Town of New Castle, New York
Chapter 60 Zoning

Article VIII: Form Based District

Sections 60-800 to 60-930

§ 60-800 Form Based District: Contents

§ 60-810 Form Based District: Authority and Purpose **2**
A. Authority 2
B. Intent and Purpose 2

§ 60-820 Form Based District: Applicability **3**
A. General 3
B. Additions to District 3

§ 60-830 Form Based District: Relationship to Other Chapters of the Town of New Castle Code **4**
A. General Framework 4
B. Supersession of Other Parts of the New Castle Town Code 4
C. Applicability to Other Parts of the Town Code 4

§ 60-840 Form Based District: Administration **5**
A. Role of the Development Department 5
B. Approval Process and Permits for Buildings and Uses 6
C. Issuance of Building Permits and Certificates of Occupancy. 8
D. Approval Processes for Streets, Sidewalks, and Public Improvements. 8
E. Division of Land Under this Article. 8
F. Amendment. 8

§ 60-850 Form Based District: Nonconforming Uses, Structures, and Lots **9**
A. Supersession 9
B. Approval 9

§ 60-860 Form Based District: Transect — Uses and Building Heights **10**
A. Transect Intent 11
B. Establishment of Sub-Districts 11
C. Sub-District Intent 12
D. Sub-Districts Required 12
E. Permitted Uses 14
F. Development Intensity 18
G. General Building Heights 18

§ 60-870 Form Based District: Regulating Plans and Regulating Plan Regulations **19**
A. Establishment of Regulating Plans 19
B. Public and Private Street Alignments 36
C. Open Space 36
D. Build-to-Lines for Buildings 36
E. Frontage Occupancy 36
F. Vista Terminations and Special Urban Design Features 38
G. Public and Private Frontages 39

§ 60-880 Form Based District: General Development Regulations **42**
A. Subdivision 42
B. Blocks 42
C. Lots 43
D. Accessory Buildings and Dwelling Units 46
E. Parking Required 46
F. Parking Location 48
G. Parking Provision — Fee in Lieu of Parking 49
H. Parking Configuration 49
I. Parking, Overnight 50
J. Loading 50
K. Service 50
L. Open Space and Landscape 50
M. Walls, Fences, and Gates 51
N. Gas and Service Stations 51
O. Visibility at Intersections 52
P. Signs 52
Q. Exterior Lighting 57
R. Utilities 57

§ 60-890 Form Based District: Thoroughfares **58**
A. Supersession 58
B. Conformity to Regulating Plan 58
C. Street Design Standards 58
D. Intersections 60
E. Continuation of Streets into Adjacent Properties 60
F. Street Names 60

§ 60-900 Form Based District: Affordable And Workforce Housing **61**
A. AFFH and Workforce Definitions and AFFH Model Ordinance Provisions 61
B. Requirements 61

§ 60-910 Form Based District: Green Building and Healthy Building Standards **62**
A. Applicability and Requirements for Green Buildings 62
B. Applicability and Requirements for Healthy Buildings 62

§ 60-920 Form Based District: Architecture Regulations **63**
A. Purpose and Intent 63
B. Precedence 63
C. General Architecture Regulations, All Buildings 63
D. General Architecture Regulations, Retail, Office, and Mixed-Use Buildings 68
E. General Architecture Regulations, Townhouses 69
F. General Architecture Regulations, Civic Buildings 70
G. Architecture Styles 72

§ 60-930 Form Based District: Definitions **114**
A. Rules of Interpretation 114
B. Definitions 114

§ 60-810 Form Based District: Authority and Purpose

A. Authority

This Article is adopted as a local law pursuant to, inter alia, the New York State Constitution, Article 9, §2(b)(3); Statute of Local Governments, §10, Subdivision 6; and Municipal Home Rule Law § 10, Subdivision 1(ii)a(11), §10, Subdivision 1(ii)a(12), and §10, Subdivision 1(ii)d(3). It shall amend and, to the extent necessary, supersede any provisions of New York Town Law §§261 through 281, as well as any other sections of the Town Law with which it may be inconsistent.

B. Intent and Purpose

(1) This article regulates the location, design, construction, alteration, occupancy, and use of structures and the use of land, including both private and publicly owned land, within areas zoned "F-Form-Based District" within the Town of New Castle. This article has been enacted in order to institute a legally enforceable Form-Based Code within the Town of New Castle.

(2) The purpose of this article is to establish a detailed set of development rules and procedures that will result in compact and walkable development, including transit-oriented development in appropriate locations, for parcels zoned F-Form Based District (and accompanying sub-districts) in order to promote the health, safety, and welfare of the community and to implement the goals of the Comprehensive Plan to promote a livable built environment, harmony with nature, a resilient economy, a healthy community, and responsible regionalism. Areas include the vicinity of the Chappaqua Metro-North Commuter Railroad Station and such other areas as may be designated by the Town of New Castle.

(3) This article is intended to supersede and replace all conflicting rules in those chapters of the Code of the Town of New Castle relating to zoning, subdivision, streets, sidewalks, and other public improvements, in order to create a more beautiful, harmonious, and pedestrian-oriented public realm.

(4) This article is further intended to implement a streamlined process of development application review and approval based upon compliance with the form-based code, in order to expedite development that fulfills the purposes of this article.

§ 60-820 Form Based District: Applicability

A. General

This article applies to all land, buildings, streets, sidewalks, uses, activities, public and private improvements, and landscape alterations of any kind occurring within a Form-Based District as shown in the Town of New Castle Westchester County New York Zoning Map with the same title incorporated by reference herein. The regulations in this article apply not only to private land use and development, but also to public improvements, streets, sidewalks, and land uses owned and operated by the Town of New Castle. This article does not regulate land owned by Westchester County, New York State, Metro-North Railroad, the United States of America, or any public or quasi-public entity that is exempt from municipal regulation, although the Town of New Castle urges and encourages such entities to take this chapter into consideration in conducting their activities within the Form-Based District.

B. Additions to District

Other land in the Town of New Castle may be added to the Form-Based District by the adoption of zoning amendments that identify the area to be regulated by the enlarged or new form-based district, together with a regulating plan, development standards, and a Generic Environmental Impact Statement for the new area to be zoned as a Form-Based District. The process for adopting such an amendment is described in ***§60-840F*** and ***§60-600*** of the Town of New Castle Zoning Ordinance. Upon adoption of such a zoning amendment, the provisions of this article will apply to the newly mapped area.

§ 60-830 Form Based District: Relationship to Other Chapters of the Town of New Castle Code

A. General Framework

This article consists of a regulating plan, development standards, street standards, architecture standards, and green building and site planning standards, organized by "transect zones" as described in ***§ 60-860*** through ***60-920***. These plans, transect zones, and standards replace the otherwise applicable zoning, subdivision, and other provisions in the New Castle Town Code regulating land use and development, creating an integrated and unified development code for the Chappaqua Form-Based District and a new set of procedures for administering this code. The intent of this framework is to provide clear guidance to landowners, applicants, municipal officials, and the community, while providing a streamlined and integrated framework for decision making. Where this article is silent about any matter relating to land use, building, or development, applicable provisions of the Town Code that do not conflict with this article shall apply.

B. Supersession of Other Parts of the New Castle Town Code

The provisions of this article explicitly supersede in their entirety the following chapters of the Town Code within the Chappaqua Form-Based District: [to be written later]

C. Applicability to Other Parts of the Town Code

(1) In case of a conflict between this article and any provisions of the New Castle Town Code not listed in subsection B above, this article shall control. Where no such conflict exists, all chapters of the Code of the Town of New Castle, including applicable portions of Chapter 60, shall have full force and effect within the Form-Based District.

(2) All applications for building construction are required to conform to applicable building code and life safety ordinances and laws. Applicants shall be responsible for obtaining all necessary permits and approvals from local regulatory agencies with jurisdiction over a project. In any case where building or life safety regulations are in conflict with this chapter, the Development Department shall be notified at once and such ordinances shall take precedence.

§ 60-840 Form Based District: Administration

A. Role of the Development Department

(1) The Development Department shall have primary responsibility for the administration of the Form-Based Code.

(2) Applicants for development within the Form-Based District shall meet initially with the Development Department prior to submitting an application in order to determine submission requirements and to discuss the procedural and substantive requirements for compliance with this article.

(3) The Development Department shall determine whether the application is for a by-right use, in which case the procedures in Subsection B(1) shall be followed. If the application involves a special permit, variance, or subdivision, the Development Department shall refer the application to the appropriate body for further review and action, as provided in ***Subsections B(2)***, ***B(3)***, and ***E*** below.

(4) The Development Department shall be responsible for ensuring that all required reviews occur within the prescribed timelines [if any] and shall oversee the review process for all applications.

(5) The Development Department shall review all improvements, including alterations and modifications to structures, for conformance with this article, following the steps listed in ***Subsection B*** below. Approval by the Development Department does not relieve an owner of the obligation to obtain other required governmental approvals.

(6) All decisions of the Development Department may be submitted for reconsideration by the Planning Board using the procedures for special permits contained in ***§60-430B***. The Planning Board shall apply the same criteria and standards contained in this Article used by the Development Department in rendering its decision. After the Planning Board makes a decision on reconsideration, the application shall be remitted to the Development Department for further action consistent with the Planning Board's decision.

B. Approval Process and Permits for Buildings and Uses

(1) Uses and Structures Allowed by Right and Permitted Waivers, Deviations, and Encroachments: All applications shall be submitted to the Development Department for a three-step zoning review. The first step is Concept Review, the second step is Design Review, and the third step is Construction Documents Review. Submission requirements for approvals shall be determined by the Development Department and recommended to the Building Inspector, who shall issue forms and detailed instructions for submission of applications.

a. Concept Review establishes conceptual conformance with the requirements of this Article. The Development Department may provide recommendations to the applicant on how to refine the concept in the concept review stage to ensure that it complies with this Article. The Building Inspector, in consultation with the Development Department, shall determine as part of Concept Review, whether a proposed use or structure is allowed by right, is prohibited, or may be allowed by special permit. If the application requires a special permit, the Development Department shall conduct an initial concept review and then refer the application to the Planning Board for action pursuant to ***§60-430***. In such a case, the Development Department shall ask the applicant to provide design information in sufficient detail for the Planning Board to make an informed decision on the special permit.

b. Design Review confirms compliance of the design details with this Article and verifies that previous recommendations made by the Development Department have been incorporated. The Development Department may provide recommendations to the applicant on how to refine the concept in the design review stage to ensure that it complies with this Article. If the applicant seeks any permitted deviations, encroachments, or waivers, they shall be specifically requested in the Design Review application. If determined by the Development Department to be consistent with this article, the building inspector shall approve, at the building permit stage, a proposed dimensional deviation, encroachment, or waiver. If the applicant seeks a dimensional deviation greater than 5%, the request shall be submitted to the Planning Board which shall review it under the procedure in ***§ 60-430***. After the completion of Design Review, the applicant may request and the Development Department shall issue a Preliminary Zoning Approval letter certifying that the application has received both Concept and Design Approval.

c. Construction Documents review confirms that the project as refined through design review will be constructed as approved. The Development Department shall provide recommendations to the applicant on how to refine the concept in the construction documents review stage to ensure that it complies with this article.

(2) Building Permit: Following construction documents review, if the Development Department determines that the application is consistent with this article, the Building Inspector may issue a Building Permit pursuant to ***§ 60-510***. The grant of a building permit is a separate process from zoning approval and is governed by ***§ 60-510*** of the Zoning Ordinance and Chapter 48 of the Town Code.

(3) Special Permit: Those uses which are specifically authorized in this Article to be granted by special permit may be allowed by the Planning Board pursuant to ***§ 60 – 430***. Upon the grant of a special permit, the applicant shall resubmit the application to the Development Department for full Design and Construction Documents Review.

(4) Variances: Variances from the provisions of this Article may be granted by the Zoning Board of Appeals pursuant to the statutory requirements in ***§ 267-a*** and***§ 267-b*** of the Town Law of New York State. All variance applications shall be referred to the Development Department for an opinion on the effect of a proposed variance on the character of the neighborhood. The Development Department's response to the referral of a variance application shall specifically address whether or not the proposed variance will produce an undesirable change in the character of the neighborhood, including the desired walkable and pedestrian-friendly neighborhood character to be created by this article.

(5) Fees: The Town Board shall by resolution establish and from time to time update a schedule of fees for development applications under this Article. Such fees may include:

a. Review fees: Fees designed to cover the reasonable costs of review of applications under this Article, including fees for staff time, consultants, architects, and attorneys may be levied as provided in ***§60-560A (7)*** of this Zoning Law.

b. Parkland fees: ***§60-420G (3)(b)*** of the Zoning Ordinance authorizes the levying of parkland fees for multi-family developments. For purposes of this Article, the fees authorized in that section shall apply to the approval of any multi-family development containing four or more dwelling units approved within any five-year period in the Chappaqua Form-Based District.

c. GEIS Reimbursement Fee: The enactment of this article was preceded by the adoption of a Generic Environmental Impact Statement (GEIS) which provided environmental review for all proposed development allowed by right under this article. The GEIS therefore has benefitted all applicants for approvals under this article by making their applications Type II actions under SEQRA. In order to enable the Town to recover the funds spent on the GEIS and to provide a fund for future updates and revisions of the GEIS, the Town Board is hereby authorized to impose and from time to time revise a GEIS Reimbursement Fee for every application submitted, based upon the size and scale of the project, the cost of preparing and adopting the GEIS, and such other relevant factors as the Town Board shall determine.

(6) Compliance with the State Environmental Quality Review Act (SEQRA):

a. All applications submitted to the Development Department shall be referred to the Director of Planning to determine the application's status under SEQRA.

b. Applications for uses or activities allowed by right under this Article shall be deemed Type II actions under SEQRA and shall not require the submission of additional SEQRA documentation if theDirector of Planning finds that such actions fall within the environmental parameters reviewed in the Generic Environmental Impact Statement (GEIS).

c. Applications for special permits, appeals, and variances shall be subject to SEQRA requirements for Type I or Unlisted Actions, as required by the SEQRA Regulations and shall be reviewed accordingly by the Director of Planning.

d. All applications for permits for building or development shall comply with Chapter 108A requirements for stormwater management.

(7) Wastewater Management: The applicant shall apply to the New Castle Department of Public Works for sanitary wastewater disposal in the Form-Based District. On-site wastewater disposal is not permitted. The Town shall be provided with the estimated wastewater flow from the development pursuant to applicable requirements.

C. Issuance of Building Permits and Certificates of Occupancy.

Building Permits and Certificates of Occupancy shall be issued as provided in Chapter 48 of the Town Code, provided that the applicant has fully complied with the provisions of this Article VIII, Chapter 46, Chapter 48, and all applicable provisions of local, state, and federal law.

D. Approval Processes for Streets, Sidewalks, and Public Improvements.

All construction, improvements, and alterations to streets, sidewalks, utilities, parks, and other public facilities shall be approved prior to construction by the Development Department to ensure compliance with this article.

E. Division of Land Under this Article.

Land may be divided into lots and blocks only as permitted by the Regulating Plan or by an allowable deviation or special permit from the Regulating Plan duly granted by the Development Department or the Planning Board. Land divisions in the Form-Based District shall not be deemed to be subdivisions as defined in Chapter 113 of the Town Code. The Development Department shall review and may approve such divisions if they comply with the Regulating Plan. Such review shall be conducted as part of the Pre-Construction Approval Process in ***§ 60-840B(1)***. Except where this article specifies otherwise, such divisions shall comply with the standards for subdivisions in Chapter 113 of the Town Code.

F. Amendment.

This Article may be amended as provided in ***§ 60-600*** of the Town Code. Prior to adopting an amendment, the Town Board shall refer such proposed amendment to the Development Department for comment on its effects on the achievement of the purposes of this article. If the Development Department does not comment within 30 days of such referral, the Town Board may enact the amendment without receiving such comment. In the event that the Town Board does not follow the recommendation of the Development Department, it shall provide a written statement of its reasons in the resolution of adoption of the amendment.

§ 60-850 Form Based District: Nonconforming Uses, Structures, and Lots

A. Supersession

The regulations on nonconforming uses and other nonconformities in ***§ 60-420E*** shall apply in the Form-Based District, except where this article specifies otherwise.

B. Approval

Wherever ***§ 60-420E*** authorizes an approval by the Zoning Board of Appeals, that approval may be granted only by the Planning Department, using the approval criteria in ***§ 60-420E***.

§ 60-860 Form Based District: Transect – Uses and Building Heights

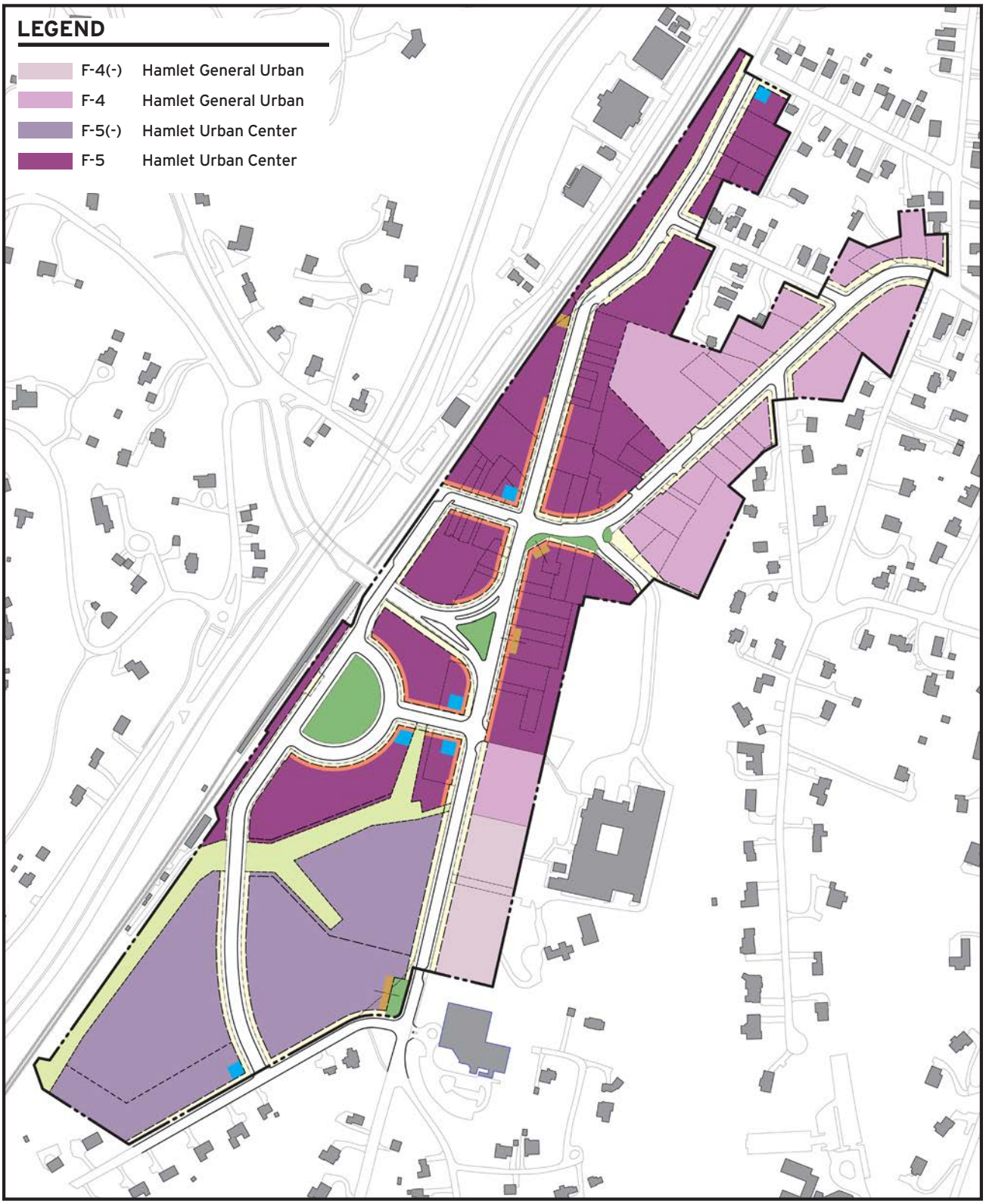


Figure 860-01: Form Based Sub-Districts

Figure 860-01: Form Based Sub-Districts

A. Transect Intent

(1) The Transect is a planning and zoning tool that organizes sub-districts in a continuum from rural to urban. Each sub-district has a defining set of physical characteristics that increases intensity as it progresses from rural to urban.

(2) The most intense sub-district is generally located at a physical center (such as a transit station, downtown, hamlet center, or similar) with increasingly less intense sub-districts generally in rings surrounding the center.

(3) Each sub-district permits a variety of uses and intensities.

(4) The intent of this pattern of development is to create compact walkable communities that promote the health, safety, and welfare of the community through a livable built environment, harmony with nature, a resilient economy, a healthy community, and responsible regionalism.

B. Establishment of Sub-Districts

(1) The following Sub-Districts are hereby established (see *Figure 860-01*):

- **a.** F-1 – Natural (Reserved for future use)
- **b.** F-2 – Rural (Reserved for future use)
- **c.** F-3 –Sub-Urban (Reserved for future use)
- **d.** F-4(-) – Hamlet General Urban
- **e.** F-4 – Hamlet General Urban
- **f.** F-5(-) – Hamlet Urban Center
- **g.** F-5 – Hamlet Urban Center
- **h.** F-6 – Urban Core (Reserved for future use)
- **i.** F-SD –Special Sub-District (Reserved for future use)

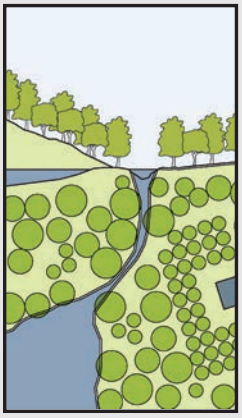
C. Sub-District Intent

(1) For Sub-District Intent, see *Figure 860-02*.

D. Sub-Districts Required

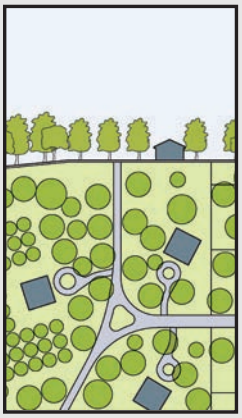
(1) Properties zoned F shall have a Sub-District designation.

F-1 — Natural [Reserved]



The Natural Sub-District consists of undisturbed lands or lands designated as wilderness, including lands unsuitable for development due to topography, hydrology, or vegetation.

F-2 — Rural [Reserved]



The Rural Sub-District consists of sparsely settled lands in open or cultivated states. These may include woodland and agricultural land. Typical buildings are farmhouses, agricultural buildings, and cabins. Street curbs are not present. No residential subdivisions are present.

F-3 — Sub-Urban [Reserved]

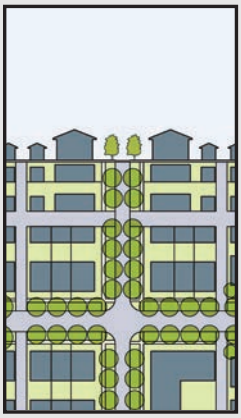
The Sub-Urban Sub-District consists of low-density residential areas. Home occupations and outbuildings may be present. Planting is naturalistic and setbacks are relatively deep. Blocks may be larger and roads irregular to accommodate natural conditions. Street curbs may or may not be present.

Figure 860-02: Form Based Sub-Districts

F-4(-) — Hamlet General Urban, Limited Retail

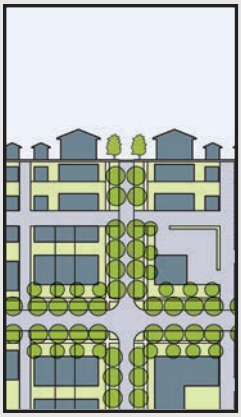
The Hamlet General Urban Sub-District-Limited Retail consists of medium density development. A mix of uses may be present, but there is little or no retail. Residential building types include primarily Multi-Family and Townhouse. Low-to-midrise buildings are found. Setbacks are smaller. Streets with curbs, sidewalks, and regularly spaced street trees define medium-sized blocks.

F-4 — Hamlet General Urban



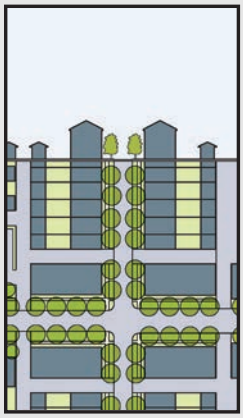
The Hamlet General Urban Sub-District consists of medium density development. A mix of uses and mixed-use buildings may be present. Residential building types include primarily Multi-Family and Townhouse. Low-to-midrise buildings are found. Setbacks are smaller. Streets with curbs, sidewalks, and regularly spaced street trees define medium-sized blocks.

F-5(-) — Hamlet Urban Center, No Retail



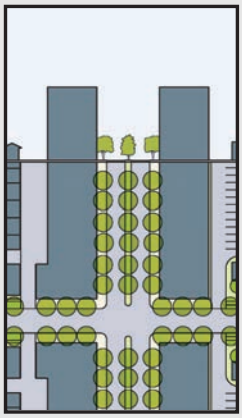
The Hamlet Urban Center Sub-District-No Retail consists of higher density low-rise and mid-rise buildings. A mix of uses may be present, including mixed-use buildings, but there is no retail. These areas serve as commercial centers. There are wide sidewalks, regular street tree planting, and buildings set close to the sidewalks.

F-5 — Hamlet Urban Center



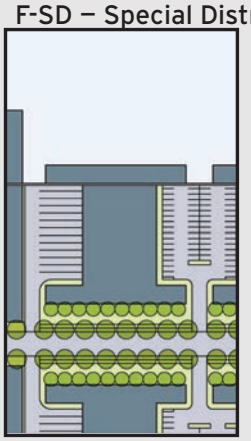
The Hamlet Urban Center Sub-District consists of higher density low-rise and mid-rise buildings. A mix of uses are present, including mixed-use buildings. These areas also serve as commercial centers. There are wide sidewalks, regular street tree planting, and buildings set close to the sidewalks.

F-6 — Urban Center [Reserved]



The Urban Center Sub-District consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks. Streets have regular street tree planting and buildings are set close to wide sidewalks.

F-SD — Special District [Reserved]



The Special Sub-District accommodates uses not typically found in Urban areas. Larger blocks and setbacks may be present. Landscape screening may be present.

Figure 860-02: Form Based Sub-Districts

E. Permitted Uses

(1) The following Land Use Categories are hereby established (see *Figure 860-03* for definitions and uses):

- **a.** Agriculture, Heavy
- **b.** Agriculture, Light
- **c.** Automotive Sales and Service
- **d.** Civic Facilities
- **e.** Controlled Uses
- **f.** Industrial, Light
- **g.** Industrial, Heavy
- **h.** Institutional
- **i.** Office
- **j.** Public Facilities and Utilities
- **k.** Residential, Multi-Family
- **l.** Residential, One-Family
- **m.** Residential, Townhouse
- **n.** Residential, Two-Family
- **o.** Retail and Mixed-Use

Use Category	Definition	Uses (including, but not limited to)
Agriculture, Heavy	Animal and fish farming of any size or plant farming over 20 acres	Animal Agriculture; Plant Agriculture over 20 acres; Ranching; Animal Husbandry; Care and Raising of Livestock, Equine, and Fur Bearing Animals; Poultry Husbandry; Dairy Production; Aquaculture
Agriculture, Light	Plant farming, horticulture, and viticulture over 6 acres and under 20 acres	Plant Agriculture over 6 acres and under 20 acres; the production of field crops, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, mushrooms, timber, pasture, riding academy
Automotive Sales and Service	Facilities associated with the sale, repair, maintenance, and fueling of automobiles	Gas Station (with or without Convenience Store); Car Wash; Automotive Service Station; Automotive Repair; Tire Sales and Service; Muffler Shop; Transmission Shop; Automotive Quick Oil Change; Automotive Sales
Civic Facilities	Facilites serving the general public – primarily government owned, but can be privately owned if open to the general public.	Banquet Hall; Bus Station; Conference Center; Train Station; Fire Station; Police Station; Post Office; Public Clinic; Community Center; Convention Center; Courthouse; Funeral Home; Neighborhood Recycling Collection Point; Public or Private Park; Church or other Religious Facility; Museum; Public Library; Public Parking Garage, Public Parking Lot; Fairgrounds; Swimming Pool; Skating Rink; Golf Course; Community Garden under 6 acres; Public Gym
Controlled Uses	Uses that are recognized as having objectionable secondary impacts and where a concentration of those uses can have a deleterious impact on surrounding uses. These uses require a Special Use Permit.	Adult Businesses; Amusement Arcade; Cabaret – 21 and Over; Cabaret – Adult; Pawnshop; Brewery, wholesale; Public Dance Hall; Off-Track Pari-mutuel Wagering Facility; Casino; Tattoo, Body Piercing, Scarifying and Branding Establishments; Hospital or Clinic for Small Animals with outdoor treatment area, room, cages, pens, or kennels; Outdoor Kennels
Industrial, Light	Wholesale, warehousing, fabrication, assembly, repair, and other uses that do not create smoke, gas, odor, dust, noise, vibration of earth, soot, or lighting that significantly impacts surrounding properties	Warehouse; Shipping Facility; Auto Painting; Auto Body Shop; Data Center; Postal Distribution Facility; Cleaning, Repairing, or Testing of Parts; Indoor Shooting Range; Automotive Storage Facility; Storage Facility; Wholesale Trade; Shops for Repair and Upholstering of Furniture, Electricians, Plumbers, Silversmiths, or similar crafts
Industrial, Heavy	Industrial, manufacturing, processing, maintenance, storage, and other uses that may significantly impact surrounding properties	Manufacturing; Assembly; Metal Processing; Municipal/ State Road Maintenance Facility; Commercial Bakery; Food Processing Facility; Junk Yard; Recycling Facility; Pharmaceutical Manufacturing; Airport; Heliport; Research Laboratories; Refinery; Bus Storage and Maintenance; Amusement Park; Water Park; Granaries; Grain Processing; Milling; Quarry; Mine; Asphalt Plant; Outdoor Materials Storage; Lumber Yard; Oil Refining; Power Plant; Explosive Manufacturing and Storage; Paint Manufacturing; Textile Manufacturing; Chemical Manufacturing; Millwork; Slaughterhouse; Sanitary Fill; Resource Recovery Facility; Transfer Station; Indoor or Outdoor Shooting Range; Movie Theater – Outdoor
Institutional	Public or quasi-public uses that serve the educational or healthcare needs of the community	College Campus; Elementary School; High School; Hospital; Middle School; University Campus; College, Seminary
Office	A place of business where professional or clerical duties are performed in either for-profit or not-for-profit or government entities	Architect; Artist; Bank Machines – Walk-up; Construction Companies (office only); Clinic; Consultant; Contractors (office only); Dentist; Design Services; Engineer; Financial Institution; Insurance Agent; Lawyer; Musician; Physician; Pharmacist; Photographic Studio; Professional Offices; Real Estate Office; Travel Agency; Hospital or Clinic for Small Animals, provided that any treatment room, cages, pens, or kennels are maintained within a completely enclosed building; Research and Development Laboratories provided there shall be no manufacturing

Figure 860-03: Use Categories and Definitions

Use Category	Definition	Uses (including, but not limited to)
Public Facilities and Utilities	Facilties serving the general public that may generate high levels of impact on surrounding areas. These uses require a Special Use Permit	Cemetery, with or without Crematory; Mausoleum or Mortuary; Group Residence; Electric Relay Station; Public Utility Substation; Pumping Station; Water Tower; Communications Tower; Sewage Treatment Plant; Penal or Correctional Institution; Police and Fire Training Facilities; Storage Tank; Convention Center; Sports Stadium; Telephone Exchange; Structurally Mounted Wireless Telecommunication Services Facilities
Residential, Multi-Family	A condominium or rental residential use/ building designed for occupancy by three or more families living independently of each other in separate dwelling units, other than townhouses.	Apartment Building; Condominium Building; Continuing Care Retirement Facility; Skilled Nursing Facility; Assisted Living Facility; including Workforce Housing (of this type);
Residential, One-Family	An individual, detached building containing one (1) dwelling unit	Single-Family Dwelling; Single-Family Modular Dwelling; Single-Family Manufactured Dwelling; including Workforce Housing (of this type); Accessory Dwelling Unit
Residential, Townhouse	A multi-family fee-simple, condominium, or rental dwelling unit that is attached on one or two sides of the building by a common party wall to another dwelling unit where there are a minimum of three units and each unit has a separate entrance facing a street or mews	Townhouse; Townhome; including Workforce Housing (of this type)
Residential, Two-Family	A building consisting of two (2) dwelling units which may be either attached side by side or one above the other, and each dwelling unit having a separate entrance	Duplex (side by side); Duplex (one over another); including Workforce Housing (of this type); Accessory Dwelling Unit
Retail and Mixed-Use	Sale of goods and provision of personal services directly to consumers (not wholesale), as well as lodging facilities providing customers with temporary housing for a period of less than 30 consecutive days	Aerobics Studio; Antique Shop; Apparel Shop; Art Gallery; Arts and Craft Store; Auto Parts Sales; Bakery, incidental to the conduct of a retail bake shop; Bar; Barber Shop; Beauty Shop; Bicycle Sales and Service; Billiard Hall; Book Store; Bowling Alley; Brewery, incidental to a restaurant; Cabaret – Family; Camera Store; Card Shop; Carry-Out Restaurant; Child Care Center; Clock Shop; Coin and Stamp Shop; Commercial Gym; Computer Store; Convenience Store; Costume Rental; Dairy Bar; Dance Studio; Delicatessen; Dressmaking; Drug Store; Dry Cleaning and Laundry Establishment; Farmers Market; Flower Shop; Frame Shop; Gift Shop; Grocery; Gymnastics Studio; Hardware Store; Hobby Shop; Home Goods; Hotel; Ice Cream Store; Jewelry Store; Millinery (Fabric) Shop; Movie Theater – Indoor; Music Store; Newsdealer; Restaurant; Self-service Laundry; Shoe Store; Shoe Repair Shop; Stationery Store; Toy or Game Shop; Tailor and Pressing Shop; Tuxedo Rental; Vape Shop; Video Store; Yogurt Store

Figure 860-03: Use Categories and Definitions, Continued

Use Category	F-1	F-2	F-3	F-4(-)	F-4	F-5(-)	F-5	F-6	F-SD
Agriculture, Heavy	*resv'd.*	*resv'd.*	*resv'd.*	N	N	N	N	*resv'd.*	*resv'd.*
Agriculture, Light	*resv'd.*	*resv'd.*	*resv'd.*	N	N	N	N	*resv'd.*	*resv'd.*
Automotive Sales and Service*	*resv'd.*	*resv'd.*	*resv'd.*	N	P	N	P	*resv'd.*	*resv'd.*
Civic Facilities	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Controlled Uses**	*resv'd.*	*resv'd.*	*resv'd.*	N	N	N	N	*resv'd.*	*resv'd.*
Industrial, Light	*resv'd.*	*resv'd.*	*resv'd.*	N	N	N	N	*resv'd.*	*resv'd.*
Industrial, Heavy	*resv'd.*	*resv'd.*	*resv'd.*	N	N	N	N	*resv'd.*	*resv'd.*
Institutional	*resv'd.*	*resv'd.*	*resv'd.*	N	N	N	N	*resv'd.*	*resv'd.*
Office	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Public Facilities and Utilities	*resv'd.*	*resv'd.*	*resv'd.*	S	S	S	S	*resv'd.*	*resv'd.*
Residential, Multi-Family	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Residential, One-Family	*resv'd.*	*resv'd.*	*resv'd.*	P	P	N	N	*resv'd.*	*resv'd.*
Residential, Townhouse	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Residential, Two-Family	*resv'd.*	*resv'd.*	*resv'd.*	P	P	N	N	*resv'd.*	*resv'd.*
Retail and Mixed-Use	*resv'd.*	*resv'd.*	*resv'd.*	N	P	N	P	*resv'd.*	*resv'd.*

* See ***§60-860 E. (7)*** for special requirements
** Controlled Uses are subject to the review and approval procedure set for in ***§ 60-430 Special Uses***

Figure 860-04: Land Use Table

(2) This section establishes Permitted Uses (P), Uses Not Permitted (N), and Special Uses (S) by Sub-District, as listed in *Figure 860-04*.

(3) Mixed-Use buildings and Mixed-Use lots shall be permitted in F-4(-), F-4, F-5(-), F-5, and F-6.

(4) The Development Department shall have the power to interpret land uses not listed in *Figure 860-04* where the uses are similar in character, scale, and impact to Permitted Uses and the proposed uses:

a. Are consistent with the intent and purpose of this Article VIII, the corresponding Sub-District intent, Use Category Definitions, and similarity to the uses listed in the corresponding Use Category

b. Will not adversely affect neighboring properties;

c. Will enhance the pedestrian-oriented walkable character of the district;

d. Will enhance the economic viability;

e. Will not exceed the environmental review parameters analyzed in the Final Chappaqua Hamlet Generic Environmental Impact Statement (FGEIS).

Provided, however, such interpretation shall not provide for the addition of controlled uses as permitted uses where not so specified in *Figure 860-04*.

(5) Home occupations shall be permitted in all Sub-Districts.

(6) Controlled Uses shall require a Special Permit from the Planning Board (see ***§60-430*** for Special Permit regulations) and may be approved if determined to be:

a. Consistent with the goals of the Comprehensive Plan, with the intent and purpose of this Article VIII, and with the corresponding Sub-District intent

b. Are consistent with all other regulations within this Article VIII

c. Will not adversely affect neighboring properties;

d. Will enhance the pedestrian-oriented walkable character of the district;

e. Will enhance the economic viability;

f. Will not exceed the environmental review parameters analyzed in the Final Chappaqua Hamlet Generic Environmental Impact Statement (FGEIS).

(7) Additional regulations for Gas Stations

a. Gas stations shall not be located within 2000' of another gas station.

b. Gas station canopies shall not be internally or back-lit.

c. Gas station canopies shall not have signs or logos.

F. Development Intensity

(1) Maximum development intensity shall be limited to what is achievable when adhering to the form-based regulations contained in this Article.

(2) In no case shall the total intensity or density exceed the environmental review parameters analyzed in the Final Chappaqua Hamlet Generic Environmental Impact Statement (FGEIS), subsequent amendments, or other corresponding FGEIS and subsequent amendments.

G. General Building Heights

(1) Maximum permitted building heights, in number of stories, for each Sub-District are listed in *Figure 860-05*.

(2) A 5-story building shall incorporate a design for the 5th floor that makes the building appear as a 4-story building with occupied attic or similar.

(3) Notwithstanding the maximum building heights listed in *Figure 860-05*, building heights shall be regulated by the Regulating Plan in *Figures 870-01 – 870-16*. The Regulating Plan may show lower maximum building heights in specific locations than those listed in *Figure 860-05* and the Regulating Plan shall prevail.

Form Based Sub-District	Maximum Height* (No. of Stories)
F-1	*reserved*
F-2	*reserved*
F-3	*reserved*
F-4(-)	4
F-4	4
F-5(-)	5
F-5	5
F-6	*reserved*
F-SD	*reserved*

*Building Height stated on a Regulating Plan may be lower and shall control specific development.

Figure 860-05: Building Height

§ 60-870 Form Based District: Regulating Plans and Regulating Plan Regulations

A. Establishment of Regulating Plans

(1) The Regulating Plan is an integral part of the Article VIII regulations and is hereby established as a dimensionally precise plan that establishes a framework and egulations for the district including the following:

- **a.** Public and Private Street Alignments
- **b.** Open Space Locations and Configurations
- **c.** Build-to-Lines for Buildings
- **d.** Frontage Occupancy Requirements
- **e.** Special Urban Design Features
- **f.** Public and Private Frontage Types
- **g.** Building Heights
- **h.** Required Retail Storefront Locations

(2) A tiled version of the Regulating Plan follows. See *Figures 870-01 – 870-16*.

(3) The lines and boundaries depicted in the Regulating Plan are based on, and dimensioned from, the road Right-of-Way. Their precise locations shall be used for compliance with the regulations in this chapter.

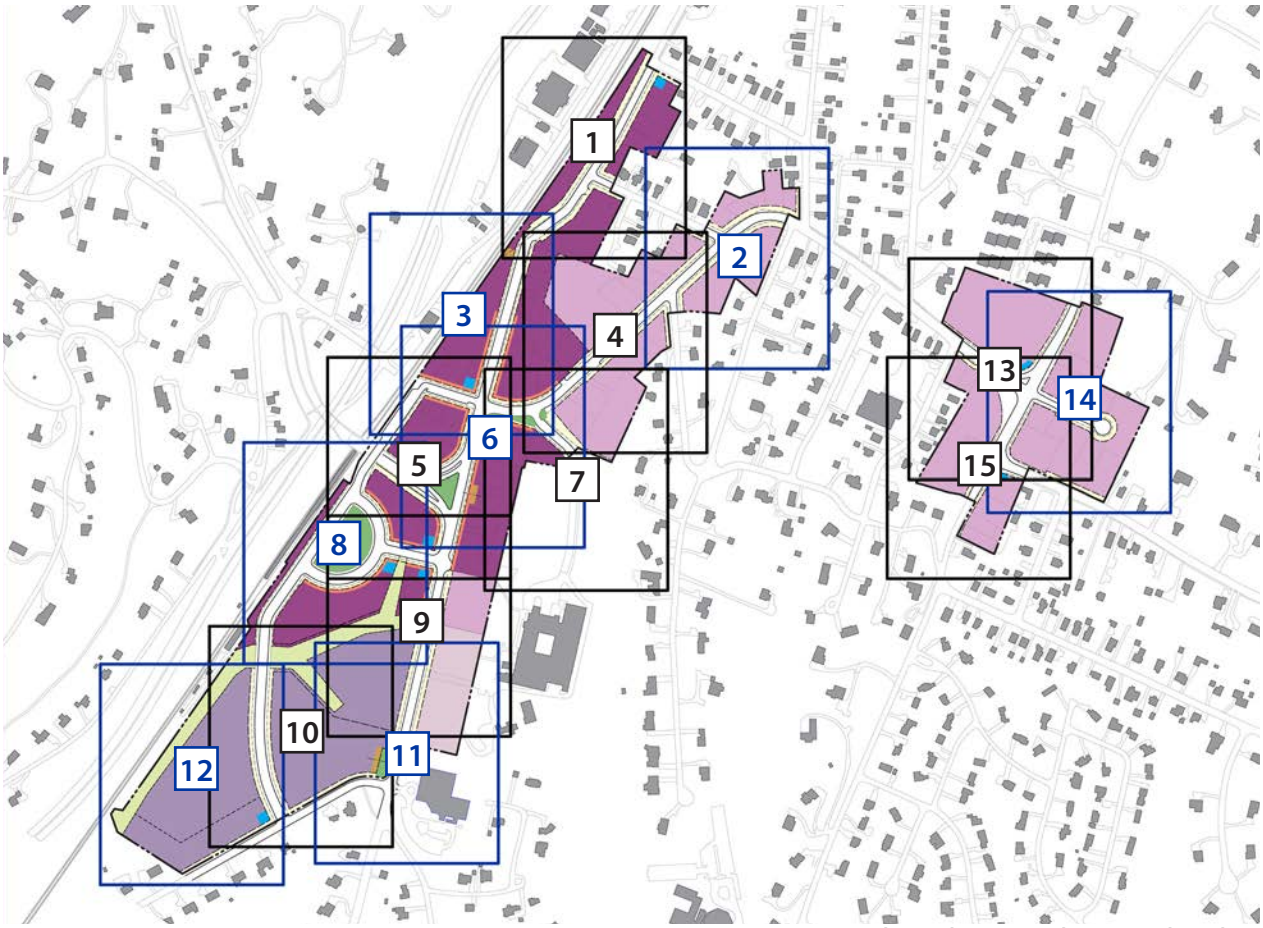
(4) The Regulating Plan location and dimension requirements are supplemented by the regulations contained in this ***§60-870***.

(5) Discrepancies between a survey and the Regulating Plan may be interpreted by the Development Department.

(6) Minor Adjustments to the dimensional and/or numeric requirements contained in the Regulating Plan may be approved as permitted deviations by the Development Department. Minor Adjustments are defined as:

- **a.** Deviations of Public and Private Street Alignments up to 50'.
- **b.** Open Space configurations that comply with location requirements and size requirements.
- **c.** Build-to-Line deviations of 15% or less of the stated dimension.
- **d.** Frontage Occupancy deviations of 5% or less of the stated percentages.

(7) Amendments to the Regulating Plan or new Regulating Plans shall be consistent with the requirements of this Article VIII.



Note: Tile-number centered on on its tile outline.

LEGEND

Figure 870-1: Key Plan

YY	Block Number
	Right-of-Way Line
	Lot Lines
F-Y	Transect Zone
Y-Y	Maximum Building Height
	Change in Allowable Height Line
YY'	Build-to-Line (Distance from Curb)
	Retail Required

Frontage Types

PH16	Tree Pit & Hardscape – 16
PH20	Tree Pit & Hardscape – 20
PHD	Tree Pit & Hardscape with Dooryard
VD	Verge with Dooryard

Frontage Occupancy:[1]

- YY%-YY%* Ground Floor
- YY%-YY%** Upper Stories (where shown)

Thoroughfare Type

- 1 Type 1
- 2 Type 2
- 3 Type 3

Corner Architectural Feature

In-Line Architectural Feature

Rail Line

[1] Notes:

* 70% minimum for lots shorter than 100' along Build-to-Line, 60% minimum for lots shorter than 92'.

** 100% maximum for lots shorter than 50' along Build-to-Line, 80% for lots shorter than 150' along Build-to-Line.

Figure 870-2: Tile 1

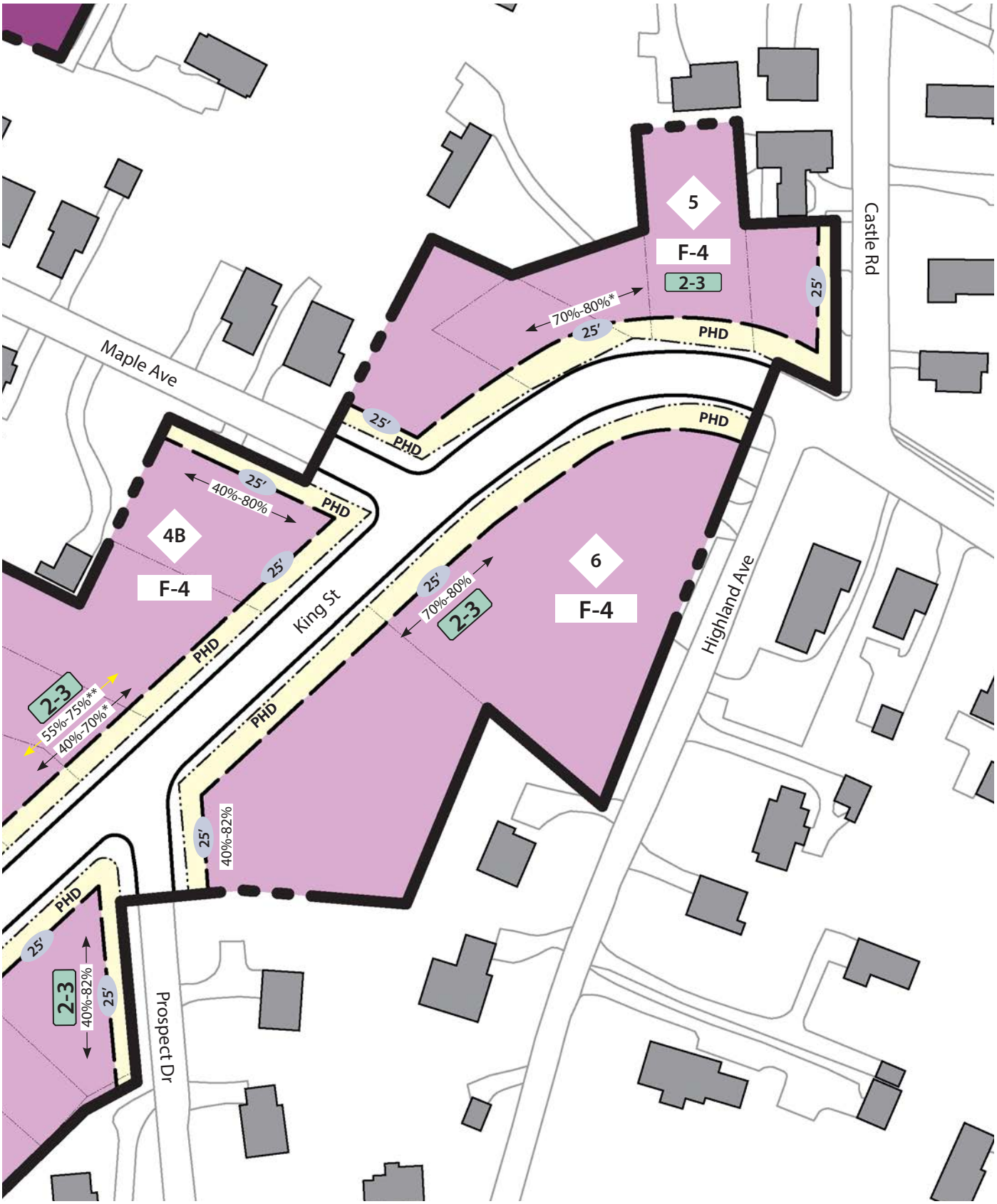


Figure 870-3: Tile 2

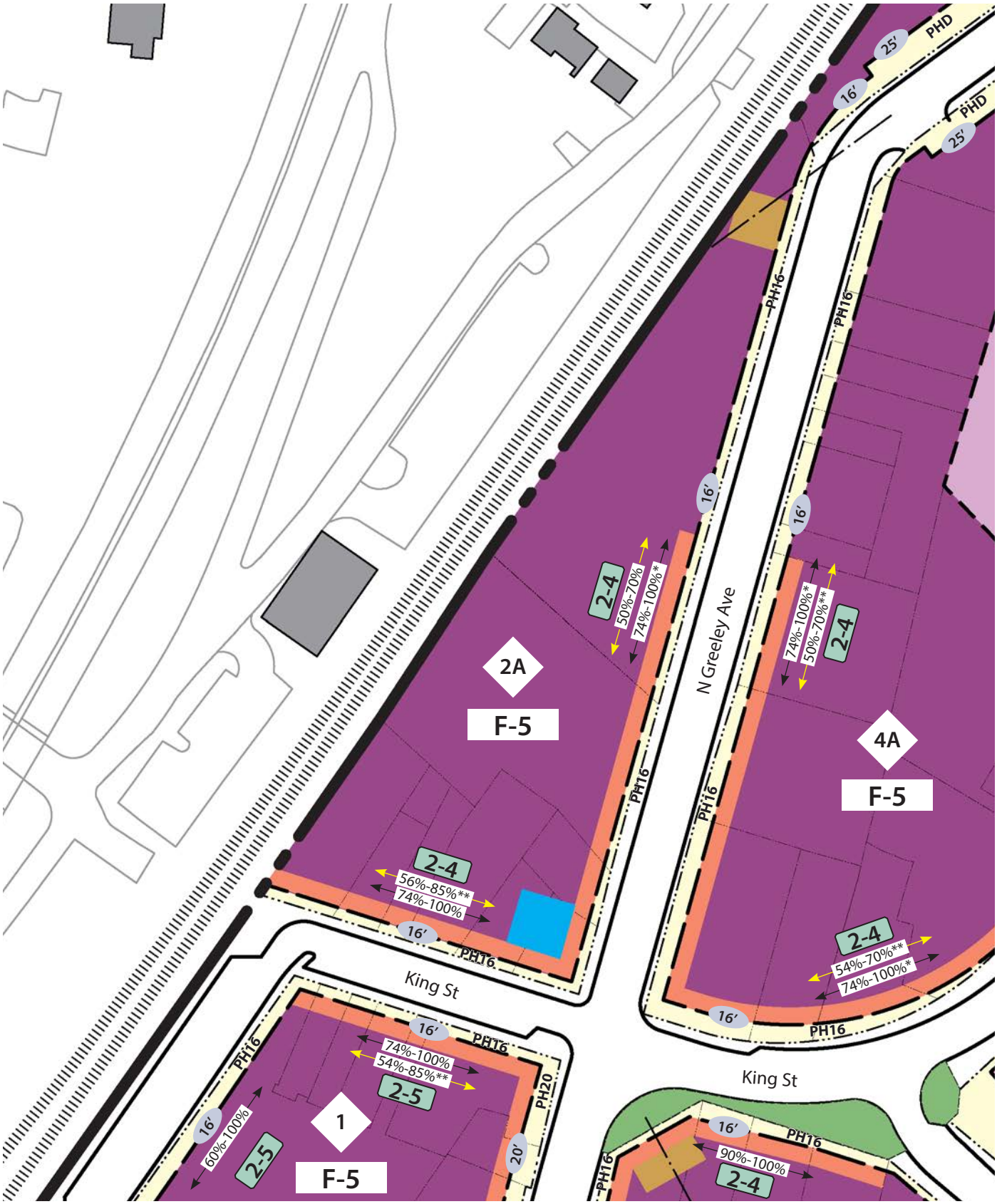


Figure 870-4: Tile 3

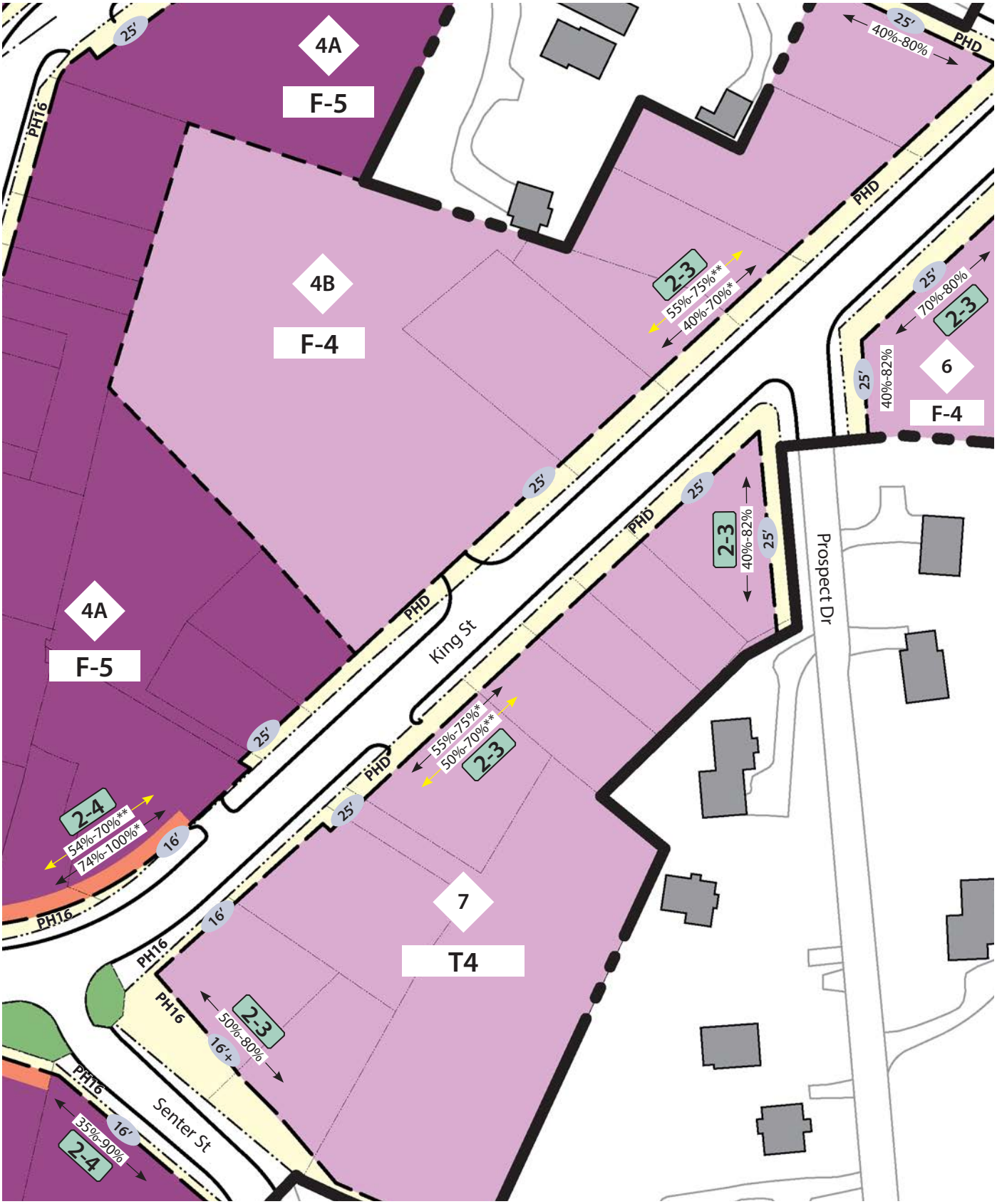


Figure 870-5: Tile 4

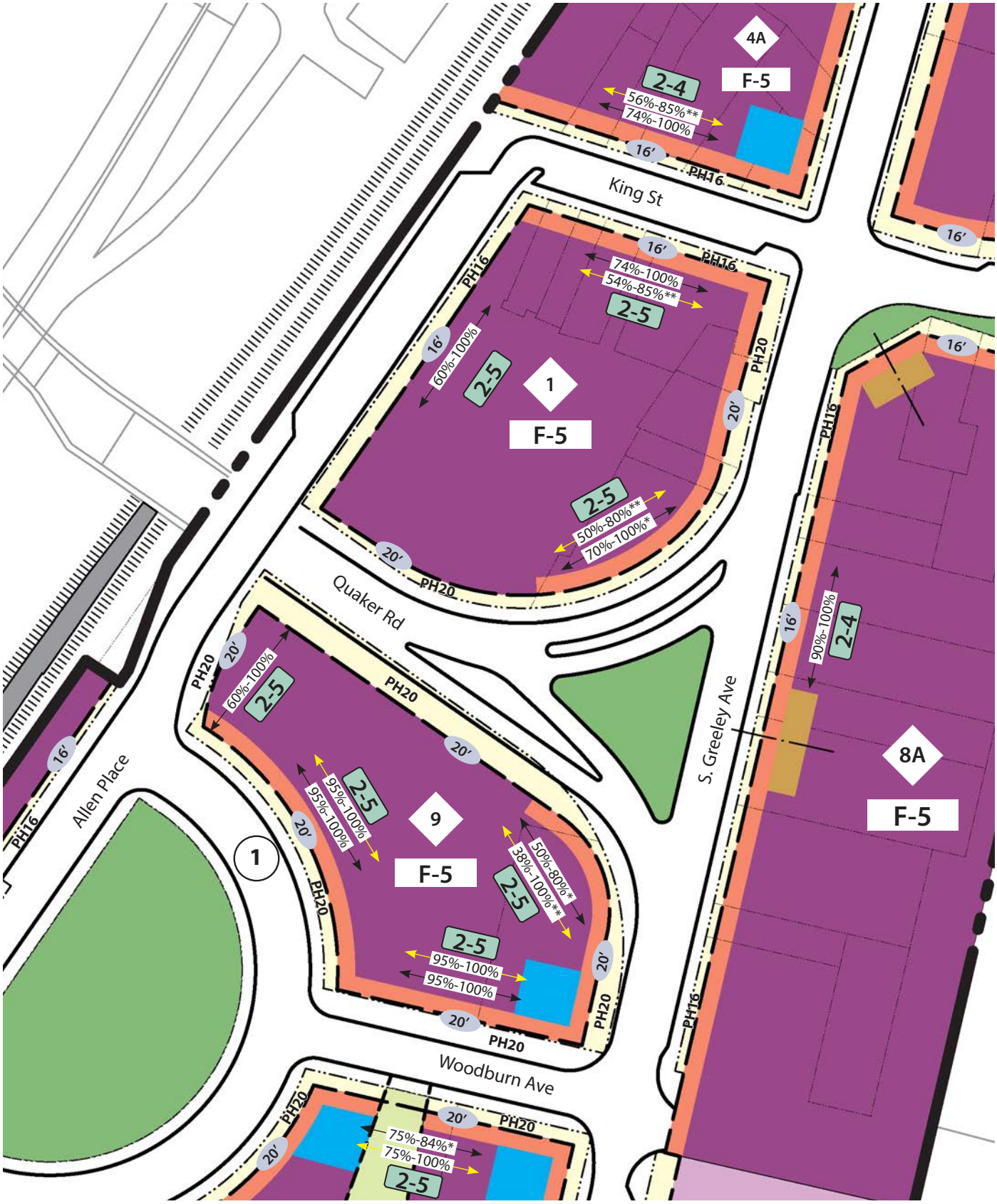


Figure 870-6: Tile 5

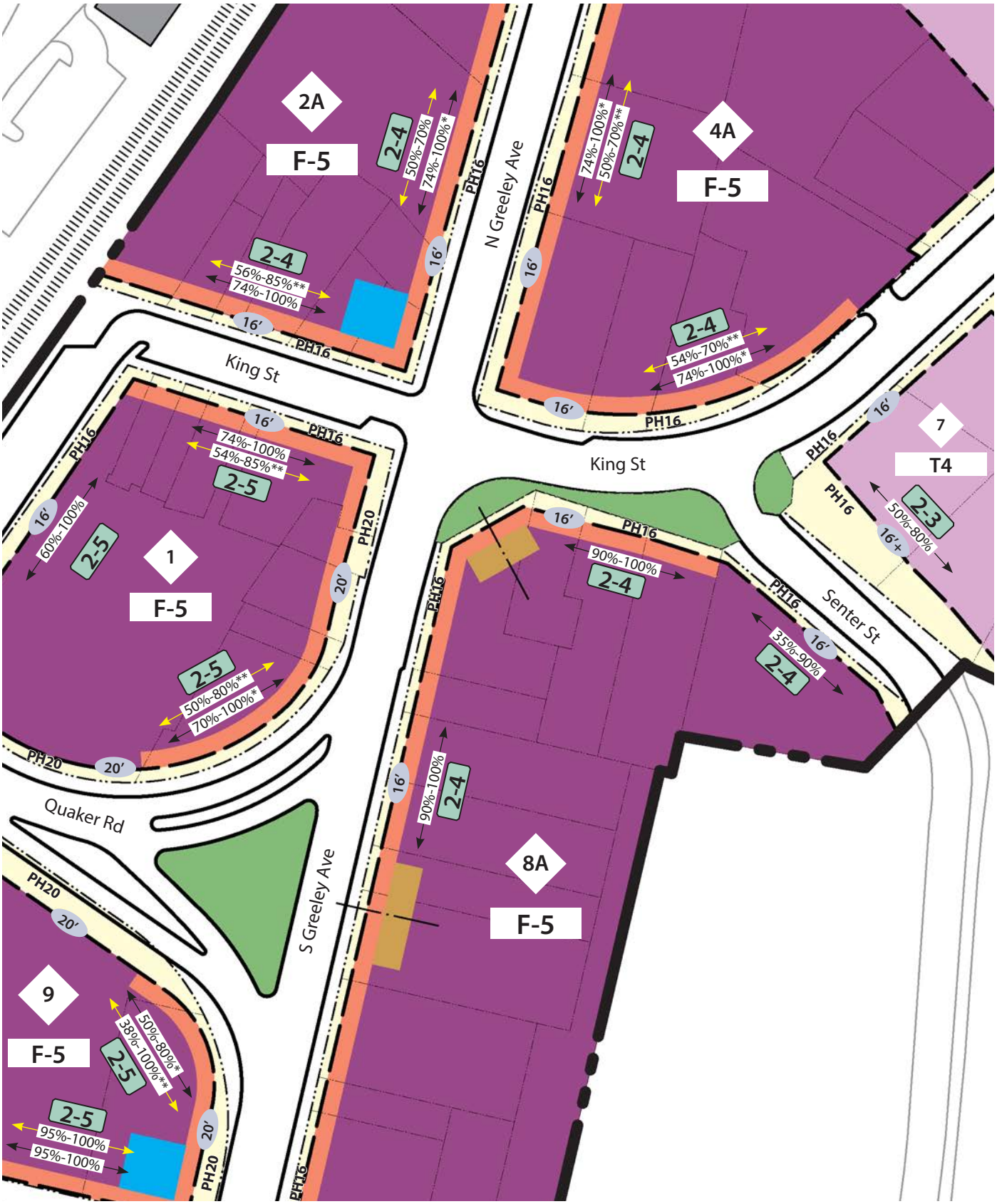


Figure 870-7: Tile 6

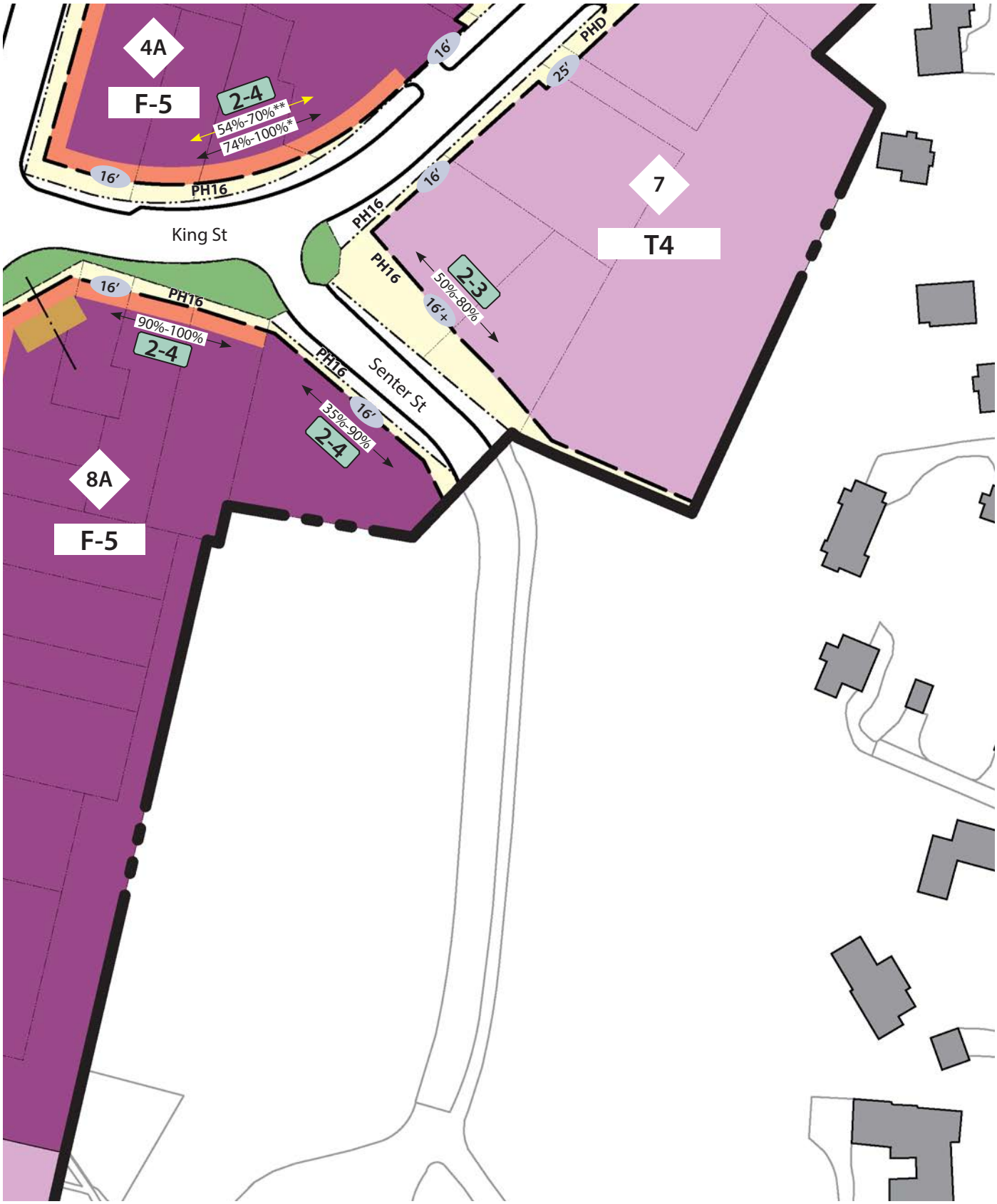


Figure 870-8: Tile 7

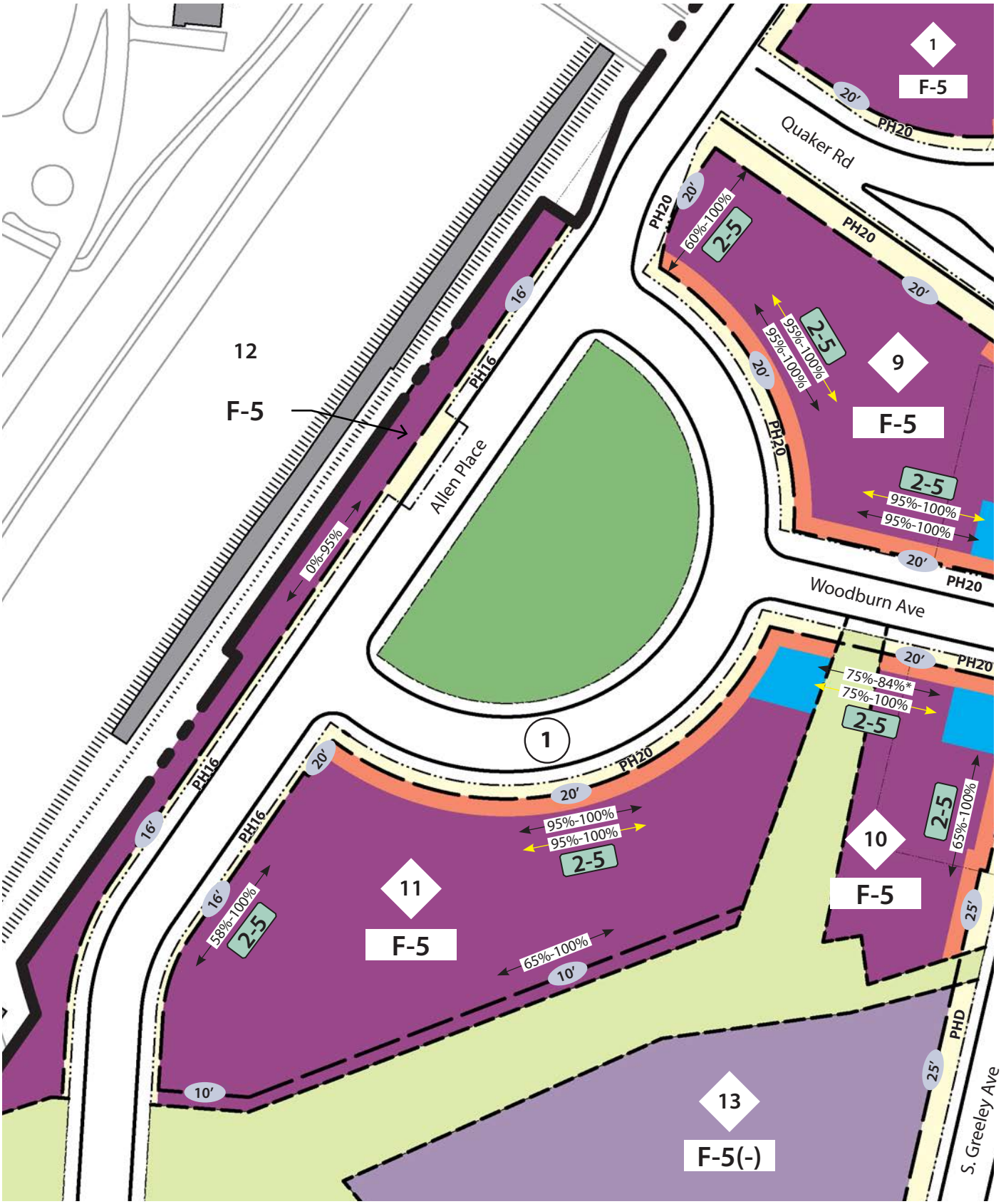


Figure 870-9: Tile 8

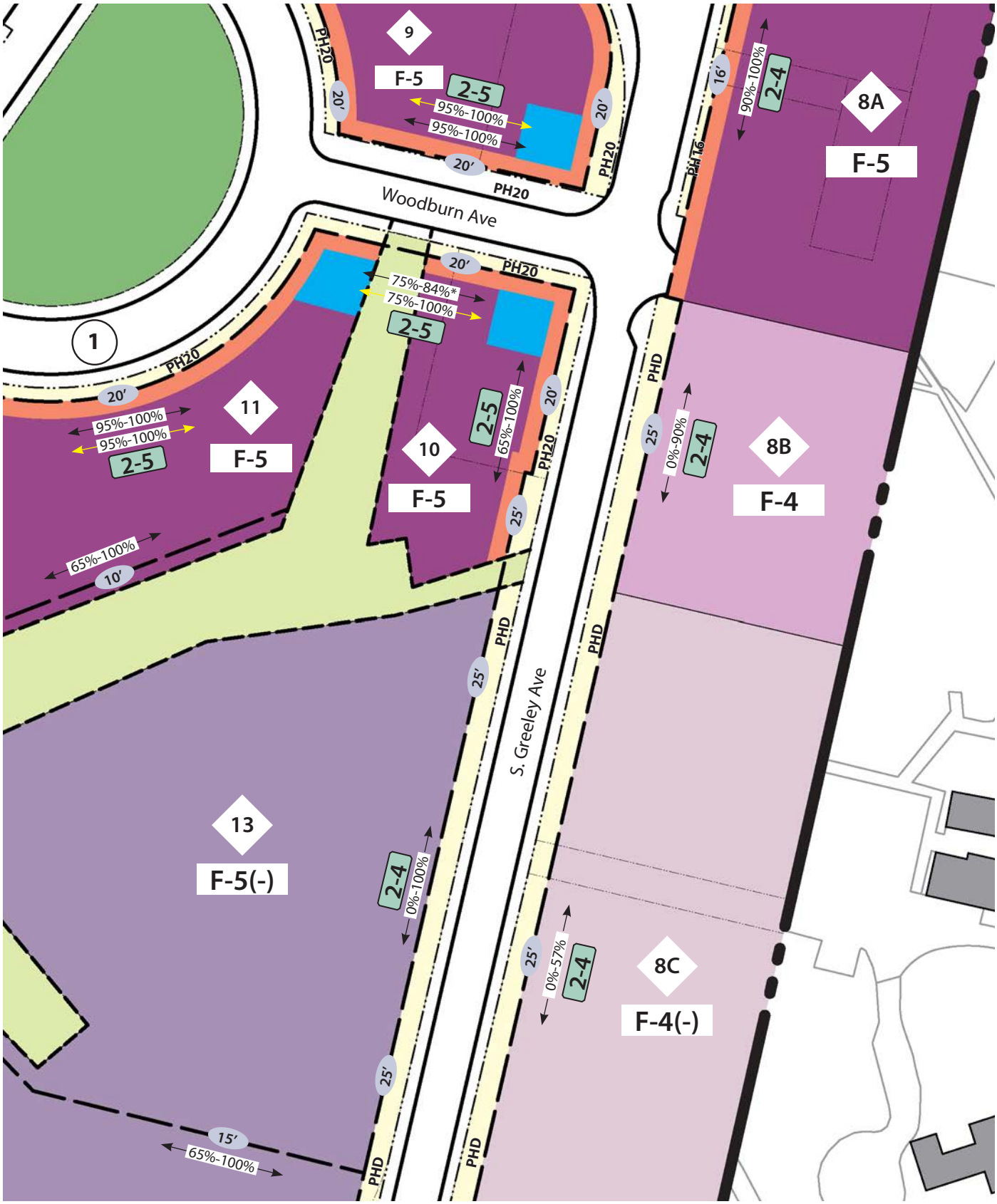


Figure 870-10: Tile 9

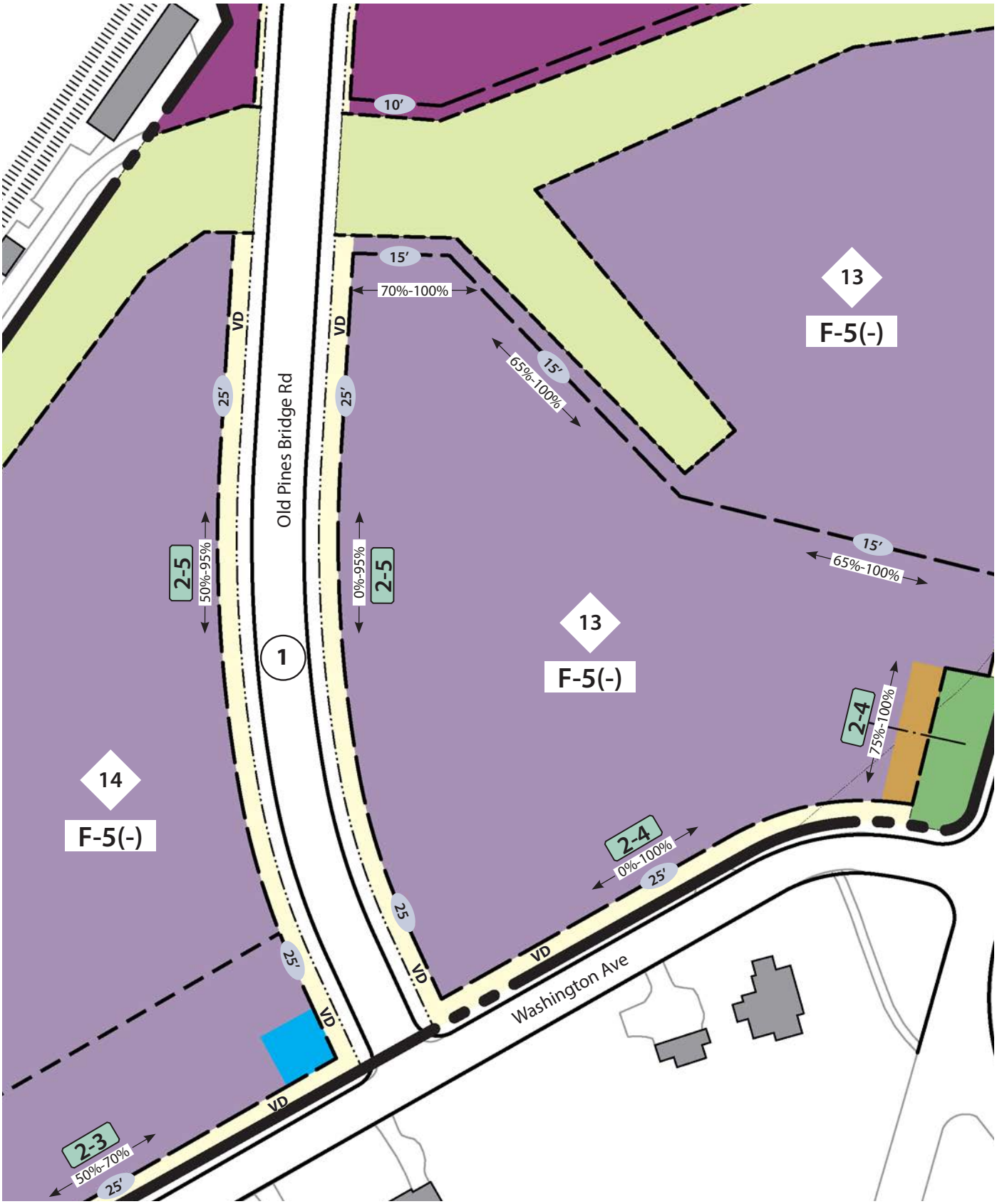


Figure 870-11: Tile 10

Figure 870-12: Tile 11

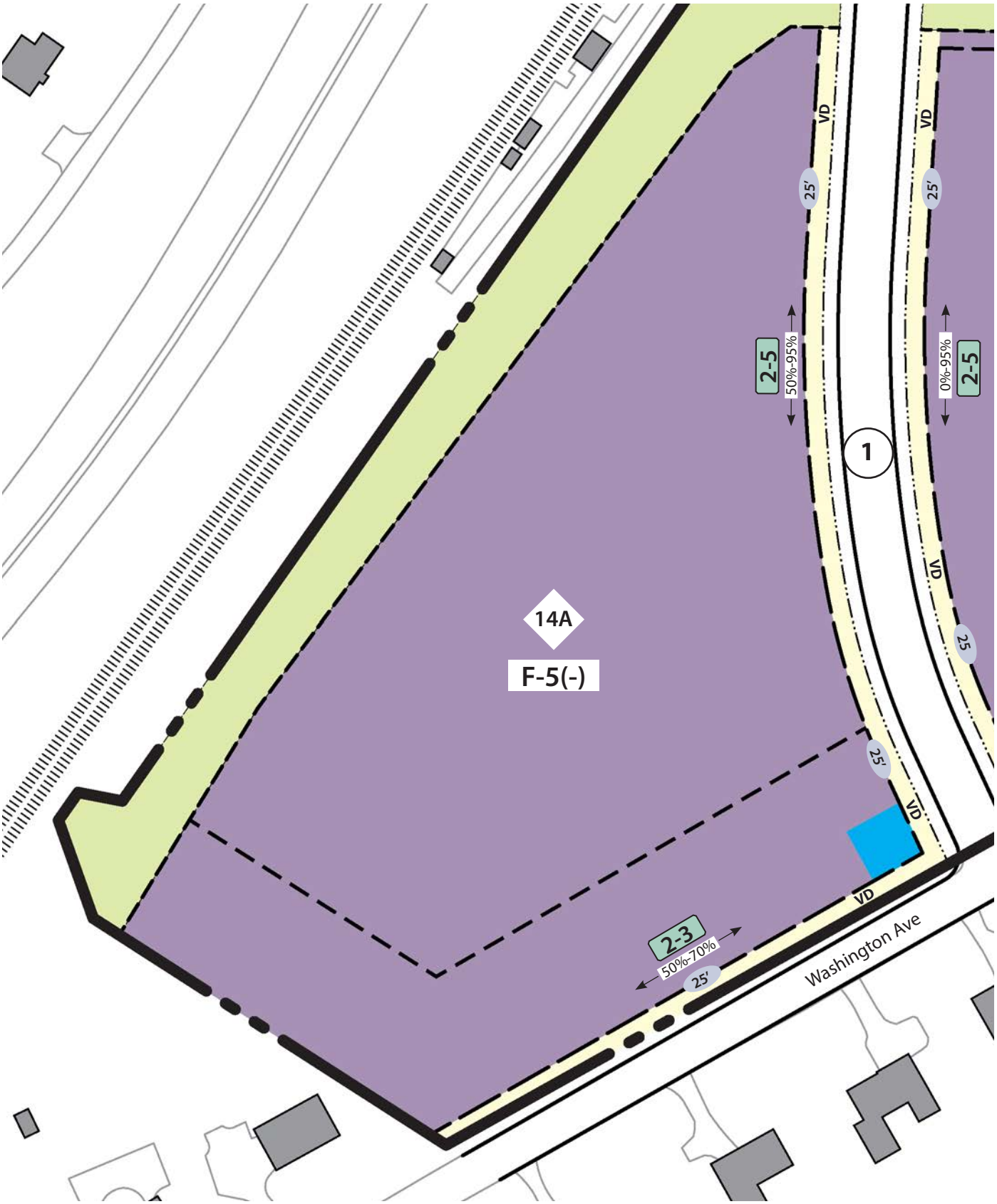


Figure 870-13: Tile 12

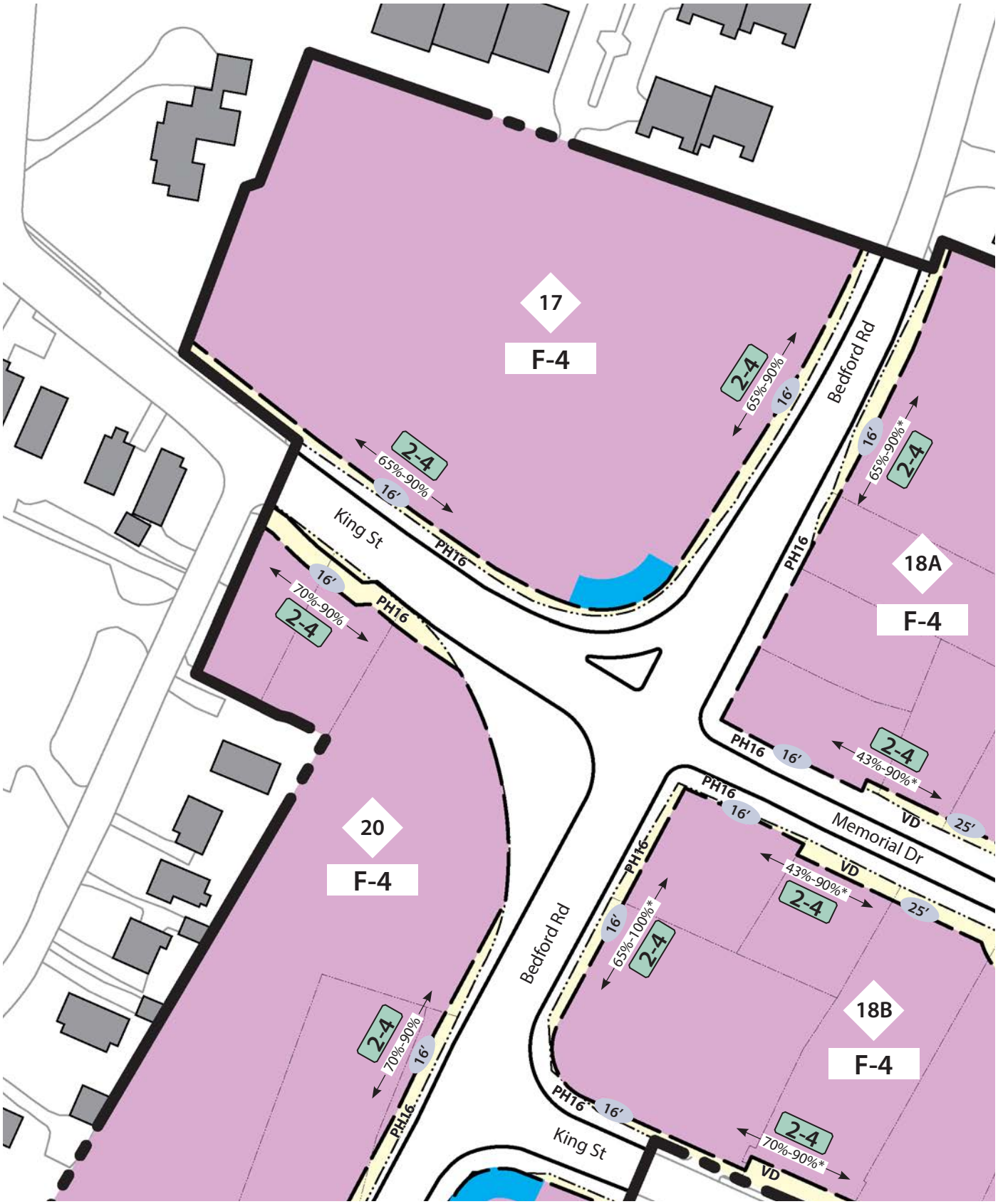


Figure 870-14: Tile 13

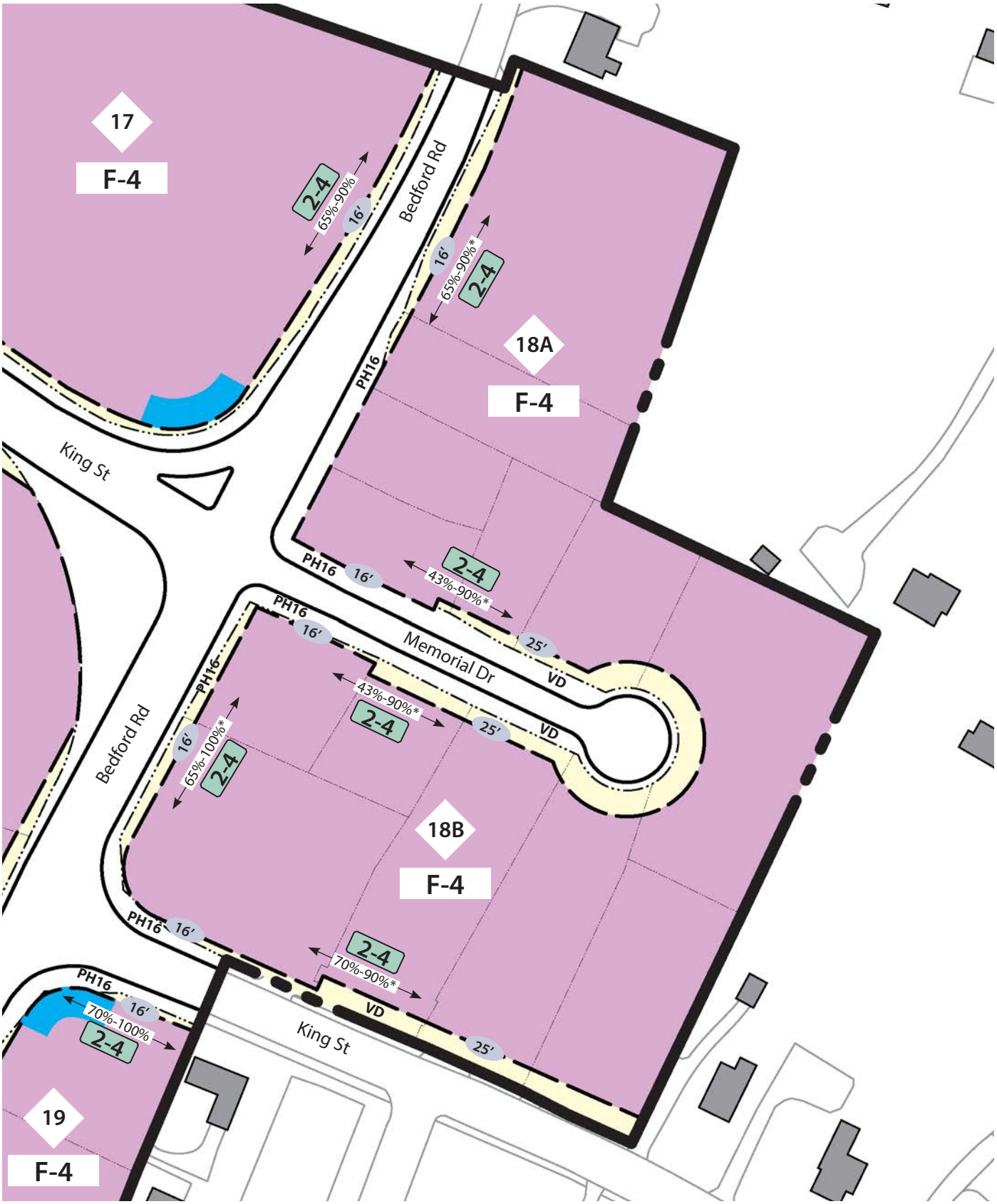


Figure 870-15: Tile 14

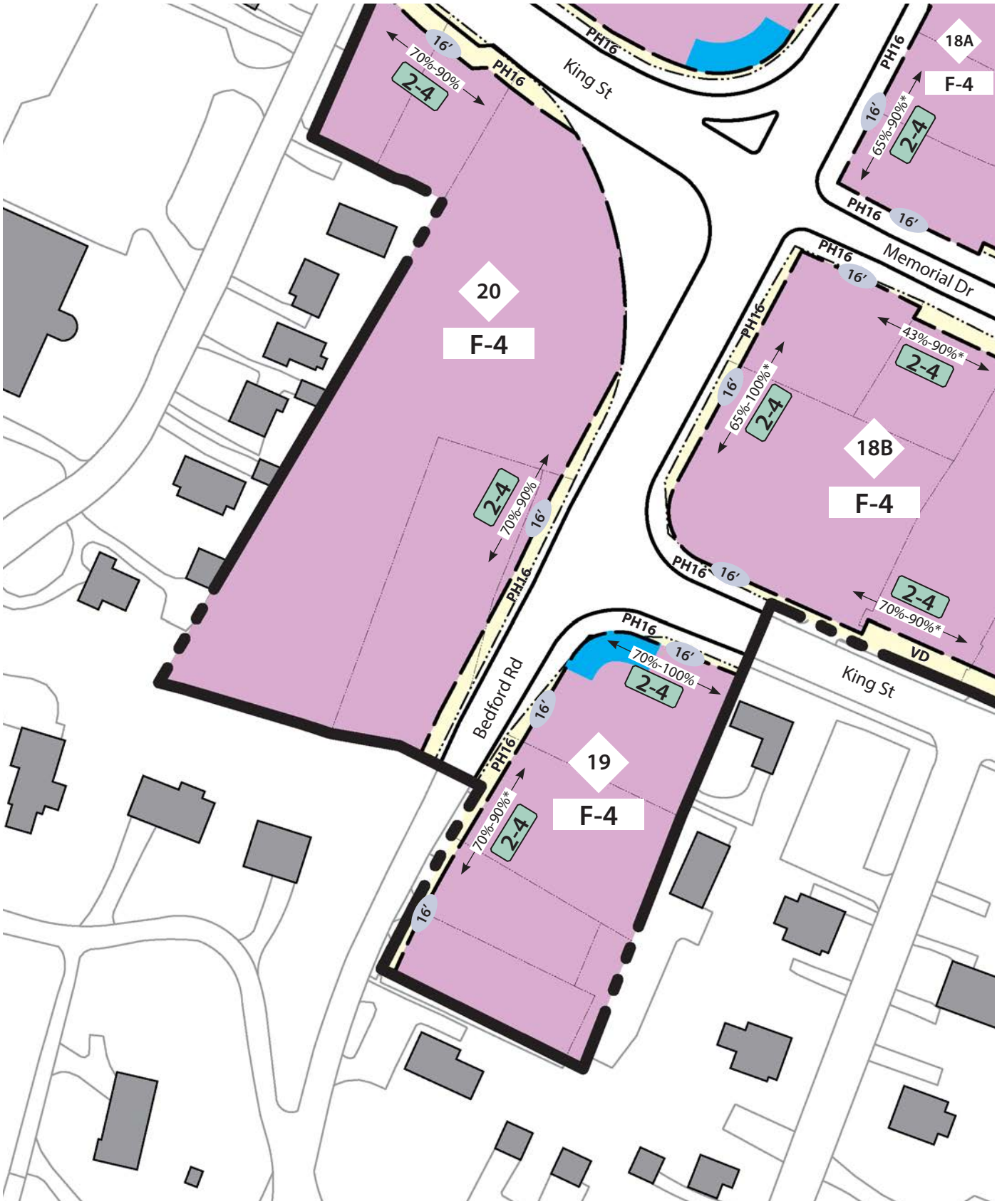


Figure 870-16: Tile 15

B. Public and Private Street Alignments

(1) Public and Private Street Alignments and locations shall be consistent with the Regulating Plan and with the regulations contained in this Section.

(2) New streets not shown in the Regulating Plan may be approved by the Development Department if they comply with the requirements of all other sections in this Article VIII.

(3) Curb Cuts shall be kept to a minimum and shall be located in the least visible location to the extent practical.

C. Open Space

(1) Open Space shown in the Regulating plan shall be required in the location and size depicted in the Regulating Plan.

(2) Additional open space located in the interior of a block and behind buildings with no frontage on a thoroughfare shall be permitted.

(3) Additional Open Space may be permitted if determined by the Development Department to be consistent with the regulations and intent of this Article.

D. Build-to-Lines for Buildings

(1) Buildings and their primary facades shall be located along the Build-to-Line for all stories of a building.

(2) If a clear sight area encroaches into the Build-to-line, the Build-to-Line along each block face shall start at the edge of any required clear sight area.

(3) In order to provide for facade articulation, building facades in F-5 and F-5(-) may step back a maximum of 3' from the Build-to-Line for a maximum of 75% of the building face along a block face.

(4) Porches, stoops and towers may encroach beyond the build-to-line within the private frontage for a maximum of 10' of depth. These elements may not encroach into public property. See *Figure 870-17*.

(5) Signs and awnings may encroach beyond the Build-to-Line.

(6) Overhangs and bay windows a minimum of 12' above the sidewalk elevation may encroach beyond the Build-to-Line and into the street right-of-way.

(7) Individual buildings may be recessed from the Build-to-Line when required to save an existing tree. If the tree dies, then a replacement tree must be planted and maintained.

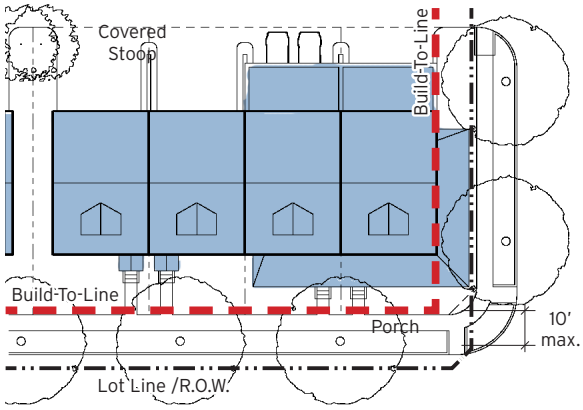


Figure 870-17: Projections beyond the Build-To-Line

E. Frontage Occupancy

(1) Frontage Occupancy is the minimum and maximum length of primary facade required to be built along a Build-to-Line. Buildings shall meet the stated Frontage Occupancy Requirements contained in the Regulating Plan.

(2) Upper Floor Frontage Occupancy is the maximum frontage occupancy for all floors above the ground or first floor. Buildings shall meet the stated Upper Floor Frontage Occupancy Requirements contained in the Regulating Plan, if present.

(3) Frontage Occupancy requirements shall apply to all stories of a building (excluding occupied or unoccupied space in roofs), except that:

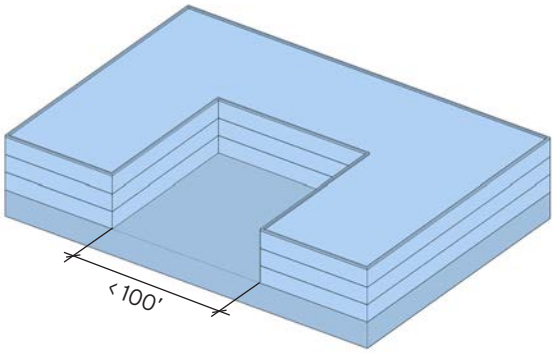
a. Buildings that face a public or private street with a courtyard above the first floor that is no more than 100' wide shall be permitted to count the courtyard width along the build-to-line as occupied frontage.
See *Figure 870-18*.

b. In order to provide for residential courtyard building types, building facades in F-4 and F-4(-) may count courtyards that do not occur at a block corners as occupied frontage.

c. Buildings that form a courtyard at the ground floor level facing a public or private street on the first floor are prohibited along required retail frontages.

d. If an Upper Floor Frontage Occupancy requirement is present, then those requirements shall prevail over a first floor occupancy requirement.

(4) The corners of blocks shall be occupied by primary facades. The permitted void (what is left after subtracting the minimum frontage occupancy from the length of the block face) shall not be located within 20' of a block corner, except where necessary to comply with the clear sight area requirements.



Courtyard is Counted as Occupied Frontage

Figure 870-18: Uppler Level Frontage Occupancy

(5) Buildings located at block corners shall have two Primary Facades, one facing each public or private street. See *Figure 870-19*.

(6) Single-family detached and duplex buildings on individual lots shall not be regulated by the frontage occupancy requirements in the Regulating Plan. Single-family detached and duplex building frontage occupancy shall instead be regulated by the lot regulations contained in ***§60-880 C. (8)***.

(7) Lots which do not occupy an entire block face shall meet the minimum frontage occupancy requirements within the individual lot.

(8) Where buildings are permitted by this Section to not occupy the Build-to-Line, the Frontage Occupancy requirement shall be met by either a Garden Wall or a Hedge or a Fence as defined in this Article VIII.

(9) Where retail is required in the Regulating Plan, buildings shall be designed to immediately accommodate retail uses on the ground floor, provided, however, that other uses may occupy the designated retail space, as long as any changes made to accommodate such uses do not prevent a transition back to retail use.

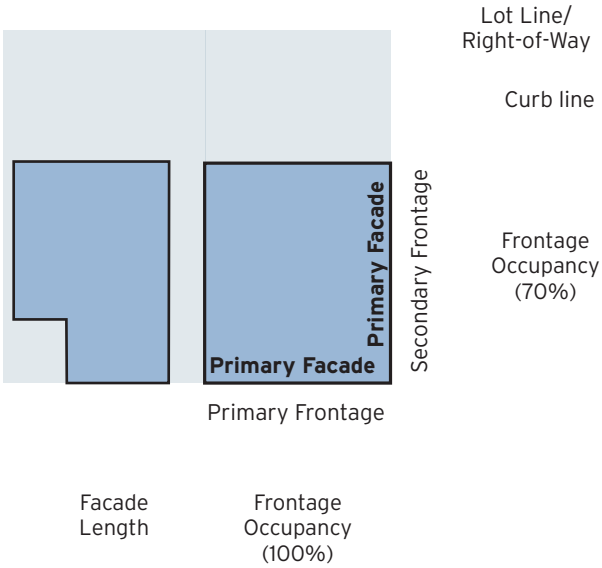


Figure 870-19: Example of Frontage Occupancy at Block Corners

F. Vista Terminations and Special Urban Design Features

(1) When lots or buildings are situated such that the centerline of a street or open space intersects with said lot or building, the building facade shall be located and designed as a vista termination, i.e., designed to visually attract a viewer's attention at the end of a visual axis and designed to terminate a view with a significant architectural feature such as a tower, corner tower, symmetrical facade centered on a visual axis, an architecturally embellished entry, or similar distinctive architectural device located on axis with the vista.

(2) Building design shall incorporate the special urban design features noted in the Regulating Plan. Special Urban Design Features include:

a. Corner Tower (see *Figure 870-20*)

b. Symmetrical Facade on Axis of Street (see *Figure 870-21*)

c. Prominent Building Element on Axis (see *Figure 870-22*)

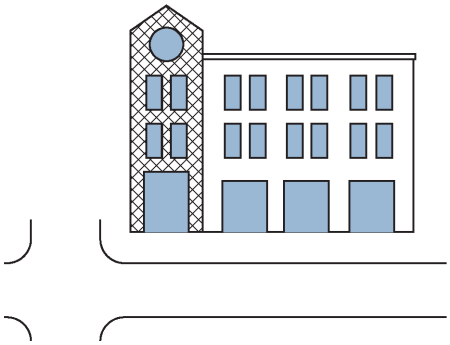


Figure 870-20: Corner Tower

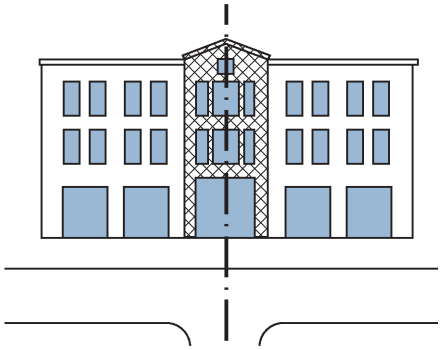


Figure 870-21: Symmetrical Facade on Axis

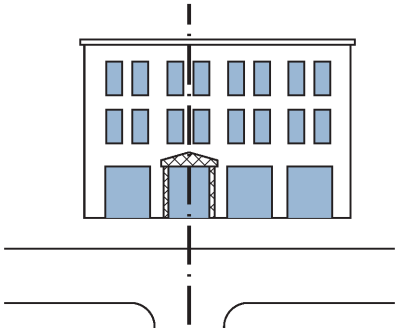


Figure 870-22: Prominent Building Element on Axis

G. Public and Private Frontages

(1) A Public Frontage is the space between the street curb and the front lot line.

(2) A Private Frontage is the space between the front lot line and the Primary Building Facade.

(3) Public Frontages shall be coordinated with Private Frontages to create a cohesive streetscape and public realm.

(4) Public and Private Frontages shall be located where designated in the Regulating Plan.

(5) Although the right-of-way line (i.e., the front lot line) separating public areas from private property may occur in a variety of locations between the curb line and the building face due to variable site conditions, Public and Private Frontages shall be coordinated so as to appear as a single Frontage.

(6) The following Frontages are hereby established:

- **a.** Tree Pit and Hardscape – 16
- **b.** Tree Pit and Hardscape – 20
- **c.** Tree Pit and Hardscape with Dooryard
- **d.** Verge with Dooryard

(7) The requirements of Frontages are as follows (see *Figures 870-23 – 870-26*):

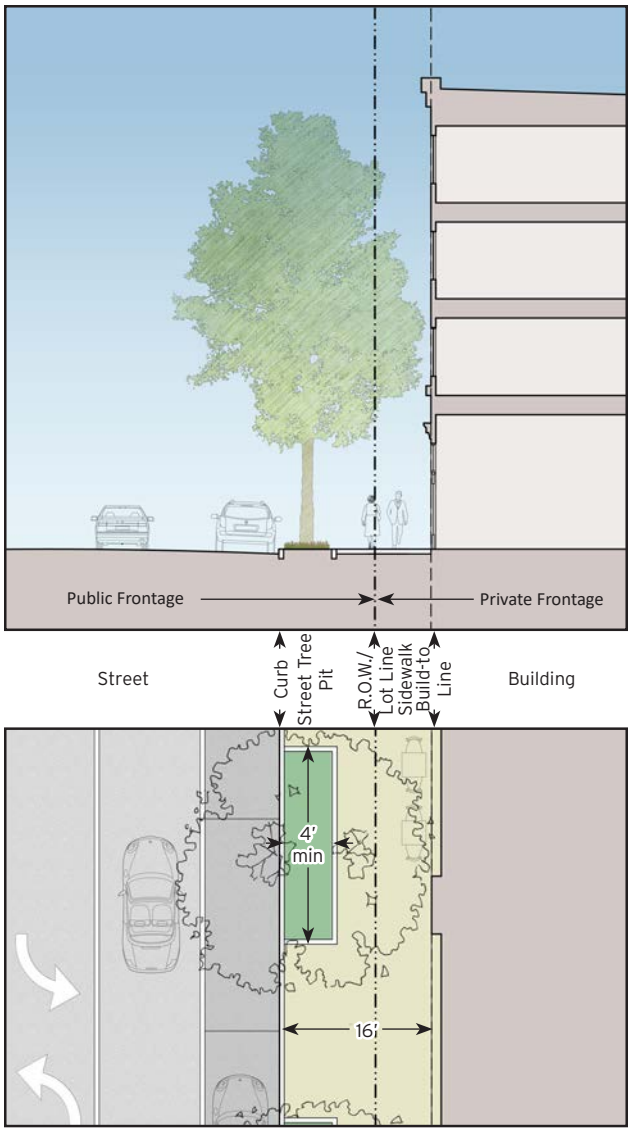


Figure 870-23: Tree Pit and Hardscape – 16

- **a.** The "Tree Pit and Hardscape – 16" shall provide:
  - **i.** A hardscape surface from Curb to Building Face measuring 16' in depth from the curb face and integrally designed to appear as a single sidewalk.
  - **ii.** Street tree pits a minimum of 4' long and 4' wide planted with trees approximately every 40 linear feet.
  - **iii.** Materials shall match the existing sidewalks along King St and Greeley St.

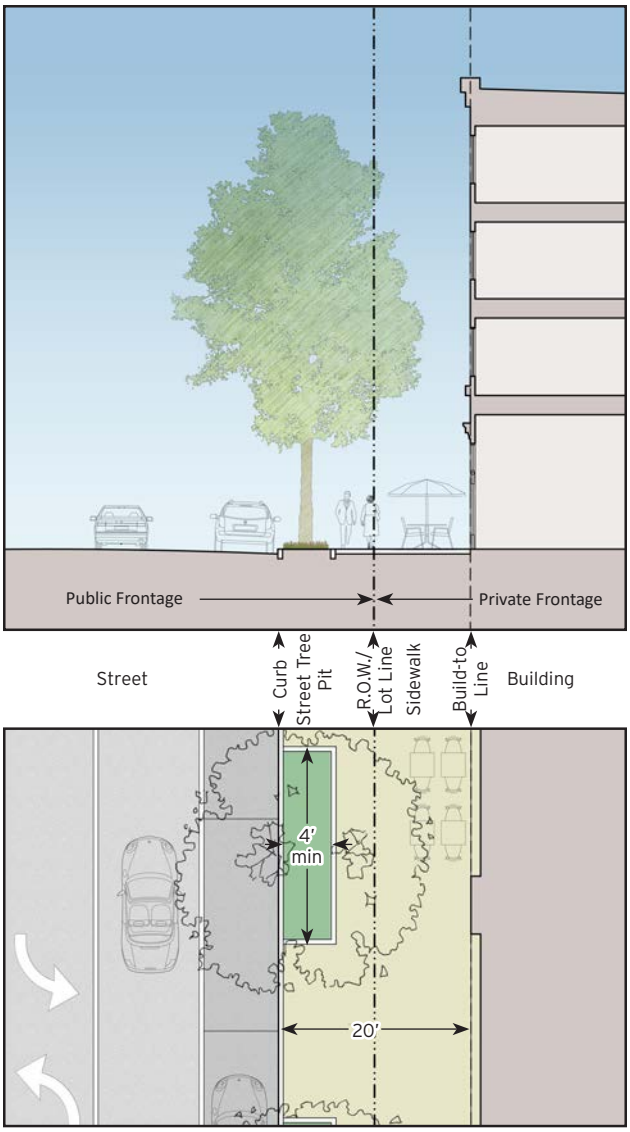


Figure 870-24: Tree Pit and Hardscape – 20

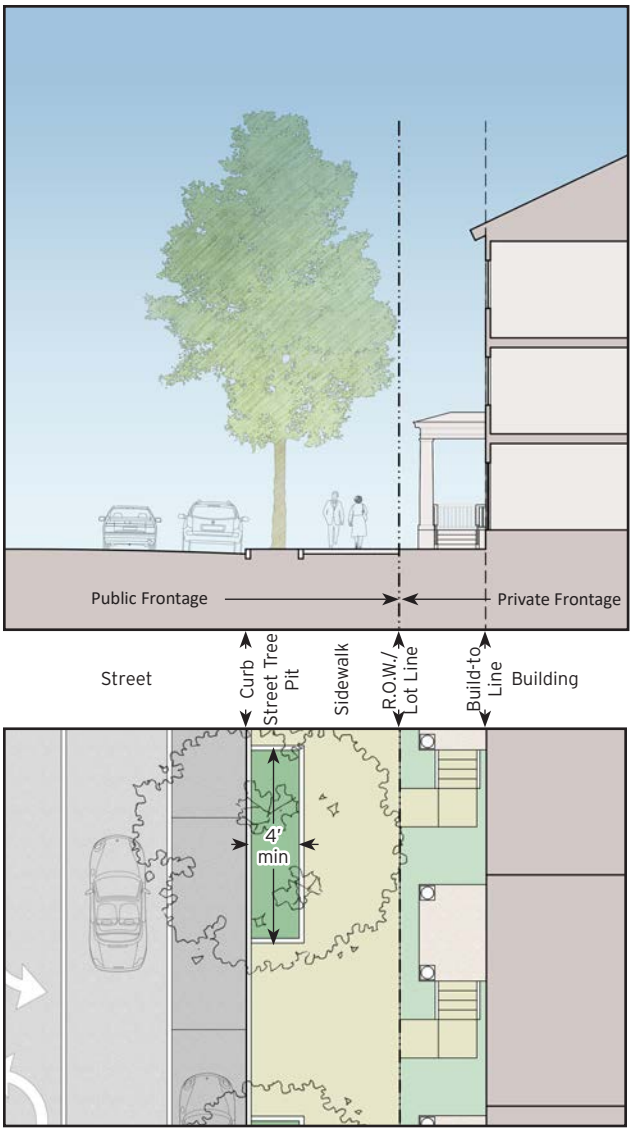


Figure 870-25: Tree Pit and Hardscape with Dooryard

b. The "Tree Pit and Hardscape – 20" shall provide:

- **i.** A hardscape surface from Curb to Building Face measuring 20' in depth from the curb face and integrally designed to appear as a single sidewalk.
- **ii.** Street tree pits a minimum of 4' long and 4' wide planted with trees approximately every 40 linear feet.
- **iii.** Materials shall match the existing sidewalks along King St and Greeley St.

c. The "Tree Pit and Hardscape with Dooryard" shall provide:

- **i.** A hardscape surface from Curb to right-of-way/property line and a dooryard from the property line to the face of the building.
- **ii.** Street tree pits a minimum of 4' long and 4' wide planted with trees approximately every 40 linear feet.
- **iii.** Materials shall match the existing sidewalks along King St.

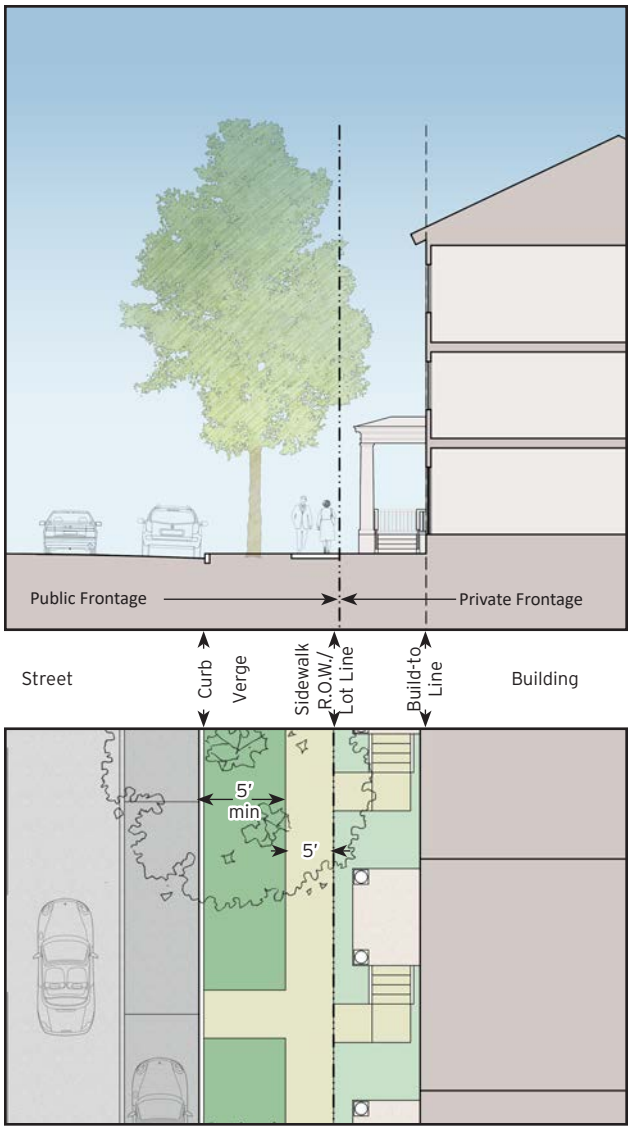


Figure 870-26: Verge with Dooryard

d. The "Verge with Dooryard" shall provide:

- **i.** A 5' wide minimum grass (or other vegetation) verge contiguous with the back of curb.
- **ii.** A 5' wide sidewalk contiguous with the verge.
- **iii.** A dooryard from the property line to the face of the building.
- **iv.** Trees planted in the verge at an average spacing of approximately every 40 linear feet.

(8) Notwithstanding stated dimensions for Hardscapes, variations in Hardscape dimensions due to existing buildings, permitted deviations from Build-to-Line requirements, or variations in curb locations shall be permitted in order to create a continuous paved area from curb to building face.

§ 60-880 Form Based District: General Development Regulations

A. Subdivision

(1) All elements of Chapter 113 Subdivision of Land shall apply, unless otherwise specified in this Article VIII.

B. Blocks

(1) Blocks shall be configured as shown in the Regulating Plan

(2) New additional blocks, blocks created as part of a Regulating Plan amendment, or as part of a new Regulating Plan shall be consistent with the regulations and intent of this Article and shall meet the following regulations:

- **a.** The maximum length of a block face shall be 750'. (*Figure 880-01*)
- **b.** The maximum perimeter of any block shall be 3000', provided, however, the maximum perimeter length of a single-family only, townhouse only, or duplex only block shall be 2,100'. (*Figure 880-02*)
- **c.** Blocks may be defined by either public streets or private streets.
- **d.** Block perimeter lengths shall be measured between: (i) intersecting public street right-of-way lines; or, (ii) the boundary width of where a private right-of-way line, easement, or edge of pavement would be for private streets/ drives.
- **e.** Cul-de-sacs shall be prohibited, except that the Development Department may approve a cul-de-sac when the Development Department determines that a physical barrier, such as a rail line, limited access highway, or steep undevelopable slope, prevents the construction of a through street, and that there is no reasonable way to provide vehicular access to a connecting street.

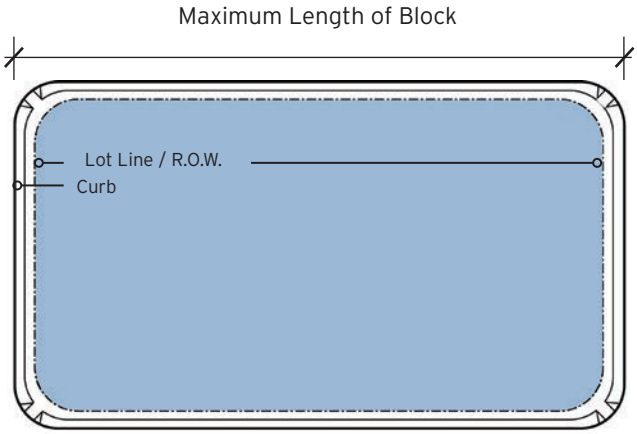


Fig. 880-01: Maximum Length of a Block.

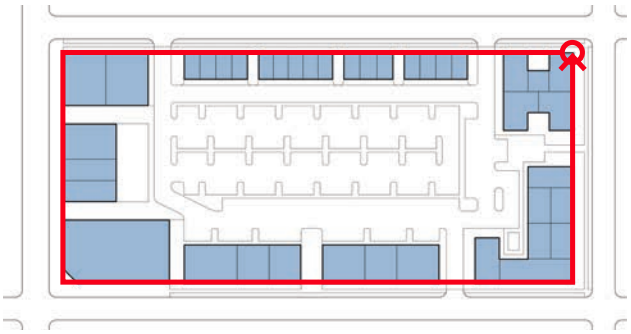


Fig. 880-02: Maximum Perimeter of a Block.

C. Lots

(1) Lots shall be governed by this sub-section.

(2) If these regulations conflict with applicable building codes, the building codes shall take precedence.

(3) There shall be no minimum lot size.

(4) There shall be no maximum lot coverage.

(5) There shall be no maximum development coverage.

(6) Lots shall have frontage on improved public or private streets, except that the Development Department may approve Mews configurations (see *Figure 880-03*) if adequate fire access is provided and the mews has frontage on an improved public or private street.

(7) New single-family, duplex, townhouse, and stacked townhouse lots shall access parking from an alley in F-4(-), F-4, F-5(-), F-5, and F-6 Sub-Districts.

(8) Single-family detached and duplex building frontage occupancy shall be regulated by the lot standards contained in this ***§ 60-880*** and not by the standards in the Regulating Plan. See *Figures 880-04 – 880-07* for lot regulations.

(9) Building sites shall be at or above the grades of the street.

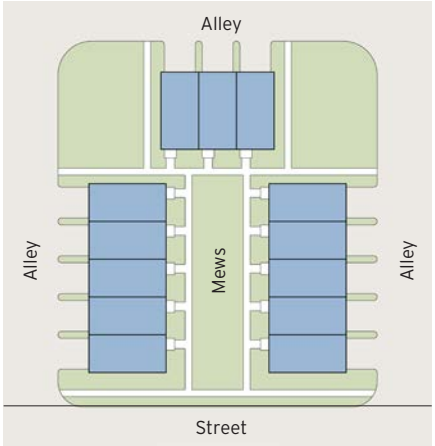


Figure 880-03: Mews

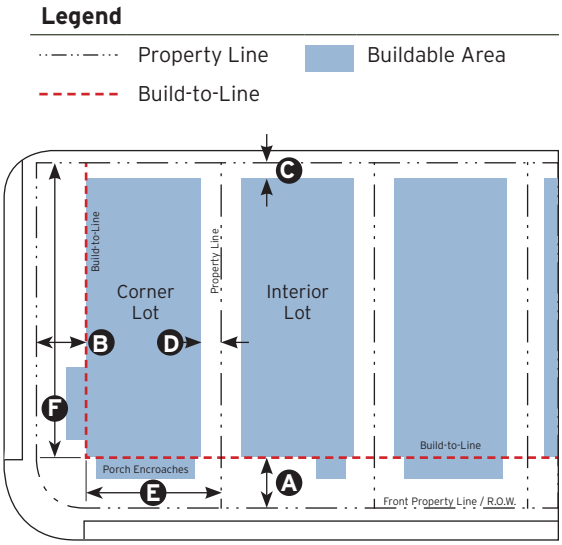


Fig. 880-04: One-Family; Two-Family on one Lot

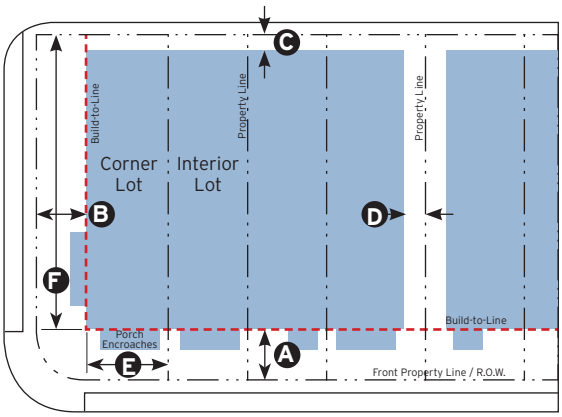


Fig. 880-05: Two-Family, Semidetached; Townhouse Lot

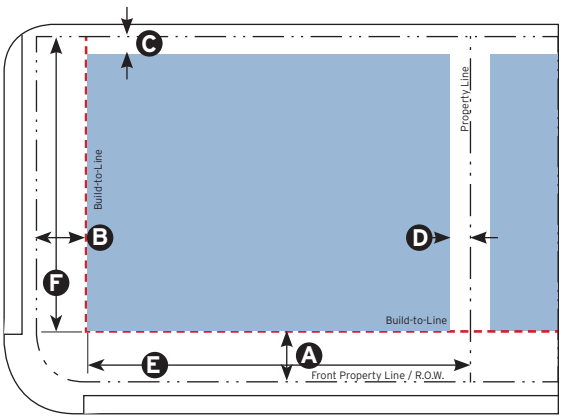


Fig. 880-06: Multifamily; Mixed-Use; Commercial; Industrial

Land Use Categories	Sub-District	Front Build-to – Line	Secondary Build-to-Line	Minimum Rear Yard Setback		Minimum Side Yard Setback	Primary Frontage Occupancy	Secondary Frontage Occupancy
Reference dimension locations in *Figures 880-04 – 880-06*		A	B	C		D	E	F
				Alley	*No Alley*			
Agriculture, Heavy	F-6	*	*	*	*	*	*	*
	F-5	*	*	*	*	*	*	*
	F-5(-)	*	*	*	*	*	*	*
	F-4	*	*	*	*	*	*	*
	F-4(-)	*	*	*	*	*	*	*
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Agriculture, Light	F-6	*	*	*	*	*	*	*
	F-5	*	*	*	*	*	*	*
	F-5(-)	*	*	*	*	*	*	*
	F-4	*	*	*	*	*	*	*
	F-4(-)	*	*	*	*	*	*	*
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Automotive Sales and Service	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan****		4'***	6'***	6'	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan****		4'***	6'***	6'	*See Regulating Plan*	
	F-4	*See Regulating Plan****		4'***	6'***	6'	*See Regulating Plan*	
	F-4(-)	*See Regulating Plan****		4'***	6'***	6'	*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Civic Facilities	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-4	*See Regulating Plan***		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-4(-)	*See Regulating Plan***		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Controlled Uses	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-4	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-4(-)	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Industrial, Light	F-6	*	*	*	*	*	*	*
	F-5	*	*	*	*	*	*	*
	F-5(-)	*	*	*	*	*	*	*
	F-4	*	*	*	*	*	*	*
	F-4(-)	*	*	*	*	*	*	*
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Industrial, Heavy	F-6	*	*	*	*	*	*	*
	F-5	*	*	*	*	*	*	*
	F-5(-)	*	*	*	*	*	*	*
	F-4	*	*	*	*	*	*	*
	F-4(-)	*	*	*	*	*	*	*
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Institutional	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*		4'	6'	0' or 11' min.	*See Regulating Plan*	
	F-4	*No Requirement*		4'	6'	0' or 11' min.	*No Requirement*	
	F-4(-)	*No Requirement*		4'	6'	0' or 11' min.	*No Requirement*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*

* Reserved for Future Use

** May Comply with ***§ 60-920 F.***

*** Standards shall be met with either a building or a garden wall with hedge or fence with a hedge.

Figure 880-07: Lot Regulations

Land Use Categories	Sub-District	Front Build-to – Line	Secondary Build-to-Line	Minimum Rear Yard Setback		Minimum Side Yard Setback	Primary Frontage Occupancy	Secondary Frontage Occupancy
Reference dimension locations in *Figures 880-04 – 880-06*		A	B	C		D	E	F
				Alley	*No Alley*			
Office	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-4	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-4(-)	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Public Facilities and Utilities	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan****		4′***	6′***	6′	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan****		4′***	6′***	6′	*See Regulating Plan*	
	F-4	*See Regulating Plan****		4′***	6′***	6′	*See Regulating Plan*	
	F-4(-)	*See Regulating Plan****		4′***	6′***	6′	*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Residential, Multi-Family	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-4	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-4(-)	*See Regulating Plan*		4′	6′	0′ or 11′ min.	*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Residential, One-Family	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4′	20′	6′	50% min.	40% min.
	F-5(-)	*See Regulating Plan*		4′	20′	6′	50% min.	40% min.
	F-4	*See Regulating Plan*		4′	20′	6′	50% min.	40% min.
	F-4(-)	*See Regulating Plan*		4′	20′	6′	50% min.	40% min.
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Residential, Townhouse	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4′	11′	6′; 0′ for Party Wall	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*		4′	11′		*See Regulating Plan*	
	F-4	*See Regulating Plan*		4′	11′		*See Reg. Plan*	55% min.
	F-4(-)	*See Regulating Plan*		4′	11′		*See Reg. Plan*	55% min.
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Residential, Two-Family	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		4′	11′	6′; 0′ for Party Wall	70% min.	40% min.
	F-5(-)	*See Regulating Plan*		4′	11′		70% min.	40% min.
	F-4	*See Regulating Plan*		4′	20′		50% min.	40% min.
	F-4(-)	*See Regulating Plan*		4′	20′		50% min.	40% min.
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*
Retail and Mixed-Use	F-6	*	*	*	*	*	*	*
	F-5	*See Regulating Plan*		0′ to non-res. & mixed-use; 5′ to res.	11′; 0′ for Party Wall	6′; 0′ for Party Wall	*See Regulating Plan*	
	F-5(-)	*See Regulating Plan*					*See Regulating Plan*	
	F-4	*See Regulating Plan*					*See Regulating Plan*	
	F-4(-)	*See Regulating Plan*					*See Regulating Plan*	
	F-3	*	*	*	*	*	*	*
	F-2	*	*	*	*	*	*	*

* Reserved for Future Use

** May Comply with ***§ 60-920 F.***

*** Standards shall be met with either a building or a garden wall with hedge or fence with a hedge.

Figure 880-07: Lot Regulations, Continued

D. Accessory Buildings and Dwelling Units

(1) Accessory buildings shall be permitted in all Sub-Districts.

(2) Accessory buildings shall comply with the Regulating Plan and with the Lot Regulations contained in this ***§60-880***.

(3) Accessory dwelling units shall be permitted in all Sub-Districts.

(4) Accessory dwelling units shall comply with the Regulating Plan and with the Lot Regulations contained in this ***§60-880***.

E. Parking Required

(1) All structures and land uses shall be provided with a sufficient amount of off-street parking to meet the needs of persons employed at or making use of such structures or land uses and sufficient off-street facilities to meet the needs of such structures or land uses, but not less than the minimum standards required in this Section. No certificate of occupancy shall be issued for any structure or land use until the required off-street parking and loading space has been established. Notwithstanding the foregoing, the requirement for providing off-street parking and loading spaces for all existing uses constructed on or before January 1,2020, shall be waived where the applicant has voluntarily offered to dedicate to the parking district or the Town of New Castle an easement over the entire designated parking/loading/circulation/setback area on the site proposed for development for off-street parking, loading and/or circulation purposes.

(2) Parking shall be required for all Use Categories at the ratios listed in *Figure 880-08* except as follows:

a. The minimum parking requirement for AFFH and Workforce units is 1 space/dwelling unit, except studios which will be .75 spaces per dwelling unit.

Use Category	Ratio
Agriculture, Heavy	[reserved]
Agriculture, Light	[reserved]
Automotive Sales and Service	[reserved]
Civic Facilities	TBD*
Controlled Uses	[reserved]
Industrial, Light	[reserved]
Industrial, Heavy	[reserved]
Institutional	TBD*
Office	
General Office	2.8/1,000 SF
Medical Office	3.3/1,000 SF
Public Facilities and Utilities	TBD*
Residential, Multi-Family	
Rental	
Studio	.85/DU
1-Bedroom	1.1/DU
2-Bedroom	1.4/DU
3+Bedroom	1.65/DU
Ownership	
Studio	.9/DU
1-Bedroom	1.2/DU
2-Bedroom	1.5/DU
3+Bedroom	1.75/DU
Residential, One-Family	2/DU
Residential, Townhouse	1.8/DU
Residential, Two-Family	2/DU
Retail	
up to 10,000 SF	2.8/1,000 SF
> 10,000 SF	4/1,000 SF
Restaurant	10/1,000 SF

* To be determined by the Development Department at time of application.

Figure 880-08: Base Parking Ratios

Figure 860-04: Building Height

b. Additions to an existing commercial building in existence January 1, 2020 of less than 3,000 SF of retail or office space shall not require more parking than existed as of January 1, 2020 if no existing parking on-site is reduced.

c. Additions of 4 or fewer residential dwelling units to an existing commercial or residential building in existence January 1, 2020 shall be permitted a 50% reduction in the required parking for those residential dwelling units.

d. Conversion of existing commercial space to residential units shall not require additional parking.

e. Shared parking shall be permitted. The rate of reduction in parking shall be determined by a professional parking consultant and approved by the Development Department.

f. A property owner may demonstrate through a year-long study that a portion of existing required spaces are not necessary for an existing use. Based on this study, the Development Department may approve allocating those parking spaces to a different use if a legal agreement for the duration of the existence of the uses is executed between the two parties.

g. Where the parking required for a particular use is not specified in the Town Code, the Development Department may, based on an evaluation provided by a suitably qualified professional, establish the requirement.

h. Bicycle parking shall be required at the following ratios:

   i. Office or Retail or Restaurant over 4,000 SF: .3 spaces per 1,000 square feet and a minimum of 1-space.

   ii. Multi-family Dwellings over 4 dwelling units: equal to five percent (5%) of the number of automobile spaces required and a minimum of 1-space.

i. An applicant may demonstrate that an existing comparable use requires less parking than is required by this sub-section and the Development Department may approve a comparable required parking reduction, which reduction shall in no case exceed 10%. Additional comparable reduction in required parking in excess of 10% may be assessed and permitted by the Planning Board.

F. Parking Location

(1) Required parking:

a. May be provided on-site.

b. May be provided off-site within a 1,320' pedestrian path along public sidewalks from the front door.

c. May be provided on-street when located on the same block and on the same face of the block as the proposed use if not allocated to another use.

d. May be provided off-site within a mile radius for all use categories, except residential categories, if a shuttle is provided between one hour before opening and one hour after closing.

e. May be provided off-site within a mile radius for residential use categories if a shuttle is provided from 5:00 AM to 12:00 AM.

f. May be provided in a common municipally owned property if it is determined by the Development Department that there are sufficient spaces to meet the parking demand of all uses that have parking agreements with the Town and the proposed use.

(2) Off-site parking shall require a legal agreement for the duration of the existence of the use whether the off-site parking site is owned by the same entity or another entity.

(3) Parking location on a site shall be governed by Layers (See *Figure 880-09*). The first layer is located between the lot line along the primary frontage and the build-to-line. The second layer is located between the build-to-line and a 20-foot setback from the build-to-line. The third layer is the remaining portion of the lot located behind the second layer.

a. All off-street parking areas shall be located within the third layer along primary streets.

b. All off-street parking areas shall be located within the second or third layer along secondary streets.

c. Structured parking shall be prohibited from occupying the Build-to-Line. However, the Development Department may permit a garage to occupy a Build-to-Line when the dimensions of a site make it impractical to accommodate a liner building, as determined by the Development Department, if the following conditions are met:

i. Street activating uses are located on the ground floor facing Primary Streets.

d. Garage facades facing Primary Streets are consistent with the architecture regulations contained in this Article VIII and maintain the appearance of an occupied building. Single Family, Duplex, or townhouse parking shall be accessed via an alley in F-4(-), F-4, F-5(-), F-5, and F-6 Sub-Districts.

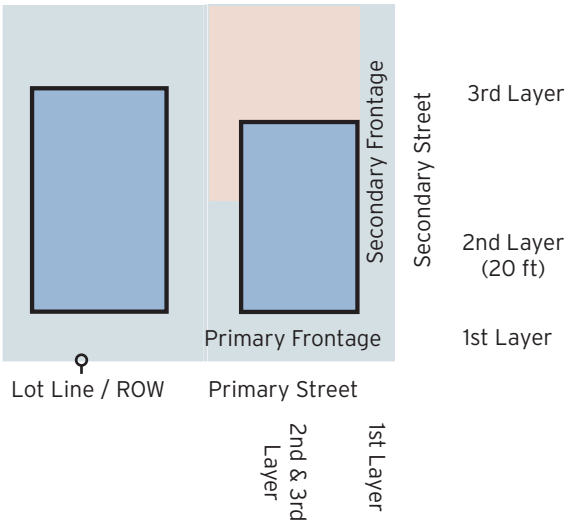


Figure 880-09: Parking Layers

G. Parking Provision — Fee in Lieu of Parking

(1) Fee in Lieu of Parking may be approved by the Development Department for all new development occurring after January 1, 2020 for use of new public or private off-site parking built after January 1, 2020 if a legal agreement has been executed between the applicant and the Town or other entity for the duration of the existence of the use. The Fee shall be determined in the legal agreement.

H. Parking Configuration

(1) Parking may be provided as surface parking, structured parking, stacker or hydraulic parking, robotic parking, tandem parking for residences when both parking spaces are for the same residential unit, or tandem parking for any use when valet parking is used.

(2) Parking Lot Dimensional Standards

a. Parking space and aisle standards shall be as found in *Figure 880-10*.

b. For lots smaller than 60,000 SF, up to 25% of parking spaces may be Compact Parking Spaces provided that such spaces are grouped together on the lot and are clearly marked as being reserved for compact cars only.

c. For lots greater than 60,000 SF, up to 20% of parking spaces may be Compact Parking Spaces, provided that such spaces are grouped together on the lot and are clearly marked as being reserved for compact cars only. The Development Department may approve a higher percentage of Compact Parking Spaces if applicant demonstrates a higher use of compact parking spaces.

(3) Parking lots larger than 3-bays deep shall provide a landscaped median for the entire length of a parking bay every other row of parking.

(4) Parking lots and structured parking shall provide one outlet for electric cars per each 50 parking spaces.

(5) Surface parking areas exposed to public view from public streets, sidewalks, and other public spaces shall be screened from the street and sidewalk by either a wall or hedge that is between 36" and 48" in height. If a hedge is used, it shall be maintained at the required height with a shrub spacing of no greater than 24" at time of planting, located along the build-to-line.

(6) Pervious surfaces shall be permitted for surface parking lots.

Space Angle *a*	Space Width b	Space Length *c*	Aisle 1-way *d*	Aisle 2-Way *e*	Curb Width *f*
90°	9′	18′	24′	24′	9′
90° Compact	8′	16′	24′	24′	8′
60°	9′	19′	18′	20′	10′-5″
45°	8′ 6″	18′	15′	20′	12′-9″
Parallel	8′	22′	12′	24′	N/A

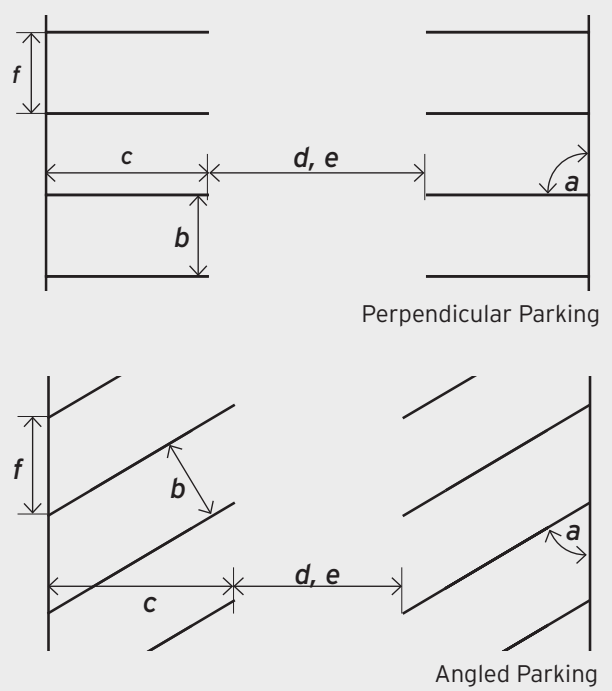


Figure 880-10: Parking Dimensions

I. Parking, Overnight

(1) Parking shall be permitted on-street overnight in F-4(-), F-4, F-5(-), F-5, and F-6 Sub-Districts.

(2) Parking shall be permitted overnight in common lots such as transit parking lots where parking spaces are not already committed to other uses for overnight parking and where a legal agreement for the duration of the existence of the use is in place in F-4(-), F-4, F-5(-), F-5, and F-6 Sub-Districts. Overnight parking spaces in common lots such as transit lots may be counted toward off-street parking requirements up to a maximum of 20%.

J. Loading

(1) All buildings shall provide a minimum of one loading space per building except when buildings on a single block have entered into a legal agreement to share a common loading space or area.

(2) On-street loading spaces may be permitted to meet loading requirements when determined by the Development Department that this would not be detrimental to the health, safety, or walkability of pedestrians, nor impact the parking requirements of another property. On-street loading spaces shall be striped and signed as "Loading Only." On-street loading spaces may be shared by multiple buildings when within 200' of the property during hours permitted by the Town.

K. Service

(1) Service areas such as trash and recycling located outside of a building shall be located within the third Layer of a lot and shall not face the street.

(2) Service areas outside of a building shall be screened on all sides with an opaque fence.

(3) Service areas, such as trash and recycling, located inside of a building shall have closable doors.

L. Open Space and Landscape

(1) Parkland or Parkland Fees with Multifamily or Mixed-Use Multi-Family Buildings: Multi-family and Mixed-Use Multi-family buildings shall comply with the requirements found in ***§60-420,G*** "Parkland or parkland fees with multifamily site plan approval" except as modified below:

a. It is not practical to provide parkland and recreation land on each individual site in F4, F5, and F6 sub-districts. It is also usually not practical to provide parkland and recreation land on each individual existing site. It is also contrary to the intent and goals of the Comprehensive Plan for Transit Oriented Development areas. As a result, all Multifamily or Mixed-Use Multi-family Buildings shall provide funds, rather than on-site facilities, to be paid to the Town exclusively for neighborhood parks, playgrounds or recreational purposes, including the acquisition of property to be used within a 10-minute walk of the development site or within the Form Based District where the development site is located.

b. The Fee Schedule referenced in ***§60-420,G,3(b)*** shall be used for Multi-family or Mixed-Use Multi-Family Buildings in the Form Based sub-districts.

c. Developments less than 20-dwelling units shall be exempt from Parkland Fees.

(2) No buffer screening areas shall be required, except where properties abut an existing residence district. This requirement may be waived by the Development Department in situations where the Development Department determines that large distances, topographic features or existing vegetation satisfy the same purpose. Where such buffer screening area is required, it shall meet the following regulations:

a. Screening shall consist of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the Development Department, will screen the activity involved from the neighboring residential district.

b. Required planting shall be properly trimmed and maintained in good condition at all times.

c. A wall or fence may be substituted for vegetative screening if the Development Department determines that its location, height, design and materials provide equivalent screening and do not have an adverse visual impact.

(3) Foundation landscaping shall be required in all situations where the Build-to-Line is set back from the right-of-way 15′ or more and a Door-Yard Frontage type is required.

(4) Off-Street Surface Parking Area Screening:

a. Parking lot edges that are not located behind a building shall be screened with either:

b. An ornamental fence with masonry piers; or,

c. A compact row of shrubs/hedge plants planted at three foot linear spacing across the front of the parking area. Plants shall be maintained at approximately a thirty-six (36) inch height.

(5) Surface parking lots shall be landscaped with a landscaped island with tree every 16 spaces.

(6) Surface parking lots with landscape medians shall be planted with shrubs or similar and shade trees.

M. Walls, Fences, and Gates

(1) Above grade opaque walls and Privacy Fences shall be prohibited within a front yard and within a private frontage.

(2) Walls, fences, and gates shall be prohibited in private frontages where retail is present.

(3) Where permitted in a private frontage, fences and gates shall not exceed a height of 42″ and shall be an Open Fence.

(4) Where permitted, fences shall not exceed 6′ in height.

(5) Privacy fences and garden walls shall not occur forward of the rear of a primary building.

(6) Chain link, barbed wire, razor wire, chicken wire, stockade fencing, and split rail fencing shall be prohibited in F-4(-), F-4, F-5(-), F-5, and F-6 Sub-Districts.

N. Gas and Service Stations

(1) Existing gas and/or service stations shall be permitted to remain in their existing configuration. If an existing building is demolished and the pumps are removed, any replacement shall be considered a new gas and/or service station.

(2) New gas and service stations shall meet all requirements of this Article VIII, except that 75% of the Frontage Occupancy requirements may be fulfilled with an architectural wall, arcade, or colonnade a minimum of 12′ in height.

O. Visibility at Intersections

(1) A Clear Sight Area shall be established for all street, drive, and alley intersections, whether public or private, where no obstruction shall be located between the heights of 18" from the ground and 10' from the ground within the Clear Sight Area.

(2) The Clear Sight Area in F-4(-), F-4, F-5(-), F-5, and F-6 Sub-Districts shall be a triangle formed by the projection and intersection of the curb lines of two intersecting streets or a street intersecting with a drive or an alley measuring back 25' from that intersection along each curb and connecting those two points. See *Figure 880-11*.

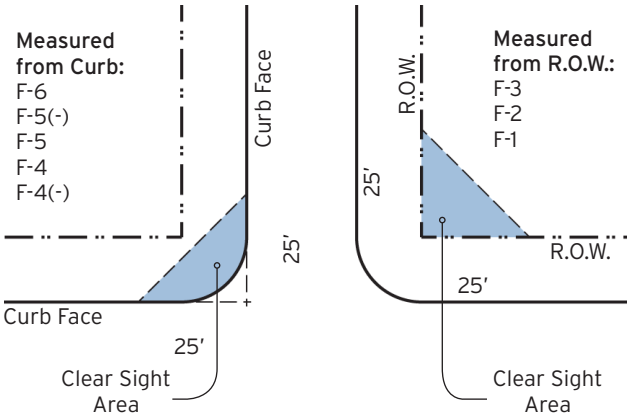


Figure 880-11: Clear Sight Area

P. Signs

(1) All signs and sign permitting shall comply with the regulations contained in ***§60-410, D***. Sign Regulations except as modified in this sub-section.

(2) Monument signs shall not be permitted in any Sub-District except F-2 and F-3.

(3) Address numbers shall be 6" in height as required by New York state law and shall be gold leaf, metal, ceramic or paint in a color contrasting with the background color.

(4) Neon signs, fluorescent or glowing paint, billboards, moving or intermittently illuminated signs or advertising devices, and flashing signs shall be prohibited.

(5) Building Signs

a. Signs shall be of materials consistent with the architectural style.

b. Four types of attached signs are permitted:

i. The Band Sign: The band sign consists of a band of lettering across the entire width of the building. If lit, band signs shall be front-lit with gooseneck or similar lights. Band signs shall be a maximum of 36" tall, and the bottom of the band sign shall not be installed less than 10 ft. above the sidewalk. *See Figure 880-12.*

ii. The Board Sign: The board sign consists of painted or vinyl graphics on a signboard attached flush with the building wall. *See Figure 880-13.*

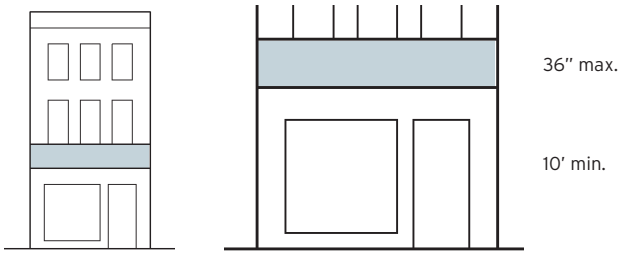


Figure 880-12 : Diagram of Band Sign Dimension

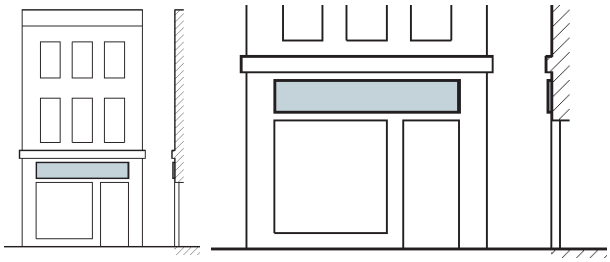


Figure 880-13: Diagram of Board Sign Dimension

Figure 880-12: Illustrative Example of Band Sign

Figure 880-13: Illustrative Example of Board Sign
(Credit: flickr K-FREE)

iii. Window Signs: The window sign is located behind the glass or is comprised of painted, gold leaf, or vinyl applied directly to the glass. Window signs shall not be mounted on opaque signboards. The height of any window sign is limited to one-third the height of the glass in the sash where the sign is installed, excluding muntins. The width of any window sign is limited to 90 percent of the width of the glass in the sash where the sign is installed. Signs may not be affixed with tape or other temporary means to the exterior nor to the interior of the glass surfaces. Decals shall not be affixed to glass. *See Figure 880-14.*

iv. Painted Wall Signs: Painted wall signs may only occur on wall surfaces that are set back at least 50 ft. from the edge of the pavement to allow for equal viewing by pedestrians and motorists and shall not be the primary sign of the business they represent. Such signs shall be rectangular, oriented horizontally or vertically, and no larger in area than 2 ft. by two times the building width. *See Figure 880-15.*

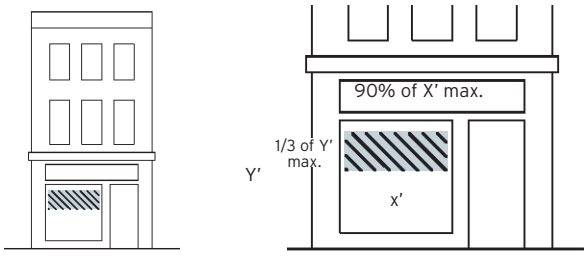


Figure 880-14 : Diagram of Window Sign Dimension

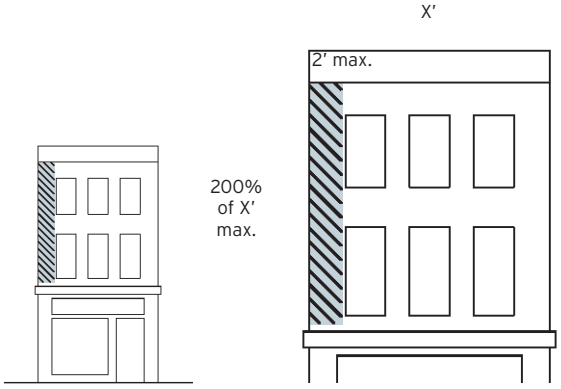


Figure 880-15: Diagram of Painted Wall Sign Dimension

Figure 880-14: Illustrative Example of Window Sign

Figure 880-15: Illustrative Example of Painted Wall Sign
(Credit: flickr stealingsand)

c. Two types of projecting signs are permitted:

i. Blade Signs: The blade sign shall be 32 in. tall maximum. No blade sign shall exceed 9 sq. ft. Blade signs projecting from the wall may project a maximum of 5'. The bottom of the blade sign shall be 12' minimum above the sidewalk. Brackets or other suspension device shall match the architectural style of the building and shall not be computed as part of the allowable size of the sign. Blade signs hung from an architectural element shall be centered on that element. *See Figure 880-16.*

ii. Vertical Signs: Vertical signs may project perpendicular from one side of the building or at a 45-degree angle to a corner. Vertical signs shall be mounted 12" maximum away from the exterior wall of the building and shall be a maximum of 3 ft. wide. The bottom of the vertical sign shall be 12' minimum above the sidewalk and the bottom shall not be lower than the top of the first floor. The height of the sign shall not exceed one story, except at a block corner where a vertical sign shall not exceed two stories in height. *See Figure 880-16.*

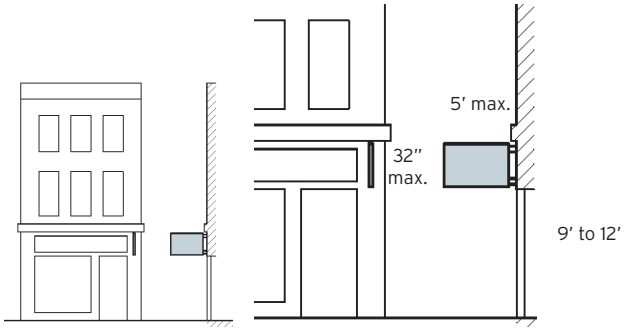


Figure 880-16: Diagram of Blade Sign Dimension

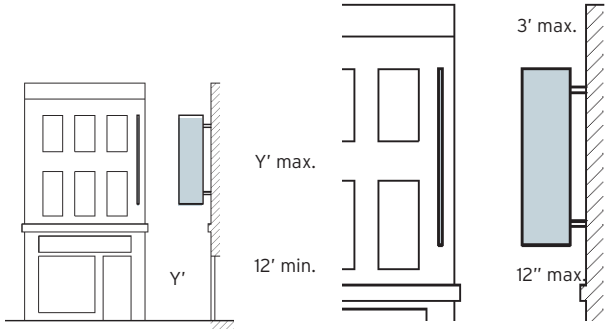


Figure 880-16: Diagram of Vertical Sign Dimension

Figure 880-16: Illustrative Example of Blade Sign

Figure 880-16: Illustrative Example of Vertical Sign
(Credit: flickr Kansas Sebastian)

(6) Ground Signs: Sculptural and A-frame sign boards placed on the sidewalk shall be permitted if they are temporary and removed during non-operating hours.
See Figure 880-17.

(7) Awning Signs: Signage may be painted either on the fringe of an awning or in the center of the body of the awning. Awning signs shall be painted directly on canvas. Back lit awnings are prohibited. Signs that occupy the fringe of the awning may fill the entire height and width of the fringe up to a maximum fringe height of 9".

(8) Rooftop Signs: Roof top signs meant to be viewed from great distances shall be prohibited unless determined by the Development Department to be consistent with the regulations and intent of this Article VIII.

(9) Home-based Business Signs: Signs advertising a home-based business shall be permitted and shall be consistent with the architectural style of the building and shall be painted wood with a maximum size of 6 sq. ft. Signs may be mounted to a freestanding post, hung below a porch roof, or mounted to a building wall. One sign advertising a home-based business is permitted at each frontage.

Fig. 880-17: Illustrative Example of A-Frame Ground Sign
(Credit: flickr kellan)

(10) Security Signs: One sign providing notice of a security system is permitted at each frontage and shall be affixed to a building.

(11) Freestanding, off-site and detached signs are prohibited except as expressly permitted in this section or in ***§60-410 D. (10) Exempt Signs***.

(12) Signs may encroach into required frontages and across R.O.W. lines, but shall not encroach into other properties.

(13) The Development Department may approve a sign that is not consistent with the regulations of this section when the sign is designed as a site-specific piece of civic art if it determined that such sign is consistent with the intent of this Article VIII.

Q. Exterior Lighting

(1) Exterior lighting shall comply with the regulations contained in ***§60-420 D. (1)***, except as modified in this sub-section.

(2) Exterior lighting shall be "dark skies friendly."

(3) Residential buildings, or mixed-use buildings containing residential, shall not be wall-washed nor flooded or up-lit.

(4) Surface parking lots shall use direct cut-off fixtures.

R. Utilities

(1) Underground Utilities. See ***§113-27*** and ***§113-28***.

(2) Solar access and energy considerations. Access to sunlight for present and potential solar energy systems, both on – and off-site, as well as building siting, orientation and landscaping shall be considered by the Development Department as a part of the review of any application.

§ 60-890 Form Based District: Thoroughfares

A. Supersession

(1) This section supersedes *§113-24* except where noted in this section.

B. Conformity to Regulating Plan

(1) Street locations shall conform to the Regulating Plan, except that the Development Department may approve new street locations that meet the standards contained in this Article VIII.

(2) State and County highways are not regulated by this section.

(3) Modifications to streets existing on January 1, 2020 shall be subject to Article V and approval by the Planning Board.

C. Street Design Standards

(1) Horizontal and Vertical Street Design Specifications: These standards shall apply to both public and private streets.

(2) New streets and alley sections shall conform to the following standards and as illustrated in *Figures 880-01 – 880-03*:

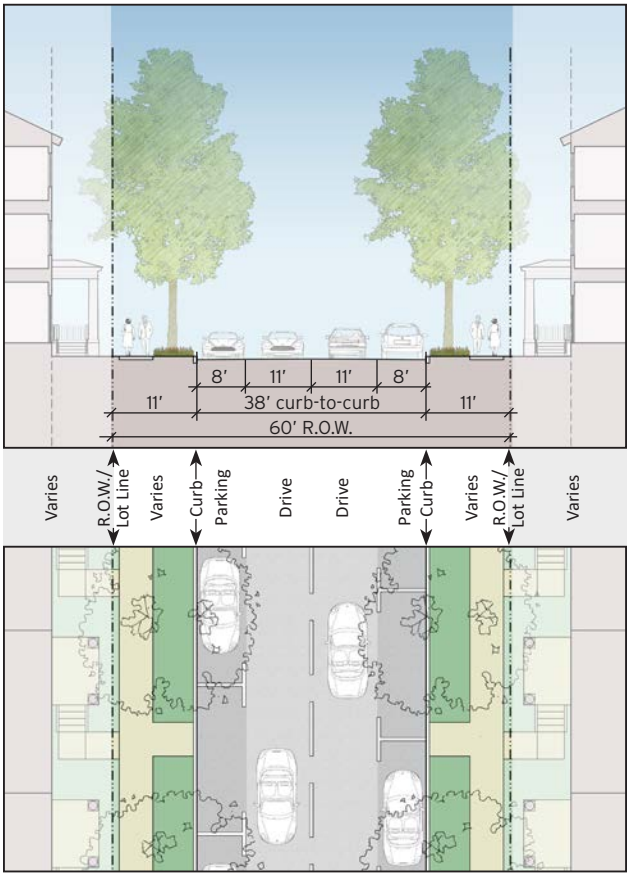


Figure 880-01: Street Type 1

a. Street Type 1 *(Figure 880-01)*:
   - i. 60' right-of-way
   - ii. 2 – way
   - iii. 11' travel lanes
   - iv. 8' parking lanes on both side
   - v. Curb and gutter

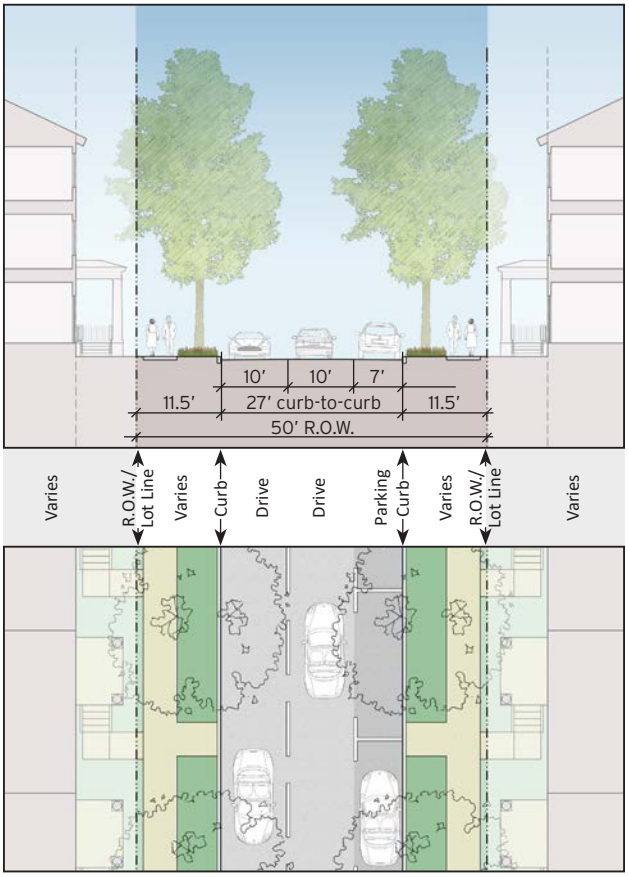


Figure 880-02: Street Type 2

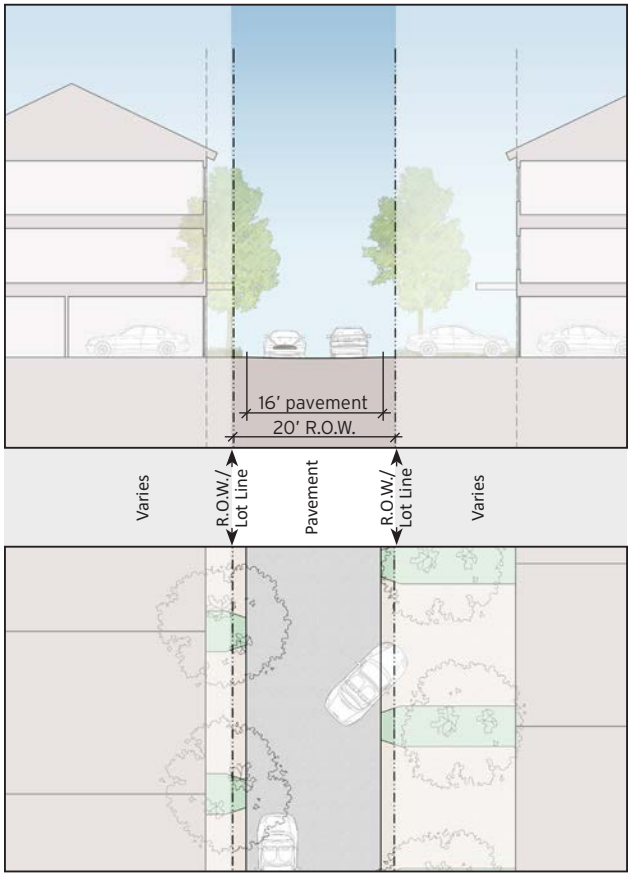


Figure 880-03: Alley Type 1

b. Street Type 2 *(Figure 880-02)*:

- **i.** 50' right-of-way
- **ii.** 2 – way
- **iii.** 10' travel lanes
- **iv.** 7' parking lane on one side
- **v.** Curb and gutter

c. Alley Type 1 *(Figure 880-03)*:

- **i.** 20' right-of-way
- **ii.** 2 – way
- **iii.** 16' pavement width
- **iv.** 2' shoulders on both side
- **v.** No curb or gutter

(3) Street maximum grade shall be 10%, however applicant shall strive to achieve 8% or less. Street minimum grade shall be 1.5%.

(4) Minimum length of vertical curves shall comply with "***Subdivision of Land, 113 Attachment 1, Appendix I***"

(5) Minimum centerline radius of horizontal curves shall be 175 for local roads and 300 for collector roads.

(6) Minimum right-of-way radius at intersections shall be 20'

(7) Minimum curb return radius shall be 15' for local road-to-local road intersections and 20' for collector intersections.

(8) Minimum length of tangent between reverse curves shall be 100' for local roads and 200' for collector roads.

(9) Cul-de-sacs and dead-end streets shall not be permitted except that the Development Department may approve a Cul-de-sac or dead-end street if there is no other reasonable manner to fully access a parcel. If permitted, cul-de-sacs shall have a minimum diameter turnaround right-of-way of 110' and a minimum diameter of turnaround pavement of 90'.

(10) Minimum sight distance requirements are in addition to minimum sight triangle requirements found in this Article VIII.

(11) Handicap ramps shall be provided at all crosswalks and intersections.

D. Intersections

(1) Cross-street (four cornered) intersections are encouraged.

(2) Street intersections shall be spaced 150' minimum from centerlines.

(3) Streets shall be at approximately right angles within 70 feet of the center of an intersection and grades shall be limited to 3%.

(4) Wherever two streets intersect at an angle of less than 75°, special pavement, channelization, right-of-way and/or sight easement restrictions may be required by the Town Engineer.

E. Continuation of Streets into Adjacent Properties

(1) The arrangement of new streets shall provide for their continuation between adjacent properties.

F. Street Names

(1) See ***§113-24, F Street Names***

§ 60-900 Form Based District: Affordable And Workforce Housing

A. AFFH and Workforce Definitions and AFFH Model Ordinance Provisions

(1) See ***§60-210 "Affordable Affirmatively Furthering Fair Housing (AFFH) Unit"*** for definition of an AFFH unit.

(2) See ***§60-210 "Workforce Housing"*** for definition of Workforce Housing.

(3) See ***§60-220 "Affordable AFFH model ordinance regulatory provisions"*** for provisions.

B. Requirements

(1) The following requirements for number of AFFH and Workforce units shall supersede requirements found in the Town of Newcastle Code:

a. Developments of less than 12 dwelling units shall not be required to provide AFFH or Workforce dwelling units.

b. Developments of 12 to less than 80 dwelling units shall provide a minimum of 4% AFFH dwelling units and minimum of 2% Workforce units.

c. Developments of greater than 80 dwelling units shall provide a minimum of 8% AFFH dwelling units and 4% Workforce units.

d. Developments with multiple phases shall count the total number of dwelling units for all phases for purposes of determining the required percentage of AFFH and Workforce units. AFFH and Workforce units shall be provided in each phase of a multi-phase project at the required ratios.

§ 60-910 Form Based District: Green Building and Healthy Building Standards

A. Applicability and Requirements for Green Buildings

(1) All new buildings shall comply with the provisions in Chapter 74 Green Building Standards except as modified here:

- a. Alternate rating and certification systems to USGBC's LEED for New Construction (LEED-NC) may be approved by the Development Department
- b. All new developments greater than 50,000 S.F. shall be at least LEED Certified or equivalent.
- c. All new developments greater than 100,000 S.F. shall be at least LEED Silver Certified or equivalent.
- d. Parking structures shall not be required to be LEED Certified or equivalent.

(2) All sites providing irrigation shall provide a method to capture and re-use rainwater.

(3) All exterior lighting shall use photosensitive cells that automatically turn off lights at sunrise.

(4) Geo-thermal shall be permitted on all sites.

(5) Green roofs shall be permitted for all building types.

(6) Pervious paving shall be permitted.

(7) All new development shall comply with the New York State Green Infrastructure mandate.

B. Applicability and Requirements for Healthy Buildings

(1) In order to promote the health and welfare of the community and to support the goals of the Comprehensive Plan all buildings requiring to be LEED Certified (or similar) shall also be initially certified as healthy buildings through Fitwell, Well Building, or similar rating system.

§ 60-920 Form Based District: Architecture Regulations

A. Purpose and Intent

(1) In order to create buildings that foster compact walkable neighborhoods, promote increased health through increased walking and pedestrian safety, promote safety through building configuration, assist in meeting the goals of the Comprehensive Plan, and that are compatible with the cultural history of the region and Chappaqua, building design shall be regulated by the standards contained in this section and this Article VIII.

B. Precedence

(1) This section shall in no way replace nor take precedence over all applicable building life-safety codes.

(2) No requirement in this section shall supersede any construction detail or practice, including those that would prevent water from penetrating the building.

(3) The Development Department is in no way responsible for the quality of construction beyond the aesthetic requirements found in this section.

C. General Architecture Regulations, All Buildings

(1) Urban Design Response

a. The design of a building shall start with an urban design idea that recognizes the role of buildings in defining outdoor spaces including streets. The massing shall address the compositional, proportional and scale relationships between the building and the larger context.

b. Particular attention shall be paid to buildings located in transitional places; in that case a significant component of the urban design idea shall be devoted to dealing with those transitions.

c. Vista Terminations: Building facades shall be located to terminate a vista created by the centerline of a street or open space. When building facades terminate a vista, they shall be designed to have a significant architectural feature located on axis with the vista.

(2) Massing

a. Massing shall be simple. Buildings shall be composed of one or a few simple boxes. Buildings shall be configured as a single simple or multiple simple volume(s) composed of relatively shallow rooms to allow penetration of light into interior volumes and cross-ventilation.

b. A building's roof form shall be appropriate to the architectural style.

c. Towers, where required by the Regulating Plan, consists of a structure that protrudes one-half story above the eave of the principal building and may exceed the maximum permitted building height. Towers shall be designed as an integral part of the building.

d. When buildings are composed of more than a single volume, they shall embody a clear hierarchy of massing. The location of the main body of the building shall be discernible at a glance.

e. Massing shall be consistent with the historical style.

(3) Orientation

a. Primary Building Facades shall be oriented to the street. A building located on a corner lot shall have two Primary Building Facades

(4) Facade Organization

a. Facade Organization: Building facades shall have an organization that includes:

i. A rational pattern of elements based on rhythm and hierarchy including a clear strategy for the use of an odd or an even number of bays

ii. A hierarchy of similarly proportioned windows; and,

iii. While the distribution of elements on the building facade should respond to internal conditions, the facade organization should primarily relate to the urban design idea and the character of the adjacent public realm.

b. Base, Middle, and Top: Every building facade shall have a base, middle and top appropriate for the scale of the building.

i. The top shall visually terminate the building and help protect it from the elements

ii. The base should visually support assumed vertical building loads.

iii. The cornice transition line usually occurs at the sill of the top floor windows or above these windows. In many cases this row of windows is shorter than the floors below.

iv. Transitions may consist of a continuous, shallow balcony; a short setback; or a slightly articulated trim course.

c. Vertical Proportions: A building facade should be composed of vertical proportions, whether in whole or in part of the composition. Vertical proportions shall be the dominant facade reading, except for Art Deco style buildings, or facade sections, but an appropriate balance should be established between both vertical and horizontal readings. Facade elements, including visual structural elements, openings, and details should utilize a coherent system of proportion.

d. Tectonics: Every building facade should be tectonically correct – Building facades shall be designed so that assumed vertical loads are carried to the ground by a reasonable and convincing visible structure consistent with the building's materials and style.

e. Facade Length: Building Facades longer than 150' measured along the build-to-line shall be designed to look like more than one building, except civic buildings. No section of building designed to appear as more than one building shall exceed 100'. Each section of building shall be different in color and/or material than the other sections and shall have different base heights, cornice heights, and window sizes and shall have a minimum of two styles. Each section shall not have the facade face in the same vertical surface plane.

f. Scattered Windows: Scattered windows shall be prohibited – See *Figure 920-01*.

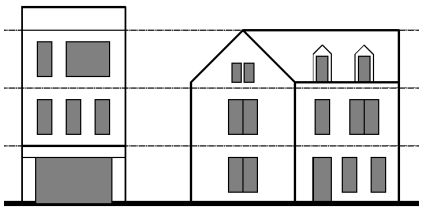


Figure 920-01: Illustrative Example of Scattered Window Facade

g. Blank Walls: Blank walls (void of windows) shall be prohibited at frontages.

h. Primary Materials: A maximum of two primary materials shall be used on a facade. A primary material is one that occupies one-third or more of the facade (excluding windows) for 3-story buildings or one-fourth or more of the Primary Facade (excluding windows) for 4-story and taller buildings. A maximum of one primary material shall be used for 2-story buildings. Greater than two primary materials may be used only if consistent with the historical style.

i. Void for Primary Facades: The percentage of void area (windows and other openings) for primary facades (those facing frontages) shall be consistent with the architectural style.

j. Consistency with Historical Style: Facade organization shall be consistent with the historic style.

(5) Entries

a. The primary entry shall be located along the Primary Building Facade and shall be designed with architectural features and details that clearly communicate the entry.

b. Service entrances shall be located at the rear of the building.

c. Consistency with Historical Style: Entries shall be consistent with the historical style.

(6) Windows

a. Primary Building Facades shall have windows.

b. Windows shall be clear glass. No reflective or tinted glass shall be permitted.

c. Windows shall have a vertical proportion, meaning that they are taller than they are wide (see *Figure 920-02*), except as noted in ***§ 60-920 G. (9) f. vi***.

d. Windows in a residential facade shall be regularly spaced and the same size, except for accent windows.

e. Windows shall be installed such that the exterior face shall not be flush with the exterior wall on facades facing frontages.

f. Consistency with Historical Style: Windows shall be consistent with the historical style.

(7) Wall Materials

a. Designs and materials shall be consistent on all primary facades.

b. Accessory Buildings shall be constructed of the same materials as the principle structure.

c. Where real or simulated brick, stone, stucco, or similar materials are used on the primary facade(s), the material shall continue along the secondary facades a minimum of 16" in depth measured from the face of the primary facade.

d. Consistency with Historical Style: Wall materials shall be consistent with the historical style.

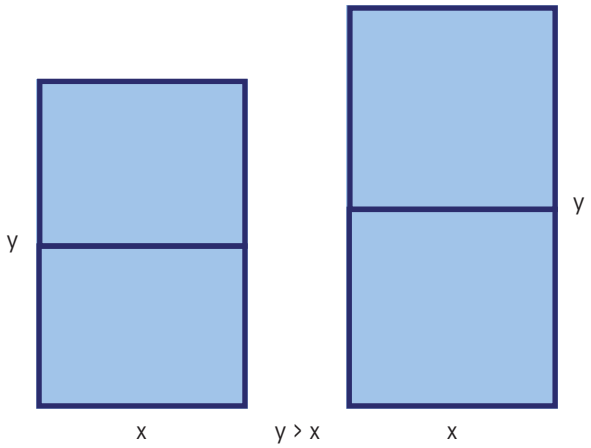


Figure 920-02: Vertical Proportions

(8) Building Mechanical Equipment

a. HVAC equipment, utility meters, satellite dishes, permanent grills, and other mechanical equipment shall be located so as not to be visible from the primary frontage. Such equipment shall be located to the interior of the block behind buildings or on roofs. If located on a roof, they shall be located a minimum of 6' from the nearest parapet and shall be screened in the elevation view with an opaque screen.

b. Mechanical equipment shall not vent to the street side of the building, except that the Development Department may approve individual through-wall units only if they are designed as an integral part of the facade composition that dimensionally coincides with other key facade elements such as windows.

c. Window air conditioning units shall not be permitted.

(9) Materials

a. Vinyl siding shall not be permitted.

b. Permitted roof materials are slate, wood shingles or shakes, architectural asphalt shingles, and standing metal seam. Membrane roof material shall only be permitted for flat roofs.

c. Commercial windows shall not be vinyl or fiberglass.

d. Siding shall be wood or cementitious siding.

e. Exterior trim shall be indistinguishable from wood when painted.

f. Metal elements shall be painted or natural colored galvanized steel, stainless steel, anodized or electrostatic plated (ESP) aluminum, marine-grade aluminum, copper, bronze, or powder coated. Copper shall be left to age naturally.

g. Wood elements shall be painted, sealed with an opaque or semi-solid stain, or varnished, except walking surfaces and handrail caps, which may be left natural.

h. Simulated wood products may be used when determined by the Development Department to be consistent with the regulations and intent of this section and shall have a smooth painted finish (free of simulated wood grain).

i. Substitute Materials may be approved by the Development Department when they meet any of the following conditions:

i. If they are not visible from frontages and the Development Department determines that such materials are consistent with the regulations and intent of this section.

ii. Their appearance is indistinguishable from the original at arm's length and the Development Department determines that such materials are consistent with the regulations and intent of this section.

j. Glass shall be clear and free of color. Frosted glass shall may be used when not facing a frontage.

k. Masonry lintels shall be stone, precast stone, or precast concrete.

l. Muntins shall be wood, metal clad wood, or aluminum and shall have a profile consistent with the historic style.

m. Consistency with Historical Style: Materials shall be consistent with the historical style.

(10) Color

a. Colors shall be consistent with the historic style.

b. Neon or garish colors shall not be used.

c. Building walls shall be one color per material used.

d. Window trim and the window frame shall be the same color.

e. White mortars shall be prohibited.

f. Light colored wall finishes are encouraged in order to reflect sunlight and help maintain lower interior temperatures.

g. Window muntins shall be the color of the sash.

h. Consistency with Historical Style: Colors shall be consistent with the historical style.

(11) Finished Floor Elevation: Buildings other than retail, office, mixed-use, and multi-family shall be set with a finished floor elevation a minimum of 18" above exterior grade along the front facade.

(12) Steps at Stoop or Porch: Buildings other than office, retail, mixed-use, and multi-family shall have a minimum of 2 risers at a stoop or porch at the lead-walk.

D. General Architecture Regulations, Retail, Office, and Mixed-Use Buildings

(1) Configuration

a. The minimum first floor building height shall be 18'

b. Blank walls shall not face streets. Liner buildings with primary building facades shall be used to screen blank walls from the street.

(2) Windows

a. Commercial frontages between 2' and 12' above the ground shall be 60% minimum void.

b. The maximum height of sill above sidewalk shall be twenty (20) inches.

c. Solid metal security gates, solid roll-down windows, link, grill or other similar security devices shall only be permitted when installed from the inside of a building within the window or frame.

d. The maximum percentage of glass on the first floor that may be blocked with interior fixture, paint, paper signs, paper, or similar material shall be 20% and may not exceed a height of four (4) feet above the exterior ground line.

(3) Entries

a. Mixed-use buildings shall have an entrance to access upper story uses located along the Primary Facade. Additional entrances to access upper story uses may be located elsewhere on the building.

b. Entries along sloping streets shall provide safe, flat entryways.

c. Entrance spacing at frontages shall occur a minimum of every 50' average.

d. Residential style doors shall be prohibited.

(4) Storefronts shall be consistent in style with the building section upper floors.

E. General Architecture Regulations, Townhouses

(1) String Composition: String shall be designed as a composed building and shall not be designed as individual independent facades – See *Figure 920-03*.

(2) Breaks and Recesses: Breaks and recesses between units in the string shall be designed to occur as a part of the string composition and shall not alternate back and forth between every dwelling unit – See *Figure 920-04*.

(3) Changes in Materials: Changes in material shall occur to reinforce the string composition and shall not occur with each dwelling unit.

(4) Changes in Color: Changes in color or material from one townhouse unit to another shall only occur when there is either a change in facade plane or vertical break in the facade plane.

Figure 920-03: Townhouse String Designed as a Building

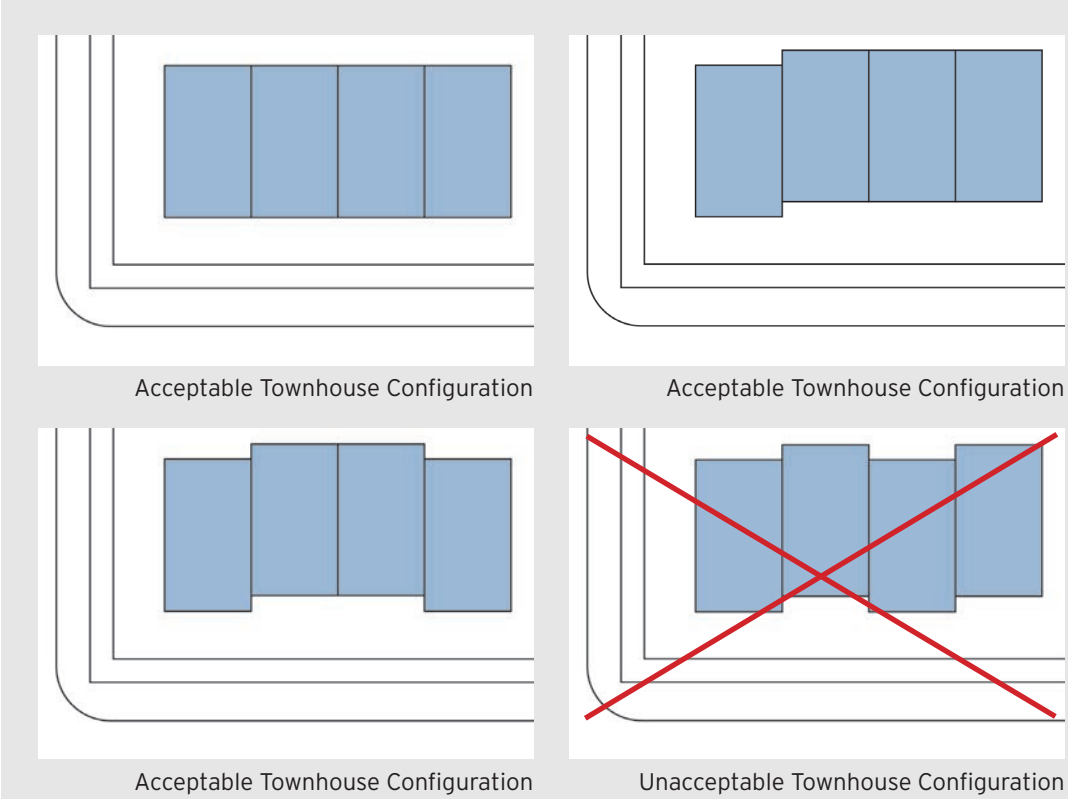


Figure 920-04: Horizontal Breaks in Townhouse Strings

F. General Architecture Regulations, Civic Buildings

(1) Civic Buildings may be sited as Intergated Buildings, Full Block Buildings, or Object Buildings – See *Figure 920-05 – 07* for illustrative examples.

a. An integrated building comprises only a small portion of a block and is incorporated into the overall architecture of a streetscape. *Figure 920-05*.

i. Integrated Buildings shall comply with all the regulations in this section and Article VIII.

ii. Integrated buildings shall be architecturally compatible with the adjacent architecture, but shall be readily identifiable from the surrounding buildings.

b. Full block buildings occupy an entire block. *Figure 920-06*.

i. Full Block Buildings shall comply with all regulations in this section and Article VIII.

ii. Building or complex shall define the four sides of the block by occupying the "build-to-line" on each of those sides.

iii. Building or complex shall be designed to present itself as a unified whole.

iv. The building or complex shall have a clear hierarchy with dominant and subordinate elements.

v. Each block face shall have an architecturally celebrated entry, but one entry shall be more prominent than all the others.

vi. Building massing shall use a layering strategy.

vii. Deviations from regulations in this section, except style, may be permitted by the Planning Board if consistent with the intent of this Article.

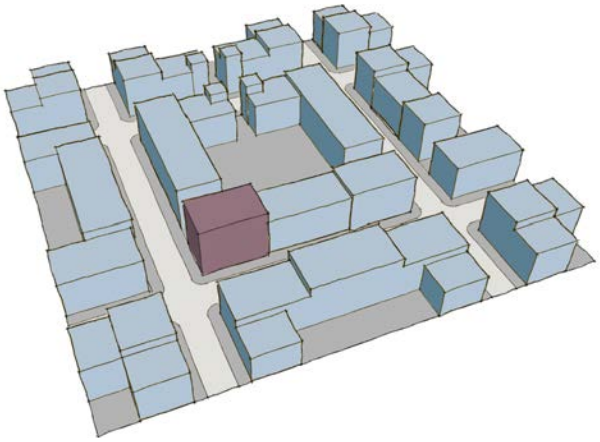


Figure 920-05: Integrated Building

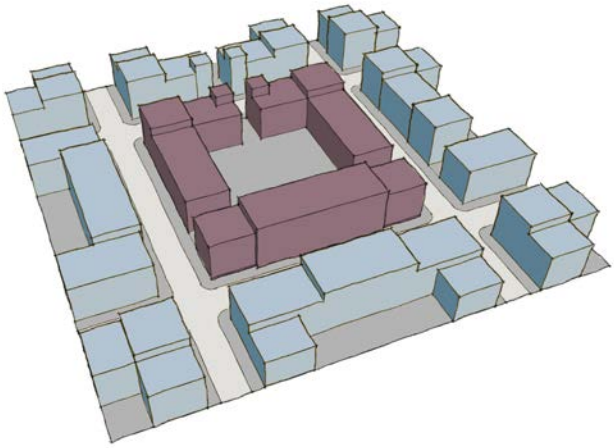


Figure 920-06: Full Block Building

c. Object buildings are located in an open space and do not occupy a minimum of two sides of a block. *Figure 920-07.*

i. Object Buildings shall comply with all regulations in this section, except siting related regulations.

ii. Deviations from regulations in this section, including style, may be permitted by the Planning Board if consistent with the intent of this Article.

(2) Civic buildings shall have a 16' minimum height first floor.

(3) Civic buildings may be sited to create open space along the build-to-line.

(4) Massing shall highlight the principal/ceremonial entry to the building and the entry shall be celebrated with architectural detailing.

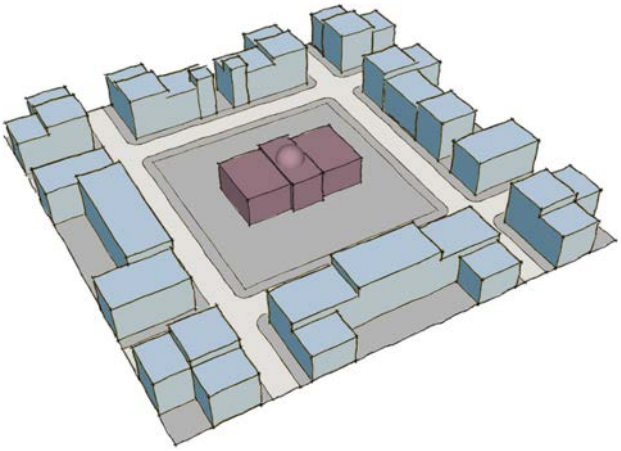


Figure 920-07: Object Building

G. Architecture Styles

(1) Permitted Styles:

a. The following styles are reflective of the history of Chappaqua, New Castle, and the region and new buildings shall be designed in one of these permitted styles:

i. Georgian/Federal

ii. Greek Revival

iii. Italianate

iv. English Tudor

v. Art Deco

b. The permitted styles by sub-district are shown in *Figure 920-08*.

(2) Language Usage: As used in this subsection, headings designated "history" are intended to be descriptive and explanatory and not regulatory. Architectural elements prefaced by the words "shall, ""must," and "essential" are mandatory, and architectural elements prefaced by the words "usually," "typically," "commonly", "should," "may", "illustrate," or similar permissive words are advisory or recommended but not required.

(3) Additional Style Guides: In addition to the standards established in this sub-section for each style, building design shall also adhere to the principles contained in *A Field Guide to American Houses* (McAlester, Virginia and Lee, Consumers Union of United States, 1984), *The American Vignola* (Ware, William R., Dover Publications, Inc.., 1994) and *Traditional Construction Patterns* (Mouzon, McGraw-Hill, 2004) as interpreted by the Development Department. Technical architectural terms used in this section shall carry the meanings generally understood within the architecture profession and described in architectural manuals and textbooks in common usage, such as those listed above. Interpretation of such architectural terms shall be made by the Development Department.

(4) When the phrase, "...shall be appropriate to the architectural style" or "shall be consistent with the historic style" or "shall be consistent with the style" is used in this code, it shall mean that the item shall be consistent with the selected style as described in *A Field Guide to American Houses* (McAlester, Virginia and Lee, Consumers Union of United States, 1984)

(5) Building Details: All building elements shall be consistent with the historic style.

Style	F-1	F-2	F-3	F-4(-)	F-4	F-5(-)	F-5	F-6	F-SD
Georgian/Federal	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Greek Revival	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Italianate	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
English Tudor	*resv'd.*	*resv'd.*	*resv'd.*	P	P	P	P	*resv'd.*	*resv'd.*
Art Deco	*resv'd.*	*resv'd.*	*resv'd.*	N	N	P*	P*	*resv'd.*	*resv'd.*
[reserved]	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*
[reserved]	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*	*resv'd.*

* Art Deco shall not be the predominant style and may not exceed 20% of a block face.

Figure 920-08: Permitted Styles

(6) Georgian/Federal

a. History: Georgian is a distinct style of Colonial architecture that has roots in the early 1700's and dominated our country for almost a century. Federal has many overlapping characteristics with Georgian, but is simpler, has smoother surfaces, and has more attenuated decoration. Federal also made use of curving or multi-sided bays. The Georgian/Federal style has a pronounced presence in the cities and towns of early America, particularly in the Northeast and Mid-Atlantic regions. In the north, siding was the more common material. In the south, brick was the more common material. See illustrative examples below.

Figure 920-09

Figure 920-10

Figure 920-11

b. Essential Elements of Georgian/Federal (See illustrative examples below).

- **i.** A cornice shall be present that may be emphasized by decorative moldings, most commonly with tooth-like dentils.
- **ii.** Buildings shall be faced in siding, brick, or stone.
- **iii.** A flat or low-pitched roof with a pronounced cornice shall be used. Dentils are strongly encouraged.
- **iv.** Facades shall be smooth with simple detail.
- **v.** Double hung windows with divided lights, typically 6/6, shall be used.
- **vi.** An articulated entry shall be used that has a two columned porch or pilasters with transoms above or beside the entry door.
- **vii.** Storefronts shall have simple classically inspired detail.
- **viii.** Window pattern shall be regular or symmetrical.

Figure 920-12

Figure 920-13

Figure 920-14

c. Massing and Composition: Facades shall be composed of bays as noted in i, ii, and iii below and as illustrated in *Figures 920-15, 920-16, and 920-17*.

i. Narrow Bay

1. Two story buildings shall have a gable roof parallel to the street. Three or four-story buildings shall have a gable roof parallel to the street or a flat roof.
2. Windows shall have regular spacing above the first floor.
3. Facades shall be composed of single bays, two bays, or three bays.
4. Storefronts shall have variation at the ground floor.

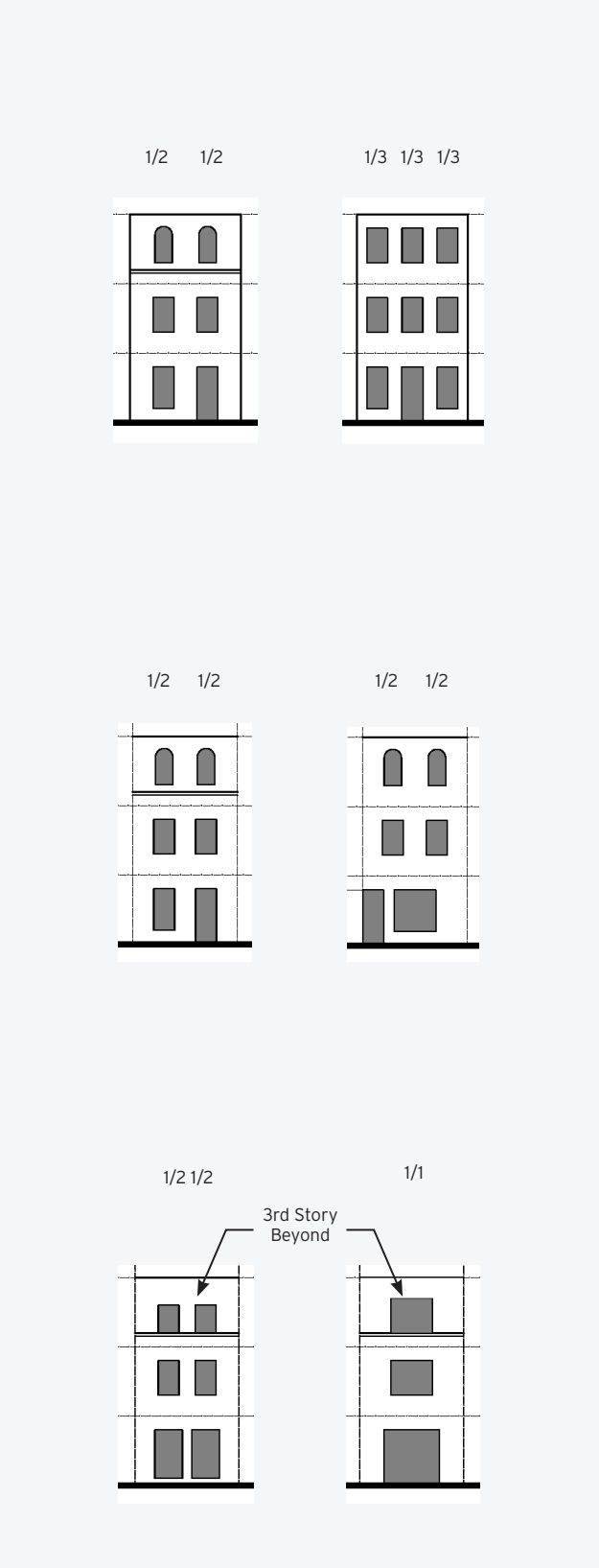


Figure 920-15: Narrow Bay

ii. Medium Bay

1. Two story buildings shall have a gable roof parallel to the street. Three or four-story buildings shall have a gable roof parallel to the street or a flat roof. Gables facing the street shall only occur occasionally.
2. Windows shall have regular spacing above the first floor.
3. Storefronts shall have variation at the ground floor.

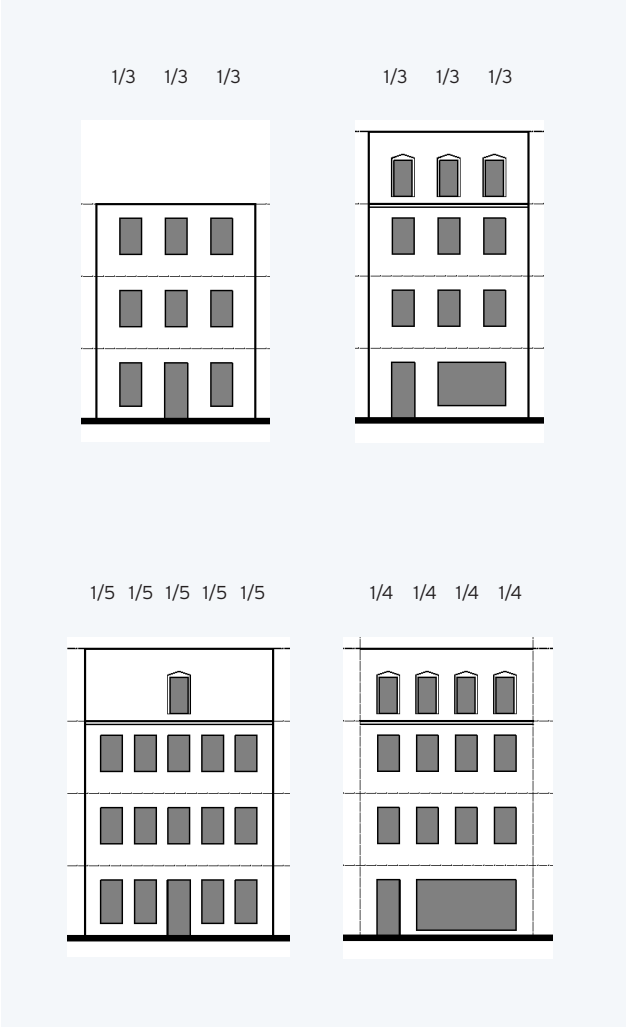


Figure 920-16: Medium Bay

iii. Longer Facades and Unique Conditions

1. Gables facing the street shall only occur occasionally.
2. A center bay may be pronounced by projecting the wall forward.
3. Facades shall have regular window spacing.

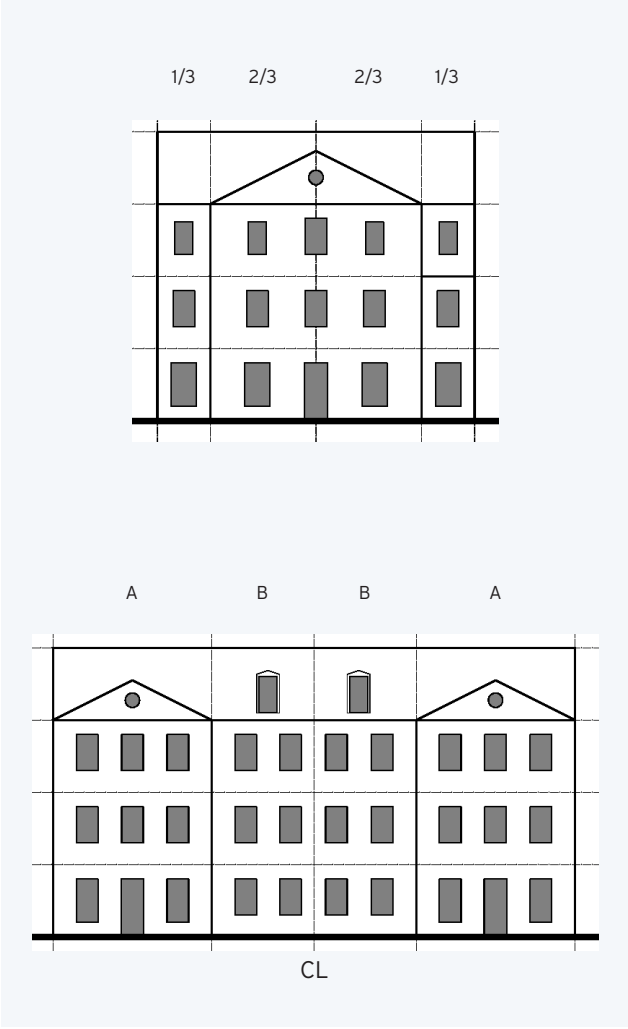


Figure 920-17: Longer Facades

d. Standard Windows and Doors (see illustrative examples below).

- **i.** Windows shall be aligned horizontally and vertically in symmetrical rows and shall never occur in adjacent pairs.
- **ii.** Windows shall be double-hung and vertical in proportion except for first floor commercial windows.
- **iii.** Typical muntin pattern shall be 6/6 or 9/9.
- **iv.** First floor windows shall be taller than upper level windows.
- **v.** Widths shall range between 2.5′ to 3′.
- **vi.** Larger areas of glass shall only be permitted on the first floor of commercial uses.
- **vii.** Windows in dormers may have a curved head.

Figure 920-18: Windows

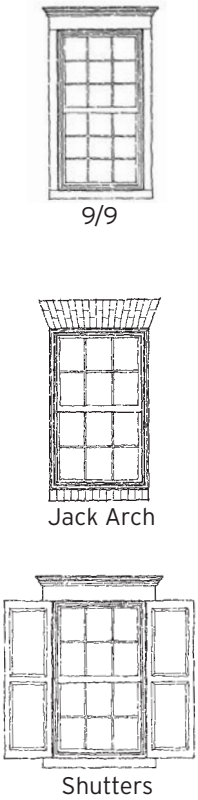


Fig. 920-19: Illustrative Example of Window Configurations

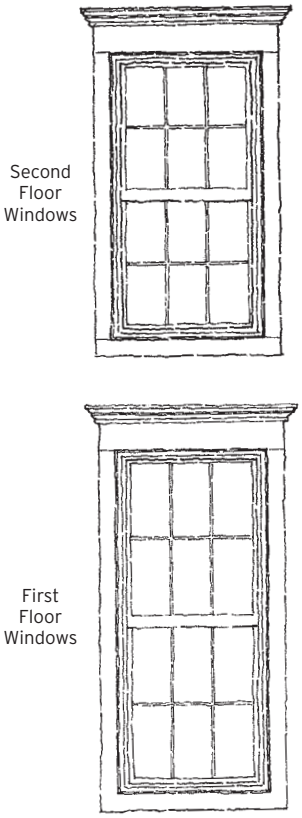


Fig. 920-20: Illustrative Example of Window Proportions

viii. Entry doors shall be paneled doors. These are most commonly 6-panels. The door is usually centered and shall be capped by an elaborate decorative entablature and pilasters and may have a row of small rectangular panes of glass beneath the entablature, either within the door or in a transom above the door.

Figure 920-21: Residential Doors

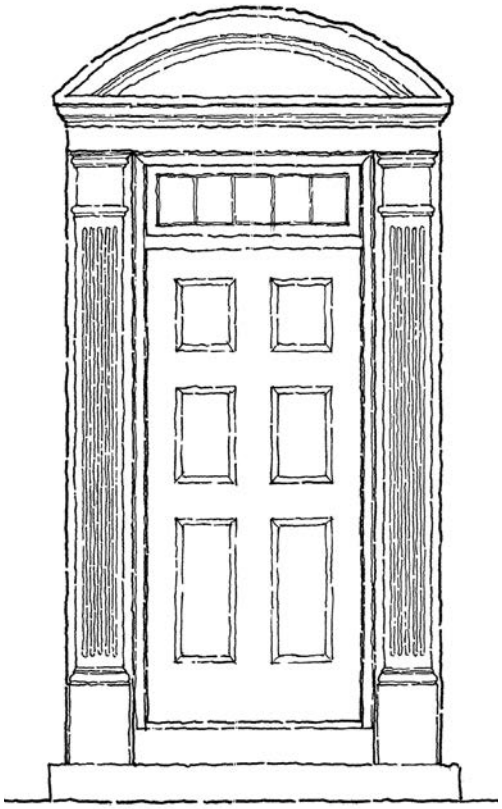


Figure 920-23: Curved Pedimented Residential Door

Figure 920-22: Illustrative Storefront Detail

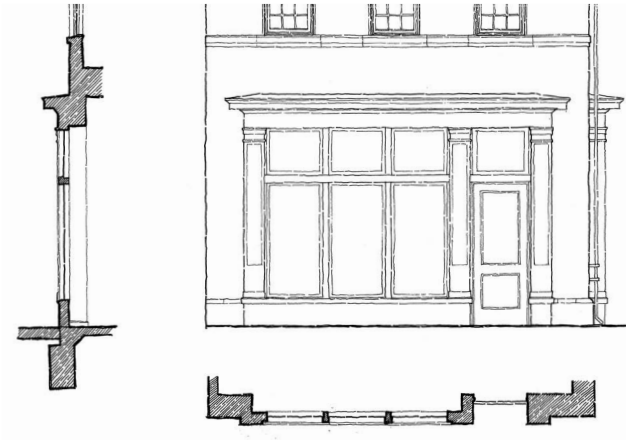


Figure 920-24: Illustrative Example of Storefront

e. Walls, Eaves, and Porches (see illustrative examples below).

- **i.** Walls should be planar except at porches.
- **ii.** Cornice details shall be appropriate to the style.
- **iii.** Entry stoops and porches may have classical details.

Figure 920-25: Illustrative Example of Mixed-Use Facade

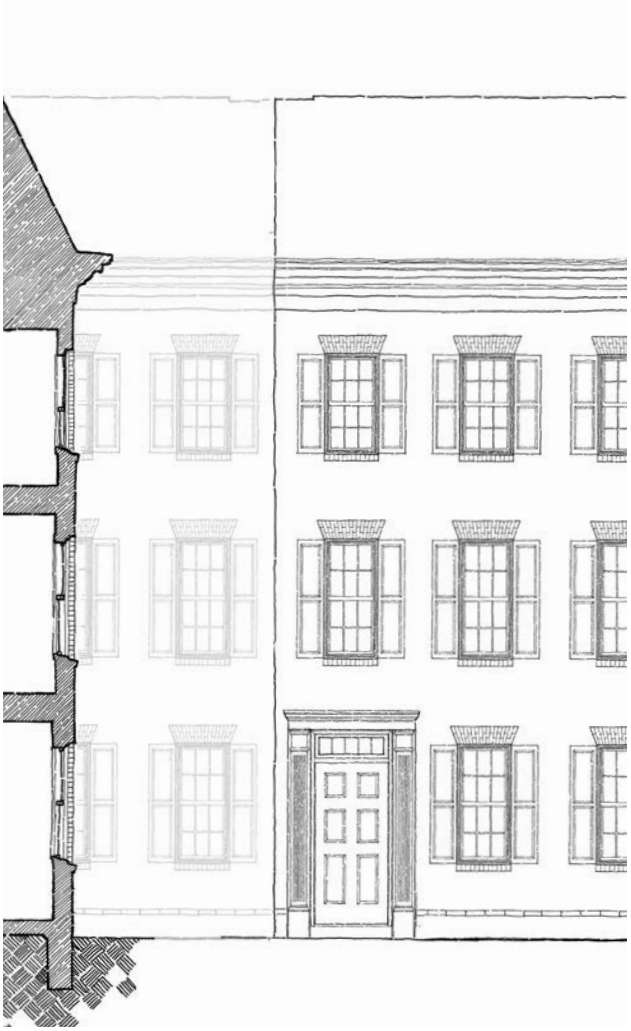


Figure 920-26: Illustrative Example of Residential Facade

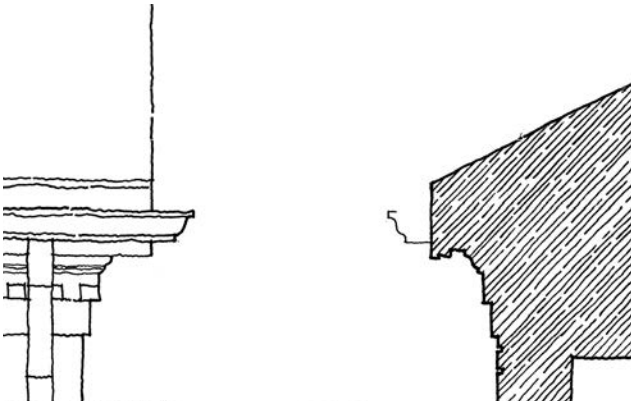


Fig. 920-27: Illustrative Example of Cornice with Dentils

Figure 920-30: Ornate Cornice

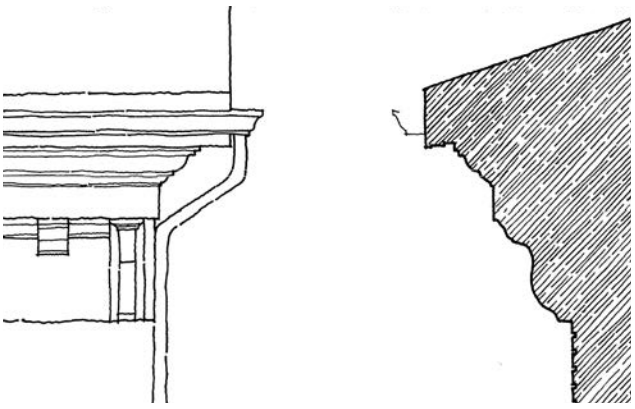


Fig. 920-28: Illustrative Example of Simple Cornice

Figure 920-31: Ornate Cornice

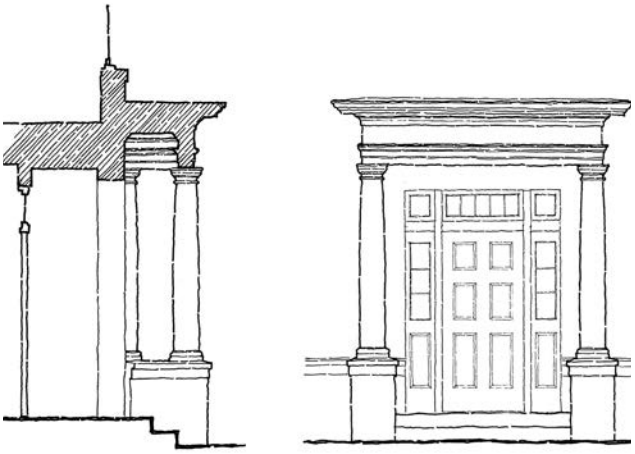


Fig. 920-29: Illustrative Example of Typical Porch Section

Figure 920-32: Porches
(Credit: flickr – SandySpring2)

(7) Greek Revival

a. History: The Greek Revival movement thrived throughout the United States into the early Nineteenth Century. Adapted for everything from civic to residential buildings, the wide usage of the Greek revival style led it to be referred to as the National Style. It dominated the United States from the 1820's to the 1850's. In the north, siding was the more common material. Brick and stone construction are also typical of the style. (see illustrative examples below).

Figure 920-33

Figure 920-36

Figure 920-35
(Credit: American Athens-Greek Revival Photographs from Western New York)

b. Essential Elements of Greek Revival (see illustrative examples below).:

- **i.** Roofs shall be gabled or hipped with a low pitch.
- **ii.** The cornice line of roofs, stoops, and porches shall be emphasized with a wide band of trim.
- **iii.** Porches and stoops shall be supported by square or rounded columns.
- **iv.** Door surrounds, stoops, and porches shall incorporate a pediment or flat entablature.
- **v.** Pilasters may be applied to the facade.
- **vi.** Windows shall be boldly delineated.
- **vii.** Doors shall have an elaborate surround and ornamentation of the door shall be more elaborate than found in the Georgian style.
- **viii.** The front door shall be surrounded by narrow sidelights and a rectangular line of transom lights above or sidelights only or transom lights only.

Figure 920-36

Figure 920-37

Figure 920-38
(Credit: Worchester and its People)

c. Massing and Composition: Facades shall be composed of bays as noted in i, ii, and iii below and as illustrated in *Figures 920-39, 920-40, and 920-41*. Windows are usually organized 5-across, but 3-across and 7-across are also permitted.

i. Narrow Bay

1. Two story buildings shall have a gable roof parallel to the street. Three or four-story buildings shall have a gable roof parallel to the street.

2. Windows shall have regular spacing above the first floor.

3. Storefront variation at ground floor

4. Storefronts shall have variation at the ground floor

Figure 920-39: Narrow Bay

ii. Medium Bay

1. Two story buildings shall have a gable roof parallel to the street. Three or four-story buildings shall have a gable roof parallel to the street or a flat roof. Gables facing the street should only occur occasionally and must be submitted for approval by the Development Department.
2. Windows shall have regular spacing above the first floor.
3. Storefronts shall have variation at the ground floor

iii. Longer Facades and Unique Conditions

1. Pediments shall only be used once in a facade with the exception of dormers where they may be used at each dormer.
2. A center bay may be pronounced by projecting the wall forward.
3. Facades shall have regular window spacing.

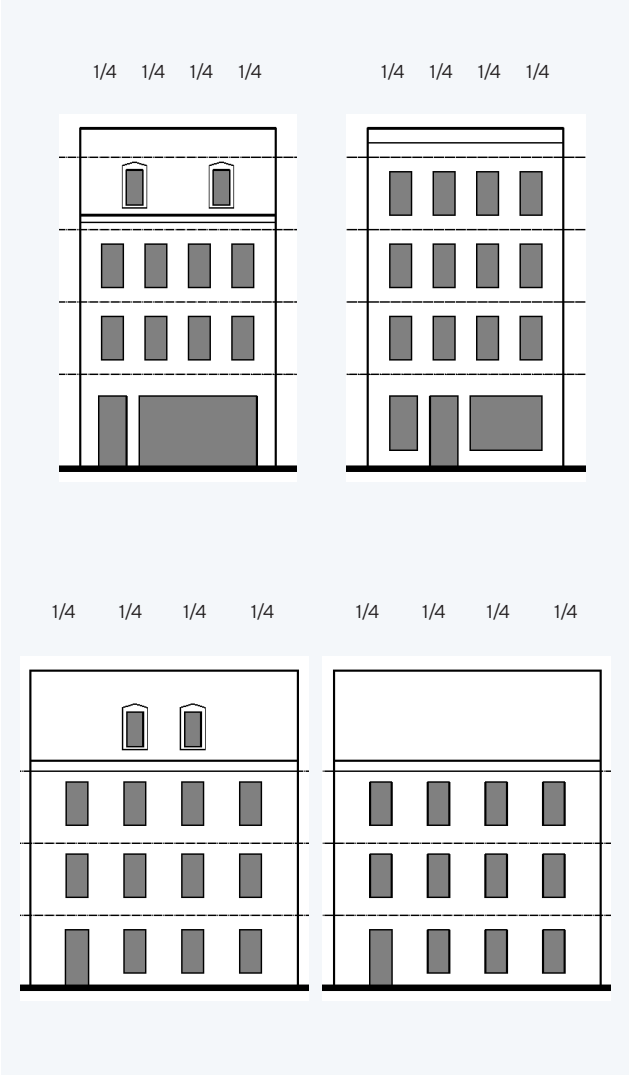


Figure 920-40: Medium Bay

Figure 920-41: Longer Facades

d. Windows and Doors (see illustrative examples below).

i. Standard Windows

1. Windows shall be double-hung and vertical in proportion except for first floor commercial windows.

2. Typical muntin pattern is 6/6 or 9/9.

3. First floor windows should be taller than upper level windows.

4. Widths shall range between 2.5′ to 3′.

5. Larger areas of glass shall only be permitted on the first floor of commercial uses.

6. Windows in dormers may have a curved head.

Figure 920-42: Window Precedents

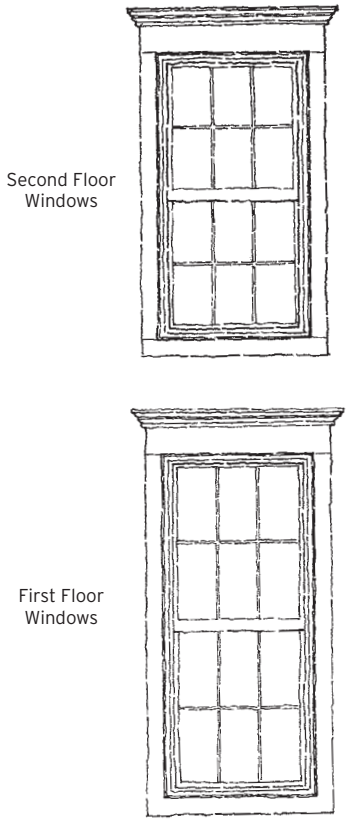


Figure 920-43: Illustrative Example of Window Proportions

ii. Standard Doors

1. Entry doors are typically 6 panel doors

Figure 920-44: Residential Doors

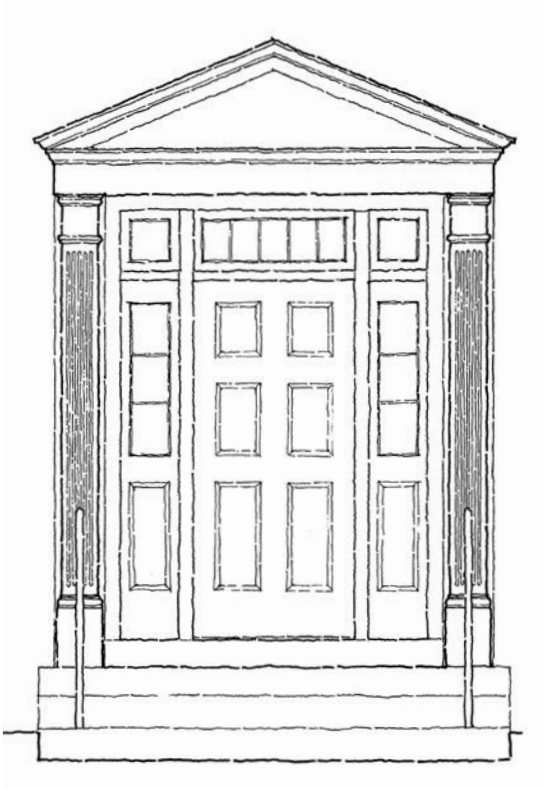


Figure 920-46: Illustrative Example of Door Proportions

Figure 920-45: Storefront Precedent

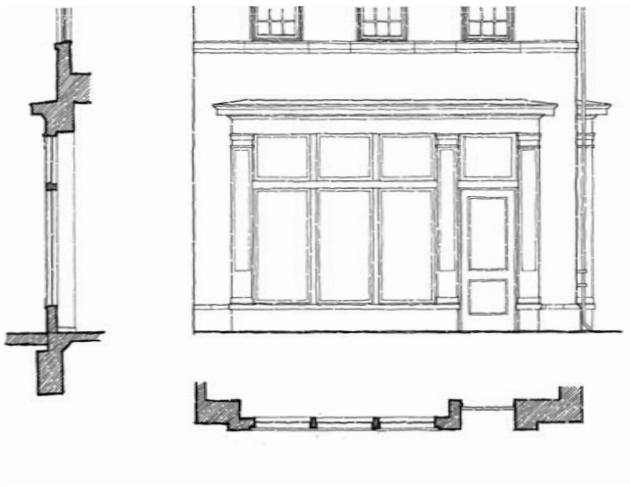


Fig. 920-47: Illustrative Example of Sample Storefront Detail

e. Walls, Eaves, and Porches (see illustrative examples below).

- **i.** Cornice details shall be appropriate to the style.
- **ii.** Entry stoops and porches may have classical details.

Figure 920-48: Illustrative Example of Mixed-Use Façade

Figure 920-49: Illustrative Example of Residential Façade

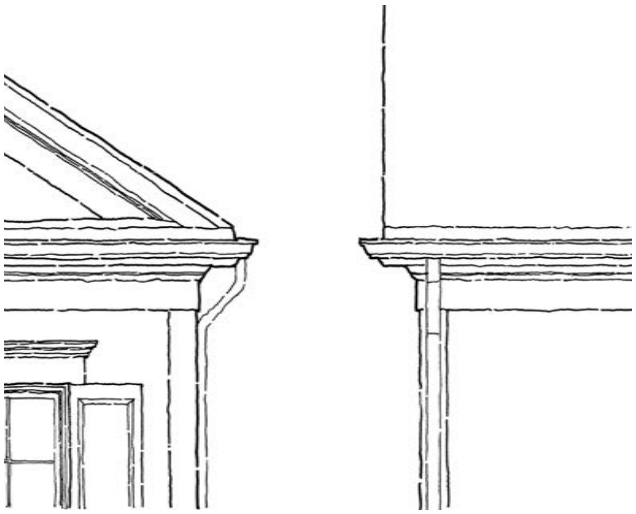


Figure 920-50: Illustrative Example of Simple Cornice

Figure 920-53: Simple Cornice

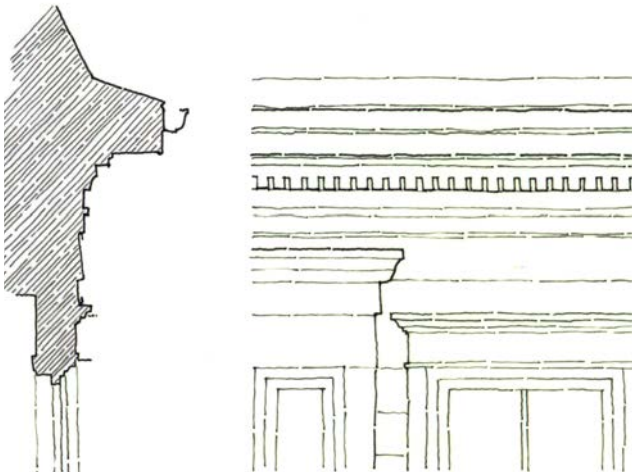


Figure 920-51: Illustrative Example of Cornice with Dentils

Figure 920-54: Cornice with Dentils

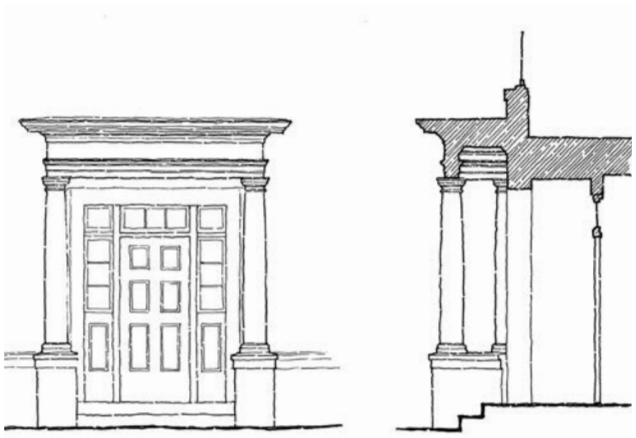


Figure 920-52: Illustrative Example of Porch

Figure 920-55: Porch Examples

(8) Italianate

a. History: Developed in England in the early 1800's from Classical Sixteenth-Century Italian models, Italianate architecture was introduced in the United States in the mid-1840's. The Italianate style can most easily be recognized by its exaggeration of Italian Renaissance characteristics such as low-pitched or flat roofs with wide projections that emphasize eaves supported by large corbels. Brick or stone construction dominates the style (see illustrative examples below).

Figure 920-56

Figure 920-57

Figure 920-58

b. Essential Elements of Italianate (see illustrative examples below).

- **i.** Roofs shall be flat or low-pitched with a pronounced, projected eave, supported by corbels.
- **ii.** First floor windows shall be proportionally tall.
- **iii.** Windows shall be vertically proportioned with a 2:1 to 3:1 ratio. An arched head may be used.
- **iv.** Facades shall be smooth with simple detail.
- **v.** Windows shall be organized symmetrically or shall have regular spacing.

Figure 920-59

Figure 920-60
(Credit: flickr – roarofthefour)

Figure 920-61.

c. Massing and Composition: Facades shall be composed of bays as noted in i, and ii below and as illustrated in *Figures 920-62 and 920-63*.

i. Narrow Bay

1. Roofs with gables shall have the gable parallel to the primary street.

2. Roofs shall be gable, hipped, or flat.

3. Windows above the first floor shall have regular spacing.

4. Storefronts shall have variation

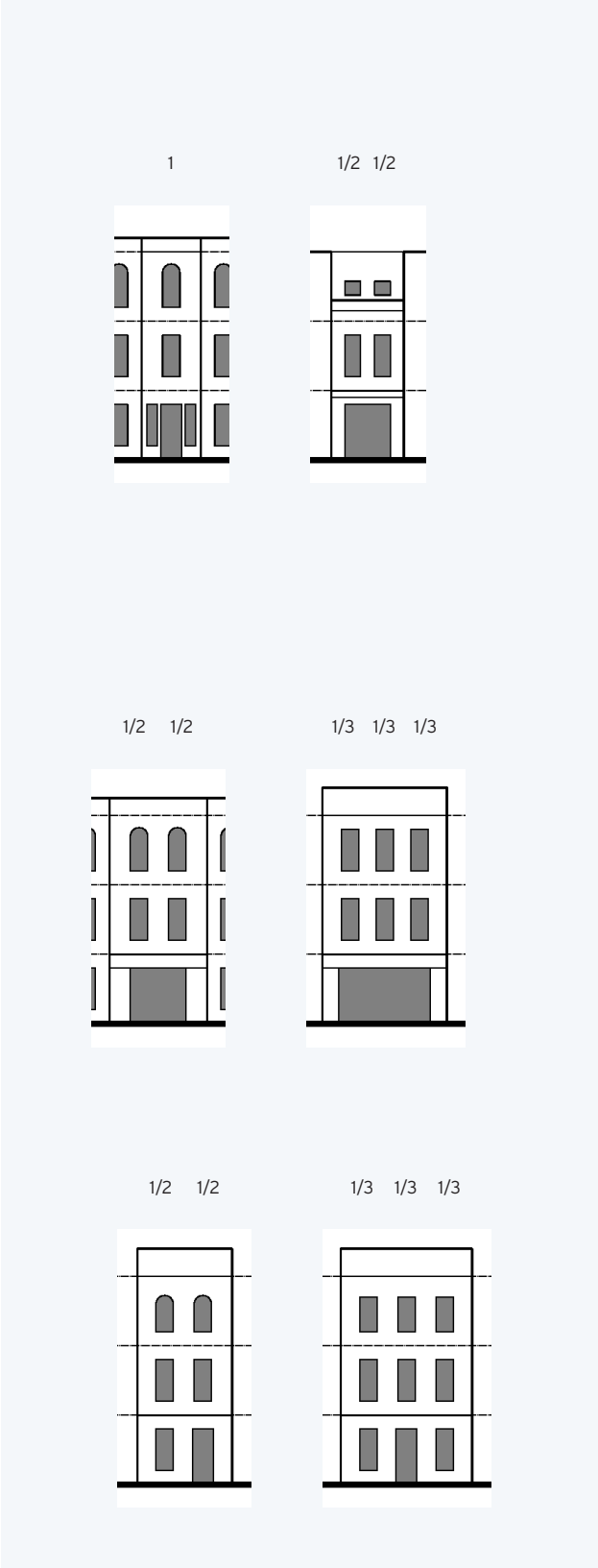


Figure 920-62: Narrow Bay

ii. Longer Facades and Unique Conditions

1. Gables shall be used no more than one in a facade.
2. Towers shall occur no more than once per building.

Figure 920-63: Longer Facades

d. Windows and Doors (see illustrative examples below).

i. Standard Windows

1. Windows shall be double-hung and vertical in proportion with one or two-pane glazing.

2. Windows shall be vertically proportioned with a 2:1 to 3:1 ratio. An arched head may be used.

3. First floor windows should be taller than upper level windows.

4. Widths shall range between 2.5′ to 3′.

5. Larger areas of glass should be subdivided into assemblies of vertical double-hung windows.

6. When grouped, windows shall occur in pairs or groups of three.

Figure 920-64: Window Precedents

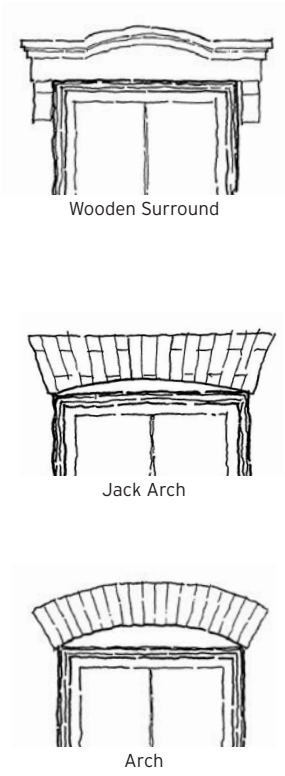


Figure 920-65: Illustrative Example of Window Headers

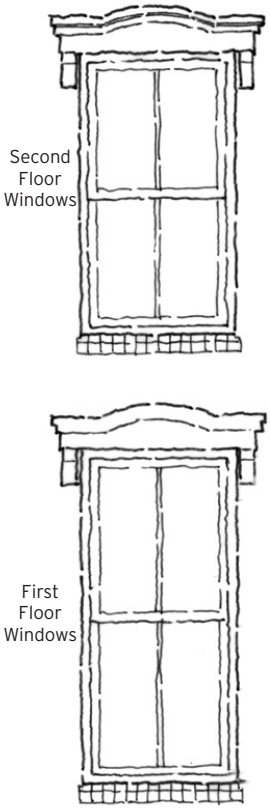


Figure 920-66: Illustrative Example of Window Proportions

ii. Standard Doors

1. Entry doors are typically 6 panel doors

Figure 920-67.
(Credit: flickr – wallyg)

Figure 920-68.
(Credit: flickr – army.arch)

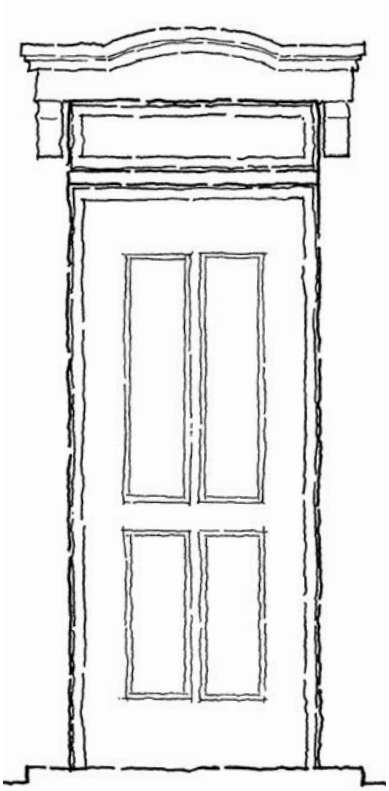


Figure 920-69: Illustrative Example of Residential Door

e. Walls, Eaves, and Storefronts (see illustrative examples below).

- **i.** Elaborate cornice detailing appropriate to the style shall be used.
- **ii.** Use of curvilinear elements are permitted and help to distinguish this style from others.

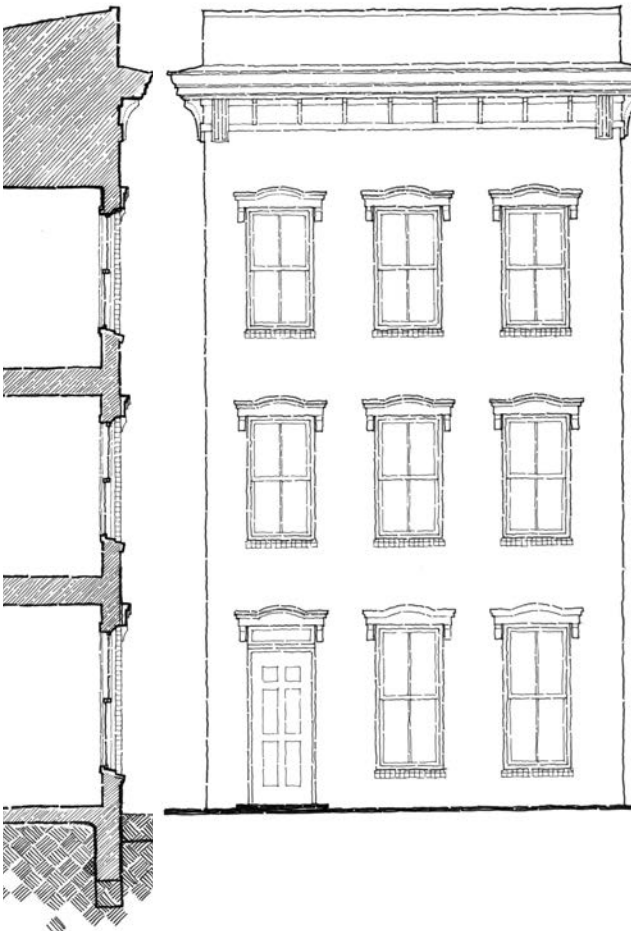


Figure 920-70: Illustrative Example of Italiante Facade.

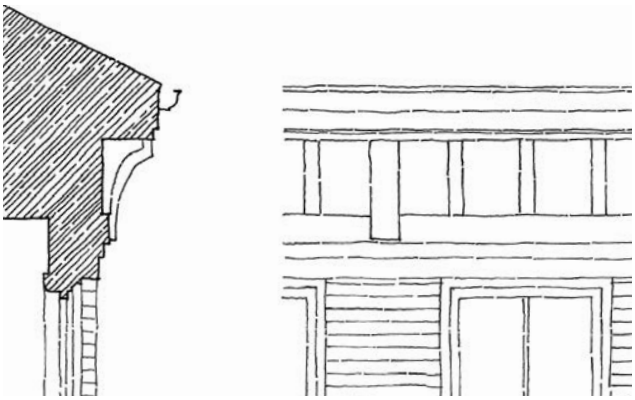


Figure 920-71: Illustrative Example of Simple Cornice

Figure 920-74: Simple Cornice

Figure 920-72: Illustrative Example of Ornate Cornice

Figure 920-75: Ornate Cornice

Figure 920-73.

Figure 920-76.

(9) English Tudor

a. History: The English Tudor style was prevalent from the 1890s-1940s. It is an eclectic hybridization of the Arts and Crafts characteristics with Elizabethan and Jacobean details applied to the broader, picturesque Medieval cottages and country houses styles. Hallmark characteristics include: overhanging upper levels, integral wood structural expression, multiple street-facing gables with varying eave heights, and tall, narrow ganged windows with meaty mullions separating each window unit. While exposed half-timbering with stucco infill on the upper stories is a prevalent characteristic of the style, it is not essential. Newer, more advanced masonry-veneering techniques during the 1920s and 30s directly influenced an exponential increase in Tudor Revival popularity in the U.S (see illustrative examples below).

Figure 920-77

Figure 920-78
(Credit: flickr - ShellyS)

Figure 920-79

b. Essential Elements of English Tudor (see illustrative examples below).

- **i.** Except for townhouses and stacked townhouses, facades shall be asymmetrical and dominated by front-facing gable(s) with a slight overhang or parapet
- **ii.** Overhanging bays and upper story(ies) are encouraged.
- **iii.** Roofs shall be steeply pitched.
- **iv.** Ganged windows shall be used in a facade.
- **v.** Windows shall have a tall narrow proportion.
- **vi.** Chimneys with decorative brickwork and chimney pots shall be used even if they are nonfunctioning and solely decorative.
- **vii.** Use of a different material on the first floor than upper floors, or use of a different material on the upper floor than the lower floors is encouraged.
- **viii.** Building primary facade material shall have the appearance of masonry or stucco.

Figure 920-80
(Credit: flickr - ElissaSCA)

Figure 920-81

Figure 920-82
(Credit: flickr - ScottWeir)

c. Massing and Composition: Facades shall be composed of bays as noted in i., ii., iii. ,and iv. below, and as illustrated in *Figures 920-83, 920-84, 920-85, 920-86, 920-87, and 920-88*. In order to provide for facade articulation appropriate to the English Tudor style, portions of English Tudor style building facades may step back an additional 6' for a maximum of 70% of the building facade.

i. Type A: Narrow End Bay

1. Narrow Bays shall be no greater than 24' wide.
2. Gable front bays shall be used as "End Bays" or as "Special Bays" within a larger facade.
3. End bays shall have a dominant front facing gable.
4. Windows and door arrangement shall be symmetrical or asymmetrical. A minimum of one floor in a facade shall have a different window arrangement than the other floors.

ii. Type B: Narrow Interior Bay

1. Narrow Bays shall be no greater than 24' wide.
2. Narrow Interior Bays shall be used in an interior bay within a larger facade.
3. Narrow Interior Bays shall have a sloping roof parallel to the street
4. Windows and door arrangement shall be symmetrical or asymmetrical. A minimum of one floor in a facade shall have a different window arrangement than the other floors.

Figure 920-83: Type A

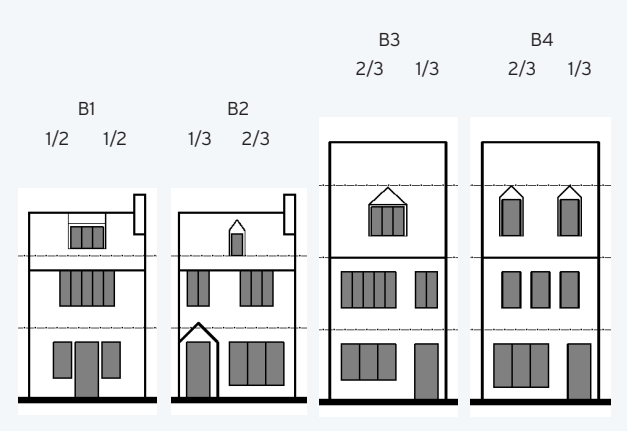


Figure 920-84: Type B

Figure 920-86: Possibility 1

Figure 920-87: Possibility 2

iii. Type C: Medium Bay

1. Medium bays shall be no greater than 36' wide.
2. Medium bays shall be used for stand alone buildings, as end bays, or as a special bay within a larger facade.
3. An asymmetrical, yet well balanced placement of doors and windows
4. Windows and door arrangement shall be symmetrical or asymmetrical. A minimum of one floor in a facade shall have a different window arrangement than the other floors.

iv. Larger Building Composition

1. Buildings longer than one bay shall be composed of Type A, Type B, and Type C bays.
2. Longer buildings may be composed as symmetrical or asymmetrical arrangements, but asymmetrical arrangements are strongly encouraged.
3. Buildings longer than two bays shall have a minimum of two gables facing the street.
4. Side porches shall be located under the main roof portion or shall be crenellated.
5. The eave line shall be punctuated.
6. Projecting bays or balconies shall be used in buildings longer than three bays.
7. Elaborate and prominent chimney(s) shall be used.

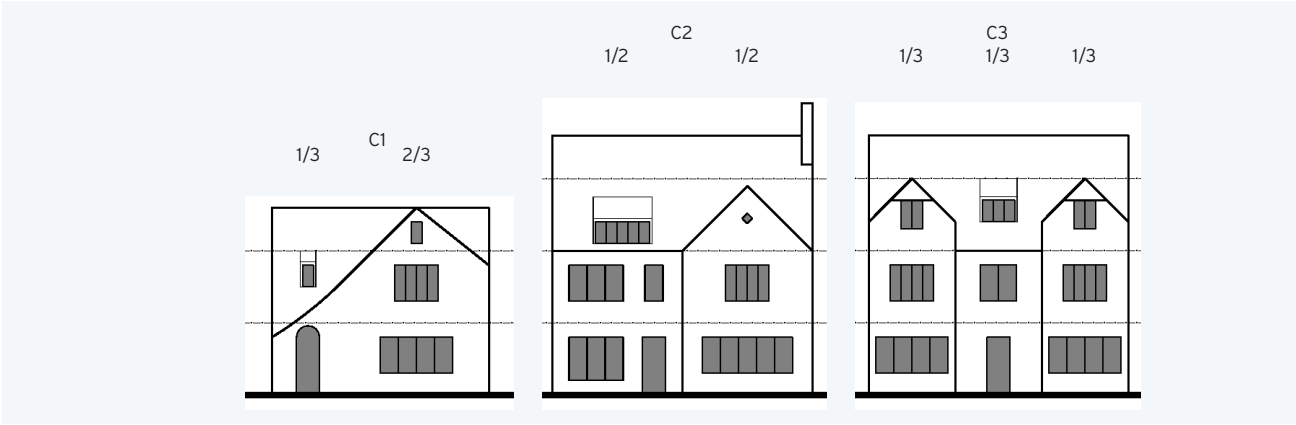


Figure 920-85: Type C

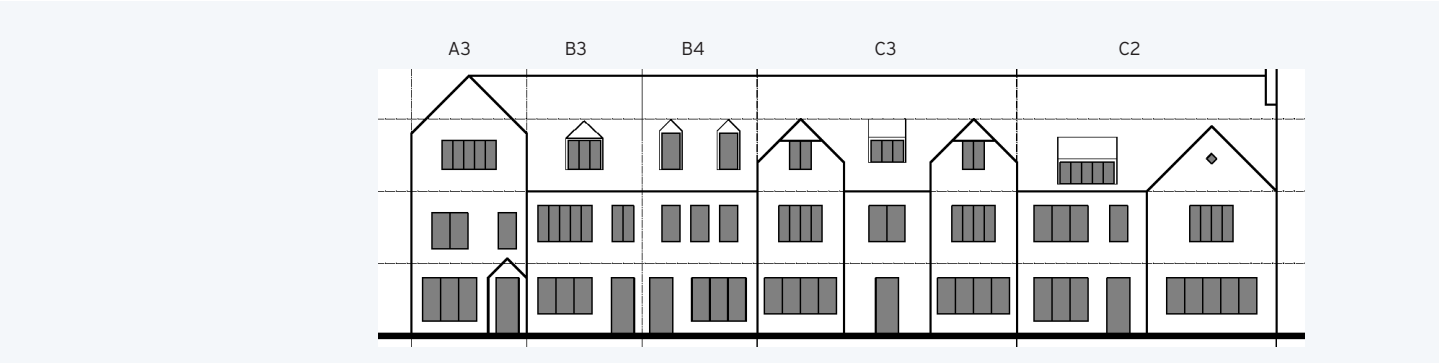


Figure 920-88: Possibility 3

d. Standard Windows and Doors (see illustrative examples below).

- **i.** Windows shall be casement or hung.
- **ii.** Ganged windows shall be used in a facade.
- **iii.** Windows shall have a narrow proportion, with no less than a 2:1 ratio.
- **iv.** Small transoms above main window are encouraged in larger buildings.
- **v.** Double-hung windows shall have multiple lights on both sashes; or diamond lights on upper sash and single pane on lower sash
- **vi.** Shutters shall not be used.

Figure 920-89: Tudor Window Precedents

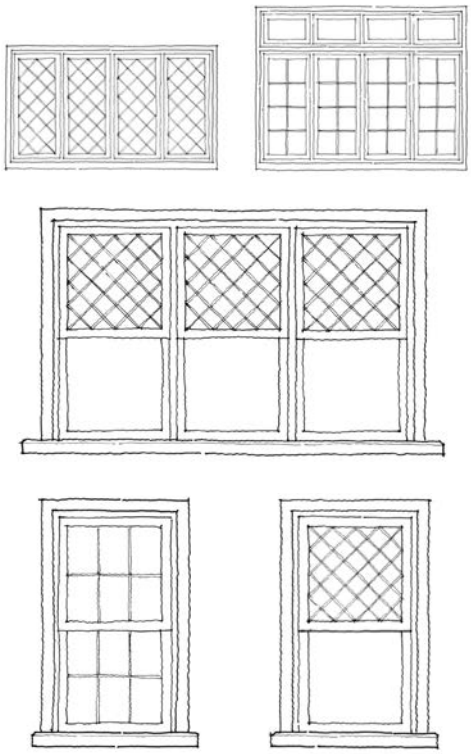


Figure 920-90: Illustrative Example of Tudor Window Proportions

vii. Residential doorways shall be rounded at the top or arched at the top or shall have an elliptical pointed archway. Doorways that are not rounded at the top or arched at the top or have an elliptical pointed archway shall have a door that has an elliptical pointed archway window.

viii. Residential doors shall be glass with panes or shall look like vertical planks. Doors shall be a dark color.

ix. Door trim shall be highly detailed.

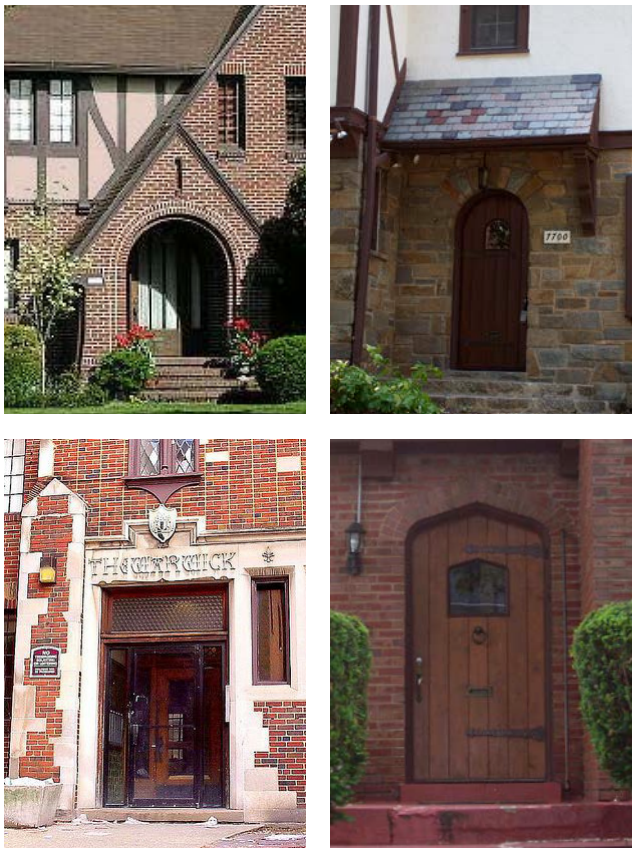
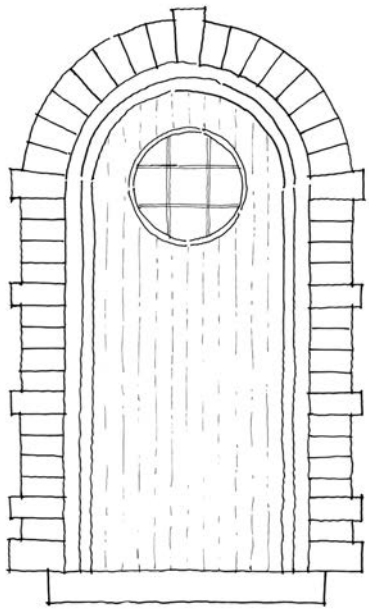


Figure 920-91: Tudor Door Precedents



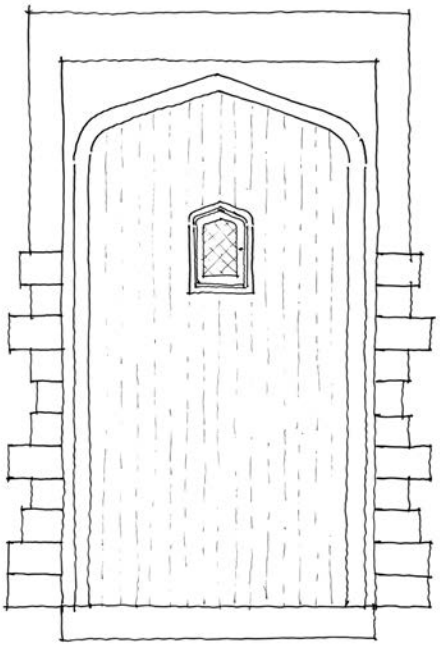


Figure 920-92: Illustrative Example of Typical Tudor Door Proportions

e. Walls, Gables, and Porches (see illustrative examples below).

- **i.** Walls shall have projections where material changes occur.
- **ii.** Use of a different material on the first floor than upper floors, or use of a different material on the upper floor than the lower floors is encouraged.
- **iii.** Stone and brick shall be ornately patterned.
- **iv.** Wood or fiber-cement lap-siding is uncommon and shall only be used occasionally and only if determined by the Development Departments to be consistent with the regulations and intent of this Article VIII.
- **v.** Upper stories may overhang and their supports shall be visually expressed.
- **vi.** Roofs shall be an ensemble of hipped and gable forms with occasional flat portions
- **vii.** Gables shall be prominent, may have half-timbering, may have a parapet, and where multiple or cross gables occur, they are encouraged to have overlap or employ differing eave lines.
- **viii.** Roof pitches shall be appropriate to the architectural style.
- **ix.** Roof eaves shall be minor, up to 12", and boxed
- **x.** Wood shakes and slate, or similar, are encouraged.
- **xi.** Front porches shall not be used. Enclosed one story entries shall be permitted and shall be permitted to encroach into the private frontage.
- **xii.** Railings at porches or steps shall be wrought iron or similar.

Figure 920-93: Illustrative Example of Tudor Residential Facade

Figure 920-94: Illustrative Example of Tudor Mixed-Use Facade

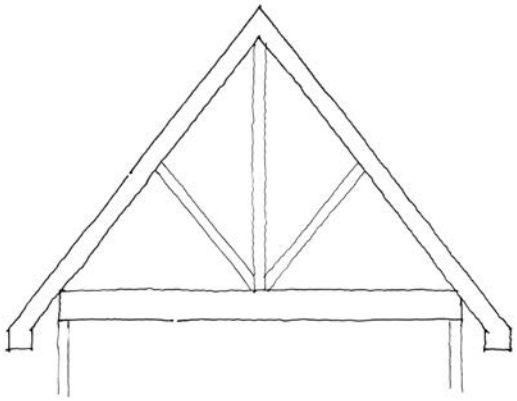


Figure 920-95: Illustrative Example of Tudor Gable

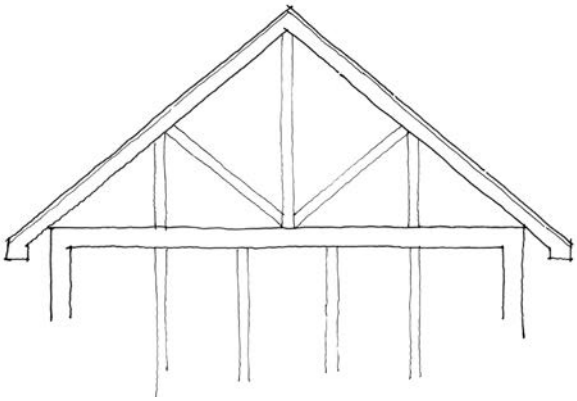


Figure 920-96: Illustrative Example of Tudor Gable

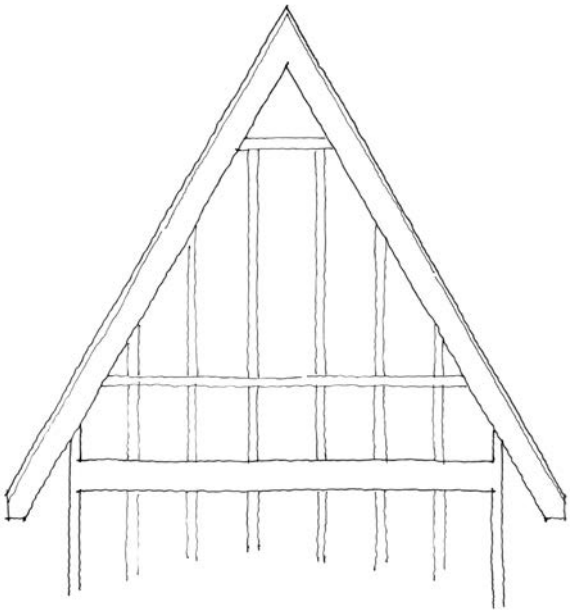


Figure 920-97: Illustrative Example of Tudor Gable

Figure 920-98
(Credit: flickr - ExteriorEncounters)

Figure 920-99
(Credit: flickr - ElissaSCA)

Figure 920-100
(Credit: flickr - OldOhioSchools)

(10) Art Deco

a. History: The movement in decorative arts and architecture originated in the 1920s and was a major style from 1925 to 1940. It is characterized by symmetrical, geometric, and streamlined architecture. It is also a style of applied decoration and buildings were richly embellished with geometric shapes and stylized floral and sunrise patterns (see illustrative examples below).

b. Essential Elements of Art Deco

- **i.** Roofs should be flat with a small coping along the edge or hipped with a gentle slope.
- **ii.** Smooth wall surfaces with very shallow setbacks to define "Bays".
- **iii.** Symmetrical, well balanced facades
- **iv.** Long, horizontal surfaces interspersed with vertical elements at focal points in the elevation.
- **v.** Corners may be flat or curved.
- **vi.** Zigzags, chevrons, and other geometric details appropriate to the style should be used as decorative elements.
- **vii.** Deep overhang above the entrance.
- **viii.** Buildings shall be masonry or stucco.

Figure 920-101

Figure 920-102:

Figure 920-101

Figure 920-103

c. Massing and Composition: Facades shall be composed of bays as noted in i, and ii below and as illustrated in *Figures 920-104 and 920-105*

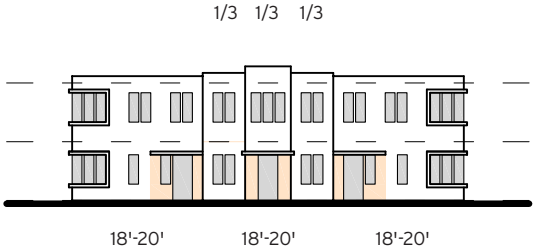
i. Small/Short Length Building

1. Roof shall be flat or hipped with a gentle slope
2. Main mass of the building shall be rectangular. A secondary wing may be attached to the side
3. Entry to the building shall be emphasized by a projecting overhang or by treating the bay as a vertical element.
4. Compositions shall be symmetrical or asymmetrically well-balanced.

ii. Larger Building

1. Roof shall be flat
2. Building shall have a unified composition
3. Facade should be broken into smaller increments
4. Windows shall be placed symmetrically across the facade
5. A central vertical element should emphasize the entrance(s).
6. Corner windows should be grouped to provide large glazed openings and my engage and wrap around the corner of the building.

Figure 920-104: Small/Short Length Building



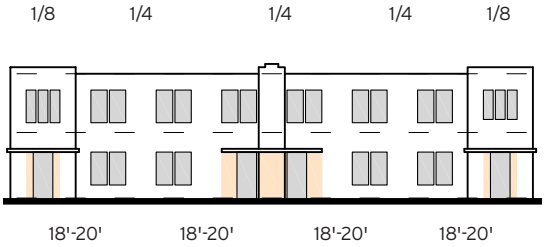


Figure 920-105: Larger Building

d. Walls, Eaves, and Overhangs (see illustrative examples below).

- **i.** Roofs shall be flat with a small coping along the edge or hipped with a gentle slope.
- **ii.** Residential minimum floor-to-floor heights are: Ground Floor – minimum 9′ floor to ceiling height; Upper Floors – minimum 8′ floor to ceiling height
- **iii.** Materials changes shall occur from first to upper floors along the sill of the second floor windows.
- **iv.** Eaves should be shallow and simple with a 6-10″ frieze board.
- **v.** Horizontal string courses with decorative motifs shall be provided
- **vi.** Flat roofs shall have parapet walls with ornate brickwork or similar

Figure: 920-106: Illustrative Example of a Single Family Residential Facade

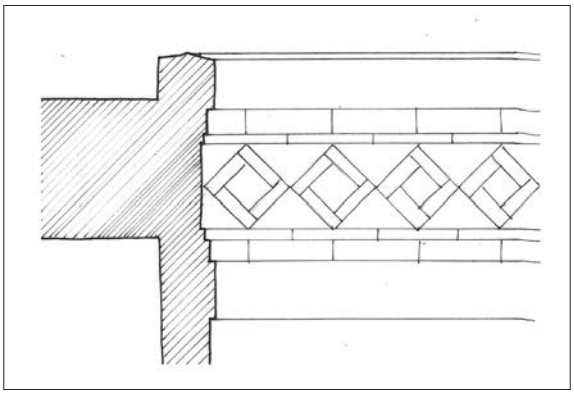


Figure: 920-107: Illustrative Example of an Art Deco Parapet

Figure: 920-110: Art Deco Parapet

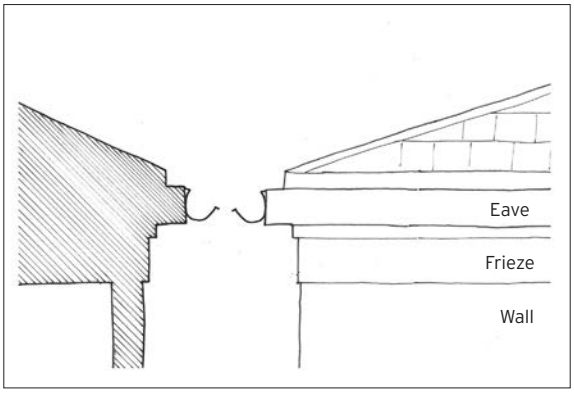


Figure: 920-108: Illustrative Example of a Shallow Eave

Figure: 920-111: Shallow Eave

Figure: 920-109: Illustrative Example of an Art Deco Entrance

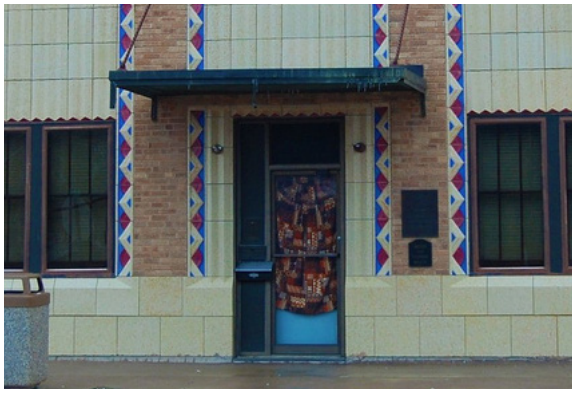


Figure: 920-112: Art Deco Entry and Overhang

e. Doors (see illustrative examples below).

i. Residential entry doors should have large-pane glazing or large panels with horizontal proportions.

ii. Doors shall have a decorative surround.

Fig. 920-113: Residential Door Precedents

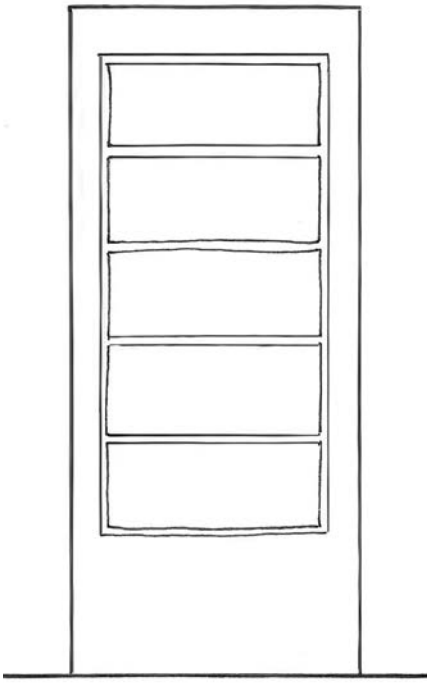


Fig. 920-114:Illustrative Example of an Art Deco door.

f. Windows (see illustrative examples below).

- **i.** Both casement and hung windows are permitted.
- **ii.** Typical muntin pattern should be 1/1 for hung windows.
- **iii.** Windows are typically grouped to provide large areas of glazing.
- **iv.** Widths shall be appropriate to the style.
- **v.** Larger areas of glass shall only be permitted on the first floor of commercial uses.
- **vi.** Picture windows for residential buildings shall be permitted. These shall have a horizontal proportion.

Fig. 920-115: Residential Window Precedents

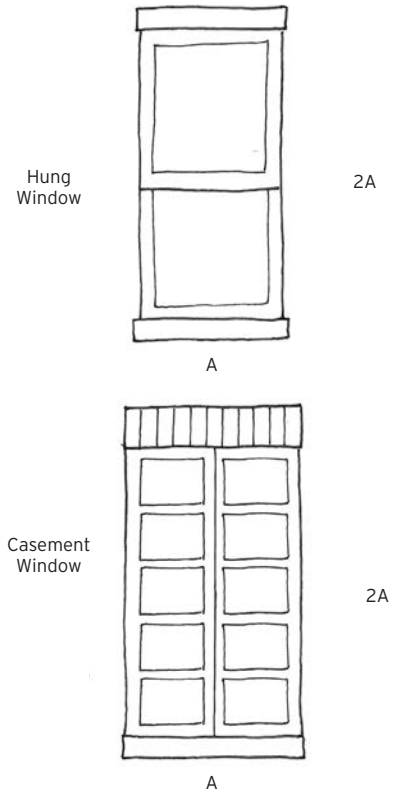


Fig. 920-116: Illustrative Example of Art Deco Window Proportions

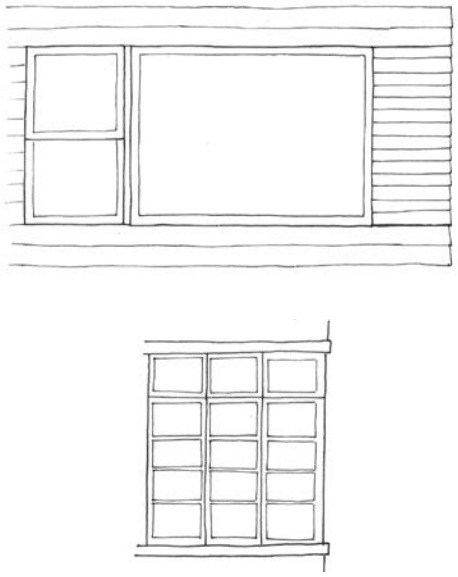


Fig. 920-117: Illustrative Example of Art Deco Window Groupings

g. Office, Retail, and Mixed-Use Building Ground Floor (see illustrative examples below).

- **i.** Larger areas of glass are permitted and encouraged on the first floor, but shall employ muntin patterns appropriate to the style.
- **ii.** Entry doors to retail and commercial users shall employ motifs appropriate to the style.
- **iii.** Entry doors to multi-family residential units in the building shall employ motifs appropriate to the style and shall be located on a street front.
- **iv.** One story retail bays are permitted and shall project no more than 4 feet beyond the principal face of the building at the Build-to Line. Retail bays shall have glazing for 75% of all vertical surfaces.
- **v.** Long, horizontal elements should be used in the design of the storefronts.
- **vi.** Corners may be flat or curved.
- **vii.** Zigzags, chevrons, and other geometric details appropriate to the style shall be used as decorative elements.

Figure 920-118: Illustrative Example of Mixed Use Facade

Fig. 920-119: Commercial Building Precedents

§ 60-930 Form Based District: Definitions

A. Rules of Interpretation

(1) Except where specifically defined in this Article VIII, in other articles within Chapter 60, or in other Chapters of the Town Code, all words used in this article carry their customary meanings. For terms that are not defined in this article and that have been defined in other sections or chapters of the Town Code, the definitions in those other sections or chapters apply. In the event that a definition in this article conflicts with a definition in another part of the Town Code, the definitions in this Article VIII shall control.

(2) Words used in the present tense include the future. Words used in the singular number include the plural, and words used in the plural include the singular, unless the context clearly indicates the contrary. The word "shall" is always mandatory. The word "may" is permissive. The word "should" indicates a recommendation but not a legal requirement. Building or structure includes any part thereof. The word "lot" includes the word "plot" or "parcel." The word "person" includes an individual person, a firm, a corporation, a partnership, and any other agency of voluntary action. The word "he" includes "she" or "they." The words "include," "includes," and "including" shall be interpreted as though followed by the phrase "without limitation" or "but not limited to." The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

(3) The official designated to make an interpretation of all terms used in this Article VIII is the Development Department.

B. Definitions

A

Alley: a vehicular way located to the rear of Lots providing access to service areas, parking, accessory buildings, and accessory structures and containing utility easements.

Alley Entrance: The location along a street where an alley is accessed.

Alley Loaded: A house or garage where parking spaces or parking garages are accessed from an alley.

Attic: the interior part of a building contained within a pitched roof structure.

Awning: a temporary shelter supported entirely from the exterior wall of a building.

B

Balcony: an accessory area to a Dwelling, with one or more sides permanently open to the exterior except for a railing or parapet not exceeding four feet in height.

Block: the aggregate of private Lots, Passages, and Alleys, circumscribed by Streets.

Block Face: a single side of a block, including all primary facades on that block.

Build-to-Line: The line shown on the regulating plan along which the principal vertical plane of all primary facades must be erected (except as otherwise provided in this Article), which is either at the frontage line or parallel to it.

Building Height: The number of stories of a building.

C

Canopy: A roof or overhead unenclosed structure that provides shade or shelter from the elements.

Civic Building: a Building designed specifically for a Civic use.

Civic Use: A use that is open to the public at least some of the time and provides a focal point for community interaction and fosters citizen participation in civic activities.

Commercial: A generic term for the use of land or buildings for commerce or work, other than for civic uses.

Context: the surroundings and their character – This includes both the Physical Context which is the physical surroundings and the Historical Context which is the historic character of a region.

Corner Tower: A tower that is at the corner of a building, located at the corner of a block, mews, or pedestrian paseo.

Courtyard: A space enclosed on three or four sides by buildings.

Covered Stoop: A raised landing located at a building entry with a roof covering the landing.

Cul-de-sac: a dead-end street with only one entry point and a turnaround

D

Dooryard: a private frontage type with a shallow setback and front garden with a low fence at the public right-of-way line.

Duplex: a building type consisting of a single structure occupied by two dwelling units that may have either shared or separate entrances for each unit and are architecturally presented as a single-family house.

Dwelling: A building used as living quarters for residential occupancy by one or more families.

Dwelling unit: A building, or portion thereof, used exclusively for residential occupancy by a housekeeping unit, that contains an individual entry to a street or public way or to common area such as a hallway or lobby, and that contains both a bathroom and a kitchen.

E

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural or architectural element, so that it extends into a required setback area or private frontage, or above a height limit.

Encroachment: A structural or architectural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a required setback area or private frontage, or above a height limit.

Entrance, Principal: the main point of access of pedestrians into a building, facing a street.

F

Facade: the exterior wall of a building.

Fence: A structure composed of posts, rails, and pickets used to define a boundary or to enclose a portion of a lot.

Form-Based Code: A type of land use regulation that significantly regulates the form of the built environment and public realm rather than the focusing on the separation of land uses as commonly found in conventional "Euclidean" zoning.

Frontage Line: The property line at the street right-of-way dividing the right-of-way from the private frontage area.

Frontage Occupancy: The minimum length of primary façade that shall be built along a build-to-line.

G

Garden Wall: A wall no greater than 48" in height that defines the frontage line and/or the perimeter of a property. A garden wall has ornamental qualities and may be solid or comprised of piers and a knee wall with pickets between piers.

Gas Station: Any lot or building used or occupied for the sale or supply of gasoline or motor fuels, whether or not other products are also sold on the premises.

Ground Cover: A low growing dense growth of plants other than grass that entirely covers the ground, such as pachysandra.

H

Hydraulic Lift: a parking method in which mechanized lifts are used to lift one car above the ground so that another car can park underneath.

I

Industrial: Uses involving manufacturing, assembling, fabrication, warehousing, wholesale, and servicing of motor vehicles or industrial equipment.

L

Land Use: The purpose for which a land or a structure is designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased.

Layer: A range of depth within a lot used to regulate the location of permitted uses and structures.

Liner Building: A building that conceals a separately constructed garage and that is designed for occupancy by residential, commercial, or mixed-uses.

Lot Line: A property line separating lots or parcels from each other or from the public right-of-way.

Lot Width: The length of the frontage line of a lot.

M

Mews: A linear public or private open space lined on both sides by buildings, primary facades, and front doors.

Mixed-Use: A building or parcel with multiple uses.

Mixed-Use Building: A building designed for and containing more than one use.

Multi-Family Building: A condominium or rental building designed for occupancy by three or more families living independently of each other in separate dwelling units, other than townhouses and stacked townhouses.

O

Office: A place of business where professional or clerical duties are performed in either for-profit or not-for-profit entities.

Open Space: Land or water that is open to the air, used for active or passive recreation and which may be publicly or privately owned.

P

Parcel Line: (Syn: Lot Line)

Parti: The basic scheme or concept for a building as represented in a simple diagram.

Paseo: A public walk open to the sky located between two buildings that is designed for comfortable and safe pedestrian passage from one location to another and for pedestrian amenities such as seating, lighting, and landscaping.

Passage: A connecting public walkway that enables pedestrians to pass under a building at ground level.

Paver: A pre-cast paving material consisting of blocks that can be lifted by a person without mechanical assistance.

Pervious Paving: Paving material that permits water to infiltrate into the ground.

Porch: An open air element of a building with a raised floor and a roof covering the floor that is supported by columns, posts, or piers. A porch may be located on more than one story.

Primary Building: The building or buildings on a lot that contain the principal use or uses.

Primary Entrance: (Syn: Principal Entrance)

Primary Façade: The façade of a building that faces the street. When a building is located on a corner lot, both façades that face streets and/or a mews are primary facades. When a building faces a mews, the façade facing the mews is the primary façade.

Principal Entrance: the main point of access of pedestrians into a building facing a street.

Privacy Fence: A fence with a height greater than 48".

Private Frontage: The space that occurs between the public right-of-way and the primary façade.

Private Street: A street or thoroughfare not owned by a government entity.

Public Frontage: The space that occurs between the street curb and the frontage line (right-of-way line).

Public Space: Land so designated on a Regulating Plan that is generally not developed with buildings and is dedicated and available to the general public for active or passive recreation and for civic uses. Public spaces may include civic uses and civic buildings within them.

Public Street: A street or thoroughfare owned by a government entity.

R

Regulating Plan: A regulatory instrument in the form of a scalable, dimensionally correct, plan that is a key element of most form-based codes.

Restaurant: A commercial establishment where meals or refreshments are prepared and sold.

Retail: Sale of goods and provision of personal services directly to consumers.

Retail Frontage: a frontage specifically designed to support pedestrian oriented retail activity.

S

Sexually Oriented Business or Use: Any business or use distinguished or characterized by an emphasis on acts or material depicting, describing or relating to sexual conduct/ sexual activity or genital areas of males or females. Examples include nude entertainment business, sexually oriented outcall services, seminude dancing bar, seminude dancing agency, adult bookstore, adult movie theater or other similar uses.

Shared Parking: A system in which available parking is shared between two or more uses resulting in a reduction in the total number of spaces needed due to differing peak demand times.

Shopfront, Private Frontage: A private frontage type with an entirely paved ground plane, designed to accommodate first-floor commercial and retail uses with high pedestrian volumes.

Single-Family Building : A building designed for and occupied exclusively as a home or residence for not more than one family.

Story: An interior space measured from one finished floor to the next finished floor above.

Stacked Town House Building: A fee-simple, condominium, or rental dwelling unit configured such that one two-story unit is generally located over another two-story unit and both units have separate entrances facing a street or mews. Each pair of stacked units is designed to look like a single townhouse and each pair of stacked units is attached to another pair of stacked units on one or two sides by a common party wall so that there are a minimum of four dwelling units configured together.

Street: A paved road intended for motor vehicles and bicycles that includes the paved surface, gutters, and curbs.

Streetscape: All of the elements that are located between the street curb and the primary facade when the sidewalk extends from the street curb to the primary façade, and all of the elements that are located between the street curb and right-of-way when the sidewalk does not extend to the primary façade.

T

Tandem Parking: A parking configuration in which a car is parked in front of another, requiring the second car to be moved in order to provide egress for the first car.

Thoroughfare: The area contained in a right-of-way of a public or private street.

Tower: A stand-alone structure that is significantly taller than it is wide, or a portion of a building that is significantly taller than it is wide and typically has more detail than the surrounding building(s). When a tower is a portion of a building, the tower eave or cornice is taller than the remainder of the building eave or cornice height and one or more of the tower facades is located forward of the remaining building façade.

Townhouse: A single-family fee-simple, condominium, or rental dwelling unit that is attached on one or two sides of the building by a common party wall where there are a minimum of three units and each unit has a separate entrance facing a street or mews.

Transect: A planning and zoning tool that organizes zones in a continuum from rural to urban, referred to as F1, F2, F3, F4, F5, and F6 where F1 is the most rural and F6 is the most urban. Each transect zone has common characteristics that facilitate form-based regulation.

Transit 5-Minute Walk Radius: The transit 5-minute walk radius is a radius centered on a transit facility and has a radius of ¼ mile (1,320').

Transit 10-Minute Walk Radius: The transit 10-minute walk radius is a radius centered on a transit facility and has a radius of ½ mile (2,640').

Tuck-under Townhouse/Tuck-under Duplex: A town house or duplex building where parking is accommodated within the building footprint and where the parking is accessed from an alley and where garage doors hide the parking spaces. When the parking is located on the first floor, a finished and habitable room is located between the parking and the build-to-line.

V

Verge: The linear grass or planted area located between the sidewalk and the curb of a street.

Vista Termination: A building, structure, or portion of a building or structure, specifically designed to visually attract a viewer's attention at the end of a visual axis, i.e. to terminate a view. Vista terminations may include towers, corner towers, symmetrical facades centered on a visual axis, an architecturally embellished entry, or similar distinctive architectural devices.

W

Wing Wall: A solid wall extending from the back of a building to the alley rear property line setback line having a height equal to the first story of the building.

Y

Yard (Private Frontage): A private frontage type where the building is not set close to the street, the lot frontage is not defined by a fence, and the ground plane is either primarily grass or ground cover.