Town of New Scotland Hamlet Development District Zoning

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Prepared By:

AECOM
Disclaimer

This report was funded in part through a grant from the Federal Highway Administration (and Federal Transit Administration), U.S. Department of Transportation. The views and opinions of the authors (or agency) expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation. This report was prepared in cooperation with the Town of New Scotland, the Capital District Transportation Committee, the Capital District Regional Planning Commission, the Capital District Transportation Authority, Albany County and the New York State Department of Transportation. The contents do not necessarily reflect the official views or policies of these government agencies. The recommendations presented in this report are intended to support the Town of New Scotland’s efforts to implement land use and transportation recommendations identified in the New Scotland Hamlet Master Plan. The zoning language is one of the tools that will help the town realize the vision expressed in the Master Plan. The recommendations do not commit the Town of New Scotland, CDTC, CDRPC, CTDA, NYSDOT, or Albany County to funding any of the improvements identified. All transportation concepts will require further engineering evaluation and review.

Environmental Justice

Increased attention has been given to the National Environmental Policy Act (NEPA) related to its ability to balance overall mobility benefits of transportation projects against protecting quality of life of low-income and minority residents of a community. President Clinton issued Executive Order 12898 to bring attention to environmental and human health impacts of low-income and minority communities – referred to as environmental justice – when federal funding is involved. The goal of environmental justice review is to ensure that any adverse human health or environmental effects of a government action, such as federally-supported roadway or transit project, does not disproportionately affect minority or low-income residents of a community or neighborhood. Environmental justice is a public policy objective that can help improve the quality of life for those whose interests have traditionally been overlooked.

The CDTC staff has completed a review of civil rights/environmental justice impacts of transportation actions proposed under this study. Based on a review of the latest socioeconomic data available, the CDTC staff has determined that there are zero TAZ’s in the New Scotland Hamlet Zoning District that are identified as Environmental Justice Target Population Areas. All of the transportation recommendations for the study would provide fair access and do not result in negative impacts to any minority or low-income residents. However, additional information gathered through the public review process could suggest a different outcome. In addition, examination of regional equity impacts would be necessary if any transportation action is considered for inclusion in CDTC’s Transportation Improvement Program.

Equitable access to, consideration within, and effects of the design and implementation of federally assisted projects is also a key aspect of environmental justice. However, design and construction is the responsibility of implementing agencies in the region. For projects identified in this study, implementing agencies would either be the New York State Department of Transportation, Capital District Transportation Authority, Albany County, or the Town of New Scotland.

EJ Target Population Areas are defined as any TAZ with low income, minority, or Hispanic populations equal to or greater than the regional average.

The regional averages are as follows:

<table>
<thead>
<tr>
<th>Population Type</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minority Population</td>
<td>11.2%</td>
</tr>
<tr>
<td>Hispanic Population</td>
<td>2.6%</td>
</tr>
<tr>
<td>Low Income Population</td>
<td>8.9%</td>
</tr>
</tbody>
</table>
§ 190-101 Hamlet Development District

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§ 190-101 Hamlet Development District

A. Statement of purpose.

The purpose of the Hamlet Development Zoning District is to provide standards that will preserve the physical beauty of the Town of New Scotland and promote its small-town character while supporting mixed-use growth in a thriving, walkable community. Specifically, the New Scotland Hamlet District Zoning (HD) shall:

1. Create a mixed-use district.
2. Protect open space.
3. Protect important viewsheds.
4. Allow a range of small- to medium-scale commercial and institutional uses within easy walking distance of residential homes and encourage local businesses when possible.
5. Accommodate a variety of housing types and discourage one housing type from dominating the streetscape.
6. Ensure commercial and institutional uses have a character that is compatible with small-scale hamlet or village development patterns.
7. Promote pedestrian orientation of streets and buildings.
8. Promote social interaction by requiring specific designs, form, orientation, and aesthetics of businesses, streets, parks, and homes.
9. Require development to be of pedestrian scale, orientation, and design.
10. Give priority to pedestrian and bicycle movement and access to buildings, open spaces, and streets; and discourage design that gives priority to vehicular convenience only.
11. Create connections to the Albany County Rail Trail and other nearby parks, trails, and pedestrian destinations to provide non-motorized access.
12. Create a street circulation system that is compatible with a residential area, minimizes traffic impacts, provides safe and convenient access, and discourages fast or heavy traffic.
13. Use design, scale, building orientation, and landscaping to establish a small town identity.
14. Integrate open and public spaces to provide recreational opportunities for town residents.

B. Procedural requirements.

1. Development in the HD shall be subject to the provisions of and consistent with the requirements and intentions of New Scotland’s Site Plan Review per Section 190-52 and land developments as delineated in the Subdivision and Land Development Ordinance (Chapter 279) regardless of the number of lots developed.
2. Site Plan Review shall be conducted to affirm that the proposed development is consistent with the requirements of this Section (190-101).
3. Public water and sewer service or private centralized water and sewer systems are required for development in the HD at the densities described in this section. Without public water and sewer or private centralized systems, land uses and development...
intensities are limited to those of the Residential Forestry (RF) district.

(4) The HD shall be considered a single zoning district under the requirements of Chapter 190 Zoning. This Section further defines three separate sub-districts to the HD as follows:

(a) Hamlet Center (HD-C). This center shall act as a visible arrival point into the heart of the HD, with a more formal arrangement of building types than other areas of the HD. It should be similar to the building layout and street design found in a traditional village development. It is primarily commercial in nature, but could also include community institutions, multi-family housing, preferably on the upper floors of mixed-use structures with active ground-floor commercial uses. The focus is a large town commons, which shall serve as a public gathering space and distinguishing feature of the HD-C.

(b) Hamlet Expansion (HD-E). This area shall function as a natural extension of the HD-C development and support Hilton Park near the intersection of Route 85A and Hilton Road. Mixed-use development shall be organized around an interconnected network of local streets, served by primary boulevards from the HD-C and Routes 85 and 85A.

(c) Development Area (HD-D). This area consists of clustered residential, commercial, institutional, and mixed-use development clustered near or adjacent to the HD-C and HD-E and away from scenic, environmental, and agricultural resources. These dense nodes of development will be offset with a network of protected open spaces and recreational green spaces, public commons, and trail networks.

(5) Development under planned unit development, Section 190-53, shall be prohibited in the HD.
(6) The areas described above are defined as specific “character areas” in the New Scotland Hamlet Master Plan, which identified their role and appropriate zoning to facilitate the recommended development in each. This Section has incorporated each character area as a separate sub-district. The use, development, and design standards contained in this Section vary for each sub-district, reflecting Master Plan recommendations. The Town Board recognizes that development in the HD may occur over a long period of time, during which minor adjustments could be necessary. Therefore, any applicant proposing a change to sub-district boundaries shall demonstrate the following:

(a) Such modification better serves the intended purposes and goals of the HD as defined in Part A of this Section and the New Scotland Hamlet Master Plan.

(b) Such modifications would not result in adverse impact to adjoining properties or to future inhabitants within the HD.

(c) Such modifications will not result in a decrease in open space below that required in Part M of this HD chapter.

(d) The extent of modification provides the minimum amount of relief necessary to ensure compliance with the provisions in this article.

(e) After review by the Planning Board and a public hearing before the Town Board, the Town Board may, at its sole discretion, decide whether to incorporate the proposed boundary amendment into law.

(7) The above amendment provisions are applicable only to boundary changes for the sub-districts defined in this Section. Any application to change the boundaries of the HD district itself shall follow the provisions of Article XIII of this chapter.
C. Permitted uses. Uses shall be permitted according to the schedule shown in Table 1 below. Any use that is not a permitted use, use by special permit, or an accessory use shall be prohibited.

<table>
<thead>
<tr>
<th>Table 1: Permitted Uses</th>
<th>Permitted Uses</th>
<th>Sub-District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Permitted Uses</td>
<td>HD-C</td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attached single-family dwelling</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Bed and breakfast inn</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Detached single-family dwelling</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Group home</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Multifamily dwelling</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Semi-attached single-family dwelling</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Two-family dwelling</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural and forest management structure</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Animal hospital</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Appliance and small equipment sales and repair</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Artist studio or gallery</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Bar as an accessory use to restaurants, recreational, and entertainment facilities</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Farming, agriculture, nursery</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Financial institutions, without drive-through facilities</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Funeral home</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Health club</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Hotel or inn</td>
<td>NP</td>
<td>SP</td>
</tr>
<tr>
<td>Mixed-use with one or more permitted commercial activities on the ground floor and dwelling units upstairs.</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Mixed-use with one or more permitted non-residential uses</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Neighborhood convenience store (excluding sale of gasoline)</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Office</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Private clubs</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Rental car agency</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Restaurant, without drive-through facilities</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Retail business, without drive-through facilities</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Shopping center</td>
<td>NP</td>
<td>SP</td>
</tr>
<tr>
<td>Specialty shops such as baking, confectionery, dressmaking, dyeing, laundry, shoe repair, printing and copying services, tailoring, and similar shops and services</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Tavern</td>
<td>SP</td>
<td>SP</td>
</tr>
</tbody>
</table>
Table 1: Permitted Uses (cont.)

<table>
<thead>
<tr>
<th>Institutional/Services</th>
<th>HD-C</th>
<th>HD-E</th>
<th>HD-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult day-care center</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Assisted living facility</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Child day-care center</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Educational use</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>House of worship</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Library</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Museum</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Nursing or convalescent home</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Personal service outlet</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Public offices or facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Public parks and playgrounds</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Recreational or entertainment facility, except for shooting ranges, which are prohibited</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Research, experimental or testing laboratory</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Theater</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

Accessory Uses

<table>
<thead>
<tr>
<th>Accessory Uses</th>
<th>HD-C</th>
<th>HD-E</th>
<th>HD-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus shelters</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Child day-care</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Decks and patios</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Electric vehicle charging station</td>
<td>P/A</td>
<td>P/A</td>
<td>P/A</td>
</tr>
<tr>
<td>Energy conversion systems</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Gazebos</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Greenhouses</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Home occupations</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Off-street parking and loading areas</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Recreational vehicle parking and storage</td>
<td>NP</td>
<td>N</td>
<td>A</td>
</tr>
<tr>
<td>Satellite antennas or dishes</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Utility sheds</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
</tbody>
</table>

P = Permitted Use
SP = Special Permit Use
A = Accessory Use
P/A= Permitted and Accessory Use
NP = Not Permitted

D. Lot and block standards

(1) Street layouts shall provide for blocks that are no more than 400 feet deep by 600 feet long. Block lengths shall not exceed 600 feet without a dedicated alley or pathway providing through access.

(2) Development standards shall be according to Table 2 below.
<table>
<thead>
<tr>
<th>Table 2: Development Standards</th>
<th>Sub-District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HD-C</td>
</tr>
<tr>
<td><strong>Residential building setbacks</strong> (See Figure 2) (Except for accessory structures)</td>
<td></td>
</tr>
<tr>
<td>Front yard (measured from back of sidewalk or shared-use path)</td>
<td>Min: 5 ft.</td>
</tr>
<tr>
<td>Minimum side yard (measured from property lot line)</td>
<td>Zero ft.</td>
</tr>
<tr>
<td>Minimum rear yard (measured from property lot line)</td>
<td>20 ft.</td>
</tr>
<tr>
<td><strong>Residential accessory structure setbacks</strong> (See Figure 5 for special requirement for garages)</td>
<td></td>
</tr>
<tr>
<td>Front yard: no accessory structures shall be permitted in the front yard.</td>
<td>N/A</td>
</tr>
<tr>
<td>Minimum side yard</td>
<td>Five ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>Five ft.</td>
</tr>
<tr>
<td><strong>Non-residential building setbacks</strong> (See Figure 3)</td>
<td></td>
</tr>
<tr>
<td>Front yard (measured from back of sidewalk or shared-use path)</td>
<td>Min: 5 ft.</td>
</tr>
<tr>
<td>Minimum side yard; except that no side yard shall be required when two or more commercial uses adjoin side to side.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Minimum rear and side setbacks for development adjacent to single-family or two-family residential development</td>
<td>30 feet for structures up to 15 feet tall, plus 10 feet for each additional 10 feet or story in height.</td>
</tr>
</tbody>
</table>
* The following are exceptions to the maximum height:

- Projections allowed: Chimneys, flagpoles, satellite dishes, lightning rods, vents and other similar items with width, depth, or diameter of three feet or less may extend above the height limit, as long as they do not exceed five feet above the top of the highest point of the roof. If they are greater than three feet in width, depth, or diameter, they are subject to the height limit.

- Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.
Figure 2: Residential Setback Requirements

Residential Setbacks: HD-C

Residential Setbacks: HD-E

Residential Setbacks: HD-D
Figure 3: Multi-Family and Non-Residential Setback Requirements

Non-Residential Setbacks: HD-C

Non-Residential Setbacks: HD-E

Non-Residential Setbacks: HD-D
Figure 4: Route 85A View Shed Setbacks

Building with 100’ Setback that Does Not Maintain Views

Buildings with 50’ Setback that are Set Apart to Maintain Views
E. Design Standards. The following standards are to ensure that all new development in the Hamlet District will be pedestrian in scale and walkable. All development in the district shall meet the following design standards.

(1) All utilities shall be installed underground.

(2) Residential design standards for construction of new structures for single- and two-family residential development.

i. For attached single-family dwellings, no more than eight dwelling units shall be attached in a row.

ii. At least one public entrance of each residential principal structure shall be oriented towards the front lot line or street side lot line. Vehicular openings, such as those for garages and carports, shall not constitute a public entrance.

iii. The front and street side exterior walls of each residential principal structure shall each contain a minimum of 15 percent of transparent or translucent materials on each story below the roofline. Garage facades shall be included in the transparency/translucency calculation.

iv. Pedestrian access from the public sidewalk, street right-of-way, or driveway to the front doorway of the residential principal structure shall be provided via an improved surface.

v. In order to make the living area of a residence more visually dominant than its parking facilities, all garages or carports (whether detached, attached to, or incorporated within the principal structure) shall be recessed at least 10 feet behind the front façade of the principal structure or required minimum front yard setback, whichever is greater. Where feasible, side-facing garages, i.e. with garage doors facing away from the street, are preferred. When an alley is present, garages shall be located in the rear yard and accessed through the alley.

vi. Where the front yard setback is at least 10 feet, a porch may extend into the required front yard setback up to eight feet. Roof projections, i.e. eaves, may extend beyond the eight feet but not extend into the required setback more than 10 feet. Wherever such an extension into the front yard setback has been approved, no other modification of front yard setback standards shall be approved by the Building Inspector.
Figure 5: Single-Family Garage Setbacks

Single-Family Residential Setbacks for Garages and Porches

Figure 5: Single-Family Residential Setbacks for Rear Alleys and Porches

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(3) Where several attached single-family dwellings are located on one lot, the following separation distances shall be applicable (See Figure 6):

(a) Front-to-front, rear-to-rear, or front-to-rear parallel buildings shall have at least 30 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as 10 feet at one end, if increased by similar or greater distance at the other end.

(b) A minimum yard space of 30 feet is required between end walls of buildings where both end walls contain windows and 20 feet if buildings do not contain windows. If the buildings are at angles to each other, the distance between the corners of the end walls of buildings where both end walls contain window may be reduced to a minimum of 20 feet.

(c) Minimum yard space of 30 feet is required between end walls and front or rear faces of buildings.

(4) Additional residential design standards in the HD-C and HD-E Sub-districts.

(a) Single- and two-family residential development.

i. No more than two contiguous dwelling units shall have the same continuous roof ridgeline.

ii. Front façade materials shall be of high quality as determined by the Planning Board and applied with quality workmanship as determined by the Building Inspector.

iii. Front facades shall be visually articulated. The preferred method of façade articulation shall be staggered offset facades constructed such that no more than two dwelling units in any one building have more than 60 percent of their front façade on the same vertical plane as any other dwelling unit in the same building. Where offsets are not possible or practical, the following methods of visual articulation shall be used:

1. Differentiation of façade materials including use of stone, brick, or other siding materials.

2. Porches of variable styles and materials.

(5) Additional design standards in the HD-C and HD-E Sub-districts for non-residential and multi-family development (3 or more units).

(a) Building Orientation and Entrances:

i. The front façade of buildings shall be oriented towards the street and sidewalk, with the primary entrance located in this front façade. Exceptions to the front façade orientation requirement may be considered for parcels fronting Route 85A if alternative building orientation would contribute to viewshed preservation.

ii. Buildings located on a corner lot shall be oriented to the primary street as determined by the Building Inspector, and orientation to both public streets is encouraged.

iii. All primary building entrances shall be accentuated. Entrance accentuations may include recessed or protruding entrances and/or the use of canopies, porticos or overhangs.
(b) Windows:

i. Windows shall be appropriate to the architectural style, materials and detailing of the building. To the greatest extent possible, windows shall be proportioned vertically.

ii. The ground floor front façades of retail buildings shall include a minimum of 40 percent window coverage with views provided through these windows into the business.

iii. Upper story windows of front façades shall not be boarded or covered and facades shall include windows in the façade above the ground floor.

iv. Upper story windows shall be aligned with windows, doors and other aesthetic and structural elements on the first floor.

v. Smoked, reflective, opaque or black glass in windows is prohibited.

(c) Roofs:

i. The following roof types are permitted: gable, cross gable, and pitched.

ii. Flat roofs are prohibited on one-story buildings. Flat roofs are allowed on buildings of two stories or more provided that all visibly exposed walls have articulated cornices that project horizontally from the vertical building wall planes. All roof and utility equipment must be 100 percent screened or within the building enclosure.
(d) Façade Articulation.

i. Facades shall have horizontal articulation elements: At a minimum, facades shall have the following horizontal elements: window sills, window lintels, protruding horizontal courses on each floor of the building, and cornices. See Figure 7.

ii. Facades shall have a distinct base of at least eighteen inches in height at ground level using materials that are different from the main façade such as stone, masonry, or decorative concrete. See Figure 7.

iii. Facades shall have vertical articulation at a maximum distance of every 30 feet of continuous façade. Vertical articulation shall be created through changes in plane or building material for a minimum of 12 inches in width and protruding a minimum of 12 inches. See Figure 7.

iv. The top level shall be demarcated by a distinct outline with elements such as projecting parapet, cornice, or other projection. See Figure 7.

v. To further articulate the building façade and increase architectural interest while facilitating all-weather comfort of pedestrians, continuous awnings (both permanent and retractable), canopies, and building overhangs, including arcade structures with occupied space above, are encouraged along the street frontages.

vi. All building facades (front, side, or rear) facing Route 85 or Route 85A shall meet the visual articulation standards described in i-iv above.
Figure 7: Elements of Facade Articulation

Elements of Facade Articulation

Facade Articulation on Mixed-Use or Commercial Structures
F. Requests for modifications to design standards.

Design standards contained in Part E above are intended to provide reasonable standards for the orderly development of low- to moderate-intensity commercial and single- and multi-family residential uses in a walkable development. The standards are designed to minimize traffic congestion, provide for public conveniences, preserve viewsheds, encourage pedestrian and bicycle activity, and provide for architecturally attractive building facades while preserving the unique small town character of New Scotland. Any applicant proposing a design that differs from these standards shall demonstrate the following:

1. Such modification better serves the intended purposes and goals of the HD as defined in Part A of this Section and the New Scotland Hamlet Master Plan.

2. Such modification would not result in adverse impact to adjoining properties or to future inhabitants within the HD.

3. With suggestions from the Planning Board and following a public hearing before the Town Board, the Town Board may, at its sole discretion, decide whether the proposed design is consistent with the purpose and intent of the HD.

G. Design standards for improvements to and reuse of existing buildings in the HD District.

1. The Town Board expects that where an applicant is improving or changing an existing structure to accommodate a change in use, the applicant shall integrate any of the following design standards that are relevant to the improvements being completed. The applicant shall illustrate how a new use within an existing structure attempts to accommodate the following standards:
   a. Locate primary building entrances to the street.
   b. Provide more than 25 percent transparent or translucent materials on each story below the roofline.
   c. Locate parking to the side or rear of the principal building.
   d. Utilize pedestrian-scale façade articulation and changes in plane on all facades to distinguish each building story and imply regularly spaced storefronts between 20 to 40 feet.

H. Circulation standards. The New Scotland HD shall be designed with an interconnected network of circulation systems that facilitates vehicular, pedestrian, and bicycle use. An interconnected street pattern will create multiple routes in the development and limit the use of isolated cul-de-sacs. Bikeway and trail systems will complement the street network. Narrow streets that use traffic-calming techniques will promote pedestrian use. Circulation standards are as follows:

1. Pedestrian circulation. Efficient and safe pedestrian circulation is an important goal of the Hamlet District.
   a. Where feasible, existing pedestrian routes shall be retained and enhanced. Where infeasible, new routes shall be created.
   b. All streets, except for alleys, shall be bordered by sidewalks on both sides as defined below by Section 190-101(H)(3)(b).
   c. Sidewalks shall be provided along existing streets connecting the HD to existing or future development adjacent to the HD.
   d. Sidewalks shall be compliant with the Americans with Disabilities Act.
   e. Trails shall be not less than eight feet in width.
(f) Sidewalks shall be separated from street curbs by a planting strip not less than six feet wide. In the HD-C, the sidewalk width may be increased to 10 feet wide and include grated tree wells and decorative paving used in lieu of planting strips.

(2) Bicycle circulation. Efficient and safe bicycle circulation is an important goal of the Hamlet District.

(a) Where feasible, existing bicycle routes shall be retained and enhanced. Where unfeasible, new routes shall be created.

(b) On-road bicycle lanes shall be a minimum of six feet in width.

(c) Shared-use sidepaths shall be a minimum of 12 feet in width.

(d) Where bicycle lanes are infeasible, “sharrows” shall be painted and/or bicycle signage shall be installed.

(e) Facilities for bicycle travel may include off-street bicycle paths which may be shared with pedestrians and other non-motorized users.

(f) All off-street bicycle and shared use paths will remain privately owned and maintained under the provisions of Section N below.

(3) Vehicular circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles.

(a) General guidelines for street design:

   ii. Streets shall be designed and located so as to minimize alteration of topography, natural water bodies, and areas of significant vegetation.

   iii. Streets shall accommodate safe pedestrian movement and bicycle traffic.

   iv. Street design shall incorporate traffic-calming techniques such as neck downs, chicanes, traffic circles, and medians to encourage slow traffic speeds.

   v. Streets shall be designed with minimized asphalt areas so as to limit impervious area.

(b) Street designations. Each street within the HD shall be classified according to the following:

   i. Route 85 and Route 85A. The two existing major roadways in the HD shall be retrofitted with sidewalks and a shared-use side path when development occurs per the standards illustrated in Figure 12. Where right-of-way is inadequate to construct such facilities, they shall be constructed on private property and made publicly accessible by an easement provided per the standards of Section N below. The private land used for any sidewalk, pedestrian buffer, or sidepath along Routes 85 and 85A shall be counted towards the minimum percent open space requirement. All building setbacks shall be from the back of the sidewalk or multi-use path.

   ii. Boulevard. Provided with a landscaped median, the boulevard is a short-distance connector between Hamlet Development Districts and core areas such as the HD-C and open space uses. Boulevards may also provide circulation around squares and neighborhood parks.

   iii. Main street. Main streets provide access from Routes 85 and 85A and are part of the HD’s major street network.
iv. Local street. Local streets provide access to all residential uses. On-street parking is permitted on both sides of the street.

v. Neighborhood street. Neighborhood streets provide access to single-family and semidetached residential uses and connects to streets higher function. On-street parking is permitted on only one side of the street.

vi. Alley. Alleys provide secondary access to properties. Utilities may be located within alley rights-of-way.

(c) Street layout. The intent of this Section is to assure that streets from adjoining properties connect.

i. Streets shall terminate at other streets or at parks or open space. Main streets and local streets may terminate in stub streets at the property boundary so they connect to future phases of development or adjoining properties.

ii. Local streets and neighborhood streets may terminate at designated parking facilities for a pedestrian and bike path network.

iii. Cul-de-sacs shall be avoided. If necessary they shall terminate at the property boundary and shall connect to future phases of development or adjoining property.

(d) Center-line turning radii. Tight turning radii at street intersections shorten pedestrian crossings and inhibit drivers from turning corners at high speeds.

i. Proposed boulevards and main streets shall have a minimum center-line turning radius of 166 feet.

ii. All other streets in the HD shall have a minimum center-line turning radius of 89 feet.

iii. To allow for emergency vehicles to turn corners, a clear zone free of fixed objects shall be established.

I. Street standards. The chart below describes the street design standards for the HD. Table 3 and Figures 8-10 illustrate required and recommended design elements.
<table>
<thead>
<tr>
<th>Street Type</th>
<th>No. Travel Lanes</th>
<th>Parking</th>
<th>Sidewalks and bike lanes</th>
<th>Minimum Lane Width (feet)</th>
<th>Median Width (feet)</th>
<th>Minimum ROW Width (feet)</th>
<th>Curb</th>
<th>Maximum Curb Radii (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boulevard</td>
<td>2</td>
<td>When necessary</td>
<td>Yes/ Side path or bike lane</td>
<td>11*</td>
<td>Min.: 5 Max. 11</td>
<td>Varies with median</td>
<td>Yes</td>
<td>25</td>
</tr>
<tr>
<td>Routes 85 and 85A</td>
<td>2</td>
<td>No</td>
<td>Yes/ Side path</td>
<td>Varies</td>
<td>Varies</td>
<td></td>
<td>Yes</td>
<td>25</td>
</tr>
<tr>
<td>Main street</td>
<td>2</td>
<td>2 sides</td>
<td>Yes</td>
<td>11</td>
<td></td>
<td></td>
<td>Yes</td>
<td>20</td>
</tr>
<tr>
<td>Local street</td>
<td>2</td>
<td>2 sides</td>
<td>Yes</td>
<td>10</td>
<td></td>
<td></td>
<td>Yes</td>
<td>20</td>
</tr>
<tr>
<td>Neighborhood street</td>
<td>2</td>
<td>1 side</td>
<td>Yes</td>
<td>10</td>
<td></td>
<td></td>
<td>Yes</td>
<td>20</td>
</tr>
<tr>
<td>Alley</td>
<td>1</td>
<td>No</td>
<td>No</td>
<td>8</td>
<td></td>
<td></td>
<td>No</td>
<td>10</td>
</tr>
</tbody>
</table>

*NOTE: Street width shall not include width of median*
Figure 8: Design Standards for New Streets

Boulevard

Main Street

Local Street

Neighborhood Street

Alley

* Bike facilities shall comply with the design standards set forth in Figure 9
Figure 9: Design Standards for Routes 85 and 85A

Figure 10: Design Standards for Trails on and Adjacent to Roadways
J. Street lighting. Street lighting shall be provided along all streets to enhance the character of the HD in a manner consistent with the design standards of this Section and acceptable to the Town. More frequently placed smaller-scale lights, as opposed to fewer, taller, high-intensity lights, shall be used. The scale of lighting fixtures and the illumination provided must be appropriate for both pedestrian and vehicular movements. Full cut-off luminaires shall be used to prevent upward light. Shields shall be used to eliminate glare into windows of adjacent buildings and at ground level.

K. Off-street parking. Off-street parking and loading space, pedestrian walkways, and motor vehicle access shall be provided in accordance with Sections 190-23 through 27 of this chapter. No storage, loading, or unloading space shall project into the required yard space.

L. Surface parking design standards (See Figure 11).

1. General Standards (in addition to the requirements of Sections 190-23 and 24):

   a. Vehicular Access. Vehicular access to surface parking shall be from an alley or the secondary street frontage where possible.

   b. Pedestrian Access. Safe provisions for pedestrian access to and through a parking lot shall be required. Pedestrian walkways through the surface parking shall connect to sidewalks along public streets.

   c. Electric Vehicle Supply Equipment. Surface parking lots must be pre-wired with charging infrastructure.

   d. Location of surface parking:

      i. All off-street parking spaces shall be located to the side or rear of the principal structure occupying a lot. No off-street parking shall be permitted in the front yard.

      ii. Surface parking shall be set back five feet from the sidewalk.

2. Interconnected parking areas:

   a. Parking areas on abutting non-residential lots shall be interconnected by access driveways wherever possible.

   b. Each parking lot shall provide cross access easements for its parking areas and access driveways guaranteeing access to adjacent lots. Interconnections shall be logically placed and easily identifiable to ensure convenient traffic flow.

3. The number of parking spaces shall be provided in accordance with Section 190-23, Off-street Parking, of the Zoning Ordinance.

4. Provision for electric vehicle charging.

   a. Accommodation of electric vehicle charging in one- and two-family homes. Parking for each unit shall be pre-wired to accommodate at least one space capable of supporting electric vehicle supply equipment (EVSE).

   b. Accommodation of electric vehicle charging in multi-family dwellings and non-residential uses. At least three percent of the total parking spaces, but not less than one space, shall be capable of supporting EVSE.

   c. Designation of parking spaces for electric vehicles. Places of public accommodation with at least one-hundred parking spaces available for use by the general public shall have at least one parking space designated exclusively for electric vehicles and
equipped with an electric vehicle charging system. Spaces shall be designated, clearly marked, and the exclusive designation enforced. Owners of adjoining parking facilities within the Town may designate and provide electric service to fewer parking spaces than required in one or more of their owned properties; provided that the scheduled requirement is met for the total number of aggregate spaces on all of their owned properties.

**Figure 11: Parking Lot Designs**

M. Open space. Open space shall be preserved throughout the Hamlet Development District in order to preserve New Scotland’s small-town, rural character.

(1) Each HD development application shall devote land to publicly accessible open space in accordance with the following minimum allowances:

(a) HD-C: 25 percent minimum open space.

(b) HD-E: 45 percent minimum open space.

(c) For the HD-C and HD-E sub-districts, the following activities or land uses shall not be included in the calculation of designated open space:

i. Land considered unbuildable, including streams, open water, wetlands, slopes of 15 percent or more, and the 100-year floodplain.

ii. Existing rights-of-way and utility easements.

iii. Stormwater management facilities.

(d) HD-D: 60 percent minimum open space.

(e) For the HD-D sub-district, no more than 50 percent of the following activities or land uses may be included in the calculation of designated open space:

i. Land considered unbuildable, including streams, open water, wetlands,
slopes of 15 percent or more, and the 100-year floodplain.

ii. Existing rights-of-way and utility easements.

(f) For the HD-D sub-district stormwater management facilities shall not be included in the calculation of designated open space.

(2) Open space and parks shall be designed and constructed per Table 4. The following objectives shall be achieved where possible:

(a) Protection of important natural, historic, and cultural resources.

(b) Preservation of scenic views from inside and outside the development, from public roads, and neighboring properties.

(c) Provision of new and/or connections to existing off-road trails, greenways, bikeways, linear parks, or open space on adjoining parcels as presented in Figure 12.

(d) All new trails, greenways, and bikeways shall be constructed to AASHTO standards.

(e) Recreation areas and equipment throughout the HD shall be made usable by Town residents.

(f) Establishment of public open space, including public greens, squares, and commons, as a focal point of the HD-C.

(g) Interconnection of areas of proposed open space within the HD with existing or planned open space or recreational facilities on lands adjoining the HD parcel.

(h) As part of the open space requirements, park types shall adhere to the following.

<table>
<thead>
<tr>
<th>Park Type</th>
<th>Minimum Area (Square feet)</th>
<th>Maximum Area (If applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood/Pocket Park</td>
<td>3,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Plaza</td>
<td>2,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Public Square/ Commons</td>
<td>20,000</td>
<td>n/a</td>
</tr>
<tr>
<td>Active Recreation</td>
<td>40,000</td>
<td>n/a</td>
</tr>
<tr>
<td>Conservation</td>
<td>130,000</td>
<td>n/a</td>
</tr>
<tr>
<td>Agriculture</td>
<td>220,000</td>
<td>n/a</td>
</tr>
</tbody>
</table>

(3) The applicant shall demonstrate compliance with the objectives listed in Section 190-101(A) through the provision of an Open Space Plan. Each Open Space Plan shall include:

(a) Location and size of proposed commons, greens, and/or squares.

(b) Identification of connections among all existing and proposed areas of open space, both within the HD parcel and adjoining parcels.

(c) Location, type, and size of proposed recreational equipment.

(d) Location and size of trails, greenways, and other pedestrian linkages, including the proposed surface treatment.
(e) A landscape plan prepared by a licensed Landscape Architect that includes information as outlined in Section N below.

(4) Arrangement and configuration of open space shall relate to the design of the HD and shall be usable by and/or accessible to residents of the proposed development. Strips of land three feet or less in width along the perimeter of the HD parcel or separating proposed lots within the HD shall not be counted as open space to meet the required minimum unless such land is improved with walking trails, fitness stations, or other improvements acceptable to the Town Board or unless such land is, in the opinion of the Board, integrated and integral to the overall open space design.

(5) Each HD development containing 100 or more dwelling units shall have at least one open space park as described in Table 4, containing not less than 20,000 square feet. Other greens, squares, and commons of not less than 1,000 square feet shall be dispersed throughout the HD. A green, square, or common that meets the requirements of Subsection 3 above may be included within the required minimum open space.

(6) In the HD-C:
   (a) Open space shall be organized around a public square/town commons.
   (b) Pedestrianized streets (those that prohibit motorized vehicles except for deliveries at specific times, emergency access, or other such temporary access) can be used to help meet the open space requirement.
   (c) Applicants are encouraged to use permeable paving for public spaces and pedestrianized streets in the HD-C, and use of such materials shall receive a 50 percent permeability credit, such that a 5,000 square foot space paved in permeable paving materials will count as only 2,500 square feet of impervious surface.

(7) A hard- or soft-surfaced pedestrian and bicycle network system linking development within the HD shall connect greens, squares, and commons depicted on the open space plan. Access to all such areas shall connect with public streets or publicly accessible private streets. Where necessary, developers shall provide easements to accommodate pedestrian access as well as access for maintenance equipment and bicycles.

N. Open space management. Open space management provides guidance as to how open space shall be maintained and managed.

(1) Development in designated open spaces is prohibited.

(2) The boundaries of designated open space areas, recreation areas, stormwater management facilities, and green space shall be clearly delineated on plans, including record plats, and marked in the field with signage approved by the Planning Board to distinguish these areas from private property and to identify these areas as open space.

(3) Ownership of open space shall be designated through one of the following options. The selected option must be approved by the Planning Board before the final subdivision plat may be recorded:
   (a) Ownership by a single subdivision property owner.
   (b) Ownership by a homeowner’s association.
   (c) Ownership by a not-for-profit land conservation organization.
   (d) Ownership by the Town.
   (e) Conservation easement.

(4) Where the designated open space is owned by a subdivision property owner or a
homeowners association, a conservation easement shall be granted on use of the open space and recorded in favor of a not-for-profit land conservation organization or the Town granting said organization or Town the right to enforce the conservation easement. If the conservation easement is granted to a land conservation organization, the Town shall be granted a third-party right of enforcement of the easement.

(5) The conservation easement shall:

(a) Contain the description of the property and list permitted uses approved by the Planning Board.

(b) State that the following activities are prohibited:
   i. Use of motor vehicles except for maintenance, law enforcement, emergency, and farm vehicles are permitted, as needed.
   ii. Cutting of healthy trees or specimen trees,
   iii. Regrading or topsoil removal.
   iv. Altering, diverting, or modifying water courses or bodies, except in compliance with a land management plan for the parcel in question conforming to customary standards of forestry, erosion control, and engineering.
   v. Constructing roads, utility structures, driveways, or any principal or accessory structure, except agricultural buildings and utility lines. In addition, no part of the open space shall be used for residential, industrial, or commercial purposes except in connection with active agricultural and forestry use.
   vi. Emergency training or other activities that may cause or contribute to significant damage or degradation of the open space.

(c) The conservation easement shall include provisions that natural features be maintained in their natural condition, but may be modified to improve their appearance, functionality, or overall condition, as recommended by experts in the particular area being modified. Permitted modifications may include:
   i. Reforestation.
   ii. Woodland management.
   iii. Meadow management.
   iv. Buffer area landscaping.
   v. Streambank protection.
   vi. Wetlands management.
O. Riparian setbacks.

(1) Riparian setbacks on designated watercourses shall be established as follows: a minimum of 75 feet from each bank of all designated watercourses identified on Figure 14, Riparian Setback Map.

(2) The following regulations shall apply to riparian setbacks.

(a) Riparian setbacks shall be measured in a horizontal direction outward from the ordinary high water mark of a designated watercourse.

(b) Except as otherwise provided in this regulation, riparian setbacks shall be preserved in their natural state.

(c) Where a wetland is wider than the minimum riparian setback on either or both sides of a designated watercourse, the minimum riparian setback shall be extended to include the outermost boundary of the wetland, plus the following additional setback widths based upon the particular wetland category. Wetlands shall be delineated through a site survey prepared by a qualified wetlands professional retained by the lot owner using delineation protocols accepted by the U.S. Army Corps of Engineers at the time of the application of these regulations.

   i. An additional setback of 50 feet extending beyond the outermost boundary of a Category 3 Wetland.

   ii. An additional setback of 30 feet extending beyond the outermost boundary of a Category 2 Wetland.

   iii. No additional setback shall be required beyond the outermost boundary of a Category 1 Wetland.

(3) The Town shall create a map identifying designated watercourses. Said map is attached hereto and made a part of this regulation and is identified as Figure 14. The riparian setback map may be utilized as a reference document by the Building Inspector and the Zoning Board.

(4) If land development or soil disturbance activities will occur within 50 feet of the outer boundary of the applicable riparian setback as specified in these regulations, prior to the initiation of any land development or soil disturbance activities, the riparian setback shall be clearly delineated on the affected lot by the applicant with construction fencing as shown on the site plan and shall be maintained on the lot until the completion of such development or disturbance activities.

(5) Only the following buildings, structures, and uses may be permitted within a riparian setback without a zoning certificate:

   (a) Recreational Activities: Fishing, hunting, picnicking, picnic tables, picnic shelters, and wildlife observation areas; trails, walkways, and paths for non-motorized vehicles constructed of pervious materials.

   (b) Removal of Damaged or Diseased Trees: Damaged or diseased trees and other associated debris may be removed.

   (c) Maintenance and Repairs: Maintenance and repair on roads, driveways, bridges, culverts, trails, walkways, paths, wastewater treatment plants and appurtenances, water wells, water treatment plants and appurtenances, storm sewers, and on-site sewage systems.

   (d) Open Space: Passive open space to preserve the riparian setback area in its natural state.
Figure 13: Riparian Corridors
P. Landscaping and screening.

Existing features that would add value to development, such as trees, watercourses, historic locations, and similar irreplaceable assets, shall be preserved, insofar as possible, through harmonious design of the subdivision. Owners and/or developers shall remove only those trees necessary to make the construction feasible; all other vegetation shall be left in place and shown on site plans. No lot shall be cleared completely of existing trees except by the approval of the Planning Board.

(1) Landscape plan. The applicant shall provide a landscape plan, prepared by a registered landscape architect, for all development in the HD. The landscape plan shall include the following:

(a) Identification and location of existing vegetation, including specific location of each tree 6 inches in diameter or greater.

(b) The type and size of proposed vegetation.

(c) Location and specifications of lighting proposed for all portions of the open space.

(d) The location of proposed street landscaping and the type, size, and location of proposed street trees.

(e) The type, size, and location of landscaping for areas to be screened.

(f) The type, size, and location of parking lot landscaping.

(2) Street trees. Shade trees shall be provided and installed in accordance with the landscape plan.

(a) A minimum of one deciduous canopy tree per 35 feet of street frontage, or fraction thereof, shall be planted parallel to the street along all streets and access roads, except for alleys.

(b) Trees shall be selected that are appropriate for their location. The following factors shall be considered when selecting a tree species: maintenance requirements, hardiness, heat tolerance, drought tolerance, salt tolerance, shape and form, the presence of overhead wires, and the subsurface growing conditions. The use of native species is encouraged. Invasive species are prohibited.

(c) Street trees shall not be permitted within any required clear sight triangle.

(3) Screening.

(a) Screening shall be required for the following areas when fronting public streets, sidewalks, or trails or when abutting residential uses:

i. Dumpsters, trash, disposal or recycling area.

ii. Service or loading dock.

iii. Public utility facilities.

iv. Any other element determined by the Building Inspector to have a similar visual impact.

(b) Screening for elements listed above shall conform to the following:

i. A landscaped area at least five feet wide along the public street, sidewalk, trail, or abutting residential use.
ii. Screening a minimum of six feet high and 100 percent opaque.

iii. A decorative fence or masonry wall that is 100 percent opaque; or a combination of landscaping and decorative fence or masonry wall as prescribed above.

(4) Parking lot landscaping. All parking lots fronting public streets or sidewalks and all parking lots abutting residential uses shall provide:

(a) Screening a minimum of three feet high and a maximum of five feet high with breaks for pedestrians a minimum of every thirty feet and a maximum of every forty feet.

(b) Screening shall consist of either:

   i. A landscaped area not less than 50 percent opaque;

   ii. A decorative fence or masonry wall not more than 50 percent opaque; or a combination of landscaping and decorative fence or masonry wall as prescribed above.

(c) Interior parking lot landscaping. All surface parking lots of 20 spaces or more shall have shade trees with a minimum caliper of 2.5 inches. One shade tree per 12 spaces is required in planting islands or diamonds evenly spaced throughout the parking lot between every 12 spaces.

   i. Planting islands. Planting islands shall be a minimum of four feet wide. The islands shall be protected by curbing or bollards. If curved, the planter shall have at least one curb cut to allow stormwater runoff to enter the planter. Each planting island shall contain at least one shade tree plus ground cover to cover the entire area.

   ii. Planting diamonds. Planting diamonds shall be a minimum of five feet by five feet and placed at the intersection of four parking spaces. The diamonds shall be protected by curbing or bollards. If curved, the planter shall have at least one curb cut to allow stormwater runoff to enter the planter. Each planting diamond shall contain at least one shade tree plus ground cover to cover the entire area.

(5) Site landscaping shall conform to the following:

   (a) Plants shall be selected that are appropriate for their location. The following factors shall be considered when selecting a plant species: maintenance requirements, hardiness, heat tolerance, drought tolerance, salt tolerance, shape and form, the presence of overhead wires, and the subsurface growing conditions. The use of native species is encouraged. Invasive species are prohibited.

   (b) Planters shall not obstruct the sight triangles. Planters shall not encroach into the sidewalk so that less than five feet of sidewalk is available for pedestrians.

   (c) Window boxes. Window boxes shall be at least as wide as the window sill where they are located (at least nine inches wide by nine inches deep). Window boxes shall not encroach into the sidewalk so that less than five feet of the sidewalk is available for pedestrians.

   (d) Hanging baskets, planters, and window boxes shall contain live plantings.

(6) Existing trees. Protection of existing trees, especially specimen trees, shall be included on the landscape and site plans.
Q. Signs

(1) Maximum signage area and number of signs.
   (a) A maximum of two signs are permitted per non-residential lot.
   (b) A maximum of three signs are permitted per non-residential lot with more than one street frontage, provided that not more than two signs are permitted per street frontage.
   (c) The maximum total permanent sign area permitted is 20 percent of the primary building frontage, up to a maximum of 50 square feet.

(2) Signs requiring permits.
   (a) Parallel wall signs:
      i. No parallel wall sign shall project more than 12 inches beyond the building.
      ii. Parallel wall signs shall not exceed 15 percent of the front first-story façade. Individual parallel wall signs are allowed for each separate business or tenant; however, the total parallel wall sign area shall not exceed 15 percent of the front first-story façade.
   (b) Projecting signs:
      i. Projecting signs shall be no lower than eight feet above grade.
      ii. The maximum projecting sign area shall not exceed 10 square feet.
      iii. The maximum height of the projecting sign shall not exceed the eave line or top of the parapet wall of the principal building, whichever is lower.
   (c) Window signs:
      i. Permanent window signs shall not exceed 15 percent of the total glass area of the window.
   (d) Awning signs:
      i. Awnings shall be fabric awnings and not plastic or backlit awnings.
      ii. Sign lettering and/or logo shall be limited to 10 percent of the awning area.
      iii. The awning shall maintain a vertical clearance of seven feet above the sidewalk.
   (e) Freestanding signs:
      i. Freestanding sign supports shall be made of wood or metal.
      ii. Freestanding signs shall not exceed 20 square feet.
      iii. Signs shall not exceed six feet in height.
      iv. No more than one freestanding sign is permitted per property.
   (f) Marquee signs:
      i. Marquee signs shall not exceed 150 square feet.
      ii. Marquee signs shall maintain a vertical clearance of 10 feet above the sidewalk.
(g) Monument signs:
   i. Monument signs shall be constructed of materials that complement the
      building structure.
   ii. Signs shall not exceed 20 square feet.
   iii. Signs shall not exceed six feet in height.
   iv. Monument signs shall have coniferous or all-season landscaping around the
      sign base.

(h) Sandwich board signs:
   i. Sandwich board signs are permitted on the sidewalk, provided that a
      minimum walking distance of five feet is maintained to allow for a pathway
      for pedestrians.
   ii. Signs shall not exceed eight square feet.
   iii. Signs shall not exceed three feet in height.
   iv. Signs shall not be lit.
   v. Signs shall not be constructed of plastic or contain channel lettering.
   vi. Signs shall be taken inside at the close of business or midnight, whichever
       occurs first.
   vii. Signs shall be weighted at the base so that the sign cannot be moved by
        strong winds; however, no sign shall be chained, tied, or otherwise affixed to
        any object, structure, or the ground.
   viii. Only one sandwich board sign shall be permitted, and it shall be located in
        front of the business it advertises.
   ix. Use of a sandwich board sign shall require an annual permit from the Town
       Building Department. The applicant shall agree as a condition of the issuance
       of such permit to comply with the requirements of this subparagraph and to
       assume liability for any damage or injury resulting from the use of such sign.

(i) Temporary signs
   i. Signs advertising sale or rental of the premises upon which they are erected
      shall not exceed 20 square feet. Signs advertising that the premises has been
      sold or rented shall not exceed six square feet.
   ii. Signs of mechanics, painters, and other artisans erected during the period
       such persons are performing work on the premises, provided that the size
       of any such signs shall not exceed 12 square feet.

(3) Signs not requiring permits.

   (a) Building identification signs: Building identification signs shall not exceed two
       square feet. Only the building name, property number, and/or street address shall
       be designated on these signs.

   (b) Directional signs: Directional signs shall not contain advertising, not exceed four
       square feet, and not obstruct the sight triangles at internal intersections on the
       premises.
(c) Menus and signs indicating business hours:
   i. Signs shall not exceed two square feet.
   ii. Signs shall be located in permanently mounted display boxes on the façade of
       the building adjacent to entrances, displayed within windows adjacent to
       entrances, or at podiums that shall be placed inside the restaurants upon closing.
   iii. Signs shall not be affixed with adhesive tape or other semi-permanent mounting
        technique.

(4) Sign illumination.
   (a) No flashing elements, rotating, pulsing, "marching," or oscillating light sources,
       lasers, beacons, strobe lighting, video, streaming video, moving pictures, or
       animated graphics are permitted.
   (b) Halo-lit illumination, or reverse channel letters with halo illumination are
       recommended.
   (c) External illumination shall be unobtrusive (e.g., gooseneck lighting).
   (d) External lighting shall be shielded to avoid glare. Full cut-off luminaires shall be
       used to prevent upward light. Shields shall be used to eliminate glare into windows
       of adjacent buildings and at ground level.
   (e) Barbershop poles shall be permitted with rotating pole and lighting.

(5) Prohibited signs
   (a) Backlit box signs.
   (b) LED scrolling signs.
   (c) Residential subdivision identification signs.
   (d) Inflatable signs.
Proposed Supporting Amendments to Implement the Hamlet Development Zoning

**Amend Section 190-52: Site Plan Review to require site review for all development in the HD District by adding the following to 190-52(A)(2):**

(h) All development in the Hamlet Development (HD) District

**Amend Section 190-99: Definitions to add the following definitions:**

ANIMAL HOSPITAL -- A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits, birds, or fowl. Boarding of such animals shall be for medical or surgical treatment.

APPLIANCE AND SMALL EQUIPMENT SALES AND REPAIR -- A service and facility where various types of electrical, electronic, and mechanical equipment, and home and business appliances are repaired and/or maintained away from the site of the equipment owner. Does not include vehicle repair or maintenance.

ART GALLERY -- A structure or building utilized for the display of art work, including paintings, sculptures, paints, jewelry for sale to the public. May also include framing of artwork.

ARTIST STUDIO -- A workshop or workroom for the creation of fine art and crafts, such as painting, sculpturing, photography, or other handmade pieces of art. The space may include a residential unit and/or a teaching area for groups of 10 or fewer.

ASSISTED LIVING FACILITY -- Housing designed primarily for disabled, elderly, or retired persons in which additional nonresident services may be included as an incidental use. Such incidental uses may include help with daily living activities, retail, dining, medical services, and entertainment.

AWNING SIGN -- A sign painted on or applied to a structure made of cloth, canvas, or similar material which is affixed to and projects from a building.

BANNER SIGN -- A temporary, professionally made and designed sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

CAR RENTAL AGENCY -- A building or structure utilized for the rental of automobiles or light vans or trucks to the public. It may include incidental or minor repair or servicing of vehicles available for rent.

DWELLING, SINGLE-FAMILY, ATTACHED -- A building containing one dwelling unit and having two party walls in common with other buildings (such as a rowhouse or townhouse). The end unit for each row of dwelling units shall have only one party wall.

ELECTRIC VEHICLE CHARGING STATION -- A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transference of electric energy to a battery or other energy storage device in an electric vehicle.

FACADE -- The exterior walls of a building.

FINANCIAL INSTITUTION -- A building or structure utilized for the direct transactional services to the public, including the maintenance of checking and savings accounts, certificates of deposits, etc., and the providing of related financial services associated with a bank.
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FREESTANDING SIGN -- A sign permanently supported by an upright support that is anchored in the ground.

FULL CUT-OFF LUMINAIRE -- A luminaire having a light distribution in which zero candela intensity occurs at or above an angle of 90° above nadir. This applies to all lateral angles around the luminaire.

GLARE -- The sensation produced by lighting fixtures within the visual field that are sufficiently greater than the luminance to which the eyes are adapted, which causes annoyance, discomfort, or loss in visual performance and visibility.

GROUP HOME -- Any dwelling or portion thereof which is designed or used for six or more persons unrelated to each other or to any family occupying the dwelling unit and having common eating facilities. Group homes include, but are not limited to, fraternity and sorority houses and dormitories or other quarters of an institutional nature. Such quarters must be associated with a parent religious, educational, charitable or philanthropic institution.

IMPROVED SURFACE -- A surface that has been paved in some way to facilitate pedestrian, bicycle, and vehicular access. Paving may include a variety of impervious and pervious surfaces, including, but not limited to, concrete, asphalt, pavers, and decking.

INFLATABLE SIGN -- Any sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure. For purposes of this definition and ordinance, a simple helium balloon is not considered to be an inflatable sign.

LINEAR PARK -- A park that is substantially longer than it is wide.

LUMINAIRE -- A complete lighting unit consisting of a lamp or lamps and the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply. (Also referred to as fixture.)

LUMINANCE -- The photometric quantity most closely associated with the perception of brightness, measured in units of luminous intensity (candelas) per unit area (square feet or square meter).

MARQUEE SIGN -- Any sign attached to a permanent canopy or roof-like structure, projecting over the primary entrance to a building for the purposes of identifying a theater or movie house.

MENU SIGN -- A temporary sign used to inform the public of the list of foods and entertainment available in a restaurant.

MONUMENT SIGN -- A sign attached to a brick, stone, or masonry wall or structure that forms a supporting base for the sign display.

MUSEUM -- Building, room, or site intended for the preservation and exhibition of artistic, historical, or scientific objects.

NADIR -- In the lighting discipline, nadir is the angle pointing directly downward from the luminaire, or 0°.

OPEN SPACE -- Land that is used for recreation, resource protection, buffers, or common use, and is protected to ensure that it continues to be used for such uses. Open space does not include land occupied by buildings, roads, or road right-of-way; nor does it include the yards or lots of single-family or multifamily dwelling units or parking areas as required by the provisions of this chapter. Open space shall be left in a natural state except in the case of recreation uses, which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.

OFFICIAL MAP -- A map adopted by the Town Board showing the layout of existing and proposed streets, highways, parks, and drainage systems. Land including facilities shown on the Official Map shall not be used for a purpose that would conflict with the purpose shown on the map without the
consent of the Town Board.

PARALLEL WALL SIGN -- A sign that is affixed and parallel to a building's wall.

PARAPET -- The portion of a wall that extends above the roofline.

PERMEABLE PAVING -- Permeable paving is a range of sustainable materials and Techniques for permeable pavements with a base and subbase that allow the movement of stormwater through the surface. In addition to reducing runoff, this effectively traps suspended solids and filters pollutants from the water.

PORTICO -- A covered walk or porch that is supported by columns or pillars; also known as a “colonnade.”

PRIVATE CENTRALIZED SEWER SYSTEM -- Clustered wastewater collection, treatment, and dispersal fields placed at one or more strategic locations in a development that is privately-owned, operated, and managed in accordance to all applicable local, state, and federal regulations.

PRIVATE CENTRALIZED WATER SYSTEM – Clustered water extraction and distribution system that is privately-owned, operated, and managed in accordance to all applicable local, state, and federal regulations.

PRIVATE ROAD -- A road that is owned and maintained by a private individual, organization, or company rather than by a government.

PROJECTING SIGN -- A sign that is attached to the façade wall of a structure and projects out from that wall.

RESTAURANT -- A public eating place primarily offering sit-down counter or table service and custom-prepared foods for on-premises consumption. If carry-out service is available, this shall constitute less than 25 percent of sales volume.

SANDWICH BOARD SIGN -- An A-frame sign that is not permanently attached to the ground or other permanent structure.

SHARROW -- Shared lane marking on a lane of a paved road's surface indicating that bicyclists may use any portion of the full width of the lane.

SHOPPING CENTER -- A group of stores planned and designed to function as a unit for the site on which it is located, with off-street parking and landscaping provided as an integral part of the unit.

SIDEPATH -- A path for bicyclists and pedestrians located next to (alongside) a roadway.

TRAIL – A path for bicyclists and pedestrians located away from a roadway.

WINDOW SIGN -- A sign that is either painted or attached to the inside surface of a window.

Add the following to Article III. General Standards and Regulations to address electric vehicle charging stations:

(A) An electric vehicle charging station (EVCS) shall be allowed within any legal single-family or multiple-family residential garage or carport subject to all applicable city code requirements in addition to the following.

(1) The EVCS shall be protected as necessary to prevent damage by automobiles.

(2) The EVCS shall be designed to:

(a) Be safe for use during inclement weather.
(b) Be tamper-resistant to prevent injury particularly to children.
(c) Be resistant to potential damage by vandalism.
(d) Be equipped with a mechanism to prevent the theft of electricity by an unauthorized user.

(3) The EVCS shall have complete instructions and appropriate warnings posted in an unobstructed location next to each EVCS.

(B) An EVCS shall be permitted as an accessory use within any existing legal single-family or multi-family residential garage or carport, or within any existing legal commercial parking space in a parking lot or in a parking garage, subject to all applicable city code requirements and the following.

(1) EVCS for public use shall be subject to the following requirements:
(a) Shall be located in a manner that will be easily seen by the public for informational and security purposes and shall be illuminated during evening business hours.
(b) Shall be located in desirable and convenient parking locations that will serve as an incentive for the use of electric vehicles
(c) The EVCS pedestals shall be protected as necessary to prevent damage by automobiles
(d) The EVCS pedestals shall be designed to minimize potential damage by vandalism and to be safe for use in inclement weather.
(e) Complete instructions and appropriate warnings concerning the use of the EVCS shall be posted on a sign in a prominent location on each station for use by the operator.
(f) One standard non-illuminated sign, not to exceed 4 square feet in area and 10 feet in height, may be posted for the purpose of identifying the location of each cluster of EVCS’s.
(g) The EVCS may be on a timer that limits the use of the station to the normal business hours of the use(s) that it serves to preclude unauthorized use after business hours.

(2) EVCS’s for private use shall:
(a) Be located in a manner that will not allow public access to the charging station.
(b) Comply with subsections (B)(1)(c) and (B)(1)(d) of this Section.
(c) Electric vehicle charging stations for private use not located in a single-family residential garage or carport must also comply with subsection (B)(1)(e) of this Section.