

## Article IV. Terminology

### § 212-22 Purpose.

Add or amend the following definitions:

#### **BUILDING HEIGHT**

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

#### **CORNICE**

A projection aligned horizontally along and crowning a building wall, door, window, or other opening in the building wall.

#### **DRIVE-THROUGH FACILITY**

A facility that dispenses goods through an attendant window or automated machine to persons remaining in vehicles in a designated drive aisle.

#### **INN**

A facility with not more than 15 guest rooms providing temporary overnight lodging for transient guests, including related guest services, including spas, dining rooms, restaurant, meeting and conference facilities, and retail sales that are clearly accessory to, and identified with the business of the facility.

#### **LIGHTWELL**

An entry type where part of the building front facade is below ground, entry may step up to the above ground floor and/or step down to the below grade floor.

#### **PORCH**

A porch is a raised, roofed platform attached to a building forming an articulated entryway and semi-private social space.

#### **PROFESSIONAL OFFICE**

A facility for the processing, manipulation, or application of business information or professional expertise, and which may or may not offer services to the public. A professional office is not materially involved in fabricating, assembling, or

warehousing of physical products for the retail or wholesale market, or engaged in the repair of products or retail services. Professional offices may include government offices, the practice of an accountant, architect, landscape architect or other design professional, engineer, insurance agent, attorney, real estate agent or broker, securities broker or similar profession, or the place of business or practice of a group of such professionals operating as a partnership, corporation or other legal business arrangement.

#### **REPAIR SHOP, PERSONAL SERVICE**

A store or other place of business at which is conducted the repair of personal customer items such as shoes, clothing, jewelry, etc. or personal service such as barber shops or hairdressers; decorators, dressmakers or tailors; opticians; photographers; digital imaging; video, DVD and other electronic visual and audio entertainment media rentals; and businesses of a similar and no more intense nature.

#### **RETAIL USE**

A business that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser.

#### **STOOP**

A stoop is a small raised platform that serves as an entryway to a building.

### **Article XIII. Hamlet Center**

#### **§ 212-76 Purpose.**

The purpose of the HC—Hamlet Center is to provide opportunities for village- and hamlet-scale residential and small-scale, pedestrian-oriented, commercial development to serve the varied needs of local residents, to encourage redevelopment of the Town's hamlet, and to provide the Town with the ability to assert reasonable controls over such development consistent with the Ulysses Comprehensive Plan and the goals of organized and logical growth, increased employment opportunities and an increased tax base.

#### **§ 212-77 Permitted uses.**

In the HC—Hamlet Center, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

- A. Single-family residence and their accessory structures.
- B. Two-family residence and their accessory structures.

#### **§ 212-78 Permitted accessory uses.**

Such necessary uses as are customarily incidental to the above uses:

- A. Accessory building for business.
- B. Bed-and-breakfast establishments.
- C. Family child care.
- D. Family adult care.
- E. Home occupations.
- F. Off-street loading areas.
- G. Professional offices, where such office is part of the residence property and no more than three persons not residing on the premises are employed.
- H. Signs as regulated under Article XX, § 212-122; also note Article XX, § 212-122F.
- I. Temporary buildings as defined in Article IV.
- J. Vehicle parking, pursuant to the provisions of Article XX, § 212-121. Parking is not permitted between the facade of a primary building and the street; all parking must be located to the side or behind primary buildings.

### **§ 212-79 Uses permitted by site plan approval.**

The following uses are allowed upon approval of a site plan by the Planning Board pursuant to Article III, § 212-19, subject to the design standards set forth in relevant sections of Article XX:

- A. Adult care centers.
- B. Adult group care.
- C. Banks and other financial institutions, provided that there is no drive-through window.
- D. Child-care centers, group child care.
- E. Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.
- F. Clinics.
- G. Community centers.
- H. Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.
- I. Clubhouse, hall, post, temple and other facilities associated with the activities of social organizations, except that the on-premises sale of alcoholic beverages is prohibited.
- J. Funeral homes.
- K. Gasoline and other retail vehicle fuel sales, subject to the standards set forth in Article XX, § 212-131, and subject to the requirement that no gasoline or other retail vehicle fuel sales business locate within 1 mile of any existing gasoline or other retail vehicle fuel sales business.
- L. Inn.
- M. Libraries, museums.
- N. Life-care facilities.

O. Multiple residences.

P. Outdoor dining facilities, excluding any permanent structures within any required setback areas.

Q. Places of amusement, such as theatres, including bowling alleys, game arcades, and skating rinks.

R. Professional offices.

S. Public and private schools, nursery schools and institutions of higher education.

T. Public and private community parks and preserves.

U. Residential care/assisted living/rehabilitation facilities.

V. Restaurants, bars and other places for serving food and beverages, subject to the standards set forth in Article XX, § 212-140, and provided that there is no drive-through window.

W. Repair Shop, Personal services, provided the establishment does not exceed 6,000 gross square feet in floor area, with the exception of basement storage areas

X. Retail use, provided the establishment does not exceed 6,000 gross square feet in floor area, with the exception of basement storage areas, and provided that there is no drive-through window.

#### **§ 212-81 Lot area and yard requirements.**

A. Minimum lot area shall be 6,000 square feet.

B. Minimum lot width at front lot line setback shall be 50 feet.

C. Minimum lot depth shall be 120 feet.

D. Minimum front yard setback shall be 10 feet for all single-family and two-family residences, bed-and-breakfast establishments and adult- and child-care facilities, and zero feet for all other uses.

E. Minimum side yard setback shall be five feet, except in the instance where two or more single-family dwellings are attached with a common wall, or two or more commercial structures are attached with a common wall, in which case the setback may be zero feet. Property owners are encouraged, but not required, to minimize driveway impacts by creating shared driveway easements.

G. Minimum rear yard setback shall be 10 feet, except for detached garages and other accessory structures or parking lots, in which case the minimum setback shall be five feet.

H. Maximum building height for any building or structure shall be 36 feet above average grade measured at the building perimeter.

I. Maximum lot coverage of all buildings and structures shall be 50% of the lot area.

J. No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

#### **§ 212-82 Form requirements.**

A. All primary buildings must include a primary entrance facing the street.

Primary entrances should be architecturally detailed incorporating a porch, stoop, or lightwell for single-family homes and porch, stoop, lightwell, canopy, awning or marquis entries for all other primary buildings.

B. New buildings and any new lots should be designed so that buildings fill a minimum of 60% of the lot width in the Hamlet Center.

C. Buildings including commercial uses must include transparent windows with a view to the building interior covering least 50% of the street facing facade area between 3 feet and 8 feet above grade.

D. New multifamily and non-residential buildings on lots larger than 10,000 square feet must include at least one entry facing the street for every 60 feet of frontage.

E. New buildings must include either peaked roofs, architectural brackets supporting a flat roof or an architectural cornice facing the street.

F. New buildings may not have blank walls longer than 30 feet facing any street.

## Article XIV Hamlet Neighborhood

### § 212-83 Purpose.

The purpose of an HN—Hamlet Neighborhood is to provide opportunities for village- and hamlet-scale residential development to serve the varied housing needs of the residents while preserving the historical nature of the Town. This district encourages the redevelopment of the Town's hamlets while providing the Town and the residents of the district with the ability to assert reasonable controls over development in the designated district that is consistent with the Comprehensive Plan, the historic nature of the district, and organized and logical growth.

### § 212-84 Permitted uses.

In the H1—Hamlet Neighborhood, no building or structure shall be erected, altered or extended, and no land or building thereof shall be used for any purpose or purposes other than the following:

- A. Single-family residence and their accessory structures.
- B. Two-family residence and their accessory structures.

### § 212-85 Permitted accessory uses.

Such necessary uses as are customarily incidental to the above uses:

- A. Accessory building for business.
- B. Bed-and-breakfast establishments.
- C. Accessory dwelling unit, subject to the provisions of Article XX, § 212-128.
- D. Family child care.
- E. Family adult care.
- F. Home occupations.

G. Professional offices, where such office is part of the residence property and no more than three persons not residing on the premises are employed.

H. Signs as regulated under Article XX, § 212-122.

I. Temporary buildings as defined in Article IV.

J. Vehicle parking, pursuant to the provisions of Article XX, § 212-121. Parking is not permitted between the facade of a primary building and the street; all parking must be located to the side or behind primary buildings.

#### **§ 212-86 Uses permitted by Site plan review.**

The following uses are allowed upon site plan approval by the Planning Board pursuant to Article III, § 212-19, subject to the design standards set forth in relevant sections of Article XX:

A. Adult group care.

B. Child-care centers, group child care.

C. Churches, mosques, synagogues, temples and other places of worship, convents, rectories, parish houses.

D. Community center.

E. Clubhouse, hall, post, temple and other facilities associated with the activities of social organizations, except that the on-premises sale of alcoholic beverages is prohibited.

F. Library, museum.

G. Multiple residences for rent or lease, pursuant to Article IX.

H. Nursery school.

I. Public and private community parks and preserves.

J. Residential care/assisted living/rehabilitation facilities.

#### **§ 212-87 Lot area and yard requirements.**

A. There shall be no more than one principal building on any lot.

B. Minimum lot area shall be 21,780 square feet (1/2 acre).

C. Minimum lot width at front yard setback shall be 50 feet.

D. Minimum lot depth shall be 175 feet.

E. Minimum front yard setback shall be 20 feet.

F. Minimum side yard setback shall be 15 feet.

G. Minimum rear yard setback shall be 35 feet, except for detached garages and other accessory structures, in which case the minimum setback shall be five feet.

H. Maximum building height for any building or structure shall be 36 feet above average grade measured at the building perimeter.

I. Maximum lot coverage for all buildings and structures shall be 30% of the lot area.

J. No buildings or other structures, or parking areas, shall be located within 50 feet from a stream edge or any wetland as defined by state or federal law.

## § 212-19 Site plan review

### Add **E. (3): Approval Standards**

- (a) The project complies with all applicable standards of this Ordinance.
- (b) The project shall be sited and designed so as to be harmonious with the surrounding area and not interfere with the development, use, and enjoyment of adjacent property.
- (c) The project shall promote building design that responds to the surrounding neighborhood and demonstrates respect for surrounding historic resources, while allowing for a diversity of architectural styles and original and distinctive design approaches.
- (d) The project shall ensure safe and efficient access for all site users, including pedestrians, cyclists, transit passengers, the mobility impaired, and motor vehicles, as applicable.
- (e) The project shall be located, designed, and/ or managed to meet its anticipated travel demand, and shall include reasonable efforts to minimize single-occupancy vehicle trips, reduce vehicle miles travelled, and promote transportation alternatives.
- (f) The project shall provide for the adequate protection of significant natural, cultural, heritage, and scenic assets on or near the site.
- (g) The project contributes to existing pedestrian-oriented rights-of-way in relation to the public realm and streetscape.
- (h) The project shall utilize plant materials that are capable of withstanding the climatic conditions of Ulysses and the microclimate of the site, and shall be planted so as to maximize prospects for healthy growth.
- (i) The project shall make for the most efficient use of land and municipal services, utilities, and infrastructure.