Executive Summary

Prepared by Camiros for the City of Saratoga Springs, New York
Article 1. Title, Purpose, and Applicability

This Article introduces the UDO as a whole. It includes language standard to ordinances.

- The applicability provisions of the ordinance have been expanded.
- Transition rules have been added that explain what happens to existing structures, uses, and lots, as well as applications in review when the Ordinance, or any later amendments, is adopted.
- Exemptions for certain government activities have been explained. This section also clarifies that any action proposed by the City, whether governmental or proprietary, for alterations on designated landmarks is not exempt from Design Review Board review and approval.

Article 2. Zoning Districts and Zoning Map

This Article introduces the zoning districts and the Zoning Map as a whole. It includes language standard to ordinances as to how to interpret the Zoning Map.

Article 3. Residential Districts

Residential district structure and standards were evaluating against existing development patterns and dimensional standards were slightly modified as needed to reflect that pattern, minimize nonconformities, and prevent excessive subdivisions.

- The following table offers a general comparison of the proposed residential districts against those of the current Zoning Ordinance:
The current UR-5 and UR-7 Districts have been eliminated because they are not used.

The RR District is allowed a second principal dwelling so long as both single-family dwellings meet the standards of the district, including lot area, lot width, and setbacks.

Cottage court development is allowed by special use in UR-3 and UR-4 Districts. A cottage court is a development of single-family, single-family - attached, and/or two-family dwellings arranged around a common courtyard and open space. The majority of front facades of dwellings and primary pedestrian entrances are oriented inward to an internal courtyard/common area. A cottage court is also called pocket neighborhood.

A Historic Carriage House as allowed as a second dwelling in RR, SR, UR-1, and UR-2 Districts. This is an outbuilding that historically serviced for storage of horse-drawn carriages and tack, and sometimes contained living quarters for grooms and coachmen, which has been converted into a second dwelling unit on the lot. For the purposes of this use, the carriage house must be listed on either a State or National historic register.

A secondary dwelling unit is allowed by special use in UR-3 and UR-4 Districts. This is an additional detached dwelling unit associated with and incidental to a principal single-family dwelling on the same lot. A secondary dwelling unit has separate cooking and sanitary facilities, with its own means of ingress and egress, and is a complete, separate dwelling unit.

**Article 4. Mixed-Use and Commercial Districts**

The standards for the mixed-use and commercial districts have been brought together in this article. These have been reorganized to better reflect their form and function. Standards have been refined to reflect development patterns and new development goals articulated by the Comprehensive Plan.
The following table offers a general comparison of the proposed mixed-use and commercial districts against those of the current Ordinance:

<table>
<thead>
<tr>
<th>Proposed Mixed-Use &amp; Commercial District</th>
<th>District of Origin (Current Zoning)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL MIXED-USE DISTRICTS</td>
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</tr>
<tr>
<td>NCU</td>
<td>NCUD-1, NCUD-2, NCUD-3</td>
<td>NCU allows single-family, two-family, and townhouse dwellings with limited local commercial. Cottage court development and secondary dwelling units are allowed by special use.</td>
</tr>
<tr>
<td>AC</td>
<td>New</td>
<td>The AC District is the same scale as the NCU District, but nonresidential uses are oriented towards arts and culture related uses. Cottage court development and secondary dwelling units are allowed by special use.</td>
</tr>
<tr>
<td>UN</td>
<td>T-4</td>
<td>UN is the current T-4 District, renamed. Single-family, single-family - attached, two-family, and townhouse dwellings are allowed mixed with local commercial uses. Cottage court development and secondary dwelling units are allowed by special use.</td>
</tr>
<tr>
<td>COMMERCIAL MIXED-USE DISTRICTS</td>
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<tr>
<td>NC</td>
<td>T-5</td>
<td>NC is the current T-5 District, renamed. It is a moderate intensity mixed-use environment. A building height bonus is allowed subject to the Design Review Board’s recommendation and the Planning Board’s approval for providing affordable housing, public civic space, green development, and/or community space.</td>
</tr>
<tr>
<td>UC</td>
<td>T-6</td>
<td>UC is the current T-6 District, renamed. As the Downtown, it has the intensity mixed-use in the City and standards maintain the historic downtown form. A building height bonus is allowed subject to the Design Review Board’s recommendation and the Planning Board’s approval for providing affordable housing, public civic space, green development, and/or community space.</td>
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</table>
Design standards have been added to the mixed-use and commercial districts, with standards for building orientation, entrance design, façade design, fenestration design (i.e., windows/ transparency), roof design, site design, and prohibited building materials.

### Article 5. Institutional Districts

The institutional districts have been maintained largely as they are. For reference, these are:

- The INST-ED Institutional Education District is intended to accommodate uses that supplement and complement the operation of education-oriented facilities.
- The INST-HTR Institutional Horse Track Related District is intended to accommodate the horse track and uses that supplement and complement the horse track operations.
- The INST-MP Institutional Municipal Purpose District is intended to accommodate uses associated with the operation and function of local government.
- The INST-PR Institutional Parkland/Recreation District is intended to accommodate areas identified for passive and active recreation.

### Article 6. Industrial Districts

The industrial districts have been organized into three districts.

- The IND-L Light Industrial District is intended to accommodate light industrial, warehouse, and related business uses in areas where the intensity of the uses will have minimum adverse impacts on neighboring uses. The proposed IND-L has consolidated the current light industrial and WB Warehouse District.
- The IND-G General Industrial District is intended to accommodate light, moderate, and heavy industrial uses in areas where the intensity of the uses will have minimum adverse impacts on neighboring uses.
The IND-X Industrial Extraction District is intended to accommodate mining and associated extractive uses.

**Article 7. Special Purpose Districts**

Current special purpose districts have been reorganized into four districts.

- WP Water Protection Overlay District combines the current Public Water Supply and Wetland Protection District into one larger overlay district, but the current standards have been maintained.
- Floodplain Overlay District, as it is now, is subject to the regulations of Chapter 120 (§120-1 – §120-21) of the City Code, Flood Damage Prevention, as amended.
- Historic Review Overlay District subject to historic review by the Design Review Board. Standards have been maintained but the use of the overlay district makes it clearer to the user that additional review and standards apply.
- Architectural Review Overlay District are subject to architectural review by the Design Review Board. Standards have been maintained but the use of the overlay district makes it clearer to the user that additional review and standards apply.

**Article 8. Uses**

The use structure has been reorganized within a single use matrix. This Article also contains use standards and definitions for all uses contained within the matrix.

- A more generic use approach has been utilized. For example, the use “personal services establishment” includes the variety of personal service establishments such as hair salons, small electronic repair, nail salons, and the like. However, certain specific uses are still called out individually in order to control their location and impose specific standards.
- Any use that is not included in the use matrix, and cannot be interpreted as part of a use already within the matrix, is prohibited in all districts.
- In the matrix, a “P” indicates that the use is permitted by-right in the district, an “S” indicates that the use is a special use and requires special use permit. For temporary uses, a “T” indicates the temporary use is allowed in the district and may require a temporary use permit per the standards. If a cell is blank, the use is not allowed in the district.
- Each use is defined and some include additional use standards. If use standards are included, they apply to the use, whether permitted or special in all districts where allowed, unless specifically stated otherwise within the standards.
- The following uses are some key new uses added to the ordinance:
  - To address the traditional “corner store,” the neighborhood commercial establishment use has been added. This use is only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of the ordinance. A very limited amount of nonresidential uses are permitted within a neighborhood commercial establishment. Even after the approval of the initial special use for the
neighborhood commercial establishment and its initial intended use, a new special use approval is required for a change of use.

» A range of social service uses has been added: shelters - domestic violence, emergency, and homeless; adult care facilities; drug treatment clinics; family-type homes for adults; food banks and food pantries; and social service centers.

» A series of arts and culture/creative uses: commercial kitchen (standalone); food truck park; industrial design; artisan industrial; live/work; micro-production of alcohol (microbreweries, etc.); specialty food service.

» Traveler facilities of a variety of configurations: hotels; inns; lodging houses; rooming houses distinguished by owner-occupied or non-owner-occupied and by size.

» Uses that are common to more modern ordinances such as marijuana dispensaries, solar energy, and wind energy have been added.

**Article 9. On-Site Development Standards**

This Article contains development regulations that apply to a lot outside of the standards set within each district.

» Steep slope preservation is a new standard that applies during site plan review. Slopes are categorized as steep slopes - slopes of 15% to 25% - and very steep slopes - slopes of 25% to 35%. Standards that limit disturbance apply based on the type of slope.

» All townhouse, multi-family, mixed-use, and nonresidential developments are required to provide private green space and/or public civic space on-site. This section contains standards for what qualifies as private green space or public civic space, and how it needs to be designed.

» A series of exterior lighting standards apply to nonresidential, mixed-use, multi-family, and townhouse developments, which must submit a lighting plan as part of site plan review. Single-family and two-family dwellings are not required to submit a lighting plan, but must comply with applicable standards.

» Lighting standards include efficiency requirements, limitations on light pole heights, and controls on glare and light trespass.

» A comprehensive set of accessory structure and use standards has been included:

  » Amateur (ham) Radio Equipment
  » Aquaculture/Aquaponics
  » Book Exchange Box
  » Carport
  » Chicken Coops
  » Coldframe Structures
  » Donation Boxes
  » Electric Vehicle Charging Station
  » Fences and Walls
  » Garage, Detached
  » Home Occupations
  » Horse Stables (Private)
  » Mechanical Equipment
  » Mural
  » Outdoor Sales and Display (Accessory)
  » Outdoor Storage (Accessory)
  » Personal Work/Recreation Space
A table shows the types of permitted encroachments allowed - a permitted encroachment is the extension or placement of an architectural feature or accessory structure into a required setback. When an encroachment is allowed, the encroachment must still be setback from a lot line as required by the general regulations, unless the table specifically permits a closer encroachment or requires a greater setback from a lot line.

**Article 10. Off-Street Parking and Loading**

The parking regulations have been clarified and modernized current standards.

- Clarifications have been made between standards for parking facilities (parking lots and parking structures) and single-family, two-family, and townhouse dwelling parking standards.
- The parking requirements table has been updated to reflect the use matrix. Each use that requires parking is listed within the parking table, minimizing interpretation. There are special parking standards for multi-tenant retail establishments and age-restricted housing.
- The maximum parking standard has been maintained, with the number of spaces limited to 120% of the required minimum unless waived by the Planning Board.
- Bicycle parking requirements have been added, including a requirement for some uses to provide long-term parking for residents/tenants.
- Parking exemptions and flexibilities are included:
  - The UC District (Downtown) is exempt from parking.
  - As of the effective date of this Ordinance, existing nonresidential structures in the NCU, AC, NC, UN, and UC Districts that currently do not provide the required amount of parking on the lot are allowed the following exemptions:
    - If the structure does not provide any on-site parking on-site, it is not required to provide any parking regardless of a change in use or intensity of use.
    - All existing on-site parking located must be maintained. If there is a change in use or intensity of use that requires additional parking in excess of what is currently maintained on-site, site plan review is required and may require provision of additional parking.
  - For nonresidential uses in the commercial and mixed-use districts, on-street parking spaces located along the front or side lot line may be counted toward required off-street parking spaces for commercial uses.
  - Shared parking is allowed.
  - The Planning Board may permit land banking of up to 25% of the required parking spaces through the site plan review process.
New design standards have been added for parking structures.

Loading requirements have been updated and made universal to ensure that an overabundance of loading berths are not required.

New standards have been added for commercial and recreational vehicle parking.

**Article 11. Landscape**

All the landscape requirements have been brought together into Article 11.

- Standards have been created for installation and maintenance, as well as required species diversity, to ensure healthy landscape.
- A comprehensive set of landscape requirements has been added:
  - Site landscape
  - Parking lot landscape abutting a street
  - Parking lot interior landscape
  - Buffer yard requirements
  - Street trees and on-site trees
- A tree preservation requirement is included, to be verified during site plan review.

**Article 12. Signs**

The sign standards have been updated, to clarify the types of signs allowed by district and better reflect the form and complement the scale of buildings.

- Sign design and illumination standards have been included.
- A new classic sign designation is included. To qualify for designation as a classic sign, the sign must be a minimum of 50 years old, possess unique physical design characteristics, and be of significance to the City. A sign designated a classic sign may remain on the premises even if the original use to which the sign relates is no longer located on the premises. The Design Review Board makes this designation.
- Signs are regulated in three types:
### Table of Prohibited, Exempt, and Allowed with Permit Signs

<table>
<thead>
<tr>
<th>Prohibited</th>
<th>Exempt</th>
<th>Allowed with Permit</th>
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<tbody>
<tr>
<td>Banners wrapped around a permanent sign structure</td>
<td>A-frame sign (nonresidential uses on Broadway between Van Dam Street and the Avenue of the Pines only)</td>
<td>Banner</td>
</tr>
<tr>
<td>Balloon signs and inflatable advertising displays</td>
<td>Agricultural activity temporary sign</td>
<td>Building-mounted signs: permanent awning signs, blade signs, canopy sign, standard wall signs, painted wall signs, and projected wall signs.</td>
</tr>
<tr>
<td>Electronic message signs and video display screens</td>
<td>Construction activity sign for: 1) new construction and expansion activity;</td>
<td>» Each structure is permitted one building-mounted sign per façade</td>
</tr>
<tr>
<td>Feather Flags/Sails</td>
<td>2) on-site renovation or improvement activity</td>
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<tr>
<td>Flashing signs</td>
<td>Cultural or historically significant sites</td>
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<tr>
<td>Gas station pump video screens</td>
<td>Garage sale activity signs</td>
<td></td>
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<tr>
<td>Light pole banners</td>
<td>Gas pump island signs</td>
<td></td>
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<tr>
<td>Marquee</td>
<td>House/building numbers</td>
<td></td>
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<tr>
<td>Moving signs</td>
<td>Noncommercial message temporary sign structures</td>
<td></td>
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<tr>
<td>Off-premise commercial signs – permanent; Also known as billboards</td>
<td>Parking lot and parking structure circulation points</td>
<td></td>
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<tr>
<td>Off-premise commercial signs – temporary</td>
<td>Real estate activity</td>
<td></td>
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<tr>
<td>Portable signs, including portable reader board sings</td>
<td>Window sign</td>
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<tr>
<td>Roof signs</td>
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<tr>
<td>Strobe lights, moving or fixed spotlights, floodlights/searchlights</td>
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<tr>
<td>Signs that constitute a traffic hazard</td>
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<tr>
<td>Vehicle signs</td>
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**Article 13. Land Use Board Applications**

This article contains the procedures and standards for various land use applications and approvals, including the general processes for submittal of applications and notice.

- Any submittal requirements have been moved out of the ordinance and will be part of the applications.
- Standard provisions for zoning applications have been added, including making sure than an application is complete and that an applicant may discuss a proposed application before formal submittal.
- Similar to submittal requirements, fees have been moved out of the ordinance.
- Notice requirements have been consolidated into one set of standards.
- Each of the approvals have been organized into a similar structure.
The following table provides an overview of the various applications:

Some specific revisions to various applications are as follows:

<table>
<thead>
<tr>
<th>Application</th>
<th>Recommendation</th>
<th>Approval</th>
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</thead>
<tbody>
<tr>
<td><strong>PLANNING BOARD APPLICATIONS</strong></td>
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<td></td>
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<tr>
<td>Special Use</td>
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<td>Planning Board</td>
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<tr>
<td>Site Plan Review</td>
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<td>Planning Board</td>
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<tr>
<td>Administrative Site Plan Review</td>
<td>--</td>
<td>Chair of Planning Board with City Planning Department staff</td>
</tr>
<tr>
<td>Watercourse Activity Permit</td>
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<td>Planning Board</td>
</tr>
<tr>
<td>Land Disturbance Activity Permit</td>
<td>--</td>
<td>Planning Board</td>
</tr>
<tr>
<td>Temporary Use Permit - Planning Board Approval</td>
<td>Zoning Officer</td>
<td>Planning Board</td>
</tr>
<tr>
<td><strong>DESIGN REVIEW BOARD APPLICATIONS</strong></td>
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<tr>
<td><strong>ZONING BOARD OF APPEALS APPLICATIONS</strong></td>
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<tr>
<td>Use Variance</td>
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<td>Zoning Board of Appeals</td>
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<tr>
<td>Area Variance</td>
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<td>Zoning Board of Appeals</td>
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<tr>
<td>Zoning Interpretation</td>
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<td>Zoning Board of Appeals</td>
</tr>
<tr>
<td><strong>ZONING OFFICER APPLICATIONS</strong></td>
<td></td>
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<tr>
<td>Zoning Determination</td>
<td>--</td>
<td>Zoning Officer</td>
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<tr>
<td>Sign Permit</td>
<td>--</td>
<td>Zoning Officer</td>
</tr>
<tr>
<td>Temporary Use Permit - Zoning Officer Approval</td>
<td>--</td>
<td>Zoning Officer</td>
</tr>
<tr>
<td><strong>CITY COUNCIL APPLICATIONS</strong></td>
<td></td>
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<tr>
<td>Text or Map Amendment</td>
<td>Planning Board</td>
<td>City Council</td>
</tr>
<tr>
<td>Planned Unit Development: Development Plan</td>
<td>Planning Board</td>
<td>City Council</td>
</tr>
<tr>
<td>Planned Unit Development: Final Site Plan</td>
<td>Planning Departmen Staff</td>
<td>Planning Board</td>
</tr>
</tbody>
</table>

» Site plan review has been divided into administrative site plan review conducted by the Chair of Planning Board with City Planning Department staff and full site plan review by the Planning Board.

» A temporary use permit has been added. Depending on the temporary use requested, they may be approved by the Planning Board or the Zoning Officer.

> Historic review and architectural review have been combined into one application - design review.

> Planned unit development is allowed in all districts, with the exception of the RR District. In order to qualify for a PUD, the applicant must provide a substantial benefit to the City as part of the development.
Article 14. Subdivision Approval

Article 14 contains the procedures and standards for subdivision approval.

- Two types of subdivision have been established - administrative and general. The following qualify as administrative subdivisions:
  - The division of a single lot into no more than two lots, which front on an existing street (excluding alleys), are served by existing utilities, do not involve the dedication of land for public rights-of-way, parks, or other public purposes, and meet all zoning requirements.
  - The consolidation of or adjustment in boundary between two adjoining lots.
  - Minor amendments to approved and filed subdivision plats or legally existing lots.
  - Non-substantive changes to an existing approved subdivision.
- A sketch plat is optional for all non-conservation design subdivisions. Conservation design subdivisions require a sketch plat.
- A preliminary plat is required for the following actions: 1) conservation design subdivision; 2) a standard subdivision that creates 12 or more lots; 3) at the applicant’s option when not required.
- The final plat procedures reflect current practice.

Article 15. Public Improvements

- Public improvements detail off-site improvements that are required as part of subdivision and in some cases as part of site plan review. This article contains the following sections detailing improvements:
  - Lot configuration for subdivision: Standards regarding lot design.
  - Natural land characteristics: Preservation of natural features and avoidance of hazards.
  - Stormwater management: A reference to Article 17.
  - Public realm and rights-of-way: A reference to Article 18.
  - Infrastructure improvements: A reference to the City’s engineering details.
  - Utilities and utility easements: General standards for easements.
  - Common open space: A residential development of 20 or more dwelling units is required to provide common open space. Standards describe how that must be designed.
  - Performance guarantees: A performance guarantee must cover the full estimated cost of required off-site improvements within the public right-of-way and 25% of the full estimated cost of required on-site improvements.

Article 16. Conservation Design

For all proposed subdivisions within RR and SR Districts, conservation design subdivision is required. Conservation subdivision may also be utilized within the other residential districts. This article describes the process and requirements for conservation design.
All conservation design subdivisions must follow the process for general subdivision review.

Only single-family and two-family dwellings are permitted within a conservation design.

- The conservation design subdivision application process generally requires the following:
  - Analysis of constrained land of the property.
  - Calculation of base density based on remaining developable land.
  - Analysis of conservation features of the property.
  - Calculation of density bonus, if applicable.

All constrained land must be placed within the conservation easement.

The Planning Board will identify the following minimum amount of land area of conservation features to be preserved in a conservation easement. In the RR District, a minimum of 50% of the conservation features land area. In the SR District and other residential districts, a minimum of 35% of the conservation feature land area.

Minimum dimensional standards for development have been added.

**Article 17. Stormwater Management**

The current standards for stormwater management have been maintained.

**Article 18. Public Realm**

Article 18 describes the general right-of-way arrangement. All new construction, reconstruction, and reconfiguration of City rights-of-way must comply with these standards; however, any standard may be modified as needed by the City Engineer, or his/her designee, in consultation with the Department of Public Works, to address specific site conditions. Standards are provided for:

- Blocks
- Sidewalks and multi-use paths
- Pedestrian zone design
- Bicycle lane design standards
- Right-of-way design. Right-of-way types included are:
  - Rural road: two-lane
  - Rural road: two-lane with multi-use path
  - Alley
  - Local street: neighborhood yield street
  - Local street: neighborhood two-lane local street
  - Local street: neighborhood two-lane street
  - Local street: neighborhood two-lane divided street
  - Collector: two-lane undivided
  - Collector: two-lane divided
  - Collector: four-lane undivided
  - Collector: four-lane divided
  - Arterial street: four-lane undivided
  - Arterial street: four-lane divided
**Article 19. Nonconformities**

This is an update of the nonconformity provisions to address each of the different types that may occur. These are:

- Nonconforming use: If a nonconforming use is discontinued or abandoned for a continuous period of 12 months, the nonconforming use terminates.

- Nonconforming structure: If a nonconforming structure is destroyed or damaged through no fault of the property owner or tenant, it may be rebuilt to its original condition if a building permit is obtained within 12 months of the date of damage or destruction, and a certificate of occupancy is obtained prior to expiration of the building permit. This section also includes a replacement in-kind exemption and a required build-to zone/build-to line exemption.

- Nonconforming lot of record: A nonconforming lot may be built upon in the following cases:
  - Minimum lot size and minimum average lot width requirements do not apply to any lawfully recorded lot which was under different ownership from any adjoining land on or before July 6, 1961.
  - The owner of any lot in a residential district which does not conform to minimum lot size and minimum average lot width requirements may erect a single-family residence or accessory building if the lot legally existed on or before January 19, 1970 and is not under the same ownership as any adjoining land.
  - Development of any other legal nonconforming lot of record that does not meet the above requires a variance.

- Nonconforming site elements: Nonconforming site elements (for example, landscape) must be brought into conformance when a new principal building is constructed on a site or an existing principal building is increased in building footprint square footage by 50% or more. Some additional exceptions apply to parking lot landscape and exterior lighting.

- Nonconforming signs: A nonconforming permanent sign and sign structure may remain in use so long as it remains otherwise lawful and has not been damaged or destroyed to the extent of less than 50% of its value prior to the damage

**Article 20. Enforcement**

Enforcement provisions have been consolidated within this Article.

- The Code Administrator or his/her designee, the Zoning Officer or his/her designee, or any designated Code Enforcement Official is charged with enforcement of this Ordinance with the exception of the stormwater management regulations.

- The City Engineer or his/her designee is charged with enforcement of the stormwater management regulations.
**Article 21. Definitions and Rules of Measurement**

All the definitions, except for use definitions, and the rules of measurement are contained in this Article.

- We have retained relevant definitions from the current Ordinance, and only added new terms that are part of new language added to the Ordinance.

- The rules of measurement have been updated for the following:
  - Block and blockface
  - Build-to line and build-to zone
  - Building coverage
  - Building height
  - Caliper
  - First floor elevation
  - Grade
  - Gross Floor Area (GFA)
  - Impervious surface coverage
  - Lot
  - Lot depth
  - Lot line
  - Lot width
  - Separation measurements (distance apart)
  - Sign area
  - Sign height
  - Sign - vertical clearance
  - Sign - number of sign faces
  - Sign setback
  - Yards and setbacks