



Village of
STILLWATER



TOWN OF STILLWATER ROUTE 4 CORRIDOR FORM-BASED CODE



PLANNING **4** PLACES

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March 2017

Special thanks to the Study Advisory Committee:

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This report was prepared in cooperation with the Town of Stillwater, the Village of Stillwater, the Capital District Transportation Committee (CDTC), the Capital District Regional Planning Commission (CDRPC), and Saratoga County. This report was funded in part through a grant from the Federal Highway Administration, U.S. Department of Transportation. The contents do not necessarily reflect the official views or policies of these government agencies.

The Stillwater Route 4 Zoning Changes and Design Standards are intended to implement past planning efforts, including the Town & Village of Stillwater Hudson River Waterfront Revitalization Plan, Town and Village Comprehensive Plans, and the Route 4 Corridor Plan. The Stillwater Route 4 Zoning Changes and Design Standards do not commit the Town of Stillwater, Village of Stillwater, CDTC, New York State Department of Transportation, or Saratoga County to funding any improvements.

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Introduction

What Is a Form-Based Code?

Form-Based Codes (FBCs) provide a flexible approach to encourage creative development that can work well in existing environments where lot sizes and setbacks can vary. The codes focus on form and function rather than solely on uses within a building and are presented with both words and clearly-drawn diagrams. FBCs address building design, building location, streetscape amenities including landscaping, lighting, signage, and civic spaces.

Some FBCs utilize the Transect principle which divides areas into zones (the SmartCode model uses T1-T6 – see image at below) which reflects the intensity of development from lower intensity (T1: the Natural Zone) to higher intensity of uses (T6: the Urban Core Zone).

The Process for Developing the Form-Based Code

The Town and Village of Stillwater, in partnership with the Capital District Transportation Committee (CDTC), are jointly working together to collaboratively develop and update new zoning code changes and design standards for both the Town and Village. The *Stillwater Route 4 Corridor Rezoning and Design Standards* project is looking at what zoning is appropriate for the future (over the next 10 years) while being reflective of existing conditions. Early on in the project, the Study Advisory Committee (who provide project oversight) determined that the T2-T5 Transects were applicable to Stillwater along the Route 4 Corridor. Project goals are found below.



Project Goals:

- Provide regulatory consistency along the Route 4 Corridor
- Support, maintain, and enhance the unique and historic mixed use, walkable land use/development pattern
- Promote walkable mixed use development where there is existing development
- Support economic development and revitalization efforts along the Route 4 Corridor
- Protect and preserve the rural and historical areas including north of the Village and near the Saratoga National Historical Park

The *Stillwater Route 4 Corridor Rezoning and Design Standards* process included seven Study Advisory Committee meetings, stakeholder interviews, two public workshops, and presentations to the Town and Village governing bodies to present the Final Draft of the zoning changes and Stillwater Route 4 Corridor Design Guidelines.

The project started kickoff meeting included a bus tour of much of the study area with Study Advisory Committee Members. During the tour, participants discussed existing land uses and development patterns in the context of the proposed Transect zoning proposal.



Walking through the Village of Stillwater



On the Bus reviewing the tour itinerary

A number of plans and studies were reviewed as a part of this project (which can be found in the Technical Review document described below). The purpose of this effort was to ensure that the

Consultant Team and Study Advisory Committee were reacquainted with previously developed zoning-focused planning work and recommendations developed for this area.

To get the word out about the public workshop in June 2016, posters and flyers were distributed throughout the Town and Village, flyers were emailed to stakeholders and interested parties who had provided their email addresses previously, press releases were sent to several news outlets, and the Village distributed meeting flyers in a utility mailing. A poster board was also available at Family Day on June 3, 2016 with project information so that interested residents could learn more about the project. There were also several news articles about the zoning project.

The Town and Village of Stillwater held their first public meeting to gather input on June 16, 2016. The workshop began with a project overview, had an open house format, and included a guided presentation where participants were provided with a handheld remote and were asked to choose from one of four pictures that represented their desired design. The presentation covered everything from residential and commercial building design to desired waterfront activity, building signage options, public gathering spaces, crosswalk designs, and awning designs, among others. Participants expressed interest in seeing this effort protect rural character, consider viewshed protection and create an inviting streetscape and walkable experience to keep/enhance the traditional main street experience. Waterfront access, public gathering areas, and outdoor dining were key goals discussed during the workshop. Overall the FBC approach was of interest and participants were excited about the

code’s flexibility for making it easier for businesses to locate here. Twenty-two people participated in the Community Preference Survey during the Public Visioning Session described above. An online Preference survey replicating the above described guided presentation was filled out by 28 people.



June 16, 2016 Public Workshop

A Technical Review Document was prepared following the Public Workshop to highlight preliminary recommendations to assist the TAC in the discussion about proposed zoning changes. In general, the recommendations included simplifying the Town and Village Zoning Ordinances along the Route 4 Corridor, providing greater flexibility to support economic development and waterfront revitalization goals, removing some existing issues in existing zoning regulations, and protecting the rural and historic-character of the Town and Village of Stillwater. This document was finalized in July and was used as the basis for preparing the Draft Form-Based Code for both the Village and the Town and the Draft Stillwater Route 4 Corridor Design Guidelines.

A second public workshop was held on December 6, 2016. Public notification of the workshop was conducted through flyers distributed throughout the Town and Village and emailed to stakeholders and interested parties who had provided their email addresses. Press releases were also sent to several news outlets.

The second public workshop included a presentation on the draft documents followed by an open house format where participants could ask questions about the drafts. There were about thirty people in attendance. Stations were scattered around the room where participants could view the use and dimensional tables, Regulating Plans, and draft documents. Attendees were also provided with the ability to “test the Form-Based Code” through interactive exercises where participants could adjust setbacks for buildings and building heights as well as signage on different building types. A public comment portal was provided on both the Village and Town project websites for 45-days to solicit comments on the draft documents. Following a seventh Study Advisory Committee meeting, the drafts were revised to reflect comments from the public and additional comments from the Study Advisory Committee.



December 6, 2016 Public Workshop

A joint presentation/hearing on the final documents was held on March 23, 2017.

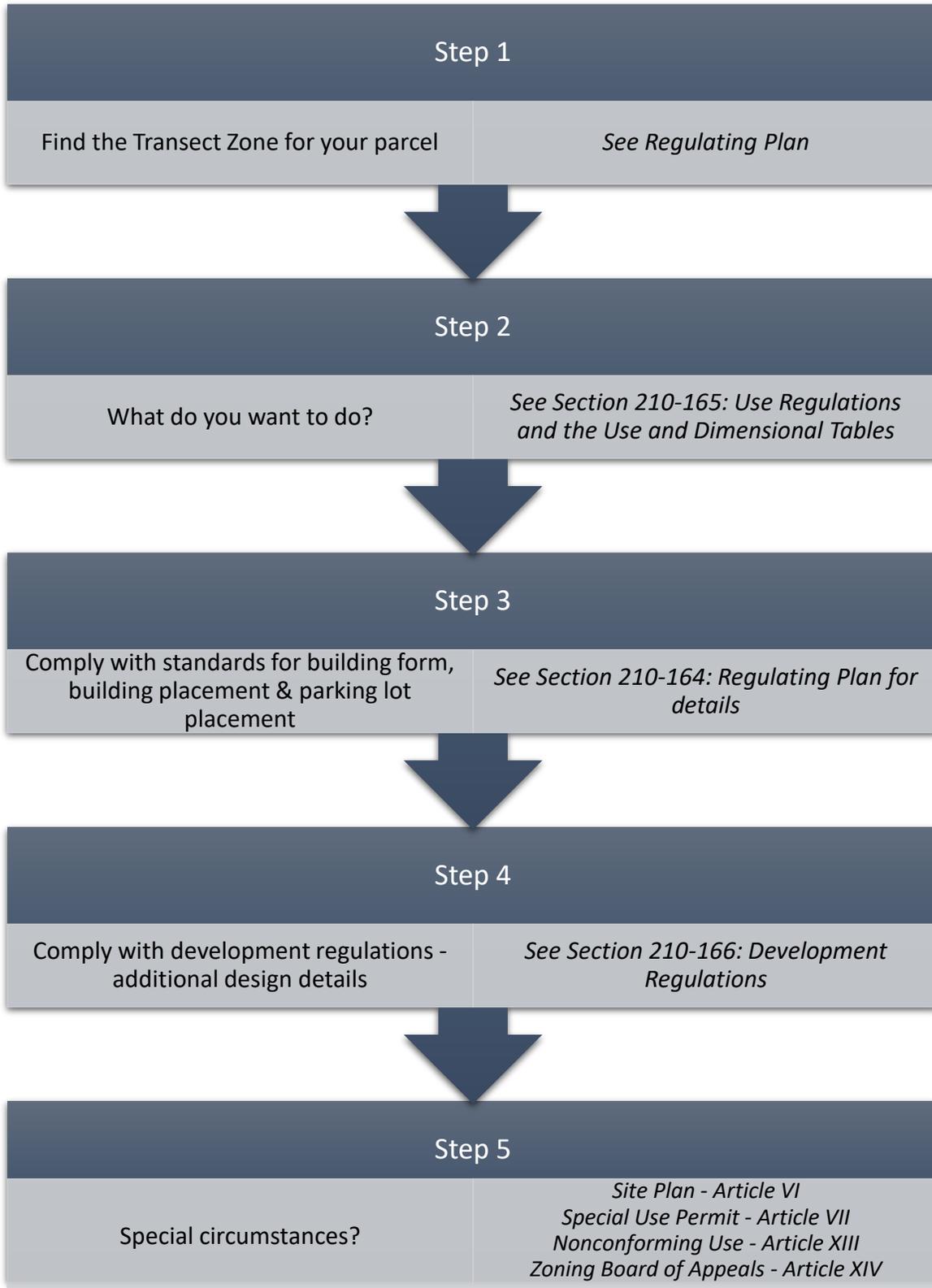
The Route 4 Transect

The *Hudson River Waterfront Revitalization Plan* detailed preliminary Transect recommendations. Over the course of the *Stillwater Route 4 Corridor Rezoning and Design Standards* project the Transect Zones were

further refined. The Transect for the Corridor follows T2-T5. In the Village, for creating a

separate identify for these Transect Zones, the terminology V3-V5 was used.

How to use this Code



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Article XXI. Route 4 Corridor Form-Based Code

Section 210-163: Purpose.

- A. The Form-Based Code as herein set forth have been made in accordance with the Town Comprehensive Plan for the purpose of promoting health, safety and the general welfare of the community. The Code also follows recommendations from the Hudson River Waterfront Revitalization Plan.

The Form-Based Code is adopted to:

- (1) Provide a guide for the physical development of the Town and coordinate development with the Village of Stillwater along the Route 4 Corridor.
- (2) Preserve the character of the Town of Stillwater.
- (3) Increase economic stability, vitality, and tourism.
- (4) Ensure housing stability, diversity, and property maintenance.
- (5) Promote pedestrian- and bicycle-friendly environments.
- (6) Preserve, protect, and promote recreation, historic/cultural/natural and open space resources.
- (7) Encourage use, enjoyment, and focus on the unique Hudson River waterfront
- (8) Preserve important viewsheds and protect the Town's rural character.

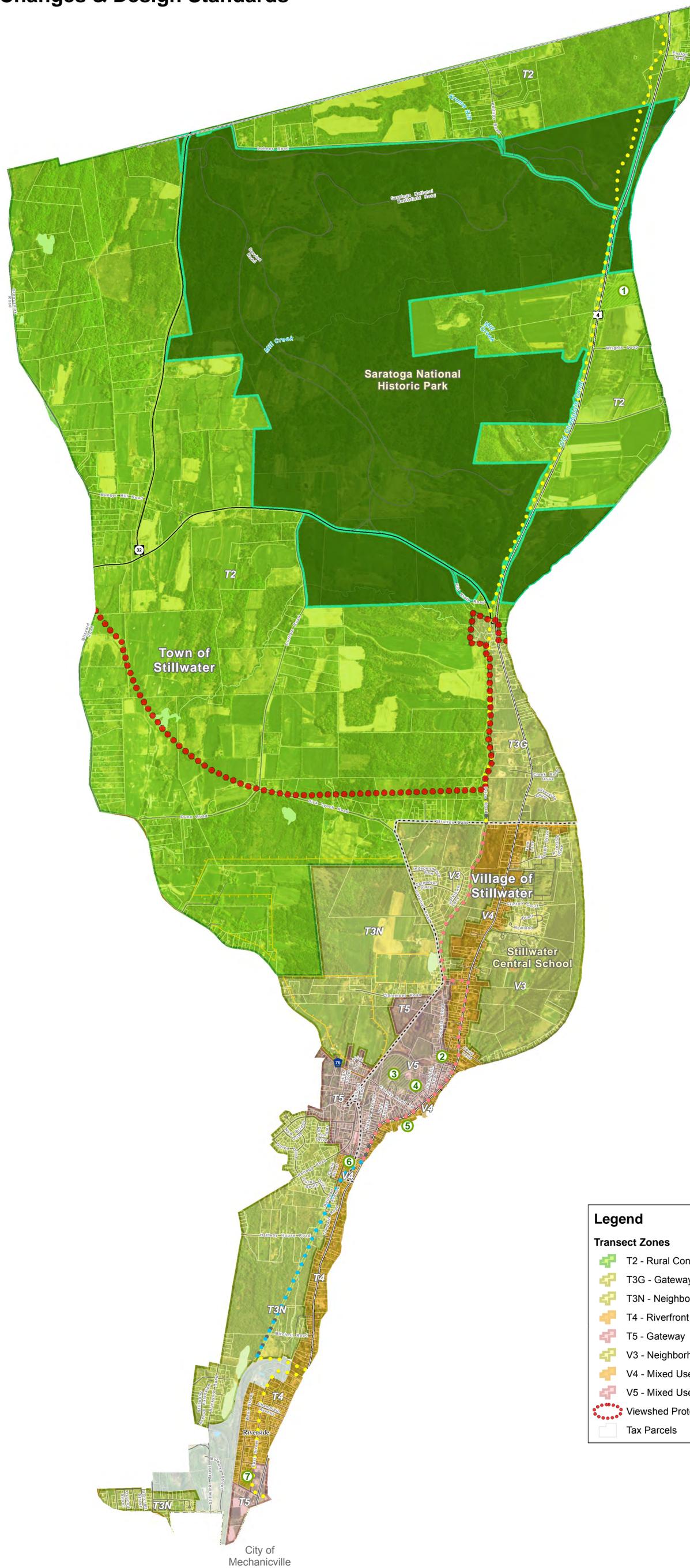
Section 210-164: Regulating Plan.

- A. Zones. For the purposes of this Code, the Town of Stillwater is hereby divided into the following Zones:

Title	Symbol
T2 Conservation	(T2)
T3N Neighborhood	(T3N)
T3G Gateway	(T3G)
T4 Riverfront Corridor	(T4)
T5 Gateway	(T5)

- B. Regulating Plan. The boundaries of the Zones are hereby established on a map entitled "Regulating Plan of the Town of Stillwater," adopted by the Town Board as part of this Code. The Regulating Plan may be amended in the same manner as any other part of this Code. Such changes shall be noted by the Town Clerk on the official Zoning Map promptly after the amendment has been approved by the Town Board.
- C. In addition to the Zones established on the Regulating Plan, the locations and extents of existing parks and existing and future multi-use trails are included on the Regulating Plan for illustrative purposes.

Stillwater Route 4 Zoning Changes & Design Standards Regulating Plan March 2017



Legend

Transect Zones	Existing and Future Multi-use Trails
T2 - Rural Conservation	Existing
T3G - Gateway	Under Development
T3N - Neighborhood	Proposed
T4 - Riverfront Corridor	Saratoga National Historic Park
T5 - Gateway	Community Parks
V3 - Neighborhood	County Ag District
V4 - Mixed Use	Village Boundary
V5 - Mixed Use Center	Surface Water
Viewshed Protection Area	Rivers and Streams
Tax Parcels	

Park Key

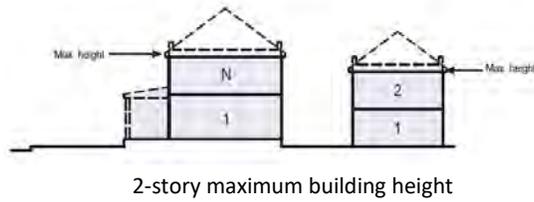
- ① Hudson River Waterfront Park
- ② Major Dickinson Park
- ③ VFW Park
- ④ Stillwater Community Center
- ⑤ Blockhouse Park
- ⑥ Campbell Park & Trailhead
- ⑦ Veterans Park

T2 Rural Conservation (T2)



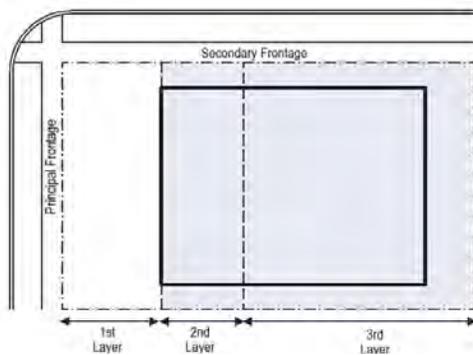
Purpose

Preserve, protect, and promote the rural agricultural heritage of the area while allowing compatible low-density residential development and agricultural-supportive uses and protecting important viewsheds in relation to the Saratoga National Historical Park.



Building Placement & Parking Lot Placement	
Setback	
Front	50 ft
Side	25 ft
Rear	30 ft
Parking Placement	
1st Layer	Permitted
2nd Layer	Permitted
3rd Layer	Permitted

Building Form	
Maximum Building Height	
Max. Building Height ¹	2-story
Lot Requirements	
Lot Size	2 acres/d.u.
Max. Lot Coverage	40%
Min. Lot Width	300 ft (n/a for agricultural uses and roadside stands)
Building Frontage - See Required Private Frontage Types (Table 3)	
Principal Frontage	Common yard, porch & fence
Secondary Frontage	Common yard, porch & fence



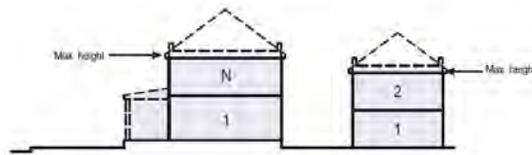
¹Maximum building heights shall be consistent with the International Building Code (Currently Section 504.3 as adopted by NYS) and subject to approval by the Fire Marshall and Code Enforcement Officer.

T3 Neighborhood (T3N)



Purpose

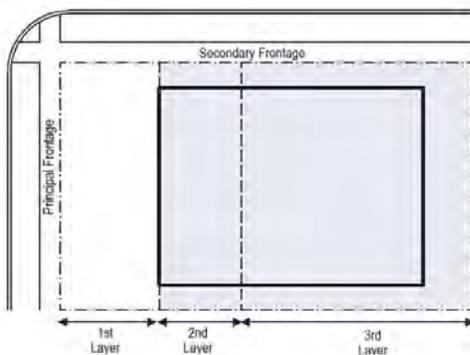
Promote a range of housing types and opportunities in keeping with the surrounding neighborhood and encourage connectivity to surrounding neighborhoods, the Town's mixed use areas, and the Trail.



2-story maximum building height

Building Placement & Parking Lot Placement	
Setback	
Front	35 ft
Side	20 ft
Rear	30 ft
Front Setback Encroachments	
Open Porch	50% max
Balcony and/or bay window	25% max
Parking Placement	
1st Layer	Not permitted
2nd Layer	Permitted
3rd Layer	Permitted

Building Form	
Maximum Building Height	
Max. Building Height ¹	2-story
Lot Requirements	
Lot Size	1 acres/d.u. without public water & sewer; 20,000 sq. ft./d.u. with either public water or sewer; 10,000 sq. ft./d.u. with both public water & sewer
Max. Lot Coverage	40%
Min. Lot Width	150 ft without public water and sewer; 125 ft with either public water or sewer; 100 ft with both public water & sewer
Building Frontage - See Required Private Frontage Types (Table 3)	
Principal Frontage	Common yard, porch & fence
Secondary Frontage	Common yard, porch & fence
Minimum Window Transparency	
Ground Floor	20%
Upper Floors	20%



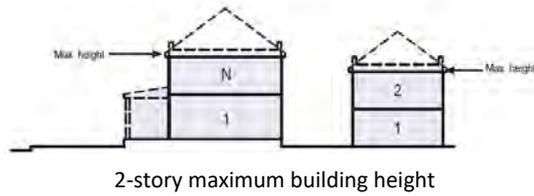
¹Maximum building heights shall be consistent with the International Building Code (Currently Section 504.3 as adopted by NYS) and subject to approval by the Fire Marshall and Code Enforcement Officer.

T3 Gateway (T3G)



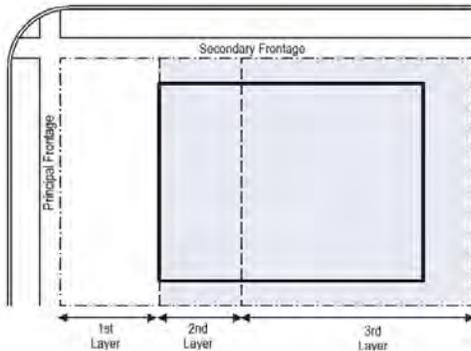
Purpose

Promote commercial opportunities and residential development in keeping with the rural character of the area and encourage connectivity to and from commercial establishments, the surrounding neighborhoods, and the Trail.



Building Placement & Parking Lot Placement	
Setback	
Front	35 ft
Side	10 ft non-waterfront; 15 ft waterfront
Rear	10 ft
Front Setback Encroachments	
Open Porch	50% max
Balcony and/or bay window	25% max
Parking Placement	
1st Layer	Not permitted
2nd Layer	Permitted
3rd Layer	Permitted

Building Form	
Maximum Building Height	
Max. Building Height ¹	2-story
Lot Requirements	
Lot Size	6,000 sq. ft./d.u.
Max. Lot Coverage	60%
Min. Lot Width	50 ft
Building Frontage - See Required Private Frontage Types (Table 3)	
Principal Frontage	Common yard, porch & fence
Secondary Frontage	Common yard, porch & fence
Minimum Window Transparency	
Ground Floor	20%
Upper Floors	20%



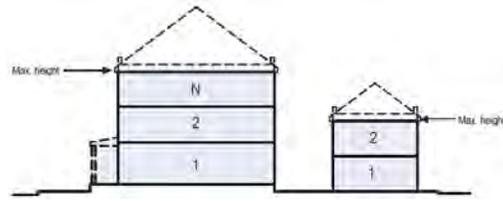
¹Maximum building heights shall be consistent with the International Building Code (Currently Section 504.3 as adopted by NYS) and subject to approval by the Fire Marshall and Code Enforcement Officer.

T4 Riverfront Corridor (T4)



Purpose

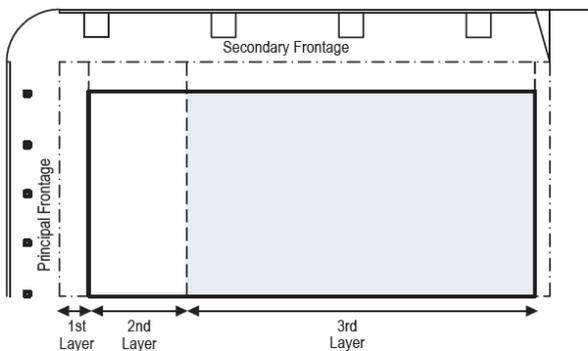
Promote and enhance the Town's identity by encouraging mixed use development, street level activity, walkability to surrounding neighborhoods, and additional public access to the Hudson River.



3-story maximum building height

Building Placement & Parking Lot Placement	
Setback	
Front	15 ft
Side	10 ft non-waterfront; 15 ft waterfront
Rear	10 ft
Front Setback Encroachments	
Open Porch	80% max
Balcony and/or bay window	
Stoop or terrace	
Sidewalk Encroachments	
Awning or gallery	Within 2 ft of curb
Parking Placement	
1st Layer	Not permitted
2nd Layer	Not permitted
3rd Layer	Permitted

Building Form		
Maximum Building Height		
Max. Building Height ¹	3-story	
Lot Requirements		
Lot Size	6,000 sq. ft./d.u.	
Max. Lot Coverage	60%	
Min. Lot Width	50 ft	
Building Frontage - See Required Private Frontage Types (Table 3)		
Principal Frontage	Porch & fence, stoop, terrace, forecourt, shopfront, gallery	
Secondary Frontage	Porch & fence, stoop, terrace, forecourt, shopfront, gallery	
Minimum Window Transparency		
	Residential-only	Other Uses
Ground Floor	20%	60%
Upper Floors	20%	35%
Ceiling Height		
Ground Floor (commercial)	12-18 ft	
Upper Floors	Up to 14 ft	



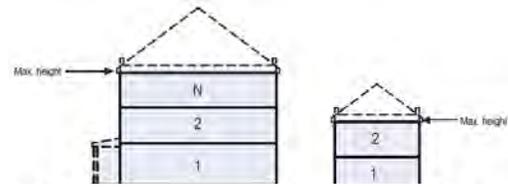
¹Maximum building heights shall be consistent with the International Building Code (Currently Section 504.3 as adopted by NYS) and subject to approval by the Fire Marshall and Code Enforcement Officer.

T5 Gateway (T5G)



Purpose

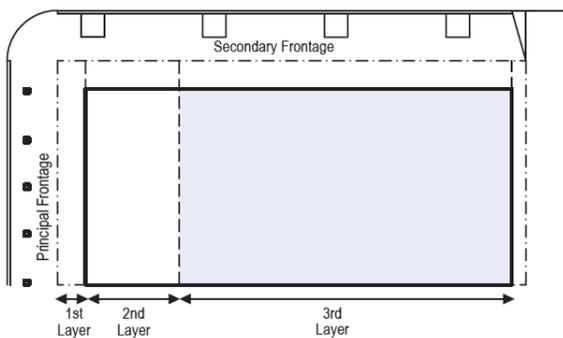
Maximize economic development potential by encouraging infill, reuse, and expansion of businesses while promoting and enhancing the Town's identity by encouraging mixed use development, street level activity, and walkability to connect to surrounding neighborhoods.



3-story maximum building height

Building Placement & Parking Lot Placement	
Setback	
Front	0-10 ft or 15 ft with outdoor dining/plaza
Side	0-5 ft
Rear	5 ft
Front Setback Encroachments	
Open Porch	100% max
Balcony and/or bay window	
Stoop or terrace	
Sidewalk Encroachments	
Awning or gallery	Within 2 ft of curb
Parking Placement	
1st Layer	Not permitted
2nd Layer	Not permitted
3rd Layer	Permitted

Building Form		
Maximum Building Height		
Max. Building Height ¹	3-story	
Lot Requirements		
Lot Size	5,000 sq. ft./d.u.	
Max. Lot Coverage	75%	
Min. Lot Width	30 ft	
Building Frontage - See Required Private Frontage Types (Table 3)		
Principal Frontage	Porch & fence, stoop, terrace, forecourt, shopfront, gallery	
Secondary Frontage	Porch & fence, stoop, terrace, forecourt, shopfront, gallery	
Minimum Window Transparency		
	Residential-only	Other Uses
Ground Floor	20%	60%
Upper Floors	20%	35%
Ceiling Height		
Ground Floor (commercial)	12-18 ft	
Upper Floors	Up to 14 ft	



¹Maximum building heights shall be consistent with the International Building Code (Currently Section 504.3 as adopted by NYS) and subject to approval by the Fire Marshall and Code Enforcement Officer.

Section 210-165: Use Regulations

- A. **Uses.** Allowed uses are identified in the Town of Stillwater Schedule of Uses, Table 1.
- B. **Unlisted Uses.** If a use is not listed as allowed or allowed with a special use permit, but is similar in nature and impact to a use listed in this Code, the Zoning Board of Appeals may interpret the use as allowed or allowed with a special use permit.
 - (1) If a use is not listed and cannot be interpreted by the Zoning Board of Appeals as similar in nature, the use is deemed prohibited.
- C. **Supplemental use regulations:** Supplemental use regulations are found in Article XII.

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Table 1: Town of Stillwater Summary of Allowed Uses

	Traditional Zoning Districts							Transect Zones					Other Regulations	
	R-R	LDR	RRD	B-1	BP	ID	R67	R67 West	T2	T3N	T3G	T4		T5
RESIDENTIAL														
Dwelling, 2-family	■	■	■			○			■	■	■	■	■	
Dwelling, 3- and 4-family dwellings						○					■	■	■	
Dwelling, Multifamily				○	○	○					○	○	○	
Dwelling, Single-family	■	■	■			○			■	■	■	■	■	
Dwelling, Townhouse													○	
Farm worker housing	○	○				○			○	○				See Article XII
Manufactured Homes	○ ¹													See Chapter 134
AGRICULTURAL														
Agricultural processing	◇	◇							◇					
Agricultural and Agricultural Tourism uses	■	■				■			■	■	■			
Commercial greenhouse or nursery	■	○				○	◇	◇	■	○	○	○		
Commercial riding stable	◇	◇							■		○			
Farm and construction equipment sales and service						○			◇		○			
Livestock, noncommercial	■	■		■	■				■	■				
Produce stands and Farmers Markets	■ ²	■ ²	○	○					■ ²	■ ²	○	○		
Sawmill, chipping or pallet mill	◇					◇	◇	◇	◇					
Timber harvesting	■	■	■	○	■	■			◇					
ACCESSORY USES														
Accessory uses when incidental to principal structure/use	■	■	■	○	○	○	○	○	■	■	■/o ³	■/o ³	■/o ³	
Home occupation	■	■	■						■	■	■	■	■	See Article XII
LODGING														
Bed-and-breakfast	○	○	○			○	◇	◇	○	○	○	○	○	
Motel, hotel, inn						○	◇	◇			○	○	○	
RETAIL & SERVICE														
Adult use						◇								See Article VII
Amusement center						○	◇	◇				◇		
Auto sales and service						○	◇	◇				◇		
Bank				○		○	◇	◇			○	○	○	
Boat storage, sales and repair						○						◇		
Car wash						○						◇		
Day-care center						○	◇	◇			○	○	○	
Drive-through window											◇	◇	◇	See Article XXI
Fast-food restaurant						○						◇	◇	
Funeral home						○	◇	◇			○	○	○	
Gasoline station				○		○	◇	◇						See Article VII
Kennel	◇	◇				○			◇		◇			See Article VII
Marina and other waterfront-related use				■							○	○	○	
Motor vehicle repair shop						○								
Professional office				○	○	○	◇	◇		◇	○	○	○	
Recreational facility (private or commercial)						○						○	○	

Table 1: Town of Stillwater Summary of Allowed Uses

	Traditional Zoning Districts								Transect Zones					Other Regulations
	R-R	LDR	RRD	B-1	BP	ID	R67	R67 West	T2	T3N	T3G	T4	T5	
Restaurant and tavern			○	○		○	◇	◇		◇	○	○	○	
Retail				○ ⁴		○	◇	◇			○	○	○	
Self-storage facility						○	◇	◇						
Theater						○					○		○	
Veterinary clinic	○	○		○	○	○		○	○		○	○	○	
MIXED USE														
Live-work											○	○	○	
Mixed use building											○	○	○	
INDUSTRIAL														
Asphalt plant						◇								
Business incubation					○		◇	◇					○	
Bulk fuel storage						◇								
Contractor's yard						○								
Craft production						○	○	○			○	○	○	
Freight or trucking terminals						○	◇	◇						
Heavy industrial						○								
Junkyard						○								See Article VII
Light industrial					○	○	◇	◇					○	
Research and development					○	○	◇	◇					○	
Sand, gravel and topsoil removal and processing	◇	◇				○	◇	◇	◇					
Warehouse					○	○	◇	◇					◇	
CIVIC														
Campground and group camp	◇								◇	◇				
Cemetery	◇	◇							◇					
Club (Public and Private)						○					○	○	○	
Community, Governmental, Municipal	○	○	○	○	○	○	○	○	○	○	○	○	○	
Golf course	◇								◇					
Health-related facility							◇	◇			○	○	○	
Hospital							◇	◇						
Place of worship									○	○	○	○	○	
Public parks and recreational uses	○	○	○	○	○	○	◇	◇	○	○	○	○	○	
Schools	○	○	○	○	○	○	○	○	○	○	○	○	○	
Telecommunications tower						◇								See Article X
Key:	<ul style="list-style-type: none"> ■ Permitted Use ○ Site Plan ◇ Special Use Permit 								¹ Allowed only in approved subdivisions ² Less than 400 gsf. ³ Permitted Use for residential uses, Site Plan Review for other uses ⁴ Less than 10,000 gsf.					

Section 210-166: Development Regulations

- A. **Dimensional Standards:** Standards for development are found in Article II, Regulating Plan and summarized in Table 2, Town of Stillwater Dimensional Schedule.

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Table 2: Town of Stillwater Schedule of Regulations

	Traditional Zoning Districts								Transect Zones					Other Regulations
	R-R	LDR	RRD	B-1	BP	ID	R67	R67 West	T2	T3N	T3G	T4	T5	
SETBACKS														
Front	50 ft ¹	40 ft ¹	10 feet from the mean high-water mark of Saratoga Lake and 20 feet from the road on which the property abuts	30 ft	50 ft	50 ft	³	50 ft	50 ft	35 ft	35 ft	15 ft	0-10 ft or 15 ft with outdoor dining/ plaza	
Side	25 ft ¹	20 ft ¹	10 ft	10 ft	35 ft	30 ft	³	35 ft	25 ft	20 ft	10 ft non-waterfront; 15 ft waterfront	10 ft non-waterfront; 15 ft waterfront	0-5 ft	
Rear	25 ft ¹	30 ft ¹	20 ft	10 ft ²	35 ft	30 ft	³	35 ft	30 ft	30 ft	10 ft	10 ft	5 ft	
MAXIMUM BUILDING HEIGHT														
Maximum Building Height	35 ft	35 ft	30 ft	35 ft	50 ft	60 ft	³	50 ft	2-story or 35 ft	2-story or 35 ft	2-story or 35 ft	3-story or 40 ft	3-story or 40 ft	
LOT REQUIREMENTS														
Lot Size	2 acres/d.u. ¹	2 acres/d.u. without public water & sewer; 1.5 acres/d.u. with either public water or sewer; 1 acre/d.u. with both public water & sewer	21,750 sq. ft./d.u.	10,000 sq. ft.	3 acres	1 acre	³	3 acres/d.u. without public water & sewer; 2 acres/d.u. with either public water or sewer; 1 acre/d.u. with both public water & sewer	2 acres/d.u.	1 acres/d.u. without public water & sewer; 20,000 sq. ft./d.u. with either public water or sewer; 10,000 sq. ft./d.u. with both public water & sewer	6,000 sq. ft./d.u.	6,000 sq. ft./d.u.	5,000 sq. ft.	See Viewshed protection standards in Section 210-166.S and Conservation Subdivision in Article XX

Table 2: Town of Stillwater Schedule of Regulations

	Traditional Zoning Districts								Transect Zones					Other Regulations
	R-R	LDR	RRD	B-1	BP	ID	R67	R67 West	T2	T3N	T3G	T4	T5	
BULK REQUIREMENTS														
Maximum Lot Coverage	40%	40%	40%	60%	60%	60%	³	40%	40%	40%	60%	60%	75%	
Minimum Lot Width	300 ft ¹	300 feet without public water and sewer; 250 feet with either public water or sewer; 200 feet with both public water and sewer ¹	75 ft	60 ft	200 ft	200 ft	³	200 ft	300 ft (n/a for agricultural uses and roadside stands)	150 ft without public water and sewer; 125 ft with either public water or sewer; 100 ft with both public water & sewer	50 ft	50 ft	30 ft	
¹ Setback and width requirements do not apply to agricultural uses and roadside stands. ² The rear yard setback shall be 30 feet when abutting a residential district or use. ³ The bulk/area requirements for the Route 67 Overlay shall be those of the underlying district.														

B. **Bonus Provisions.** Reserved.

C. **Building Design.**

(1) Blank walls shall not be permitted along any exterior wall facing a street, pedestrian area, or parking area. Walls or portions of walls without windows must have architectural treatments or design treatments that are similar to the front façade in materials, colors, and details.

(2) **Service Entrances.** Loading docks, overhead doors, and other service entrances are prohibited facing a street.

(3) **Building Massing.** Building massing must incorporate varied rooflines, building heights, and other architectural features instead of a long linear row of buildings.

(a) There must be breaks in a linear row of buildings at minimum every 50 feet as described above.

(b) The Stillwater Route 4 Corridor Design Guidelines describes recommended architectural treatments.

D. **Building Materials, Colors and Details.**

Building materials, colors, and details

shall be compatible with the surrounding neighborhood character.

(a) Examples can be found in the Stillwater Route 4 Corridor Design Guidelines.

E. **Additional Window Standards.**

(1) The ground floor and upper stories must meet the Window Transparency requirements of each Transect Zone (as applicable) in Article II.

(a) Smoked, reflective, or black glass in windows is prohibited on the ground floor. Clear glass windows are recommended on upper floors as further described in the Stillwater Route 4 Corridor Design Guidelines.

(2) **Window Sill Height.** Ground floor windows shall be a maximum of 12 to 20 inches above the sidewalk. The window sill height shall be measured from the base of the building beneath the window sill to the window glass.

F. **Private Frontages:** The following standards for private frontages follow in Table 3:

Table 3: Town of Stillwater - Private Frontages

	SECTION	PLAN	
Private Frontages. The Private Frontage is the area between the building façade and the lot lines.			
Common Yard: The main façade of the building has a larger setback from the frontage line. The front yard may have a fence or hedge in a traditional neighborhood or have no fence in more rural areas. The yard is visually continuous with adjacent yards, supporting a common landscape. A front porch is optional.			T2 T3N T3G
Porch & Fence: The main façade of the building has a small setback from the frontage line. The front yard can be defined by a fence or hedge. The porch can encroach on the setback. Porches shall be no less than 6-8 feet deep.			T3 T4
Terrace: A frontage where the façade is setback back from the frontage line by an elevated terrace. Terraces are suitable for outdoor dining.			T4 T5
Forecourt: The main façade of the building is close to the frontage line and the central portion is set back. The Forecourt could be used as an entry court, shared garden space for apartment buildings, or additional shopping or outdoor dining. The orientation of such space should be considered for solar orientation. Large trees within the Forecourts may overhang the sidewalks. A short wall, hedge, or fence should be placed along any undefined edge. This frontage should be used sparingly not be repeated within a block.			T4 T5
Stoop: The main façade of the building is near the frontage line with the ground floor elevated from the sidewalk to ensure privacy within the building. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.			T4 T5
Shopfront: The main façade of the building is at or near the frontage line with the building entrance at sidewalk grade. This type is appropriate for retail and commercial uses. It has substantial windows on the sidewalk level and an awning that should overlap the sidewalk to within 2 feet of the Curb.			T4 T5
Gallery: The main façade of the building is at the frontage line and the gallery element overlaps the sidewalk. This type is appropriate for retail and commercial uses. The Gallery should be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the curb.			T4 T5

- G. **Build-to-Line.** Buildings are preferred to be built to the sidewalk in the T5 Zone or a maximum of 10 feet from the frontage line unless setback by 15 feet for the purposes of outdoor dining or plaza as described herein.
- H. **Side Yard Setback.**
 - (1) There shall be no side yard setback for buildings that share a party wall.
 - (2) In the T4 Zone, side yard setbacks must be 10 feet for non-waterfront properties and 15 feet for waterfront properties.
 - (3) In the T5 Zone, a row of continuous buildings is preferred with no side yard setback or a maximum of 5 feet for a side yard setback.
- I. **Building Orientation.** The front façade of a buildings must be oriented towards the principal frontage with a public entrance in this façade.
- J. **Corner Properties.**
 - (1) Corner properties may have the primary entrance facing a principal or secondary frontage or on the corner.
 - (2) Front façades may be extended along side streets.
- K. **Building Entrances.**
 - (1) All primary entrances must be prominently visible and accentuated with a recessed entrance, chamfered corner, awning, entranceway roof, sidelight, transom, or adjacent windows to the doorway, and/or additional mouldings with expression lines. Examples can be found in the Stillwater Route 4 Design Corridor Guidelines.
 - (2) All floors must have a primary ground-floor entrance that faces the principal frontage and may have additional entrances on the secondary frontage and/or waterfront frontage.
- L. **Drive-Through Windows**
 - (1) Drive-through windows shall not be located along the principal frontage but may be located to the side and rear of the building.
 - (2) Drive-through window design and materials should be consistent with the overall building style, form, and materials. Additional information can be found in the Stillwater Route 4 Corridor Design Guidelines.
 - (3) Pedestrian walkways must have clear visibility and be enhanced with pavings or markings when they intersect with drive-through aisles.
 - (4) Stacking spaces and aisles shall be provided in accordance with the Off-street Parking provisions.
 - (5) Menu boards, loudspeakers, stacking spaces, drive-through windows, service and loading shall be located only in interior side or rear yards.
 - (6) Loudspeakers, automobile service order devices, and similar instruments shall be located at least twenty (20) feet from any street right-of-way and twenty (20) feet from any property boundaries.
 - (7) A drive-through menu board shall comply with the standards for freestanding or monument signs.
 - (8) Screening. All service, mechanical equipment, and trash storage shall

be screened from adjacent sites and public rights-of way.

(9) Trash receptacles must be provided.

M. Exterior Lighting Standards and Glare

(1) All outdoor lighting must be designed so as to prevent glare onto adjacent properties, pedestrians, and operators of motor vehicles and must comply with the following:

(a) Non-cutoff and semi-cutoff light(s) are prohibited.

(b) Full-cutoff light fixtures shall have a maximum combined height of pole and base of no more than twenty (20) feet in height for off-street parking lots and fourteen (14) feet for sidewalks and multi-use trails.

(c) Focused light fixtures may be used to illuminate a sign, structure, or similar element.

(2) All outdoor light fixtures provided in connection with permitted construction work or the abatement of an emergency must be exempt.

(3) The following lighting styles are permitted by Transect Zone (Table 4):

Table 4: Town of Stillwater Lighting Styles					
Transect Zones					
	T2	T3N	T3G	T4	T5
PIPE					
	■	■	■		
POST					
			■	■	
COLUMN					
				■	■
DOUBLE COLUMN					
					■

N. Green Infrastructure Best Management Practices

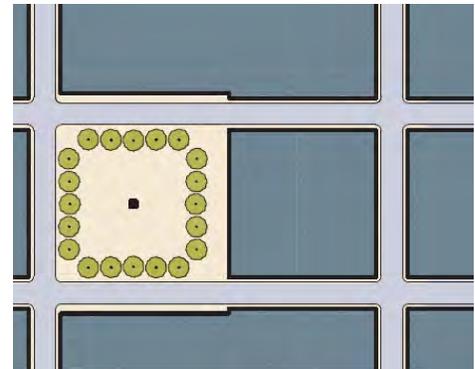
- (1) Where practicable, stormwater management facilities should utilize Green Infrastructure Best Management Practices (BMPs) according to the following hierarchy of preference.
 - (a) Conserve and protect natural areas.
 - (b) Reduce impervious surfaces in the site design through on-site infiltration practices including, but not limited to, rain gardens, vegetated swales, filter strips, constructed wetlands, stormwater planters, permeable pavement and porous pavement.
 - (c) Reduce runoff through low-impact practices including, but not limited to, green roofs, blue roofs, and rain barrels or cisterns.

O. Outdoor Dining and Plazas

- (1) Outdoor Dining
 - (a) Outdoor dining shall maintain a minimum of five feet of sidewalk clearance for pedestrian passage at all times.
 - (b) Outdoor furniture may consist of movable tables, chairs, umbrellas, planters, lights, and heaters.
 - (c) Lighting fixtures may be permanently attached to the exterior of the building.
 - (d) Advertising or promotional features shall be limited to umbrellas and canopies.

- (e) All movable furniture shall be removed during the off-season.
- (f) Planters, posts with ropes, decorative walls or fences, or other removable enclosures as well as a reservation podium are encouraged and shall be used as a way of defining the area occupied by the restaurant.
- (g) Trash containers should be provided.

(2) Plaza



- (a) The plaza must be located where it is visible from a public sidewalk or pedestrian connection.
- (b) 30% of the space must be landscaped with trees, shrubs, and mixed plantings with year-round interest.
 - (a) Trees shall be installed of 3-inch caliper.
 - (c) The plaza shall provide shade with trees, canopies, trellises, umbrellas, or building walls.
 - (d) 70% of plazas shall be surfaced with high quality, durable impervious, semi-pervious, or pervious materials depending on location.

- (e) One seating space is required for each 30 sq. ft. of plaza area.
 - (f) The plaza shall not be used for parking, loading, or vehicular access (excluding emergency vehicular access).
 - (g) Public art and furnishings is encouraged.
 - (h) Trash containers shall be distributed throughout the plaza.
 - (i) Lighting shall be provided.
 - (j) Plazas shall connect to other activities such as outdoor dining, restaurants, shopfronts, and building entries.
 - (k) Plazas shall be located if possible to have maximum sunlight with a south or west orientation.
 - (l) If constructed by a private entity, plazas must have an agreement with the Town of Stillwater for public access.
- P. Parking Standards and Design**
- (1) Required off-street parking spaces.
 - (a) The minimum cumulative number of spaces shall be determined per the below table. No more than 120 percent of the required minimum parking is permitted.
 - (2) The following minimum off-street parking standards apply (Table 5). Each use may be permitted a parking reduction subject to the discretion of the Town of Stillwater Planning Board in accordance with the Shared Parking provisions herein:

Table 5: Town of Stillwater Parking Standards		
	TRANSECT ZONES	
	T2 T3N T3G T4 T5	
RESIDENTIAL USES		
Single-family dwelling	2/du	
2-family dwelling		
3- and 4-family dwellings	1.5/du	
Dwelling, Multifamily		
Farm worker housing	2/du	
AGRICULTURAL USES		
Agricultural processing	1/300 s.f. of usable area with a minimum of 4 spaces, plus any requirement for primary dwelling	
Agricultural uses		
Commercial greenhouse or nursery	1/300 s.f. of retail or service-oriented usable space or 1 per 4 seats, whichever is greater	
Commercial riding stable		
Farm and construction equipment sales and service		
Produce stands		
Sawmill, chipping or pallet mill		
ACCESSORY USES		
Home occupation	1/200 s.f. plus requirement for primary dwelling	
LODGING USES		
Bed-and-breakfast	1/room for rent plus 1/employee on the largest shift	
Motel, hotel, inn		
RETAIL & SERVICE USES		
Amusement use	1/300 s.f. of retail or service-oriented usable space or 1 per 4 seats, whichever is greater	
Auto body shop and motor vehicle repair shop		
Auto body sales		
Bank		
Boat storage, sales and repair		
Car wash		
Day-care center		
Fast-food restaurant		
Funeral home		
Gasoline station		
Kennel		
Marina and other waterfront-related use		
Professional office		
Recreational facility (private or commercial)		
Restaurant and tavern		
Retail	1/300 s.f. of retail or service-oriented usable space or 1 per 4 seats, whichever is greater	
Theater		
Veterinary clinic		
MIXED USE		
Live-work		1/300 s.f.
	Sum of the requirements for the mix of uses (combination of uses on a single lot) subject to shared parking	
Mixed use building		
INDUSTRIAL USE		
Craft production	1/employee on the largest shift	
Warehouse		
CIVIC USES		
Campground and group camp	1/300 s.f. or 1 per 10 seats, whichever is greater	
Cemetery		
Club (Public and Private)		
Community, Governmental, Municipal		
Golf Course		
Health-related facility		
Place of worship		
Public parks and recreational uses		
Schools		

- (3) Accessible Parking. All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the Federal Americans with Disabilities Act (ADA).
- (4) Bicycle facilities should be provided at all commercial development and residential development (excluding single-family residential). Any use required to have 15 or more parking spaces shall supply one bicycle rack per 15 spaces. This requirement may be modified by the Town of Stillwater Planning Board at its discretion.
- (5) Parking Design Standards.
 - (a) Off-street parking shall be designed in accordance with Table 6. This requirement may be modified by the Town of Stillwater Planning Board at its discretion.

Table 6: Parking Design Standards	
Parking Design Standards	
Details	Standard
Curb cuts per lot	1 max
Parking space size	9 x 18 ft
Single-family residential driveway width	10 ft max
One-way vehicular driveway width	12 ft max
Two-way vehicular driveway width without parking along driveway	16 ft max
Parking lot aisle width with parking along driveway	24 ft max

- (b) Off-street parking areas shall be interconnected by access driveways for commercial and mixed uses and may be interconnected between residential and commercial uses. This requirement may be modified by the Town of Stillwater Planning Board at its discretion.
- (6) Shared parking provisions.
 - (a) Shared parking is permitted subject to the Town of Stillwater Planning Board approval. A contractual agreement between users is required.
 - (b) Shared parking shall be located within a specified walking distance based upon the following:
 - [1] Less than 100 feet: People with disabilities, deliveries and loading, emergency services, fast food restaurant, and convenience store.
 - [2] Less than 800 feet: residents, grocery stores, professional services, and medical clinics.
 - [3] Less than 1,200 feet: general retail, restaurant, employees, entertainment center, and religious institution.
 - [4] Less than 1,600 feet: Major sport or cultural event and overflow parking.

- [5] Users of shared parking shall have a contractual
 - [6] agreement to allow sharing of parking. corresponding percentage for each of the six time periods.
 - [7] The minimum amount of shared parking required shall be calculated according to the below Table 7:
 - i. Calculate the minimum amount of parking required for each land use as if it were a separate use.
 - ii. To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the
 - iii. Calculate the column total for each of the six time periods.
 - iv. The column (time period) with the highest value must be the minimum parking requirement.
- (7) On-Street Parking. On-street parking shall provide a minimum space width of 8' and length of 20'. This requirement may be modified by the Town of Stillwater Planning Board at its discretion for higher speed roads or special circumstances.

Table 7: Shared Parking						
Uses	Monday - Friday			Saturday - Sunday		
	8 AM - 6 PM	6 PM - Midnight	Midnight - 8 AM	8 AM - 6 PM	6 PM - Midnight	Midnight - 8 AM
Residential	60%	100%	100%	80%	100%	100%
Office	100%	10%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	60%	5%
Lodging	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theater	40%	100%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Civic (non-religious use)	100%	40%	40%	10%	10%	5%
Religious use	20%	40%	40%	100%	50%	5%

Q. Pedestrian Design Standards

(1) Sidewalks

- (a) Sidewalks are required along all street frontages with a minimum width of six feet. Eight feet or more is preferred.
- (b) Sidewalks are required to connect the primary and secondary street frontage to all front building entrances, parking areas, plazas, outdoor dining, and other destinations that generate pedestrian traffic to ensure walkability within a 10-minute walk.
- (c) Sidewalks shall connect to existing sidewalks on adjacent properties.
- (d) The sidewalk pattern shall continue across all driveways. Driveways should come up to the sidewalk.

R. Signage

(1) Signs Exempt from permits. The following signs may be erected and maintained without a Sign Permit, provided that they are less than five (5) feet in sign area and are non-illuminated (except as indicated below):

- (a) Signs advertising the sale or rental of the premises upon which the sign is located. Such signs shall be non-illuminated and limited to two per property. The signs must be set back a minimum of ten (10) feet from the property line.
- (b) Signs denoting the architect, engineer, or contractor where

construction, repair or renovation is in progress, limited to one per property.

- (c) Signs that mark property boundaries, give directions for roads or trails, prohibit trespassing, hunting, fishing, or off-road vehicles, or warn of hazards.
- (d) Any sign erected by the federal, state, county, or town government or any department or agency thereof. Such signs are not limited in size.
- (e) Election signs in accordance with Section 210-86.
- (f) Temporary signs, including banners or pennants, relating to garage, lawn, or other individual, non-recurring sales, or for an event or undertaking conducted by a political, civic, religious, charitable, or educational organization. Such signs may be erected no more than ninety (90) days prior to the event and shall be removed by the sponsor within fifteen (15) days after the close of the event. Such temporary signs are not limited in size but must not hang below fifteen (15) feet over the street or public right-of-way.
- (g) A sign placed temporarily to advertise the sale of produce grown or harvested by the property owner where the subject sign is located, limited to one per principal location of the

subject of the sign. Such temporary signs shall be removed immediately after the termination of the activity being advertised.

- (h) Temporary signs or on-premises signs in accordance with Section 210-86.
 - (i) Signs that provide the name, and/or owner, of a farm that is located on said farm and that does not advertise any other enterprise or business.
 - (j) Directional signs. Directional signs shall not obstruct sight triangles at intersections including internal intersections.
 - (k) Menus and signs indicating business hours. Signs shall be located in a permanently mounted display box on the façade of the building adjacent to the entrance, displayed within a window adjacent to the entrance, or at a podium that will be placed inside the restaurant upon closing.
- (2) Sign illumination and style should be in accordance with the Stillwater Route 4 Corridor Design Guidelines and the regulations below.
 - (3) One (1) freestanding or monument sign shall only be permitted on properties with a minimum 15-foot setback.
 - (4) Only one (1) iconic or projecting sign per establishment is permitted.
 - (5) The following signs are permitted by Transect Zone (Table 8):

Table 8 - Town of Stillwater - Signage Regulations

	Transect Zones					Specifications
	T2	T3N	T3G	T4	T5	
AWNING SIGN						
			■	■	■	<p>Quantity 1 per window</p> <p>Area 25% of awning surface</p> <p>Width maximum width of façade</p> <p>Depth/Projection 4 ft min</p> <p>Clearance 8 ft min</p> <p>Distance from curb 2 ft min</p> <p>Illumination External</p>
FREESTANDING SIGN						
	■	■	■	■	■	<p>Quantity 1 per parcel, only when buildings have a min. 15 ft setback (and when a monument sign is not installed)</p> <p>Area 20 sq ft</p> <p>Height 5 ft max</p> <p>Setback from frontage line 6 ft min</p> <p>Illumination External</p>
ICONIC SIGN						
			■	■	■	<p>Quantity 1 per business</p> <p>Area 35 sq ft</p> <p>Depth/Projection 5 ft max</p> <p>Clearance 8 ft min</p> <p>Distance from curb 2 ft min</p> <p>Illumination External</p>
MARQUEE SIGN						
				■	■	<p>Quantity 1 per business</p> <p>Width entrance plus 2' on each side</p> <p>Height max 50% story height</p> <p>Depth/Projection 8 ft min</p> <p>Clearance 10 ft min</p> <p>Distance from curb 2 ft min</p> <p>Illumination Internal/External</p>
MONUMENT SIGN						
	■	■	■	■	■	<p>Quantity 1 per parcel, only when buildings have a min. 15 ft setback (and when a freestanding sign is not installed)</p> <p>Area 20 sq ft</p> <p>Height 5 ft max</p> <p>Setback from frontage line 6 ft min</p> <p>Illumination Internal/External</p>

Table 8 - Town of Stillwater - Signage Regulations

	Transect Zones					Specifications
	T2	T3N	T3G	T4	T5	
NAMEPLATE SIGN						
	■	■	■	■	■	<p>Quantity 1 per establishment</p> <p>Area 4 sq ft max</p>
PROJECTING SIGN						
	■	■	■	■	■	<p>Quantity 1 per façade, 2 max</p> <p>Area 20 sq ft</p> <p>Depth/Projection 4 ft max</p> <p>Clearance 8 ft min</p> <p>Distance from curb 2 ft min</p> <p>Illumination External</p>
SIDEWALK SIGN						
	■	■	■	■	■	<p>Quantity 1 per business</p> <p>Area 10 sq ft max.</p> <p>Height 4 ft max</p> <p>Clearance Outside of pedestrian area (3 ft pedestrian area to remain clear)</p> <p>Distance from curb 2 ft min</p>
WALL SIGN						
			■	■	■	<p>Quantity 1 (2 for corner buildings)</p> <p>Area 1 sf per 1 linear foot of shop front</p> <p>Width max 75% width of façade</p> <p>Height 3.5 ft max</p> <p>Depth/Projection 1 ft max</p> <p>Clearance 8 ft min</p> <p>Illumination Internal/External</p>
WINDOW SIGN						
			■	■	■	<p>Quantity 1 per business</p> <p>Area max 25% of glass</p> <p>Illumination External/neon or LED</p>

- (6) General Sign Regulations
- (a) Except for clocks and customary time and temperature devices, no sign shall contain intermittent, moving or flashing illumination.
 - (b) No sign relating to a permanent commercial enterprise, with the exception of traditional barber poles, shall contain or consist of any banner, pennant, ribbon, streamer, spinner, or other similar moving, fluttering, or revolving device. No sign or part thereof may rotate or move back and forth, except that a sign may be suspended and swing, though not rotate, in the wind.
 - (c) No motor vehicle, trailer, or wagon upon which is painted or placed any sign must be parked or stationed in a way primarily intended to display the sign.
 - (d) All signs shall be constructed of durable materials and maintained at all times in good repair.
 - (e) No sign shall be installed in such a way that obstructs free and clear vision and sight triangles of any public-right-of-way, intersection, ingress or egress, entrance, or ramp.
 - (f) Signs shall not cover architectural details such as windows, doors, or transoms except as permitted herein.
- (7) Unsafe, Abandoned, and Unlawful Signs. Upon a finding by the Code

Enforcement Officer that any sign regulated herein is unsafe or insecure, or is a menace to the public, or has been erected in violation of the provisions of this Code, or advertises, identifies, or pertains to an activity no longer in existence, except as provided hereinafter, then the Code Enforcement Officer shall mail to the owner of said sign, if known, at the sign owner's last known mailing address and to the owner of the parcel of land upon which such sign is situated, at the parcel owner's last known mailing address, an order that the violation be resolved within thirty (30) days after the date of the order. If after such date the violation is not resolved, the Code Enforcement Officer may enter upon the land and remove and discard the sign, without liability to the Town or its agents. This provision shall not apply to seasonal activities during the regular period in which they are closed.

- (8) Non-Complying Signs. A sign in existence as of the effective date of this Code which does not comply with the sign regulations hereof shall be brought into compliance or removed by its owner at the owner's cost and expense not later than the date upon which such sign has been fully depreciated for income tax purposes based upon when such sign was first erected or last substantially reconstructed, which shall in no case be later than ten (10)

years after the effective date of this Code. Any sign owner claiming the right to maintain a non-complying sign after one year from the effective date of this Code, shall file with the Code Enforcement Officer appropriate proof of the sign's useful life for income tax purposes on or before such date. Failure to so file shall be deemed a waiver of such sign owner's right to maintain the sign beyond such date.

S. Landscaping, Screening, Fences, and Walls

(1) General Requirements.

- (a) All buildings and construction requirements (with the exception of single-family and two-family dwellings and residential accessory structures) are subject to the provisions herein.
- (b) All landscaping and screening will be effective immediately upon planting and provide year-round interest.
- (c) At least twenty-five percent (25%) of the property shall be retained as landscaping and green space to minimize erosion and stormwater runoff and enhance, beautify, and improve the quality of life in the Town. This requirement may be reduced in instances where greening elements, green infrastructure, public plaza is provided in accordance with the standards herein at the discretion of the Planning Board.

(2) Screening.

- (a) All wall-mounted mechanical, electrical, communication, and service equipment must be screened from public view by parapets, walls, fences, landscaping, or other means.
 - (b) All rooftop mechanical equipment must be concealed or integrated into the roof form or screened from view at ground level of nearby streets.
 - (c) Dumpsters, with the exception of temporary construction dumpsters, must be screened from public view by a solid fence or row of evergreen shrubs.
- (3) Existing street trees of four inches diameter at breast height (DBH) shall be retained and incorporated into the street tree design provided it is in healthy condition, free of damage, and provides a full canopy.**
- (4) Spacing.** Street trees shall be spaced 20-30 feet apart in consideration of the existing streetscape, driveways, street lights, utility and traffic poles and other obstructions. Trees must be 3 inches in caliper. Trees must be planted within planter strips or tree wells.
- (5) Tree selection.** Trees must be selected based upon maintenance requirements, hardiness per the U.S. Department of Agriculture's Plant Hardiness Zone Map, salt tolerance, shape and form, and the subsurface growing conditions. Native species is encouraged. Suggested tree species

- can be found in the Stillwater Route 4 Corridor Design Guidelines.
- (6) Parking Lot Landscaping and screening
- (a) Interior Landscaping. No more than ten (10) parking spaces shall be allowed in a continuous row uninterrupted by landscaping.
- (b) Perimeter Landscaping and screening.
- [1] Parking lots visible from a street shall be continuously screened by a 3-foot high wall/fence with breaks as required herein or plantings.
- [2] Parking lots adjacent to a residential use shall be continuously screened by a 6-foot high wall/fence with breaks as required herein or plantings.
- (c) Screenings shall include:
- [1] Hedges, installed at 36 inches in height; or
- [2] Mixed planting (trees and shrubs); or
- [3] Wall sections or opaque fencing shall not provide a break of more than 9 feet except for vehicular or non-vehicular access. Breaks in the wall shall be provided at least every 40 feet to vary the design. These gaps, except for access uses,

shall contain hedges or mixed plantings within the gap area. Landscaping shall be provided along the walls either as low ground cover/plantings, as a screen of the wall, or an intentionally designed mix to vary the look of the screenings.

- (7) Greening elements
- (a) Planters shall not obstruct the sight triangles and shall leave 5 feet of clearance for pedestrians.
- (b) Window boxes should be at least as wide as the window sill where they are located.
- (c) Hanging baskets, planters, and window boxes shall contain live plantings.
- (d) Additional landscaping including trees, shrubs, groundcover, and/or flowers shall be counted towards the green space requirements.
- T. Saratoga National Historical Park Viewshed Protection Standards**
- (1) Purpose. The purpose of these standards is to protect and enhance the scenic integrity and historic landscape quality of the Saratoga National Historical Park (SNHP) and T2 Rural Conservation Transect Zone. These standards are intended to direct development in a manner that maintains the identity, image, and environmental quality of Saratoga National Historical Park

- and its agricultural and rural environs. The Saratoga National Historical Park and the adjacent areas are home to historically significant battlefield and battlefield sites, protecting the surrounding landscape is important to maintain the historic integrity of the National Park. When reviewing potential visual impacts to Saratoga National Historical Park, the Planning Board will take into consideration the Battles of Saratoga Preservation and Viewshed Protection Plan dated December, 2007.
- (2) Applicability. Prior to the issuance of a grading permit, site plan approval, special use permit, or minor or major subdivision approval on a lot or parcel located wholly or partially within the Viewshed Protection Area line as indicated on the Regulating Plan, the proposed development shall be subject to the standards specified in this section and pursuant to Article VI, Site Plan Review. The Planning Board may waive this requirement if it determines that the proposed development is little to no impact, consistent with applicable law, and will not be visible from Saratoga National Historical Park or other important viewpoints.
 - (3) Review Procedures. An applicant shall be required to submit a site plan in accordance with Article VI. In addition to site plan requirements, the applicant shall provide the following:
 - (a) Existing and proposed structures and improvements, including buildings, roads, and utilities.
 - (b) Existing contour lines at ten-foot intervals to United State Geological Survey datum and proposed grading at two-foot contour intervals within the parcel. The Planning Board may request alternative contour intervals during the review process.
 - (c) Ridgelines, hills and geological formations, including but not limited to rock outcrops and other important land features based on available published documentation or more detailed data obtained by the applicant.
 - (d) Existing and proposed vegetative cover conditions on the property according to general cover type, including cultivated land, permanent grassland, old field, hedgerow, significant forest areas, woodlands, wetlands, isolated trees or small groups of trees with a caliper in excess of 12 inches, and the actual canopy line of exiting trees and woodlands. Vegetative types shall be identified by plant community, age, and condition.
 - (4) Visual Impact Assessment. Based on the site plan, the Planning Board may require the applicant to

undertake a visual impact assessment, which may include:

- (a) A visual assessment map prepared using Geographic Information System (GIS) or similar visual analysis software. The visual assessment map shall take into account the topography and height of the proposed structure and vegetative land cover. The visibility map shall identify potential visibility of all proposed structures from Saratoga National Historical Park. The Planning Board may request line-of-site profiles based on the results of the visual assessment map. For reference purpose, the Planning Board and applicant shall reference NYS Department of Environmental Conservation Program Policy DEP-00-2, "Assessing and Mitigating Visual Impacts."
- (b) Pictorial representations of "before" and "after" views from Saratoga National Historical Park. The Planning Board shall determine the appropriate views from Saratoga National Historical Park during the site plan review process. The Planning Board may request additional consultation from the National Park Services when identify these locations.

- (5) Development Standards. The Planning Board may require any or all of the following items, as it

determines appropriate for the nature and scale of the proposed project:

- (a) General Considerations. Design and development shall address the following elements:
 - [1] Thoughtful siting of all structures to minimize visibility
 - [2] Use of appropriate materials and lighting to minimize potential visual impacts
 - [3] Maximum feasible preservation of existing topographical form
 - [4] Maximum preservation of agricultural and natural resources that contribute to SNHP visual character
 - [5] Maximum preservation of existing vegetation and use of planted screening

- (6) Structure Location and Materials

- (a) The maximum extent practical, all structures shall be located such that their profile's will not visually exceed the height of land or tree line serving as the buildings backdrop or foreground. When referring to 'backdrop' and 'foreground', the description is relative to views from Saratoga National Historical Park or other important viewpoints as determined by the Planning Board. Figure 1 depicts the

manner in which the location of a structure or structures is consistent with this provision.

- (b) Locate all structures in the least visually intrusive manner possible. Locate buildings on the edge of open fields, or just within the edge of bordering woodlands, or create new tree lines, buffers, or screening measures. When development is proposed on land in active agriculture use, it is preferable to keep some land in agricultural production thorough means such as limited development, agricultural restrictions, easement and other conservation tools. Figure 1 depicts the manner in which the location of a structure is consistent or inconsistent with this provision.
- (c) Exterior materials and colors (e.g., roofing, siding, and trim) shall be nonreflective in nature.

(7) Vegetation Preservation and Screening

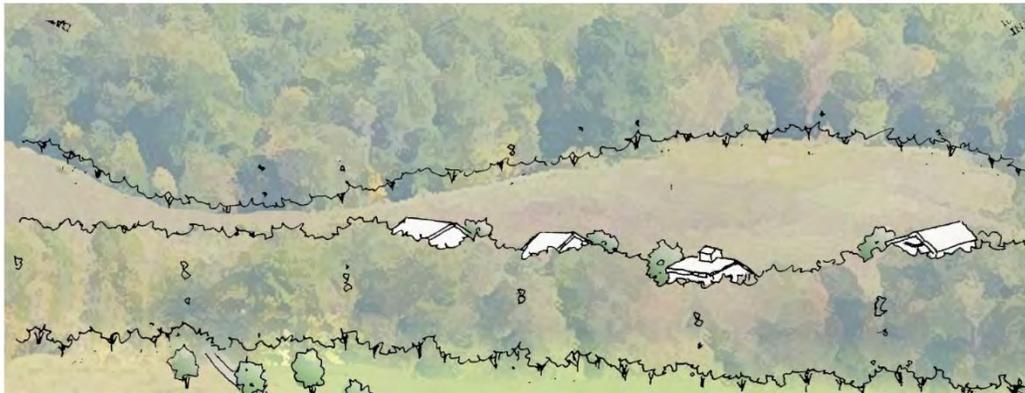
- (a) The removal of existing vegetation that may serve as a buffer or screen proposed structures and other development (e.g., roads, driveways, utilities, etc.) or retain the natural character of the land shall be minimized to the maximum extent practical.
- (b) Plantings to screen or buffer proposed structures in open or visibility prominent areas shall

be used. If existing vegetation provides insufficient buffering or screening, plantings that are compatible with existing vegetation, and/or are composed of native species shall be used. Trees shall be planted in random clusters to simulate the appearance of natural tree stands. Planted buffers or screening should be of a size and density to provide a reasonable expectation of buffering or screening development within five years. The use of nonnative or exotic species is prohibited.

(8) Clearing and Grading

- (a) To the maximum extent practical, cutting and grading shall be minimized. Finished cut and fill slopes shall be constructed to blend with the existing landscaping, conforming with the natural contour of the land, avoiding straight lines, and/or geometric patterns. Unwarranted cutting and filling should be avoided when constructing roads, driveways, and other related structures, using measures as balancing cut and fills, alignment with natural contours, and restricting development to gentle climbing gradients.

Figure 1



U. Waterfront Access and Views of the Waterfront

(1) Waterfront access and opening up of views of the waterfront is encouraged.

(2) Waterfront Views

(a) Where a waterfront-related use is proposed to be established or expanded, the encroachment must, to the greatest extent practicable, avoid, minimize, and/or mitigate adverse impacts, including, but not limited to:

- [1] Deterioration of water quality.
- [2] Loss, fragmentation, and impairment of habitats and wetlands.
- [3] Changes to the natural processes that would increase shoreline flooding and erosion.
- [4] Impacts on physical and visual access to the water.
- [5] Impacts upon historic, archaeological, cultural, or scenic resources.
- [6] Interference with existing waterfront-related uses.

(3) Waterfront Access

(a) A public walkway or multi-use trail along the Hudson River, plus related accessory structures, is encouraged wherever new development occurs.

(b) A public walkway or multi-use trail should be designed and connected to adjacent public walkways or multi-use trails and public rights-of-way, where possible, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), the AASHTO, NACTO, and any other relevant guidelines.

(c) Public access easements may be dedicated to ensure public access to and along a public walkway or trail.

(4) Waterfront Façade

(a) Waterfront façades must comply with front façade window transparency, pedestrian design standards, and building design requirements herein.

(b) A waterfront façade shall be oriented toward the Hudson River.

Application and Review Process

