

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 level 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 a building or structure.

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.

LIGHTWELL

An open area or vertical shaft in the center of a building, typically roofed with glass, bringing natural light to the lower floors or basement.

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, ~~doctor or other duly licensed medical practitioner or therapist, dentist or orthodontist,~~ engineer, insurance agent, lawyer, 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; film developing, printing, photocopying and 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.

~~The place of business or practice of an accountant, architect, landscape architect or other design professional, doctor or other duly licensed medical practitioner or therapist, dentist or orthodontist, engineer, insurance agent, lawyer, 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.~~

Article XIII. Hamlet DistrictCenter

§ 212-76 Purpose.

The purpose of the HC₁—Hamlet DistrictCenter 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 hamlets, 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 HC₁—Hamlet DistrictCenter, 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:

Comment [CR1]: Rephrase

- A. Accessory building for business.
- B. Bed-and-breakfast establishments.
- C. Business directional signs, subject to limitations set forth in Article XX, § 212-122D.
- ~~D. Elder cottages, subject to the provisions of Article XX, § 212-128.~~
- D. Family child care.
- E. Family adult care.
- F. Home occupations.
- G. Off-street loading areas.
- H. Professional offices, where such office is part of the residence property and no more than three persons not residing on the premises are employed.
- I. Signs as regulated under Article XX, § 212-122; also note Article XX, § 212-122F.
- J. Temporary buildings as defined in Article IV.
- K. 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 more than one drive-through window, subject to the standards set forth in Article XX, § 212-140.
- ~~D. Business offices.~~
- ~~D~~E. 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~~G. Fire stations and other public buildings necessary for the protection or servicing of a neighborhood.
- I. Fraternal organizations and their clubhouse, hall, post, temple and other facilities associated with the activities of the organization, except that the on-premises sale of alcoholic beverages is prohibited.
- ~~J~~H. Funeral homes.
- ~~K~~I. Gasoline and other retail vehicle fuel sales, subject to the standards set forth in Article XX, § 212-131.
- L. Hotel, motel.
- M. Libraries, museums.
- N. Life-care facilities.
- O. Multiple residences for rent or lease.

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

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

RJ. Professional offices.

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

TK. Public and private community parks and preserves.

UL. 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.

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.

Comment [CR2]: Regulation of business operations / hours is outside of the scope of zoning authority

Comment [CR3]: Regulation of business operations / hours is outside of the scope of zoning authority

~~§ 212-80 Uses permitted by special permit.~~

~~The following uses are allowed upon approval of a special permit pursuant to Article III, § 212-18, subject to the design standards set forth in Article XX:~~

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

~~B. Flag lots for the purpose of residential uses only and subject to the standards set forth in Article XX, § 212-130.~~

~~C. Fraternal organizations and their clubhouse, hall, post, temple and other facilities associated with the activities of the organization, except that the on-premises sale of alcoholic beverages is prohibited.~~

~~D. Gasoline and other retail vehicle fuel sales, subject to the standards set forth in Article XX, § 212-131.~~

~~E. Hotel, motel.~~

~~F. Libraries, museums.~~

~~G. Life care facilities.~~

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

~~I. Places of amusement, such as theatres, including drive-in theatres, bowling alleys, game arcades, and skating rinks.~~

~~J. Public and private schools, nursery schools and institutions of higher education, including dormitory accommodations.~~

~~K. Restaurants, bars and other places for serving food and beverages.~~

~~L. Retail services, such as barber shops or hairdressers; decorators, dressmakers or tailors; opticians; photographers; film developing, printing, photocopying and digital imaging; video, DVD and other electronic visual and audio entertainment media rentals; and businesses of a similar and no more intense nature.~~

~~M. Retail stores, provided the establishment does not exceed 3,000 gross square feet in floor area, with the exception of basement storage areas, and operates only between the hours of 6:00 a.m. and 11:00 p.m.~~

Comment [CR4]: Regulation of business operations / hours is outside of the scope of zoning authority

§ 212-81 Lot area and yard requirements.

~~A. There shall be no more than one principal building on any lot in the H1 Hamlet District.~~

~~AB. Minimum lot area shall be 6,000 square feet.~~

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

~~CD. Minimum lot depth shall be 120 feet.~~

~~DE. Minimum front yard setback shall be 10-5 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.~~

~~EF. 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. Where a lot does not have frontage on a rear or side public or private alley, however, there shall be at least 15 feet of side yard setback on one side to allow for a driveway.~~

Comment [CR5]: Bring in health department language on engineered systems regulations

~~G. Minimum rear yard setback shall be 35-10 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 36-2 feet above average grade measured at the building perimeter.~~

~~I. Maximum lot coverage shall be 75% 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 Buffer Form areas 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. 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.~~

Article XIV Hamlet- ~~Neighborhood~~ District

§ 212-83 Purpose.

The purpose of an H~~N~~²—Hamlet ~~Residence-Neighborhood District~~ 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 H~~1~~—Hamlet ~~District~~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~~Elder cottages, 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 ~~special permit~~Site plan review.

The following uses are allowed upon ~~site plan approval~~ approval of a special permit by the Planning Board pursuant to Article III, § 212-198, subject to the design standards set forth in relevant sections of Article XX:

A.

~~A. Business directional signs, subject to limitations set forth in Article XX, § 212-122D.
Adult care centers.~~

Adult group care.

B. Child-care centers, group child care.

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

~~DF. Community center.~~

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

F. Library, museum.

~~H. Funeral homes.~~

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

H. Nursery school.

~~J. Professional offices.~~

~~I~~K. Public and private community parks and preserves.

~~I~~L. Residential care/assisted living/rehabilitation facilities.

~~§ 212-80 Uses permitted by special permit.~~

The following uses are allowed upon approval of a special permit pursuant to Article III, § 212-18, subject to the design standards set forth in Article XX:

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

~~B. Flag lots for the purpose of residential uses only and subject to the standards set forth in Article XX, § 212-130.~~

~~C. Fraternal organizations and their clubhouse, hall, post, temple and other facilities associated with the activities of the organization, except that the on-premises sale of alcoholic beverages is prohibited.~~

~~D. Gasoline and other retail vehicle fuel sales, subject to the standards set forth in Article XX, § 212-131.~~

~~E. Hotel, motel.~~

~~F. Libraries, museums.~~

~~G. Life care facilities.~~

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

~~I. Places of amusement, such as theatres, including drive-in theatres, bowling alleys, game arcades, and skating rinks.~~

~~J. Public and private schools, nursery schools and institutions of higher education, including dormitory accommodations.~~

- ~~K. Restaurants, bars and other places for serving food and beverages.~~
~~L. Retail services, such as barber shops or hairdressers; decorators, dressmakers or tailors; opticians; photographers; film developing, printing, photocopying and digital imaging; video, DVD and other electronic visual and audio entertainment media rentals; and businesses of a similar and no more intense nature.~~
~~M. Retail stores, provided the establishment does not exceed 3,000 gross square feet in floor area, with the exception of basement storage areas, and operates only between the hours of 6:00 a.m. and 11:00 p.m.~~

§ 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 10 feet.
F. Minimum side yard setback shall be five 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 ~~32~~ 36 feet above average grade measured at the building perimeter.
I. Maximum lot coverage shall be 75% 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.

Comment [CR6]: Maybe 75'?

Comment [CR7]: Maybe 10' Michael would like 15'. We should do some analysis

§ 212-19 Site plan review

Add E. (3): Approval Standards

- (a) The project complies with all applicable standards of this Ordinance.
(b) The project will 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 will 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 will 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 will be located, designed, and/or managed to meet its anticipated travel demand, and will include reasonable efforts to minimize single-occupancy vehicle trips, reduce vehicle miles travelled, and promote transportation alternatives.
(f) The project will 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 will utilize plant materials that are capable of withstanding the climatic conditions of Ulysses and the microclimate of the site, and will be planted so as to maximize prospects for healthy growth.

(i) The project will make for the most efficient use of land and municipal services, utilities, and infrastructure.

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