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CITY OF SARATOGA SPRINGS CITY COUNCIL MEETING

September 17, 2020

MEETING HELD VIA ZOOM

PRESENT:

Meg Kelly, Mayor

Michele Madigan, Commissioner

John Franck, Commissioner



1           MAYOR KELLY: Okay. Good evening.  
2           Welcome to a special city council meeting  
3           for September 17th, 2020, 6 p.m., for our  
4           update for the Unified Development  
5           Ordinance.

6           This evening we will start with roll  
7           call, please.

8           UNIDENTIFIED SPEAKER: Commissioner  
9           Franck?

10          COMMISSIONER FRANCK: Present.

11          UNIDENTIFIED SPEAKER: Commissioner  
12          Madigan?

13          COMMISSIONER MADIGAN: Present.

14          UNIDENTIFIED SPEAKER: Mayor Kelly?

15          MAYOR KELLY: Here.

16          Thank you. Please rise for the  
17          pledge of allegiance.

18          (Pledge of allegiance)

19          MAYOR KELLY: There will be no  
20          public comment period tonight.

21          We have one presentation. Our  
22          consultants from Camiros, Arista Strungys  
23          and Chris Jenette, will be discussing  
24          the draft 2 release of the UDO.

25          I'd like to thank my staff for their



1           endless hours working with Camiros and  
2           digesting all the comments and feedback  
3           from draft 1 and assembling to draft 2.

4           As I announced at Tuesday night's  
5           meeting, the public comment period is  
6           open and runs through November 25th.  
7           Please visit the UDO landing page on the  
8           city website for draft 2 documents, maps,  
9           and schedule of the draft 2 public  
10          discussions.

11          Now I'd like to turn it over to  
12          Arista and Chris. And I thank you both  
13          for being with us here tonight.

14          MS. STRUNGYS: Well, thank you all  
15          for having us tonight to present the kind  
16          of summary of what's going on in draft  
17          2.0 of the UDO.

18          For those of you who may not  
19          remember since it's been a while, I'm  
20          Arista Strungys, principal at Camiros.

21          Chris, quick introduction.

22          MR. JENNETTE: I'm Chris Jennette.  
23          I'm a senior associate at Camiros.

24          MS. STRUNGYS: Okay. And so with  
25          that, I'm going to share my screen and



1 pull up the power point. And we're going  
2 to kind of take you through what's in it.  
3 So get that going. And then -- okay.

4 So can everybody see the slide?

5 MAYOR KELLY: Yes.

6 COMMISSIONER MADIGAN: Yes.

7 MS. STRUNGYS: Okay, great.

8 So as we said, this is the second  
9 draft, public review draft 2.0 of the  
10 Unified Development Ordinance. Uh-oh.  
11 Uh-oh. Come on.

12 And okay. It needs my mouse. So  
13 what you see before you is a redline  
14 document. We had -- we had the draft  
15 back in January, the January 2020 draft  
16 1.0. So as you're probably all very  
17 familiar, strikethrough shows deletions  
18 of text. Underline in blue shows  
19 additions. You may notice that some  
20 nonsubstantive changes may not be shown.  
21 These are things like typos or grammar  
22 corrections, numbering corrections, or  
23 any changes to the illustrations to match  
24 the text changes of the document.

25 Just a quick refresher, the goals of



1           this projects -- there's a number of  
2           them, but one of the biggest is the  
3           implementation of numerous plans adopted  
4           by Saratoga Springs: the comprehensive  
5           plan, Complete Streets, the Forest Master  
6           Plan, Open Space, the Greenbelt Trail.  
7           And really implement as best we can  
8           within the UDO many of the policies  
9           within those documents.

10                 We're also trying to make something  
11           that is user-friendly that really kind of  
12           encapsulates a number of land use and  
13           urban design objective standards. We  
14           want to enhance the neighborhood  
15           character and improve the conformance of  
16           various developments within the city,  
17           allow for creativity and flexibility, and  
18           create a process of predictability that  
19           you know when you're submitting an  
20           approval exactly how that process is  
21           going to go.

22                 Coming more specifically from the  
23           comprehensive plan, number of objectives  
24           here. And many of these, as you see  
25           throughout the document, promoting mixed



1 use developments, encouraging social and  
2 business, residential interaction and  
3 diversity, enhancing the quality of life,  
4 in a very historic city like Saratoga  
5 preserving that community character and  
6 the city history, and then a number of  
7 environmental principles, things like the  
8 resources you have, the open space, the  
9 multi-modality that's present there that  
10 you even see reflected in the Complete  
11 Streets policies.

12 So one of the first things is the  
13 use structure. And some of this will be  
14 a refresher for those of you who kind of  
15 saw this presentation back in January  
16 when we did it. You know, we updated the  
17 uses. You have a general use approach  
18 now, so we really just refined it.  
19 Created definitions for every term in  
20 that use table. We tailored those uses  
21 to each of the districts. And we really  
22 outlined principal and temporary uses.

23 So what you see within the document  
24 now is this use matrix. And as you can  
25 see, you can tell what district you're



1 in. You can see which uses are allowed,  
2 whether permitted or special. And if  
3 it's blank, it's not permitted. Or if  
4 you're looking to establish something,  
5 say an eating and drinking establishment,  
6 you can just go down the row and see  
7 which districts that's allowed in.

8 So some of the newer uses that are  
9 in here, we have the neighborhood  
10 commercial establishment which is the  
11 idea of the corner store. And really  
12 there it's for those existing commercial  
13 establishments within those  
14 neighborhoods, allowing for them to be  
15 kind of reopened and reused as a  
16 nonresidential use and very specific  
17 types of nonresidential uses, only things  
18 like offices and personal services that  
19 are compatible with the neighborhood.

20 One of the biggest -- the change  
21 here that we added was we did eliminate  
22 eating and drinking places from being one  
23 of the aspects of reuse.

24 We've also looked at a lot of arts  
25 and culture type of uses. You see things



1           there like Druthers, things like micro-  
2           production of alcohol, artisan  
3           industrial.

4                    Kind of ironically now traveler  
5           facilities, so the variety of hotels,  
6           inns, lodging houses that we all hope to  
7           get back to one day.

8                    Social services uses that are  
9           dealing with some realities of today's  
10          life, things like drug treatment  
11          facilities.

12                   And then unique uses like marijuana  
13          dispensaries and solar and win.

14                   Some of the key use changes that  
15          you'll see -- deleted from this was the  
16          cottage court dwelling and the RV park as  
17          those don't really take place. It's not  
18          a development forum that's desirable in  
19          the city right now.

20                   And some have been modified.  
21          Conservation area, before anybody kind of  
22          freaks out when they see it, it was  
23          deleted. But what we realized was we  
24          were using that definition in  
25          park/playground. So really it was just a





1 consolidation of conservation areas or  
2 passive recreation areas into the park  
3 and playground category rather than  
4 keeping it as a separate use and creating  
5 kind of an internal inconsistency.

6 One of the benefits of this, of park  
7 and playground now kind of taking into  
8 account all the types of open space,  
9 including conservation areas, it's  
10 allowed more widely throughout the city.  
11 So it's really a wide range of districts.  
12 Almost all the districts allow for these  
13 types of uses.

14 Live/work became artisan live/work.  
15 It's just a name change.

16 And then we refined multifamily  
17 dwelling for those that are residential  
18 only and those that are multifamily  
19 dwellings above the ground floor. And so  
20 really this is looking at these  
21 districts, the NC, the UC, the gateway  
22 commercial, urban, and rural which are --  
23 really are mixed used districts, looking  
24 at ground floor residential as being a  
25 special use. So there's a little bit



1 more care there to keep that mixed-use  
2 character.

3 Transitional living facility is  
4 newish. It was always in the standards  
5 of the districts but was not in the  
6 matrix. So what you see here, the  
7 districts allowed as a special use and as  
8 a permitted use. That was an omission,  
9 an unintentional omission, in the first  
10 draft 1.0.

11 Some permission changes. We did  
12 look at things like the Historic Carriage  
13 House/barn as a special use in UR-3 and  
14 UR-4, looking at the secondary dwelling  
15 unit as permitted in UR-3, UR-4. The  
16 single-family attached permissions match  
17 the single-family detached permissions.  
18 So these are things where two single  
19 families share a common wall. Health  
20 spas are allowed in some of the more  
21 mixed-use districts as well as things  
22 like inn.

23 Some of the use standard changes  
24 that you'll see, the Historic Carriage  
25 House is expanded to allow for this to



1 take place in an existing barn in order  
2 to preserve those barns that are there,  
3 provide some option for their reuse.

4 In the single-family and two-family,  
5 some of the design standards were  
6 eliminated for those uses, mainly dealing  
7 with kind of garage orientation.

8 The solar tier 3, a whole series of  
9 standards is added to those in terms of  
10 how they can be set up. And that's kind  
11 of the most intense of the solar.

12 And then the transitional living  
13 facility had some onsite management  
14 standards added to that -- to that use as  
15 well to make sure that they're well  
16 managed and kind of mixed in with the  
17 areas where they're located.

18 In terms of the residential  
19 districts, a couple of the things as we  
20 brought up before. The UR-5 and the UR-7  
21 not really used. Those were eliminated.

22 We've added some new regulations:  
23 the maximum impervious surface coverage,  
24 the maximum first floor elevation from  
25 the side lot lines, talking about when



1 the building wall is within twenty feet,  
2 and then corner side setbacks.

3 And then based on comments that we  
4 heard, the total interior side setback  
5 requirement has been added back in.

6 Probably one of the biggest changes  
7 in this draft 2. Is how the UR standards,  
8 the urban residential districts 1, 2, 3,  
9 and 4, have been converted back to kind  
10 of what their existing standards are now.  
11 The one change that is there is the  
12 building height was reduced to forty feet  
13 which is in line with being a single-  
14 family, two-family district, and making  
15 sure that the front setback averaging is  
16 allowed in these districts and it's very  
17 clear how that's applied.

18 And as you can see here, those last  
19 two columns as you go from your proposed  
20 district to the current district, you can  
21 see that the lot areas in particular and  
22 lot width as well all have been kind of  
23 brought back to where they are now.

24 Then we have the mixed-use and  
25 commercial districts. There's a series



1 of kind of four category with some within  
2 each of those. I'm going to briefly  
3 highlight what's in those.

4 In these mixed-use and commercial  
5 districts, there is some requirements  
6 that have been modified from the previous  
7 draft. And these include things like a  
8 public civic space requirement which is  
9 everything from, say, a plaza, as you see  
10 in an example there for a drawing, as  
11 well as areas of public green space. And  
12 what we've done is simplified this to  
13 make sure that it's clear how this is  
14 applied for developments of 20,000 square  
15 feet or more. It's five percent of the  
16 total lot area. There's some standards  
17 for how that design of that public civic  
18 space is done and requirements for a  
19 maintenance agreement.

20 Also, the next kind of new standard  
21 that you'll see within the mixed-use and  
22 commercial districts is a minimum  
23 buildout percentage. And what you see  
24 there is basically that the requirement  
25 of the building that has to be -- that



1 has to fill out the total lot width.

2 So you see in that first drawing  
3 there, if, say, that was a, you know,  
4 eighty percent minimum buildout  
5 percentage, you see that building is  
6 eighty percent buildout at that front lot  
7 line there.

8 We did create some -- a little bit  
9 of a leeway for this public civic space  
10 requirement, allowing that to count  
11 towards your minimum buildout percentage  
12 as well. So that doesn't get shrunk or  
13 create unusable spaces. It kind of  
14 bonuses that minimum building percentage  
15 by providing that public civic space.

16 So the residential mixed-use  
17 districts, this is the NCU which combined  
18 a bunch of the NCU districts into one,  
19 the new arts and culture district, and  
20 then the UN urban neighborhood district,  
21 formerly called the T-4.

22 You see some adjustments to the  
23 front setback. We added a number for  
24 that. We refined the standards for the  
25 residential dwelling types that are



1           allowed within these residential mixed-  
2           use districts. And then the design  
3           standards got a little bit of flexibility  
4           built in with the planning board being  
5           able to modify certain ones of them. And  
6           then if they are in an architectural or  
7           historic overlay, the DRB can exempt the  
8           other standards.

9           The commercial mixed-use districts,  
10          as we're kind of increasing in intensity,  
11          there is the NC, neighborhood center,  
12          which was the T-5, and the UC, the urban  
13          core, which is the T-6.

14          Any residential dwellings that are  
15          located in there are subject to the UN or  
16          the T-4 district, so they just reference  
17          those back.

18          Again, that flexibility with the  
19          planning board and the design review  
20          board and how they can modify standards  
21          if needed.

22          We did simply the height bonus that  
23          applied to these two districts. It was  
24          a -- we used to have different sets of  
25          maximum heights. Now at this point, we



1           said it's a maximum of fifteen feet of  
2           bonus height. It will go through a DRB  
3           review process and go to the planning  
4           board approval. And we refine the bonus  
5           system to really reflect those desirable  
6           end results that the City of Saratoga  
7           Springs would want.

8                     Also, kind of retained from your  
9           current ordinance and brought into this,  
10          not necessarily -- it wasn't necessarily  
11          part of the draft 1.0, in the UC  
12          district, urban core, the T-6, Broadway,  
13          from Van Dam to Spring, requires certain  
14          commercial uses to be located along the  
15          ground floor in order to really maintain  
16          that intensity of downtown, that mixed-  
17          use environment and bringing those there.

18                     And then finally, kind of the last  
19          two sets, there's the commercial  
20          districts, the OMB, office medical, and  
21          WRB, water related. They're very  
22          specific in application.

23                     And then the reassignment of the  
24          gateway districts, the GC-U which is the  
25          urban and the GC-R which is rural.





1           The design standards, again, were  
2 revised. Again, some of them didn't  
3 quite work with the district. And then  
4 we built in that planning board design  
5 review board flexibility.

6           Also to note the changes here in the  
7 GCU district, the height was reduced to  
8 forty feet.

9           The institutional districts have  
10 remained pretty much as they are. These  
11 are the ones that are in place now; the  
12 educational, the horse track, municipal  
13 purpose, parkland/recreation district.

14           What we did in the horse track  
15 district, added some interior side and  
16 corner side setbacks because those were  
17 missing from draft 1.0, clarified the  
18 seasonal uses that are allowed, and then  
19 made some provisions to allow for  
20 commercial horse stables through lots  
21 that are in the institutional HTR  
22 district but not necessarily part of the  
23 track or the training facility,  
24 understanding that's kind of a reality of  
25 what goes on there.



1           In the industrial, the industrial  
2 light brings together light industrial  
3 and the current warehouse district. So  
4 you kind of see the gradation here.

5           Industrial general, you have your  
6 heavier industrial uses happening there.

7           And the finally, the very  
8 specialized industrial extraction  
9 district, here the lot area and width was  
10 increased to ten acres and 500 feet  
11 respectively, obviously based on the  
12 sheer size of something like extraction  
13 use going on.

14           And then finally the special purpose  
15 districts, we have the water protection  
16 overlay district. This combined  
17 watercourse protection and public water  
18 supply and wetland protection into one  
19 overlay. We refined some of the  
20 standards around the hundred-foot buffer  
21 around federal wetlands and how that can  
22 be kind of worked out with the planning  
23 board.

24           The floodplain overlay districts,  
25 which references the City Code.



1           And then we combined the historical  
2 review and architectural review, these  
3 are both overlay districts, and talked  
4 about the additional DRB reviews that  
5 apply to these.

6           Development standards, for the most  
7 part these are really just refined. The  
8 steep slope preservation is very similar  
9 what was in place in draft 1.0, really  
10 looking at site plan review taking place  
11 when there are steep slopes or very steep  
12 slopes on the site.

13           The exterior lighting, there's been  
14 refinements to that. And you'll see some  
15 significant redlining in that section.  
16 They really kind of brought a bit more of  
17 an efficiency angle to the requirements  
18 that were putting in place. So  
19 there's -- you know, and then as usual  
20 the limits on pole heights, glare and  
21 trespass controls, as well as select  
22 exceptions to some of the lighting  
23 standards for unique uses, things like,  
24 you know, a temporary use that would have  
25 to set up different lighting.



1           Accessory structures, we maintain  
2           the proposed standards, the height-to-  
3           setback, clarified that it can't contain  
4           cooking facilities or sleeping space,  
5           another living space. Within these  
6           accessory structures in a clarification  
7           that we are not talking about the  
8           secondary dwelling unit or historic  
9           carriage house/farm which are principal  
10          uses controlled by Article 8 and its  
11          associated standards.

12           So you see a number of common things  
13          that we regulated; fences, detached  
14          stables, private horse stables. The  
15          sustainable structures are still in  
16          there. A significant series of uses, of  
17          accessory uses like home occupations.

18           And then just a couple of new  
19          things. I'll get to the first one in a  
20          second. But the personal work recreation  
21          space, if you remember, that was in draft  
22          1.0. That's really dealing with certain  
23          types of -- kind of creating a working  
24          secondary workspace within an accessory  
25          structure as well as murals.



1           And then we created the generic  
2           legal item exchange boxes which is a  
3           revision of the bulk exchange box. And  
4           this is kind of one of those interesting  
5           things that's coming directly out of the  
6           situation with COVID that we're dealing  
7           with is we saw people switch book  
8           exchange boxes to things like canned food  
9           or puzzles or things like that. So, you  
10          know, as everybody -- neighbors kind of  
11          came together to help each other out,  
12          limiting it to book exchange box seemed  
13          just too tight. So we said -- I know  
14          it's a little clunky, but generic legal  
15          item exchange box.

16                 The permitted encroachments table  
17          was updated. As you know, these are  
18          things like architectural features or  
19          certain types of accessory structures and  
20          how much they can encroach into a  
21          required setback.

22                 As you go through this and look at  
23          it, we're not going to go through this  
24          line by line, you'll see that a number of  
25          encroachments are no longer -- are no



1 longer allowed to encroach into the  
2 required setback as they were within the  
3 earlier draft 1.0. So you'll see a kind  
4 of tightening of what is allowed to  
5 encroach into a setback.

6 We did a few updates on the parking  
7 standards. You know, these are linked to  
8 the uses. So the use -- the uses you see  
9 in that use table are reflected in the  
10 parking table to minimize any  
11 interpretation, continue the parking  
12 maximum. You'll see some of the  
13 additional uses within that table now will  
14 require bike parking. Oops. It's not  
15 going to let me go back. Would  
16 requirement bike parking, so you see  
17 additional ones there.

18 And then some parking flexibilities.  
19 These are, again, carried over from draft  
20 1.0, things like exempting the UC  
21 district, exemptions for reuse in certain  
22 mixed-use districts, the counting on-  
23 street spaces. All of these have been  
24 retained in this draft 2.0.

25 Some design standards on parking



1           lots and structures, as well as  
2           recreational and commercial vehicle  
3           storage. And you will see one new  
4           provision in there that limits  
5           single-family and two-family dwellings to  
6           one curb cut unless additional ones are  
7           approved by DPW.

8                     And again, as you see here, this is  
9           the bike parking table. You see we've  
10          added some more bike parking spaces to  
11          that as well.

12                    So then the development standards  
13          for landscape, again, some things had --  
14          there are some significant changes here.  
15          We've simplified the species diversity  
16          standard. So that talks about how many  
17          trees of one species you can have on site  
18          to prevent, say, if something was  
19          infected or a pest showed up. It doesn't  
20          take all your trees out. We maintain the  
21          intent of that but simplified it, allowed  
22          the planning board to make some  
23          exceptions to these standards as part of  
24          cite plan review.

25                    And then as you see in this table



1 here, and you can take a closer look at  
2 it in your draft, we revised the street  
3 tree and on-site tree requirements. So  
4 essentially kind of the most intense use  
5 would be requiring an on-site tree. But  
6 for the most part, it's shifted to  
7 requiring street tree plantings in the  
8 different districts. So as you see,  
9 there was none in the urban residential.  
10 You see that it was shifted over onto the  
11 street tree requirements.

12 And just a quick kind of refresher,  
13 this is the parking lot perimeter  
14 planting requirements. This is the  
15 interior parking lot planting  
16 requirements, some buffer yards. The  
17 first one you see there is kind of the  
18 standard buffer yard. The second is one  
19 when your site is more constrained that  
20 you can do a smaller buffer that does  
21 achieve what we want which is the  
22 screening of -- the screening of what's  
23 going on on the site and noise and all  
24 those types of mitigations but  
25 accommodating that on a more shallow type





1 of lot.

2 In terms of size, there is not much  
3 that's changed that -- I'll highlight  
4 what's changed, but it's really what you  
5 saw before. This may seem familiar to  
6 you. We used this in the last  
7 presentation as well.

8 There is the classic sign provision  
9 that's still in there from draft 1.0.  
10 And essentially, the sign owner may come  
11 and apply to have their sign designated a  
12 classic sign. It needs to qualify on a  
13 number of factors, be fifty years old,  
14 something unique about that sign, and be  
15 of significance to the city. And then  
16 that can get classic sign designation by  
17 the DRB.

18 And the intent there is that certain  
19 signs over time are very cool but don't  
20 necessary meet the standards that we've  
21 got. And rather than make them  
22 nonconforming, this provision and this  
23 designation allows them to be retained  
24 and allows them to continue without and  
25 be repaired and be updated as needed in



1 order to keep that kind of unique sign  
2 character that you have.

3 So just to highlight a couple of  
4 things, the A-frame sign, I know these  
5 can be controversial; these were limited  
6 to Broadway, between Van Dam and Avenue  
7 of the Pines in draft 1.0. With the  
8 nature and character of the AC, the arts  
9 and culture district, we've added them --  
10 we've added a provision for them in that  
11 district as well.

12 You see one of the things that we  
13 always got a lot of input on, the  
14 construction signs, so allowing for major  
15 activity and on-site improvements. So  
16 you have kind of two different signs.  
17 You have one when, say, a brand new  
18 building is going up and, say, the other  
19 when you've hired somebody to come paint  
20 their house and they want to put that  
21 little sign up in the front lawn that  
22 says that they're painting your house,  
23 that's their service, allowing that to be  
24 up while they work. And then building  
25 wraps which is a major point of input



1           that we got.

2           Banners, temporary. Some of the  
3           changes that were made here is that these  
4           are really being allowed in place of a  
5           permanent sign when a business opens.  
6           They're permitted only prior to the  
7           installation of the permanent sign that  
8           will be used with the use. They have to  
9           be removed either thirty days from  
10          opening day or if the permanent sign is  
11          installed. So that permanent sign is  
12          installed, you know, twenty days after  
13          you open, that banner is going to have to  
14          come down.

15          Again, just a refresher on kind of  
16          one of the major things that we did in  
17          1.0 and brought forward, the one  
18          wall-mounted sign per facade, over a  
19          hundred linear feet, one wall sign and  
20          one additional building-mounted sign. So  
21          we've got some permissions in there for  
22          larger buildings as well.

23          And then finally, one ground sign  
24          per site -- per street frontage, as well  
25          as allowing for that new gateway sign



1 type. And that's something that is kind  
2 of unique to Saratoga Springs. We  
3 drafted this to address things like your  
4 Druthers sign which is very cool, and we  
5 just needed to figure out what it was,  
6 what we called it. So we came up with  
7 this new sign type.

8 So you can see here these are within  
9 the current ordinance as well, things  
10 like window signs, wall signs, the  
11 gateway sign. This is an example of the  
12 gateway sign based on really what we saw  
13 at the -- at Druthers, as well as things  
14 like a menu board sign for any drive-thru  
15 facilities that may exist.

16 So we're kind of at the tail end of  
17 this. We're now into the administration,  
18 and then it'll be kind of the subdivision  
19 requirements.

20 As you can see here, the watercourse  
21 activity permit was -- changed names to  
22 watercourse/wetland permit. It's one of  
23 the major changes. But you can see  
24 generally the recommendations and  
25 approvals and the full range of



1 applications have stayed the same from  
2 what we saw earlier.

3 Just a quick refresher on a couple  
4 of these. The design -- the temporary  
5 use permit is a new type of permit, was  
6 in the previous draft, and can be issued  
7 by either the planning board or the  
8 zoning officer, depending on the  
9 standards that are associated with it.  
10 And each temporary use that we talked  
11 about back in Article 8, your use  
12 article, has standards that are  
13 associated with it.

14 Then there is design review. Those  
15 are essentially maintained to just  
16 combine the historic review and the  
17 architectural review process into one,  
18 maintaining what was unique about those  
19 being able to kind of save some space and  
20 consolidate those provisions that were  
21 the same.

22 Site plan review has administrative  
23 site plan review and a full site plan  
24 review. So administrative is chair of  
25 the planning board with city planning



1 staff. Full site plan review is the  
2 planning board.

3 And then planned unit development,  
4 some updates to this. All -- just  
5 allowed in all districts except the RR.  
6 There's a four-step process. It's a pre-  
7 application consultation with staff, a  
8 concept plan with the planning board.

9 And then once you actually really  
10 enter the process, development plan  
11 approval with the planning board, may  
12 include the DRB if it's one of those --  
13 in one of those overlay districts going  
14 to the city council.

15 And then once that development plan  
16 is approved and you come back with your  
17 final site plan that matches that  
18 development plan, that approval goes to  
19 the planning board with the required  
20 public benefit/amenity. So the idea is  
21 to be a negation for the flexibilities.  
22 PUD offers you something that's kind of  
23 coming back to the city over and above  
24 what was required by the ordinance.

25 Subdivision approval, two versions



1 of that as well. There's administration,  
2 again, chair of the planning board with  
3 planning department staff. However, it  
4 is -- if it subject to SEQRA, there will  
5 be a public hearing. So it's really not  
6 going to work as administratively as you  
7 think it will.

8 And some stipulation so that people  
9 can't use the administrative subdivision  
10 process as a way to kind of get out of  
11 going to the standard process in front of  
12 the planning board, we've placed in this  
13 new limitation that once you create a lot  
14 by administrative subdivision, it can't  
15 be further subdivided for five years from  
16 the date it was created. You can  
17 subdivide it, but you've got to go  
18 through the standard longer subdivision  
19 process through the planning board.

20 And sketch plat, we've required that  
21 for conservation design. It's optional  
22 in all the other cases as part of  
23 subdivision. And then the preliminary  
24 plat is required for a conservation  
25 design and subdivisions that create



1 twelve or more lots. In all the other  
2 cases, it would be optional.

3 Conservation design. Again, not a  
4 lot has changed in this. Most of it is  
5 just some clarifications and corrections  
6 from what you saw in draft 1.0. It's  
7 required in the RR and the SR districts,  
8 and it's optional in the other districts.  
9 So you can use it in those other ones;  
10 it's just not required.

11 The process I the analysis of  
12 constrained land, the base density based  
13 on the developable land that's available,  
14 an analysis of the conservation features  
15 that are there, and then a calculation of  
16 a density bonus if it's applicable.

17 So then we've also looked at the  
18 constrained land. That goes into the  
19 conservation easement. And then the  
20 planning board, based on those standards  
21 you see there for the RR and the SR,  
22 identifies the amount of conservation  
23 features for that easement as well, you  
24 know, fifty percent -- the amount has got  
25 to equal fifty percent of developable





1 land in RR and thirty-five percent in the  
2 SR.

3 And some very minimum dimensional  
4 standards have been added with the  
5 permission for the planning board to  
6 modify those on a case-by-case basis as  
7 they come up.

8 There is the whole series of public  
9 improvements, again, kind relayed a lot  
10 to subdivision or to site plan review:  
11 lot configuration, how to preserve  
12 natural features, a reference to  
13 stormwater, public realm and  
14 rights-of-way. These are references to  
15 articles I'll talk about in a second.  
16 Infrastructure improvements.

17 And then what we added back in --  
18 what we took out and added back in was  
19 the recreation land requirement revised  
20 to reflect what's in the current  
21 ordinance which means that the --  
22 previously, the common open-space  
23 requirements from draft 1.0 have been  
24 deleted.

25 And in terms of the stormwater



1 management, you know, working with staff,  
2 we were able to refine these. You can  
3 sees these standards here for basic and  
4 full. For basic, in residential, it's  
5 one to five acres. Full is more than  
6 five acres.

7 In nonresidential, a basic -- the  
8 basic -- the basic SWPPP is required for  
9 between a quarter-acre to almost a  
10 half-acre. And then from a half-acre to  
11 almost a full acre, there is the erosion  
12 and sediment control and post-  
13 construction management with the caveat  
14 of what that post-construction  
15 requirements are. And then full is for  
16 one acre or more. And that's, again, in  
17 the nonresidential.

18 The public realm really looked at  
19 mobility and variety of ways, again,  
20 implementing those Complete Streets  
21 policies. You have a whole series of  
22 right-of-way standards, block standards,  
23 things that reference the sidewalk and  
24 multiuse path, as well as the pedestrian  
25 zone and bike lanes. So as you can see



1 here, some examples of the types of bike  
2 lanes that are allowed -- we're not  
3 specific about what you need to use. We  
4 just talk about the -- you know, here's  
5 some suggested ideas, understanding that  
6 those do change over time.

7 And then we created some right-of-  
8 way types. And what we did refine here  
9 is when you're kind of either building a  
10 new street or even reconstructing an  
11 existing street, that these are the  
12 desired standards for these types of  
13 street. So for the kind of -- the first  
14 set that you see there on the left, the  
15 rural road, the alley, and the local  
16 street, we've got some minimum standards  
17 in place there for how those are to be  
18 designed.

19 And then understanding the role of  
20 the collector and arterial streets and  
21 really how those are more intense and  
22 kind of sensitive to where they're  
23 located, you see we added typical  
24 standards. It wasn't required minimums.  
25 It's typical standards to kind of guide



1 the process in creating these higher  
2 traffic streets. And these are just some  
3 examples. So you can see here the  
4 minimums for a rural road. You see the  
5 minimums for an alley. You see the  
6 minimums for a neighborhood two-lane  
7 street, collector two-lane. And this is  
8 where you start to see things that say  
9 typical as well as for the arterial.

10 So the nonconformity standards,  
11 again, maintain what was currently in  
12 place. The one new thing we've added  
13 here to nonconforming structure is that  
14 regarding these newly defined accessory  
15 structures that we've added, that as of  
16 the effective date of the ordinance, if  
17 they are built without a permit, they  
18 don't get to have preexisting  
19 nonconforming status and really just have  
20 to be brought into conformity.

21 Nonconforming signs, we talked  
22 about, again, if it's damaged or  
23 destroyed to more than fifty percent of  
24 its value -- I know it's written as less  
25 there, but it's kind of talking about in



1 the inverse, then you have to bring the  
2 sign into conformity. And the new  
3 provision you see there in blue is really  
4 just a way to determine that value. We  
5 just clarified that.

6 And then nonconforming site elements  
7 as before, kind of talking about when big  
8 things happen on the site, things like  
9 landscaping and parking lot design really  
10 need to come into conformance.

11 And the finally nonconforming lots  
12 of records. It can be built upon.  
13 Again, these dates, July 6th, 1961 and  
14 then January 19th, 1970 and the standards  
15 associated with each of those dates come  
16 from actually the current ordinance and  
17 have been carried forward into draft 1.0  
18 as well as into draft 2.0.

19 And with that, I am going to switch  
20 over to Chris who can take you through  
21 the zoning map.

22 MR. JENNETTE: Right. We're on the  
23 homestretch.

24 So just a little bit about the  
25 zoning map. I'm assuming everyone that -



1 - and everyone can hear me now that I've  
2 unmuted myself. I just wanted to double  
3 check.

4 MAYOR KELLY: Yeah, we can hear you.  
5 Thank you.

6 COMMISSIONER MADIGAN: I can hear  
7 you.

8 MR. JENNETTE: Excellent.

9 So in terms of the zoning map, the  
10 good news is that the vast majority of  
11 the parcels within the city are really  
12 unchanged in this proposed map. And by  
13 that, we mean that the zoning  
14 classifications for most of the parcels  
15 within the city have either remained in  
16 the same district or have been moved into  
17 what we call an equivalent district. And  
18 so when we say equivalent, you know,  
19 there really -- there may be some changes  
20 that happen sort of in the translation  
21 from current district to a proposed  
22 district. But really, the intent of  
23 those districts remains the same.

24 So for instance, an example of an  
25 equivalence would be something like the



1 current T-4 to the UN district or the  
2 consolidation of the current suburban  
3 residential districts that were SR-1 and  
4 SR-2 into one SR district.

5 And you can see some our thinking in  
6 that chart to the right which is really  
7 kind of laying out how we organized some  
8 of the equivalence. You might not be  
9 able to read it at this moment, depending  
10 on the size of your computer screen, but  
11 the presentation will be available. And  
12 you can see it on there as well.

13 It's really just things like the  
14 UR-1 through the UR-3, really just moving  
15 from that left-hand column into that  
16 center column, the consolidation of the  
17 NCU-2 and 3 into just one NCU district.  
18 So those are what we're considering  
19 equivalence. And those are not going to  
20 show up as changes on the zoning map.

21 It is important to note though that  
22 though those won't show up as changes on  
23 the zoning map, there may still be  
24 changes to the district standards that  
25 are going to be pertinent. And so you're



1 going to want to make sure that you  
2 review those. Even if you're not  
3 changing on the map, you're going to want  
4 to make sure and review the district  
5 standards.

6 Where we have noted changes on the  
7 map are really those areas where there's  
8 then kind of a significant shift. So,  
9 for instance, maybe we're moving from a  
10 suburban residential to urban  
11 residential, or we're moving from the  
12 highway of general business which doesn't  
13 exist anymore into something like one of  
14 the gateway districts.

15 So really what we're talking about  
16 in terms of areas of change are  
17 categorical shifts that you'll see noted  
18 on the map. We're really trying to  
19 direct attentions to those areas that are  
20 sort of less equivalence and more of what  
21 might actually be considered, you know,  
22 reasonings. And we want to highlight  
23 those.

24 So it's important to note that  
25 anywhere where you see one of those





1 changes proposed, it's really been based  
2 upon sort of guidance from the  
3 comprehensive plans. We've moved through  
4 this UDO process. Practical  
5 considerations, you know, Arista  
6 mentioned the elimination of UR-5 and  
7 UR-7, we had to figure out some districts  
8 to put there that made sense. And then  
9 there have been some changes that have  
10 also been recommended by staff based on  
11 their expertise.

12 So just to kind of show you what  
13 we're working with here, there are going  
14 to be a series of maps that are available  
15 on the project website. And you'll be  
16 able to really kind of review them.  
17 They're PDFs. It's all vector line work,  
18 so you can zoom in. You don't have to  
19 worry about reading the legend because  
20 every single one of these colors is  
21 actually labeled on the map. It's a  
22 little thing I like to do as a colorblind  
23 person because maps are useless to me if  
24 they don't have that feature. So that's  
25 what I try to do every time.



1           So we've got the full proposed  
2 zoning map. We've also produced a zoning  
3 map of the proposed draft that has the  
4 areas of change indicated on it, which  
5 Arista can pull up. There we go. So  
6 this is what I was talking about, sort of  
7 those larger categorical shifts are noted  
8 on this map with that thick black  
9 outline.

10           For reference, as -- you know, as  
11 we're all sort of working through and  
12 reviewing this, we've also included  
13 basically this same map with areas of  
14 change notated on top of the existing  
15 zoning for the city. So you can really  
16 kind of dig into both of these and see  
17 exactly what changed to what. So that's  
18 the next slide if you want to move  
19 forward, Arista.

20           So as part of this existing zoning  
21 map, you might see some slight color  
22 shifts that occur outside the areas that  
23 are noted as changes. And that's really  
24 just sort of an aesthetic thing that had  
25 to happen due to the fact that we're



1 working with different numbers of  
2 districts in terms of the existing and  
3 the proposed. So don't worry about that.

4 Additionally, we worked our way  
5 through all of the overlay zoning  
6 district maps. So those will all be  
7 available on the website as well. And  
8 you can see here as one example, this is  
9 the architectural review overlay. So we  
10 have indicated a couple of areas on here  
11 for additions or deletions. And so some  
12 of these are actually additions or  
13 deletions that are actually designed to  
14 reflect previous zoning changes that  
15 weren't actually updated in terms of this  
16 map previously. But some of them  
17 actually are a result of the  
18 recommendations that we're making through  
19 this process. And you'll see that they  
20 result sort of in terms of a change in  
21 applicability.

22 So if we're moving something into  
23 one were previously the transect district  
24 or taking something out, the actual  
25 applicability for the architectural



1 review overlay would change. So those  
2 are changes that you'll see noted on this  
3 map as well sort of vis a vis what we're  
4 proposing. So it's important to review  
5 all those overlay maps as well.

6 And that was a brisk forty minutes.

7 MR. JENNETTE: Wow, was it four --  
8 was it a full forty?

9 MR. JENNETTE: Thirty-eight.

10 COMMISSIONER MADIGAN: A lot of  
11 information.

12 MS. STRUNGYS: That's good.

13 MR. JENNETTE: Yeah.

14 COMMISSIONER MADIGAN: Thank you.

15 MAYOR KELLY: Yeah, that was great.  
16 Thank you both.

17 Any questions from the counsel?

18 COMMISSIONER MADIGAN: Lots to take  
19 in.

20 MAYOR KELLY: Yeah. I think that,  
21 you know, we'll be able to review this.  
22 And the draft 2 is on the website. So --  
23 but it was a great overview, and it's  
24 very clean how you did this. So I truly  
25 appreciate all the work. And I know how



1           difficult it's been with COVID to get  
2           this moving forward. So I appreciate you  
3           both.

4                   MR. JENNETTE: Thank you.

5                   MS. STRUNGYS: Thank you so much.

6                   COMMISSIONER MADIGAN: It's very  
7           good, very good. Thank you very much.  
8           You know, there has been a lot going on.  
9           And it's very, very dense. There's a lot  
10          of information there. I just need to,  
11          you know, take some time and sit with it  
12          and go through it and really understand  
13          it. And then maybe we'll be able to  
14          arrange -- if there -- if we need an  
15          additional Q&A, we can arrange a Q&A with  
16          you even maybe like two of us at a time  
17          before we kind of come back together with  
18          the public and let the public take this  
19          all in today too because I'm sure people  
20          will watch it back on video or something  
21          in the near future. You know --

22                   MAYOR KELLY: We will be taking  
23          comments until November 25th. So --

24                   COMMISSIONER MADIGAN: Right.

25                   MAYOR KELLY: -- people have plenty



1 of time to take a look at this. Yep.

2 Commissioner Franck, do you have any  
3 comments? Are you all set?

4 COMMISSIONER FRANCK: I think it's  
5 absolutely excellent. I think the  
6 update, a couple of the updates that I  
7 did notice, I think just was really well  
8 done.

9 MAYOR KELLY: Great, thank you.

10 Okay. If we don't have any other  
11 comments, I think that we are adjourned.  
12 Thank you all for coming in tonight. I  
13 appreciate you all. Thank you.

14 MS. STRUNGYS: Thank you.

15 (Meeting adjourned)

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C E R T I F I C A T I O N

I, Michael Drake, certify that the foregoing transcript is a true and accurate record of the proceedings.



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Michael Drake (CER-513, CET-513)

AAERT Certified Transcriber

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Vote: 5 - 0

