

Article 4. Mixed-Use & Commercial Districts

- 4.1 PURPOSE STATEMENTS
- 4.2 USES
- 4.3 RESIDENTIAL MIXED-USE DISTRICTS STANDARDS
- 4.4 COMMERCIAL MIXED-USE DISTRICTS STANDARDS
- 4.5 COMMERCIAL DISTRICTS STANDARDS
- 4.6 GATEWAY COMMERCIAL DISTRICTS STANDARDS
- 4.7 GENERAL STANDARDS OF APPLICABILITY

4.1 PURPOSE STATEMENTS

A. Residential Mixed-Use Districts Purpose Statements

1. NCU Neighborhood Complementary Use District

The NCU Neighborhood Complementary Use District is intended to accommodate primarily single-family and two-family residential development with some select and limited nonresidential uses where appropriate. Nonresidential uses are intended to provide sales and services within walking distance of surrounding residential areas.

2. AC Arts and Culture District

The AC Arts and Culture District is intended to accommodate a variety of arts and cultural uses in order to sustain and promote such uses within a mixed-use environment that is compatible with the character of nearby residential neighborhoods.

3. UN Urban Neighborhood District (T-4)

The UN Urban Neighborhood District is intended to accommodate development of neo-traditional neighborhoods with primarily residential uses incorporating a mix of unit types and small-scale commercial uses where appropriate.

B. Commercial Mixed-Use Districts Purpose Statements

1. NC Neighborhood Center District (T-5)

The NC Neighborhood Center District is intended to accommodate a wide variety of residential and nonresidential uses in a moderate intensity mixed-use environment. This district also focuses on providing quality streetscape amenities and civic spaces to enhance pedestrian activity.

2. UC Urban Core District (T-6)

The UC Urban Core District accommodates the highest intensity and diversity of nonresidential and upper floor residential uses. This district focuses on high quality design and materials consistent with historic downtown form and promotes an active pedestrian oriented public realm.

C. Commercial Districts Purpose Statements

1. OMB Office Medical Business District

The OMB Office Medical Business District is intended to provide for high quality office and institutional developments, such as corporate headquarters, medical and professional offices, and healthcare related institutional facilities. The OMB District also permits a select series of supportive commercial uses.

2. WRB Water Related Business District

The WRB Water Related Business District is intended to accommodate and encourage commercial uses that are dependent upon and supportive of activities that utilize recreational waters.

D. Gateway Districts Purpose Statements

1. GC-U Gateway Urban Commercial District

The GC-U Gateway Urban Commercial District is intended to accommodate commercial development of a moderately urban character, creating a gateway that announces a transition from the edges of the community into more traditional established commercial development nodes as well as into key character areas.

2. GC-R Gateway Rural Commercial District

The GC-R Gateway Rural Commercial District is intended to accommodate commercial development of a suitably rural, low-intensity character, creating a gateway at the edge of the City and into key character areas that celebrates and preserves the natural beauty and rural character.

4.2 USES

- A. Article 8 lists permitted, special, and temporary uses for the mixed-use and commercial districts.
- B. In the UC District, select nonresidential uses are required on the ground floor of all facades abutting Broadway from Van Dam Street to Spring Street. Such uses are as follows. This does not exempt any use from special use permit approval if required by Article 8.
 - 1. Amusement facility - indoor
 - 2. Animal grooming establishment
 - 3. Art gallery
 - 4. Arts and fitness studio
 - 5. Community center
 - 6. Cultural facility
 - 7. Eating and drinking establishment
 - 8. Financial institution
 - 9. Hotel
 - 10. Live performance venue
 - 11. Micro-production of alcohol
 - 12. Office - Real estate services only
 - 13. Personal service establishment
 - 14. Retail goods establishment
 - 15. Specialty food service

4.3 RESIDENTIAL MIXED-USE DISTRICTS STANDARDS

A. Residential Mixed-Use Districts Dimensional Standards

- 1. Table 4-A: Residential Mixed-Use Districts Dimensional Standards establishes the dimensional standards for the residential mixed-use districts.
- 2. Developments are subject to the required public civic space requirements of Section 9.3.
- 3. In the NCU and AC Districts, nonresidential development is limited to the maximum gross floor area indicated in Table 4-A. This restriction does not apply to institutional uses, day care centers, or lodging facilities permitted within the district. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

Article 4. Mixed-Use & Commercial Districts

- a. The development maintains the privacy of adjacent residential lots and mitigates adverse impacts through techniques such as decreased building height and massing, additional landscape and screening measures, and setbacks greater than those required by the district dimensional standards.
- b. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
- c. Site illumination is designed and installed to minimize adverse impact on adjacent lots.
- d. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including walking and cycling. The design must minimize potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

Table 4-A: Residential Mixed-Use Districts Dimensional Standards			
Bulk	NCU	AC	UN (T-4)
Minimum Lot Area	SF, SF-A: 5,000sf 2F: 6,600sf Nonresidential: 5,000sf	SF, SF-A: 5,000sf 2F: 6,600sf Nonresidential: 5,000sf	None
Minimum Lot Width	SF, SF-A: 50' 2F: 60' Nonresidential: 50'	SF, SF-A: 50' 2F: 60' Nonresidential: 50'	None
Maximum Building Coverage	40%	40%	None
Maximum Impervious Surface	75%	75%	75%
Maximum Building Height	40'	40'	40'
Minimum Building Height	N/A	N/A	Nonresidential: 24'
Maximum First Floor Elevation When Principal Building Within 20' of Side Lot Lines - SF, SF-A, 2F Only	4'	4'	4'
Maximum Cumulative Area of New and Existing One-Story Structure(s) on Any One Lot	N/A	N/A	3,000sf
Nonresidential Gross Floor Area Maximum Per Building	2,000sf	2,000sf	N/A
Setbacks			
Minimum Front Setback	5'	5'	Build-to zone of 12' to 18'
Minimum Build-Out Percentage	N/A	N/A	50% (does not apply to SF, SF-A, 2F)
Minimum Interior Side Setback	5'	5'	SF, SF-A, 2F, TH: 5' MF, Nonresidential: 12'
Minimum Total interior Side Yard - SF, 2F Only	12'	12'	12'
Minimum Corner Side Setback	8'	8'	Residential: 12' Nonresidential: Build-to-zone of 12' to 18'
Minimum Rear Setback	25'	25'	24'

B. Residential Mixed-Use Districts Design Standards

1. Design Standards

- a. The following design standards apply in the residential mixed-use districts to new construction and to any additions to a structure existing as of the effective date of this Ordinance that exceed 30% or more of the existing structure's square footage. Table 4-B: Residential Mixed-Use Districts Design Standards establishes the design standards for the residential mixed-use districts. In the table, a "✓" indicates that the standard is applicable in the district indicated. The absence of a "✓" indicates that the standard does not apply to the district.


Article 4. Mixed-Use & Commercial Districts

- b.** Design standards may be exempted by the Design Review Board or Planning Board as follows:
- i.** Standards within the categories of Building Orientation and Site Design may be exempted by the Planning Board.
 - ii.** Where the Design Review Board reviews and approves development, including but not limited to within the Historic Review Overlay District or Architectural Review Overlay District, the Design Review Board may exempt standards in categories outside of those delineated in item i above.
 - iii.** Where the Design Review Board does not review and approve development, the Planning Board may exempt standards in all categories and may request a recommendation from the Design Review Board.
- c.** Single-family, single-family attached, two-family, and townhouse dwellings are not subject to these standards but rather subject to the design standards by dwelling type of Article 8. Multi-family dwellings are subject to the design standards of Table 4-B.

Table 4-B: Residential Mixed-Use Districts Design Standards				
		NCU	AC	UN (T-4)
Building Orientation				
1	All buildings must be oriented toward a primary public street.	✓	✓	✓
2	All public entrances must include direct pedestrian connections between street facing doors to adjacent sidewalks. All buildings must have a public entrance from the sidewalk along the primary building facade. Public entrances must be visually distinctive from the remaining portions of the facade along which they are located.	✓	✓	✓
3	Garage doors must not be located on the front of buildings, but rather must face the side or the rear of the property. If placement on the front of the building is unavoidable, garage doors must be located a minimum of 15 feet behind the principal building line, and are limited to a total 20 feet in width.	✓		✓

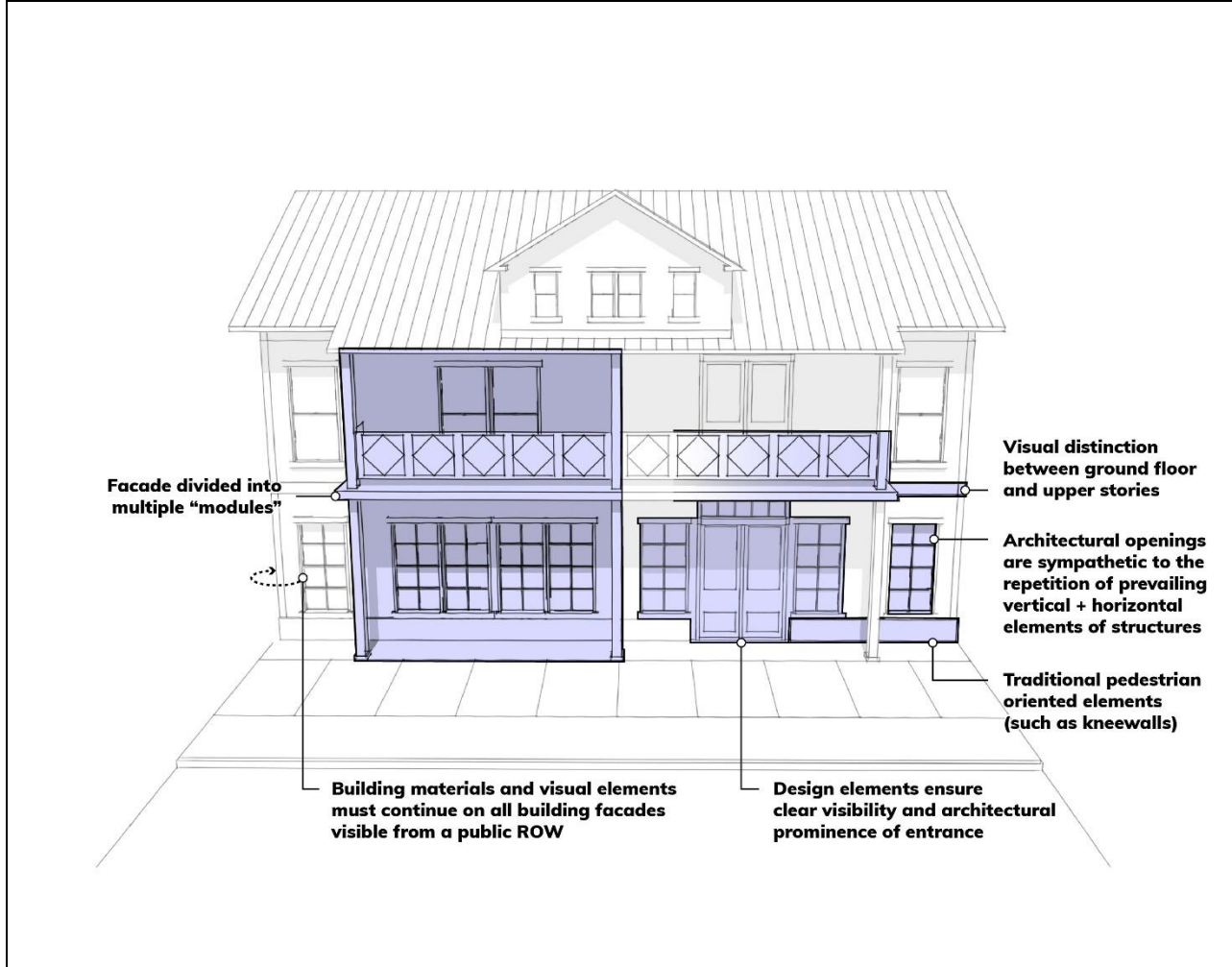
Article 4. Mixed-Use & Commercial Districts

Table 4-B: Residential Mixed-Use Districts Design Standards

		NCU	AC	UN (T-4)
				
Facade Design				
4	Building facades that abut a public right-of-way (excluding alleys) must not contain blank wall areas that exceed 30 linear feet, measured per story parallel to the street.	✓	✓	✓
5	Facades abutting a public right-of-way (excluding alleys) must be divided into multiple “modules,” expressed through significant architectural changes such as a change in materials, a change in pattern elements such as fenestration, columns or pilasters, or a change in building setback through recesses or projections. For buildings 150’ in length or greater, such modules may be no wider than 50 feet.	✓	✓	✓
6	Public entrances must include design elements to ensure clear visibility and architectural prominence, such as: <ul style="list-style-type: none"> a. Details including but not limited to awnings, arches, friezes, columns, pilasters, transom or sidelight windows mosaic or tile work, murals, or other public art as an integral feature. b. Integral landscape or seating elements such as planters and benches or seat walls. c. Three-dimensional elements such as corner towers, porticos, arcades or colonnades. 			✓
7	Buildings must be designed with consistent building materials and treatments that wrap around all facades visible from a public street. Where material or color treatments change, there should be a significant change in surface plane of a minimum of six inches in difference. Differing materials are encouraged to terminate at inside corners.	✓	✓	✓
8	Facades must express a traditional visual distinction between the ground floor and upper stories through architectural features or detailing, change in materials, or a change in pattern elements such as fenestration. Where existing adjacent buildings contain such horizontal features or datum lines distinguishing the ground floor from upper stories, new building facades must complement the heights of such features to create visual continuity along the face of a block.			✓

Article 4. Mixed-Use & Commercial Districts

Table 4-B: Residential Mixed-Use Districts Design Standards		NCU	AC	UN (T-4)
9	Commercial storefronts must include traditional pedestrian-oriented elements such as display windows, knee walls, transoms, and/or cornices.	✓	✓	✓
10	All architectural openings, including windows, doorways, arches, porch framing, etc. should be sympathetic to the repetition of prevailing horizontal or vertical elements of the structure.	✓	✓	✓
11	Window shutters, whether functional or used as a decorative element, must be used consistently across the building facade, and must be proportioned so as to cover the window opening when closed.	✓	✓	✓
12	Mechanical equipment and structural components such as vents must be located and screened to minimize visibility.	✓	✓	✓



Article 4. Mixed-Use & Commercial Districts

Table 4-B: Residential Mixed-Use Districts Design Standards				
		NCU	AC	UN (T-4)
Fenestration Design				
13	The ground floor of the front facade must maintain a minimum transparency of 35%, measured between two and ten feet in height.	✓	✓	✓
14	Upper floors of the front facade must maintain a minimum transparency of 15% of the wall area of the story	✓	✓	✓
Roof Design				
15	Roof forms may include symmetrical pitched roofs or flat roofs with cornice treatments. Slopes of pitched roofs should be no less than 5:12, and that porch roofs should be shed roofs with pitches no less than 3:12.			✓
16	Rooflines of 100' in length or more must be varied through the use of architectural design elements such as dormers, gables, or projected wall features. Such elements of variation may be no wider than 50'.	✓	✓	✓
17	Reflective roof surfaces that produce glare are prohibited, except for cool roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	✓	✓	✓
18	Where parapet walls are used, they must feature three-dimensional cornice treatments or other shadow-creating details along the top.	✓	✓	✓

Article 4. Mixed-Use & Commercial Districts

Table 4-B: Residential Mixed-Use Districts Design Standards

		NCU	AC	UN (T-4)
	Site Design			
19	Sites must be designed to ensure safe pedestrian and bicycle access from the public right-of-way, and safe pedestrian and bicycle circulation within the development.	✓	✓	✓
20	A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.	✓	✓	✓
21	Vehicular access to parking and service areas must be provided from an alley wherever possible. This also applies to corner lots served by alley access.	✓	✓	✓

2. Prohibited Building Materials

a. In the residential mixed-use districts, the following building materials are prohibited on any nonresidential facade facing a public right-of-way (excluding alleys) or any facade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material, unless a review by the Design Review Board, prior to site plan review, approves a greater percentage of use of these materials. Residential structures are subject to the standards for the dwelling type per Article 8.

- i. Plain concrete masonry units (CMU)
- ii. Corrugated metal
- iii. Exposed aggregate concrete wall panels
- iv. T-111 composite plywood siding

Article 4. Mixed-Use & Commercial Districts

- v. Plastic
- vi. Asphalt or vinyl siding
- vii. Exterior insulation and finish system (E.I.F.S.)
- viii. Cedar shakes as roofing material
- ix. Architectural foam

b. In the Historic Review Overlay District and the Architectural Review Overlay District, the Design Review Board must approve the use or any change in building materials as part of design review.

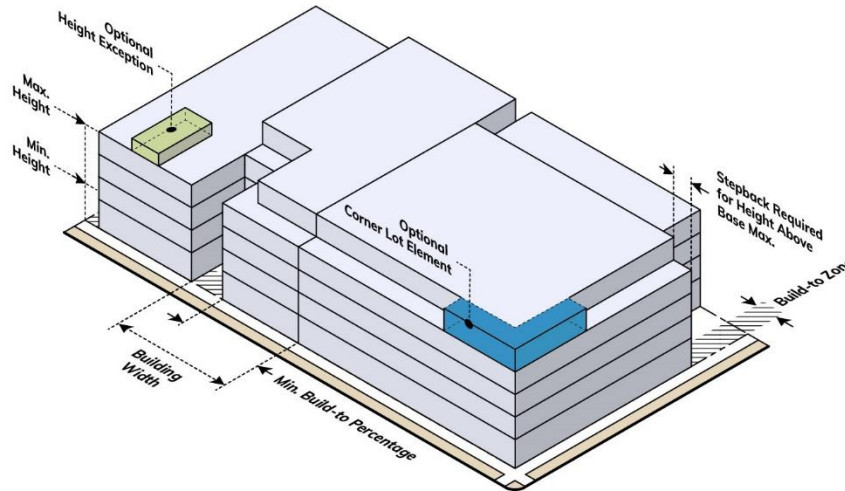
4.4 COMMERCIAL MIXED-USE DISTRICTS STANDARDS

A. Commercial Mixed-Use Districts Dimensional Standards

1. Table 4-C: Commercial Mixed-Use Districts Dimensional Standards establishes the dimensional standards for the commercial mixed-use districts.
2. Permitted single-family, single-family attached, two-family, and townhouse dwellings are not subject to these standards but rather subject to the standards of the UN District for such dwelling types.
3. Developments are subject to the required public civic space requirements of Section 9.3.

Table 4-C: Commercial Mixed-Use Districts Dimensional Standards		
	NC (T-5)	UC (T-6)
Bulk		
Maximum Building Height	1.1 times the width of the right-of-way or 50', whichever is less A height bonus may be approved - See Section 4.4.B below	1.1 times the width of the right-of-way or 70', whichever is less A height bonus may be approved - See Section 4.4.B below
Minimum Building Height	24'	24'
Building Height Stepback	Building facade above the maximum base height must be set back a minimum of 10' from ground floor facade line	
Optional Height Exception	Buildings may exceed maximum height by up to 6' for no more than 25% of the linear facade width, to a maximum depth of 30'	Buildings may exceed maximum height by up to 8' for no more than 35% of the linear facade width, to a maximum depth of 50'
Optional Corner Lot Element	Limited in width and depth to a maximum of 25% of the building width. May exceed height at which stepback is required, but may not exceed the overall building height	
Maximum Cumulative Area of New and Existing One-Story Structure(s) on Any One Lot	3,000sf	1,500sf
Setbacks		
Minimum Setback from a Lot Line Abutting any Public Right-of-Way (Excluding Alleys)	Right-of-way 40' or less in width: 5' to 12' build-to zone Right-of way width greater than 40': 0' to 12' build-to zone	Right-of-way 40' or less in width: 5' to 12' build-to zone Right-of way width greater than 40': 0' to 12' build-to zone
Minimum Build-Out Percentage Abutting any Public Right-of-Way (Excluding Alleys)	70% (does not apply to SF, SF-A, 2F, TH)	80%
Minimum Interior Side Setback	0'	0'
Minimum Rear Setback	0'	0'
<i>** In the UC District, select areas of the district require ground floor commercial uses per section 4.2.B.</i>		

BULK AND AREA HEIGHT EXCEPTIONS



B. Commercial Mixed-Use Districts Development Bonus

In order to exceed the maximum building height listed in Table 4-C, a proposed development must meet additional standards listed in this section.

1. Height Bonus

Up to 15 feet of additional building height may be granted through a voluntary bonus system. To obtain a development bonus, one or more actions in Table 4-D are required.

2. Application of Bonus Points

Bonuses for additional height are subject to the process of this section, and earned and applied as indicated in Table 4-D.

- a. The Design Review Board will determine the amount of height, up to the maximum of 15 feet, that the development is eligible for. As part of the request for additional height, the applicant must submit mass and scale drawings of the proposed development.
- b. Following the Design Review Board determination of the eligible amount of height bonus and partial approval of the mass and scale drawings, the approval will be forwarded to the Planning Board. The Planning Board will make a determination that the bonus action(s) proposed by the applicant meet the standards and intent of this section, the zoning district, and this Ordinance to achieve the height bonus.
- c. For items 1 and 2 of Table 4-D for affordable housing, the additional height is the full bonus amount (15 feet).
- d. For items 3 through 7 of Table 4-D, the additional building height is awarded by a point system. Acquired points may be used to increase building height by 1 foot for each point earned, up to the maximum height bonus the Design Review Board has approved, up to the maximum of 15 feet.

Article 4. Mixed-Use & Commercial Districts

Table 4-D: Commercial Mixed-Use Districts Development Bonus		
	Bonus Action	Bonus Awarded
1	<p>Affordable Housing Option A. Devote 20% of Gross Floor Area (calculated to number of units) for the number of floors above the base maximum height to affordable housing, using local unit size averages. Units must be set aside for households earning 60% AMI or less for a minimum of 30 years.</p> <p><i>Example: UC District Maximum Height with Bonus (70' maximum + 15' additional = 85') Additional 15' would typically be used to build one additional floor, so 20% of the units on one floor of the building must be devoted to affordable housing.</i></p>	Full bonus (15' of height)
2	<p>Affordable Housing Option B. Devote 5% of Gross Floor Area (calculated to number of units) of the total building to affordable housing, using local unit size averages. A minimum of 80% of the affordable units must be set aside for households earning 80% AMI or less, with no more than 20% set aside for households earning between 81% and 110% AMI, for a minimum of 30 years.</p>	Full bonus (15' of height)
3	<p>Provision of Public Civic Space. An additional 5% or more of total lot area is devoted to public civic space above the public civic space required by Section 9.3.</p>	Up to 5 points
4	<p>High Performance Construction I. Points are awarded on a sliding scale based on level of certification the building is designed to achieve: certified, silver, platinum, gold. Alternatively, up to five bonus points may be awarded for building that are designed to meet or exceed the provisions of the NY Stretch Energy Code, which includes elements more stringent than the base Energy Code that is in effect in NYS at the time of construction. An evaluation from a certified third party that demonstrates that buildings and sites meet LEED Certified standards (US Green Building Council); however, LEED certification is encouraged, but not required. An alternate sustainability rating system may be used, subject to approval by the City, and requires an evaluation from a certified third party.</p>	NC: Up to 5 points UC: Up to 5 points
5	<p>High Performance Construction II. Up to five bonus points are also available for buildings that utilize air source or ground source heat pumps as their primary source for heating and cooling.</p>	Up to 5 points
6	<p>Net-Zero Construction. Zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is equal to the amount of renewable energy created on the site, or in other definitions by renewable energy sources off-site. An evaluation from a certified third party is required. Buildings that supplement on-site energy production with purchases of renewable energy from off-site sources in order to meet the zero energy definition are also eligible.</p>	NC: Up to 8 points UC: Up to 10 points
7	<p>Community Space. Community space is provided for residents of the City, including meeting space and/or performance space. A management plan must be submitted, the space must be deed restricted to remain in perpetuity for the community's use, and must be actively marketed to the community.</p>	Up to 5 points

C. Commercial Mixed-Use Districts Design Standards

1. Design Standards

a. The following design standards apply in the commercial mixed-use districts to new construction and to any additions to a structure existing as of the effective date of this Ordinance that exceed 30% or more of the existing structure's square footage. Table 4-E: Commercial Mixed-Use Districts Design Standards establishes the design standards for the commercial mixed-use districts. In the table, a "✓" indicates that the standard is applicable in the district indicated. The absence of a "✓" indicates that the standard does not apply to the district.

b. Design standards may be exempted by the Design Review Board or Planning Board as follows:

i. Standards within the categories of Building Orientation and Site Design may be exempted by the Planning Board.

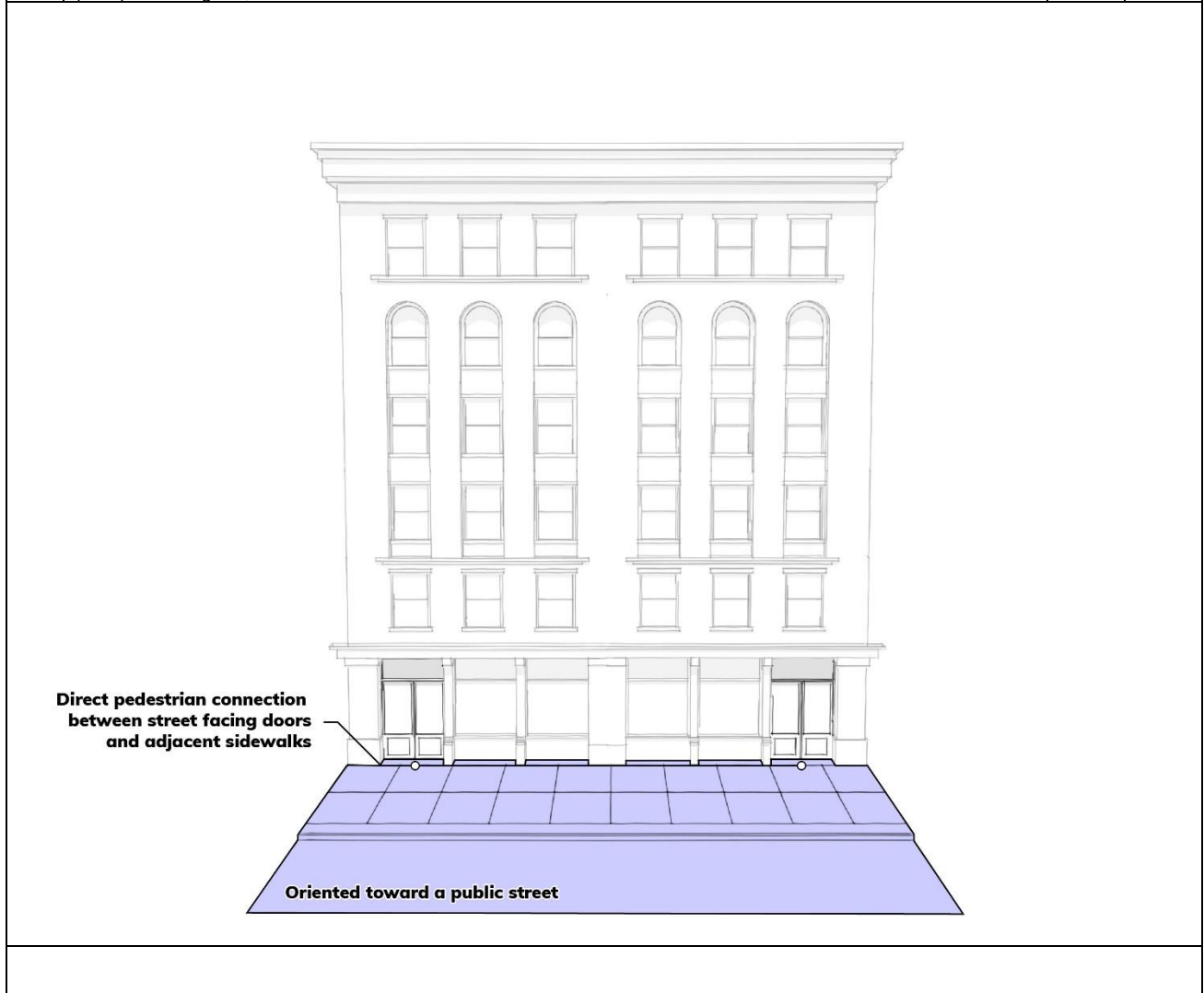
ii. Where the Design Review Board reviews and approves development, including but not limited to within the Historic Review Overlay District or Architectural Review Overlay District, the Design Review Board may exempt standards in categories outside of those delineated in item i above.

Article 4. Mixed-Use & Commercial Districts

iii. Where the Design Review Board does not review and approve development, the Planning Board may exempt standards in all categories and may request a recommendation from the Design Review Board.

c. Single-family, single-family attached, two-family, and townhouse dwellings are not subject to these standards but rather subject to the design standards by dwelling type of Article 8. Multi-family dwellings are subject to the design standards of Table 4-E.

Table 4-E: Commercial Mixed-Use Districts Design Standards		NC (T-5)	UC (T-6)
Building Orientation			
1	All buildings must be oriented toward a primary public street.	✓	✓
2	All public entrances must include direct pedestrian connections between street facing doors to adjacent sidewalks, and may not be set back more than ten feet from the building line.	✓	✓
3	Ground floor entrances into individual residential units must be between 2' and 7' above sidewalk grade. Where residential units are located below sidewalk grade, a below grade entrance is permitted, which shall be between 1' and 3' below sidewalk grade.	✓	✓
4	Garage doors must not be located on the front of buildings, but rather must face the side or the rear of the property. If placement on the front of the building is unavoidable, garage doors must be located a minimum of 15 feet behind the principal building line, and are limited to a total 20 feet in width.	✓	✓

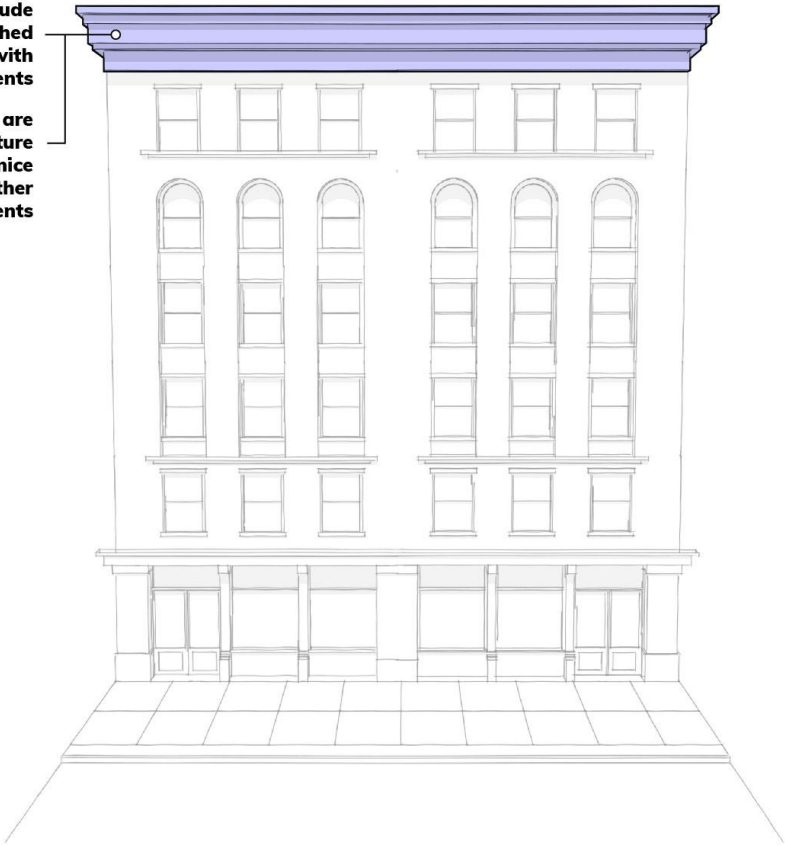


Article 4. Mixed-Use & Commercial Districts

Table 4-E: Commercial Mixed-Use Districts Design Standards			
		NC (T-5)	UC (T-6)
Building Form and Facade Design			
5	Building facades that abut a public right-of-way (excluding alleys) must not contain blank wall areas that exceed 30 linear feet, measured per story parallel to the street.	✓	✓
6	Facades must be divided into multiple "modules," expressed through significant architectural changes such as a change in materials, a change in pattern elements such as fenestration, columns or pilasters, or a change in building setback through recesses or projections. For buildings 150' in length or greater, such modules may be no wider than 50 feet.	✓	✓
7	Facades must express a traditional visual distinction between the ground floor and upper stories through architectural features or detailing, change in materials, or a change in pattern elements such as fenestration. Where existing adjacent buildings contain such horizontal features or datum lines distinguishing the ground floor from upper stories, new building facades must match the heights of such features to create visual continuity along the face of a block.	✓	✓
8	Public entrances must incorporate at least two of the following design elements to ensure clear visibility and architectural prominence: <ul style="list-style-type: none"> a. Details including but not limited to awnings, arches, friezes, columns, pilasters, transom or sidelight windows mosaic or tile work, murals, or other public art as an integral feature. b. Integral landscape or seating elements such as planters and benches or seat walls. c. Three-dimensional elements such as corner towers, porticos, arcades or colonnades. 	✓	✓
9	Commercial storefronts must include traditional pedestrian-oriented elements such as display windows, knee walls, transoms and cornices.	✓	✓
10	The ground floor of a building facade abutting a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two feet and ten feet in height.	✓	✓
11	The upper floors of a building facade abutting a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	✓	✓
12	The ground floor of a building facade abutting a rear parking area that contains a public entrance must maintain a minimum transparency of 20%, measured between two and ten feet in height.	✓	✓
13	All architectural openings, including windows, doorways, arches, porch framing, etc. must maintain a height equal to or greater than their width to emphasize the verticality of such elements.	✓	✓
14	Window shutters, whether functional or used as a decorative element, must be used consistently across the building facade, and must be proportioned so as to cover the window opening when closed.	✓	✓
15	Buildings must be designed with consistent building materials and treatments that wrap around all facades visible from a public street. Where material or color treatments change, there should be a significant change in surface plane of a minimum of six inches in difference. Differing materials are encouraged to terminate at inside corners.	✓	✓
16	Mechanical equipment and structural components such as vents must be located and screened to minimize visibility.	✓	✓

Article 4. Mixed-Use & Commercial Districts

Table 4-E: Commercial Mixed-Use Districts Design Standards		NC (T-5)	UC (T-6)
Roof Design			
17	Roof forms may include symmetrical pitched roofs or flat roofs with cornice treatments. Slopes of pitched roofs may not be less than 5:12, except that porch roofs may be sheds with pitches not less than 3:12.	✓	✓
18	Rooflines of 100' in length or more must be varied through the use of architectural design elements such as dormers, gables, or projected wall features. Such elements of variation may be no wider than 50'.	✓	✓
19	Reflective roof surfaces that produce glare are prohibited, except for cool roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	✓	✓
20	Where parapet walls are used, they must feature three-dimensional cornice treatments or other shadow-creating details along their tops.	✓	✓

Table 4-E: Commercial Mixed-Use Districts Design Standards		NC (T-5)	UC (T-6)
<p>Roof forms may include symmetrical pitched roofs or flat roofs with cornice treatments</p> <p>Where parapet walls are used, they must feature three-dimensional cornice treatments or other shadow-creating elements</p> 			
Site Design			
21	Sites must be designed to ensure safe pedestrian and bicycle access from the public right-of-way, and safe pedestrian and bicycle circulation within the development.	✓	✓
22	A cohesive visual character must be maintained through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.	✓	✓
23	Off-street parking and traffic flow must not interfere with the flow of pedestrian travel or otherwise detract from the aesthetic character of a development or redevelopment.	✓	✓
24	Vehicular access to parking and service areas must be provided from an alley wherever possible. This also applies to corner lots served by alley access.	✓	✓

2. Prohibited Building Materials

a. In the commercial mixed-use districts, the following building materials are prohibited on any nonresidential facade facing a public right-of-way (excluding alleys) or any facade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material, unless a review by the Design Review Board, prior to site plan review, approves a greater percentage of use of these materials. Residential structures are subject to the standards for the dwelling type per Article 8.

Article 4. Mixed-Use & Commercial Districts

- i. Plain concrete masonry units (CMU)
- ii. Corrugated metal
- iii. Exposed aggregate concrete wall panels
- iv. T-111 composite plywood siding
- v. Cedar shakes as roofing material
- vi. Plastic
- vii. Asphalt or vinyl siding
- viii. Exterior insulation and finish system (E.I.F.S.)
- ix. Architectural foam

b. In the Historic Review Overlay District and the Architectural Review Overlay District, the Design Review Board must approve the use or any change in building materials as part of design review.

4.5 COMMERCIAL DISTRICTS STANDARDS

A. Commercial Districts Dimensional Standards

- 1. Table 4-F: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts.
- 2. Permitted single-family, single-family attached, two-family, and townhouse dwellings are not subject to these standards but rather subject to the standards of the UN District for such dwelling types.

Table 4-F: Commercial Districts Dimensional Standards		
	OMB	WRB
Bulk		
Minimum Lot Area	10,000sf	20,000sf
Minimum Lot Width	100'	200'
Maximum Building Coverage	40%	45%
Maximum Impervious Surface	70%	70%
Maximum Building Height	40'	40'
Setbacks		
Minimum Front Setback	40'	40'
Minimum Interior Side Setback	15', unless abutting a residential district, then 40'	15', unless abutting a residential district, then 40'
Minimum Corner Side Setback	40'	40'
Minimum Rear Setback	25', unless abutting a residential district, then 50'	25', unless abutting a residential district, then 50'

B. Commercial Districts Design Standards

1. Design Standards

a. The following design standards apply in the commercial districts to new construction and to any additions to a structure existing as of the effective date of this Ordinance that exceed 30% or more of the existing structure's square footage. Table 4-G: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a "✓" indicates that the standard is applicable in the district indicated. The absence of a "✓" indicates that the standard does not apply to the district.

Article 4. Mixed-Use & Commercial Districts

- b. Design standards may be exempted by the Design Review Board or Planning Board as follows:
- i. Standards within the category of Site Design may be exempted by the Planning Board.
 - ii. Where the Design Review Board reviews and approves development, including but not limited to within the Historic Review Overlay District or Architectural Review Overlay District, the Design Review Board may exempt standards in categories outside of those delineated in item i above.
 - iii. Where the Design Review Board does not review and approve development, the Planning Board may exempt standards in all categories and may request a recommendation from the Design Review Board.
- c. Single-family, single-family attached, two-family, and townhouse dwellings are not subject to these standards but rather subject to the design standards by dwelling type of Article 8. Multi-family dwellings are subject to the design standards of Table 4-G.

Table 4-G: Commercial Districts Design Standards		OMB	WRB
Facade Design			
1	Building facades that abut a public right-of-way (excluding alleys) must not contain blank wall areas that exceed 30 linear feet, measured per story parallel to the street.	✓	✓
2	Facades abutting a public right-of-way (excluding alleys) must be divided into multiple "modules," expressed through significant architectural changes such as a change in materials, a change in pattern elements such as fenestration, columns or pilasters, or a change in building setback through recesses or projections. For buildings 150' in length or greater, such modules may be no wider than 50 feet.	✓	✓
3	Building materials and visual elements used on the primary building facade must continue on all building facades that are visible from a public right-of-way.	✓	✓
4	Mechanical equipment and structural components such as vents must be located and screened to minimize visibility.	✓	✓
Fenestration Design			
5	The ground floor of the front facade must maintain a minimum transparency of 30%, measured between two and ten feet in height.	✓	✓

Table 4-G: Commercial Districts Design Standards			
		OMB	WRB
	Site Design		
6	Sites must be designed to ensure safe pedestrian and bicycle access from the public right-of-way, and safe pedestrian and bicycle circulation within the development.	✓	✓
7	A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.	✓	✓

2. Prohibited Building Materials

a. In the commercial districts, the following building materials are prohibited on any nonresidential facade facing a public right-of-way (excluding alleys) or any facade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material, unless a review by the Design Review Board, prior to site plan review, approves a greater percentage of use of these materials. Residential structures are subject to the standards for the dwelling type per Article 8.

- i. Plain concrete masonry units (CMU)
- ii. Corrugated metal
- iii. Exposed aggregate concrete wall panels
- iv. T-111 composite plywood siding
- v. Cedar shakes as roofing material
- vi. Plastic
- vii. Asphalt or vinyl siding
- viii. Exterior insulation and finish system (E.I.F.S.)
- ix. Architectural foam

b. In the Historic Review Overlay District and the Architectural Review Overlay District, the Design Review Board must approve the use or any change in building materials as part of design review.

4.6 GATEWAY COMMERCIAL DISTRICTS STANDARDS

A. Gateway Commercial Districts Dimensional Standards

1. Table 4-H: Gateway Commercial Districts Dimensional Standards establishes the dimensional standards for the gateway commercial districts.

2. Where allowed in the GC-U district, single-family, single-family attached, two-family, and townhouse dwellings are not subject to the dimensional standards of Table 4-H, but rather are subject to the dimensional standards of the UN District for such dwelling types as specified in Table 4-A.

3. Where allowed in the GC-R district, single-family, single-family attached, two-family, and townhouse dwellings are subject to the dimensional standards of Table 4-H, with the following exceptions:

- a. Minimum building height shall not apply.
- b. Dwellings shall be located behind the primary commercial or mixed use building of the development. The minimum front setback shall be 20 feet from the rear of the primary commercial or mixed use building, or 40 feet from a right-of-way within the development, whichever is greater.
- c. Maximum density of residential dwelling units is subject to Section 4.6.A.4

4. The maximum density of residential dwelling units on any lot within the GC-R district or the portion of a lot within the GC-R district shall be 1 dwelling unit per 15,000 square feet of lot area within the district. Where the calculation of allowed number of dwelling units results in a fraction of a dwelling unit, the result shall be rounded

Article 4. Mixed-Use & Commercial Districts

down to the nearest whole number. The resultant number of dwelling units permitted on the lot may be divided amongst permitted building types.

5. The area designated as GC-R bound by Crescent Avenue to the north, Route 9 to the west, and lands currently zoned as INST-PR to the east and approximately 3,300 feet to the south are subject to the dimensional standards of Table 4-H, with the following exceptions:

- a. Buildings shall include two usable stories. Building footprints greater than 20,000 square feet shall have a minimum of 30% of each structure as 2 stories. A typical rural roof form shall also be applied to this additional story.
- b. The minimum front setback shall be 60 feet.

Table 4-H: Gateway Commercial Districts Dimensional Standards		
	GC-U	GC-R
Bulk		
Minimum Lot Area	10,000sf	20,000sf*
Minimum Lot Width	75'	100'
Maximum Building Coverage	45%	35%
Maximum Impervious Surface	85%	60%
Minimum Building Height	24'	18**
Maximum Building Height	40'	40'
Setbacks		
Minimum Front Setback	Build-to zone of 25' to 40'	40**
Minimum Front Build-Out Percentage	50%	N/A
Minimum Interior Side Setback	15', unless abutting a residential district, then 40'	20', unless abutting a residential district, then 40'
Minimum Corner Side Setback	25'	40'
Minimum Rear Setback	25', unless abutting a residential district, then 50'	25', unless abutting a residential district, then 50'

* See exceptions to these requirements as specified in Section 4.6.A

B. Gateway Commercial Districts Design Standards

1. Design Standards

a. The following design standards apply in the gateway commercial districts to new construction and to any additions to a structure existing as of the effective date of this Ordinance that exceed 30% or more of the existing structure's square footage. Table 4-I: Gateway Commercial Districts Design Standards establishes the design standards for the gateway commercial districts. In the table, a "✓" indicates that the standard is applicable in the district indicated. The absence of a "✓" indicates that the standard does not apply to the district.

b. Design standards may be exempted by the Design Review Board or Planning Board as follows:

- i. Standards within the category of Site Design may be exempted by the Planning Board.
- ii. Where the Design Review Board reviews and approves development, including but not limited to within the Historic Review Overlay District or Architectural Review Overlay District, the Design Review Board may exempt standards in categories outside of those delineated in item i above.
- iii. Where the Design Review Board does not review and approve development, the Planning Board may exempt standards in all categories and may request a recommendation from the Design Review Board.

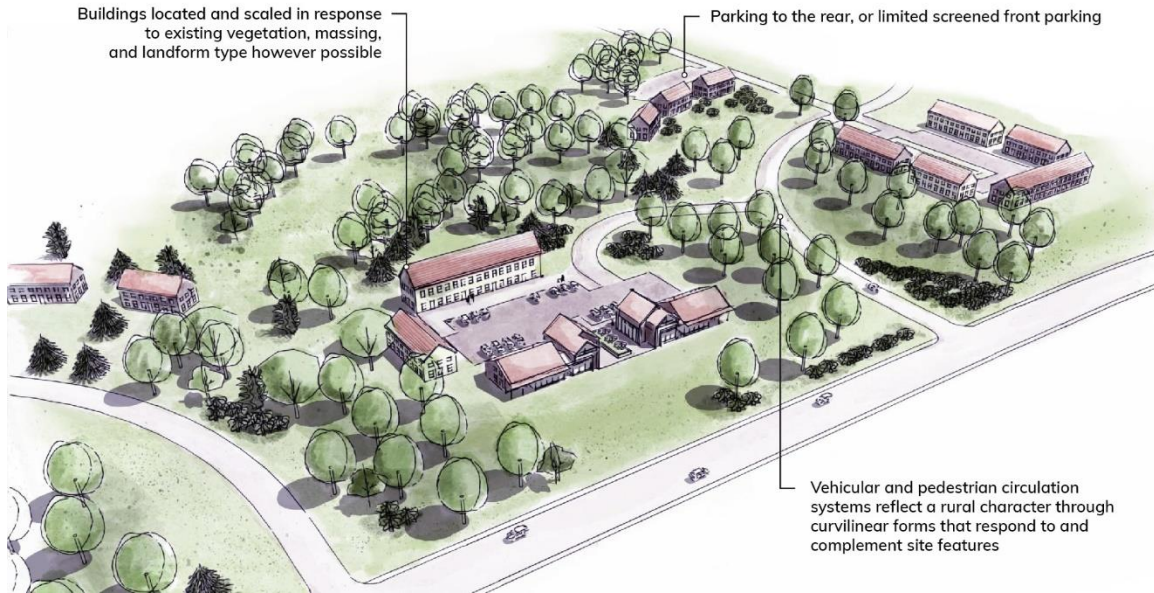
c. Single-family, single-family attached, two-family, and townhouse dwellings are not subject to these standards but rather subject to the design standards by dwelling type of Article 8. Multi-family dwellings are subject to the design standards of Table 4-I.

Article 4. Mixed-Use & Commercial Districts

d. The area designated as GC-R bound by Crescent Avenue to the north, Route 9 to the west, and lands currently zoned as INST-PR to the east and approximately 3,300 feet to the south shall incorporate the following design standards in addition to the GC-R standards listed below:

i. Pedestrian systems should be trails that link commercial nodes to other use areas (ie. Neighborhoods). Trails shall meet the requirements under section 18.5.

SOUTH BROADWAY (Rt. 9) GC-R GATEWAY BOUND BY CRESECENT AVE: CONCEPTUAL PLAN



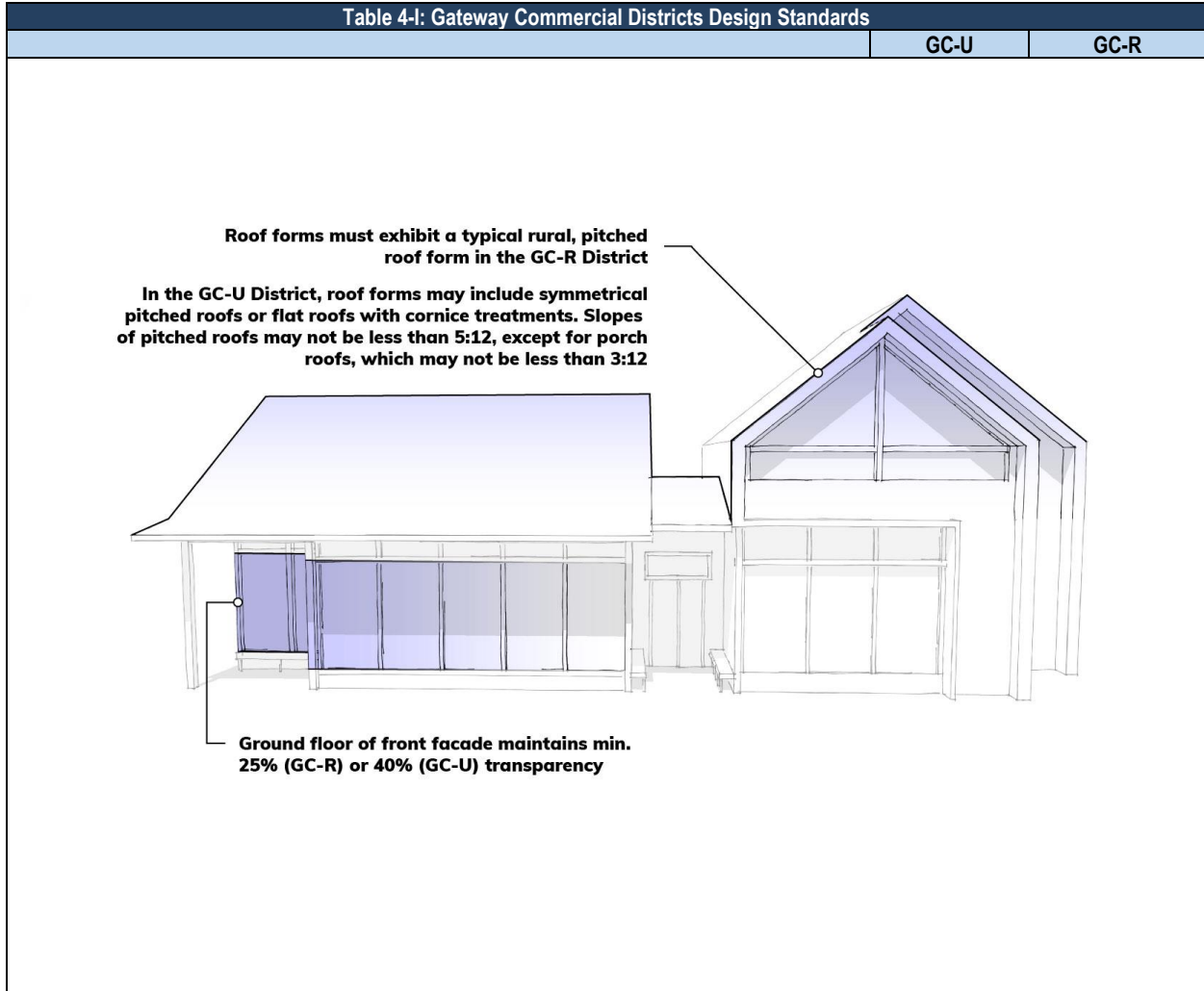
		GC-U	GC-R
	Facade Design		
1	Building facades that abut a public right-of-way (excluding alleys) must not contain blank wall areas that exceed 30 linear feet, measured per story parallel to the street.	✓	✓
2	Facades abutting a public right-of-way (excluding alleys) must be divided into multiple "modules," expressed through significant architectural changes such as a change in materials, a change in pattern elements such as fenestration, columns or pilasters, or a change in building setback through recesses or projections. For buildings 80' in length or greater, such modules may be no wider than 40 feet.	✓	✓
3	Commercial storefronts must include traditional pedestrian-oriented elements such as display windows, bulkheads, transoms, and cornices.	✓	✓
4	All architectural openings, including windows, doorways, arches, porch framing, etc. must maintain a height equal to or greater than their width to emphasize the verticality of such elements.	✓	✓
5	Window shutters, whether functional or used as a decorative element, must be used consistently across the building facade, and must be proportioned so as to cover the window opening when closed.	✓	✓
6	Buildings must be designed with consistent building materials and treatments that wrap around all facades visible from a public street. Where material or color treatments change, there should be a significant change in surface plane of a minimum of six inches in difference. Differing materials are encouraged to terminate at inside corners.	✓	✓
7	Mechanical equipment and structural components such as vents must be located and screened to minimize visibility.	✓	✓

Article 4. Mixed-Use & Commercial Districts

Table 4-I: Gateway Commercial Districts Design Standards

		GC-U	GC-R
	Fenestration Design		
8	The ground floor of the front facade must maintain a minimum transparency of 25%, measured between two and ten feet in height.		✓
9	The ground floor of the front facade must maintain a minimum transparency of 40%, measured between two and ten feet in height.	✓	
	Roof Design		
10	Buildings must exhibit a typical rural, pitched roof form, including but not limited to gabled, hipped, gambrel, and barn roof forms.		✓
11	Roof forms may include symmetrical pitched roofs or flat roofs with cornice treatments. Slopes of pitched roofs may not be less than 5:12, except that porch roofs may be sheds with pitches not less than 3:12.	✓	
12	Where parapet walls are used, they must feature three-dimensional cornice treatments or other shadow-creating details along their tops.	✓	
13	Reflective roof surfaces that produce glare are prohibited, except for cool roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	✓	✓

Table 4-I: Gateway Commercial Districts Design Standards



	Site Design	GC-U	GC-R
14	Sites must be designed to ensure safe pedestrian and bicycle access from the public right-of-way, and safe pedestrian and bicycle circulation within the development.	✓	✓
15	Vehicular and pedestrian circulation systems must reflect a rural character through the use of curvilinear forms that acknowledge and work to complement site features such as vegetation and topography.		✓
16	Off-street parking and traffic flow must not interfere with the flow of pedestrian travel or otherwise detract from the aesthetic character of a development or redevelopment. All off-street parking must be screened or aligned so that light from vehicle headlights do not adversely impact abutting properties.	✓	✓
17	Existing on-site vegetation and topography must be preserved to the extent practicable. Where topography must be altered, cut and fill slopes must be graded to mimic existing slopes, at a maximum of 1:5, and blend smoothly into the surrounding landscape.		✓
18	Site designs must employ techniques such as variation in the height and placement of buildings, as well as clustering of structures and vegetation to reinforce the rural character of the area, and to help preserve scenic views of the surrounding natural landscape.		✓
19	Shared driveways are strongly recommended with the minimum spacing between adjacent driveways on the same side of the street at 500 feet. Access connections on opposite sides of the street should be aligned or off-set so as to eliminate left-turn conflicts. The Planning Board, as part of site plan review, should evaluate the effect of proposed driveway locations on development of abutting properties. Proposals for shared driveways may require cross access easements.		✓

2. Prohibited Building Materials

a. In the gateway commercial districts, the following building materials are prohibited on any nonresidential facade facing a public right-of-way (excluding alleys) or any facade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material, unless a review by the Design Review Board, prior to site plan review, approves a greater percentage of use of these materials. Residential structures are subject to the standards for the dwelling type per Article 8.

- i.** Plain concrete masonry units (CMU)
- ii.** Corrugated metal
- iii.** Exposed aggregate concrete wall panels
- iv.** T-111 composite plywood siding
- v.** Cedar shakes as roofing material
- vi.** Plastic
- vii.** Asphalt or vinyl siding
- viii.** Exterior insulation and finish system (E.I.F.S.)
- ix.** Architectural foam

b. In the Historic Review Overlay District and the Architectural Review Overlay District, the Design Review Board must approve the use or any change in building materials as part of design review.

4.7 GENERAL STANDARDS OF APPLICABILITY

A. Site Development Standards

See Article 9 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

See Article 10 for off-street parking and loading standards and requirements.

C. Landscape

See Article 11 for landscape, buffering, and screening standards and requirements.

D. Signs

See Article 12 for standards governing signs.