



# UNIFIED DEVELOPMENT ORDINANCE

CITY OF SARATOGA SPRINGS, NY

**75% DRAFT PROGRESS SUBMISSION  
SEPTEMBER 15, 2017**





# TEMP PAGE: DRAFT UDO LEGEND

## A Visual Guide to the Draft UDO Edits

The draft UDO documents being published for review include specific formatting which is intended to help everyone understand the edits being proposed, as follows:

**Existing Text Unchanged.** Black text shown like this indicates existing city code language which is currently proposed to be kept "as is" without edits. It may have been relocated to a different section or chapter, but the text remains the same.

This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance.

**Existing Text Deleted.** Red strikeout text shown like this indicates existing city code language which is currently proposed to be removed.

~~This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance.~~

**New Text Added.** Green underline text shown like this indicates new language which is currently proposed to be added to the code.

This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance.

**Temporary Text.** Purple text shown like this indicates temporary text (such as "**## Note: editor's notes**") or cross-references (**See Article 0.0.0**) which will need to be changed at a later date when the code is finalized.

This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance.

**Updated Text.** Text with a very light blue background shown like this indicates that this paragraph has been updated/changed since the 50% draft was published. This feature was requested so that people could more easily find areas had been changed without comparing back and forth. Note that minor or incidental edits are not highlighted in this manner. It is not intended to highlight every instance of edits.

This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance. This is sample text used to illustrate what the text would look like in the proposed new ordinance.

# TEMP PAGE: Use Schedule Notations

Bakery, retail
Bakery, wholesale
Barns and Stables <sup>005</sup>
Bathhouse / Health Spa
Bottling Plant <sup>006</sup>

Please Note: The draft Article 2 Use Schedule for "Mixed Use Districts" includes 3-digit red numbered codes for many uses. These codes are editors' notes, and correspond as follows:

- 003 Use category added to differentiate Drive-Ins from other types of drive ins.
- 004 Use category added to differentiate Drive-In banking institutions from other types of drive ins. Made as a Special Use Permit
- 005 Use category added to differentiate Drive-In Pharmacies from other types of drive ins. Made as a Special Use Permit
- 006 The existing zoning for the T-6, T-5 and T-4 districts states that ALL USES, except those listed as "permitted accessory uses and structures" and those listed as "prohibited uses", may be allowed with special use permit and site plan review. These uses listed with this numeric code are not found in either category, and therefore it would reasonably be interpreted that they would technically be allowed as stated. For this reason, they are shown as currently allowed in the use schedule, even if they may not seem appropriate.
- 007 Group Entertainment is listed as both "Permitted with Site Plan Approval" and "Permitted with SUP and Site Plan Approval" within the HGB district. It is not known which one is correct. Need to clarify.
- 008 "Sales and Maintenance" appears only once in the existing use schedule within the IND-L district, and could be considered for rolling into another use category. It is not clear what this use is.
- 009 In the WD and IND-L Districts, "Administrative Offices" are listed as permitted with site plan review and SUP. It is assumed that this is different and distinct from "Offices". Instead of making a new use category for Administrative Offices, it is recommended that this instead be listed as an "Office" which is Accessory Use, and has been indicated that way on the use schedule
- 010 Telecommunications Facility - it is assumed that this is the same thing as "TV/Radio & Receiving Broadcast", which is only listed for the IND-L district. This should be clarified, and possibly combined with "Telecommunications Tower"
- 011 "Real Estate Office" - should consider if there is any reason this cant be combined into "Office".

# Credits

---

---

This project was funded in part by the New York State Energy Research and Development Authority



# Table Of Contents

---

	<b>FOREWORD</b>	
<b>ARTICLE 1</b>	<b>INTRODUCTION</b>	<b>1-1</b>
	General Provisions .....	1-1
<b>ARTICLE 2</b>	<b>DISTRICTS</b>	<b>2-1</b>
	Residential Districts .....	2-3
	Mixed Use Districts .....	2-17
	Specialty Districts.....	2-38
	Overlay Districts & Special Areas .....	2-55
<b>ARTICLE 3</b>	<b>REQUIREMENTS FOR SPECIFIC USES</b>	<b>3-1</b>
	Requirements for Specific Uses .....	3-1
	Requirements for Accessory Uses .....	3-6
<b>ARTICLE 4</b>	<b>DESIGN OF SITES, BUILDINGS AND SIGNS</b>	<b>4-1</b>
	Street Standards .....	4-3
	Complete Streets .....	4-6
	Frontage Types .....	4-22
	Facade Types .....	4-24
	Building Types .....	4-25
	Urban Design .....	4-26
	Parking Requirements .....	4-31
	Stormwater Management .....	4-37
	Landscaping .....	4-39
	Civic Space & Pedestrian Amenities .....	4-42
	Signs .....	4-43
	Exterior Lighting .....	4-61
	Solar Energy Systems .....	4-64
	Water Conservation .....	4-66
	Subdivision Design .....	4-66
	Rural Design & Siting Standards .....	4-76
	Flood Damage Prevention .....	4-80
<b>ARTICLE 5</b>	<b>APPLICATION AND REVIEW PROCESS</b>	<b>5-1</b>
	Public Hearing & Notification Procedures .....	5-2
	Consent Agendas .....	5-4
	Subdivisions .....	5-5
	Special Use Permits .....	5-16
	Site Plan Review .....	5-19
	Architectural Review .....	5-25
	Historic Review .....	5-29
	Stormwater Management .....	5-35
	Land Disturbance Permit .....	5-45
	Watercourse Activity Permit .....	5-46
	Sign Permit .....	5-47

# Table Of Contents

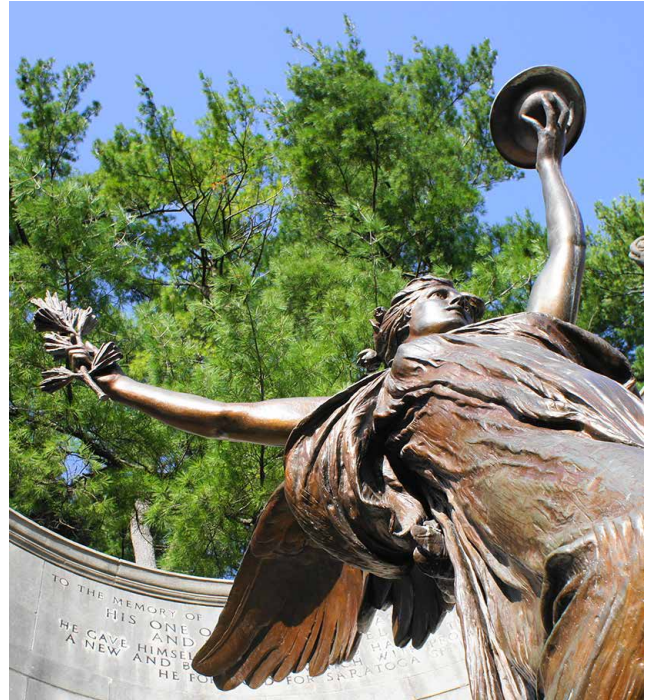
---

<b>ARTICLE 5</b>	<b>APPLICATION AND REVIEW PROCESS (CONT.)</b>	
	Renewable Energy Permits.....	5-47
	Tree Work Permit .....	5-49
	Demolition Permit .....	5-50
	Floodplain Development Permit .....	5-51
	Building Permit .....	5-52
	Certificate of Occupancy .....	5-52
	Other Permits & Approvals .....	5-52
	Performance Guarantees.....	5-52
<b>ARTICLE 6</b>	<b>VARIANCES</b>	<b>6-1</b>
	Variances .....	6-1
	Appeals Procedure .....	6-2
<b>ARTICLE 7</b>	<b>AMENDMENTS TO ORDINANCE</b>	<b>7-1</b>
	General Amendments .....	7-1
	Planned Unit Developments .....	7-4
<b>ARTICLE 8</b>	<b>ADMINISTRATION &amp; ENFORCEMENT</b>	<b>8-1</b>
	Administration .....	8-1
	Non-Conforming .....	8-2
	Enforcement .....	8-3
	Legal Status .....	8-4
<b>ARTICLE 9</b>	<b>DEFINITIONS</b>	<b>9-1</b>
<hr/>		
<b>APPENDIX</b>	<b>SUPPORTING INFORMATION / FORMS</b>	
	Appendix A - Site Plan Review & Stormwater	
	Appendix B - Subdivision Supporting Documents	
	Appendix C - Planned Unit Developments	

# FOREWORD

This Unified Development Ordinance (UDO) represents the continued efforts of Saratoga Springs to effectively plan for the future by establishing a blueprint that clearly and proactively coordinates future development while raising the bar on sustainability. This ordinance was designed to coordinate many regulatory codes and combine them in a more user-friendly document which implements the community's vision and enhanced sustainability goals described in our Comprehensive Plan. Specifically, this ordinance combines and reorganizes several former chapters of the city code, including Chapter 240: Zoning Ordinance, Chapter 241: Subdivision Regulations, and Chapter 242: Stormwater Management in addition to edits and coordination with other city code chapters.

It is our hope that this improved document will help to implement this vision for the City of Saratoga Springs and to protect and improve the health, safety and welfare for all citizens of Saratoga Springs for generations to come.



## **Vision Statement – 2015 Comprehensive Plan**

"Saratoga Springs is the "City-in-the-Country." This concept reflects a city with an intensively developed urban core and an economically vibrant central business district, with well defined urban edges and an outlying area of rural character, comprised of agriculture, open lands, natural and diverse environmental resources, and low density residential development. The overriding philosophy that will guide future development of our "City in the Country" will be sustainability. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainable development makes investments that yield long-term benefits for our community. Sustainable development enhances economic opportunity and community well-being while protecting the human and natural resources, upon which the future of our economy and our community depend.

Recognized for its commitment to history, health and horses, the City is a small, livable community with a strong sense of pride, family, and volunteerism. The City's vibrant, walkable core, stable neighborhoods and high level of mobility support regional economic growth and ensure its position as a world class destination for entertainment, education, and cultural activities."



# Review & Approvals Reference Chart

This reference table is provided for the convenience of the user and provides basic information on commonly-requested permits and approvals. It does not include all permits or approvals which may be required for every project per city code. Some projects may need to also comply with the provisions of the New York State Environmental Quality Review Act (SEQRA) among other rules and regulations.

Approval or Permit Type	Overview	Review By	Decision By	Design Guidance (See Section)	Review and Approval Process (See Section)
<b>Architectural Review</b>	Consideration of architectural design aspects of a project	Zoning & Building Inspector	Design Review Board	2.4.3 / 4.6	5.7
<b>Building Permit</b>	Review for compliance with NYS building code		Building Inspector		5.17
<b>Certificate of Occupancy</b>	For use and occupancy of building		Building Inspector		5.18
<b>Demolition Permit</b>	To demolish an existing structure		Building Inspector		5.15
<b>Demolition Permit in Landmark / Historic District</b>	To demolish an existing structure if landmark or in historic district	Design Review Board	Building Inspector		5.15
<b>Floodplain Development Permit</b>	Land alteration or construction in a flood hazard area		Building Inspector		5.16
<b>Historic District Review</b>	Appropriateness with historic design standards	Zoning & Building Inspector	Design Review Commission	2.4.2	5.8
<b>Land Disturbance Permit</b>	Review of earthwork other land disturbance	Zoning & Building Inspector	Planning Board		5.10
<b>Lot Line Adjustment</b>	Modification of boundary lines of existing lots	Planning Office	Planning Board Chairperson		5.4.2
<b>Planned Unit Development</b>	Designation of an overlay zone for development under a master plan	Planning Board	City Council		7.2
<b>State Environmental Quality Review Act (SEQRA)</b>	Compliance with regulations related to environmental protection	All involved agencies	Lead Agency TBD (typically Planning Board)		
<b>Sign Permit</b>	Review dimensional and related aspects of signs		Building Inspector	4.11	5.12
<b>Site Plan Review</b>	Review site development plans	Planning Board & Other City Departments	Planning Board	4.6 / 4.7	5.6
<b>EV / Solar Permit</b>	Review for compliance with design and other requirements		Building Inspector	4.13	5.13
<b>Special Use Permit</b>	Special review of certain land uses	Planning Board	Planning Board		5.5
<b>Stormwater Management Permit</b>	Compliance with water quality protection requirements	Planning Board	Stormwater Management Officer	4.8	5.9
<b>Subdivisions</b>	Review new lots and related infrastructure improvements	Planning Board; other city departments	Planning Board	4.15	5.4
<b>Tree Work / Removal Permit</b>	Prior to cutting of trees along streets and other city property		Department of Public Works		5.14
<b>Variance</b>	Request for specific relief from requirements of the ordinance	Zoning Board of Appeals	Zoning Board of Appeals		6.1
<b>Watercourse Activity Permit</b>	Land disturbance and activities near waterways within the Watercourse Protection Overlay District.	Planning Board	Planning Board	2.4.9	5.11
<b>Zoning Amendment</b>	Legislative process to modify the ordinance	Planning Board	City Council		7.1