
goals and visions for the residential neighborhoods.)

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

2.1.3 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)

2.1.4 Use Schedule – All Residential Districts

- 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.

2.1.5 Rural Residential (RR)
A. Intent of District (Update description and intent of district to more accurately
reflect contemporary agriculture uses and activities)
B. District Guiding Principles
C. Design Considerations (a.k.a. how to review projects in this district)
D. Area & Bulk Requirements
E. District Specific Requirements

2.1.6 Suburban Residential 1 & 2 (SR-1, SR-2)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.1.7 Urban Residential 1 & 2 (UR-1, UR-2)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements
• General Note – Residential districts from here down, experiment with adding a context based approach to setbacks and design review for new projects where it would be appropriate, such as older denser neighborhoods)

2.1.8 Urban Residential 3 (UR-3)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.1.9 Urban Residential 4 (UR-4, UR-4A)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.1.10 Urban Residential 5 (UR-5)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.1.11 Urban Residential 6 (UR-6)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.1.12 Urban Residential 7 (UR-7)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.2 Mixed-Use Districts
OVERVIEW: This section is intended to provide all of the specific requirements, standards and guidelines which apply to the commercial/mixed-use 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. Design Considerations would be provided for most districts which describe and illustrate the desired forms, massing, scale and other considerations which the city seeks in that district. Basic design concepts—which may apply to any district—are separately referenced in Article 3 (Sustainable Design) as needed. The specific districts, their names or order listed below may change during the development of the UDO.

- 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.
- Look at allowance of Car Rental Agencies
- 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.

2.2.1 Mixed Use Districts Overview. (This would provide a description of the big-picture goals and visions for the mixed use neighborhoods.)

2.2.2 Listing of Mixed Use Districts (Includes purpose statement of each)

2.2.3 Building Types (Allowable building types in each 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)

2.2.4 Use Schedule – All Mixed Use Districts

2.2.5 Highway General Business (HGB)
- Assess purpose and need of this district to determine if it is still necessary.
  A. Intent of District
  B. District Guiding Principles
  C. Design Considerations
  D. Area & Bulk Requirements
  E. District Specific Requirements

2.2.6 Tourist Related Business (TRB)
- Assess purpose and need of this district to determine if it is still necessary.
  A. Intent of District
  B. District Guiding Principles
  C. Design Considerations
  D. Area & Bulk Requirements
  E. District Specific Requirements
2.2.7 Neighborhood Complimentary Use 1, 2 and 3 (NCU-1, NCU-2, NCU-3)
- Add conditions and performance criteria which will reduce impact on nearby residential neighborhoods.
  A. Intent of District
  B. District Guiding Principles
  C. Design Considerations
  D. Area & Bulk Requirements
  E. District Specific Requirements

2.2.8 Urban Neighborhood Transect 4 (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.
  A. Intent of District
  B. District Guiding Principles
  C. Design Considerations
  D. Area & Bulk Requirements
  E. District Specific Requirements

2.2.9 Neighborhood Center Transect 5 (T-5)
- 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.
  A. Intent of District
  B. District Guiding Principles
  C. Design Considerations
  D. Area & Bulk Requirements
E. District Specific Requirements

2.2.10 Urban Core Transect 6 (T-6)

- 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.

A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3 Specialty Districts

2.3.1 Specialty Districts Overview. (This would provide a description of the big-picture goals and visions for these districts.)

2.3.2 Listing of Specialty Districts (Includes purpose statement of each)

2.3.3 Building Types (Allowable building types)

2.3.4 Use Schedule – All Specialty Districts

2.3.5 Office/Medical Business 1 and 2 (OMB-1, OMB-2)

A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.6 Water Related Business (WRB)

A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.7 Institutional Educational (INST-ED)

A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.8 Institutional Horse Track Related (INST-HTR)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.9 Institutional Municipal Purpose (INST-MP)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.10 Institutional Parkland / Recreation (INST-PR)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.11 Warehouse District (WD)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.12 Light Industrial (IND-L)
- 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.
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.13 General Industrial (IND-G)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.3.14 Industrial Extraction (IND-EX)
A. Intent of District
B. District Guiding Principles
C. Design Considerations
D. Area & Bulk Requirements
E. District Specific Requirements

2.4 Overlay Districts
OVERVIEW: This section 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.

2.4.1 Overlay Districts Overview. (This would provide a description of the various overlay districts and how they work, including a map showing their general locations)

2.4.2 Listing of Overlay Districts (Includes purpose statement of each)

2.4.3 Historic District Overlay (This section includes existing zoning Article 7.4)
- Show location of this overlay district on zoning map, including location of all designated city landmarks.
  A. Intent of District
  B. Location
  C. Applicability (what actions subject to review, exempt from review)
- Add provision for the review of projects adjacent to historic district properties.
  D. Design Review Commission (delegation, duties & authority)
- Strengthen design considerations and guidelines for reviewing historic projects or projects which can impact historic properties.
  E. Review Standards and Considerations
  F. Design Considerations
  G. Maintenance & Repair
- Add provisions to prevent demolition by neglect
  H. Demolition
- Add additional criteria and review considerations before a demolition permit can be granted.
  I. Historic Review Applications (Opinions, decisions, expiration, extensions)
  J. City Landmarks (Listing)

2.4.4 Architectural Review Overlay (This section includes existing zoning Article 7.5)
A. Intent
B. Location
C. Applicability (what actions are subject to review, exempt from review)
D. Design Review Commission (delegation, duties & authority)
E. Review Standards and Considerations
   • Add Transitional Buffers (This is a new concept, not currently found in the existing ordinance. It would occur on projects 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. This provides transitional buffers which provide a graduated height reduction. It also serves to avoid issues of potentially blocking adjacent solar access.)
F. Architectural Review Applications (Opinions, Decisions, Expiration, Extensions)

2.4.5 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.
   A. Intent
   B. Design Standards
      • Revise and reorganize gateway design standards, redraft illustrations
   C. Allowable Frontage Types
   D. Allowable Street Types

2.4.6 Incentive Zoning Districts (this section includes much of existing Article 4.0)
   A. Intent
   B. Affordable Senior Housing (intent, location, requirements and incentives)
   C. Public Open Space and Recreation (intent, location, requirements and incentives)
   D. Affordable Housing (intent, location, requirements and 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.

### 2.4.7 Corridor Lodging District
- 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.
  A. Intent
  B. Location
  C. Requirements

### 2.4.8 Public Water Supply & Wetland Protection
- Show location of this overlay district on zoning map.
  A. Intent
  B. Location
  C. Restrictions

### 2.4.9 Watercourse Protection District
- Show location of this overlay district on zoning map.
  A. Intent
  B. Location
  C. Requirements
  D. Permits

### Article 3 – SUSTAINABLE DESIGN

**OVERVIEW:** Article 3 is intended to define all of the basic design considerations and requirements for site design and architecture which are governed under this ordinance. This includes Street Types, Frontage Types, Façade Types, Building Types, site design layout, parking lot design, stormwater management, landscaping, pedestrian amenities, signs and exterior lighting. 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 3 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 in the T-5 District with the requirement that the size of ‘A’ can be no more than 50 feet, etc. Simultaneously, that same illustration can be referenced in the T-4 District with the requirement that the size of ‘A’ can be no more than 40 feet. In this way, Article 3 acts as a central clearinghouse of design standards which apply both generically—and specifically—to any district as needed.

**Table of Contents** (For this specific Article)

#### 3.1 Intent

#### 3.2 Street Types
Includes illustrations of the allowable types. 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.)

3.2.1 Applicability
- Include provision for the city to require specific street types, pedestrian amenities, lighting, etc as deemed appropriate for “whole site” project development that creates private streets. Otherwise they default to the allowed types for the district.

3.2.2 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.

3.2.3 Required Streetscape Improvements / Waivers
- Clarify when and where waivers for streetscape improvements may be permitted.

3.2.4 Restoration After Construction (performance bond, letter of credit, etc)

3.3 Frontage Types (includes illustrations of the allowable types for 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.)

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

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

3.3.3 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.

3.3.4 Pedestrian Amenities
- Include standards for pedestrian amenities from Complete Streets Plan.

3.4 Façade Types (defined, illustrated)

3.5 Building Types (defined, illustrated)

3.6 Subdivision Design (Note that this section provides guidance on the desired designs for subdivisions, however the legal process of reviewing and approving them is covered in the Application & Review Process section.)
3.6.1 Conventional (Includes design guidelines illustrating desired layout types, principals, and examples of what to avoid.)
3.6.2 Conservation (Includes design guidelines illustrating desired layout types, principals, and examples of what to avoid.)

3.7 Site Design & Parking
3.7.1 Site Design Requirements
   • Includes relationship to surrounding context, building orientation, sun orientation, 
3.7.2 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.

3.8 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 ordinance.)
   • Add provision for permeable parking surfaces to count toward landscaped percentage, or not count against total coverage maximum.

3.9 Stormwater Management
   • Introduction and purpose. Would include requirements or incentives for bioswales and raingardens, references to latest Stormwater Management Design Manual.
3.9.1 Stormwater Management Solutions (Desired use of Bioswales, raingardens, etc)
3.9.2 Stormwater Pollution Prevention Plans (this subsection includes all of existing Chapter 242 Stormwater Management)
   A. Applicability (and exemptions. i.e. when required)
   B. Contents of SWPPP
   C. Performance & Design Criteria
   D. Reference to enforcement section in Article 8.

3.10 Pedestrian Amenities
3.10.1 Bicycle Parking (by district)
3.10.2 Transit Accommodations (bus stops)
3.10.3 Seating Areas
3.10.4 Trails / Multi-Use Paths

3.11 Exterior Lighting (Includes standard lighting design for city property and minimum requirements for private property. Incorporate or reference International Dark Sky Association
3.11.1 Allowable Lighting Methods
3.11.2 Allowable Lighting Levels

3.12 **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.
- Requirement/incentive for solar collectors

3.12.1 **Relationship to Site** (Includes relationship to surrounding context, sun orientation, tree shading, incentives for solar collector installs)

3.12.2 **Height & Roof Design** (Includes requirement or incentives for green roof or solar construction)

3.12.3 **Scale & Massing** (including how to add additions to older structures)

3.12.4 **Proportion** (includes horizontal and vertical expression)

3.12.5 **Fenestration** (Includes requirement or incentives for passive solar shading)

3.12.6 **Rhythm**

3.12.7 **Entranceways**

3.12.8 **Materials & Colors**

3.12.9 **Energy & Water Efficiency** (Requirement for EPA Water sense toilet and aerators)

3.13 **Signs**

3.13.1 **Intent**

3.13.2 **Applicability**

3.13.3 **General Requirements**

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

3.13.4 **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.

3.13.5 **Sign Lighting** (allowable methods, performance standards)

- Incorporate or reference International Dark Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA) Model Lighting Ordinance.

3.13.6 **Permitted Signs**

- **A. Wall Sign** (number, size calculation, allowable lighting methods, etc.)
- **Revise ordinance to permit more flexibility in wall sign placement to allow for vertical or projecting design where appropriate.**

- **B. Wall Lettering**

- **C. Awning Lettering**

- **D. Window Sign**
E. Menu Sign
F. Plaque Sign
G. Freestanding Sign
- Include provision for “residential subdivision” signs for similar off-street townhouse, apartment or condo developments, provided it meets certain criteria.
H. Directory Sign
I. Yard Sign
J. City Wayfinding (Would incorporate existing information on the city wayfinding signage program)

3.13.7 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.

3.13.8 Prohibited Signs
- Clarify and strengthen ordinance 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.

3.13.9 Additional District Requirements

3.13.10 Enforcement & Fines
- Reference enforcement section in Article 8

3.14 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 ordinance and may be updated independently of the UDO as an administrative act.)

Article 4 – USE REQUIREMENTS

Overview. Article 4 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. Includes existing Article 6.3 and Article 6.4 of the zoning ordinance.

Table of Contents (For this specific Article)

4.1 Requirements for Specific Uses
4.1.1 Intent
4.1.2 Telecommunication Facilities and Towers
4.1.3 Vehicle Fueling Stations
4.1.4 Mobile Homes / Manufactured Homes
- Clarify definitions of these uses to match Department of State to show distinction from modular homes.

4.1.5 **Adult Uses**

4.2 **Requirements for Accessory Uses** (This section would include existing zoning Article 6.4)

4.2.1 **Intent**

4.2.2 **Outdoor Eating and Drinking Facilities**

4.2.3 **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.

4.2.4 **Temporary Accessory Dwellings**

4.2.5 **Historic Carriage House / Accessory Structure 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.

4.2.6 **Wall and Fences**

4.2.7 **Swimming Pools**

4.2.8 **Antennas and Satellite Receivers**

4.2.9 **Alternative Energy Generation Equipment**
   - 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.

4.2.10 **Short-Term Rental Occupancy**
   - Incorporate Short-term rental ordinance from city attorney. Coordinate into UDO.

4.2.11 **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.
Article 5 APPLICATION & REVIEW PROCESS

OVERVIEW. The purpose of Article 5 is to detail the legal process and steps required for the review and approval of any permits or plans authorized in the ordinance. 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.
- Provide land use boards with ability, by majority vote, to seek advisory review of application by others, such as sustainability director, etc.
- 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.

5.1 Site Plan Review (This section includes existing zoning Article 7.2)

5.2 Special Use Permit (This section includes existing zoning Article 7.1)
- Incorporate additional provisions regarding noise impacts on nearby properties.

5.3 Architectural Review (References design requirements in Overlay section)

5.4 Historic Review (References design requirements in Overlay section)
- Add provision that historic preservation design standards also apply to city/municipal projects.

5.5 Land Disturbance

5.6 Building Permit

5.7 Sign Permit

5.8 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 as appropriate.
• Consider, in addition to the NYS Unified Solar Permit already used by the city for common solar installs, additional permits or approvals which might be required for larger solar installs.
• Clarify solar collector as accessory use or not, depending on installation type/size.
• Define and recommend screening and buffering requirements which may be required.
• Consider inclusion of neighborhood/community solar install as a principal use.

5.9 Tree Removal Permit (add this as a new element)

5.10 Watercourse Activity Permit

5.11 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.

5.12 Certificate of Occupancy

5.13 Subdivisions Includes much of the contents of existing Chapter 241 of the city code, however rewritten and reorganized. 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.
• Rewrite and reorganize this section
• Separate conventional from conservation
• Allow for small subdivision vs. large
• Clarify expectations

5.13.1 Intent & Authority
• Follow NYS enabling legislation
• Incorporate additional provisions from current ordinance
• 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 does not legally exist as a lot.

5.13.2 Applicability
• Further, for the unified definitions (see Glossary) 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.

5.13.3 General Requirements
- Approved plan required
- Consider solar orientation analysis

5.13.4 Review Procedures
A. 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
B. Conservation Subdivision
- Consider mandatory sketch review and include conceptual site conservation analysis at this phase, outlining the general areas of development and areas to protect with agreement and resolution of big-picture issues.
- Consider processing preliminary plat much like conventional plat once the concept (sketch plan) is mutually acceptable.
- Refer to desired design concepts in Article 3 Sustainable Design.
- Clarify conservation subdivision (refers to “Country Overlay Area”) in comprehensive plan. Applies to all subdivisions in RR and SR-1 districts.
C. 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.
D. Lot Line Adjustments
- Clarify 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).

5.13.5 Other Referrals & Reviews
5.13.6 Inspections
5.13.7 Attachments/Appendices/Miscellaneous

5.14 Planned Unit Developments (The purpose of this section is to provide the legal framework for the review and approval of a Planned Unit Development. This section would include much of the contents of existing zoning Article 10.2. The current ordinance 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. The specific conditions and zoning language of existing PUDs which have already been approved will be referenced separately as on file with the city.)
5.14.1 Intent

5.14.2 Legislative Authority and Applicability
- Include provision that the city can require specific street types, pedestrian amenities, lighting, street trees, 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.

5.14.3 Objectives

5.14.4 Permitted Density

5.14.5 Application Process
A. Application Materials
B. Site Plan & Subdivision Review

5.14.6 Referral for Advisory Opinion
A. City Planning Board (refine evaluation procedures)
B. County Planning Board (refine evaluation procedures)
C. Design Review Commission (refine evaluation procedures)

5.14.7 Public Hearing
A. Public Notice
B. Property Owner Notice
C. Intermunicipal Notice
D. Housing Authority Notice

5.14.8 Decisions
A. Protest

5.14.9 Amendments

5.15 Variance & Interpretation Appeals (This section includes existing zoning Chapter 8)
- Update this section to direct the Zoning Board of Appeals 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,
- 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 6 ADMINISTRATION & ENFORCEMENT

Overview. The purpose of Article 6 is to include the legal administrative portions of the ordinance, incorporating the existing zoning Article 9 and Article 10.

Table of Contents (For this specific Article)

6.1 Title and authority

6.2 Enabling legislation (Planning Board, Zoning Board of Appeals, Design Review Board)

6.3 Admin and Enforcement (This section includes existing zoning Chapter 9)
   - Try to unify the various enforcement sections found in parts of the code for subdivisions, stormwater management, signs, etc into a single location if possible.
   - Provide penalties or other corrective/enforcement actions including illegal subdivisions.
   - Clarify and strengthen sign ordinance penalties.

6.3.1 Administration

6.3.2 Non-Conformance
   A. Non-Conforming Uses
   B. Non-Conforming Structures
   C. Non-Conforming Lots
      - 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.

6.3.3 Enforcement

6.4 Amendments to Ordinance (This section includes existing zoning Article 10)

6.5 Legal Status (This section includes existing zoning Article 11)

Article 7 GLOSSARY

- Combine all definitions from subsections of city ordinance into one section. Cross-check for duplicates, conflicts and consistency with usage in ordinance. Identify terms in ordinance 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 ordinance 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.
An establishment where food and beverages are prepared, served and consumed primarily within the principal building or on the site.

Eating and Drinking Establishment, Outdoor
A facility where food or beverages are served or consumed in an area that may, or may not, have a roof, canopy, awning or tent over it, but for at least half its perimeter, has 75% of its sides uncovered by any building material, including screening or netting.
An outdoor space, accessory to a principal eating and drinking establishment on the same property, where food or beverages are served or consumed.

Eduational Facilities
NEED DEFINITION

Elevation
The exterior walls of a building not along a frontage. A drawing or rendering which represents the vertical facade of a side of a house or building, projected geometrically and without perspective distortion.

Entrance, Principal
The principal place of pedestrian entry to a building. The entrance door should generally be along the frontage rather than a parking area.

Equipment Repair Shop
An establishment for the repair of small equipment, watches, clocks, lawn mowers, small engines, small appliances, and the like. Shall not include the outdoor storage or display of any equipment.

Erosion Control Manual
The most recent version of the “New York State Standards and Specifications for Erosion and Sediment Control” manual, commonly known as the “Blue Book”.

Extraction of Sand, Stone or Gravel
NEED DEFINITION

Farm
Land greater than five acres used for the commercial cultivation of agricultural products and/or raising of livestock.
A parcel of land used for the production, preparation, marketing and transportation of grain, vegetable, fruit, and other crops, horticultural and floricultural products, animal husbandry, livestock and livestock products, as well as the associated buildings, structures, equipment and handling facilities necessary to support such production activities and practices. May include public recreational events used for education and marketing of farm operations.

Farm Stand
A temporary structure, not to exceed a gross floor area of 500 square feet, from which locally grown agricultural products produced on the premises are sold.

Fence
An unroofed barrier or enclosing structure, including retaining walls.

Final Environmental Impact Statement (FEIS)
A collection of the responses made to comments received from the public and involved agencies regarding the content of the DEIS files in accord with the State Environmental Quality Review Act (SEQRA).

Final Plat
The final map upon which the owner’s plan of subdivision is presented to the Board for approval, and which, if approved shall be submitted to the County Clerk for recording. The final plat is submitted as part of the final submission.

Final Plat Approval
The signing of the plat in final form by a duly authorized officer of the Board pursuant to a Board decision granting final approval to the plat, or after conditions specified in a decision granting conditional approval of the plat are completed. Such final approval qualifies the plat for recording in the Office of the Saratoga County Clerk.

Final Review
Refers to the complete process of reviewing a final submission and issuing a final plat approval or disapproval by the Board.

Final Submission
Refers to the final plat and all other documents the subdivider is required to submit for final review of a subdivision by the Board.
4.3 Site Plan Approval

This page is intended to provide a brief summary of the Site Plan Review process. For the complete and official description, see Section 0.00.

When is Site Plan Approval Required?

A. To construct, modify or demolish any structure other than a single or two family residence or associated residential accessory structures.

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## 2.2 USE SCHEDULE

### USE SCHEDULE - Residential Districts

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<th>SR-1 &amp; 2</th>
<th>UR-1</th>
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- ● = Permitted
- ⬤ = Permitted with Site Plan Approval
- ○ = Permitted with Special Use Permit and Site Plan Approval
- A = Accessory Use or Structure
- 1 = Permitted only on second story or above, 2 = Permitted in association with public/private educational facilities, 3 = Less than 1,200 g.s.f., 4 Less than 1,800 g.s.f.
4.3 Urban Core

Building Placement & Setbacks

**Build-To Zone** (Distance from Property Line)
- Front: 0’ min. to 12’ max.
- Side Street: 0’ min. to 8’ max.
- Frontage Type: Refer to Frontage Types

**Building Facade Width at Build-To Area**
- Front: 80% width of lot min.
- Side Street: 30% width of lot min.

Corner properties: Both street facades must be built within the Build-to Area for the first 30’ min. from the corner.

**Other Setbacks** (Minimum distance from property line)
- Side - Principal Structure: 0’ min.
- Accessory Structure: 0’ min.
- Rear - Principal Structure: 0’ min.
- Accessory Structure: 0’ min.

Lot & Block Configuration
- Width: 18’ min.
- Depth: n/a
- Block Perimeter: 1200’ max.

Building Types Allowed (See 0.0)
- Detached
- Side yard
- Common Wall
- Courtyard

Building Form

**Height**
- Principal Building: 70’ max.
- 2-story minimum
- Accessory Structure: 30’ max.
- Ground Floor Elevation: 4’ max. above sidewalk
- Ground Floor Ceiling: 14’ min.
- Upper Floor(s) Ceiling: 9’ min.
- Parapet (if applicable): 3’ min.

Allowed Use Types
- Upper Floors: Residential, Commercial, Parking
- Ground Floor: Commercial

Frontage Types Allowed (See 0.0)
- Sidewalk
- Plaza
- Open Front Yard

Facade Types Allowed (See 0.0)
- Porch
- Forecourt
- Stoop
- Terrace
- Arcade
- Shopfront
4.9.9 **Awning Lettering**

**Description**

An Awning Sign consists of lettering printed on the vertical front surface of an approved ground floor awning above a public storefront window or entry. Counts as an accessory sign.

**Standards**

1. As an accessory sign, Awning Signs are permitted in addition to any allowable primary or freestanding Sign.
2. No more than one Awning Sign is permitted per ground floor window or door of the facade.
3. Lettering or graphics are only permitted on the vertical or sloping front face of the awning.
4. Awnings to which signs may be applied must be constructed over doors or windows, fastened to the building facade and not supported from the ground.
5. Sign text should be limited to the business name, slogan, brief description of products or services offered and street address. Phone numbers and other miscellaneous info is discouraged.
6. Awnings are recommended to be darker color, with lighter text. Awnings designs on a facade shall be consistent in design and color, and are limited to no more than two colors (not including text color).
7. Sign text should be of a consistent design and color, unless expressly part of a multi-color business logo or name design.
8. Street address numbers printed on awnings shall not count toward the sign area.

**Sign Dimensions**

<table>
<thead>
<tr>
<th>Description</th>
<th>Transect Zones (T4, T5, T6)</th>
<th>Other Commercial Districts</th>
<th>Residential Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Text height (max.)</td>
<td>8&quot;</td>
<td>25% of awning face, up to 100 s.f.</td>
<td>8&quot;</td>
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<tr>
<td>B Text width (max.)</td>
<td>80% width of awning/15 feet max.</td>
<td>80% width of awning/15 feet max.</td>
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<td>C Vertical clearance (min.)</td>
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<td>D Extension from facade (max.)</td>
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