

Proposed Hamlet Development District Zoning Language

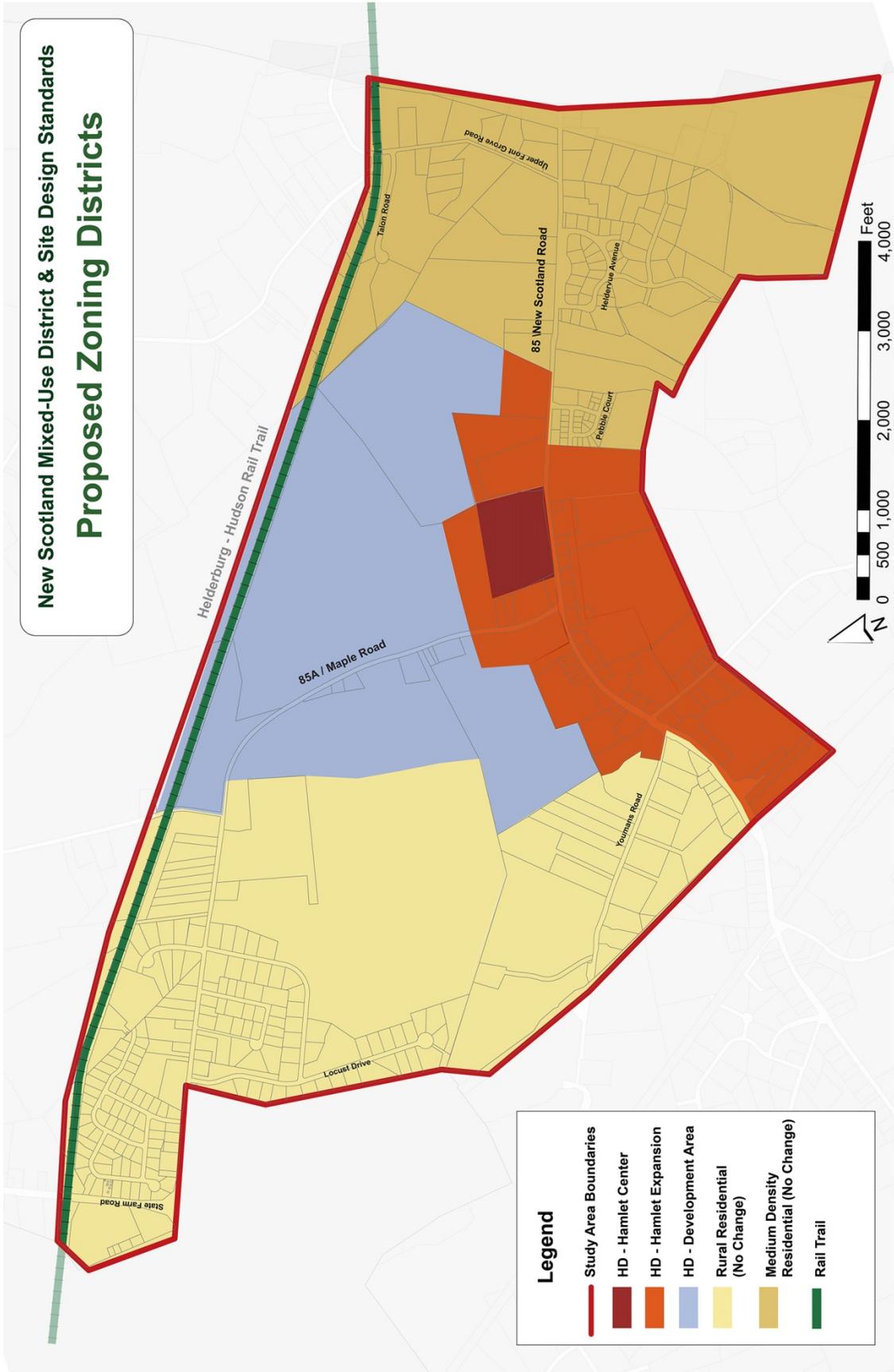
§ 190-101 Hamlet Development District

- A. Statement of purpose. The purpose of the Hamlet Development District is to provide reasonable standards for the orderly development of small to moderate-intensity commercial and range of single- and multi-family residential uses in a walkable development pattern that will help to support the vitality of a new Hamlet Center for the Town New Scotland, while protecting important view sheds and open space. The standards of this district are designed to minimize traffic congestion, provide for public conveniences; provide standards to encourage pedestrian and bicycle activity, architecturally attractive building facades and landscaping; and fulfill the other broad purposes of this chapter. Specifically, the New Scotland Hamlet District (HD) is intended to:
- (1) Create a mixed use, small town character.
 - (2) Protect open space.
 - (3) Protect important view sheds.
 - (4) Allow a range of small- to medium-scale commercial and institutional uses within easy walking distance of residential homes.
 - (5) Accommodate a variety of housing types and discourage one housing type from dominating the streetscape.
 - (6) Ensure that commercial and institutional uses have a character that is compatible with small-scale hamlet or village development patterns, and existing natural views.
 - (7) Promote pedestrian orientation of streets and buildings.
 - (8) Develop businesses, institutions, streets, parks, and homes that promote social interaction as well as privacy through their form, orientation, and design.
 - (9) Alleviate the perceived impact of high-intensity developments by requiring them to be of a pedestrian scale, bulk, and orientation.
 - (10) Give priority to pedestrian movement and access to buildings, open spaces, and streets; and discourage design that gives priority to vehicular convenience only.
 - (11) Create connections to the nearby Albany County Rail Trail to provide non-motorized access
 - (12) Encourage a street circulation system that provides safe and convenient access but discourages fast or heavy traffic that is incompatible with a residential neighborhood.
 - (13) Minimize traffic impacts of new development on Route 85 and Route 85A.
 - (14) Use scale, building orientation, and landscaping to establish community identity.
 - (15) Use open and recreational spaces as a community focal point.
 - (16) Provide recreational opportunities.
- B. Procedural requirements.
- (1) Development in the HD shall be subject to the provisions and requirements for 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. Site Plan Review shall be conducted to affirm that the proposed development is consistent with the requirements of this Section (190-101).

- (2) 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.
- (3) The HD shall be considered a single zoning district under the requirements of Chapter 190 Zoning. This section further defines four separate overlays to the HD as follows:
 - (a) Hamlet Center (HD-C). This center is intended to act as a visible arrival point into the heart of the HD, with a denser and more formal arrangement of building types similar to the atmosphere found in a traditional village development. It is primarily commercial in nature, but could also include multi-family housing, preferably on the second and third floors of mixed-use structures with active ground floor commercial uses. The focus is a large town commons which will serve as a public gathering space and distinguishing feature of the HD.
 - (b) Hamlet Extension (HD-E). This area is intended to function as a natural extension off the Hamlet Center development. Mixed-use development should be organized around an interconnected network of local streets, served by a handful of primary boulevards from the Hamlet Center and Routes 85 and 85A.
 - (c) Development Area (HD-D). These areas are intended to support relatively dense nodes of residential, commercial, institutional, and mixed use development clustered near or adjacent to the Hamlet Center and Hamlet Extension 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.
- (4) Development under planned unit development, Section 190-53 shall be prohibited in the HD.

New Scotland Mixed-Use District & Site Design Standards
Proposed Zoning Districts



Legend

- Study Area Boundaries
- HD - Hamlet Center
- HD - Hamlet Expansion
- HD - Development Area
- Rural Residential (No Change)
- Medium Density Residential (No Change)
- Rail Trail

- (5) The areas described above were defined as specific “character areas” 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 overlay. The use, development, and design standards contained in this section vary for each overlay, reflecting Master Plan recommendations. The Town Board recognizes that development in the HD will occur over a long period of time and that minor adjustments could be necessitated over that time. Therefore, any applicant proposing a change to overlay 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 Section O of this HD chapter.
 - (d) The extent of modification provides the minimum amount of relief necessary to ensure compliance with the following criteria in this article.
 - (e) After review by the Planning Board, the Town Board may, at its sole discretion, decide whether the proposed boundary amendment is consistent with the purpose and intent of the HD.
- (6) The above amendment provisions are applicable only to boundary changes for the overlays defined in this Section. Any application to change the boundaries of the HD district itself shall be required to 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.

Table 1: Permitted Uses

Permitted Uses	Hamlet Center	Hamlet Expansion	Development Area
Detached single-family dwelling.		P	P
Attached single-family dwelling.		P	P
Semi-attached single-family dwelling		P	P
Two-family dwelling.		P	P
Multifamily dwelling.		P	P
Bed and breakfast inn		P	P
Group home.	P	P	P
Office.	P	P	P
Research, experimental or testing laboratory.			P
Rental car agency.		P	P
Neighborhood convenience store (excluding sale of gasoline).	P	P	P
Animal hospital.	P	P	P
Artist studio or gallery.	P	P	P
Museum.	P	P	P
Appliance and small equipment sales and repair.		P	P
House of worship.	P	P	P
Library.	P	P	P
Private clubs.	P	P	P
Funeral home.		P	P
Health club.	P	P	P
Personal service outlet.	P	P	P
Educational use.	P	P	P
Child day-care center.	P	P	P
Adult day-care center.	P	P	P
Bus shelters.	P	P	P
Restaurant, without drive-through facilities.	P	P	P
Retail business, without drive-through facilities.	P	P	P
Financial institutions, without drive-through facilities.	P	P	P
Specialty shops such as baking, confectionery, dressmaking, dyeing, laundry, shoe repair, printing and copying services, tailoring and similar shops and services.	P	P	P
Theater.	P	P	P
Recreational or entertainment facility.	P	P	P
Public offices or facilities.	P	P	P
Public parks and playgrounds.	P	P	P
Nursing or convalescent home.			P
Assisted living facility.			P
Electric vehicle charging station	P/A	P/A	P/A
Mixed use with one or more permitted commercial activities on the ground floor and dwelling units upstairs.	P	P	P
Mixed use with one or more permitted non-residential uses	P	P	P
Hotel or inn.		SP	SP

Shopping center.		SP	SP
Tavern.	SP	SP	SP
Farming, agriculture, nursery			P
Agriculture and forest management structure			P
Off-street parking and loading areas.	A	A	A
Bar as an accessory use to restaurants, recreational, and entertainment facilities.	A	A	A
Utility sheds.	A	A	A
Greenhouses.	A	A	A
Gazebos.	A	A	A
Decks and patios.	A	A	A
Energy conversion systems.	A	A	A
Home occupations.	A	A	A
Child day-care.	A	A	A
Recreational vehicle parking and storage.		A	A
Satellite antennas or dishes.	A	A	A

P = Permitted Use

SP = Special Permit Use

A = Accessory Use

Prohibited uses. Any use that is not a permitted use or use by special permit.

D. Lot and Block Standards

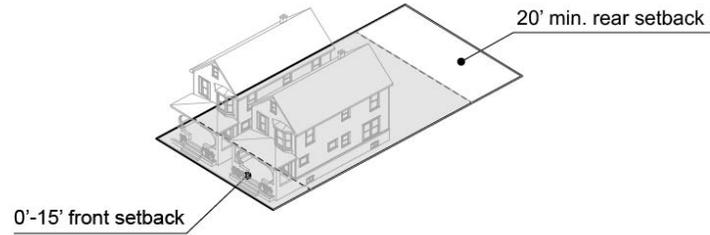
- (1) Development Standard Street layouts should provide for blocks that are no more than 400 feet deep by 600 feet long. Block lengths shall not exceed 600 feet without a dedicated alley or pathway providing through access.
- (2) Development standards shall be according to Table 2 below:

Table 2: Development Standards	District		
	Hamlet Center	Hamlet Expansion	Development District
Residential building setbacks (Except for accessory structures)			
Front yard (measured from back of sidewalk or share-use path)	Min: zero ft. Max: 15 ft.	Min: 5 ft. Max: 20 ft.	Min: 5 ft. Max: 20 ft.
Minimum side yard (measured from property lot line)	Zero ft.	Zero ft.	Five ft.
Minimum rear yard (measured from property lot line)	20 ft.	20 ft.	20 ft.
Residential accessory structure setbacks			
Front yard: no accessory structures shall be permitted in the front yard.	N/A	N/A	N/A
Minimum side yard	Five ft.	Five ft.	Five ft.
Minimum rear yard	Five ft.	Five ft.	Five ft.
Non-residential building setbacks			
Front yard	Min: zero ft. Max: 15 ft.	Min: zero ft. Max: 25 ft.	Min: 15 ft. Max: 35 ft.
Minimum side yard; except that no side yard shall be required when two or more commercial uses adjoin side to side.	10 ft.	10 ft.	10 ft.
Minimum rear yard	20 ft.	20 ft.	20 ft.
Minimum rear and side setbacks for development adjacent to single-family or two-family residential development: 30 feet for structures up to 15 feet tall, plus 10 feet for each additional 10 feet or story in height.		30 feet for structures up to 15 feet tall, plus 10 feet for each additional 10 feet or story in height.	30 feet for structures up to 15 feet tall, plus 10 feet for each additional 10 feet or story in height.
Special setback along Route 85A			
Minimum setback for all uses	N/A	100 ft.	100 ft.

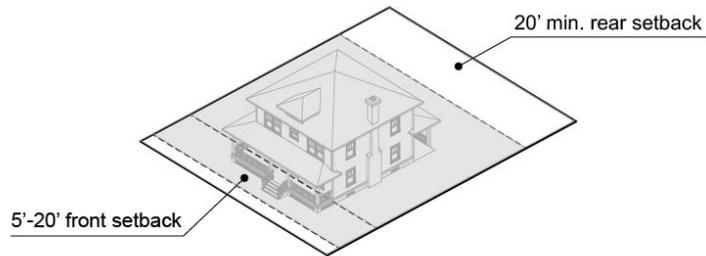
Density and Bulk standards			
Residential lot area Detached single-family dwelling	N/A	Min.: 5,000 SF Max.: 10,000 SF	Min.: 5,000 SF Max.: 30,000 SF
Semidetached single-family dwelling	N/A	Min.: 3,500 SF Max.: 5,000 SF per unit	Min.: 3,500 SF Max.: 5,000 SF per unit
Attached single-family dwelling	N/A	Min.: 2,500 SF Max.: 5,000 SF per unit	Min.: 2,500 SF Max.: 5,000 SF per unit
Two-family dwelling	N/A	Min.: 6,000 SF Max.: 10,000 SF per two-family unit	Min.: 6,000 SF Max.: 10,000 SF per two-family unit
Multi-family	Min.: 3,000 SF	Min.: 3,000 SF	Min.: 3,000 SF
Non-residential minimum lot area	10,000 SF	10,000 SF	10,000 SF
Maximum building footprint	10,000 SF	20,000 SF	50,000 SF
Maximum building height*	45 ft.	35 ft.	45 ft.
Maximum impervious surface coverage	75%.	For attached single-family dwellings: 75%. For all other uses: 60%.	For attached single-family dwellings: 75%. For all other uses: 60%.

* The following are exceptions to the maximum height:

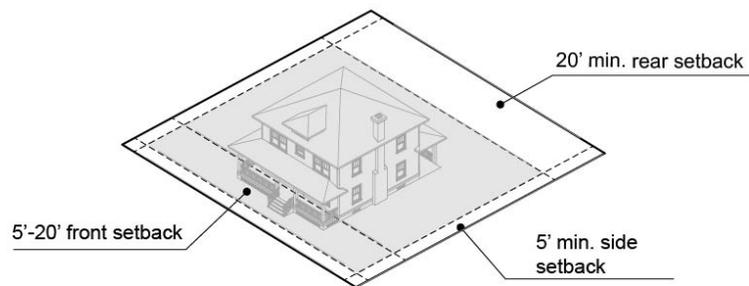
- Projections allowed: Chimneys, flagpoles, satellite dishes, lightning rods, vents and other similar items with width, depth or diameter of three feet or less may extend above the height limit, as long as they do not exceed five feet above the top of the highest point of the roof. If they are greater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



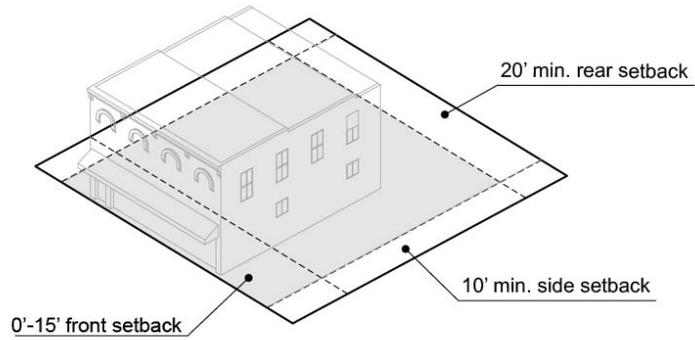
Residential Setbacks: Hamlet Center



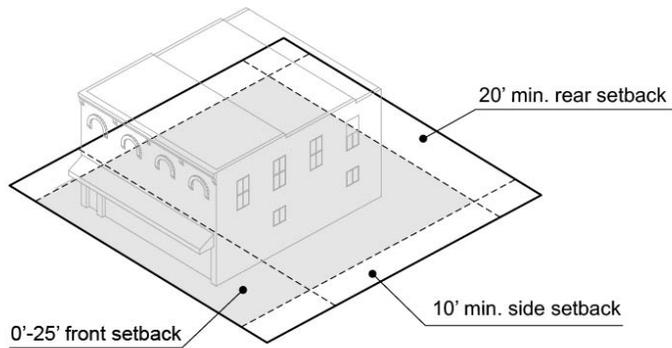
Residential Setbacks: Hamlet Expansion



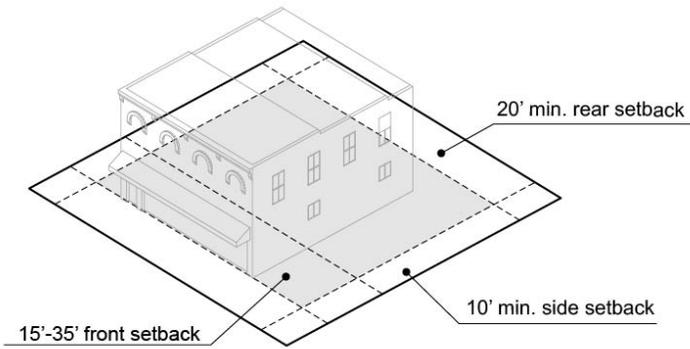
Residential Setbacks: Development Area



Non-Residential Setbacks: Hamlet Center



Non-Residential Setbacks: Hamlet Expansion



Non-Residential Setbacks: Development Area

- E. Residential design standards for construction of new structures for single- and two-family residential development.
- (1) For attached single-family dwellings, no more than eight dwelling units shall be in any one structure.
 - (2) 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.
 - (3) The front and street side exterior walls of each residential principal structure shall each contain a minimum of 15% of transparent or translucent materials on each story below the roofline. Garage facades shall be included in the transparency/translucency calculation.
 - (4) 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.
 - (5) 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 facade of the principal structure or required minimum front yard setback, whichever is greater. When an alley is present, garages shall be located in the rear yard and accessed through the alley.
 - (6) A porch may extend into the required front yard setback up to eight feet. Roof projections (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.

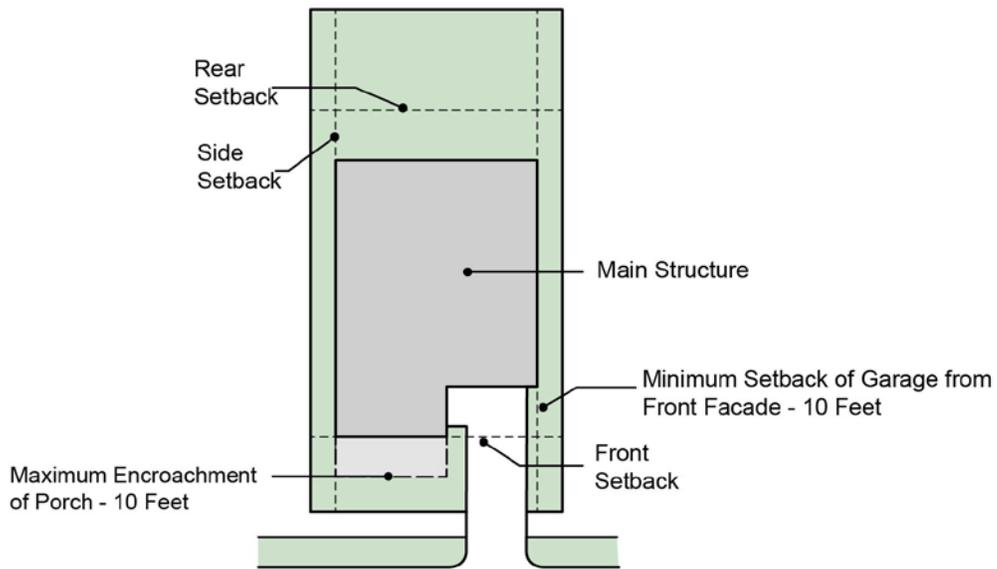


Figure x. Single-Family Residential Setbacks for Garages and Porches

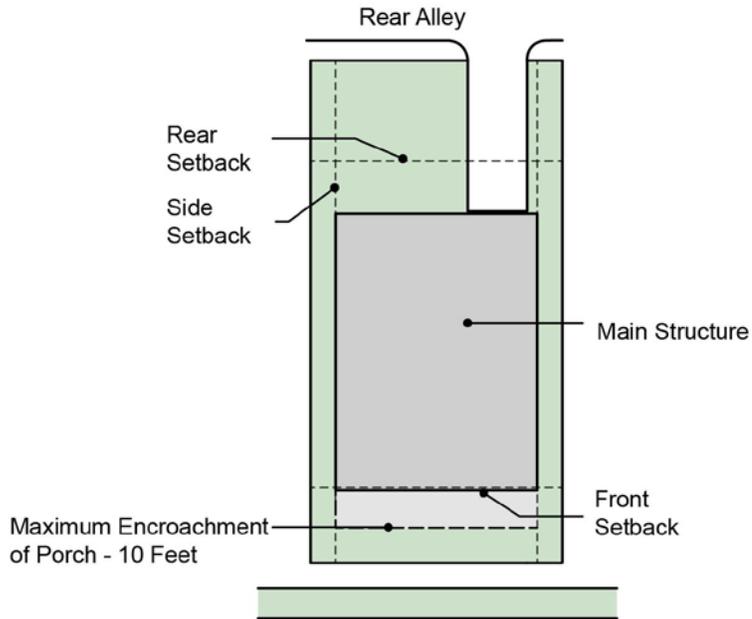


Figure x. Single-Family Residential Setbacks for Rear Alleys and Porches

- (7) Where several attached single-family dwellings are located on one lot, the following separation distances shall be applicable:
 - (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 otherwise. 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.

- F. Additional residential design standards construction of new structures for single- and two-family residential development in the Hamlet Center and Hamlet Expansion Overlays.
 - (1) No more than two contiguous dwelling units shall have the some continuous roof ridgeline.
 - (2) Front facades shall be visually articulated. The preferred method of facade articulation shall be staggered offset facades constructed such that no more than two dwelling units in any one building have more than 60% of their front facade 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 will be considered:
 - (a) Differentiation of facade materials including use of stone, brick or other siding materials.
 - (b) Variable porch styles or materials.

- G. Hamlet Center and Hamlet Extension Overlay Design standards for construction of new structures for non-residential and multi-family development. The following standards are to ensure that all new development in the Hamlet Center and supporting Hamlet Extension will be pedestrian in scale and walkable, all development in the District shall meet the following design standards.
 - (1) Building Design Standards. New construction shall meet the following requirements:
 - (a) Building Orientation and Entrances:
 - (b) The front façade of buildings shall be oriented towards the street and sidewalk, with the primary entrance located in this front façade.
 - (c) 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.
 - (d) All primary building entrances shall be accentuated. Entrance accentuations may include recessed or protruding entrances and/or the use of canopies, porticos or overhangs.
 - (2) Windows:
 - (a) Windows should be appropriate to the architectural style, materials and detailing of the building. To the greatest extent possible, windows should be proportioned vertically.
 - (b) The ground floor front façades of retail buildings shall include a minimum of 40 percent window with views provided through these windows into the business.
 - (c) Upper story windows of front façades shall not be boarded or covered and facades shall include windows in the façade above the ground floor.

- (d) Upper story windows should be aligned with windows and doors on the first floor.
 - (e) Smoked, reflective, opaque or black glass in windows is prohibited.
- (3) Roofs:
- (a) The following roof types are encouraged: gable, cross gable and flat roofs with a decorative cornice line or parapet.
 - (b) Flat roofs shall be discouraged on one-story buildings but shall be permitted regardless of building height, provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane.
- (4) Façade Articulation.
- (a) 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 Table 3.
 - (b) 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 Table 3.
 - (c) 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 1 foot wide and protruding a minimum of 2 inches. See Table 3.
 - (d) The top level should be treated with a distinct outline with elements such as projecting parapet, cornice or other projection. See Table 3.
 - (e) To further articulate the building facade 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.
- H. The design standards contained in parts E through G above are intended to provide reasonable standards for the orderly development of small to moderate-intensity commercial and range of single- and multi-family residential uses in a walkable development pattern that will help to support the vitality of a new Hamlet Center for the Town New Scotland. They are designed to minimize traffic congestion, provide for public conveniences; provide standards to encourage pedestrian and bicycle activity, and provide for architecturally attractive building facades. Therefore any applicant proposing designs that differ 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 modifications would not result in adverse impact to adjoining properties or to future inhabitants within the HD.
 - (3) After review by the Planning Board, the Town Board may, at its sole discretion, decide whether the proposed design is consistent with the purpose and intent of the HD.



Figure x. Elements of Facade Articulation

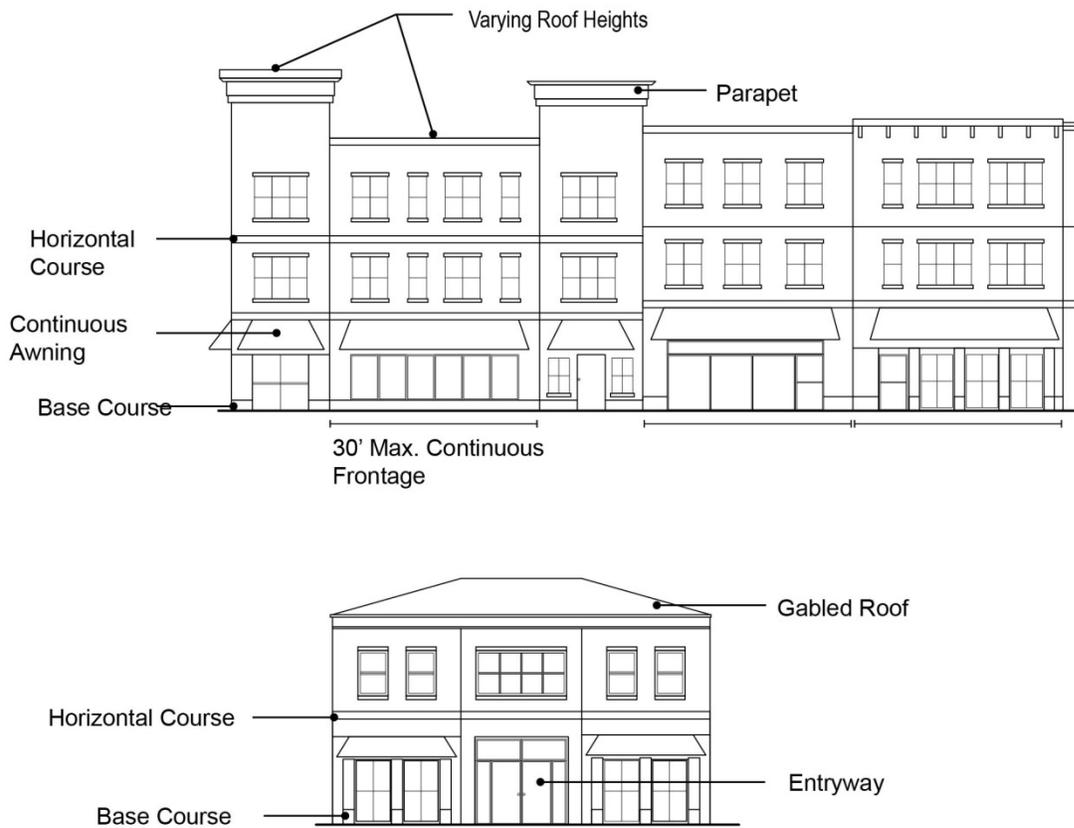


Figure x. Facade Articulation on Mixed-Use or Commercial Structures

- I. Design standards for improvements to and reuse of existing buildings in the HD District, including the Hamlet Center Hamlet Expansion, and Development Area overlays.

- (1) The Town Board expects that where an applicant is improving or changing an existing structure to accommodate a change in use, the applicant will attempt to 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 toward the street.
 - (b) Provide more than 25% 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.
- J. Network of circulation systems. 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 utilize traffic-calming techniques will promote pedestrian use as will a compact mixed-use development pattern.
- K. Circulation standards. The circulation system shall provide functional and visual links within the HD and shall be connected to existing and proposed external development. The circulation system shall provide for different modes of transportation, including vehicular, pedestrian and bicycle.
 - (1) Pedestrian circulation.
 - (a) Where feasible, existing pedestrian routes shall be retained and enhanced.
 - (b) All streets, except for alleys, shall be bordered by sidewalks on both sides.
 - (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 Hamlet Center, 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.
 - (a) Where feasible, existing bicycle routes shall be retained and enhanced.
 - (b) On-road bicycle lanes shall be a minimum of five feet in width.
 - (c) Shared use sidepaths shall be a minimum of 12 feet in width.
 - (d) Where bicycle lanes are infeasible, “sharrows” 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 paths will remain privately owned and maintained under the provisions of Section Q below.

(3) Vehicular circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic-calming features, such as neck downs, chicanes, traffic circles and medians, may be used to encourage slow traffic speeds.

(a) General guidelines for street design:

- i. Streets shall be designed and located so as to minimize alteration of topography, natural water bodies and areas of significant vegetation.
- ii. Streets shall accommodate safe pedestrian movement and bicycle traffic.
- iii. Street design shall incorporate traffic-calming techniques.
- iv. Streets shall be designed with minimized asphalt areas so as to limit impervious area.

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

- i. Boulevard. Provided with a landscaped median, the boulevard is a short-distance connector between Hamlet Development Districts and core areas such as the Hamlet Center and open space uses. Boulevards may also provide circulation around squares or neighborhood parks.
- ii. Main street. Main streets provide access from Routes 85 and 85A and are part of the HD's major street network.
- iii. Local street. Provides access to all residential uses. On-street parking is permitted on both sides of the street.
- iv. Neighborhood street. Provides access to single-family and semidetached residential uses and connects streets of lower and higher function. On-street parking is permitted on only one side of the street.
- v. Alley. Provides secondary access to properties. Utilities may be located within alley rights-of-way.

(c) Street layout.

- i. Streets shall terminate at other streets or at public land, except main streets and local streets that may terminate in stub streets when such streets act as connections to future phases of this or adjacent development.
- ii. Local streets and neighborhood streets may terminate other than at other streets or public land when there is a connection to the pedestrian-and-bicycle-path network at the terminus.

(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.

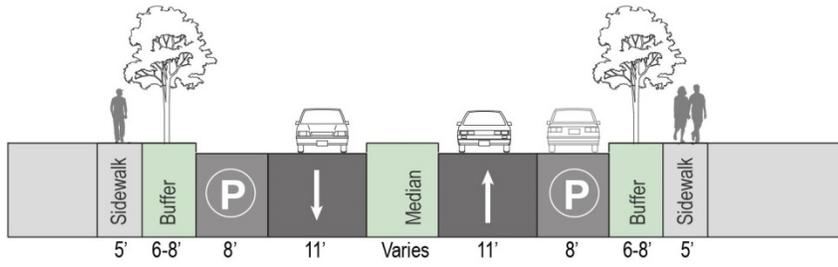
(e) To allow for emergency vehicles to turn corners, a clear zone shall be established that is free of significant obstructions.

L. Street standards. The chart below describes the street design standards for the HD. The figure illustrates required and recommended design.

- (1) On Routes 85 and 85A, where existing right-of-way is inadequate for the sidewalk, buffer, and/or sidepath, these pedestrian facilities shall be constructed on private property and an easement provided per the standards of Section R below. The land used for any sidewalk, pedestrian buffer, or sidepath along Routes 85 and 85A shall be counted towards the minimum 30 percent open space requirement.

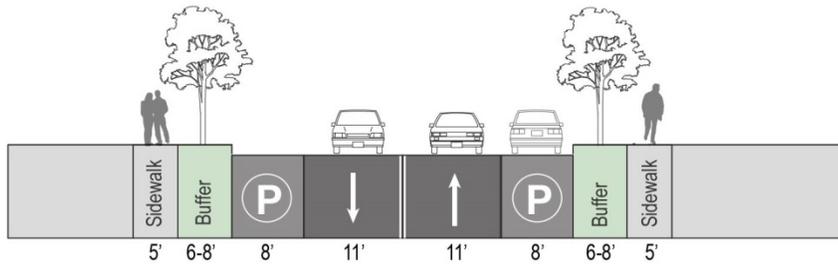
Table4: Street Design Standards Street Type	No. Travel Lanes	Parking	Side-walks	Mini- mum Lane Width (feet)	Median Width (feet)	Mini- mum ROW Width (feet)	Curb	Maxi- mum Curb Radii (feet)	Mini- mum Design Speed (mph)
Boulevard	2	When necessary	Yes	11*	Min.: 5 Max. 11	varies with median	Yes	25	25
Routes 85 and 85A	2	No	Yes/ Side path	Varies		Varies	Yes	25	25
Main street	2	2 sides	Yes	11		58	Yes	20	25
Local street	2	2 sides	Yes	10		56	Yes	20	25
Neighbor- hood street	2	1 side	Yes	10		48	Yes	20	25
Alley	1	No	No	8		16	No	10	n/a

* NOTE: Street width does not include width of median.



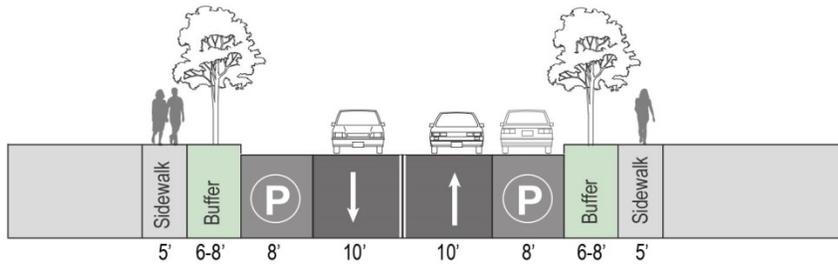
Boulevard

Design Speed: 25 MPH

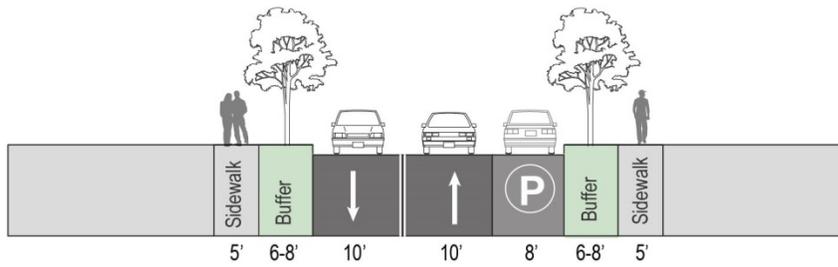


Main Street

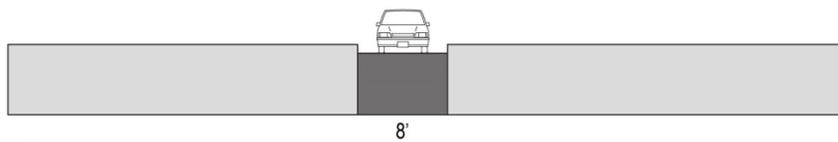
Design Speed: 25 MPH



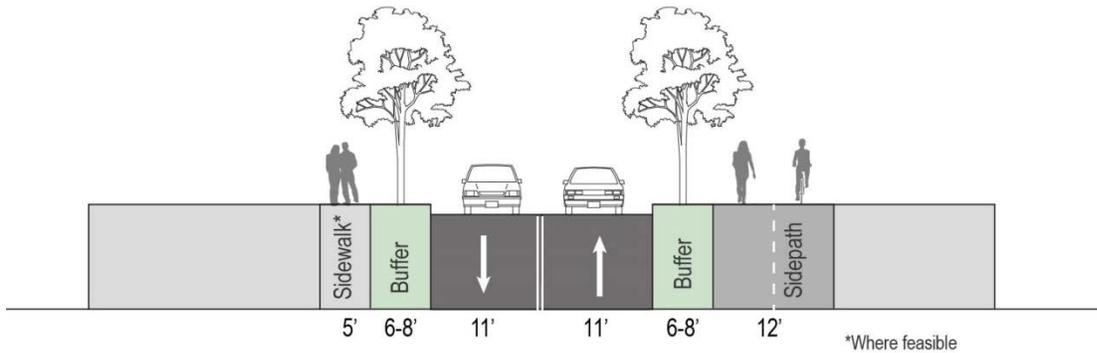
Local Street



Neighborhood Street



Alley



85/85A

- M. Streetlighting. Streetlighting shall be provided along all streets and is intended to increase both pedestrian and vehicular safety as well as enhance the character of the HD. More frequently placed smaller-scale lights, as opposed to fewer, taller, high-intensity lights, should be used. The scale of lighting fixtures and the illumination provided must be appropriate for both pedestrian and vehicular movements. Streetlights shall be provided in a manner consistent with the architectural guidelines and acceptable to the Town.
- N. 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.
- O. Surface parking standard.
 - (1) General Standards (In addition to the requirements of 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 built be pre-wired by 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 nonresidential 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 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 prewired to accommodate at least space capable of supporting future electric vehicle supply equipment. (EVSE)
 - b. Accommodation of electric vehicle charging in multi-family dwellings and non-residential uses. At least 3 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment (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 multiple parking facilities within the Town may designate and electrify 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.

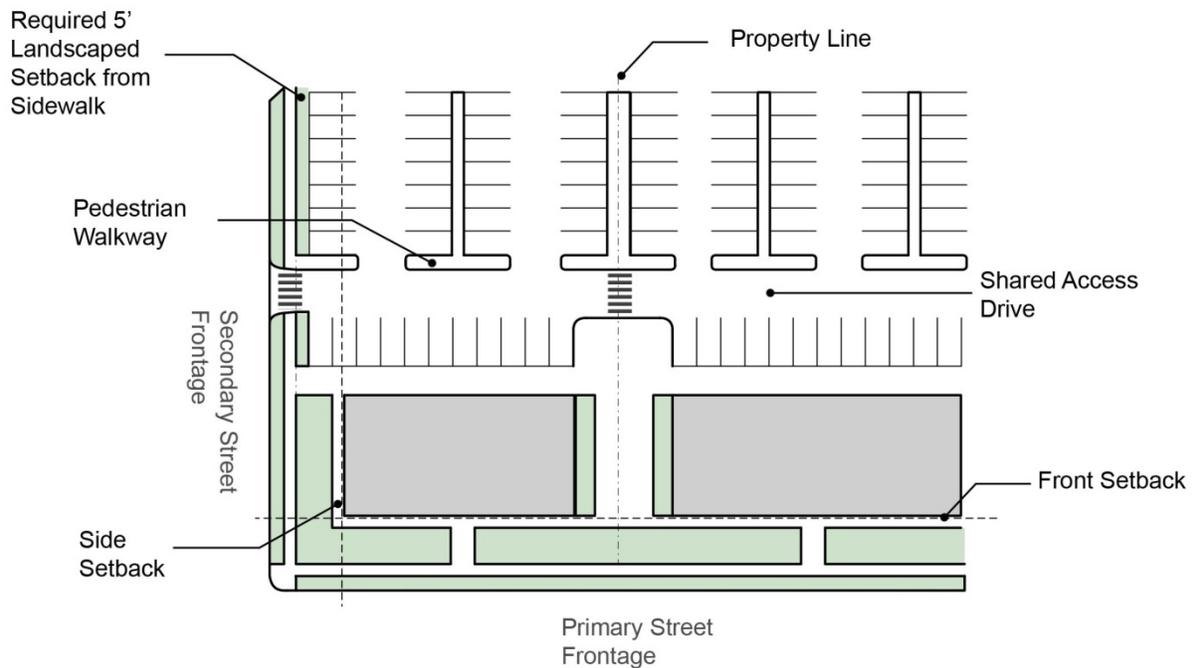


Figure x. Commercial Parking and Setbacks

- P. Open space. Each HD development application shall devote a minimum of 30% of its land area to common and/or publicly accessible open space.
 - (1) The following activities or land uses may not be included in the calculation of designated open space:

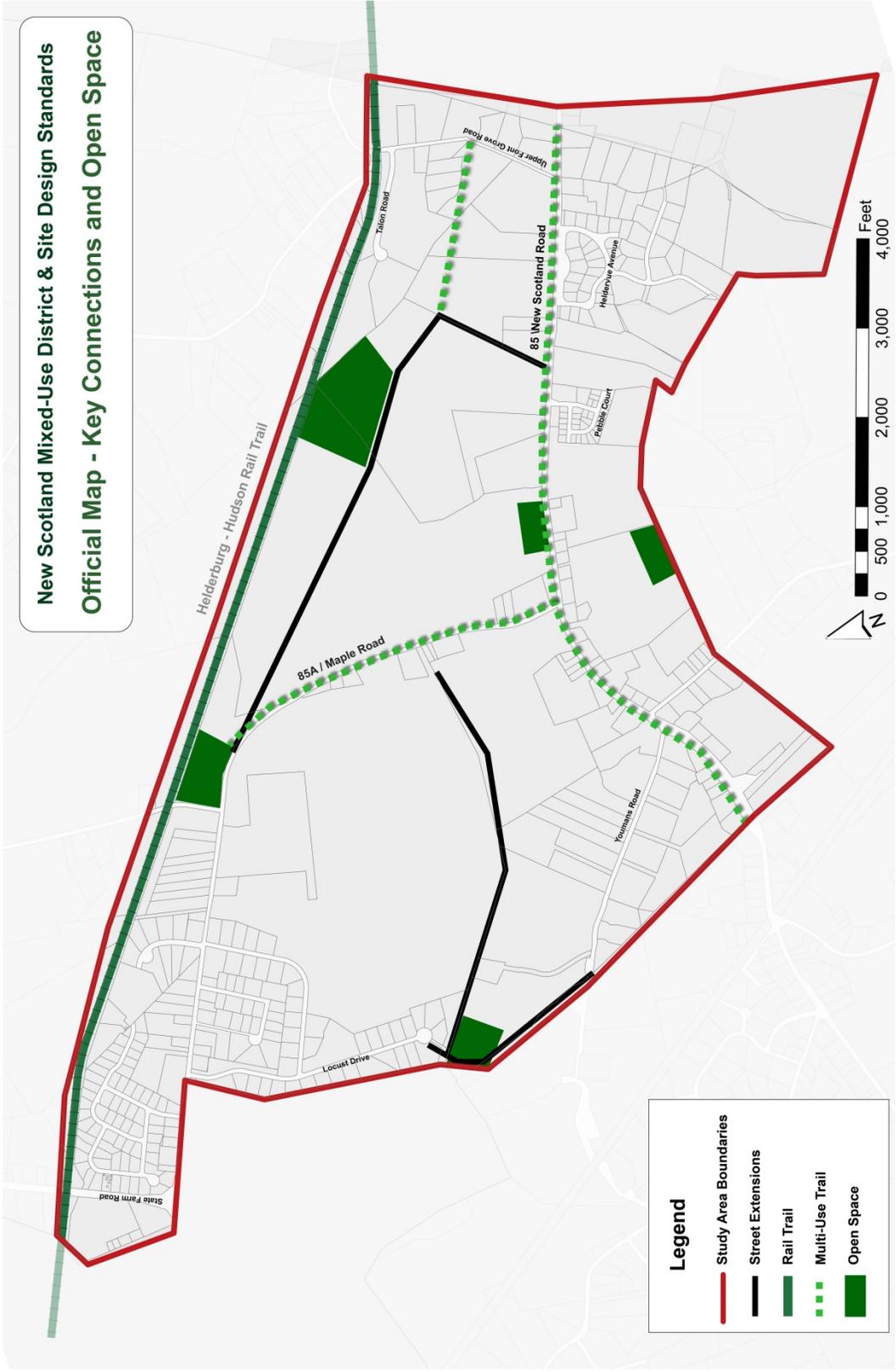
- (a) Land considered unbuildable, including streams, open water, wetlands, slopes of 15 percent or more on previously undisturbed sites, and the 100-year floodplain.
- (b) Existing rights-of-way and utility easements
- (2) Open space shall be designed and arranged per the recommendations of Table 5 and to achieve as many of the following objectives as 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 connection with existing off-road trails, greenways, bikeways, linear parks or open space on adjoining parcels.
 - (d) All new trails, greenways, and bikeways shall be constructed to AASHTO standards
 - (e) Provision of usable play areas, recreation areas and/or equipment made conveniently accessible to residents throughout the HD.
 - (f) Establishment of public open space, including public greens, squares and commons, as a focal point of the Hamlet Center.
 - (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 tract.

Table 5: Recommended Sizes of Open Space Types	Minimum Area (square feet)	Maximum Area (If applicable)
Neighborhood/Pocket Park	3,000	10,000
Plaza	2,000	20,000
Public Square/Commons	20,000	n/a
Active Recreation	40,000	n/a
Conservation	130,000	n/a
Agriculture	220,000	n/a

- (3) The applicant shall demonstrate the specific measures employed to achieve the objectives in Subsection A through the provision of an open space plan depicting all proposed elements of the common open space. Each open space plan shall include:
 - (a) The location and size of proposed commons, greens and/or squares.
 - (b) Identification of connections among proposed areas of open space within the HD tract and connections of proposed areas of open space on the HD tract with elements of open space on adjoining tracts if such exists or is proposed.
 - (c) Location, type and size of proposed recreational equipment.
 - (d) Location and size of trails, greenway or other pedestrian linkages, including the proposed surface treatment.
 - (e) A landscape plan that includes information as outlined in Section R below.

- (4) The arrangement and configuration of the 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 along the perimeter of the HD tract 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 be provided with at least one public common or green 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 Hamlet Center open space shall be organized around a town commons, which shall be made accessible to the public.
- (7) A hard- or soft-surfaced pedestrian and bicycle network system linking development within the HD shall be provided to connect greens, squares and commons depicted on the open space plan. Access to all such areas shall be provided from public streets or publicly accessible private streets. Where necessary, easements shall be provided to accommodate pedestrian access as well as access for maintenance equipment and bicycles.

**New Scotland Mixed-Use District & Site Design Standards
Official Map - Key Connections and Open Space**



Legend

- Study Area Boundaries
- Street Extensions
- Rail Trail
- - - Multi-Use Trail
- Open Space

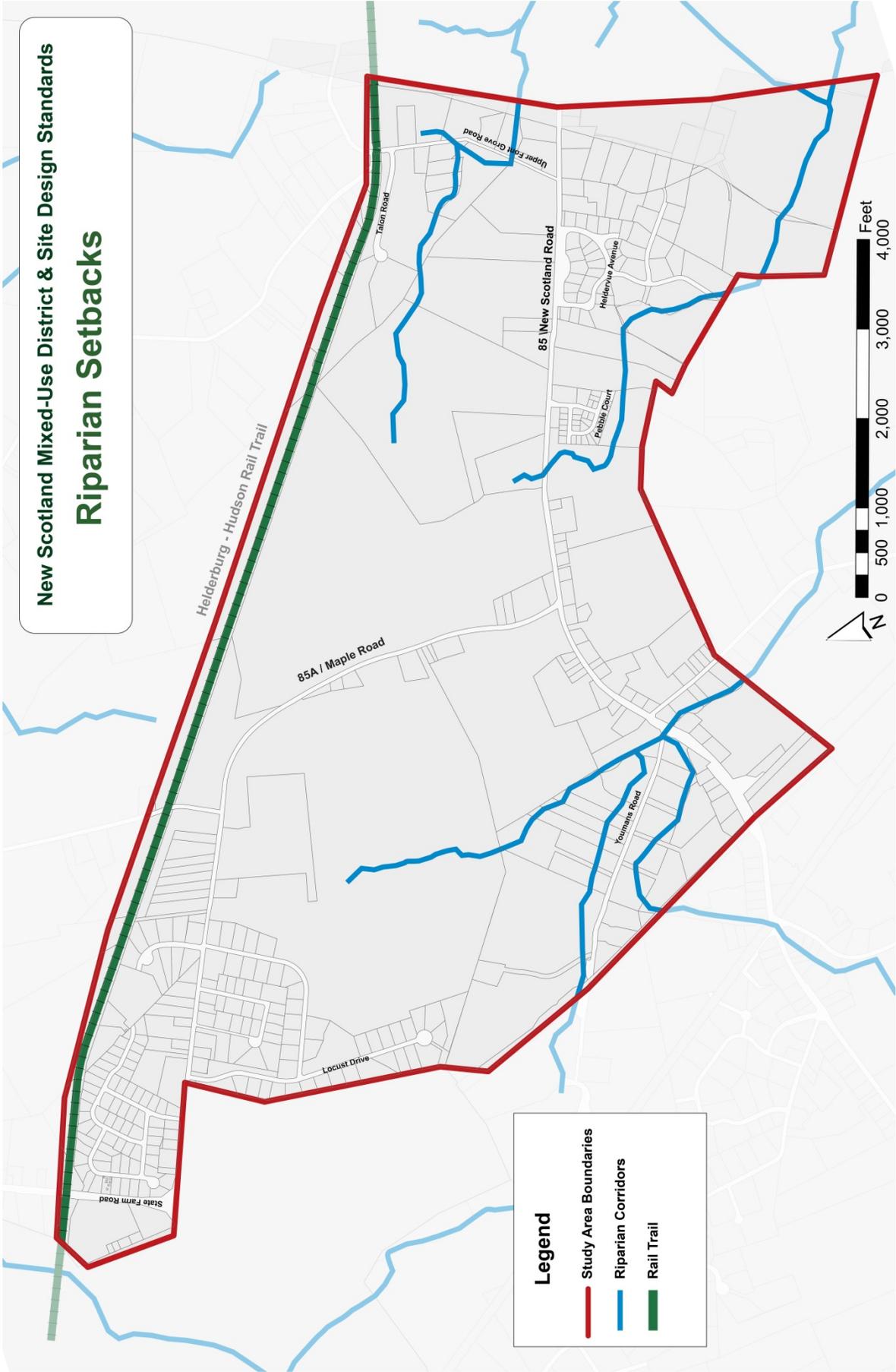
NOTE: The street extensions included on the map above represent the key transportation connections needed to support the zoning districts.

Q. 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 the 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 wetlands.
 - ii. An additional setback of 30 feet extending beyond the outermost boundary of a category 2 wetlands.
 - iii. No additional setback shall be required beyond the outermost boundary of a category 1 wetlands.
- (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 Exhibit "A." The riparian setback map may be utilized as a reference document by the building inspector and the board of zoning appeals.

New Scotland Mixed-Use District & Site Design Standards

Riparian Setbacks



- (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.

R. Open space management

- (1) 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.
- (2) Development in designated open spaces in the future is prohibited. Ownership of open space shall be designated through one of the following options the selected option to be approved by the Village Board (Town Board or City Council) 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.
- (3) Where the designated open space is owned by a subdivision property owner or a homeowners' association, a conservation easement shall be granted containing the restrictions on the 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.
- (4) The conservation easement shall:

- (a) Contain the description of the property and recite the permitted uses approved by the Planning Board in the approval of the HD development.
- (b) Prohibit the following activities:
 - i. Use of motor vehicles. Maintenance, law enforcement, emergency, and farm vehicles are permitted, as needed.
 - ii. Cutting of healthy trees, regrading, topsoil removal, altering, diverting, or modifying water courses or bodies, except in compliance with a land management plan for the tract in question, conforming to customary standards of forestry, erosion control and engineering.
 - iii. No portion of the open space shall be used for roads, building lots, utility structures, driveways, or any principal or accessory structure, except for agricultural buildings and utility lines and connections previously installed. 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.
 - iv. Designated open space shall not be used for emergency training or other uses that may cause or contribute to the damage or degradation of the open space.
- (c) The conservation easement shall provide that natural features shall generally be maintained in their natural condition, but maybe 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
 - vii. Invasive species management
 - viii. Flood plain creation
 - ix. Stormwater management consisting of green infrastructure as defined by the New York State Department of Environmental Conservation
- (d) Maintenance of Conservation Easement
 - i. Unless otherwise agreed to by the Town, the cost and responsibility of maintaining the open space areas and common facilities shall be borne by the property owner, homeowners association or land conservancy organization holding the conservation easement.
 - ii. If the facilities are not properly maintained, the Town) may exercise its rights under the conservation easement to enter upon the property and undertake the necessary maintenance and charge the property owner, homeowners association or a land trust for the costs incurred.

S. Landscaping and screening.

- (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 to be retained.
 - (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) Street trees shall not be permitted within any required clear sight triangle.
- (3) Landscaping and screening.
 - (a) Landscaping and 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) Landscaping and 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 not less than 50% opaque.
- (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.
 - (b) Screening shall consist of either:
 - i. A landscaped area not less than fifty-percent opaque;
 - ii. A decorative fence or masonry wall not more than fifty-percent opaque; or
 - iii. A combination of landscaping and decorative fence or masonry wall as proscribed above.

(5) Existing trees. Existing trees shall be protected to prevent unnecessary destruction.

T. Signs

(1) Maximum signage area and number of signs.

- (a) A maximum of two signs are permitted per nonresidential occupied unit.
- (b) A maximum of three signs are permitted per nonresidential occupied unit 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% of the primary building frontage.

(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% of the front first-story facade. Individual parallel wall signs are allowed for each separate business or tenant; however, the total parallel wall sign area shall not exceed 15% of the front first-story facade.

(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% 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% 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 should be constructed out 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 landscaping around the sign base.

(h) Sandwich board signs:

- i. Signs shall not exceed eight square feet.
- ii. Signs are permissible along the sidewalk, provided that a minimum walking distance of five feet shall be maintained to allow for a pathway for pedestrians.
- iii. Signs shall be taken indoors at the close of each business day.
- iv. Sandwich boards 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.
- v. Only one sandwich board sign will be permitted in front of the business it advertises.
- vi. Any person desiring to use such sandwich board sign must obtain an annual permit from the Town Building Department and 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 the sale or rental of the premises upon which they are erected or the fact that the premises has been sold or rented, provided that the size of any such sign shall not exceed 50 square feet until after development, when such sign 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 on which the signs are erected, 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, bearing only the building name, property number, and/or street address.
- (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 a permanently mounted display box on the facade 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.
 - 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) Backlit, halo-lit illumination, or reverse channel letters with halo illumination are recommended.
- (c) External illumination should be unobtrusive (i.e., gooseneck lighting).
- (d) External lighting should be shielded to avoid glare.
- (e) Backlit box signs shall be prohibited.
- (f) LED scrolling signs shall be permitted, provided that the copy changes fewer than six times per hour.
- (g) Barbershop poles shall be permitted with rotating pole and lighting.

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 and prints for sale to the public.

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 elderly or retired persons, other than nursing or convalescent homes, in which additional nonresident services may be included as an incidental use. Such incidental uses may include 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 transfer 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.

FREESTANDING SIGN -- A sign permanently supported by an upright support that is anchored in the ground.

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 entrees, dishes, 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.

OPEN SPACE -- Land which 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 which extends above the roofline.

PORTICO -- A covered walk or porch that is supported by columns or pillars; also known as "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.

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

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.

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 multiple-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) The EVCSs 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) 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 EVCSs
 - (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) Electric vehicle charging stations 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.