CITY OF SARATOGA SPRINGS
PLANNING BOARD
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Planning Board Meeting
City Council Room – 7:00 PM

Agenda

Planning Board Meeting – Thursday, October 13, 2016

City Council Room – 7:00 PM

Workshop: Tuesday, October 11, 2016 At 5pm In The City Council Room

Salute To Flag

A. Discussion Item:

1. **Unified Development Ordinance, Discussion Of Draft Diagnostic Report.**

   Documents:

   16_0829-ZONING_DIAGNOSTIC_FINAL-DRAFT2.PDF

B. Applications Under Consideration

1. **16.031 Zumpano Subdivision**
   119 East Avenue, proposed final 2 lot subdivision within the Urban Residential-3 (UR-3) District.

   Documents:

   16.031 ZUMPANOSUBDIVISION_APP_REDACTED.PDF
   16.031 ZUMPANOSUBDIVISION_UPDATEDMATERIALSRECVD9-8-16.PDF
   16.031 ZUMPANOSUBDIVISION_REVISEDPLANRECVD10-5-16.PDF

2. **16.034 Inclusionary Housing Proposed Zoning Text Amendment**
   Request for Advisory Opinion from the City Council.

   Documents:

   16.034 SPAHOUSINGZONINGAMEND_APP_REDACTED.PDF
   16.034 SPAHOUSINGZONINGAMEND_SUSTAINSARATOGACORR.PDF
   16.034 SPAHOUSINGZONINGAMEND_SUSTAINSARATOGACORR2.PDF
   16.034 SPAHOUSINGZONINGAMEND_SARATOGABUILDERSCORR.PDF
   16.034 SPAHOUSINGZONINGAMEND_COUNTYRESPONSE.PDF

~~3. **04.029.1 Ice House Site Plan Modification**~~
   ~~**70 and 72 Putnam Street,** site plan modification review in a Transect-6 Urban Core (T-6) District.~~

   ~~Documents:~~

   ~~04.029.1 ICEHOUSEPERMANENTTENT_APP_REDACTED.PDF~~
   ~~04.029.1 ICEHOUSEPERMANENTTENT_EASEMENT.PDF~~
   ~~04.029.1 ICEHOUSEPERMANENTTENT_COUNTYRESPONSE.PDF~~

4. **16.039 Beekman Street Childcare**
   48 Beekman St/ 51 Ash St, Special use permit for day care center within the NCU-1 District.

   Documents:

   16.039 BEEKMANSTCHILDCARE_APP_REDACTED.PDF
   16.039 BEEKMANSTCHILDCARE_WAIVERREQUEST_REDACTED.PDF

~~5. **12.023.4 Congress Plaza Embassy Suites**~~
   ~~**46 Congress Street,** proposed site plan modification to eliminate vehicular access from South Federal Street in a Transect-5 Neighborhood Center (T-5) District.~~

   ~~Documents:~~

   ~~12.023.4 CONGRESSPLAZASITEPLANEXT_APP_REDACTED.PDF~~
   ~~12.023.4 CONGRESSPLAZASITEPLANMOD_APPPLANS.PDF~~
   ~~12.023.4 CONGRESSPLAZASITEPLANMOD_COMMCONNCTCORR_REDACTED.PDF~~
   ~~12.023.4 CONGRESSPLAZASITEPLANMOD_EMBASSYSTESCORR_REDACTED.PDF~~

C. Approval Of Minutes: July 28, September 8, September 22, 2016.

Next Meeting: Thursday, October 27, 2016 (W/ Monday, October 24, 2016 Caravan & Workshop)

Zoning Diagnostic Report

In preparation for the

Unified Development Ordinance

City of Saratoga Springs, New York

AUGUST 29, 2016

PREPARED BY THE CITY OF SARATOGA SPRINGS

IN ASSOCIATION WITH:

BEHAN PLANNING AND DESIGN

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Project Support

The project is part of Governor Andrew M. Cuomo's Cleaner, Greener Communities program, a major statewide initiative encouraging communities to incorporate sustainability goals and principles into local decision-making, and then form partnerships to transform markets that lead to the reduction of emissions and the generation of economic development benefits. The program, administered by the New York State Energy Research and Development Authority (NYSERDA), also empowers communities to take action, providing technical resources and decision-making tools on land use, housing, transportation, energy, economic development and environmental practices, resulting in a more vibrant and prosperous New York.

Cleaner, Greener Communities is funded through the Regional Greenhouse Gas Initiative (RGGI), the nation's first market-based regulatory program in the United States to reduce greenhouse gas emissions. RGGI is a cooperative effort among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont to cap and reduce CO2 emissions from the power sector.

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Part 1 - Introduction

Background

The City of Saratoga Springs has emerged as one New York's most vibrant and successful small cities. While "health, history, and horses" has long been its mantra, the city has become so much more than that following a period of robust regional growth. With its refreshing mineral spas, award-winning main street, and a flourishing arts and culture scene, the Spa City has gained a reputation throughout New York and across the country as an exceptional place to live, visit, and do business.

This vibrancy is due in no small part to the fact that many people and a wide range of organizations have been successful in engendering a kind of growth that strategically focuses economic activity in the urban core, sustains the safety and character of the city's diverse neighborhoods, and preserves open lands in rural area. This vision, reaffirmed in the city's 2015 Comprehensive Plan, is the bedrock on which the city's zoning and economic development policies are built upon.

Thoughtful planning for the future has been an integral part of maintaining the city's vision for both development and conservation, now and in the past. The city adopted and implemented successful planning initiatives including the Saratoga Plan of Action that helped guide downtown revitalization in the 1970's, the Open Space Plan of 2002 that led to the successful open space bond referendum, and the comprehensive plans of the last twenty years. It is the goal of the Unified Development Ordinance (UDO) to continue this tradition of effective planning by establishing a unified zoning ordinance that actively and clearly coordinates city development and reservation policies and regulations to improve the overall quality of life for all citizens of Saratoga Springs.

Introduction & Purpose

The Unified Development Ordinance (UDO) will establish rules on the form, use, and character of development and preservation in Saratoga Springs. It will combine the city's Zoning Ordinance and Subdivision Regulations into a single, user-friendly document that aligns approval procedures, eliminates conflicts between related codes, and encourages high quality development.

This effort – funded largely by the New York State Energy Research and Development Authority (NYSERDA) – is designed to encourage new development and renovation that helps move the community toward its goals of being a vibrant, attractive place to live, work and recreate with a diverse and viable local economy. The City has hired a local firm, Behan Planning and Design, to assist us in making this a reality.

The UDO provides Saratoga Springs an opportunity to update the city codes - including zoning, subdivision, stormwater and design regulations - and ensure that they are in conformance with the 2015 Comprehensive Plan. Such periodic updates are necessary and required by both New York State and city code.

New York Department of State: Guide to Planning and Zoning Laws Of New York State

"All city land use regulations must be in accordance with the (comprehensive) plan."

Section 1.4 of the existing Saratoga Springs zoning ordinance states: *"Any amendments to this chapter and all development approvals shall be consistent and in accordance with the adopted comprehensive plan. An amendment to this chapter, whether text or district boundary, is consistent and in accordance with the comprehensive plan if it complies with the goals, objectives, policies and strategies and any vision statement contained in the comprehensive plan."*

The comprehensive plan does not delve into excessive detail; instead, it provides a high-altitude perspective on the city's vision, guiding principles and establishes a map of future land use patterns.

The first public document, this Zoning Diagnostic Report, will become the "roadmap" for the drafting of the new Unified Development Ordinance, which will commence after City Council review of the Zoning Diagnostic Report.

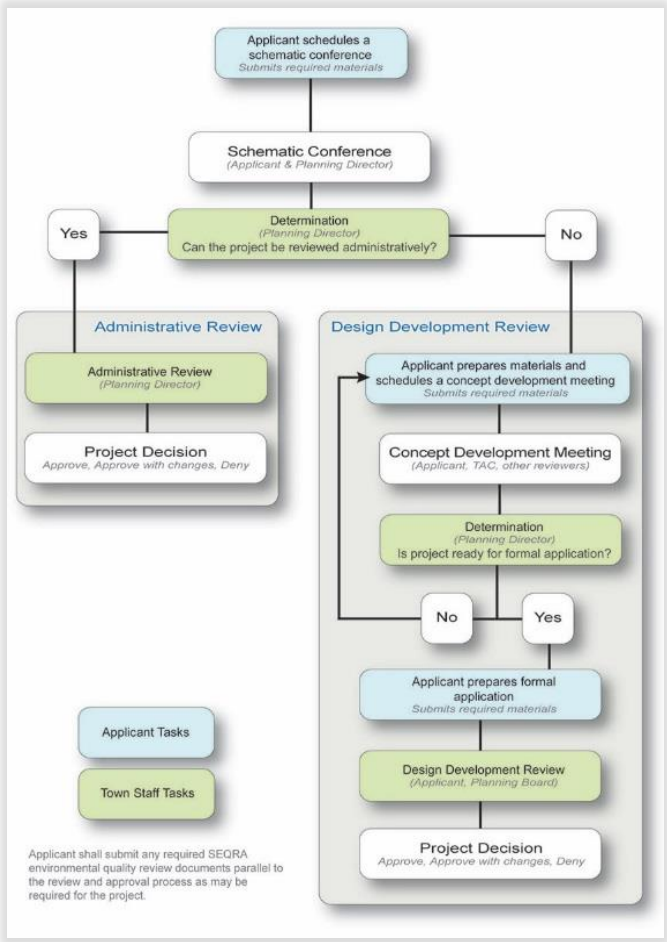
The report focuses on summarizing major issues identified by the public, city staff, and Behan Planning and Design after the project initiation stage and an independent evaluation of the zoning ordinance and other relevant city regulations. It defines the basis or need for designing the UDO but does not prescribe or recommend the specific direction for the new ordinance.

Unified Development Ordinance—A User-Friendly Approach

Understanding how to navigate the development review rules and regulations can be daunting. As illustrated by the graphic below, a UDO combines traditional zoning and subdivision regulations, along with other development standards for items such as design guidelines, stormwater management, sign requirements and street standards into one, easy-to-read reference document.

A UDO is intended to streamline the review and approval process and clarify all requirements with clear illustrations for ease of understanding by the public, developers and city officials. It provides an excellent opportunity to integrate other adopted policies and plans into the city ordinance including the Saratoga Greenbelt Plan, Open Space Plan, Urban and Community Forest Master Plan and the Complete Streets Policy and Plan (under development). It can also address and implement energy efficiency and environmental sustainability objectives as set forth in the 2015 Comprehensive Plan.

One way to make regulations user-friendly is through the use of graphics, illustrations, photos, flowcharts, and tables. Graphics will be enhanced to make clear expectations both in terms of process and design. Flowcharts and summary tables are also very helpful in presenting information succinctly and eliminating repetition or inconsistent terminology. They can be used along with text in the procedures section of the regulations to graphically portray the process required for review of a specific type of development application. For example, the illustration below depicts the flow of a development project review process.



Sample Flow Chart. Process flow charts, such as the one shown above, can be used to help graphically illustrate the steps and procedures so they can be more easily understood by the applicant, reviewing boards and the public.

Process Overview

Updating the zoning ordinance and subdivision regulations is a significant undertaking. The work began in October of 2015 and was organized into the eleven project milestones shown below. The project initiation stage was conducted from October 2015 until March 2016. During that process, Behan Planning and Design conducted numerous interviews with the public and staff, hosted a community workshop, and met with the Zoning Board of Appeals and City Council members. Behan also set up a website for the project (www.saratogaspringsudo.com) which was used to introduce the work, advertise upcoming events and catalog all of the public comments received.

The following is a description of the major stages of the process:

- **Listening and Understanding**. Through a series of internal (City Council, City Staff, and Land Use Boards) and external (public) input or listening sessions (Community Workshop), evaluate and identify components, methods and techniques that can improve the readability, navigation, and understanding of regulations in the UDO.

- **Review of Documents.** Review the key ordinances, policies, and plans that have been developed, adopted, and/or implemented by the City of Saratoga Springs in the past 15 years. It is important

to note that while Behan reviewed all available planning and regulatory documents, for the purposes of this report they have focused only on those documents having specific relevance to the zoning and land development and preservation guidelines.

- **Diagnosis/Outline (this document).** Creation of a diagnostic report to provide a general overview of the current zoning ordinance and subdivision regulations and a proposed framework for a consolidated UDO. Behan Planning staff will present this report to City Council. Based on feedback to the report, the Behan team will then begin drafting the new UDO.

- **Initial Ordinance Draft (Staff and Public Review Drafts).** Given the length and complexity of the new UDO, the new ordinance will be drafted in four stages: draft outline of the UDO with subsequent public workshop, 50% draft complete, 75% draft complete, and 95% draft complete. The 95% completed draft will then be presented at a public workshop.

- **Final Ordinance Draft and Adoption Process.** Following the review of each of the four installments, a consolidated final draft will be prepared for review through the public hearing process.

Project Milestones

✓	Public Informational Meeting
✓	Analysis of Comp Plan and development codes
✓	Public Stakeholder Meetings
✓	Publish Zoning Diagnostic Report
	Publish Draft Outline of UDO
	Public Workshop (to be scheduled)
	50% Draft UDO published
	75% Draft UDO published
	95% Draft UDO and Public Presentation
	Planning Board / City Council Public Hearing
	Adoption

Highlights of the Listening and Understanding Stage - Working with Our Citizens

Input to the diagnostic report includes information gathered from the public and staff during the listening phase of the project, as well as the consultant's analysis of the text and structure of the existing ordinance. As part of the City's public information program, the City hosted a day-long workshop consisting of topic-related meeting slots to discuss our current land use ordinances and identify possible changes as part of the UDO project. Local residents, business owners and other interested members of the public were encouraged to sign up for a topic discussion slot.

Participants gather at tables at Empire State College to discuss various issues regarding the city zoning.

The workshop was set up in table discussion format where participants were invited to share their thoughts with members of the city staff and consulting team who helped facilitate the discussion and take notes. The meeting schedule was broken up into one-hour slots, devoted to general topics of interest. Those topics included:

- Development Review and Approval Process
- Energy, Sustainability, and the Environment
- Economic Development
- Housing Options
- Preservation
- Streetscapes, Parks and the Public Realm
- Neighborhood and Community Character
- Open Group Discussion (evening)

Public workshop discussion tables, February 4th, 2016.

Through all of these efforts, we collected numerous comments about what was working and what was perceived to need improvement in the current zoning ordinance. Several major themes and goals for the project emerged from the community workshop. While these themes often overlap, we have organized them into six general areas/topics for discussion purposes. To view the full 41-pages of meeting notes, refer to the project website: www.saratogaspringsudo.com

Part 2 - Summary of Key Themes

Based on the major issues that emerged during the initial public input phase of this project, this report presents seven key themes the city can consider to improve the organization and content of its development ordinance.

The focus of this diagnosis is on the zoning and subdivision regulations. Due to the interrelated nature of a number of these topics, some overlap between the analysis of current regulations and recommendations may occur between topics. We have retained this redundancy to ensure that each topic may be reviewed independently, if desired.

Key Themes

- Economic Development
- Housing Options
- Neighborhood and Community Character
- Streetscape, Parks, and the Public Realm
- Review of Zoning Districts
- Process Improvements
- Sustainability, Resiliency, and the Environment

Economic Development

Background

2015 Comprehensive Plan

- *"To preserve and enhance a City that is economically strong and adequately diversified to withstand cyclical changes in the economy; that creates economic and employment opportunities for all of its citizens;*
- *To encourage development that benefits our tax base and is based on sustainable concepts;*
- *To maintain the balance of land uses, economic forces and social diversity. Downtown is the key to the City's economic health. Likewise, the City's open space resources constitute a vital economic component and valuable aesthetic and recreational amenity. It is the strength and preservation of these two distinct and unique attributes that assures Saratoga's continued success and sustainability."*

In the past two years, Saratoga Springs has won multiple awards: One of the 20 Best College Towns, One of the 10 Best Places to Retire, One of the Best Small Cities in NY, as one of the most Walk Friendly Communities in US. As the city moves forward into its second century as a city, it must sustain its growth and prosperity without compromising the unique character, historic buildings, and open space that have drawn new residents and businesses to relocate here and tourists to visit. Sustainable economic development must include the ability for the city to be able to continue to grow with an evolving tax base in order to support the financial demand and responsibilities that come with an increasing population.

To achieve a balance, zoning will need to be flexible and allow for the creation of emerging businesses and new opportunities while assuring the wise and timely development of new areas and redevelopment remains in harmony with the comprehensive plan. With our proximity to

growing technology manufacturing centers nearby, the city will need to ensure that it can accommodate new industrial and commercial growth and that the current quantity and location of commercially and industrially zoned sites is adequate and appropriate.

1. Transect Zones

a. **Issue:** The Transect Zones have limited as-of-right uses leading to unnecessary work for land use boards and increased cost for applicants.

   i. Potential Solution: Consider including some uses as Permitted or Permitted with Site Plan Approval.

b. **Issue:** The City has encountered difficulties in fulfilling two-story usable space intent.

   i. Potential Solution: Revise and clarify the intent and performance criteria of the minimum two-story requirement.

c. **Issue:** City needs to provide better clarification of mix of uses at a neighborhood and project level scale.

   i. Potential Solution: Revise intent of Transect Zones to clarify desire for a mix of complementary uses. Consider providing additional flexibility in some Transect zones to accommodate a mix of uses within a single development or property, not limited only to a mix within each building.

d. **Issue:** Current transitions between Transect and adjacent residential zones are abrupt and not graduated.

   i. Potential Solution: Incorporate layered transition zones which step-down from taller commercial districts when adjacent to smaller residential districts.

   ii. Potential Solution: Include more graphically-oriented design guidance.

e. **Issue:** There are challenges with current zoning regulations to ensure that development is harmonious with its surroundings, achieves appropriate height and density transitions, and protects neighborhood character.

   i. Potential Solution: Institute context-based review considerations into the design standards for Transect zones.

f. **Issue:** Current maximum height, build-to, build-out requirements have produced large uniform buildings where the objective was to have greater diversity in building type, layout, roof top and façade treatments.

   i. Potential Solution: Revise building height requirements to be based on number of stories instead of total number of feet to provide more height variations.

ii. Provide design guidance for Transect zones which requires massing of larger buildings to be visually defined by smaller scale elements.

2. Evaluate Zoning Districts

a. **Issue:** Underperformance and utilization of existing zones such as the Warehouse District.

   i. Potential Solution: Review and identify current zones that could be eliminated or replaced with more productive land-use options.

b. **Issue:** There is a need for certain districts to be modernized to reflect desired uses and to maximize economic development opportunities in areas such as Industrial (IND), Tourist Related Business (TRB), and Highway General Business (HGB).

   i. Potential Solution: Re-evaluate the uses and intent of TRB and HGB districts to better accommodate a variety of area appropriate uses.

   ii. Potential Solution: Review currently permitted uses in IND districts and identify emerging technology uses which could be added.

   iii. Potential Solution: Review current area, bulk, parking and other lot configuration requirements to identify options which could increase allowable building footprint area to help incentivize redevelopment.

3. Encourage Business Growth

a. **Issue:** City's current regulations may not sufficiently address home occupations and provide for preservation of neighborhood character.

   i. Potential Solution: Investigate additional performance standards and conditions by which home occupations may be permitted.

   ii. Potential Solution: Consider different "intensity levels" of home occupations which may be permitted in different zoning districts so as to provide greater protections in sensitive neighborhoods while providing more flexibility in rural, outlying areas.

b. **Issue:** City may not have sufficient language to define or provide guidance for home occupations and emerging workplaces.

   i. Potential Solution: Review the current restrictions on home occupation including use of accessory structures, number of workers, vehicles, signs, outdoor activity, hazardous material, utilities and services.

c. **Issue:** Small businesses often struggle with financing and capital to expand their businesses and upgrade facilities.

i. Potential Solution: Review current area, bulk, parking and other lot configuration requirements to identify options which could increase allowable building footprint area to help incentivize redevelopment or permit new additions.

ii. Potential Solution: Consider adoption of Property Assessed Financing (PACE) in order to facilitate commercial properties to make energy efficiency and renewable energy upgrades to buildings.

iii. Potential Solution: Evaluate 485b, the Business Investment Exemption, to encourage reconstruction in select portions of the City.

4. Signage

a. **Issue:** Current signage regulation may not be sufficiently flexible to serve business needs.

   i. Potential Solution: Revise sign regulations with a location specific focus to provide more "fine-grain" control and flexibility such as different sizes depending on where they are located.

b. **Issue:** Current sign regulations focus on retail/commercial advertising and may not be sufficient guidance for civic and cultural events/activities.

   i. Potential Solution: Provide for appropriate, creative sign options/alternatives for civic and cultural organizations and events (temporary signs (banners), off-site signage, etc.)

c. **Issue:** Businesses are not submitting sign packages early enough in the building review process.

   i. Potential Solution: Encourage applicants to incorporate sign package submittal into site and building project design.

Housing Options

Background

2015 Comprehensive Plan

- *"Encourage and increase housing diversity and affordability as well as neighborhood vitality;*
- *To preserve and enhance a City that is accessible and affordable to all income levels;*
- *To maintain a City that includes diverse housing opportunities for all economic levels throughout the City*."

In Saratoga Springs, 37.3 percent of households have an income below $50,000 according to the Capital District Regional Planning Commission. Household of four making at or less than $51,792 are considered low income. In Saratoga Springs, 63.9 percent of these low income homeowners and 67.9

percent of these renters are spending more than 30 percent of their annual income on housing. According to U.S. Department of Housing and Urban Development, families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care.

Despite significant growth in the overall housing market, there is a shortage of affordable housing options. Expanding affordable and workforce housing will not only give families the ability to live in an economically thriving community close to employment opportunities and services but will also help Saratoga Springs sustain a vibrant economy, fill jobs, service visitors, and create diversity in our community.

5. Affordability and Diversity

a. **Issue:** City needs to elicit a greater range of housing types and economic levels to sustain a successful and economically vibrant community.

   i. Potential Solution: Consider incentives for integrating affordable housing into market-rate housing (i.e., not creating additional separate low/moderate income housing projects).

   ii. Potential Solution: Consider inclusionary zoning. Research inclusionary zoning requirements that have been successful in other communities.

b. **Issue:** Incentives for clustering and/or encouraging affordable housing have not been successful.

   i. Potential Solution: Consider Burlington, Vermont example of inclusionary zoning which indexes its affordable housing set-aside to the price of the market-rate homes.

   ii. Consider review of inclusionary incentive zoning regulations through a generic Environmental Impact Statement (EIS) as suggested in NYS enabling legislation for incentive zoning.

   iii. Potential Solution: Reconsider the city's previous work to develop Inclusionary Zoning, identify issues that prevented this from being adopted in the past and develop alternative approaches which would improve chances of inclusionary zoning in the future.

c. **Issue:** Affordable housing is not always conveniently located close to transportation, shopping, and other services.

   i. Potential Solution: Explore incentives (such as density bonuses)that reward projects shown to have multimodal transportation choices within a 1/4-mile (400 meters) walk distance of bus stops, or within a 1/2-mile (800 meters) walk distance of bus rapid transit stop and/or rail stations.

d. **Issue:** Innovative types of housing options – senior rooming housing, concierge apartments, micro units, employee/worker housing - are not expressly permitted by the current zoning ordinance.

   i. Potential Solution: Review minimum square footage of units in consideration of smaller and "micro-unit" apartments. Research requirements other municipalities have put in place including: unit features and finishes, community amenities and services, locational characteristics, operating experience, and construction and operational costs.

   ii. Potential Solution: Explore impacts of the conversion of existing accessory structures into accessory dwelling units. Research requirements other municipalities have put in place regarding accessory dwelling units and impacts on conversions to neighborhood character.

Neighborhood/Community Character

Background

2015 Comprehensive Plan

- *"A primary goal of the comprehensive plan is:*
  - *To maintain a City that values historic preservation and architectural quality in its built environment;*
  - *To maintain a City that includes diverse housing opportunities for all economic levels throughout the City."*

In recent years, there has been a strong demand for our traditional residential neighborhoods. The scenic quality of our city, high performing school system, historic buildings, and proximity to entertainment and cultural activities have created a strong housing market. In addition, previous efforts to strengthen and enhance the inner district through infill development and reuse have been successful and led to the new construction of residential and multifamily housing and the construction of new retail shops and services.

Maintaining the quality of life in our neighborhoods during this growth phase is important to residents. While the City's zoning ordinance includes many of the elements necessary to achieve good outcomes in both new construction and redevelopment, there remain opportunities to recalibrate the regulations in order to achieve better design and enhanced neighborhood character and to ensure that mixed-use development is compatible with and contributes to the character of the street, the Downtown, and adjoining neighborhoods.

6. Area and Bulk

a. **Issue:** Public perceives that there is an expanding commercial presence and increase of density which negatively effects neighborhood character.

i. Potential Solution: Conduct a build-out analysis project of commercial districts to explore the potential impacts and appropriate mitigation measures.

b. **Issue:** The mandate of the 'build-to' line in some places has created condition where buildings may be too close to street.

   i. Potential Solution: (see above Potential Solution.)

   ii. Potential Solution: Create a recommended streetscape and façade area character design guideline to address this issue.

c. **Issue:** Zoning board variances relative to property setbacks are changing the historic character of neighborhoods.

   i. Potential Solution: City should conduct a detailed context analysis project for historic neighborhoods to document the existing setbacks and degree of acceptable change.

   ii. Potential Solution: Create a context-based design guideline for use by the zoning board of appeals.

d. **Issue:** There is no height limitation on accessory structures.

   i. Potential Solution: Adopt reasonable height limits.

e. **Issue:** Height limit of 70 feet has produced flat roof properties in our inner district, with little or no variation.

   i. Potential Solution: Consider using stories in lieu of or combined with a height limit.

f. **Issue:** Many residential zones allow far too tall buildings inconsistent with existing buildings.

   i. Potential Solution: Adopt reasonable height limits in residential zones which are in keeping with their historic patterns.

   ii. Potential Solution: Investigate residential height limits which are based on the immediate neighborhood context, rather than by zoning district, to account for differences in neighborhoods.

g. **Issue:** Required front setbacks sometimes prove problematic leading to buildings too close to the street and inconsistent with neighborhood and/or adjacent properties.

   i. Potential Solution: Review all front yard setback requirements in relation to the actual built environment.

   ii. Potential Solution: Investigate the potential for front yard setbacks which are based on the immediate neighborhood context, rather than by zoning district, to account for differences in neighborhoods.

h. **Issue:** Transitions into the neighboring zones from the transect zones are often abrupt and lack variation in heights and roof styles.

   i. Potential Solution: Consideration of neighborhood contextual standards.

   ii. Potential Solution: Consider lower height limits as a transition at edges of pre-existing older and smaller more traditional structures.

7. Short-Term Rentals

a. **Issue:** There is a growing year-round commercialization of properties not currently allowed within residential districts by unregulated short-term rentals.

   i. Potential Solution: The city has already been working to research and update city codes with Albany Law School to address many of the issues of short-term rentals, and these revisions will be coordinated with the new UDO where appropriate.

   ii. Review growing body of research and emerging approaches to addressing the "Airbnb" type of on-line rentals.

8. Home Occupations

a. **Issue:** City's current regulations may not sufficiently address home occupations and provide for preservation of neighborhood character.

   i. Potential Solution: Review existing home occupation regulations to ensure that home occupations do not adversely affect the character of the surrounding neighborhood and that a home occupation remains accessory and subordinate to the principal residential use of the dwelling. Research other municipalities and if they define types of allowable home occupations.

b. **Issue:** City may not have sufficient language to define or provide guidance for home occupations and emerging workplaces.

   i. Potential Solution: Review the current restrictions on home occupation including use of accessory structures, number of workers, vehicles, signs, outdoor activity, hazardous material, utilities and services.

9. Noise Impacts

a. **Issue:** The increasing use of outdoor space for entertainment can result in impacts on adjacent residential areas.

   i. Potential Solution: Review and strengthen guidance within the special use permit evaluation process to set noise restrictions to reduce impacts.

10. Recreational Vehicle Parking

a. **Issue:** Boats, trailers, RV's and other large mobile homes are being stored on property without respect for respective front yard setbacks or aesthetics in neighborhoods.

   i. Potential Solution: Incorporate standards, regulations and limitations for storage of recreational vehicles in residential districts.

Streetscapes, Parks and the Public Realm

Background

2015 Comprehensive Plan

- *"Maintain a City that accommodates all modes of transportation including vehicles, freight, pedestrians, bicyclists, and people with disabilities;*
- *To encourage walking, bicycling and mass transit to reduce traffic congestion and improve local air quality."*

On-street parking and attractive sidewalks with street trees, pedestrian-scaled lighting, etc. is a key element of traditional/historic neighborhood design – for both residential and commercial areas – and is important to creating a walkable commercial destination. The current design of many of the major thoroughfares (South Broadway, West Avenue, Weibel Avenue, etc.) is not conducive to an active streetscape. In particular, this is due to the lack of on-street parking and adequate landscape/architectural design to help "place-making". While on-street parking cannot meet the full demand for adjacent commercial uses, it provides a critical role for convenience and to make the front building entrances and façade treatments meaningful.

11. Incorporating Adopted Plans and Policies

a. **Issue:** In the past few years, the City has approved new plans and policies (Complete Streets Policy, Urban and Community Forestry Master Plan, Saratoga Greenbelt Trail) which have not yet been fully incorporated into the UDO.

   i. Potential Solution: Incorporate these policies into the design guidelines and other elements of the UDO.

b. **Issue:** The city's standard construction details used for construction projects, typically within the right-of-way, do not reflect the adopted Urban Forestry and Community Master Plan.

   i. Potential Solution: Incorporate new standard construction details into UDO.

12. Trails

a. **Issue:** Current zoning does not provide for successful integration of proposed trail networks.

   i. Potential Solution: Incorporate proposed trails in the zoning district map.

b. **Issue:** Existing trails including Spring Run and Railroad Run are not reflected in currently zoning designations as Institutional Parkland/Recreation.

   i. Potential Solution: Incorporate existing trails in the zoning district map.

13. Public Realm

a. **Issue:** The City needs to provide more specific guidance and standards to encourage better utilization and investment in the public realm (parks, civic areas, the arts, green infrastructure, etc.).

   i. Potential Solution: Strengthen regulations for the improvement and/or creation of civic spaces as part of the development process.

b. **Issue:** The current zoning ordinance does not effectively articulate or illustrate design standards or guidelines for gateway areas.

   i. Potential Solution: Identify all major gateways and develop specific design and gateway improvement projects and a capital/fundraising program along with state and county highway agencies and partner organizations to implement these improvements.

c. **Issue:** Current expectations and definitions for public rights-of-way are not adequate nor do they correlate with the City's street design cross section details.

   i. Potential Solution: Update street design cross section details as part of the Complete Streets program.

   ii. Potential Solution: Consider approaching setbacks, tree belts, civic spaces based upon the street centerline (versus right of way line)

Public Realm

The ***public realm*** is the physical space that people experience as they travel along public ways. It includes the street itself—the pavement and crosswalks, the curbs, sidewalks, outdoor cafes and civic spaces, trees, plantings, lighting, signage and the front yards and facades of buildings.

Civic spaces are part of the public realm that can be large or small, public or semi-public where people can gather. (Image below of garden plaza at Museum of Modern Art (MOMA) in New York.)

Complete Streets

Complete Streets is a transportation policy and design approach that requires streets to be planned, designed, operated, and maintained to enable safe, convenient and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation.

Currently the City of Saratoga Springs is finalizing the Complete Streets Plan to provide a framework for including all modes of mobility on existing City streets, State and County routes. This plan compliments or further progresses the City's adopted policies and plans including: Greenbelt Trail Plan, Climate Smart Communities Pledge, the Complete Streets Policy, and the Comprehensive Plan (2015).

d. **Issue:** There is little to no integration of stormwater management in the public right- of-way – living streets, rain gardens, green streets, streetscape amenities, etc. - that can enhance and beautify the public realm.

i. Potential Solution: Provide new landscaping standards which incorporate leading stormwater management designs for both public and private properties.

ii. Potential Solution: Develop standard street details from planting areas, tree beds and curb designs which include new stormwater practices.

e. **Issue:** The current design of many of the major thoroughfares (South Broadway, West Avenue, Weibel Avenue, etc.) is not conducive to an active streetscape.

i. Potential Solution: Develop complete streets design plans for public rights-of-way including amenities, green infrastructure, and develop activated streetscape designs and retrofits for major thoroughfares and downtown core streets including where appropriate on-street parking, bike lanes, location for undergrounding utilities, etc. Note: The City is currently working to finalize a Complete Streets Plan which will illustrate and provide design guidance on the elements above.

14. Complete Streets

a. **Issue:** Current zoning does not ensure the completion of sidewalk connections and identify priority areas.

b. **Issue:** The City's current transportation standards are predominately vehicular based. We need to better incorporate a Complete Streets approach.

c. **Issue:** Current zoning does not adequately address project area context such as connections to prominent landmarks, recreation, shopping, employment center, cultural centers or other key destinations between project sites and the public realm.

d. **Issue:** Currently there is inconsistent integration of pedestrian, transit, and bicycle accommodations in the public realm and site development.

i. Potential Solution: Transit Oriented Development (TOD) to increase ridership. Incentive to develop near transit by density bonus or reduction in parking requirement.

e. **Issue:** Current regulation has led to inconsistent integration of pedestrian and bicycle accommodations in the public realm and site development.

   i. Potential Solution (**Issue 14.a– 14.e**): Review, incorporate, and adopt, as appropriate, improved design standards from the following local resources:

      1. Complete Streets Policy and draft Complete Streets Plan
      2. Department of Public Safety's *Pedestrian Safety Audit*

   ii. Potential Solution (**Issue 14.a– 14.e**): Review, incorporate, and adopt, as appropriate, improved design standards from the following national resources:

      1. Manual on Uniform Traffic Control Devices and New York State Supplement
      2. American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design
      3. AASHTO Guide for the Planning, Designing and Operating Pedestrian Facilities
      4. AASHTO Guide for the Development of Bicycle Facilities
      5. Institute for Transportation Engineers (ITE) Designing Walkable Urban Thoroughfares: A Context Sensitive Approach
      6. The National Association of City Transportation Officials (NACTO) Urban Street Design Guide
      7. NACTO Urban Bikeway Design Guide
      8. US Access Board Public Right-of-Way Accessibility Guidelines

   iii. Potential Solution (**Issue 14.a–14.e**): Research financing mechanisms to implement priority elements of the Complete Streets Plan.

   iv. Potential Solution: Application of Complete Streets recommendations into project development – review segment of overall recommendation (for example: bike lanes proposed for multi-block area where proposed project could be a small portion of that area).

f. **Issue:** Development that does not undergo site plan or subdivision approval is not subject to streetscape requirements as other projects. Sidewalks, curbs, and streetscape improvements.

   i. Potential Solution: Review current thresholds and revise as appropriate to ensure continuous streetscape improvements.

g. **Issue:** There has been an inconsistency in the application of standards or the allowance of waivers relating to streetscape improvements.

   i. Potential Solution: Clarify required streetscape improvements, where applicable and parameters for waivers. Define when and where waivers are possible.

h. **Issue:** The City needs an improved advance planning mechanism for infrastructure upgrades, infrastructure extensions, and corridor-based design solutions for issues such as sidewalk connectivity and details on desired future streetscape design (on-street parking construction, sidewalk extensions and connectivity, etc.) in advance of the projects.

   i. Potential Solution: The City should prioritize growth areas and major corridors for planning infrastructure upgrades and corridor-based design solutions. Consider use of generic EIS and mitigation fees for cost-sharing with the beneficiaries of these improvements through the development process.

i. **Issue:** The current ordinance only calls out traffic calming in one area of the City, Marion Avenue Gateway, and should be considered in other situations and neighborhoods.

   i. Potential Solution: Integrate traffic calming elements into overall project development plans for the city.

a. **Issue:** While 1:15 bike to parking ratio is recommended in Transect Districts currently (6.2.9), the city's zoning ordinance does not provide for this in other districts and it's not required in any districts.

   i. Potential Solution: Require adequate storage for multi-family and non-residential uses. Many university communities such as Austin, TX, Madison, WI, and Boulder, CO, have such standards in place. A good source for standards relating to bicycle parking is the Association of Pedestrian and Bicycle Professionals (http://www.apbp.org/).

   ii. Potential Solution: Consider allowances for parking reductions in specified zone districts if bicycle lockers are provided. In other communities, a typical incentive is to allow a reduction of one parking space for every 3-4 bicycle parking spaces (often with a maximum credit of 5-10 off-street parking spaces).

15. Infrastructure

a. **Issue:** Currently there is not an active provision of when utilities should be placed underground or re-routed which can result in conflicts with future activities in the public realm.

   i. Potential Solution: Coordinate with utility companies to create a master plan for underground utility placement and interim processes and criteria for incremental undergrounding of utilities.

b. **Issue:** The City needs an improved advance planning mechanism for infrastructure upgrades and infrastructure extensions.

i. Potential Solution: The City should prioritize growth areas and major corridors for planning infrastructure upgrades and corridor-based design solutions. Consider financial mechanisms such as generic EIS and mitigation fees for cost-sharing with the beneficiaries of these improvements through the development process.

c. **Issue:** Construction activities are negatively impacting public streets, curbing, and sidewalks and post construction these public amenities are not restored to appropriate pre-construction conditions.

i. Potential Solution: Require provisions (e.g., letter of credit, performance bond) for construction projects to ensure full and proper restoration of impacted properties and public realm.

16. Open Space

a. **Issue:** Current allowable uses, densities, and incentives within the Greenbelt and Country Overlay area may not be achieving the City's overall goals of the Greenbelt and Country Overlay area.

i. Potential Solution: Review allowable uses and intensities in the Country Overlay area to determine if they are appropriate for residential setting, or if performance standards should be included.

b. **Issue:** The current method of requiring conservation subdivisions for each project may result in a greenbelt which is highly fragmented.

i. Potential Solution: Explore mechanisms to achieve a more desirable, consolidated open space and recreation land in lieu of providing it on-site.

ii. Potential Solution: Conduct a build-out analysis of the Greenbelt area and identify alternatives and incentives to create a more intact and larger open space network.

c. **Issue:** It is often challenging to find a party(s) to hold conservation easements for both grantees and grantors.

i. Potential Solution: Research improved mechanism(s) to hold the easement to hold, monitor and maintain conservation easements.

d. **Issue:** The City does not differentiate requirements between conservation easements of large and small parcels.

i. Potential Solution: Explore model approaches and template language that could assist with the implementation of smaller-scale open space protection.

e. **Issue:** The current regulation does not provide adequate standard language and details regarding the allowable uses and maintenance of open space.

i. Potential Solution: Consider development of standard language for easements/deeds to lands set aside for open space and or recreation.

17. Subdivision Regulations

a. **Issue:** The current subdivision language, organization and layout are repetitive, difficult to navigate, and lacks clear graphic descriptiveness and quality.

   i. Potential Solution: Re-write and re-organize subdivision regulation to be clearer.

   ii. Potential Solution: Centralize common requirements into single spot to reduce redundancy.

   iii. Potential Solution: Add graphic examples to illustrate desired features and goals of future subdivisions.

   iv. Potential Solution: Clarify expectations for the applicants and streamline the review process.

   i. Potential Solution: Integrate streamlined and clearer regulations for subdivision control in the UDO.

b. **Issue:** Currently there is no division between large and small subdivision.

   i. Potential Solution: Consider revising process based on scale and magnitude of project. Possible allowance of some administrative approvals.

Review of Zoning Districts / Map

Background

2015 Comprehensive Plan

> *"If the City is to be successful in preparing for the future, it must have increased flexibility to accommodate the rapidly changing needs of business, commerce, and our residents."*

The analysis considered the extent of dissimilarity between existing land uses, existing zoning and proposed future land use designation and the extent to which a zoning modification may be appropriate. The analysis looked at the area and bulk standards, allowed uses, residential density and variances in the different zoning districts.

18. Updating Maps and Districts

a. **Issue:** Assuring consistency between comprehensive plan and the future land use plan.

i. Potential Solution: Zoning maps need to be updated in consideration of the 2015 Comprehensive Plan and its "Future Land Use" map which outlined the desired vision for future land uses within the city going forward.

ii. Potential Solution: For map updates that are particularly challenging, consider a future phase of neighborhood-based planning prior to implementation of zoning map amendments.

b. **Issue:** Existing zoning does not adequately reflect the actual character, physical form or the varied historic neighborhoods around the city (See Required vs. Existing Analysis).

i. Potential Solution: As an interim measure, require a context-based neighborhood character compatibility analysis for new projects.

ii. Potential Solution: Document context-based design parameters for existing neighborhoods—in particular those expected to face high development pressure, and devise protocol for determining acceptable level of change.

c. **Issue:** In the past decade, the City has not evaluated and/or updated language and mapping for the following districts:

- Tourist Related Businesses (TRB)
- Agriculture (RR)
- Industrial (IND)
- Highway General Business (HGB)

i. Potential Solution: Evaluate the purpose of each of these districts/uses and update the zoning map and ordinance to reflect current needs and goals as expressed in the comprehensive plan.

d. **Issue:** The City's 31 zoning districts, including three transect districts and seven Planned Unit Developments (PUDs); have not been reviewed comprehensively in terms of uses, geographical location, and attributes including area and bulk standards for decades.

i. Potential Solution: Identify potential changes to the zoning district map to implement the land use vision as recommended in the comprehensive plan.

ii. Potential Solution: Develop appropriate amendments to use schedule including special use permit list and area and bulk standards.

e. **Issue:** In Saratoga Springs, transect zones are a hybrid of form based and traditional zoning. This construct may not provide the necessary flexibility or sufficient perimeters to guide applicants and accommodate a flexibility of uses.

i. Potential Solution: Establish evaluation criteria and review projects constructed under these more form-based regulations in terms of what is working and what is not.

f. **Issue:** The existing District Corporation Line, currently shown on the zoning map, needs to be updated and/or may no longer be necessary. Parcels can be split/bisect by district boundaries resulting in the creation of two separate parcels. These parcels then create unique issues when questions arise related to zoning and building code compliance.

   i. Potential Solution: Evaluate current District Corporation Line and its original purpose and the whether or not it is still useful and necessary.

g. **Issue:** In the transect zones, the current ordinance has only generic sketches of building form and does not provide sufficient clarity and guidance for placemaking for the next generation of Saratoga Springs' urban form.

   i. Potential Solution: Include illustrated design guidelines in the UDO addressing key issues for building form and placemaking.

19. Rural Residential

a. **Issue:** Rural Residential district allows agriculture but does not support a variety of potential complementary agricultural uses.

   i. Potential Solution: Review New York State Dept. of Agriculture and Markets definition of agriculture and the comprehensive plan recommendations and update the UDO accordingly.

20. Preservation

a. **Issue:** The local historic district does not match the National Historic Register districts.

   i. Potential Solution: Interim action rectifies the discrepancy with an updated historic district map.

   ii. Potential Solution: Assess and re-evaluate the boundaries of the existing historic districts to ensure that they are providing adequate protections for historic properties and resources.

   iii. Potential Solution: Consider adding a requirement for site-specific review of historic resources prior to demolition permit including consideration of protection from "demolition-by-neglect".

   iv. Potential Solution: Develop additional review process to assist with determination of when demolition is an appropriate resolution to allow reasonable new construction and city growth.

   v. Potential Solution: Consider applying some level of Design Review to properties immediately adjacent to National Register properties—but which are otherwise outside the Historic Districts and do not have Historic District protections—to protect them from adverse impacts from neighboring changes.

b. **Issue:** Historic preservation is a core value of the City's economy; however the juxtaposition of new development in historic area can create design and compatibility conflicts.

   i. Potential Solution: Incorporate better guidance and checklists for the review of historic properties to help ensure consistent and fair review of all projects.

21. Creative Economy

a. **Issue:** Current zoning may not be sufficiently flexible to encourage the "creative economy".

   i. Potential Solution: Define the mix of uses and flexibility required then determine the zoning districts and related modifications needed to be included in the UDO including identification of "next generation" locations for low-cost, flexible space (adaptive reuse or new construction).

Process Improvements

Background

Zoning regulation governing development review and other administrative matters create the procedural environment through which the City can achieve the goals and policies laid out in its comprehensive plan and other adopted plans. At their best, development review provisions can promote the type of development a community wants by providing a clear, predictable path to project approval; conversely, vague review processes with unclear requirements can cause developers a high level of anxiety, frustrate community residents, and severely dampen a City's ability to attract desirable growth. Generally, the development community and individual applicants value three central qualities in any administrative ordinance: certainty in the requirements and structure of the review process, built-in flexibility to adjust development standards to the needs of individual projects, and opportunities to request relief from requirements that constitute a substantial burden. Certainty about the types of development they can expect to see in their community is also important to residents. The degree to which Saratoga Springs can incorporate these qualities into its UDO will help improve its ability to compete for development in the near future.

During the community workshop, it was clear that the community expects the UDO to set forth clear administrative procedures to be followed for all types of land use decisions. One method to explore is the allowance of more uses and other approvals "by right" or subject to appropriate and suitable locational, form, and operational standards and limitations and without discretionary review of building and site design. By allowing these uses by right, Saratoga Springs will not only speed the development process, but also provide additional certainty to prospective developers that their projects are allowed and encouraged.

22. Regulation

a. **Issue:** The public perception is that there is little predictability or consistency with the way projects are being reviewed and approved.

   i. Potential Solution: Enhance communication regarding the review process in terms of opportunities for public access and engagement and documentation of decisions.

23. Improve the Quality of Applications

a. **Issue:** Public has express the concern that application materials are not always complete, sufficiently detailed, or accurate**.**

   i. Potential Solution: Review existing forms/applications for improvements, identify areas which may be required to complete, or additional info is requested.

   ii. Potential Solution: Develop form fillable PDFs to improve ease of completing, ensuring they are readable and already in electronic form to eliminate need to scan before posting on website.

b. **Issue:** Applicants have noted inconsistent board review and lack of predictability of outcome.

   i. Potential Solution: Develop clearer standards, goals, principles and visual examples within the ordinance.

   ii. Potential Solution: Design and approval checklists should be updated or clarified.

   iii. Potential Solution: A “pre-application” meeting is currently encouraged, but could be required, as a prerequisite to filing a formal application.

   iv. Potential Solution: Describe within the UDO the process for owners, designers and consultants to request consultation(s) on their projects with planning staff and/or other relevant departments.

24. Public Communication Channels

a. **Issue:** Applicants and the land use boards as well as the general public have been frustrated that they do not always know what is happening with different applications or have a difficult time keeping up with last minute design revisions.

   i. Potential Solution: Revise the standard procedures with which it handles typical applications for review and approval and seek more timely methods of notification such as better utilization of web-based access to materials. Require applicants to submit material in digital form.

25. Enhanced Notifications

a. **Issue:** The general public does not have adequate and/or proactive notification of pending projects in their neighborhoods.

   i. Potential Solution: In addition to voluntary email notifications which people can sign up for, on-premise signage can be required to be posted on a subject property to announce a pending application review for significant proposals such as use variances, demolitions, etc.

26. Staff Resources

a. **Issue:** The City has limited staff and resources for the volume and magnitude of the current project and application pipeline.

   i. Potential Solution: Seek additional staff, resources, whether permanent or through third party consulting services.

27. Evaluate Procedures

a. **Issue:** There is a perception that variances are freely granted.

   i. Potential Solution: Consider clarifying the standards upon which variances are based and provide additional guidance regarding how concepts such as "character of the neighborhood" are documented and defined.

b. **Issue:** Land Use Board processes are too lengthy.

   i. Potential Solution: Consider an administrative review process for simple applications and focus the land use board involvement in the larger, more challenging or precedent-setting decisions.

   ii. Potential Solution: Consider setting threshold parameters for an "early determination of major noncompliance" for project proposals that are far afield from the existing ordinance requirements.

c. **Issue:** Current regulation does not discourage code violations.

   i. Potential Solution: Strengthen code enforcement provisions in the Administration and Enforcement section of the UDO.

d. **Issue:** Larger or more professional design applications can often be treated differently than smaller novice applicants.

   i. Potential Solution: Improve application guidelines and improve materials to better assist small project applicants.

e. **Issue:** The land use boards guide development in the City and should be staffed with qualified members.

Sustainability and Resiliency

"The process of designing, developing, and inhabiting the built environment has a profound influence on a community's economy, environment, and quality of life. In the United States, buildings account for approximately 36 percent of total energy consumption, 30 percent of greenhouse gas emissions, 13 percent of water use and approximately 170 million tons per year of construction and demolition (C&D) debris. Buildings also contain indoor air that can be 100 times more polluted than outside air."

Sustainable Design and Green Building Toolkit for Local Governments, June 2013

i. Potential Solution: Consider adoption of appointment guidelines/requirements as permitted by state enabling legislation.

Sustainability, Resiliency, and the Environment

Background

The vision set forth in the 2015 Comprehensive Plan states "The overriding philosophy that will guide future development of our "City in the Country" will be sustainability".

The availability of reliable, resilient, and affordable energy is critical to the welfare of Saratoga Spring's citizenry and is essential to our local and state economy. In 2015, New York adopted a new State Energy Plan which puts New York State on a path to achieving the following clean energy goals:

- 40% reduction in greenhouse gas emissions from 1990 levels
- 50% of energy generation from renewable energy sources
- 600 trillion Btu increase in statewide energy efficiency

To meet these goals, Governor Andrew M. Cuomo directed the Public Service Department (PSC) to establish a new Clean Energy Standard mandating 50% of the electricity consumed in NY to come from clean energy sources by 2030. In addition, the State Energy Plan coordinates Governor Cuomo's major new energy initiative, known as Reforming the Energy Vision (REV). REV's goal is to create a cleaner, more affordable, more modern and more efficient energy system in New York, through the increased development of distributed energy resources, like rooftop solar, energy efficiency, and battery storage.

In order to achieve our own comprehensive plan goals, adapt to climate change, and assist in meeting the state's energy goals, Saratoga Springs will need to consider methods through our UDO that could: increase adoption of distributed energy resources, increase energy efficiency of our building stock, and reduce greenhouse gas emissions.

28. Adoption of Renewable Energy and Advanced Technologies

a. **Issue:** Current Solar Access Ordinance may be contradictory to economic development, desired urban form,

and Urban and Community Forestry Master Plan. In addition, it does not define "solar" which could be broadly interpreted.

i. Potential Solution: Replace and/or refine the current Solar Access Ordinance 6.4.8. The City should explore the adoption of all or part of the Central New York Regional Planning and Development Board and/or the Land Use Law Center at Pace Law School's Model Ordinance for Solar Photovoltaic Systems.

b. **Issue:** The City of Saratoga Springs Building Department uses a standard building permit form to review solar applications. The standard permit does not contain solar specific requirements such as the requirement to submit a one-line or 3-line electrical diagram, specification sheets for manufactured components, and details on the manufactured mounting system and modules – elements essential for the permit approval process.

i. Potential Solution: Adopt the New York State Unified Solar Permit or a variation of that permitting process which meets the needs of the City and covers all size solar systems.

c. **Issue:** Non-conforming lots may have an accessory structure as the sole use on a residential property. The current allowance of accessory structures on non-conforming lots does not take into account solar arrays as the solar structure and/or use on the property.

i. Potential Solution: Consider removing solar in the definition of allowed accessory structures.

ii. Potential Solution: Add language that solar arrays/systems cannot be the principle use or structure on a property.

d. **Issue:** Solar as utility establishments are not well defined and detailed in the current zoning ordinance. Solar energy systems vary greatly in size and shape, and require varying levels of review depending on magnitude of impacts.

i. Potential Solution: Update the UDO to define each type of solar energy system the City wishes to allow and regulate.

ii. Potential Solution: Determine where to permit and how to regulate each defined system in the UDO, as each must be subject to clear standards and have an appropriate required approval process or exemption.

iii. Potential Solution: Define general standards and application requirements for large-scale solar power generation installations. Consider if site plan, operations and maintenance plan, landscaping plan, liability insurance, decommissioning plan, and/or financial surety should be required for approval.

e. **Issue:** Existing ordinance does not encourage the adoption of Renewable/Distributed Energy Resources in New Construction and Substantial Renovation.

   i. Potential Solution: Encourage and/or require solar ready design for new construction projects larger than 5000 square feet.

f. **Issue:** The most effective point in the development process to encourage solar orientation is when a parcel is being subdivided into lots for sale. Saratoga Spring's subdivision regulation does not require streets and lots to be oriented to maximize the solar resource available to each lot or to a minimum percentage of lots.

   i. Potential Solution: Explore methods to encourage subdivision solar orientation analysis.

29. Electric Vehicle (EV) Ready Environment

a. **Issue:** Current zoning does not define permitted electric vehicle supply equipment uses by zoning district nor encourage increased adoption of electric vehicle supply equipment.

   i. Potential Solution: Explore what methods other municipalities encourage EV readiness in zoning.

   ii. Potential Solution: Include language that expressly allows EV charging stations in all zoning districts.

   iii. Potential Solution: Explore requiring Level 2 or 3 charging station be installed in off street parking areas of new commercial development.

30. Energy Efficiency

a. **Issue:** By following existing zoning regulation, the City may not be able to achieve the energy efficiency goals outlined in the comprehensive plan and yield the desired long term benefits for our community.

   i. Potential Solution: Explore "incentives" (monetary or otherwise) for new commercial building construction projects and/or commercial significant renovation projects that exceed the current version of the NY State building code exceeding building code by 20%. Example - the building owner could receive a green building "Payments in Lieu of Taxes" (PILOT). Virginia Beach offers property tax relief for homes or buildings that are at least 30% more efficient than the current state energy code. If a home or building is certified as 30% more efficient by an architect or engineer, the owner gets a 15-cent reduction in property taxes per $100 of assessed value each year the incentive is offered.

   ii. Potential Solution: Explore requirements for all new construction and major renovations of city-owned, occupied, or funded buildings over 10,000 sq. ft. to

exceed the current version of the NY State building code exceeding building code by 20%.

iii. Potential Solution: The Planning Department could offers free green building consultations to help improve an applicant's project(s).

iv. Potential Solution: Explore tools for building owners to complete whole-building energy assessments prior to renovation of residential buildings.

31. Environment

a. **Issue:** The City of Saratoga Springs may not have the necessary tools to practically and effectively reduce the obtrusive aspects of outdoor light usage while preserving safety, security, and the nighttime use and enjoyment of property.

   i. Potential Solution: Explore adoption of all or parts of the International Dark-Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA) Model Lighting Ordinance (MLO) or the Pattern Outdoor Lighting Code in order to address outdoor lighting pollution.

b. **Issue:** Developers are not encouraged to conserve and reuse building materials and/or recycle construction and demolition debris.

   i. Potential Solution: The City could develop a construction and waste demolition diversion plan. Some municipalities require projects to divert a percentage of construction and demolition debris away from the landfill through reuse, recycling and composting.

c. **Issue:** Current regulation does not encourage water conservation methods. Water conservation reduces the burden on municipal water supply and wastewater systems, saves energy from reduced amounts of water pumped, treated and distributed, and reduces wastewater treatment collection.

   i. Potential Solution: Explore requiring EPA Water Sense toilet and aerators in commercial development.

d. **Issue:** The City may not be providing sufficient regulation to assist in the reduction of heat islands. Rooftops, roads, parking lots and other paved surfaces absorb and retain heat, leading to an increase in air temperatures in the immediate area. Higher air temperatures contribute to higher energy costs for air conditioning, compromise human health, and increase air pollution.

   i. Potential Solution: Incorporate the Urban and Community Forestry Master Plan to enhance tree specifications in the UDO.

   ii. Potential Solution: Explore methods to encourage the development of green roof systems on new and existing buildings.

   iii. Potential Solution: Remove potential impediments to the addition of passive solar shading devices and/or increased overhangs intended to reduce the impact of

solar heat gain on a building or lot, by exempting dimensional requirements under certain circumstances.

e. **Issue:** Developers often use conventional stormwater practices and have not fully embraced green infrastructure techniques that can capture and treat stormwater runoff before it is delivered to the watershed.

   i. Potential Solution: Remove barriers to and promote use of green infrastructure in the UDO. Where possible, encourage use of bioswales, vegetation protection, and rain gardens in concert with more traditional “gray” infrastructure engineered solutions to stormwater management.

PART 3 – Analysis of Zoning Ordinance, Adopted Plans and Policies, and Additional Studies

As part of this zoning diagnostic, a number of previous plans and reports adopted by the city in the past several years were also reviewed. The intent of this review was to identify other findings or improvements which have been recommended which should be incorporated into the new ordinance. A review of each of these plans or reports follows.

Zoning Ordinance Analysis

A review of the existing zoning regulation was conducted to identify areas which required change, or which were recommended to improve the ordinance or make necessary corrections. The following pages represent a more detailed look at specific sections of the zoning ordinance which were identified for potential improvements or corrections.

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
1.7	Interpretation of District Boundaries	Revise or remove provision for when a zoning district boundary line divides a lot, the district requirements on either side of the boundary may be extended into the remaining portion of the property.
2.2	Prohibited uses	Prohibited uses follow former comprehensive plan SDA – needs update. Revise some prohibited uses in transect zones to potentially be permitted with review, provided that transect designs are being met.
Table 2	Special permit uses	There are effectively no uses allowed by right in transect zones. Revise some special permit uses in transect zones to potentially be allowed with site plan review, provided transect designs are being met.
Table 2	Barns and stables	Consider permitting barns and stables as accessory structures in the Suburban Residential – 1 (SR-1) and SR-2 areas, since they are already permitted in Rural Residential (RR), Urban Residential – 1 (UR-1), and UR-2.
Table 2	Car rentals	Add car rental agency to Highway General Business (HGB) district
Table 2	Office/Medical Business / Tourist Related Business districts – South Broadway	South Broadway area near park needs special consideration for sensitive design as approach into the city. Need to improve design considerations for these zones coming into the city gateway.
Table 3	Structure heights	Review and revise height limits in districts. Many residential districts permit up to 60' or 70', UR-5 permits 185' - these should be lower.
Table 3	Structure heights	Clarify in UDO that structure heights do not include accessory appurtenances such as chimneys, spires, cupolas, etc – which are permitted to extend a limited amount above allowed height of structure.
Table 3	Side yard setbacks	Consider removing "total" side yard setback distances, if we already have minimum setbacks for each side.
Table 3	Lot Widths	Review current lot width requirements to ensure compatibility with existing lot widths.
Table 3	Lot Size	Review all of the current lot size and coverage percentages to ensure compatibility with existing lot sizes and neighborhood character.
Table 3	Note (J)	Note (J) regarding size limit of one-story structures in Neighborhood Complementary Use- 3 (NCU-3) district – appears to be error in table - remove this note in NCU-3
Table 3	General notes	Consider removing requirement that terraces and patios must be set back a minimum of 10' from an adjoining property line
Table 3	Minimum 2-story requirement in Transect Zones	Clarify the minimum 2-story requirement for transect zones so that it is not misinterpreted or circumvented

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
Table 3	Industrial-Light (IND-L) district	There are no area and bulk requirements listed for the IND-L district, these should be added.
Sec 2.3 A	Principal buildings	Clarify wording regarding the number of principal buildings permitted per lot.
Section 3 – Overlay Zoning Districts		
Sec 3.1	Transect zones	Clarify use of "should" and "shall" throughout section to ensure required elements are clear.
Sec 3.1	Illustrations	Revise/update illustrations to clarify zoning and design intent
Sec 3.4.3	Corridor Lodging	Review / revise corridor lodging district area, consider adding West Ave, verify existing locations are still needed.
Section 4 – Incentive Zoning Districts		
Sec 4.1	Senior housing incentive	Consider removing 2nd floor requirement for all senior housing developments in the Tourist Related Business (TRB) and HGB districts.
Sec 4.1	Senior housing incentive	Review permitted districts for affordable senior housing incentives to consider what new areas if any may be appropriate
Sec 4.1	Senior housing incentive	Consider still permitting full or partial incentive where development is not 100% senior housing, but instead a large percentage.
Sec 4.2	Open space incentive	Define amount of public open space or other qualifications needed to obtain the density bonus. Consider sliding scale which can go up to the full 20% bonus, based on amount of land and amenities provided.
Sec 4.3	Affordable housing/recreation	Define amount of public recreation space or affordable housing needed to obtain the density bonus. Consider sliding scale which can go up to the full 20% bonus, based on amount of land, amenities or housing provided.
Sec 4.3	Affordable housing/recreation	Clarify design requirements to obtain density bonus, including the fact that any affordable housing must be integral to overall project design and not segregated, if recreation space can be off-site, etc.
Sec 4.3	Affordable housing/recreation	Verify intent that incentive must go through subdivision process.
Sec 4.3	Affordable housing/recreation	Incentive is only permitted in two districts. Review existing districts where incentive is permitted, consider allowing in other districts, perhaps with different requirements if necessary.
Sec 4.3	Affordable housing	Consider adding additional housing types as allowed or encouraged by the zoning to provide better housing diversification and more flexibility.
Section 6 – Supplemental Regulations		
Sec 6.1	Signs	Revise and clarify sign requirements in the UDO. Provide examples of each sign "type" with measurement method, general standards.

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
Sec 6.1	Electronic signs	Clarify code regarding prohibition or limit on digital or video signs, clarify use of neon signs, decoration or advertisements inside of commercial widows.
Sec 6.1	Window signs	Clarify code regarding use of "window" signs, applied on window vs. hung inside of window, size, use in combination with other approved signs, etc.
Sec 6.1	Residential signs	Clarify/revise sign standards for non-residential uses in residential districts. Clarify "residential" districts. Should also permit wall sign in lieu of a freestanding sign, not placed in freestanding sign section.
Sec 6.1	Signs	Clarify use, size and height requirements for all signs by district
Sec 6.1	Sandwich board signs	Clarify use of sandwich board signs, allowed size and where they are permitted, hours of use. Consider permitting on commercial streets other than just Broadway. Consider use outside of public right-of-way.
Sec 6.1	Signs	Clarify and define portable signs, and their difference with sandwich board signs.
Sec 6.1	Signs	Revise code to permit greater flexibility in wall sign placement, accommodate vertical or projecting signs with certain conditions.
Sec 6.1	Signs	Revise code to require, as a condition of a sign permit, that the street address number be prominently displayed on the primary façade.
Sec 6.1	Temporary signs	Add provision for temporary banners or signs for new businesses which have just opened that have not had permanent sign built or approved yet, with limitations.
Sec 6.1	Freestanding signs	Revise code to permit "residential subdivision" signs to be permitted for similar off-street townhouse, apartment or condo developments as well.
Sec 6.2	Parking requirements	Review and revise general parking requirements, verify minimum or maximum number of required spaces. Clarify provisions and alternatives for shared parking, off-site parking accommodations.
Sec 6.2.2	Planning Board waivers	Revise and clarify parking waiver ability of Planning Board to set more specific criteria or safeguards in order to qualify for waiver, set temporary conditional approval during trial period, etc. Set a threshold where board can waive certain requirements without zoning board variance approval. Review allowable districts where this threshold waiver may be obtained, consider different thresholds for different districts. Add ability to waive certain dimensional requirements.
Sec 6.2	Parking requirements	Update/revise off-street loading area requirements.
Sec 6.2	Bicycle parking	Include required bicycle parking provisions for transect zones, recommended bicycle parking for other districts.

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
Sec 6.2	Transect Zone 6 (T-6) parking requirements	Investigate alternatives or mitigations to having no minimum parking requirements for projects within the T-6 district. Consider parking offsets or in-lieu provisions for certain sized projects.
Sec 6.2.7 F	Parking lot landscaping	Revise landscaping standards to provide meaningful landscaped areas as part of parking lot, provide design standards, guidance, calculation method, dimensional requirements, etc. Include landscaping design standards for areas around the perimeter of the parking lot (not just within parking area) and along street frontage as applicable. Landscaping requirements may differ by district.
Sec 6.2.7	Parking	Include provision for permeable parking surfaces, as possible incentive, or to count toward landscaping percentage.
Sec 6.2.7 D	Parking location	Provide acceptable parking setbacks by district for front, rear and side yard areas.
Sec 6.2	Parking structures	Provide design standards for parking structures.
Sec 6.2	Parking structures	Revise code to require/enforce use of liner buildings around parking structures – they are not being provided as originally intended. Avoid creation of single-use structures.
Sec 6.3.3	Vehicle fueling stations	Provide design standards for gas stations.
Sec 6.4.3	Home occupations	Revise and clarify home occupation provisions, consider limit on off-street parking. Coordinate sign requirements with sign section.
Sec 6.4.3	Home occupations	Revise to permit in accessory structure, not limited to primary, with conditions as necessary.
Sec 6.4.4	Temp accessory dwellings	Review and clarify use of temporary accessory dwelling units, time limit on temporary status. Consider permitting in legal accessory structures, or permitting a secondary entrance, instead of limiting to primary structure through primary entrance.
Sec 6.4.6	Pools	Review definition of yard areas on corner lots as it relates to pools, where they could potentially be permitted in front yards.
Sec 6.4.8	Solar access	Revise solar access provision to more adequately balance property rights with right to solar access. Coordinate with solar access committee on recommended strategies for consideration.
Section 7 - Permits & Approvals		
Sec 7.0	Permits and approvals	Revise review and approval process section to clarify process, strengthen requirements and improve public noticing. Add process flow-chart to clarify steps.
Sec 7.1.6	Property owner notification	Consider adding requirement to post notice sign on property notifying public of pending review projects for certain thresholds, such as use variances, special permit applications, demolition or major projects.

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
Sec 7.1.6	Property owner notification	Consider adding requirement for online posting of project descriptions or applications in advance of review board meetings.
Sec 7.2.6	Public hearing	Clarify that public hearings shall also be posted on city website.
Sec 7.2.7	Property owner notification	Consider adding requirement to post notice sign on property notifying public of pending review projects for certain thresholds, such as use variances, special permit applications, demolition or major projects.
Sec 7.3	Land disturbance	Strengthen and clarify land disturbance section. Consider different clearing thresholds for different districts. Include protection for larger, old-growth trees prior to site clearing, provision to have these incorporated into design. Include potential fines for clearing without permit.
Sec 7.3.2	Storm water control	Clarify wording to address ambiguity identified by EPA letter to city.
Sec 7.3.2	Storm water control	Review and revise current stormwater pollution prevention thresholds. Coordinate with current New York State Department of Environmental Conservation (NYSDEC) guidelines.
7.4.18	City Landmarks	Consider removing the listing of individual parcel info and "metes & bounds" data for specific properties and historic districts if this data is already on file with city records and can instead be simply displayed on the map.
7.4.18	Map of Historic District Areas	Update historic district map to include city landmarks.
Section 8 – Variance and Interpretation Appeals		
Sec 8.0	Variances & Interpretations	Consider adding requirement to post notice sign on property notifying public of pending review projects for certain thresholds, such as use variances, special permit applications, demolition or major projects.
Sec 8.0	Variances duration	Consider adding expiration date to variances which were once-utilized, but which are no longer needed.
Sec 10.2	Planned Unit Developments (PUD)	PUDs are currently permitted in almost all districts except RR, and some protected areas. Review zoning districts where PUDs are permitted, consider removing them from transect zones and other districts where they are not needed.
Sec 10.2	Planned Unit Developments	Consider a minimum lot/land size for PUDs.
APPENDIX A – DEFINITION OF TERMS		
	Definitions, general	Combine all definitions from subsections of city code into one section. Cross-check for duplicates, conflicts and consistency with usage in code. Identify terms in code which are missing from definitions.
	Agriculture	Consider revising definition of agricultural uses to expand activities, include agri-tourism, production for consumption on-site (tastings, events, tours) and retail sales.

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
	Yard-Front	Clarify definition of corner lot to explain remaining two sides of the lot are "sides".
	Story	Clarify definition of "story", especially with regards to required 2-story development.
	Accessory structure (residential)	Update definition for "accessory residential structure" to include potential for finished and/or habitable spaces.
	Accessory structure (residential)	Clarify definitions in code related to dwelling units, and the specific features such as bathrooms, kitchens, etc. which differentiate between a normal habitable space used for a playroom or office from an accessory dwelling unit.
	Accessory structure	Add a definition for accessory structure. Clarify the inclusion of antennas, satellite dishes, solar panels, HVAC equipment etc and how those relate to required setbacks or distance separations.
	Structure	Revise definitions to not define air conditioning units and similar mechanical systems as a structure. Develop separate category and distance separations for them.
	Alley	Review and clarify definition of "Alley".
	Family, transients, etc.	Clarify/revise definition single-family residences and transient accommodations – include tenure.
General / Other		
	Infill development	Need to ensure more consistency with neighborhood context for infill development and teardowns.
	Utility lines	Require or incentivize buried utility lines underground in certain areas and with certain triggers.
	Civic / Amenity spaces	Refine requirements for these and clarify. How are these measured? Provide list of items developers can choose from, trails, and gardens.
	Street standards	Integrate complete streets plan into street standards.
	Carriage houses	Include standards to help insure architectural style or character of carriage houses remains original or tied to design of primary structure.
	Sidewalks	Provide mechanism for city to require sidewalk construction in missing/infill areas as part of building permit approval or other process.
	Neighborhood character	Provide basic controls to maintain built pattern of historic neighborhoods with regard to front porches, garage to the side or rear of site, attached or detached, etc.
	Transect zoning	Need to help encourage transect zoning designs to break up the scale and mass of the building, more creative designs.
	Street lighting	Require dimming adapters for LED streetlights
	First floor retail	Need to better define how much of the first floor area needs to be usable commercial space instead of inactive uses such as parking.

Analysis – Existing Zoning Ordinance		
Section	**Topic / Item**	**Recommendation**
	Mixed-use developments	Consider re-defining "mixed-use" as potentially being mixed-use for the entire property (rather than only for each individual building) to provide greater design flexibility in certain zones. This would allow a commercial building along the street with a residential building in the rear.
	Public Notices	Review and revise public notice procedures to clarify that notices should be sent in radius, measured from property line of subject parcel, and not applicant address.

Each of the recommendations in the table above are planned to be researched for inclusion in the code edits, unless directed otherwise. The recommendations listed here are not intended to be fully inclusive, as additional edits to the city codes are likely to be identified during the course of the project.

2014 Saratoga Greenbelt Trail Plan

Adopted in May of 2014, the Greenbelt Trail Plan outlined a long-term plan to implement a trail system throughout the city. Each of the items below was reviewed to see how it could be further implemented in the new UDO code.

Section / Page	Recommendation	How to Implement or Improve
Section 1, pg 6	Incorporate Saratoga Greenbelt Trail into zoning map.	Consider showing location of the Saratoga Greenbelt Trail on the zoning map. Development proposals should include reservation of the rail corridor area for future trail and open space use, but such proposals shall not be penalized for reserving the rail corridor acreage when calculating density. If public access or recreational use is not feasible on an individual parcel of land when development proposals are approved, then such proposals should include reservation of these lands for future conservation and open space use. Consider formalizing all existing trails by ensuring that they are zoned Institutional Parkland/Recreation. Consider the creation of a trail/greenway overlay zone.
Section 6, pg 70	Use shared use path guidelines outlined in this document	Incorporate shared use path design criteria into street and trail standards within the code; illustrate existing and proposed trail connection on zoning map.
Section 6, pg 71	Use boardwalk guidelines outlined in this document	Consider inclusion of boardwalk design criteria into code, or reference these standards in the trail plan.
Section 6, pg 72	Use shared street guidelines outlined in this document	Incorporate shared street design guidance into street standards within code; identify streets or areas where these elements are desired.
Section 6, pg 73	Use cycle track guidelines outlined in this document	Consider inclusion of boardwalk design criteria into code, or reference these standards in the trail plan; identify streets or areas where these elements are desired.
Section 6, pg 74	Use marked / unsignalized crossing guidelines outlined in this document	Incorporate marked / unsignalized crossing design criteria into code as part of general street standards.
Section 6, pg 75	Use signalized / controlled guidelines outlined in this document	Incorporate signalized / controlled crossing design criteria into code as part of general street standards.
Section 6, pg 76	Use undercrossing guidelines outlined in this document	Consider inclusion of undercrossing design criteria into code, or reference these standards in the trail plan.
Section 6, pg 77	Use overcrossing guidelines outlined in this document	Consider inclusion of undercrossing design criteria into code, or reference these standards in the trail plan.
Section 6, pg 78	Use wayfinding and orientation guidelines outlined in this document	Coordinate some of the suggested wayfinding signage with the wayfinding program in progress by the city and incorporate into code.

2013 Urban and Community Forest Master Plan

Adopted in May of 2013, the Urban and Community Forest Master Plan (UCFMP) identified specific current and future legislative changes which needed to be made to preserve and expand our current urban forest. Each of the items below was reviewed to see how it could be further implemented in the new UDO code.

Section / Page	Recommendation	How to Implement or Improve
Section 3, pg 3	Review / revise section 220 of City Code (trees) to make it an effective tool for accomplishing goals of UCFMP*	Follow the UCFMP's draft revision of section 220; include street trees and landscaping requirements in zoning to match goals of UCFMP.
Section 5, pg 4	Update Transect Zone Design	Review / revise code to reflect urban forestry best practices, green infrastructure, and complete streets standards.
Section 5, pg 4	Update Public Water Supply and Wetland Protection District, and Watercourse Protection District	Update sections as needed to reflect the important role of trees and vegetation as part of city's green infrastructure and riparian buffer system.
Section 5, pg 4	Update Special Use Permit	Review / revise to include assessment of existing trees and environmental resources of the site which should be maintained; trees as a buffer function or mitigating impacts.
Section 3.5, pg 4	Update Site Plan Review	Review / revise and expand to include more provisions for preservation of existing trees; planting new trees; landscaping standards.
Section 3.5, pg 4	Update Land Disturbance	Review / revise in context of current site prep / construction best practices and DEC stormwater guidelines, with special provisions to protect trees in ROW.
Section 3.5, pg 5	Update Historic Review	Review / revise to clarify and specify the extent to which Historic Review section affects existing trees in historic district.
Section 3.5, pg 5	Update Parking Requirements	Review / revise references made to 'open space', 'landscaping', 'clearing', 'natural resources', etc. to clarify and enhance specific regulations; provide landscaping standards for parking lots.
Section 3.5, pg 5	Update Planned Unit Developments	Review / revise references made to 'open space', 'landscaping', 'clearing', 'natural resources', etc. to clarify and enhance specific regulations.

Section / Page	Recommendation	How to Implement or Improve
Section 3.6, pg 5-6	Update Subdivision Regulations and consolidate with provisions of the UDO with goal of preserving and expanding the urban forest	Follow the UCFMP's draft revision of the subdivision regulations and make sure changes are synced with other areas of the city code and the UDO.
Section 3.8, pg 6	Revise standard construction / tree planting details to conform to current industry best practices	Review UCFMP recommendations for updates to standard details, coordinate with city.
Section 4.1 C, pg 10	Revise standard details and code to establish standards to allow for greater sidewalk design flexibility	Provide street details which provide adequate tree belt planting widths, flexibility in sidewalk design; alternate pavement designs; structural soil; stormwater best practices, etc.

When the UCFMP was written, it provided very specific steps and changes to the existing city code. At that time, it was not known the city would be working to develop a UDO. It is now generally recommended that the current city code Chapter 220 – Trees could be incorporated entirely into the new UDO code as part of the general urban forest requirements. This would provide guidance on future landscaping, street trees and maintenance of existing foliage within one document.

The UDO can assimilate several elements into a more cohesive set of urban forestry and landscape design guidelines. These guidelines can help refine, clarify and integrate the design intent of the city's transect zones, tree code, Urban and Community Forestry Master Plan, complete streets policy and related studies.

2012 Complete Streets Policy

Adopted May of 2012, the Complete Streets policy sought to identify specific ways which the streets and roads of Saratoga Springs could be improved over time to enhance and provide transportation options to multi-modal transportations systems, including walking and bicycling.

The final Complete Streets plan is currently in progress. The UDO development team will be working in parallel with that effort to incorporate the details of the Complete Streets designs into the new code as it is established.

Page	Recommendation	How to Implement or Improve
pg 7	Requirements for defined pedestrian and bicycle spaces, specific sidewalk requirements, street trees, benches, pedestrian scale lighting, transit stop shelters, bike racks, etc.	Incorporate recommendations as part of new street design standards. Provide graphic design guidelines depicting new goals and requirements for street improvements.
pg 7	Maintain compact land use pattern	Strengthen and maintain land use policy of urbanized downtown with surrounding greenbelt; minimize potential for sprawl.
pg 9	Focus growth downtown	Same as above.
pg 9	Encourage non-vehicular traffic	Conversely, use parking regulations to discourage excess vehicular traffic.
pg 9	Complete Streets checklists should be completed by project sponsors for all municipal and private projects that impact city streets	Include checklists as part of new code. Checklist could be used in code and for review of private development projects by the land use boards.
pg 10	Identify current regulations in the UDO and provide recommendations and amendments to enhance guidelines	Incorporate design concepts into new street standards; review 'Shared Access Saratoga's 2011 Complete Streets Policy Audit'.
pg 12	Enforcement of complete streets policy	Define criteria in code where complete streets requirements or goals must be met via street reconstruction or transitional improvements over time.

2006 Building Heights Study

In 2006, BFJ Planning conducted a study of building heights in the core downtown areas of the city to assess the current allowable building heights in comparison to the heights of the existing buildings, and what it may look like if the full heights were achieved. The study identified a range of options for building heights which were more contextual to individual streets, based on relative width to height ratios. Based on the findings of the study, some reduced building heights were suggested on narrower streets to more closely align with a desired 1:1 ratio. Additional suggestions were made with regard to providing some variability in building or facade height to maintain a more interesting character, or to emphasize corner conditions.

The options suggested in the study will be considered for inclusion in the code, specifically with regard to the extent to which these would be applicable to form-based codes and design guidelines in some of the transect zones.

2002 Open Space Plan

Adopted by the city in 2002, the Open Space Plan identified goals and strategies to protect valuable natural resources and open space areas throughout the city.

Page	Recommendation	How to Implement or Improve
pg 7	Preserve greenbelt via Conservation Development District (CDD)	Maintain Rural Residential (RR) zoning strategy; require preservation of open space resources via conservation subdivision, amenity zoning and other tools; provide guidance on creative site design.
pg 8	Maintain concept of CDD	Maintain base density of one home per two acres, variable lot sizes, flexible area and bulk requirements; clustered homes using conservation subdivision; density bonuses as incentive for public access / open space / trail provisions.
pg 16	Preserve specific farms identified in the Open Space & Recreation Resources map	Provide guidance information on purchase of development rights (PDR) strategies; amenity zoning strategies.
pg 17	Protect agricultural heritage areas even as development occurs	Use creative subdivision design process outlined for CDD in the comprehensive plan.
pg 17	Avoid development on steep slopes	Review and clarify definition of steep slopes, remove from development area as part of conservation subdivision design.
pg 18	Strengthen stream and buffer requirements	Increase watercourse development buffer from 50’ to 100'; limit soil disturbance activities and require substantial vegetative buffer (no cutting) within 75' of stream.
Pg 18	Strengthen stream and buffer requirements	Indicate watercourse protection overlay areas on zoning map.
pg 18	Increase recreational facilities	Review Open Space and Recreation Resources map for specific areas to be considered for recreation land; utilize amenity zoning to help promote additional recreational areas.
pg 19	Maintain character of specific rural and scenic roads	Consider reasonable landscaping and design standards for future development along scenic routes; encourage clustering or redirecting development away from roadside; consider identifying scenic roads on zoning map.
pg 19	Specific areas for potential rezoning - rural or scenic roads and vistas	Review Open Space and Recreation Resources map for specific areas to be considered for open space zoning.
pg 20	Scenic rural roads guidelines	Develop reasonable landscaping and design standards for roadside areas along identified scenic routes; identify scenic routes on zoning map; sync guidelines of city and county DPW, NYSDOT and improve guidelines for treatment of rural roads.

Page	Recommendation	How to Implement or Improve
pg 20	2 types of gateway areas: primarily undeveloped, and special mixed-use 'gateway' development	Provide basic design and landscaping standards for gateway zoning districts.
pg 20	Improve site design and architecture of development through design standards	Create design guidelines for pedestrian and bike connections, parking buffering, architecture and signage, access consolidation, etc.
pg 21	Increase waterfront access	Utilize amenity zoning to help establish future waterfront access.
pg 24	Trail linkages through easements from willing landowners	Provide incentives in the CDD for providing public access to conservation lands and assistance in development of trails; show existing and future trail connection on zoning map.

2001 A Working Plan for Historic Preservation

Adopted in November of 2001, *A Working Plan for Historic Preservation* outlined strategies to protect the historic architectural resources of the city which contribute and enhance its character. Each of the items below was reviewed to see how it could be further implemented in the new UDO code.

Section / Page	Recommendation	How to Implement or Improve
Section VII - 1.1.1, pg 15	Articulate a consistent vision for historic preservation	Incorporate historic district design guidelines into code; provide guidance for historic preservation.
Section VII - 1.2.3, pg 16	Implement a way-finding / sign plan for heritage tourism sites throughout the city	Coordinate with current city effort to establish wayfinding system; incorporate wayfinding system into code.
Section VII - 1.2.4, pg 16	Develop a display program for downtown buildings and streetscapes. Using a standard format, show a historic photo of the original building with reader-friendly written explanations.	
Section VII - 1.3.2, pg 17	Develop brochures to clarify all archaeological standards and procedures for contractors and provide accurate information as to timeliness of digs and penalties for failure to comply.	Refer to archaeological procedures in code to increase awareness, refer to New York's State Historic Preservation Office (*SHPO*) information.
Section VII - 2.1.2, pg 19	Revisit Articles VII and VIII of the City's Zoning Ordinance to update and strengthen the design criteria for designated buildings and districts.	Review section 7.4 and 7.5 of the zoning code; update and clarify design criteria for Design Review Commission (DRC) applications; provide design review guidance.
Section VII - 2.1.3, pg 19	Require public notice to neighboring property owners for projects coming before the Design Review Commission	Augment and improve the notification procedures for development review applications.
Section VII - 2.1.4, pg 19	Heighten the importance of historic preservation as the basis for regulatory review.	Clarify intent and objectives of historic review process; rename the DRC the Historic Preservation and Design Review Commission.
Section VII - 2.1.5, pg 19	Enact local legislation that requires the City of Saratoga Springs to conform to all historic preservation regulations and processes applicable to private property owners.	Clarify code intent that provisions of historic preservation and design standards apply to municipal projects.

Section / Page	Recommendation	How to Implement or Improve
Section VII - 2.1.8, pg 19	Ensure that historic buildings are not demolished or compromised to provide parking.	Review and strengthen existing language and procedures related to demolition; provide checklists or determining criteria necessary for demolition permit.
Section VII - 2.1.10, pg 19	Review all potentially significant buildings prior to demolition and protect them while alternatives to demolition are sought.	Revise current procedures to enact a 30-day review period for demolition applications.
Section VII - 2.2.4, pg 19	Adopt specific language that requires the Zoning Board of Appeals (ZBA) to make findings of hardship on appeals of DRC decisions, and provide special training for ZBA members who conduct such appeals.	Provide additional criteria and review guidance for historic review applications to assist in the review process; require written findings statement from the ZBA for significant decisions; set threshold for significant decisions; ensure public is adequately notified of significant decisions.
Section VII - 2.3.4, pg 20	Ensure that roadway projects are implemented using state-of-the-art "context sensitive design" techniques that respect the historic fabric of the community.	Incorporate historic considerations into street standards; include context-based considerations when applying a “generic” street standard to a specific street.
Section VII - 2.4.1, pg 20	Expand the National and State Register of Historic Districts and the City's Historic zoning district.	Review the existing boundaries of historic districts and consider expansions and adjustments to align with established areas; review West Side historic district; illustrate historic districts on zoning map instead of on a separate map.
Section VII - 2.4.2, pg 21	Include all properties on, and eligible for, the State and National Register of Historic Places in the City's Historic Zoning District.	Review the existing boundaries of historic districts and consider expansions and adjustments to align with established areas; consider identifying specific historic properties outside of the historic districts-if necessary-on the zoning map to increase awareness during reviews.
Section VII - 2.4.3, 2.3.4, pg 21	Look for additional undocumented historic properties	Review historic district boundaries and historic properties with Preservation Foundation and other groups to update data and verify accuracy.
Section VII - 2.4.5, pg 21	Assess areas peripheral to National Register Districts for possible designation as "Conservation Districts" for buffering purposes	Investigate potential for provision in new code which provides additional protections, buffers or design considerations for applications adjacent to historic properties; alternately, consider expanding historic zoning area to include a new zone for buffering purposes.
Section VII - 2.6.1, pg 23	Protect historic landscapes and vistas important to the community	Include protection measures for historic trees.
Section VII - 2.7.3, pg 23	Develop new sign guidelines and ordinance revisions that are more sensitive to applications on historic buildings and within historic vistas.	Review, clarify and improve existing sign standards; consider a provision for signs on identified historic structures which provides additional direction by DRC to consider historic context.
Section VII - 2.7.4, pg 23	Develop color guidelines and procedures for review of exterior color changes on historic properties.	Review existing criteria on color selections, consider edits to code language which would clarify or provide guidance on appropriate selections.

Section / Page	Recommendation	How to Implement or Improve
Section VII - 2.7.5, pg 23	Develop specific zoning and preservation standards that address the aesthetic and planning issues of "big box" development	Provide additional design standards, form-based code and desired development examples.
Section VII - 2.7.6, pg 23	Develop design guidelines for streetscapes in the downtown area and in the residential historic districts	Provide street standards which direct the design of different types of streets found within the city.
Section VII - 2.7.7, pg 23	Eliminate conflicting policies, such as zoning districts that allow development which is out of character with extant historic buildings	Provide intent, basic principles, guidelines and examples of desired development for each zoning district which would serve to assist in the design review process and inform the reviewing boards in how to achieve the correct character of development that is in keeping with local context.
Section VII - 2.7.8, pg 23	Increase penalties for violations of preservation, zoning and design review regulations sufficient to encourage compliance	Review existing penalties and enforcement procedures in code; consider revisions which would strengthen code and increase compliance.
Section VII - 2.7.9, pg 23	Institute a variety of enforcement mechanisms for specified conditions and incorporate into City codes	Review existing penalties and enforcement procedures in code; consider revisions which would strengthen code and increase compliance; consider performance bonds to ensure compliance with conditions placed on various design review and development approvals.
Section VII - 2.7.10, pg 23	Develop a uniform checklist to aid applicants in tracking their requests as they are being processed and highlight where actions can be taken concurrently	Provide a review and approval flow chart in code to clarify process for applicants; update application checklists; it is recommended that the city establish new procedures (outside of the purview of the code) which would improve the tracking and notification of applications.
Section VII - 2.7.11, pg 23	Examine all review processes to see where they overlap and could be streamlined	Revise process where reviews could be conducted concurrently, simplify where necessary to guard against possible 'catch 22' situations for property owners.
Section VII - 2.9.1, pg 25	Strengthen oversight activities having impacts on archaeological sites.	Review land disturbance code and consider changes to increase awareness of archaeological considerations; increase penalties for clearing or digging without required permits.
Section VII - 2.9.2, pg 25	Develop specific standards and guidelines for archaeological review requirements in historic districts and other archaeologically sensitive areas.	

Conclusion

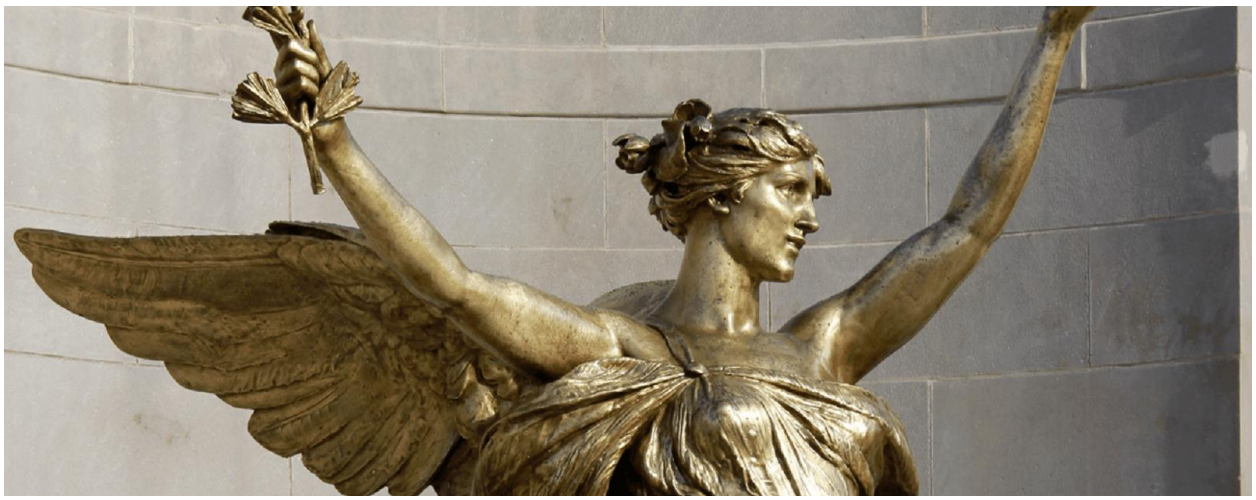
Final Thoughts and Next Steps

This Diagnosis Report evaluates the efficiency and effectiveness of the zoning ordinance, how well it is equipped to implement the 2015 Comprehensive Plan as well as other City adopted plans and policies, and provides an assessment of usability and clarity. This step was designed to enable a discussion—and eventual consensus—on the necessary course of action prior to drafting any new codes. Part Two of this report is numbered so that the City Council and the larger community can track identified issues and potential solutions, provide input to the direction on priority strategies and changes which should be pursued moving forward.

After City Council review, the next step is to develop a detailed outline of how the UDO may be structured, organized and designed to provide a guidance document which is both informative and effective for residents, applicants and city officials alike.

After the structure of the UDO is established, work will begin on compiling the various relevant policy documents and recommended changes into a first draft document for public review. To gain consensus and provide transparency into the process, a public meeting will be scheduled to discuss the draft code and begin a more detailed discussion on specific community interests.

Additional drafts of the proposed UDO will be developed, revised and published over the course of the project as it approaches final adoption, during which point there will be public hearings and land use board reviews.



[FOR OFFICE USE]

_____
(Application #)

_____
(Date received)

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

APPLICATION FOR:
SUBDIVISION APPROVAL

(Rev: 07/2016)

*****Application Check List - All submissions must include completed application check list and all required items.**

Project Name: ZUMPANO SUBDIVISION

Property Address/Location: 119 EAST AVENUE

Tax Parcel #: 166.38-1-16 Zoning District: UR-3
(for example: 165.52-4-37)

Total Acres: 0.430 AC Land to be Subdivided Into: 2 Lots

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	[redacted]		BILL THOMPSON
Address			[redacted]
Phone			
Email			

Identify primary contact person: ☐ Applicant ☐ Owner ■ Agent

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

☐ Sketch Plan – $400

☐ Preliminary Subdivision Plat Approval
1-20 Lots $400
21-50 Lots $600
51+ Lots $1,000 Fee submitted $ _____

☑ Final Subdivision Plat Approval
Residential - $1,000 plus $100/lot $ 1,100.00

Non-Residential - $1,500/lot $ _____

☐ Final Approval Modification
Residential- $250 $ _____

Non-Residential- $500 $ _____

Submission Deadline – Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

Does any City officer, Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES_____ NO __✓__. If YES, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

I, the undersigned owner or purchaser under contract for the property, hereby request Subdivision consideration by the Planning Board for the identified property above. I agree to meet all requirements under the Subdivision Regulations for the City of Saratoga Springs.

Furthermore, I hereby authorize members of the Planning Board and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.

Applicant Signature: _____ Date: 8/4/16

If applicant is not current owner, owner must also sign.

Owner Signature: _____ Date: _____

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

[FOR OFFICE USE]

_____
(Application #)

_____
(Date received)

Rev.05/2016

PRELIMINARY/ FINAL SUBDIVISION APPROVAL REQUIRED SUBMITTAL CHECKLIST

1. Project Name: ZUMPANO SUBDIVISION

2. Checklist Prepared By: BILL THOMPSON Date: 8/4/16

Listed below are the minimum submittal requirements as set forth in The City of Saratoga Springs' Subdivision Regulations. The Planning Board reserves the right to request additional information, as necessary, to support an application. The Board also reserves the right to reject the application if these minimum requirements are not met. Please complete the checklist below and provide with your submission.

REQUIRED ITEMS: ***3 hard copies and 1 digital copy of ALL materials are required.**

CHECK EACH ITEM	
☐	1. Completed Subdivision Application (3 hard copies - *1 w/original signature - and 1 digital) and Fee
☐	2. SEQR Environmental Assessment Form- short or long form as required by action.
☑	3. Set of plans including: (3) large scale plans (sheets must be 24" x 36", drawn to a scale of not more than 1"=50 feet). One digital version of **all** submittal items (pdf) shall be provided.
☐	4. Basic or Full Storm Water Pollution Prevention Plan as required per City Code Chapter 242.
☐	5. Copy of signed DPW water connection agreement for all projects involving new water connections to the City system
☑	6. Engineering Report for Water and Sanitary
☑	7. Complete Streets Checklist
☑	8. Project Cost Estimate-Quantities of work items and estimate of costs

REQUIRED ITEMS ON SUBDIVISION PLAT, AS APPLICABLE:

☑	1. Name of Subdivision
☑	3. Property line survey prepared by a licensed land surveyor. Subdivision plat must reference such survey with all corners set and marked on plan. Reference NGVD 1929 datum. A copy of the original property survey must also be included.
☑	4. North arrow and map scale

☑			5. Parcel tax map number
☑			6. Site location map
☑			7. Site vicinity map (all features within 300 feet of property)
☑			8. Identification of current zoning with corresponding area requirements
☑			9. Building setback lines, either listed or shown on plans
☑			10. Title block with subdivision name; name and address of applicant; and name and address of property owner (if different)
☑			11. Name, address and phone number of subdivision surveyor and/or engineer
☑			12. Names of all adjacent property owners within 300 feet (include both sides of street)
☑			13. Identification of size, elevations, material, and slopes of all existing and proposed utilities within 400 ft of site.
☑			14. Parcel street address (existing and any proposed postal addresses)
Yes	No	N/A	15. Identification of existing or proposed easements, covenants or legal rights-of-way on this property
☐	☐	☑	16. References to all prior variances or special use permits
☑	☐	☐	17. Existing and proposed contours and spot grades (at 2 foot intervals)
☐	☐	☑	18. Identification of all watercourses, designated State wetlands, buffers, Federal wetlands, floodplains, rock outcroppings, etc.
☑	☐	☐	19. Identification of all existing or proposed sidewalks or pedestrian paths (show type, size and condition of existing sidewalks)
☑	☐	☐	20. Location, design specifications and construction material for all proposed site improvements (drains, culverts, retaining walls, berms, fences, etc.)
☑	☐	☐	21. Location and distance to fire hydrant
☑	☐	☐	22. Erosion and sediment control plan – including designated concrete truck washout area
☑	☐	☐	23. Approximate location, dimensions and areas for proposed lots and proposed public recreational land
☑	☐	☐	24. Proposal for utility systems and lateral connections
☐	☐	☑	25. Location and width of proposed streets

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
ZUMPANO SUBDIVISION

Project Location (describe, and attach a location map):
119 EAST AVENUE, SARATOGA SPRINGS, NY

Brief Description of Proposed Action:
SUBDIVIVIDE A PARCEL WITH AN EXISTING HOUSE INTO TWO LOTS AND BUILD A NEW HOUSE ON THE SECOND LOT

Name of Applicant or Sponsor:	Telephone:
ALBERT & NICOLE ZUMPANO	E-Mail:

Address:
[redacted]

City/PO:	State:	Zip Code:
[redacted]		

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3.a. Total acreage of the site of the proposed action? 0.43 acres
b. Total acreage to be physically disturbed? 0.10 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.43 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☑
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☑
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐
b. Is the proposed action located in an archeological sensitive area?	☑	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	☐	☑

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☑ Suburban

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☑ YES

If Yes, briefly describe:

EXISTING STORMWATER SYSTEM IS IN PLACE

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	✔	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	✔	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	✔	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: WILLIAM THOMPSON Date: 8/1/2016

Signature: _____

PRINT FORM

City of Saratoga Springs Complete Streets Checklist

Saratoga Springs Complete Street Policy Vision (May 2012)
The City of Saratoga Springs Complete Streets Policy will encourage the development of a complete streets network throughout the City to create a more balanced transportation system. The Policy shall be consistent with and assist in achieving the goals and recommendations set forth in the City's Comprehensive Plan and other policy documents. The Policy shall ensure new and updated public and private projects are planned, designed, maintained and operated to enable safer, comfortable and convenient travel to the greatest extent possible for users of all abilities including pedestrians, bicyclists, motorists and transit riders.

This checklist is intended to assist the City in achieving its vision for complete streets.

Project Name: ZUMPANO SUBDIVISION **Date:** 8/4/16

Project Location / Limits: 119 EAST AVENUE

Project Description: 2 LOT SUBDIVISION

Instructions: For each box checked, please provide a brief description for how the item is addressed, not addressed, or not applicable and include supporting documentation.

Street Classification (identify street or streets within the project area)
Principal arterial ☐ Minor arterial ☐ Mixed use collector ☐ Mixed use local ☐ Residential collector ■ Residential local ☐ Special use street ☐

EXISTING CONDITIONS				
Item to Be Addressed/ Checklist Consideration	**YES**	**NO**	**N/A**	**Required Description**
Existing Bicycle & Pedestrian Operations				
Do bicycle and pedestrian accommodations exist? (see page 2 for examples)	☐	☑	☐	SIDEWALK ACROSS EAST AVE
Existing Transit Operations				
Do transit facilities exist within the study area, including bus and train stops/stations?	☐	☑	☑	
Is the project area on a transit route? (CDTA Service Routes)	☐	☐	☐	
Are there bicycle racks, shelters, or parking for transit riders available?	☐	☑	☑	
Existing Access and Mobility				
Do connective opportunities exist with schools, hospitals, senior care or community centers or persons with disabilities within project area?	☐	☑	☐	
Are there gaps inhibiting continuous access between schools, hospitals, senior care, or community centers or persons with disabilities within project area?"	☐	☑	☐	
Project Area Context				
Are there prominent landmarks, recreation, shopping, employment center, cultural centers or other key destinations that offer opportunities to connect this site?	☐	☑	☐	
Please list and/or describe planning or policy documents addressing bicyclist, pedestrian, transit, or truck/ freight use for the project area. Examples can include: City of Saratoga Springs Comprehensive Plan, City of Saratoga Springs Open Space Plan, Capital District Transportation Committee Bicycle/ Pedestrian Priority Network, City Standard Details, etc.				

PROPOSED DESIGN

Item to Be Addressed/ Checklist Consideration	YES	NO	N/A	Required Description
Complete Streets Design				
Bicyclist accommodations?	☐	☑	☐	
Pedestrian accommodations?	☐	☑	☐	
Access and Mobility accommodations?	☐	☐	☐	SIDEWALK
Transit accommodations?	☑	☑	☐	
Truck/ freight accommodations?	☐	☐	☑	
Streetscape elements?	☑	☐	☐	SIDEWALK, STREET LIGHT

Bike Facilities:	
Off-roadway bike accommodations	☐ Yes ☑ No ☐ NA
Dedicated bike lane	☐ Yes ☑ No ☐ NA
Shared-use lane	☐ Yes ☑ No ☐ NA
Shoulder	☐ Yes ☑ No ☐ NA
Acceptable actuated traffic signal bike detection, including turn lanes	☐ Yes ☑ No ☐ NA
Do signals allow adequate minimum green time for bicyclist to safely cross intersection?	☐ Yes ☐ No ☑ NA
Signage and pavement markings specific to proposed bike facilities	☐ Yes ☐ No ☑ NA
Bicycle safe inlet grates	☑ Yes ☐ No ☐ NA
Bicycle parking, eg. bike racks, bike lockers	☐ Yes ☑ No ☐ NA
Transit Facilities:	
Transit shelters	☐ Yes ☑ No ☐ NA
Bus turnouts	☐ Yes ☑ No ☐ NA
Standing pads	☐ Yes ☑ No ☐ NA
Has CDTA been contacted?	☐ Yes ☑ No ☐ NA
Access and Mobility Facilities:	
Adequate sidewalk or paved path	☑ Yes ☐ No ☐ NA
Acceptable consideration/provision for accessible pedestrian traffic signal features	☐ Yes ☐ No ☑ NA
Curb ramps, including detectable warning surface	☐ Yes ☐ No ☑ NA
Acceptable slope and cross-slope for driveway ramps, sidewalks, crossings)	☐ Yes ☐ No ☑ NA
Have conflicts been reduced among pedestrian, bicyclists, and motor vehicles (access management)?	☐ Yes ☐ No ☑ NA

Pedestrian Facilities:	
Sidewalks on both sides of the street	☑ Yes ☐ No ☐ NA
Striped crosswalks	☐ Yes ☑ No ☐ NA
Geometric modifications to reduce crossing distances such as curb extensions (e.g. bulb-outs)	☐ Yes ☐ No ☑ NA
Acceptable provision for pedestrian traffic signal features (e.g. ped. buttons)	☐ Yes ☐ No ☑ NA
Pedestrian signage for crossing & wayfinding	☐ Yes ☐ No ☑ NA
Safety islands/medians on roadways with two or more traffic lanes in each direction	☐ Yes ☐ No ☑ NA
Enhanced supplemental pedestrian treatments at uncontrolled marked crossings	☐ Yes ☐ No ☑ NA
Connectivity:	
Are there proposed connections to other bike paths, pedestrian facilities, or transit facilities?	☐ Yes ☐ No ☑ NA
Are there proposed connections to any key destinations listed on page 1?	☐ Yes ☐ No ☑ NA
Are there proposed connections to neighborhoods?	☐ Yes ☐ No ☑ NA
Streetscape Elements:	
Are streetscape elements proposed such as landscaping, street trees, planters, buffer strips, etc?	☑ Yes ☐ No ☐ NA
Pedestrian-level lighting	☑ Yes ☐ No ☐ NA
Public seating or benches	☐ Yes ☐ No ☑ NA

Design Standards and Guidelines				
Design meets guidelines such as described below for bicycle/pedestrian/bus/transit facilities?	☐ Yes	☐ No	☑ NA	Describe

***American Association of State Highway and Transportation Officials (AASHTO)** - *A Policy on Geometric Design of Highway and Streets, Guide for the Development of Bicycle Facilities and AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities; Public Right-of-Way Accessibility Guide*(PROWAG); *Manual on Uniform Traffic Control Devices* (MUTCD); *Americans with Disabilities Act Accessibility Guidelines* (ADAAG); **National Association of City Transportation Officials (NACTO)** - *Urban Bikeway Design Guide*. **New York State Department of Transportation –** *Highway Design Manual*

August 2, 2016

Mr. Tim Wales
City Engineer
Saratoga Springs, NY

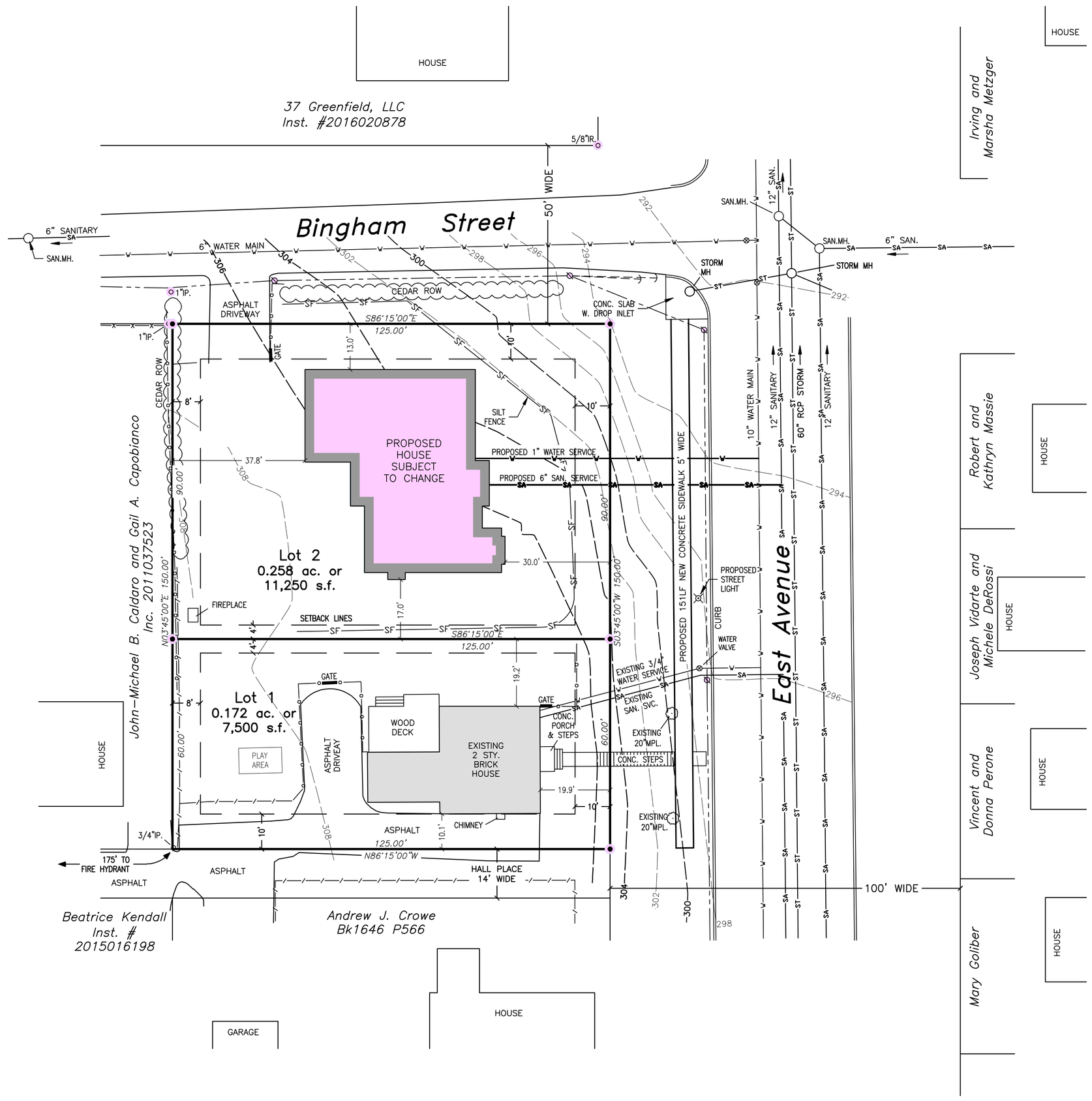
RE: Zumpano Subdivision
119 East Avenue
Saratoga Springs, NY

Site Improvements Cost Estimate for Letter Of Credit

1) 5’ wide concrete sidewalk – 755s.f @ $5.25 = $3900.00
2) Decorative street light - $3000.00
3) Water connection & restoration - $1200.00
4) Sanitary sewer connection & restoration - $1200.00
5) As-Built Drawing - $1000.00

Total Letter of Credit Amount = $10,300.00

Location Map



SUBDIVISION PLAN

1" =20'

Survey Note:

Elevations are based on NGVD 1929 datum.

City of Saratoga Springs Standard Notes

1. All work must conform to all Federal, State and City Codes, specifications, ordinances, rules and regulations.
2. The elevation base for the contours and benchmarks are based on the National Geodetic Vertical Datum, 1929.
3. All refuse, debris and miscellaneous items to be removed shall be legally disposed of off-site by the Contractor to a location approved by the City Engineer.
4. The Contractor must set up a pre-construction meeting with the City Engineer prior to any construction. Construction inspections by a designated representative of the applicant are required. The cost of the construction inspection is the responsibility of the Applicant/Developer. An escrow account to cover the cost of the inspections must be established prior to any construction.
5. The Contractor must obtain a blasting permit from the Building Inspector if any blasting is required.
6. The Contractor must obtain a street opening permit issued by the Department of Public Works for any work in the street or right of way of any City street or road or alley.
7. All points of construction ingress or egress shall be maintained to prevent tracking or flowing of sediment or debris onto a public road.
8. No Certificate of Occupancy will be issued until all site work has been completed in accordance with the approved plans and an as-built drawing has been prepared in accordance with the requirements of the City Engineer.
9. The Applicant must verify that the proposed project can accommodate the turning movements of any fire truck that the fire department do designates.

Map Legend

- • 5/8" steel rod set with a tag
- ○ marker found, labeled
- ⌀ utility pole
- —— - - —— overhead wires
- —x—x—x—x— wire fence

Deed Reference:

Albert J. Zumpano and
Nicole L. Zumpano
Inst. #2012029611

Owner/Applicant

Albert & Nicole Zumpano
119 East Avenue
Saratoga Springs, NY 12866

Tax Parcel #166.38-1-16

UR-3 AREA REQUIREMENTS

Zoning District	Minimum Lot size Square Feet	Mean Average Width (feet)	Maximum Percent of Lot to be Occupied		Minimum Yard Dimensions				Principal Buildings		Accessory Building Minimum Distance to				
			Principal Building	Accessory Building	Front (feet)	Rear (feet)	Each Side (feet)	Total Side (feet)	Minimum First Floor Area (square feet)	Maximum Height (feet)	Principal Building (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)	Minimum Percent of Lot to be Permeable
UR-3	6,600 1-unit / 8,000 2-unit	60 1-unit / 80 2-unit	30	10	10	25	4	12	1 Story=1,200 2 Story=800	60	5	10	5	5	25

Approved under authority of a resolution adopted_____ by the Planning Board of the City of Saratoga Springs.

_____ _____
Chairperson Date Signed

PLANNING BOARD #

Subdivision
for
Albert and Nicole Zumpano
Situate at
119 East Avenue
City of Saratoga Springs, Saratoga County NY

THOMPSON & FLEMING
LAND SURVEYORS, P.C.
12 Lake Avenue
Saratoga Springs NY
12866
Voice: (518) 587-5665
Fax : (518) 587-5772

DATE	DESCRIPTION

REVISIONS

DATE: July 14, 2016

JOB NO.: S16-157.24

DRAWN BY: DES

CHKD.BY: WMT

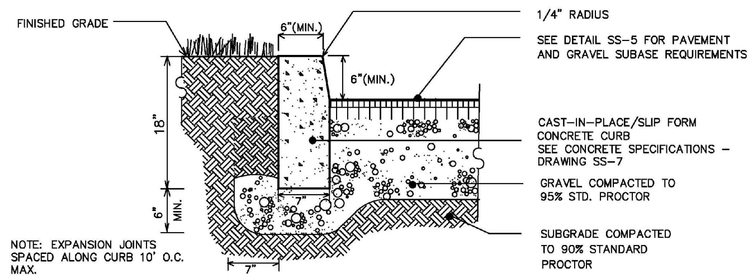
TAX MAP: 166.38-1-16

SCALE: 1" = 20'
10 0 10 20

S1

S16-157.24

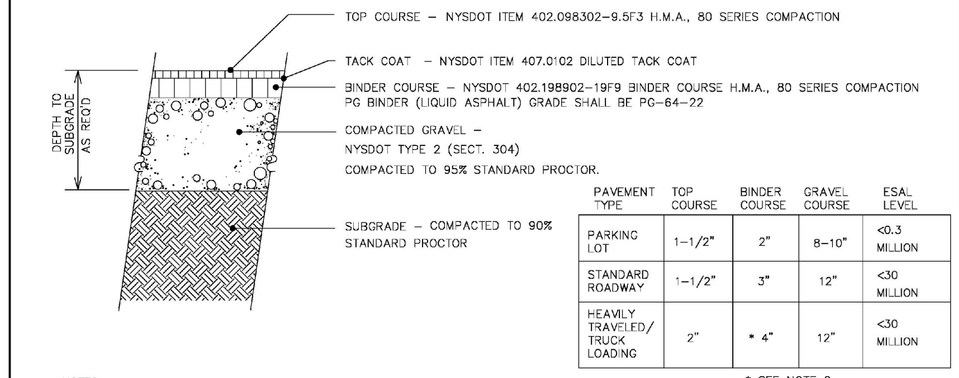
P:\Zumpano, 119 East Ave S16-157\dwg\S16-157 Zumpano.dwg



TYPE 1 CURB – CAST-IN-PLACE/SLIP FORM CONCRETE AT TURF

N.T.S.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Type 1 Curb	DWG No SS-15



PAVEMENT TYPE	TOP COURSE	BINDER COURSE	GRAVEL COURSE	ESAL LEVEL
PARKING LOT	1-1/2"	2"	8-10"	<0.3 MILLION
STANDARD ROADWAY	1-1/2"	3"	12"	<30 MILLION
HEAVILY TRAVELED/ TRUCK LOADING	2"	* 4"	12"	<30 MILLION

* SEE NOTE 2

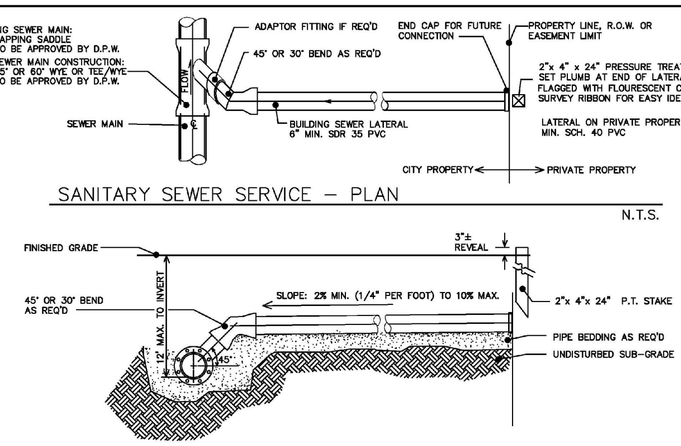
NOTES:

1. PAVEMENT SECTIONS SPECIFIED ARE TYPICAL FOR STREET, DRIVEWAY AND PARKING LOT CONSTRUCTION WHERE TRAFFIC VOLUMES AND LOADINGS ARE NOT EXCESSIVE. BASED ON ANTICIPATED VOLUMES AND LOADS, THE CITY ENGINEER MAY REQUIRE STRUCTURAL PAVEMENT SECTION TO BE INCREASED TO CARRY DESIGN LOADING.
2. BINDER TO BE PLACED IN 2 – 2" LIFTS W/ TACK COAT BETWEEN.
3. THE CITY ENGINEER MAY REQUIRE COMPACTION TESTING AND/OR CORE SAMPLES TO VERIFY PAVEMENT THICKNESSES. ALL TESTING SHALL BE AS ORDERED BY THE CITY ENGINEER AND SHALL BE PAID FOR BY THE CONTRACTOR.
4. NOTIFY THE CITY ENGINEER 48 HOURS MINIMUM PRIOR TO COMMENCING PAVING OPERATIONS..

ASPHALT PAVEMENT

N.T.S.

APPROVED: PLANNING BOARD	4/10/2013 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Asphalt Pavement	DWG No SS-5



SANITARY SEWER SERVICE – PLAN

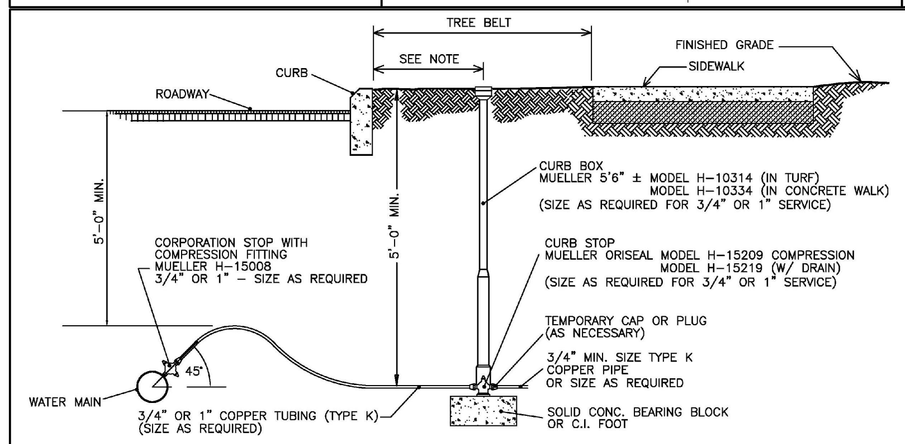
N.T.S.

SANITARY SEWER SERVICE – SECTION

N.T.S.

NOTES:
1.) THE BUILDING SEWER FROM THE BUILDING TO THE SEWER MAIN IS THE OWNER'S RESPONSIBILITY.
2.) CONNECTION TO PUBLIC SANITARY SEWER IS REQUIRED WHEN AVAILABLE PER CITY CODE SECTION 231-14.
3.) A STREET OPENING PERMIT IS REQUIRED FROM THE DEPT. OF PUBLIC WORKS PRIOR TO ANY WORK IN THE PUBLIC RIGHT-OF-WAY.
4.) ANY PART OF THE BUILDING SEWER WITHIN 10 FEET OF WATER SERVICE PIPE SHALL BE CONSTRUCTED OF WATERTIGHT JOINTS.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Sanitary Sewer Service	DWG No SA-3

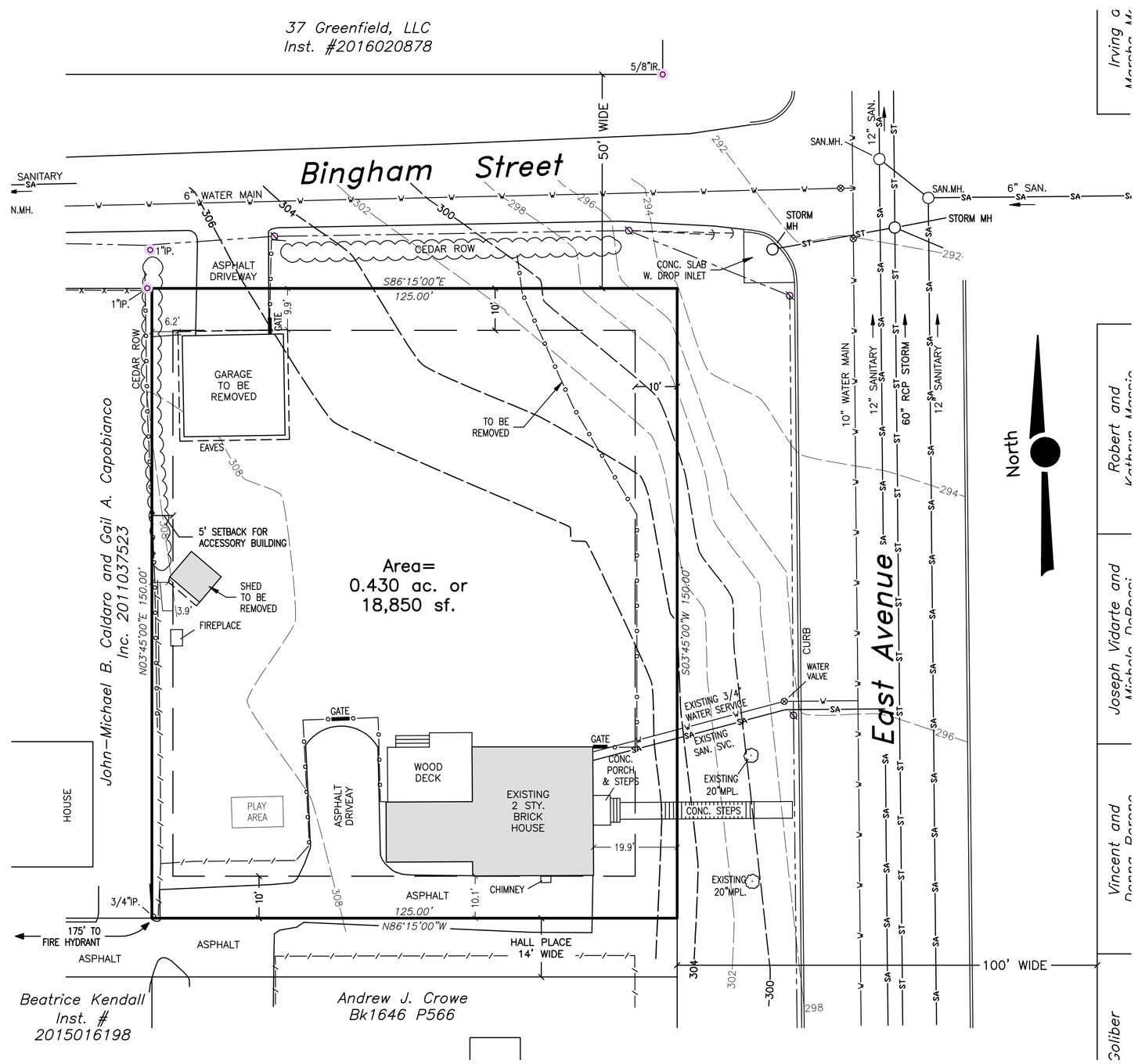


NOTE: LOCATE CURB BOX BETWEEN CURB AND SIDEWALK AT CENTER OF TREE BELT. WHERE NO CURB/TREE BELT IS PRESENT INSTALL CURB BOX AT PROPERTY LINE.

WATER SERVICE

N.T.S.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Water Service	DWG No W-2



EXISTING CONDITIONS PLAN

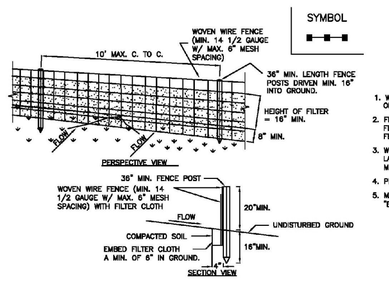
1" =20'

Subdivision for Albert and Nicole Zumpano

Situate at 119 East Avenue

City of Saratoga Springs, Saratoga County NY

THOMPSON & FLEMING LAND SURVEYORS, P.C.
12 Locke Avenue
Saratoga Springs NY 12866
Voice: (518) 587-5655
Fax : (518) 587-5772



CONSTRUCTION SPECIFICATIONS

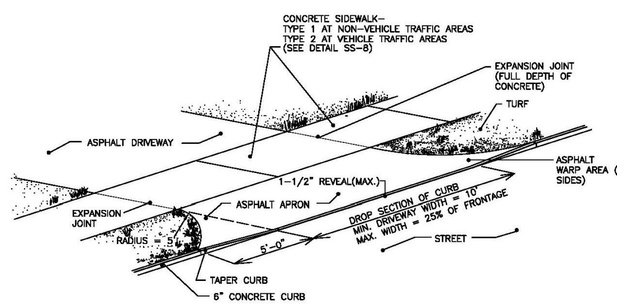
1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER T- OR U- TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE TO PROVIDE A BARRIER TO SEDIMENT. THE FILTER CLOTH SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY BEING HEMMED AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE

N.T.S.

BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

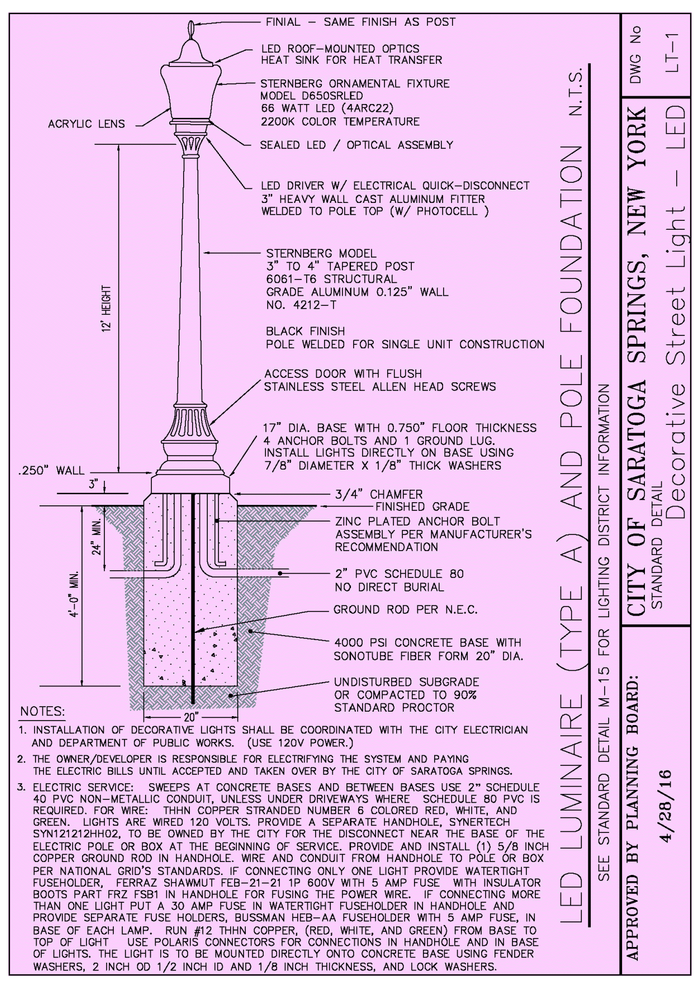
APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Silt Fence	DWG No ST-13



DROP CURB AT RESIDENTIAL DRIVEWAY

N.T.S.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Type 1 Driveway (Residential)	DWG No SS-12



NOTES:

1. INSTALLATION OF DECORATIVE LIGHTS SHALL BE COORDINATED WITH THE CITY ELECTRICIAN AND DEPARTMENT OF PUBLIC WORKS. (USE 120V POWER.)
2. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ELECTRIFYING THE SYSTEM AND PAYING THE ELECTRIC BILLS UNTIL ACCEPTED AND TAKEN OVER BY THE CITY OF SARATOGA SPRINGS.
3. ELECTRIC SERVICE: SWEEPS AT CONCRETE BASES AND BETWEEN BASES USE 2" SCHEDULE 40 PVC NON-METALLIC CONDUIT, UNLESS UNDER DRIVEWAYS WHERE SCHEDULE 80 PVC IS REQUIRED. FOR WIRE: THHN COPPER STRANDED NUMBER 6 COLORED RED, WHITE, AND GREEN. LIGHTS ARE WIRED 120 VOLTS. PROVIDE A SEPARATE HANDHOLE, SYNERTECH SYN121212HHO2, TO BE OWNED BY THE CITY FOR THE DISCONNECT NEAR THE BASE OF THE ELECTRIC POLE OR BOX AT THE BEGINNING OF SERVICE. PROVIDE AND INSTALL (1) 5/8 INCH COPPER GROUND ROD IN HANDHOLE. WIRE AND CONDUIT FROM HANDHOLE TO POLE OR BOX PER NATIONAL GRID'S STANDARDS. IF CONNECTING ONLY ONE LIGHT PROVIDE WATERTIGHT FUSEHOLDER, FERRAZ SHAWMUT FEB-21-21 1P 600V WITH 5 AMP FUSE WITH INSULATOR BOOTS PART FRZ FSB1 IN HANDHOLE FOR FUSING THE POWER WIRE. IF CONNECTING MORE THAN ONE LIGHT PUT A 30 AMP FUSE IN WATERTIGHT FUSEHOLDER IN HANDHOLE AND PROVIDE SEPARATE FUSE HOLDERS, BUSSMAN HEB-AA FUSEHOLDER WITH 5 AMP FUSE, IN BASE OF EACH LAMP. RUN #12 THHN COPPER, (RED, WHITE, AND GREEN) FROM BASE TO TOP OF LIGHT USE POLARIS CONNECTORS FOR CONNECTIONS IN HANDHOLE AND IN BASE OF LIGHTS. THE LIGHT IS TO BE MOUNTED DIRECTLY ONTO CONCRETE BASE USING FENDER WASHERS, 2 INCH OD 1/2 INCH ID AND 1/8 INCH THICKNESS, AND LOCK WASHERS.

LED LUMINAIRE (TYPE A) AND POLE FOUNDATION

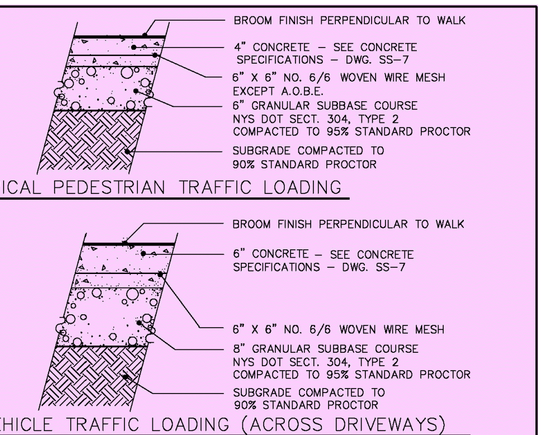
N.T.S.

SEE STANDARD DETAIL M-15 FOR LIGHTING DISTRICT INFORMATION

APPROVED BY PLANNING BOARD: 4/28/16

CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Decorative Street Light – LED

DWG No LT-1



NOTES:

EXPANSION JOINT SPACING – 20'-25' O.C.
CONTROL JOINT SPACING – 5' O.C. NOMINAL
CROSS SLOPE – 1/8" TO 1/4" PER FOOT (MAX.SLOPE 1:50 TYP.) TOWARDS STREET OR A.O.B.E.
MAX. SLOPE ALONG THE LENGTH OF THE WALK SHOULD NOT EXCEED 1:12
CONSTRUCTION JOINT DETAILS TO BE SUBMITTED AND APPROVED BY CITY ENGINEER
SIDEWALK WIDTH TO BE 5' MIN. OR AS ORDERED BY CITY ENGINEER

TYPE 1 – TYPICAL PEDESTRIAN TRAFFIC LOADING

TYPE 2 – VEHICLE TRAFFIC LOADING (ACROSS DRIVEWAYS)

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA SPRINGS RIGHT OF WAYS:
1.) SIDEWALKS MUST BE PLACED IN THE PUBLIC RIGHT OF WAY AT THE PROPERTY LINE.
2.) SIDEWALKS MUST NOT DROP DOWN WHEN CROSSING A DRIVEWAY.
3.) SIDEWALKS MUST NOT EXTEND ACROSS PUBLIC STREETS OR ALLEYS.

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA COUNTY RIGHT OF WAYS WITHIN SARATOGA SPRINGS:
1.) ALL SIDEWALK INSTALLATIONS MUST BE DESIGNED BY A PROFESSIONAL ENGINEER. PLANS MUST BE APPROVED BY THE COUNTY COMM. OF PUBLIC WORKS.
2.) SIDEWALKS MUST BE PLACED ON THE BACK SIDE OF DITCHES OR 8'(MIN.) FROM THE EDGE OF SHOULDER.
3.) SIDEWALKS MUST BE CONSTRUCTED SO AS NOT TO INTERFERE WITH DRAINAGE.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL Concrete Walk	DWG No SS-8

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's Seal is a violation of Section 7209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.

Map Legend

- 5/8" steel rod set with a tag
- marker found, labeled
- utility pole
- water valve
- overhead wires
- wood fence
- chain-link fence

Approved under authority of a resolution adopted_____ by the Planning Board of the City of Saratoga Springs.

Chairperson _____ Date Signed _____

PLANNING BOARD #

DATE	DESCRIPTION
REVISIONS	

DATE: July 14, 2016

JOB NO.: S16-157.24

DRAWN BY: DES

CHKD.BY: WMT

TAX MAP: 166.38-1-16

SCALE: 1" = 20'

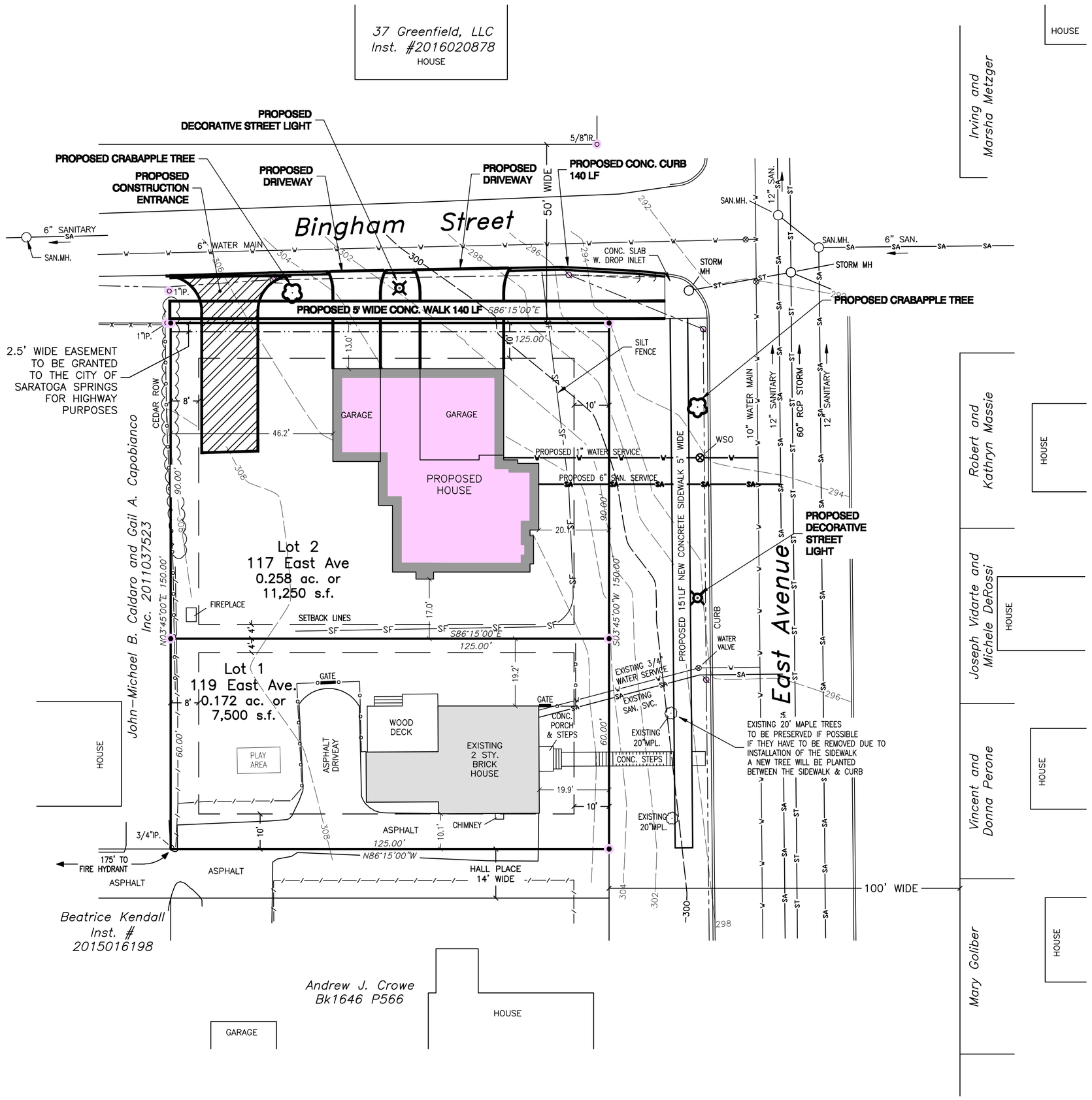
10 0 10 20

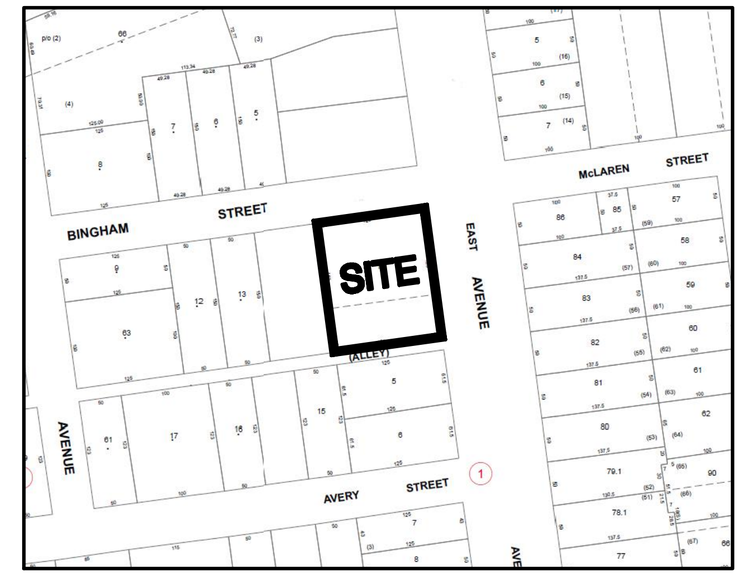
S2

S16-157.24

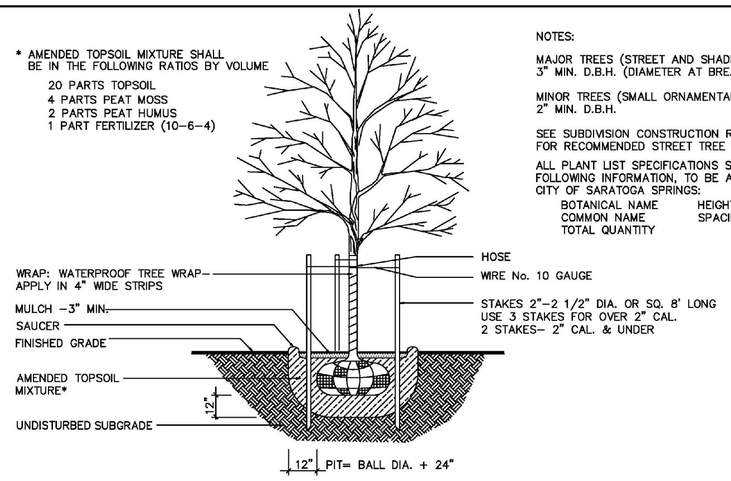
P:\Zumpano, 119 East Ave S16-157\dwg\S16-157 Zumpano.dwg

Vicinity Map





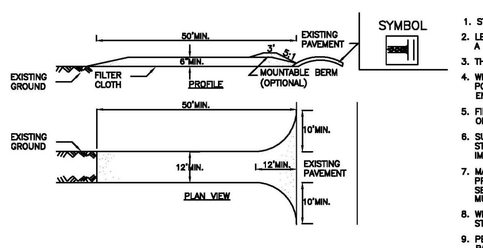
Location Map



TREE PLANTING DETAIL

N.T.S.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Tree Planting	L-1



CONSTRUCTION SPECIFICATIONS

1. STONE SIZE – USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE NTS

BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Stabilized Construction Entrance	ST-11

SUBDIVISION PLAN

1" =20'

Map Legend

- • 5/8" steel rod set with a tag
- ○ marker found, labeled
- ⌀ utility pole
- —— - - —— overhead wires
- —x—x—x—x— wire fence

Deed Reference:

Albert J. Zumpano and
Nicole L. Zumpano
Inst. #2012029611

Owner/Applicant

Albert & Nicole Zumpano
119 East Avenue
Saratoga Springs, NY 12866

Contractor

Galarneau Builders
ph: 518-587-8191

Tax Parcel #166.38-1-16

UR-3 AREA REQUIREMENTS

Zoning District	Minimum Lot size Square Feet	Mean Average Width (feet)	Maximum Percent of Lot to be Occupied		Minimum Yard Dimensions				Principal Buildings		Accessory Building Minimum Distance to				
			Principal Building	Accessory Building	Front (feet)	Rear (feet)	Each Side (feet)	Total Side (feet)	Minimum First Floor Area (square feet)	Maximum Height (feet)	Principal Building (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)	Minimum Percent of Lot to be Permeable
UR-3	6,600 1-unit / 8,000 2-unit	60 1-unit / 80 2-unit	30	10	10	25	4	12	1 Story=1,200 2 Story=800	60	5	10	5	5	25

Survey Note:

Elevations are based on NGVD 1929 datum.

City of Saratoga Springs Standard Notes

1. All work must conform to all Federal, State and City Codes, specifications, ordinances, rules and regulations.
2. The elevation base for the contours and benchmarks are based on the National Geodetic Vertical Datum, 1929.
3. All refuse, debris and miscellaneous items to be removed shall be legally disposed of off-site by the Contractor to a location approved by the City Engineer.
4. The Contractor must set up a pre-construction meeting with the City Engineer prior to any construction. Construction inspections by a designated representative of the applicant are required. The cost of the construction inspection is the responsibility of the Applicant/Developer. An escrow account to cover the cost of the inspections must be established prior to any construction.
5. The Contractor must obtain a blasting permit from the Building Inspector if any blasting is required.
6. The Contractor must obtain a street opening permit issued by the Department of Public Works for any work in the street or right of way of any City street or road or alley.
7. All points of construction ingress or egress shall be maintained to prevent tracking or flowing of sediment or debris onto a public road.
8. No Certificate of Occupancy will be issued until all site work has been completed in accordance with the approved plans and an as-built drawing has been prepared in accordance with the requirements of the City Engineer.
9. The Applicant must verify that the proposed project can accommodate the turning movements of any fire truck that the fire department do designates.

Approved under authority of a resolution adopted_____ by the Planning Board of the City of Saratoga Springs.

_____ _____
Chairperson Date Signed

PLANNING BOARD #16.031

Subdivision
for
Albert and Nicole Zumpano
Situate at
117 & 119 East Avenue
City of Saratoga Springs, Saratoga County NY

THOMPSON & FLEMING
LAND SURVEYORS, P.C.
12 Lake Avenue
Saratoga Springs NY
12866
Voice: (518) 587-5665
Fax : (518) 587-5772

DATE	DESCRIPTION
9/8/16	CITY COMMENTS

REVISIONS

DATE: July 14, 2016

JOB NO.: S16-157.24

DRAWN BY: DES

CHKD.BY: WMT

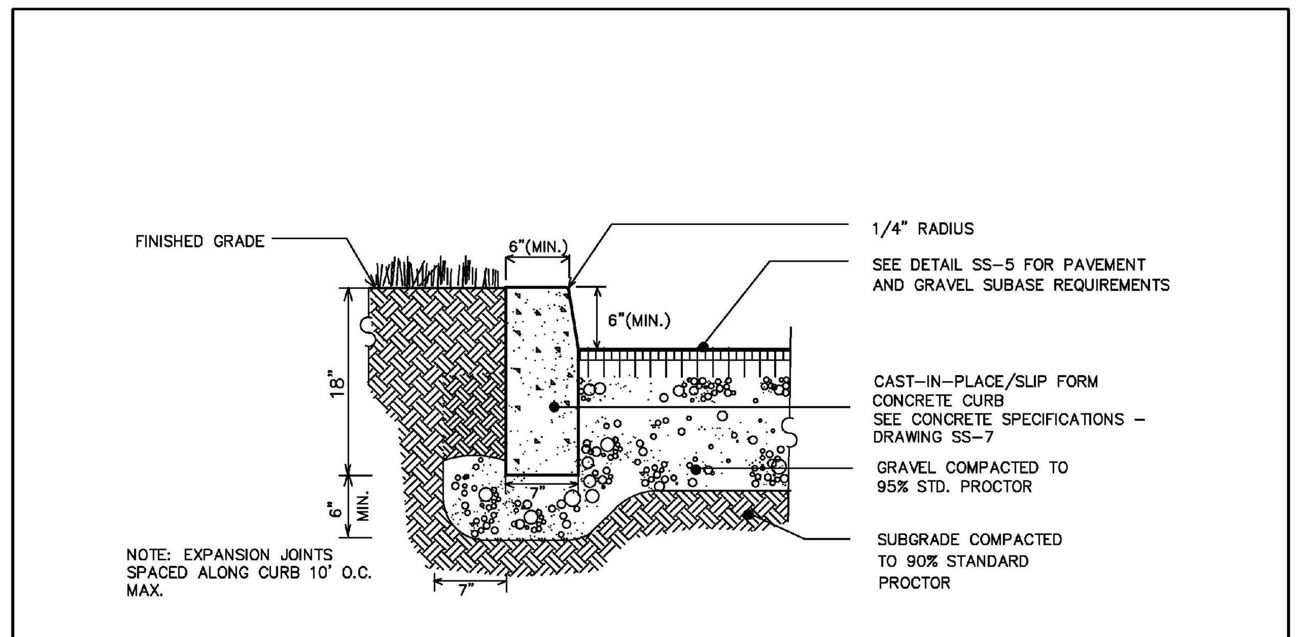
TAX MAP: 166.38-1-16

SCALE: 1" = 20'
10 0 10 20

S1

S16-157.24

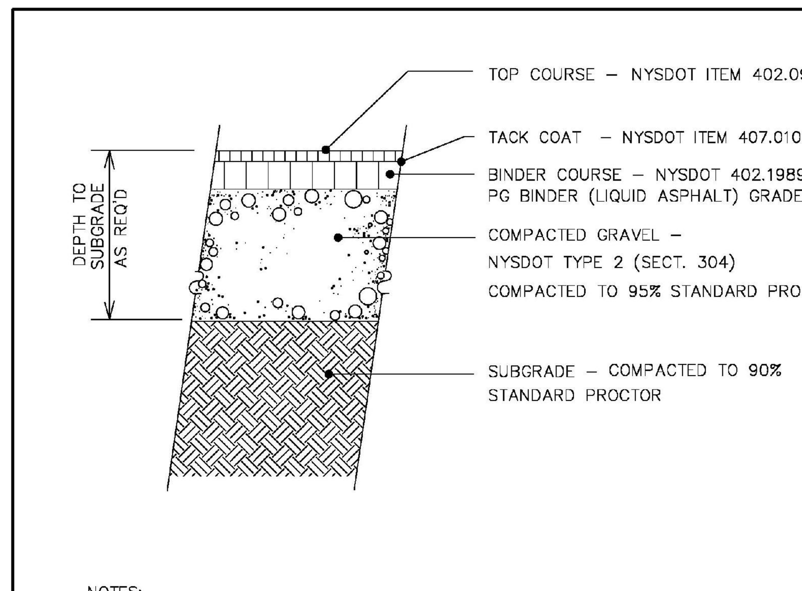
P:\Zumpano, 119 East Ave S16-157\dwg\S16-157 Zumpano.dwg



TYPE 1 CURB – CAST-IN-PLACE/SLIP FORM CONCRETE AT TURF

N.T.S.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Type 1 Curb	SS-15



PAVEMENT TYPE	TOP COURSE	BINDER COURSE	GRAVEL COURSE	ESAL LEVEL
PARKING LOT	1-1/2"	2"	8-10"	<0.3 MILLION
STANDARD ROADWAY	1-1/2"	3"	12"	<30 MILLION
HEAVILY TRAVELED/ TRUCK LOADING	2"	* 4"	12"	<30 MILLION

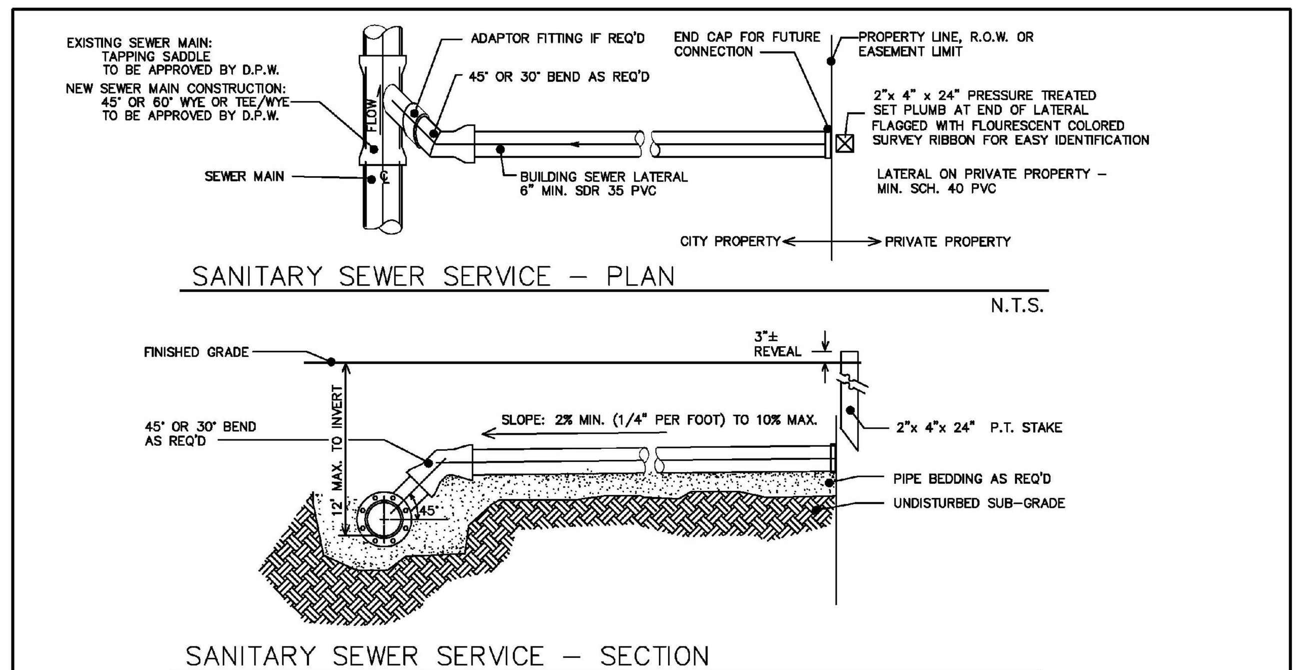
* SEE NOTE 2

NOTES:
1. PAVEMENT SECTIONS SPECIFIED ARE TYPICAL FOR STREET, DRIVEWAY AND PARKING LOT CONSTRUCTION WHERE TRAFFIC VOLUMES AND LOADINGS ARE NOT EXCESSIVE. BASED ON ANTICIPATED VOLUMES AND LOADS, THE CITY ENGINEER MAY REQUIRE STRUCTURAL PAVEMENT SECTION TO BE INCREASED TO CARRY DESIGN LOADING.
2. BINDER TO BE PLACED IN 2 – 2" LIFTS W/ TACK COAT BETWEEN.
3. THE CITY ENGINEER MAY REQUIRE COMPACTION TESTING AND/OR CORE SAMPLES TO VERIFY PAVEMENT THICKNESSES. ALL TESTING SHALL BE AS ORDERED BY THE CITY ENGINEER AND SHALL BE PAID FOR BY THE CONTRACTOR.
4. NOTIFY THE CITY ENGINEER 48 HOURS MINIMUM PRIOR TO COMMENCING PAVING OPERATIONS.

ASPHALT PAVEMENT

N.T.S.

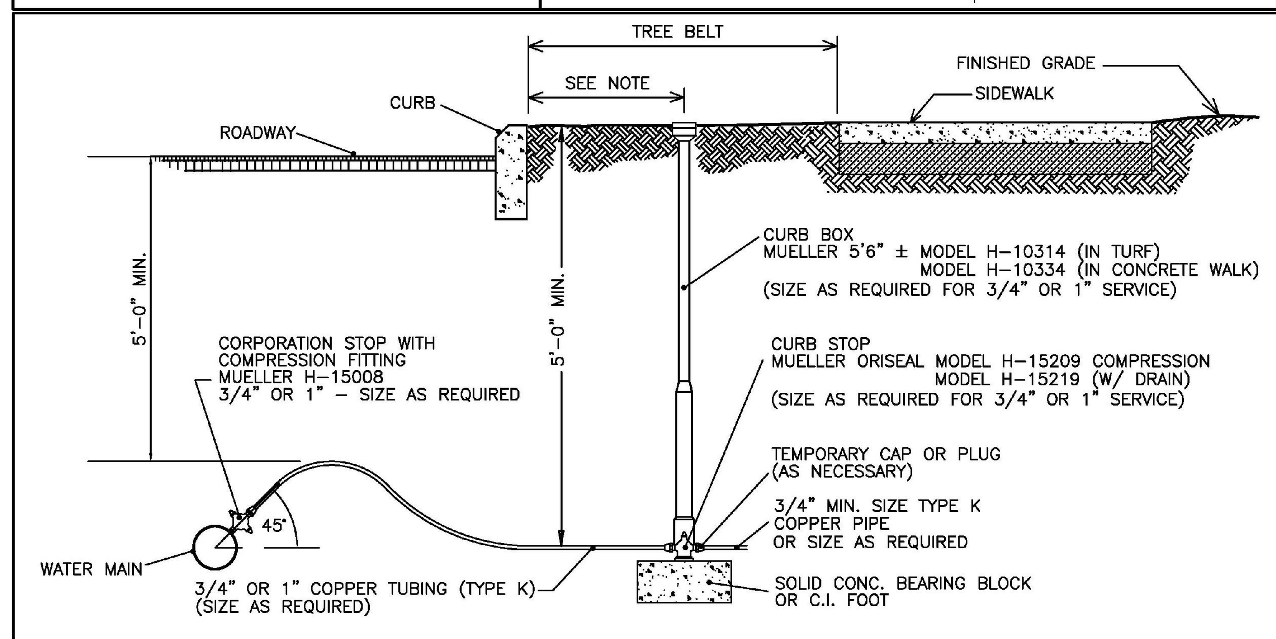
APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	4/10/2013 DATE	STANDARD DETAIL Asphalt Pavement	SS-5



N.T.S.

NOTES:
1.) THE BUILDING SEWER FROM THE BUILDING TO THE SEWER MAIN IS THE OWNER'S RESPONSIBILITY.
2.) CONNECTION TO PUBLIC SANITARY SEWER IS REQUIRED WHEN AVAILABLE PER CITY CODE SECTION 231-14.
3.) A STREET OPENING PERMIT IS REQUIRED FROM THE DEPT. OF PUBLIC WORKS PRIOR TO ANY WORK IN THE PUBLIC RIGHT-OF-WAY.
4.) ANY PART OF THE BUILDING SEWER WITHIN 10 FEET OF WATER SERVICE PIPE SHALL BE CONSTRUCTED OF WATERTIGHT JOINTS.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Sanitary Sewer Service	SA-3

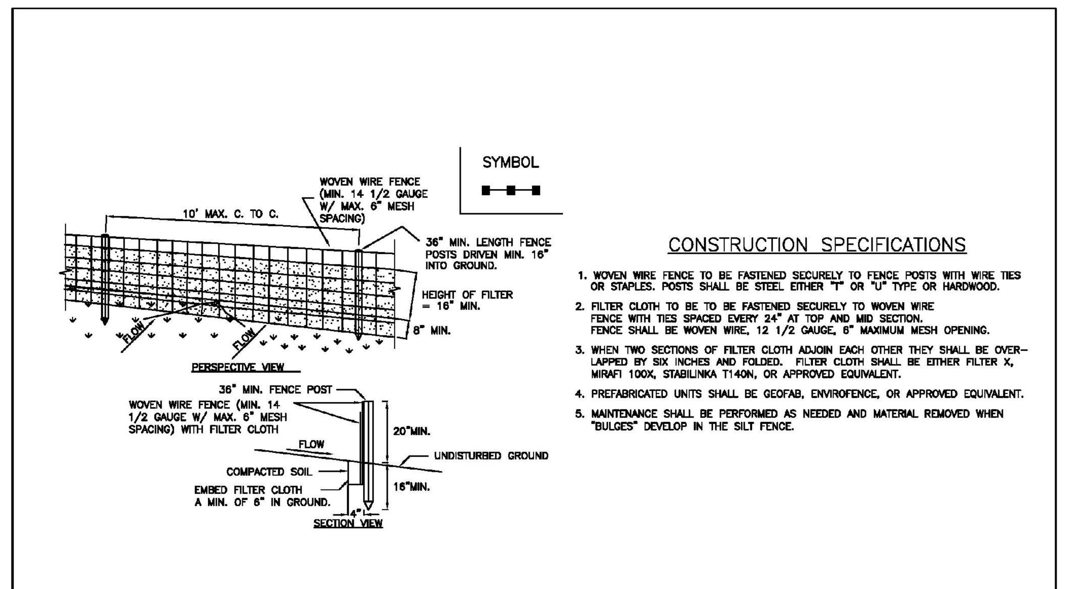


NOTE: LOCATE CURB BOX BETWEEN CURB AND SIDEWALK AT CENTER OF TREE BELT. WHERE NO CURB/TREE BELT IS PRESENT INSTALL CURB BOX AT PROPERTY LINE.

WATER SERVICE

N.T.S.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Water Service	W-2

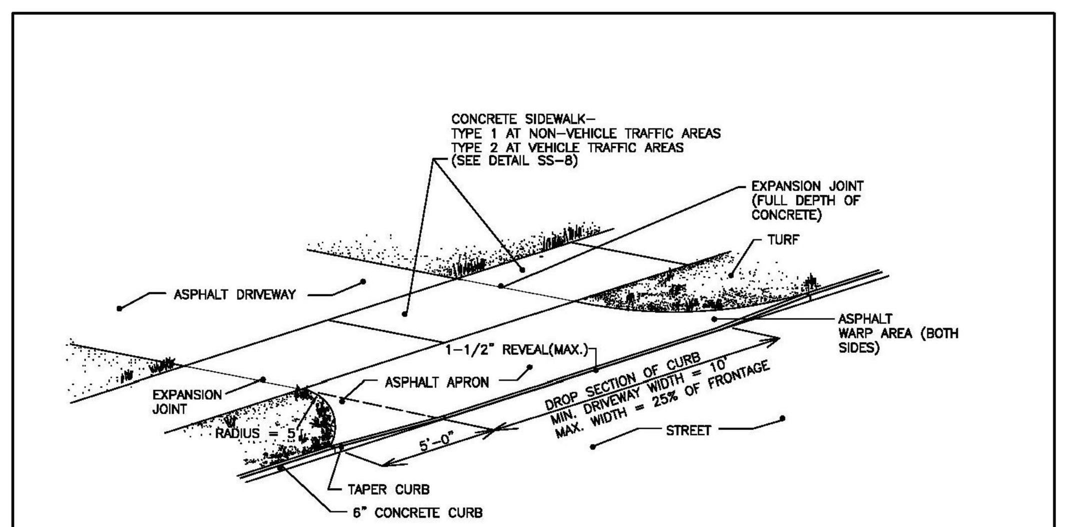


SILT FENCE

N.T.S.

BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

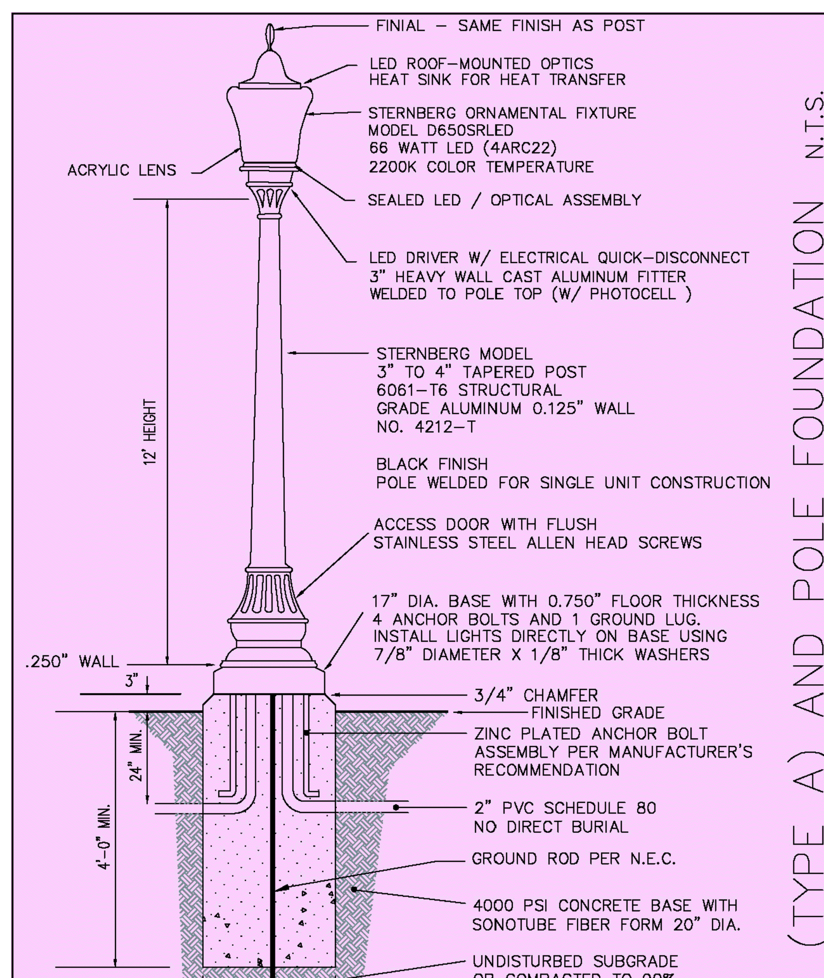
APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Silt Fence	ST-13



DROP CURB AT RESIDENTIAL DRIVEWAY

N.T.S.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Type 1 Driveway (Residential)	SS-12



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LED LUMINAIRE (TYPE A) AND POLE FOUNDATION N.T.S.

SEE STANDARD DETAIL M-15 FOR LIGHTING DISTRICT INFORMATION

APPROVED BY PLANNING BOARD:	CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
4/28/16	STANDARD DETAIL Decorative Street Light – LED	LT-1

NOTES:
EXPANSION JOINT SPACING – 20'-25' O.C.
CONTROL JOINT SPACING – 5' O.C. NOMINAL
CROSS SLOPE – 1/8" TO 1/4" PER FOOT (MAX.SLOPE 1:50 TYP.) TOWARDS STREET OR A.O.B.E.
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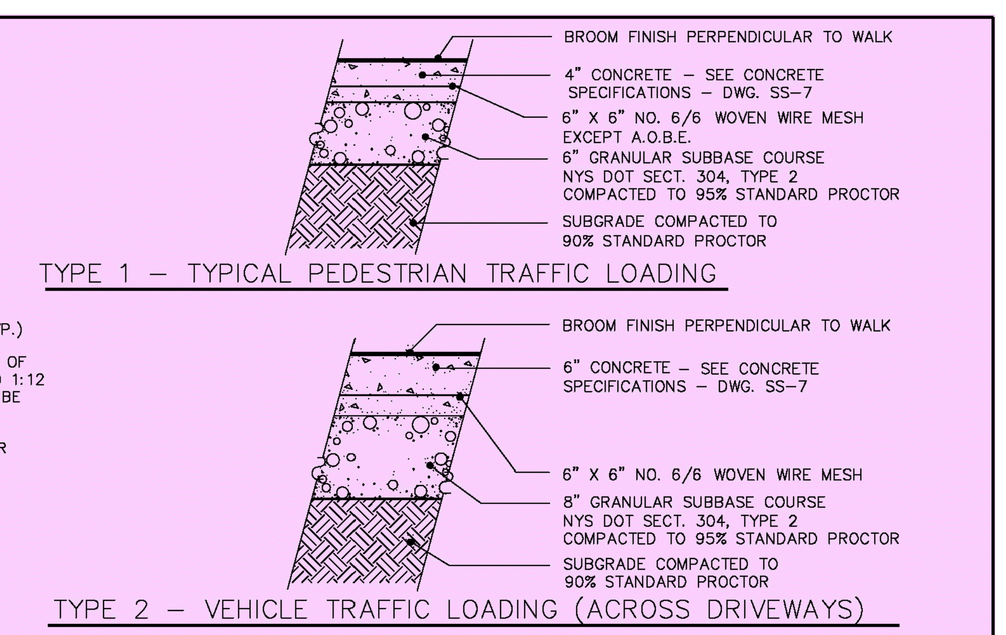

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA SPRINGS RIGHT OF WAYS:
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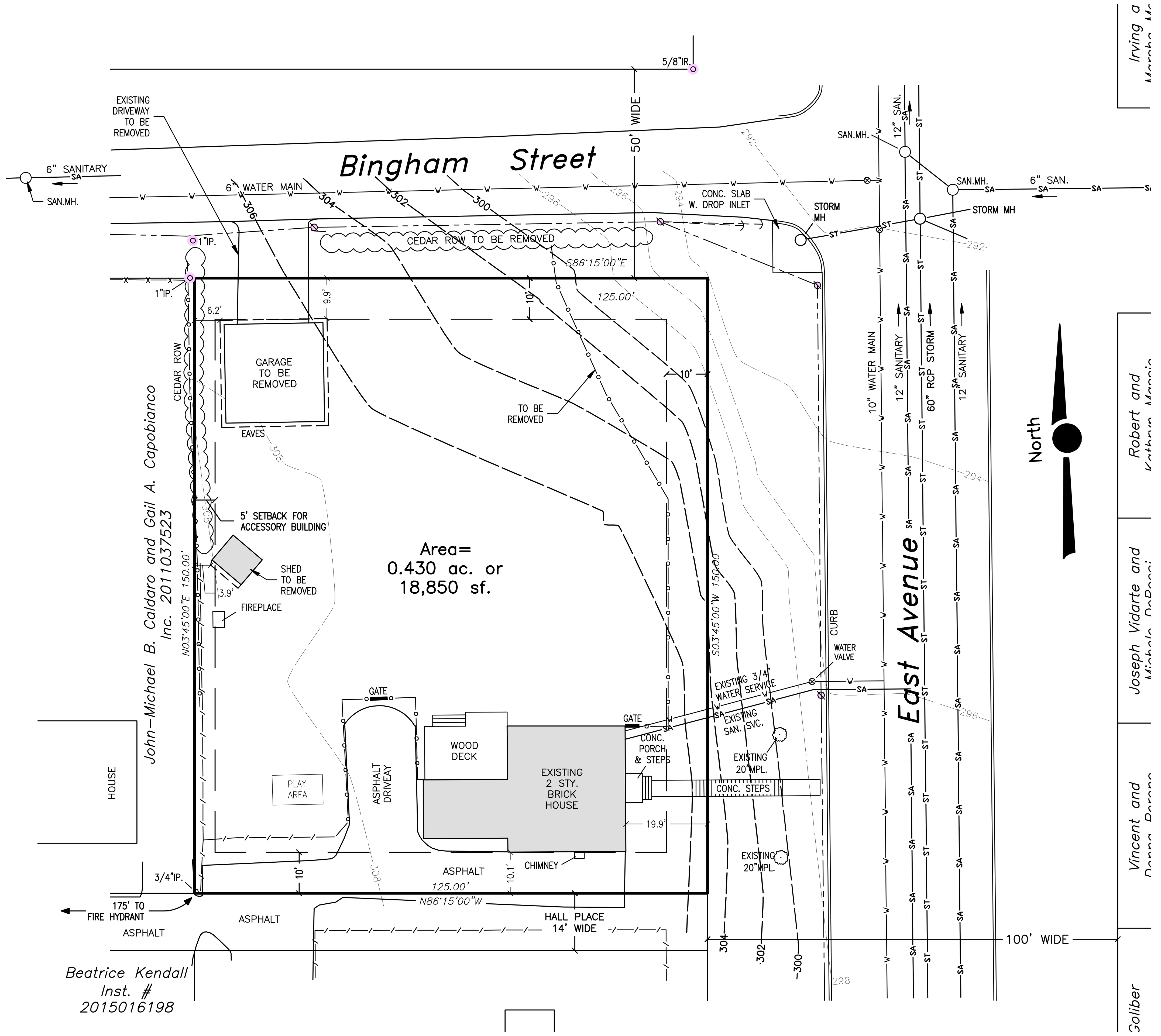
APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Concrete Walk	SS-8



EXISTING CONDITIONS PLAN

1" =20'

Map Legend
• 5/8" steel rod set with a tag
○ marker found, labeled
Ø utility pole
⊗ water valve
——— overhead wires
—/—/—/— wood fence
—o—o—o— chain-link fence

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Approved under authority of a resolution adopted __________ by the Planning Board of the City of Saratoga Springs.

Chairperson __________ Date Signed __________

PLANNING BOARD #16.031

Subdivision
for
Albert and Nicole Zumpano
Situate at
117 & 119 East Avenue
City of Saratoga Springs, Saratoga County NY

THOMPSON/FLEMING LAND SURVEYORS, P.C.
12 Lake Avenue
Saratoga Springs NY
12866
Voice: (518) 587-5665
Fax : (518) 587-5772

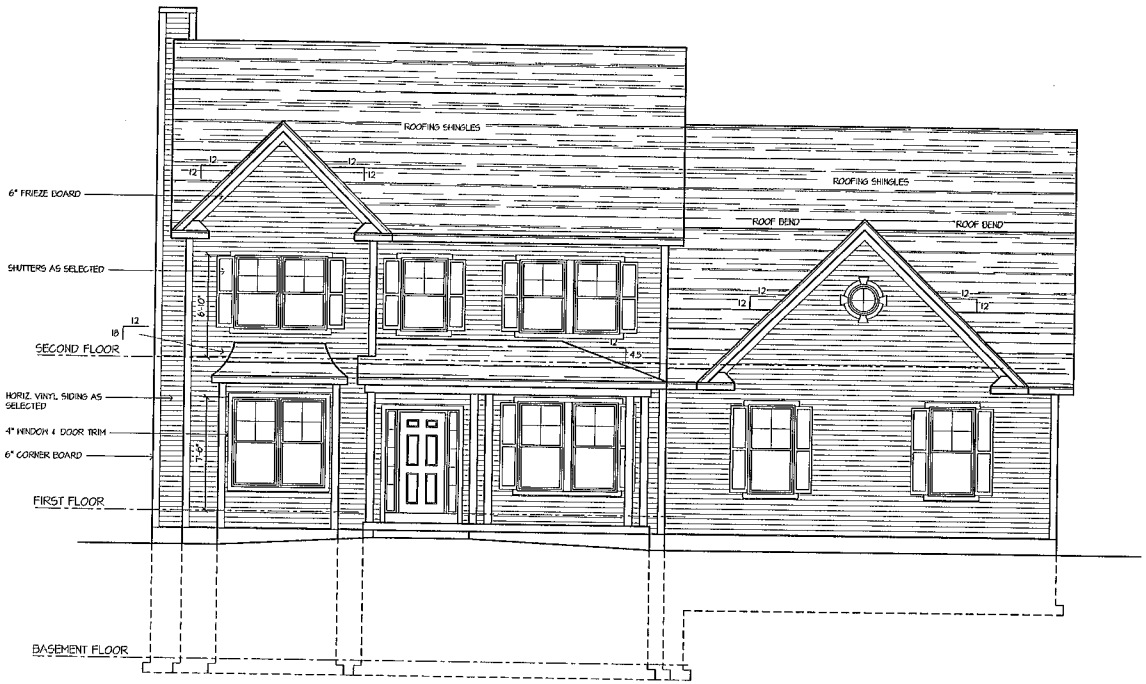
DATE	DESCRIPTION
9/8/16	CITY COMMENTS

REVISIONS
DATE: July 14, 2016
JOB NO.: S16-157.24
DRAWN BY: DES
CHKD.BY: WMT
TAX MAP: 166.38-1-16
SCALE: 1" = 20'
10 0 10 20

S2

S16-157.24

P:\Zumpano, 119 East Ave S16-157\dwg\S16-157 Zumpano.dwg



FRONT ELEVATION

0 2' 4' 8'

SCALE: 1/4" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

FRONT ELEVATION

NEW RESIDENCE FOR:
ALBERT & NICOLE ZUMPANO
119 EAST AVENUE
SARATOGA SPRINGS, NY 12866

PREPARED BY:
JOSHUA GALARNEAU, PE
1 SYDNEY HILL ROAD
SARATOGA SPRINGS, NY 12866
518-279-5491 JOSHUA@GALARNEAUPE.COM

THE BUILDING DESIGN HERE'S OR BASED ON THE NEW YORK STATE ENERGY CONSERVATION CODE OF NEW YORK STATE AND THE INTERNATIONAL CODE OF NEW YORK STATE

NO	REVISION	DATE

GALARNEAU
Brilliant One
326 Maple Avenue
Saratoga Springs, N.Y. 12866
(518) 587-8191
ALL RIGHTS RESERVED

SEAL 1983

DATE: NOV. 26, 2016
SCALE: AS NOTED
DWG BY: DRL
CHECKED BY: JG

A1

DWG 1 OF XX

RIGHT ELEVATION

0 2' 4' 8'

SCALE: 1/4" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

RIGHT ELEVATION

NEW RESIDENCE FOR,
ALBERT & NICOLE ZUMPANO
119 EAST AVENUE
SARATOGA SPRINGS, NY 12866

PREPARED BY,
JOSHUA GALARNEAU, PE
1 SYDNEY HILL ROAD
SARATOGA SPRINGS, NY 12866
(518) 587-8191
THE BUILDING DESIGN & CONSULTING, LLC
ENERGY CONSERVATION CONSULTANTS
HISTORIC PRESERVATION CONSULTANTS
GENERAL CONTRACTING
CONSTRUCTION MANAGEMENT
ENERGY CONSERVATION CONSULTANTS

GALARNEAU
Building One
526 Maple Avenue
Saratoga Springs, N.Y. 12866
(518) 587-8191
ALL RIGHTS RESERVED

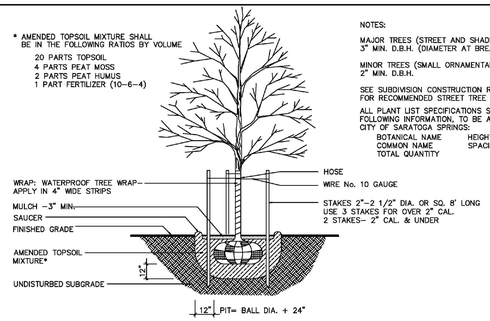
CORPORATE SEAL 1983 NEW YORK

NO	REVISION	DATE

DATE: AUG. 3, 2016
SCALE: AS NOTED
DWG BY: DRL
CHECKED BY: JG

A2
DWG 2 OF 7X

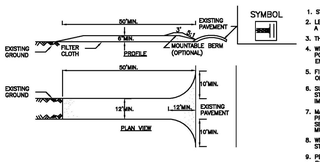
Vicinity Map



TREE PLANTING DETAIL

N.T.S.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Tree Planting	L–1



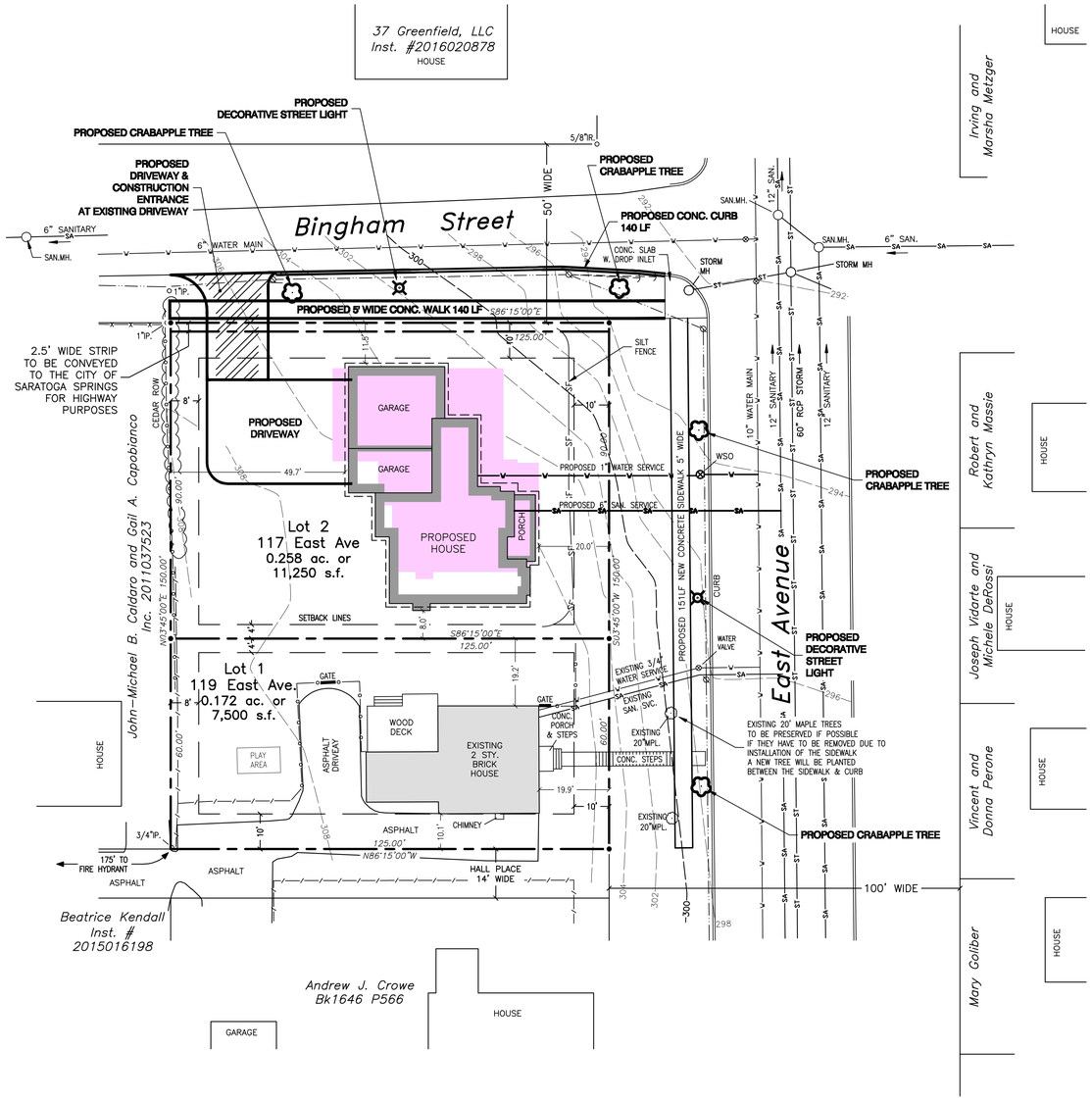
CONSTRUCTION SPECIFICATIONS

1. STONE SIZE – USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS–OF–WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS–OF–WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE NTS

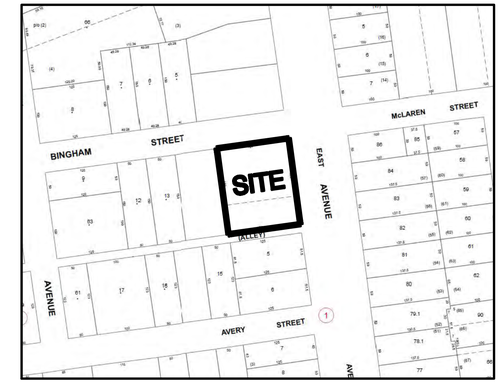
BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Stabilized Construction Entrance	ST–11



SUBDIVISION PLAN

1" =20'



Location Map

North

Map Legend

- • 5/8" steel rod set with a tag
- ○ marker found, labeled
- ⌀ utility pole
- overhead wires
- wire fence

Deed Reference:

Albert J. Zumpano and
Nicole L. Zumpano
Inst. #2012029611

Owner/Applicant

Albert & Nicole Zumpano
119 East Avenue
Saratoga Springs, NY 12866

Contractor

Galarneau Builders
ph: 518–587–8191

Tax Parcel #166.38–1–16

Survey Note:

Elevations are based on NGVD 1929 datum.

City of Saratoga Springs Standard Notes

1. All work must conform to all Federal, State and City Codes, specifications, ordinances, rules and regulations.
2. The elevation base for the contours and benchmarks are based on the National Geodetic Vertical Datum, 1929.
3. All refuse, debris and miscellaneous items to be removed shall be legally disposed of off–site by the Contractor to a location approved by the City Engineer.
4. The Contractor must set up a pre–construction meeting with the City Engineer prior to any construction. Construction inspections by a designated representative of the applicant are required. The cost of the construction inspection is the responsibility of the Applicant/Developer. An escrow account to cover the cost of the inspections must be established prior to any construction.
5. The Contractor must obtain a blasting permit from the Building Inspector if any blasting is required.
6. The Contractor must obtain a street opening permit issued by the Department of Public Works for any work in the street or right of way of any City street or road or alley.
7. All points of construction ingress or egress shall be maintained to prevent tracking or flowing of sediment or debris onto a public road.
8. No Certificate of Occupancy will be issued until all site work has been completed in accordance with the approved plans and an as–built drawing has been prepared in accordance with the requirements of the City Engineer.
9. The Applicant must verify that the proposed project can accommodate the turning movements of any fire truck that the fire department do designates.

UR–3 AREA REQUIREMENTS

Zoning District	Minimum Lot size Square Feet	Mean Average Width (feet)	Maximum Percent of Lot to be Occupied		Minimum Yard Dimensions				Principal Buildings		Accessory Building Minimum Distance to				
			Principal Building	Accessory Building	Front (feet)	Rear (feet)	Each Side (feet)	Total Side (feet)	Minimum First Floor Area (square feet)	Maximum Height (feet)	Principal Building (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)	Minimum Percent of Lot to be Permeable
UR–3	6,600 1–unit / 8,000 2–unit	60 1–unit / 80 2–unit	30	10	10	25	4	12	1 Story=1,200 2 Story=800	60	5	10	5	5	25

Approved under authority of a resolution adopted_____ by the Planning Board of the City of Saratoga Springs.

_____ _____
Chairperson Date Signed

PLANNING BOARD #16.031

Subdivision for Albert and Nicole Zumpano

Situate at
117 & 119 East Avenue
City of Saratoga Springs, Saratoga County NY

THOMPSON & FLEMING
LAND SURVEYORS, P.C.
12 Locke Avenue
Saratoga Springs NY
12866
Voice: (518) 587–5665
Fax : (518) 587–5772

DATE	DESCRIPTION
10/5/16	CITY COMMENTS

REVISIONS

DATE: July 14, 2016

JOB NO.: S16–157.24

DRAWN BY: DES

CHKD.BY: WMT

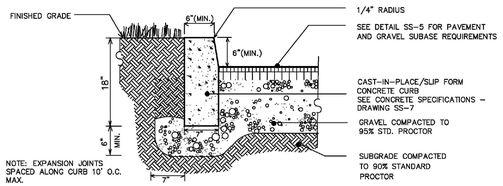
TAX MAP: 166.38–1–16

SCALE: 1" = 20'
10 0 10 20

S1

S16–157.24

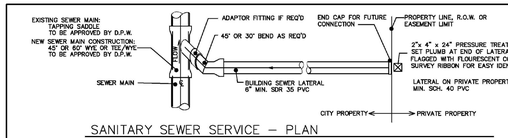
P:\Zumpano, 119 East Ave S16–157\dwg\S16–157 Zumpano.dwg



TYPE 1 CURB – CAST-IN-PLACE/SLIP FORM CONCRETE AT TURF

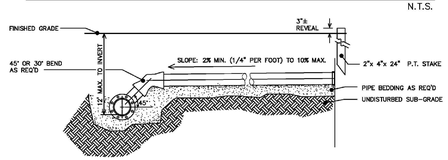
N.T.S.

APPROVED: PLANNING BOARD — DATE 1/13/2010	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Type 1 Curb	DWG No SS-15



SANITARY SEWER SERVICE – PLAN

N.T.S.

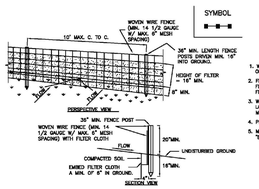


SANITARY SEWER SERVICE – SECTION

N.T.S.

NOTES:
1.) THE BUILDING SEWER FROM THE BUILDING TO THE SEWER MAIN IS THE OWNER'S RESPONSIBILITY.
2.) CONNECTION TO PUBLIC SANITARY SEWER IS REQUIRED WHEN AVAILABLE PER CITY CODE SECTION 231–14.
3.) A STREET OPENING PERMIT IS REQUIRED FROM THE DEPT. OF PUBLIC WORKS PRIOR TO ANY WORK IN THE PUBLIC RIGHT–OF–WAY.
4.) ANY PART OF THE BUILDING SEWER WITHIN 10 FEET OF WATER SERVICE PIPE SHALL BE CONSTRUCTED OF WATERTIGHT JOINTS.

APPROVED: PLANNING BOARD — DATE 1/13/2010	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Sanitary Sewer Service	DWG No SA–3



CONSTRUCTION SPECIFICATIONS

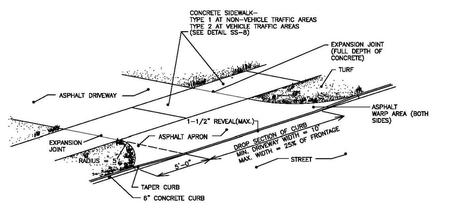
1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MIDDLE. BOTTOM OF FENCE SHALL BE WOVEN WIRE. 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE

N.T.S.

BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

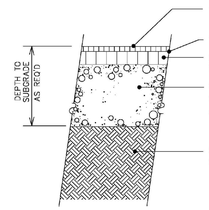
APPROVED: PLANNING BOARD — DATE 1/13/2010	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Silt Fence	DWG No ST–13



DROP CURB AT RESIDENTIAL DRIVEWAY

N.T.S.

APPROVED: PLANNING BOARD — DATE 1/13/2010	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Type 1 Driveway (Residential)	DWG No SS–12



PAVEMENT TYPE	TOP COURSE	BINDER COURSE	GRAVEL COURSE	ESAL LEVEL
PARKING LOT	1–1/2"	2"	8–10"	<0.3 MILLION
STANDARD ROADWAY	1–1/2"	3"	12"	<30 MILLION
HEAVILY TRAVELED/ TRUCK LOADING	2"	* 4"	12"	<30 MILLION

* SEE NOTE 2

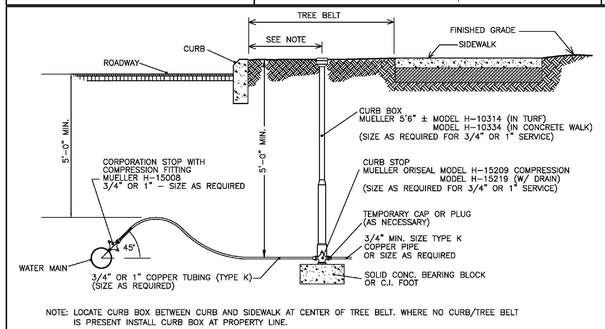
NOTES:

1. PAVEMENT SECTIONS SPECIFIED ARE TYPICAL FOR STREET, DRIVEWAY AND PARKING LOT CONSTRUCTION WHERE TRAFFIC VOLUMES AND LOADINGS ARE NOT EXCESSIVE. BASED ON ANTICIPATED VOLUMES AND LOADS, THE CITY ENGINEER MAY REQUIRE STRUCTURAL PAVEMENT SECTION TO BE INCREASED TO CARRY DESIGN LOADING.
2. BINDER TO BE PLACED IN 2 – 2" LIFTS W/ TACK COAT BETWEEN.
3. THE CITY ENGINEER MAY REQUIRE COMPACTION TESTING AND/OR CORE SAMPLES TO VERIFY PAVEMENT THICKNESSES. ALL TESTING SHALL BE AS ORDERED BY THE CITY ENGINEER AND SHALL BE PAID FOR BY THE CONTRACTOR.
4. NOTIFY THE CITY ENGINEER 48 HOURS MINIMUM PRIOR TO COMMENCING PAVING OPERATIONS..

ASPHALT PAVEMENT

N.T.S.

APPROVED: PLANNING BOARD — DATE 4/10/2013	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Asphalt Pavement	DWG No SS–5

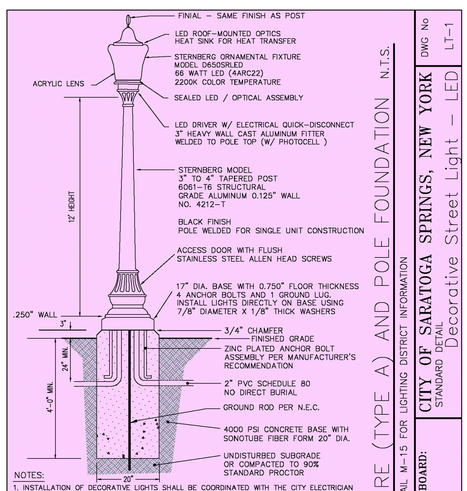


NOTE: LOCATE CURB BOX BETWEEN CURB AND SIDEWALK AT CENTER OF TREE BELT. WHERE NO CURB/TREE BELT IS PRESENT INSTALL CURB BOX AT PROPERTY LINE.

WATER SERVICE

N.T.S.

APPROVED: PLANNING BOARD — DATE 1/13/2010	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Water Service	DWG No W–2



NOTES:

1. INSTALLATION OF DECORATIVE LIGHTS SHALL BE COORDINATED WITH THE CITY ELECTRICIAN AND DEPARTMENT OF PUBLIC WORKS. (USE 120V POWER.)
2. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ELECTRIFYING THE SYSTEM AND PAYING THE ELECTRIC BILLS UNTIL ACCEPTED AND TAKEN OVER BY THE CITY OF SARATOGA SPRINGS.
3. ELECTRIC SERVICE: SWEEPS AT CONCRETE BASES AND BETWEEN BASES USE 2" SCHEDULE 40 PVC NON–METALLIC CONDUIT, UNLESS UNDER DRIVEWAYS WHERE SCHEDULE 80 PVC IS REQUIRED. FOR WIRE: THHN COPPER STRANDED NUMBER 6 COLORED RED, WHITE, AND GREEN. LIGHTS ARE WIRED 120 VOLTS. PROVIDE A SEPARATE HANDHOLE, SYNERETECH SYN121212HH02, TO BE OWNED BY THE CITY FOR THE DISCONNECT NEAR THE BASE OF THE ELECTRIC POLE OR BOX AT THE BEGINNING OF SERVICE. PROVIDE AND INSTALL (1) 5/8 INCH COPPER GROUND ROD IN HANDHOLE. WIRE AND CONDUIT FROM HANDHOLE TO POLE OR BOX PER NATIONAL GRID'S STANDARDS. IF CONNECTING ONLY ONE LIGHT PROVIDE WATERTIGHT FUSEHOLDER, FERRAZ SHAWMUT FEB–21–21 1P 600V WITH 5 AMP FUSE WITH INSULATOR BOOTS PART FRZ FSB1 IN HANDHOLE FOR FUSING THE POWER WIRE. IF CONNECTING MORE THAN ONE LIGHT PUT A 30 AMP FUSE IN WATERTIGHT FUSEHOLDER IN HANDHOLE AND PROVIDE SEPARATE FUSE HOLDERS, BUSSMAN HEB–AA FUSEHOLDER WITH 5 AMP FUSE, IN BASE OF EACH LAMP. RUN #12 THHN COPPER, (RED, WHITE, AND GREEN) FROM BASE TO TOP OF LIGHT USE POLARIS CONNECTORS FOR CONNECTIONS IN HANDHOLE AND IN BASE OF LIGHTS. THE LIGHT IS TO BE MOUNTED DIRECTLY ONTO CONCRETE BASE USING FENDER WASHERS, 2 INCH OD 1/2 INCH ID AND 1/8 INCH THICKNESS, AND LOCK WASHERS.

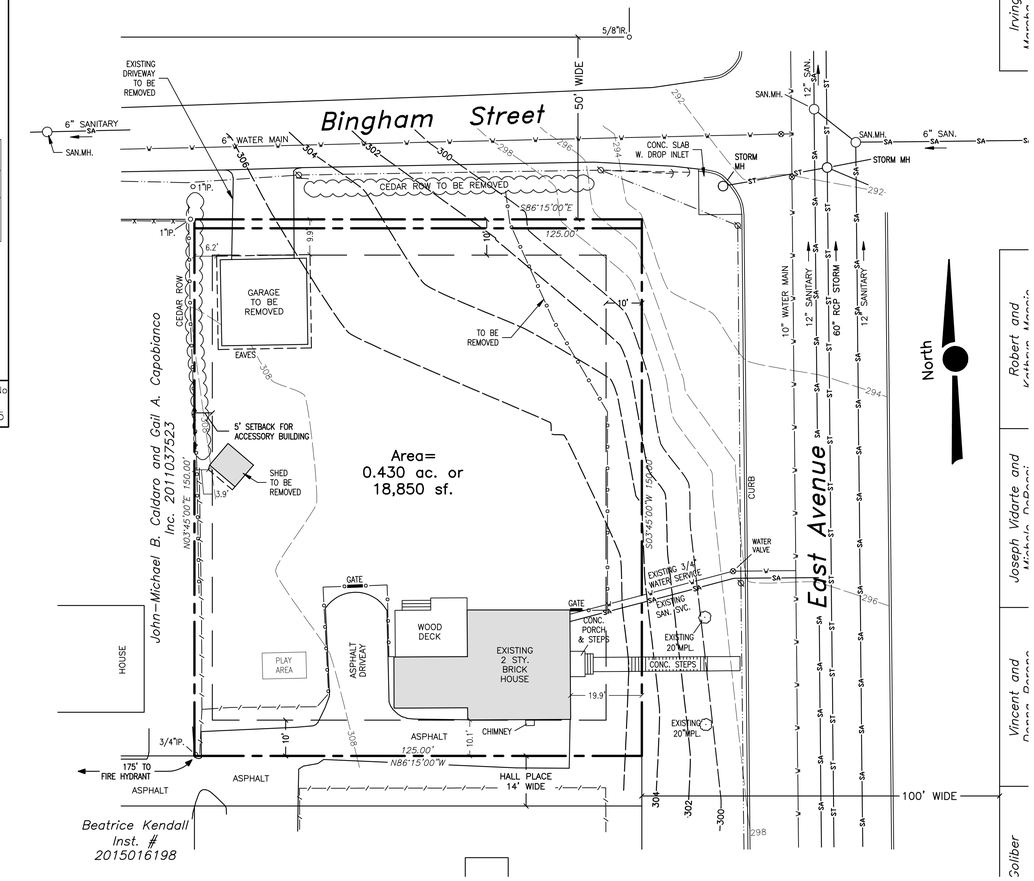
LED LUMINAIRE (TYPE A) AND POLE FOUNDATION

N.T.S.

SEE STANDARD DETAIL M–15 FOR LIGHTING DISTRICT INFORMATION

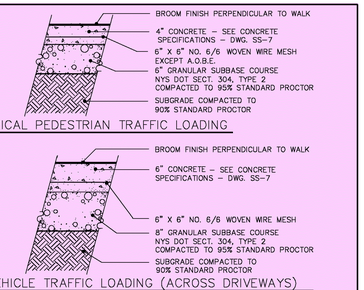
APPROVED BY PLANNING BOARD: 4/28/16

CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Decorative Street Light – LED	DWG No LT–1



EXISTING CONDITIONS PLAN

1" =20'



NOTES:

EXPANSION JOINT SPACING – 20'–25' O.C.
CONTROL JOINT SPACING – 5' O.C.NOMINAL
CROSS SLOPE – 1/8" TO 1/4" PER FOOT (MAX.SLOPE 1:50 TYP.)
TOWARDS STREET OR A.O.B.E.
MAX. SLOPE ALONG THE LENGTH OF THE WALK SHOULD NOT EXCEED 1:12
CONSTRUCTION JOINT DETAILS TO BE SUBMITTED AND APPROVED BY CITY ENGINEER
SIDEWALK WIDTH TO BE 5' MIN. OR AS ORDERED BY CITY ENGINEER

TYPE 1 – TYPICAL PEDESTRIAN TRAFFIC LOADING

TYPE 2 – VEHICLE TRAFFIC LOADING (ACROSS DRIVEWAYS)

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA SPRINGS RIGHT OF WAYS:
1.) SIDEWALKS MUST BE PLACED IN THE PUBLIC RIGHT OF WAY AT THE PROPERTY LINE.
2.) SIDEWALKS MUST NOT DROP DOWN WHEN CROSSING A DRIVEWAY.
3.) SIDEWALKS MUST NOT EXTEND ACROSS PUBLIC STREETS OR ALLEYS.

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA COUNTY RIGHT OF WAYS WITHIN SARATOGA SPRINGS:
1.) ALL SIDEWALK INSTALLATIONS MUST BE DESIGNED BY A PROFESSIONAL ENGINEER. PLANS MUST BE APPROVED BY THE COUNTY COMM. OF PUBLIC WORKS.
2.) SIDEWALKS MUST BE PLACED ON THE BACK SIDE OF DITCHES OR 8'(MIN.) FROM THE EDGE OF SHOULDER.
3.) SIDEWALKS MUST BE CONSTRUCTED SO AS NOT TO INTERFERE WITH DRAINAGE.

APPROVED: PLANNING BOARD — DATE 1/13/2010	CITY OF SARATOGA SPRINGS, NEW YORK STANDARD DETAIL — Concrete Walk	DWG No SS–8

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's Seal is a violation of Section 7209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.

Map Legend

- • 5/8" steel rod set with a tag
- ○ marker found, labeled
- ⌀ utility pole
- ⊗ water valve
- — - - — overhead wires
- —/—/—/—/— wood fence
- —o—o—o— chain–link fence

Approved under authority of a resolution adopted_____ by the Planning Board of the City of Saratoga Springs.

Chairperson _____ Date Signed _____

PLANNING BOARD #16.031

Subdivision for Albert and Nicole Zumpano

Situate at 117 & 119 East Avenue

City of Saratoga Springs, Saratoga County NY

THOMPSON & FLEMING
LAND SURVEYORS, P.C.
12 Lake Avenue
Saratoga Springs NY
12866
Voice: (518) 587–5665
Fax : (518) 587–5772

DATE	DESCRIPTION
10/5/16	CITY COMMENTS

REVISIONS

DATE: July 14, 2016

JOB NO.: S16–157.24

DRAWN BY: DES

CHKD.BY: WMT

TAX MAP: 166.38–1–16

SCALE: 1" = 20'

10 0 10 20

S2

S16–157.24

P:\Zumpano, 119 East Ave S16–157\dwg\S16–157 Zumpano.dwg

Sustainable Saratoga
PO Box 454
Saratoga Springs, NY 12866

[redacted]
www.sustainablesaratoga.org

August 5, 2016

Honorable Joanne Yepsen, Mayor
City of Saratoga Springs
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Mayor Yepsen:

RE: SPA-HOUSING ORDINANCE

We are pleased to submit to the City Council the attached zoning amendment that would create "The Saratoga Places for All (SPA) Housing Ordinance".

We request that at the August 16, 2016 City Council meeting, you vote to determine that this zoning amendment has "merit for review" and that it be forward to the City and County Planning Boards for the required advisory opinions.

This is new ordinance is based on the draft ordinance developed in 2006 by the City's Inclusionary Zoning Ordinance Development (IZOD) Committee headed by Monte Franke. This Committee held 30 meetings over 14 months to develop this ordinance. Working off of ordinances from similar sized communities, the Committee uniquely tailored that ordinance to Saratoga Springs. However, in 2007, that ordinance did not make it to the Council table for a vote.

We believe now is the time for the City Council to reconsider this ordinance. It will result in a program that will guarantee more diverse housing opportunities for Saratogians – especially for middle income households. In the last 10 years, housing costs have increased and remain out of reach for many Saratogians. For years there has been much talk of the need for affordable housing – and this ordinance can be part of the effort to make Saratoga Springs more livable for all income groups.

> The ordinance would require developers of housing developments of 10 or more units to set aside up to 20% of the units as affordable in sale or rental to households of modest income. Developers are given up to a 20% density bonus, or right to build more units on the same site, to offset the cost of providing these affordable units. This ordinance takes advantage of market forces and development capacity to produce affordable units that are integrated into housing throughout the community. There are no State or Federal subsidies or actions in this program. There are manageable administrative costs to the City.

Sustainable Saratoga is interested in bringing this ordinance back to City Council because we think it is a good housing program for Saratoga Springs. This ordinance would add an important missing element in our community's overall housing effort. It deserves to have community discussion and consideration.

Our website www.sustainablesaratoga.org contains more information about this ordinance and the housing needs of the community. We will be transmitting this information to you under separate cover.

Sincerely,

Harold J. Moran

Harry Moran
Chair

Attachments
cc: Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Anthony Scirocco

CITY OF SARATOGA SPRINGS

OFFICE OF THE MAYOR

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-587-1688
http://www.saratoga-springs.org

[FOR OFFICE USE]

_____
(Application #)

_____
(Date received)

PETITION FOR: ZONING AMENDMENT

(Rev: 1/2016)

1. Name of Petitioner: Sustainable Saratoga

2. Type of Amendment (Map or Text):

☐ Map Amendment:

Site Location: _____ Tax Parcel #: _____

Current Zoning: _____ Proposed Zoning: _____

Reason for amendment: _____

☒ Text Amendment:

Section to be amended: Article 4.4

Proposed wording of text amendment (attach additional sheets if necessary):

See attached text

Reason for amendment:

To achieve more diverse and affordable housing within the city

3. Professional Representing Applicant (if any):

Name: _____ Phone: _____

Address: _____ Email: _____

Identify primary contact person: ☐ Applicant ☐ Owner ☐ Agent

4. Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ____ NO ✓. **IF YES**, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

Please check the following to affirm information is included with submission.

☐ Environmental Assessment Form - All petitions must include a completed SEQR Short or Long Form. SEQR forms can be completed at http://www.dec.ny.gov/permits/6191.html.

☐ Petition Fee: $700.00 plus $100/acre Total $ Request waiver due to Public Benefit

A check for the total amount payable to: "Commissioner of Finance" must accompany this petition.

☒ Submit **10 copies, and one electronic copy (PDF)** of complete petition and all attachments.

☐ Location map (Map Amendment): Submit (4) large scale 24" x 36", and (10) 11"x17" copies.

All completed petitions are to be submitted to **the Office of the Mayor for consideration.**

I, the undersigned owner or purchaser under contract for the property, hereby request zoning amendment approval by the City Council for the above petition. I agree to meet all requirements under Section 240-10.0 of the Zoning Ordinance for the City of Saratoga Springs.

Furthermore, I hereby authorize members of the City Council, Planning Board and designated City staff to enter the property associated with this petition for purposes of conducting any necessary site inspections relating to this petition.

Applicant Signature: Harold J. Moran Date: August 5, 2016
Name: Harry Moran, Chair Phone: [redacted]
Address: PO Box 454 E-mail: [redacted]
Saratoga Springs, NY 12866

If applicant is not currently the owner, the owner must sign.
Owner Signature: _____ Date: _____
Print Name: _____

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
Name of Action or Project: Saratoga Places for All (SPA) Housing Zoning Amendment		
Project Location (describe, and attach a location map): City of Saratoga Springs - Citywide		
Brief Description of Proposed Action: This is a zoning amendment to be adopted by the Saratoga Springs City Council that requires developers of housing developments of 10 or more units to set aside up to 20% of the units as affordable in sale or rental to households of modest income. Developers are given up to a 20% density bonus, or right to build more units, to offset the cost of providing these affordable units. There are no State or Federal subsidies or actions in this program, but there are administrative costs to the City.		
Name of Applicant or Sponsor: Sustainable Saratoga	Telephone: [redacted] E-Mail: [redacted]	
Address: PO Box 454		
City/PO: Saratoga Springs	State: NY	Zip Code: 12866

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3.a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	✓
b. Consistent with the adopted comprehensive plan?	☐	✓	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☐	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☐	☐
16. Is the project site located in the 100 year flood plain?	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Harry Moran, Sustainable Saratoga Chair Date: August 5, 2016

Signature: Harold J. Moran

PRINT FORM

Proposed SPA Housing Zoning Ordinance (August 2016)

This proposed zoning amendment is nearly identical to the Inclusionary Zoning Ordinance amendment proposed in 2006

Proposed Amendments to the Zoning Ordinance of the City of Saratoga Springs

ARTICLE 4.4 – INCLUSIONARY ZONING

240-4.4.1 LEGISLATIVE FINDINGS

A. The City Council of the City of Saratoga Springs finds that:

(1) Over the last decade, rising housing prices and rents have made it increasingly difficult for long-term City residents and workers to afford to live in the City, and may ultimately displace long-term residents who contribute so much to the City. Lack of access to decent affordable housing has a direct negative impact upon the health, safety and welfare of the residents of the City.

(2) Economic diversity is essential to the health of Saratoga Springs. A sound local economy requires a stable workforce at all wage levels. City businesses and employers are finding it more difficult to attract and retain employees, especially lower wage workers that have to live further from the City and endure longer commutes to work. This has the potential to harm the economic vitality of the City.

(3) Developers are in a unique position to produce needed units for working households at a reduced cost, provided the City grants them the ability to provide additional units over and above those currently permitted by zoning. Inclusionary zoning is a market-based response that achieves affordable housing by reducing or eliminating land cost through increased density.

(4) Inclusionary zoning can be enacted without discouraging development or negatively affecting community character. Inclusionary zoning approaches have been used successfully in communities nationwide to provide worker housing. Inclusionary housing policies can ensure an equitable distribution of affordable housing opportunities throughout all neighborhoods and zones of the City without excessive burden to any single site or area.

B. The City has reviewed inclusionary zoning ordinances and inclusionary housing studies from around the country and adapted provisions that are appropriate to the needs and opportunities that exist in this City, has consulted with the development community and other stakeholders, and has designed an approach that is sensitive to the interests and concerns of this community.

240-4.4.2 PURPOSE

Now, therefore, the City Council of the City of Saratoga Springs, in accordance with the powers and authority vested in it by General City Law section 20 (24), 20 (25), and 81-d, hereby enacts this article in the best interests of the people of Saratoga Springs. The purposes of this article are to:

(1) Utilize market forces to produce homebuyer and rental housing units that are affordable to working households in the City through reasonable density bonuses and affordable unit pricing without undue financial burden.

(2) Encourage the development of housing affordable to a broad range of households with varying income levels, and mitigate the market forces excluding housing that meets the needs of all economic groups within the City.

(3) Promote the City's goal of increasing the workforce housing stock in a uniform and predictable manner and in proportion to the overall increase in new housing units.

(4) Ensure the availability of workforce housing throughout the community and equitably share the responsibility for workforce housing across all neighborhoods.

(5) Mitigate environmental and other impacts that accompany new residential development by reducing traffic, transit and related air quality impacts, promoting a housing balance and reducing the demands placed on transportation infrastructure in the region.

(6) Prevent overcrowding and deterioration of the limited supply of workforce housing and, thereby, promote public health, safety and general welfare.

(7) Provide for efficient administration in the approval, implementation and monitoring of projects.

240-4.4.3 DEFINITIONS

As used in this article, the following terms shall have the following meanings:

AFFORDABLE RENT: Monthly rent that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

AFFORDABLE OWNERSHIP COST**:** A sales price that results in a monthly housing cost (including mortgage, insurance, property taxes and home association costs, if any) that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

CITY MEDIAN INCOME: The median household income as established by HUD for the Albany-Schenectady-Troy Metropolitan Statistical Area, adjusted by the City Office of Planning and Economic Development for the percentage difference between the City Median Income and the MSA Median Income based on the decennial Census, or other method established by the Office of Planning and Economic Development for determining the Median Income of the City on an annual basis.

CITY**:** The City of Saratoga Springs.

COVERED PROJECT: Any project or projects that meet(s) the criteria of article 240-IIA.4A "Covered Projects."

DEVELOPER**:** Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities with an identity of at least 10% proprietary interest, which seeks City approvals for all or part of a Covered Project or Projects.

HIGH COST PROJECT**:** A residential development in which the addition of the Inclusionary Units will result in higher incremental construction costs directly allocable to the Inclusionary Units. These additional costs may include, but are not limited to, addition of stories, extension of elevators, additional structural support, additional garaged parking spaces, upgraded exterior materials including masonry and stone veneer, required handicapped accessibility modifications, the substantial rehabilitation of unique historic structures or features, or unusual changes or additional requirements imposed by regulatory authorities.

HOUSEHOLD**:** One person living alone or two or more persons sharing residency whose income is considered for housing payments.

HUD: The U.S. Department of Housing and Urban Development.

INCLUSIONARY HOUSING PLAN: A plan submitted by a Developer to provide compliance with this article.

INCLUSIONARY HOUSING AGREEMENT**:** A written agreement between a Developer and the City, as provided herein, to be recorded and that would run with the land.

INCLUSIONARY UNIT: A dwelling unit that must be offered at Affordable Rent or available at an Affordable Ownership Cost to Income Eligible Households, and is regulated with regard to selling price or rent level, marketing and initial occupancy, and continued requirements pertaining to resale or rents and occupancy for the minimum compliance period, as provided herein.

INCOME ELIGIBLE HOUSEHOLD: For an Inclusionary Unit for rent, a Household earning less than fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income), as provided in article 240-IIA.6. For an Inclusionary Unit for sale, a Household earning less than eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income), as provided in article 240-IIA.6.

MARKET UNIT: A dwelling unit in a Covered Project that is not an Inclusionary Unit.
SEQR: New York State Environmental Quality Review.

SUBSTANTIAL REHABILITATION: A cost of rehabilitation that exceeds 50% of the market value of the building based on the quotient of the structure's current assessed value as indicated in the City's Assessment Records divided by the city's Equalization Rate.

240-4.4.4 COVERED PROJECTS AND EXEMPT PROJECTS

A. Covered Projects

Except as otherwise provided herein, this article shall apply to all building permit requests pertaining to the following projects:

(1) Any project of ten (10) or more new additional residential dwelling units that are produced through construction, substantial rehabilitation of existing structures, or adaptive reuse or conversion of a nonresidential use to a residential use.

(2) Multiple developments or projects by a Developer occurring on contiguous parcels or in substantial proximity to one another shall be considered in toto and shall be Covered Projects.

(3) Any project of less than 10 new residential units that, at the sole discretion of the Planning Board, may be permitted for voluntary inclusion as a Covered Project under this Article of the Zoning Ordinance. If approved, all requirements for Covered Projects shall apply.

B. Exempt Projects

This article shall not apply to all building permit requests pertaining to the following projects:

(1) Mobile homes.

(2) Any project that is developed by an educational institution for the exclusive residential use and occupancy by that institution's students.

(3) Any project that produces affordable units equal to, or in excess of, the requirements contained in this article.

(4) Any project for which building permit applications were properly filed before the date of enactment of this Article.

(5) Any project for which a final Planning Board decision of approval (final PUD site plan, final site plan, or final subdivision approval) was issued before the date of enactment of this Article.

C. Temporary Suspension of Inclusionary Requirements for Covered Projects

In the event that the City's Office of Planning and Economic Development determines that the Waiting List is inadequate to support the development of additional Inclusionary Units, the Planning Board may suspend the Inclusionary Unit requirements for a specific Covered Project. In that event, no Density Bonus under 240-4.4.5 is provided.

240-4.4.5 DENSITY BONUS

To assist developers in meeting the requirements of this article, all Covered Projects shall be entitled to a density increase of no more than 20% of the number of units that the Covered Project is allowed under existing zoning or a lesser base number of units as originally proposed by the developer, as permitted subsequent to SEQR analysis or as may be established by the Planning Board. When determination of the number of units for a density bonus results in a fractional unit, any fraction of .5 or over shall be one additional unit, and any fraction below .5 will be rounded down. Notwithstanding the above, no provisions herein shall be construed as limiting the discretion of the Planning Board to conduct reviews of Covered Projects and to issue any decisions within the scope of its statutory authority.

240-4.4.6 REQUIREMENTS OF INCLUSIONARY UNITS

All Covered Projects shall meet the requirements for Inclusionary Units as specified in this section. The percentage of Inclusionary Units shall be calculated with a base number, or as may be established by the Planning Board, that does not include the bonus units added to the Covered Project.

A. Inclusionary Units – Rental

For Covered Projects where units are offered for rent, the number of Inclusionary Units shall be designated as follows. When determining the number of Inclusionary Units, any fraction of .5 or over shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit rent is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Low Income Households (up to 50% of area median)	10%
Moderate Income Households (50% - 80% of area median)	20%

(1) Affordable Rents. Maximum Affordable Rents for Inclusionary Units will be calculated as follows: one-twelfth of thirty-five percent (35%) of the maximum annual income for a household at the applicable income limit – either fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

(2) In calculating the Affordable Rent of Inclusionary Units, the applicable income shall be based on the following relationship between unit size and Household size:

Unit Size	Household (HH) Size for Applicable Income
Efficiency units	1 person HH
One-bedroom units	1.5 person HH
Two-bedroom units	3 person HH
Three-bedroom units	4.5 person HH
Four-bedroom units	6 person HH

(3) The calculations of the initial rents for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any public source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the rents and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

B. Inclusionary Units – For Sale

For Covered Projects where units are offered for sale via the conveyance of a deed or share for individual units, Inclusionary Units shall be designated in accordance with the following table. When determining the number of Inclusionary Units, any fraction of .5 or above shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit sale is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Moderate Income Households (up to 80% of area median)	15%
Middle Income Households (80% - 100% of area median)	20%

(1) Sales Price. Sales prices will be based on calculation of the Affordable Ownership Cost, which means a sales price that results in a monthly housing cost (including mortgage principal and interest, insurance, property taxes and home association costs, if any) that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for the applicable income limit – eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

(2) With respect to Inclusionary Units offered for sale, the Affordable Ownership Cost will be calculated on the basis of:

(a) A down payment of no more than five percent (5%) of the purchase price; and

(b) An available fixed-rate thirty-year mortgage, using Fannie Mae's current interest rate, for the balance of the purchase price. (If the Developer can guarantee the availability of a fixed-rate thirty-year mortgage at a lower rate from the State of New York Mortgage Agency or other public agency for all of the Inclusionary Units in the Covered Project, a lower interest rate as provided by that agency may be used in calculating Affordable Ownership Cost.)

(3) The calculations of the initial sales prices for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices prior to initial occupancy in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the sales prices and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

(5) In the event that an individual buyer is able to provide a higher down payment or obtain a higher mortgage loan based on fixed-rate financing at a lower rate than provided in paragraph (2)(b) above, the additional Buyer Funds may be used by the buyer to purchase additional improvements to the Inclusionary Unit. Upon approval of the Office of Planning and Economic Development, said additional improvements can be added to the base price for purposes of determining resale under Article 240-4.4.9B.

C. General Requirements for Covered Projects – Rental and For Sale Units

(1) Distribution
In order to assure an adequate distribution of Inclusionary Units by household size, the bedroom mix of Inclusionary Units in any Covered Project shall reflect the same ratio as the bedroom mix of the Market Units of the Project, unless waived by the Planning Board for good cause or requested by the Office of Planning and Economic Development based on the waiting list.

(2) Phasing
Inclusionary Units shall be made available for occupancy on approximately the same schedule as, or sooner than, a Covered Project's market units, except that certificates of occupancy for the last ten percent (10%) of the Market Units shall be withheld until certificates of occupancy have been issued for all of the Inclusionary Units. A schedule setting forth the phasing of the total number of units in a Covered Project, along with a schedule setting forth the phasing of the required Inclusionary Units, shall be established prior to the issuance of a building permit for any Covered Project.

(3) Comparability
Inclusionary Units may differ from the Market-Rate Units in a Covered Project with regard to interior amenities and gross floor area provided that:

(a) These differences, excluding differences related to unit size differentials, are not apparent in the general exterior appearance of the project's units and there is compliance with all exterior site requirements of the City.

(b) These differences do not include the reduction of insulation, windows, heating systems, and other improvements related to the energy efficiency of the Inclusionary Units.

(c) The gross floor area of the Inclusionary Units is not less than the following minimum requirements, unless waived by the Planning Board for good cause: one bedroom – 700 square feet, plus 150 square feet for each additional bedroom.

D. Inclusionary Housing Agreement

All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, final site plan or final subdivision approval by the Planning Board.

E. Restrictive Covenants

All Inclusionary Units produced shall have restrictive covenants, recorded and filed to run with the land, to ensure compliance with the occupancy, sale, rent and other requirements of this article, and provide for legal remedies for the City to enforce this article. These restrictive covenants shall be contained in the Inclusionary Housing Agreement approved by the City Planning Board.

240-4.4.7 RELIEF

The section identifies methods of relief from existing regulation to accommodate the requirements of this Article.

A. In order to accommodate the additional residential units required by this Article, the Planning Board may grant relief from the requirements set forth in the table below to the extent necessary so that the additional units are appropriately incorporated into the overall site plan. In doing so, the Planning Board must find that the resulting development is consistent with the general area and does not negatively impact the character of the surrounding neighborhoods. The intent is to provide a sufficient degree of specificity in site design and layout without unduly restricting creative and diverse solutions.

Zoning District	Requirements that may be relieved
T-6 Urban Core	Height: standard maximum height may be exceeded up to one story. The additional story shall contain no more than the number of additional units granted by the density bonus and these units shall be set back at least 10 feet from the facades of the story below
T-4 Urban Neighborhood T-5 Neighborhood Center	Height: as defined for the T-6 Urban Core district Build-to line, side and rear setbacks Parking requirements
Single-family Residential Districts (RR, SR-1, SR-2, UR-1, UR-2)	Minimum lot size, mean width, maximum lot coverage Minimum yard dimensions Minimum floor area: units shall be a minimum of 700 square feet for 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences: to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units

Single- and two-family Residential Districts (UR-3, UR-4, UR-4A, UR-7, NCD-1,2,3)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area: units shall be a minimum of 700 square feet for a 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences – to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units
Multi-family Residential Districts (UR-5)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area – units shall be a minimum of 700 square feet for 1 bedroom plus 150 square feet for each additional bedroom

B. Reduction in Inclusionary Units
In the event the Planning Board cannot approve a full density bonus, as prescribed in Section 240-4.4.5 "Density Bonus", the number of required Inclusionary Units shall be reduced in proportion to the ratio of proposed Inclusionary Units to the proposed density bonus (i.e., if the developer has proposed that all density bonus units be Inclusionary Units, then 100% (20%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 15% Inclusionary Unit option, then 75% (15%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 10% Inclusionary Unit option, then 50% of the reduction in units shall be Inclusionary Units.)

C. High Cost Project
In the event a Developer can establish by clear and convincing financial data to the Planning Board that the Covered Project constitutes a High Cost Project, the Planning Board, in consultation with the City Office of Planning and Economic Development, may permit the Developer to offer the required Inclusionary Units to households at up to 20% above the applicable income limits and prices in 240-4.4.6.

D. Relief from this Ordinance
If the developer requests full relief from this Article to eliminate the provision of all Inclusionary Units, relief shall be sought from the Zoning Board of Appeals through a variance.

240-4.4.8 SALE/LEASING OF INCLUSIONARY UNITS

Any Developer of a Covered Project shall adhere to the following provisions and to the provisions of the Inclusionary Housing Agreement with respect to the initial offering of Inclusionary Units for sale or rent.

A. Ineligible Households. No Inclusionary Units may be rented or sold to any person who will not reside in that unit year-round, or to any person who is

claimed as a dependent on another person's federal or state tax return.

B. Occupant Qualification. Occupancy of Inclusionary Units shall be by households qualified by the City.

C. Notice of Availability. The Developer shall notify the City Office of Planning and Economic Development of the prospective availability of any Inclusionary Units at least 180 days before such Units shall be available for lease or sale in a Covered Project.

D. Waiting List. Upon such notice, the Office of Planning and Economic Development shall provide to the Developer a list of qualified Income Eligible Households based upon the City's waiting list for Inclusionary Unit housing. Referrals will be made by the City based on priority to Income Eligible Households who are, at the time that the units are offered for sale or lease, residing or working, first, in the City and, second, in the County of Saratoga. The Developer will consider applicants in the order specified in the list, to rent or sell the Inclusionary Units, and may take into account any standard and lawful screening of applicants uniformly applied to all applicants for Inclusionary and market units. The developer shall comply with all fair housing laws. Referrals from the list will respect any conditions of occupancy, including elderly and/or handicapped occupancy, legally imposed by public financing.

E. Release from Inclusionary Unit Restrictions. If, after the initial 180 days following the Notice of Availability, a developer is still unable to secure a qualified, Income Eligible Household for an Inclusionary Unit from the City's Waiting List, the City Office of Planning and Economic Development shall approve the release of the Inclusionary Unit restrictions and that unit may be sold or leased as a Market Unit. The excess proceeds of this sale, over and above the approved Inclusionary Unit sale price plus legitimate and reasonable carrying and sales costs of the developer, shall be repaid to the City and used to support the purposes of this Inclusionary Zoning Article.

F. Reasonable Accommodations and Modifications. The City will operate the program and maintain the waiting lists in compliance with the Americans With Disabilities Act to ensure access to persons with disabilities.

(1) For homebuyer units, the City will notify the developer of referral of a household that includes a person with disabilities. The developer shall make reasonable accommodations in working with that household, and install reasonable modifications as required by the household to occupy the unit. Said reasonable modifications shall be at the expense of the household, and the sales price of the Inclusionary Unit may be adjusted to reflect the reasonable modifications.

(2) For rental units, when the City determines that the likely applicants for Inclusionary Units will include households with disabilities, the City will designate handicapped accessible units in the development to be reserved as Inclusionary Units as part of the Inclusionary Housing

Agreement. The developer will make reasonable accommodations to provide housing to the household containing persons with disabilities.

240-4.4.9 Continued Affordability Requirements

A. Rental Projects

All rental Covered Projects shall comply with the following provisions, which shall be contained in an Inclusionary Housing Agreement to ensure continued affordability of Inclusionary Units.

(1) Minimum Affordability Period. All Inclusionary Units shall remain affordable for a period of no less than thirty (30) years commencing from the date of initial occupancy of the units.

(2) Rent Increases. Increases in the annual rent for Inclusionary Units during the minimum affordability period shall be limited to the percentage increase in the Consumer Price Index for the Albany-Schenectady-Troy Metropolitan Statistical Area. Increases above this percentage require the approval in advance and in writing from the City Office of Planning and Economic Development, which shall approve increases based on documented hardship or other exceptional conditions.

(3) Rental Report. Owners of rental Inclusionary Units shall provide such information annually to the City, as determined by the City Office of Planning and Economic Development and the Inclusionary Housing Agreement, to ensure compliance with continuing occupancy and rent restrictions.

(4) Maintenance of Units. Owners shall comply with all local codes and standards with respect to Inclusionary Units, and provide maintenance services to the Inclusionary Units in the same manner provided all units in the Project.

(5) Lease and Sublet Restrictions. During the affordability period, the owner or occupant may not sublet an Inclusionary Unit to a Household other than an Income Eligible Household, or at a rent in excess of the Affordable Rent.

(6) Sale of Project. If the Covered Project is sold during the Minimum Affordability Period, the use restrictions shall run with the land, and the new buyer will meet all restrictions of the Inclusionary Housing Agreement for the remainder of the period. The City shall charge the seller a fee to cover the costs of approving and recording the transfer.

B. Homebuyer Projects

All homebuyer Inclusionary Units shall comply with resale restrictions, which shall be contained in an Inclusionary Housing Agreement with the Developer and legally recorded with each sale. Transfer to an original co-owner does not

constitute a resale for this purpose, but the transfer is subject to all restrictions of the original covenants, and any subsequent resale is subject to these provisions.

(1) Shared Interest in Proceeds of Sale. At the time of the initial sale of the Inclusionary Unit, the City will determine the Buyer's Interest and the City's Interest based upon current Market Value determined by appraisal as if the property was unrestricted. The Buyer's Interest will be the percentage that the Buyer's Funds, including down payment and mortgage(s), constitute of the current full market value at time of initial sale. Buyer's Funds can include additional improvements as defined in Article 240-4.4.6B(5), but do not include any mortgages, subsidies or buy downs provided by the City or other public sources.

The City's Interest will be the remainder interest; that is, the Subsidy Amount (Market Value minus Buyer's Funds) divided by the Market Value at time of initial sale.

(2) Resale Price. The resale price shall be the Buyer's Interest multiplied by the current Market Value as an unrestricted unit at time of resale. The Office of Planning and Economic Development shall determine the market value of the unit by appraisal, the cost of which is to be borne by the seller.

(3) Notice of Intent to Sell. At any time the original Buyer wishes to offer an Inclusionary Unit for resale, the Buyer (now the Seller) must notify the City Office of Planning and Economic Development. The City (or its designee) shall provide one or more eligible buyers from the list of eligible buyers within thirty (30) days from notification. If the City declines or fails to provide an eligible buyer after 120 days from the notice to sell, the City Office of Planning and Economic Development may release the Inclusionary Unit restrictions on this unit, and the unit may be sold as an unrestricted unit, with the City recapturing its portion of the gross proceeds based on the City's Interest in Article 240-4.49B(1) above.

(4) Transaction Fee. The City shall charge a fee to cover the costs of resale charged to the seller out of net proceeds.

240-4.4.10 ADMINISTRATION

A. Inclusionary Housing Plan
The developer will submit a proposed Inclusionary Housing Plan to the City Office of Planning and Economic Development in advance of Planning Board review. The Office will review the proposed plan for consistency with this Article, and provide comments to the developer and to the Planning Board.

B. Inclusionary Housing Agreement
All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, site plan or subdivision approval by

the Planning Board. The City Office of Planning and Economic Development will prepare the Inclusionary Housing Agreement. Notwithstanding any other provision of this article, no special use permit, site plan, change of use, subdivision approval, building permit or occupancy permit shall be granted for any dwelling unit in a Covered Project unless an Inclusionary Housing Agreement has been approved by the Planning Board.

C. Expedited Processing and Waiver of Fees

(1) Expedited Approvals and Permit Review. Structures that provide the required Inclusionary Units shall receive priority for building permit review and development approvals, and multiple IZ units with identical plans will receive single plan review.

(2) Waiver of Fees. All municipal fees associated with the development and construction of new residential units shall be waived only as they apply to the required Inclusionary Units.

D. Oversight and Enforcement

The City Office of Planning and Economic Development will monitor Covered Projects during implementation, review occupancy reports submitted by developers, and approve the transfer or re-occupancy of Inclusionary Units.

(1) Post-Approval Administrative Actions. In the event of unforeseen and unavoidable changes in costs, the Office of Planning and Economic Development shall have the authority to adjust pricing and eligible income levels, but changes in the number of Inclusionary Units in the Inclusionary Housing Agreement will require Planning Board approval.

(2) Certificate of Occupancy. No final certificate of occupancy shall be issued for a Covered Project unless all Inclusionary Units within the Covered Project are eligible for a certificate of occupancy, except that, with respect to Covered Projects to be constructed in phases, certificates of occupancy may be issued on a phased basis consistent with the provisions of this Article.

(3) Enforcement. Violations of this article shall be punishable as provided by Article 240-9.2. In addition, any certificates of occupancy for Market Units in a Covered Project found to be in violation of this article may be revoked upon a finding of substantial non-compliance hereunder.

E. Annual Report and Evaluation

The City Office of Planning and Economic Development shall monitor activity under this article and shall provide an annual report on activities and costs to the City Council. In addition, the Council shall cause this Article to be evaluated every three years, or in conjunction with the Comprehensive Plan review. In accordance with the City Charter, the Mayor shall have the authority to appoint a committee that includes representation of the inclusionary zoning program administrative staff, the Planning Board, the development industry and affordable

housing experts to monitor the initial implementation of the ordinance and make recommendations.

EXEMPTION OF FEES FOR INCLUSIONARY UNITS:

In the annual resolution of the City Council, there shall be no application fees for the inclusionary units in a site plan or subdivision application, There shall be no cash-in-lieu of recreation land fee for the inclusionary units.

August 2016

Sustainable Saratoga

A proposal for Saratoga Springs

The Saratoga Places for All (SPA) Housing Ordinance

A Program to Obtain More Diverse Middle-Income Housing

Sustainable Saratoga believes it is time for the City of Saratoga Springs to enact legislation that will guarantee more diverse housing opportunities – especially for middle income households. The increasing cost of land and housing has been squeezing lower and middle income residents out of the city. A diversity of housing types is needed to accommodate a diverse population and thereby secure a key element in the long-term sustainability of the community.

More than 20 local agencies are providing housing opportunities for low income households and special needs populations. But not as much is being done for the middle income groups – the workforce of the community. Over the years the City has promoted zoning incentives to encourage builders to voluntarily create a more diverse housing stock. But because developers have chosen not to participate, the effort has been largely unsuccessful. Meanwhile, home purchase prices and rental costs are higher than ever. According to the US Census 2009-2013 American Community Survey report, the median cost to buy a home in the city was $297,900, while the median gross rent (including utilities) was $953.

The US Department of Housing and Urban Development (HUD) defines "affordable housing" as "housing for which the occupant(s) is/are paying no more than 30 percent of his or her income for gross housing costs, including utilities." According to the US Census's 2009-2013 American Community Survey, in Saratoga Springs 3,738 households, comprising 33.04 percent of the total, spent more than 30 percent of their income on housing costs. The total included 24.19 percent of all homeowners, or 1,556 households, and 44.71 percent of all renters, or 2,182 households.

Sustainable Saratoga proposes that the City Council adopt an inclusionary zoning ordinance as an effective means of addressing the need to provide housing that is affordable, especially for middle-income residents. We are recommending essentially the same ordinance that was prepared in 2006 after a year-long study. The ordinance has been tailored specifically to the city's needs, reflecting our housing and development history.

The SPA Housing Ordinance – Saratoga's Inclusionary Zoning Ordinance

Inclusionary zoning (IZ) is a type of municipal ordinance that requires new housing projects to include a prescribed proportion of units that are affordable by people with lower to middle incomes. The developer is usually rewarded with a density bonus to compensate for providing the affordable housing. The objective of IZ is to promote income-integrated communities by ensuring that new housing projects, whether involving new construction or renovation, will contain housing for individuals and families having a mix of income levels. This type of

ordinance is called inclusionary zoning because it is the opposite of exclusionary zoning—the practice of excluding low-cost housing from a municipality through the zoning code.

Communities with Similar Ordinances

There are over 400 communities in 17 states that have some kind of inclusionary zoning housing ordinance. They range in population from 15,000 to 8,000,000. IZ ordinances work best in affluent resort communities and those with growing populations. Each community's ordinance is different. There is substantial variation in density bonuses, required percentage of affordable units, eligibility of occupants, and how long affordable units must remain affordable.

The 2006 Draft IZ Ordinance for Saratoga Springs

In 2005 the Saratoga Springs City Council formed an Inclusionary Zoning Ordinance Development (IZOD) committee to develop a draft ordinance to require workforce housing in new development projects throughout the community. The committee worked for more than a year, held 30 meetings and sought input from citizens and interest groups. After numerous public hearings and revisions, a final draft ordinance was presented to the City Council in April 2006. However, the ordinance was never brought to the Council table for a vote. Those who opposed the ordinance were concerned that:

- The estimated annual cost of $46,500 to administer and monitor the program would be too low.
- The small geographic areas of the city where the ordinance would apply would put city developers at a disadvantage in marketing their units. It was argued that the IZ should be county-wide.
- The transect zoning districts (T-4, T-5, T-6) did not have a definable base density that was dependable and predictable.
- Developers could achieve the same affordable housing goals voluntarily.

Recent Housing Trends

Unlike many other parts of the country, the 2008 economic downturn caused only a brief pause in residential construction in Saratoga Springs. Housing prices dipped only slightly, then continued their steady climb. Since the downturn, several large multi-family residential projects have been built, adding more than 850 residential units within the city limits. Had the proposed IZ ordinance been adopted in 2006, between 75 and 150 affordable units would have been built in the succeeding 9 years.

Other Housing Diversity Programs Don't Work as Well as an IZ Ordinance

Over the past few years, Sustainable Saratoga has evaluated existing affordable housing programs as well as other approaches to housing affordability in Saratoga Springs.

- The various programs operated by the Saratoga Springs Housing Authority, the City of Saratoga Springs and some non-profit entities have been successful in meeting some of the needs of low income households.

- The voluntary affordable housing incentives offered in Articles 4.1 (Density Bonus for Affordable Senior Housing), and 4.3 (Density Bonus for Public Recreation or Affordable Housing) of the City's zoning ordinance have not resulted in the addition of affordable housing units.
- The Saratoga Workforce Housing Trust Fund was established by the City Council in 2004, with the goal of acquiring public and private funding for affordable housing projects. However, funding has been limited.
- A community housing land trust is a nonprofit, community-based organization whose mission is to provide affordable housing in perpetuity by owning land and leasing it to those who live in houses built on that land. While these organizations have been successful in many parts of the country, the capital required to create and operate one in the high-priced real estate market of Saratoga Springs is very difficult to obtain.
- Employer-funded housing programs would be hard to initiate and operate in a small community such as ours.
- Density bonuses for on-site employee housing are likely to be controversial.
- In 2014 Sustainable Saratoga developed and presented to the City an incentive program for voluntary carriage house conversions, with the goal of providing more workforce housing. Such a program could supplement the proposed IZ ordinance. However, as a volunteer program, it is likely to add relatively few affordable housing units.

Advantages and Disadvantages of an IZ Ordinance

Advantages:

- Because it is mandatory, it is more effective in creating affordable housing than programs involving incentives for voluntary action by developers.
- It is a housing program with minimal costs to City government. The City does not pay to construct and manage housing, but only has administrative costs to manage and monitor the program.
- The program is designed so that the developer's costs, including the lower sale or rental prices for IZ units, are largely offset by the density bonuses.
- It has the potential to provide the most new middle-income housing at the lowest cost to taxpayers.
- It promotes a desirable mix of housing types, including middle-income housing, in new residential developments throughout the city, and avoids segregating housing by income level.
- It provides for housing diversity within the parameters of existing zoning regulations.

Disadvantages:

- It increases the involvement of city government in the housing market.
- It allows for an increase in density over what is permitted by the zoning ordinance.
- It might make it more difficult for developers to rent or sell market-rate units to households concerned about the proximity of middle-income housing.

Sustainable Saratoga believes the advantages of the IZ ordinance far outweigh the disadvantages.

How Would the SPA Housing Ordinance Work?

Sustainable Saratoga is recommending that essentially the same IZ ordinance drafted in 2006 be re-introduced, with a new name. The extensive research done in 2006 is still valid, and the need for such an ordinance is greater than ever. It is estimated that the adoption of the ordinance would result in the construction of 20 to 30 new units of affordable housing each year, depending on the number and size of residential development projects approved.

The proposed ordinance should not be viewed as a complete solution to the city's affordable housing needs. It is a long-term program that would be effective in adding more affordable housing units as the city grows over time, without requiring substantial government funding.

Key Provisions of the SPA Housing Ordinance

- Required number of affordable units:
  - Developments with 10 or more units would either dedicate 20 percent of the units for moderate income households or 10 percent of the units for low income households. This provision would apply to units both for rent and for sale, with some variations.
  - Rental units would remain affordable for 30 years. Units offered for sale would remain affordable in perpetuity.
  - Candidates for occupancy of the affordable units would be screened and monitored by the City and selected by lottery.
- Density Bonus:
  - In exchange for providing the required proportion of affordable units, the developer could increase the density of a development project by up to 20 percent. The Planning Board could relax certain development standards during the approval process.
- Developers would commit to the affordability requirements by entering into an "inclusionary housing agreement" with the City.
- A developer would be exempted from the requirements of the IZ ordinance for unusual conditions.
- The City would create a special committee to monitor the program and make any recommendations for changing the ordinance.

For more information contact: Sustainable Saratoga
Email: info@sustainablesaratoga.org
Or visit our website: www.sustainablesaratoga.org

Sustainable Saratoga is a not-for-profit organization that promotes sustainable practices and advocates for smart growth land use principles and procedures. Find out about our principles for smart land use in Saratoga here: http://www.sustainablesaratoga.org/work/hup/

Proposed SPA Housing Zoning Ordinance (August 2016)

(The following is "track change" record of how the current proposed ordinance amendment differs from the proposed 2006 draft ordinance)

Proposed Amendments to the Zoning Ordinance of the City of Saratoga Springs

ARTICLE 4.4~~IIA~~ – INCLUSIONARY ZONING

240-4.4~~IIA~~.1 LEGISLATIVE FINDINGS

A. The City Council of the City of Saratoga Springs finds that:

(1) Over the last decade, rising housing prices and rents have made it increasingly difficult for long-term City residents and workers to afford to live in the City, and may ultimately displace long-term residents who contribute so much to the City. Lack of access to decent affordable housing has a direct negative impact upon the health, safety and welfare of the residents of the City.

(2) Economic diversity is essential to the health of Saratoga Springs. A sound local economy requires a stable workforce at all wage levels. City businesses and employers are finding it more difficult to attract and retain employees, especially lower wage workers that have to live further from the City and endure longer commutes to work. This has the potential to harm the economic vitality of the City.

(3) Developers are in a unique position to produce needed units for working households at a reduced cost, provided the City grants them the ability to provide additional units over and above those currently permitted by zoning. Inclusionary zoning is a market-based response that achieves affordable housing by reducing or eliminating land cost through increased density.

(4) Inclusionary zoning can be enacted without discouraging development or negatively affecting community character. Inclusionary zoning approaches have been used successfully in communities nationwide to provide worker housing. Inclusionary housing policies can ensure an equitable distribution of affordable housing opportunities throughout all neighborhoods and zones of the City without excessive burden to any single site or area.

B. The City has reviewed inclusionary zoning ordinances and inclusionary housing studies from around the country and adapted provisions that are appropriate to the needs and opportunities that exist in this City, has consulted with the development community and other stakeholders, and has designed an approach

that is sensitive to the interests and concerns of this community.

240-4.4~~IIA~~.2 PURPOSE

Now, therefore, the City Council of the City of Saratoga Springs, in accordance with the powers and authority vested in it by General City Law section 20 (24), 20 (25), and 81-d, hereby enacts this article in the best interests of the people of Saratoga Springs. The purposes of this article are to:

(1) Utilize market forces to produce homebuyer and rental housing units that are affordable to working households in the City through reasonable density bonuses and affordable unit pricing without undue financial burden.

(2) Encourage the development of housing affordable to a broad range of households with varying income levels, and mitigate the market forces excluding housing that meets the needs of all economic groups within the City.

(3) Promote the City's goal of increasing the workforce housing stock in a uniform and predictable manner and in proportion to the overall increase in new housing units.

(4) Ensure the availability of workforce housing throughout the community and equitably share the responsibility for workforce housing across all neighborhoods.

(5) Mitigate environmental and other impacts that accompany new residential development by reducing traffic, transit and related air quality impacts, promoting a housing balance and reducing the demands placed on transportation infrastructure in the region.

(6) Prevent overcrowding and deterioration of the limited supply of workforce housing and, thereby, promote public health, safety and general welfare.

(7) Provide for efficient administration in the approval, implementation and monitoring of projects.

240-4.4~~IIA~~.3 DEFINITIONS

As used in this article, the following terms shall have the following meanings:

AFFORDABLE RENT: Monthly rent that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

AFFORDABLE OWNERSHIP COST**:** A sales price that results in a monthly housing cost (including mortgage, insurance, property taxes and home association costs, if any) that

does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

CITY MEDIAN INCOME: The median household income as established by HUD for the Albany-Schenectady-Troy Metropolitan Statistical Area, adjusted by the City Office of Planning and Economic Development for the percentage difference between the City Median Income and the MSA Median Income based on the decennial Census, or other method established by the Office of Planning and Economic Development for determining the Median Income of the City on an annual basis.

CITY**:** The City of Saratoga Springs.

COVERED PROJECT: Any project or projects that meet(s) the criteria of article 240-IIA.4A "Covered Projects."

DEVELOPER**:** Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities with an identity of at least 10% proprietary interest, which seeks City approvals for all or part of a Covered Project or Projects.

HIGH COST PROJECT**:** A residential development in which the addition of the Inclusionary Units will result in higher incremental construction costs directly allocable to the Inclusionary Units. These additional costs may include, but are not limited to, addition of stories, extension of elevators, additional structural support, additional garaged parking spaces, upgraded exterior materials including masonry and stone veneer, required handicapped accessibility modifications, the substantial rehabilitation of unique historic structures or features, or unusual changes or additional requirements imposed by regulatory authorities.

HOUSEHOLD**:** One person living alone or two or more persons sharing residency whose income is considered for housing payments.

HUD: The U.S. Department of Housing and Urban Development.

INCLUSIONARY HOUSING PLAN: A plan submitted by a Developer to provide compliance with this article.

INCLUSIONARY HOUSING AGREEMENT**:** A written agreement between a Developer and the City, as provided herein, to be recorded and that would run with the land.

INCLUSIONARY UNIT: A dwelling unit that must be offered at Affordable Rent or available at an Affordable Ownership Cost to Income Eligible Households, and is regulated with regard to selling price or rent level, marketing and initial occupancy, and continued requirements pertaining to resale or rents and occupancy for the minimum compliance period, as provided herein.

INCOME ELIGIBLE HOUSEHOLD: For an Inclusionary Unit for rent, a Household earning less than fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income), as provided in article 240-IIA.6. For

an Inclusionary Unit for sale, a Household earning less than eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income), as provided in article 240-IIA.6.

MARKET UNIT: A dwelling unit in a Covered Project that is not an Inclusionary Unit.
SEQR: New York State Environmental Quality Review.

SUBSTANTIAL REHABILITATION: A cost of rehabilitation that exceeds 50% of the market value of the building based on the quotient of the structure's current assessed value as indicated in the City's Assessment Records divided by the city's Equalization Rate.

240-4.4~~IIA~~.4 COVERED PROJECTS AND EXEMPT PROJECTS

A. Covered Projects

Except as otherwise provided herein, this article shall apply to all building permit requests pertaining to the following projects:

(1) Any project of ten (10) or more new additional residential dwelling units that are produced through construction, substantial rehabilitation of existing structures, or adaptive reuse or conversion of a nonresidential use to a residential use.

(2) Multiple developments or projects by a Developer occurring on contiguous parcels or in substantial proximity to one another shall be considered in toto and shall be Covered Projects.

(3) Any project of less than 10 new residential units that, at the sole discretion of the Planning Board, may be permitted for voluntary inclusion as a Covered Project under this Article of the Zoning Ordinance. If approved, all requirements for Covered Projects shall apply.

B. Exempt Projects

This article shall not apply to all building permit requests pertaining to the following projects:

(1) Mobile homes.

(2) Any project that is developed by an educational institution for the exclusive residential use and occupancy by that institution's students.

(3) Any project that produces affordable units equal to, or in excess of, the requirements contained in this article.

(4) Any project for which building permit applications were properly filed before the date of enactment of this Article.

(5) Any project for which a final Planning Board decision of approval (final PUD site plan, final site plan, or final subdivision approval) was issued

before the date of enactment of this Article.

C. Temporary Suspension of Inclusionary Requirements for Covered Projects

In the event that the City's Office of Planning and Economic Development determines that the Waiting List is inadequate to support the development of additional Inclusionary Units, the Planning Board may suspend the Inclusionary Unit requirements for a specific Covered Project. In that event, no Density Bonus under 240-4.4~~IIA~~.5 is provided.

240-4.4~~IIA~~.5 DENSITY BONUS

To assist developers in meeting the requirements of this article, all Covered Projects shall be entitled to a density increase of no more than 20% of the number of units that the Covered Project is allowed under existing zoning or a lesser base number of units as originally proposed by the developer, as permitted subsequent to SEQR analysis or as may be established by the Planning Board. When determination of the number of units for a density bonus results in a fractional unit, any fraction of .5 or over shall be one additional unit, and any fraction below .5 will be rounded down. Notwithstanding the above, no provisions herein shall be construed as limiting the discretion of the Planning Board to conduct reviews of Covered Projects and to issue any decisions within the scope of its statutory authority.

240-4.4~~IIA~~.6 REQUIREMENTS OF INCLUSIONARY UNITS

All Covered Projects shall meet the requirements for Inclusionary Units as specified in this section. The percentage of Inclusionary Units shall be calculated with a base number, or as may be established by the Planning Board, that does not include the bonus units added to the Covered Project.

A. Inclusionary Units – Rental

For Covered Projects where units are offered for rent, the number of Inclusionary Units shall be designated as follows. When determining the number of Inclusionary Units, any fraction of .5 or over shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit rent is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Low Income Households (up to 50% of area median)	10%
Moderate Income Households (50% - 80% of area median)	20%

(1) Affordable Rents. Maximum Affordable Rents for Inclusionary Units will be calculated as follows: one-twelfth of thirty-five percent (35%) of the maximum annual income for a household at the applicable income limit – either fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

(2) In calculating the Affordable Rent of Inclusionary Units, the applicable income shall be based on the following relationship between unit size and Household size:

Unit Size	Household (HH) Size for Applicable Income
Efficiency units	1 person HH
One-bedroom units	1.5 person HH
Two-bedroom units	3 person HH
Three-bedroom units	4.5 person HH
Four-bedroom units	6 person HH

(3) The calculations of the initial rents for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any public source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the rents and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

B. Inclusionary Units – For Sale

For Covered Projects where units are offered for sale via the conveyance of a

deed or share for individual units, Inclusionary Units shall be designated in accordance with the following table. When determining the number of Inclusionary Units, any fraction of .5 or above shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit sale is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Moderate Income Households (up to 80% of area median)	15%
Middle Income Households (80% - 100% of area median)	20%

(1) Sales Price. Sales prices will be based on calculation of the Affordable Ownership Cost, which means a sales price that results in a monthly housing cost (including mortgage principal and interest, insurance, property taxes and home association costs, if any) that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for the applicable income limit – eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

(2) With respect to Inclusionary Units offered for sale, the Affordable Ownership Cost will be calculated on the basis of:

(a) A down payment of no more than five percent (5%) of the purchase price; and

(b) An available fixed-rate thirty-year mortgage, using Fannie Mae's current interest rate, for the balance of the purchase price. (If the Developer can guarantee the availability of a fixed-rate thirty-year mortgage at a lower rate from the State of New York Mortgage Agency or other public agency for all of the Inclusionary Units in the Covered Project, a lower interest rate as provided by that agency may be used in calculating Affordable Ownership Cost.)

(3) The calculations of the initial sales prices for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices prior to initial occupancy in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the sales prices and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

(5) In the event that an individual buyer is able to provide a higher down payment or obtain a higher mortgage loan based on fixed-rate financing at a lower rate than provided in paragraph (2)(b) above, the additional Buyer Funds may be used by the buyer to purchase additional improvements to the Inclusionary Unit. Upon approval of the Office of Planning and Economic Development, said additional improvements can be added to the base price for purposes of determining resale under Article 240-4.4~~IIA~~.9B.

C. General Requirements for Covered Projects – Rental and For Sale Units

(1) Distribution
In order to assure an adequate distribution of Inclusionary Units by household size, the bedroom mix of Inclusionary Units in any Covered Project shall reflect the same ratio as the bedroom mix of the Market Units of the Project, unless waived by the Planning Board for good cause or requested by the Office of Planning and Economic Development based on the waiting list.

(2) Phasing
Inclusionary Units shall be made available for occupancy on approximately the same schedule as, or sooner than, a Covered Project's market units, except that certificates of occupancy for the last ten percent (10%) of the Market Units shall be withheld until certificates of occupancy have been issued for all of the Inclusionary Units. A schedule setting forth the phasing of the total number of units in a Covered Project, along with a schedule setting forth the phasing of the required Inclusionary Units, shall be established prior to the issuance of a building permit for any Covered Project.

(3) Comparability
Inclusionary Units may differ from the Market-Rate Units in a Covered Project with regard to interior amenities and gross floor area provided that:

(a) These differences, excluding differences related to unit size differentials, are not apparent in the general exterior appearance of the project's units and there is compliance with all exterior site requirements of the City.

(b) These differences do not include the reduction of insulation, windows, heating systems, and other improvements related to the energy efficiency of the Inclusionary Units.

(c) The gross floor area of the Inclusionary Units is not less than the following minimum requirements, unless waived by the Planning Board for good cause: one bedroom – 700 square feet, plus 150 square feet for each additional bedroom.

D. Inclusionary Housing Agreement

All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, final site plan or final subdivision approval by the Planning Board.

E. Restrictive Covenants

All Inclusionary Units produced shall have restrictive covenants, recorded and filed to run with the land, to ensure compliance with the occupancy, sale, rent and other requirements of this article, and provide for legal remedies for the City to enforce this article. These restrictive covenants shall be contained in the Inclusionary Housing Agreement approved by the City Planning Board.

240-4.4~~IIA~~.7 RELIEF

The section identifies methods of relief from existing regulation to accommodate the requirements of this Article.

A. In order to accommodate the additional residential units required by this Article, the Planning Board may grant relief from the requirements set forth in the table below to the extent necessary so that the additional units are appropriately incorporated into the overall site plan. In doing so, the Planning Board must find that the resulting development is consistent with the general area and does not negatively impact the character of the surrounding neighborhoods. The intent is to provide a sufficient degree of specificity in site design and layout without unduly restricting creative and diverse solutions.

Zoning District	Requirements that may be relieved
T-6 Urban Core	Height: standard maximum height may be exceeded up to one story. The additional story shall contain no more than the number of additional units granted by the density bonus and these units shall be set back at least 10 feet from the facades of the story below
T-4 Urban Neighborhood T-5 Neighborhood Center	Height: as defined for the T-6 Urban Core district Build-to line, side and rear setbacks Parking requirements
Single-family Residential Districts (RR-~~1~~, SR-1, SR-2, UR-1,	Minimum lot size, mean width, maximum lot coverage Minimum yard dimensions Minimum floor area: units shall be a minimum of 700

UR-2)	square feet for 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences: to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units
Single- and two-family Residential Districts (UR-3, UR-4, UR-4A, UR-7, NCD-1,2,3)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area: units shall be a minimum of 700 square feet for a 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences – to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units
Multi-family Residential Districts (UR-5)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area – units shall be a minimum of 700 square feet for 1 bedroom plus 150 square feet for each additional bedroom

B. Reduction in Inclusionary Units
In the event the Planning Board cannot approve a full density bonus, as prescribed in Section 240-4.4~~IIA~~.5 "Density Bonus", the number of required Inclusionary Units shall be reduced in proportion to the ratio of proposed Inclusionary Units to the proposed density bonus (i.e., if the developer has proposed that all density bonus units be Inclusionary Units, then 100% (20%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 15% Inclusionary Unit option, then 75% (15%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 10% Inclusionary Unit option, then 50% of the reduction in units shall be Inclusionary Units.)

C. High Cost Project
In the event a Developer can establish by clear and convincing financial data to the Planning Board that the Covered Project constitutes a High Cost Project, the Planning Board, in consultation with the City Office of Planning and Economic Development, may permit the Developer to offer the required Inclusionary Units to households at up to 20% above the applicable income limits and prices in 240-4.4~~IIA~~.6.

D. Relief from this Ordinance
If the developer requests full relief from this Article to eliminate the provision of all Inclusionary Units, relief shall be sought from the Zoning Board of Appeals through a ~~use~~ variance.

240-4.4~~IIA~~.8 SALE/LEASING OF INCLUSIONARY UNITS

Any Developer of a Covered Project shall adhere to the following provisions and to the

provisions of the Inclusionary Housing Agreement with respect to the initial offering of Inclusionary Units for sale or rent.

A. Ineligible Households. No Inclusionary Units may be rented or sold to any person who will not reside in that unit year-round, or to any person who is claimed as a dependent on another person's federal or state tax return.

B. Occupant Qualification. Occupancy of Inclusionary Units shall be by households qualified by the City.

C. Notice of Availability. The Developer shall notify the City Office of Planning and Economic Development of the prospective availability of any Inclusionary Units at least 180 days before such Units shall be available for lease or sale in a Covered Project.

D. Waiting List. Upon such notice, the Office of Planning and Economic Development shall provide to the Developer a list of qualified Income Eligible Households based upon the City's waiting list for Inclusionary Unit housing. Referrals will be made by the City based on priority to Income Eligible Households who are, at the time that the units are offered for sale or lease, residing or working, first, in the City and, second, in the County of Saratoga. The Developer will consider applicants in the order specified in the list, to rent or sell the Inclusionary Units, and may take into account any standard and lawful screening of applicants uniformly applied to all applicants for Inclusionary and market units. The developer shall comply with all fair housing laws. Referrals from the list will respect any conditions of occupancy, including elderly and/or handicapped occupancy, legally imposed by public financing.

E. Release from Inclusionary Unit Restrictions. If, after the initial 180 days following the Notice of Availability, a developer is still unable to secure a qualified, Income Eligible Household for an Inclusionary Unit from the City's Waiting List, the City Office of Planning and Economic Development shall approve the release of the Inclusionary Unit restrictions and that unit may be sold or leased as a Market Unit. The excess proceeds of this sale, over and above the approved Inclusionary Unit sale price plus legitimate and reasonable carrying and sales costs of the developer, shall be repaid to the City and used to support the purposes of this Inclusionary Zoning Article.

F. Reasonable Accommodations and Modifications. The City will operate the program and maintain the waiting lists in compliance with the Americans With Disabilities Act to ensure access to persons with disabilities.

(1) For homebuyer units, the City will notify the developer of referral of a household that includes a person with disabilities. The developer shall make reasonable accommodations in working with that household, and install reasonable modifications as required by the household to occupy the unit. Said reasonable modifications shall be at the expense of the household, and the sales price of the Inclusionary Unit may be adjusted to reflect the reasonable modifications.

(2) For rental units, when the City determines that the likely applicants for Inclusionary Units will include households with disabilities, the City will designate handicapped accessible units in the development to be reserved as Inclusionary Units as part of the Inclusionary Housing Agreement. The developer will make reasonable accommodations to provide housing to the household containing persons with disabilities.

240-4.4~~IIA~~.9 CONTINUED AFFORDABILITY REQUIREMENTS

A. Rental Projects

All rental Covered Projects shall comply with the following provisions, which shall be contained in an Inclusionary Housing Agreement to ensure continued affordability of Inclusionary Units.

(1) Minimum Affordability Period. All Inclusionary Units shall remain affordable for a period of no less than thirty (30) years commencing from the date of initial occupancy of the units.

(2) Rent Increases. Increases in the annual rent for Inclusionary Units during the minimum affordability period shall be limited to the percentage increase in the Consumer Price Index for the Albany-Schenectady-Troy Metropolitan Statistical Area. Increases above this percentage require the approval in advance and in writing from the City Office of Planning and Economic Development, which shall approve increases based on documented hardship or other exceptional conditions.

(3) Rental Report. Owners of rental Inclusionary Units shall provide such information annually to the City, as determined by the City Office of Planning and Economic Development and the Inclusionary Housing Agreement, to ensure compliance with continuing occupancy and rent restrictions.

(4) Maintenance of Units. Owners shall comply with all local codes and standards with respect to Inclusionary Units, and provide maintenance services to the Inclusionary Units in the same manner provided all units in the Project.

(5) Lease and Sublet Restrictions. During the affordability period, the owner or occupant may not sublet an Inclusionary Unit to a Household other than an Income Eligible Household, or at a rent in excess of the Affordable Rent.

(6) Sale of Project. If the Covered Project is sold during the Minimum Affordability Period, the use restrictions shall run with the land, and the new buyer will meet all restrictions of the Inclusionary Housing Agreement for the remainder of the period. The City shall charge the seller a fee to cover the costs of approving and recording the transfer.

B. Homebuyer Projects

All homebuyer Inclusionary Units shall comply with resale restrictions, which shall be contained in an Inclusionary Housing Agreement with the Developer and legally recorded with each sale. Transfer to an original co-owner does not constitute a resale for this purpose, but the transfer is subject to all restrictions of the original covenants, and any subsequent resale is subject to these provisions.

(1) Shared Interest in Proceeds of Sale. At the time of the initial sale of the Inclusionary Unit, the City will determine the Buyer's Interest and the City's Interest based upon current Market Value determined by appraisal as if the property was unrestricted. The Buyer's Interest will be the percentage that the Buyer's Funds, including down payment and mortgage(s), constitute of the current full market value at time of initial sale. Buyer's Funds can include additional improvements as defined in Article 240-4.4~~IIA~~.6B(5), but do not include any mortgages, subsidies or buy downs provided by the City or other public sources.

The City's Interest will be the remainder interest; that is, the Subsidy Amount (Market Value minus Buyer's Funds) divided by the Market Value at time of initial sale.

(2) Resale Price. The resale price shall be the Buyer's Interest multiplied by the current Market Value as an unrestricted unit at time of resale. The Office of Planning and Economic Development shall determine the market value of the unit by appraisal, the cost of which is to be borne by the seller.

(3) Notice of Intent to Sell. At any time the original Buyer wishes to offer an Inclusionary Unit for resale, the Buyer (now the Seller) must notify the City Office of Planning and Economic Development. The City (or its designee) shall provide one or more eligible buyers from the list of eligible buyers within thirty (30) days from notification. If the City declines or fails to provide an eligible buyer after 120 days from the notice to sell, the City Office of Planning and Economic Development may release the Inclusionary Unit restrictions on this unit, and the unit may be sold as an unrestricted unit, with the City recapturing its portion of the gross proceeds based on the City's Interest in Article 240-4.4~~IIA.~~9B(1) above.

(4) Transaction Fee. The City shall charge a fee to cover the costs of resale charged to the seller out of net proceeds.

240-4.4~~IIA~~.10 ADMINISTRATION

A. Inclusionary Housing Plan

The developer will submit a proposed Inclusionary Housing Plan to the City Office of Planning and Economic Development in advance of Planning Board review. The Office will review the proposed plan for consistency with this Article,

and provide comments to the developer and to the Planning Board.

B. Inclusionary Housing Agreement
All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, site plan or subdivision approval by the Planning Board. The City Office of Planning and Economic Development will prepare the Inclusionary Housing Agreement. Notwithstanding any other provision of this article, no special use permit, site plan, change of use, subdivision approval, building permit or occupancy permit shall be granted for any dwelling unit in a Covered Project unless an Inclusionary Housing Agreement has been approved by the Planning Board.

C. Expedited Processing and Waiver of Fees

(1) Expedited Approvals and Permit Review. Structures that provide the required Inclusionary Units shall receive priority for building permit review and development approvals, and multiple IZ units with identical plans will receive single plan review.

(2) Waiver of Fees. All municipal fees associated with the development and construction of new residential units shall be waived only as they apply to the required Inclusionary Units.

D. Oversight and Enforcement
The City Office of Planning and Economic Development will monitor Covered Projects during implementation, review occupancy reports submitted by developers, and approve the transfer or re-occupancy of Inclusionary Units.

(1) Post-Approval Administrative Actions. In the event of unforeseen and unavoidable changes in costs, the Office of Planning and Economic Development shall have the authority to adjust pricing and eligible income levels, but changes in the number of Inclusionary Units in the Inclusionary Housing Agreement will require Planning Board approval.

(2) Certificate of Occupancy. No final certificate of occupancy shall be issued for a Covered Project unless all Inclusionary Units within the Covered Project are eligible for a certificate of occupancy, except that, with respect to Covered Projects to be constructed in phases, certificates of occupancy may be issued on a phased basis consistent with the provisions of this Article.

(3) Enforcement. Violations of this article shall be punishable as provided by Article 240-9.2~~13~~. In addition, any certificates of occupancy for Market Units in a Covered Project found to be in violation of this article may be revoked upon a finding of substantial non-compliance hereunder.

E. Annual Report and Evaluation
The City Office of Planning and Economic Development shall monitor activity under this article and shall provide an annual report on activities and costs to the

City Council. In addition, the Council shall cause this Article to be evaluated every three years, or in conjunction with the Comprehensive Plan review. In accordance with the City Charter, the Mayor shall have the authority to appoint a committee that includes representation of the inclusionary zoning program administrative staff, the Planning Board, the development industry and affordable housing experts to monitor the initial implementation of the ordinance and make recommendations.

EXEMPTION OF FEES FOR INCLUSIONARY UNITS:

In the annual resolution of the City Council, there shall be no application fees for the inclusionary units in a site plan or subdivision application, There shall be no cash-in-lieu of recreation land fee for the inclusionary units.

~~*3.1. Proposed Amendment Creating Article 240-13.6G Exemption for Inclusionary Units*~~

~~To add a new subsection "G" to read as follows:~~

~~"Article 240-13.6G Exemption for Inclusionary Units~~
~~The above mentioned fees shall not apply to any inclusionary zoning units or units which shall have received all required approvals under Article IIA of the Zoning Ordinance entitled, "Inclusionary Zoning"."~~

~~*3.2. Proposed Amendment to Subdivision Regulations, Appendix A*~~

~~To add the following to Appendix A:~~

~~"Fees established in this appendix shall not apply to any inclusionary zoning units or units which shall have received all required approvals under Article IIA of the Zoning Ordinance entitled, "Inclusionary Zoning"."~~

~~*3.3. Proposed Amendment to City Code Chapter 231, Section 231-48, "Application for Service; Connection Fees"*~~

~~To add a new subsection "D" to read as follows:~~

~~"D. Fees established in this section shall not apply to any inclusionary zoning units or units which shall have received all required approvals under Article IIA of the Zoning Ordinance entitled, "Inclusionary Zoning"."~~

<u>Questions & Answers:</u>
Proposed "Saratoga Places for All" (SPA) Housing Ordinance (August 2016)

(The following "Questions & Answers" are from the City's 2006 Inclusionary Zoning Ordinance, updated by Sustainable Saratoga to reflect data relevant to the current SPA-Housing Ordinance proposal.)

Why is Sustainable Saratoga supporting this proposal?

- Sustainable Saratoga advocates for sustainable smart growth policies. One such policy is that the City should have adequate, diverse housing.

What is the SPA-Housing ordinance?

- SPA-Housing is an inclusionary zoning (IZ) ordinance that requires developers of larger housing (sale or rental) developments to include some affordable units to households of modest income. Developers are given a modest density bonus, or the right to build more units, to offset the costs of producing these units. The proposed ordinance for Saratoga Springs requires developments of 10 or more new units to dedicate 10 to 20 percent (depending on target income level) of the new units to be affordable in exchange for a 20 percent density bonus. Over 500 other communities in the country have enacted similar ordinances.

What does the SPA-Housing Ordinance require?

- Developments with 10 or more new RENTAL units must set aside either:
  - 20% of units for households earning under $65,000 (less than 80% of Area Median Income – AMI, based on a 4-person household) or
  - 10% of units for households earning under $41,000 (less than 50% of AMI, based on a 4-person household)
- Developments with 10 or more new FOR SALE units must set aside either:
  - 20% of units for households earning under $82,000 (less than 100% of AMI, 4 persons) or
  - 15% of units for households earning under $65,000 (less than 80% of AMI, 4 persons)
- Density bonus - In exchange for providing the Inclusionary Units, the developer may increase the total number of units in the project by up to 20%.
- As necessary and appropriate to accommodate the Inclusionary Units, the Planning Board can relax certain regulations, depending on the zoning district.
- Developers will enter into an "Inclusionary Housing Agreement" with the City to assure that the conditions of inclusionary zoning are met.

Are there any exceptions?

- The Ordinance would apply citywide to new construction, substantial rehab or conversions, except for:
  - Exclusively non-residential development
  - Developments with fewer than 10 new units (unless developer requests & City approves)
- The Planning Board can waive part or all of the Inclusionary Zoning (IZ) requirements if it determines the additional units cannot be accommodated on site without detrimental impact.
- Developers may request "relief" from IZ through the Zoning Board of Appeals.

How will the Inclusionary Units be priced?

- Maximum rents and sales prices will be determined annually based on income levels. The Ordinance provides formulas for determining what the rents or sale prices for the affordable units will be.
- For certain "high cost" construction, the developer may seek Planning Board approval to set the price to target a slightly higher income level (up to 20% higher).

How will the Inclusionary Units differ from the market-rate units?

- In order to make the units affordable, inclusionary units may be smaller in size and contain less expensive interior finishes and amenities than the market rate units.
- Exterior finishes must be comparable to the market-rate units.

How long will the Inclusionary Units remain affordable?

- Rental units must remain affordable for at least 30 years.
- For sale units will remain affordable in perpetuity, with unit owners receiving net proceeds of the sale in proportion to their original investment.
- Affordability requirements are maintained through restrictive covenants & deed restrictions.

Who will be eligible for an Inclusionary Unit?

- The City Office of Planning and Economic Development will create and maintain a waiting list of eligible candidates based on income limits (adjusted annually).
- Priority is given first to households that reside or work in the City, second priority to households that reside or work in Saratoga County.
- Developers of Inclusionary Units will use this list to rent or sell the units.
- Seasonal or part-time residents will not be eligible.
- Subletting an inclusionary unit to a non-income-eligible party is prohibited; on turnover, new occupants will be selected from the City waiting list.

How will the program be monitored to make certain it works in Saratoga Springs?

- The Mayor is authorized to appoint a committee of experts to monitor the initial implementation of the Ordinance and to make recommendations for changes.
- The Planning Board can waive the requirements for individual projects where it is determined the IZ units cannot be provided without detrimental impact.
- If the City's waiting list is exhausted, the Planning Board can suspend the requirements for projects, or release individual units to market sale (with the excess proceeds being used to support this Ordinance).
- An annual report will be provided to the Council. An evaluation is scheduled every 3 years, which is the minimum time necessary to allow initial projects to be completed and units occupied.
- The City Council has the authority to amend this or any other portion of the City's Zoning Ordinance as needed.

How many affordable units will this produce?

- Based on recent years, 15 to 30 units could be produced each year, although this could be higher or lower depending on the market and the types of projects approved. Under current market conditions, these units are likely to be mostly rental units, although over time the Ordinance may also result in the creation of owner-occupied units.

Where will these units be produced?

- Consistent with the IZ principle of "fair share", IZ units will be produced throughout the City, in proportion to the zoning density that applies to that particular neighborhood or site. The SPA Housing program is consistent with the relative housing densities proposed in the City's Comprehensive Plan.
- The number of IZ units that any one area receives will be determined by the amount of new housing development in that area.

Who will these units be for?

- It is envisioned that these units will serve local residents – elderly residents who can no longer keep up with the tax and maintenance burden of single family ownership, young people who grew up here and are returning to raise their families in Saratoga, and people who have jobs in the City or County and want to live closer to work. The Ordinance gives priority to households of modest income that live or work in Saratoga Springs. Based on current incomes, IZ units would serve a two-person household earning $32,800 - $52,500 for rental housing, and up to about $65,600 for homeownership. For a four-person household, IZ units would serve households in the $41,000 - $65,000 range for rental units, and up to $82,000 for homebuyer units. These income ranges are adjusted annually.

How will IZ be administered and what are the costs?

- The ordinance is designed to minimize the administrative impact on our small city government. The Office of Planning and Economic Development (OPED) will administer the ordinance. While some staff time is required, these are functions are already performed by OPED in other city housing programs, so the added workload is incremental, not new.. Based on recent development activity, OPED and the 2006 Committee concluded that the administrative functions constitute about ½ person, or about $55,000 in the first year and about $45,600 in subsequent years (in 2006 dollars). The City is currently reviewing these estimates.

Why do we need to do this? Is there an affordable housing crisis in Saratoga Springs?

- The US Department of Housing and Urban Development (HUD) says that housing is not affordable if the occupants of the unit are paying more than 30% of their income for housing costs (rent, mortgage, utilities, insurance, etc.).
- 25% of all homeowners in Saratoga Springs spend more than 30% of their income on housing costs. This represents 1,596 households.
- 44% of all renters in Saratoga Springs spend more than 30% of their income on housing costs. This represents 2,154 households.
- 33% of all households in Saratoga Springs spend more than 30% of their income on housing costs. This represents 3,750 households.

Why is housing so expensive in Saratoga Springs?

- The reasons are many, but essentially there is very strong demand and a limited supply. The many positive qualities of Saratoga Springs have made it a very desirable place to live for people moving to and working in the Capital District. Saratoga's appeal as a tourist and resort area is causing more and more of its housing stock to be claimed for vacation homes and second homes. Real estate investors are drawn to Saratoga Springs as an attractive

community to invest in high-end projects. As a result of this rising demand, land costs and building costs have increased to widen the gap between housing prices and area incomes.

Isn't this a short-term problem? Won't the housing market settle down and become more affordable in the future?

- Housing markets are cyclical and do not remain static. No one can predict the future of our local housing market, or whether prices will go up or down. This ordinance is designed as a long-term strategy to gradually add units in proportion to how the community grows. If the market slows and becomes more affordable, fewer market and IZ units will be produced.

If I'm already a homeowner in Saratoga Springs, why is affordable housing my problem?

- Although you may be secure in your home, we believe that the affordable housing may still impact you as a consumer, as an employer and as a family. If working middle class people cannot find housing that is affordable, the community as a whole suffers. Workers vital to the stability and health of the community—both professional and blue-collar workers—will not be available to provide the services needed by our citizens. Businesses will not locate or expand here if they are unable to recruit a local workforce, and this can threaten our local economy. On a more personal level, you may find that it will be harder to keep your family living close by – your children may have to move away to raise families, or your parents may not be able to afford to live close by as they age and need your support.

Isn't it reasonable to expect some people to commute from less expensive outlying areas?

- Employers indicate that this housing market affects recruitment, turnover and absenteeism. Workers who can't live close to their workplace are more likely to change their workplace location in order to shorten their commutes. Also, workers with long commutes are more likely to miss work, reducing the ability of local businesses to provide quality services. With uncertainty in fuel prices, workers have even more incentive to find employment close to their homes. And ultimately, housing choices should exist for working families and the elderly.

What are the impacts of the SPA-Housing Ordinance?

- There are over 500 IZ ordinances in effect nationwide, with different provisions and different levels of success. This proposed ordinance for Saratoga Springs drew on that range of experiences to develop a modest approach that is appropriate to Saratoga Springs and that will not negatively affect the special character of our community. Some of the key concerns about potential negative impacts of the IZ ordinances are discussed below.

Will the SPA-Housing Ordinance discourage development in Saratoga?

- It should not. In some IZ communities where the IZ requirement has become a severe burden to the developer, this has been the case. However, this ordinance has been carefully designed based on financial analyses so that these additional IZ units can be provided by the developer at a price that covers the developer's costs of construction and overhead. IZ requirements apply only when units can be added to the overall development plan, so there will not be a reduction in what the developer could produce without IZ. Therefore, while developers take on some additional near-term burden in building the IZ units, there is no long-term burden or financial cost to the developer. As long as there is market demand for the production of additional housing units in Saratoga, developers should be able to continue to produce units.

Will IZ units alter the character and appearance of the entire development or the neighborhood?

- It should not. The IZ units must be the same type as the market units -- for-sale units within for-sale projects or rental units within rental projects. The IZ units will be required to blend in with the market rate units in terms of exterior design, finishes and aesthetics. Only certain development requirements listed in the ordinance, such as setbacks, are waived, and only to the extent needed to incorporate the affordable units. Where the units cannot be constructed without detrimental impact on the development and the community, the requirements can be reduced or waived by the Planning Board.

Will IZ units have an impact on traffic and other environmental issues of concern?

- All developments covered by this ordinance are put through an environmental analysis following the State Environmental Quality Review (SEQR) process. The IZ units will be part of that, and changes to the design and other mitigation will be considered as part of that process prior to Planning Board approval. In addition, the proposed ordinance itself must receive SEQR review prior to enactment.

Will the SPA-Housing Ordinance threaten Saratoga Springs' greenbelt or rural areas?

- IZ applies within the City's existing zoning to all areas of the City. Therefore, inclusionary zoning will apply in the less densely zoned areas of the city, but in concentrations which reflect the lower density of those rural zones.

Will IZ units be produced disproportionately in certain neighborhoods?

- The ordinance is developed on the core principle of fair share. IZ requirements apply to all neighborhoods and areas of the City, in direct proportion to the existing zoning requirements in that area. It is likely that the city's core area and perhaps certain neighborhoods might see more development in the future than others, so these areas might see more IZ units than other areas. However, IZ units can be produced only on the development site and not shifted to other neighborhoods.

Does this change the local review process and the roles of the Planning Board, Design Review, or Zoning Board of Appeals?

- No. All existing review processes remain in place, and all authorities of the various review boards are preserved. The boards will be required to consider the IZ requirements as one of the overall requirements of the City, but not to the exclusion of other community concerns and requirements. The Planning Board will take the lead in incorporating the IZ requirements into the overall development approval. The Planning Board is authorized to grant relief from IZ requirements, and the developer still retains the right to appeal for full relief to the Zoning Board of Appeals.

Will Saratoga's taxpayers carry the burden of producing and subsidizing these units?

- There are no direct City subsidies contemplated or required for these units. However, there are administrative costs that have been estimated in 2006 at $46,500 per year. The City is currently reviewing these estimates. The owners of IZ units will pay property taxes comparable to other modest housing in the community.

Will SPA Housing Ordinance end up drawing households to Saratoga that will become a burden to the community?

- The first priority is for households who live or work in Saratoga Springs. The second priority is for households who live and work in Saratoga County. Households who occupy these units must be self-sufficient because there are no subsidies provided. The ordinance has a "circuit breaker" so that the Planning Board can suspend the requirements if the City has no qualified applicants on its waiting list when developments are approved, and the income restrictions can be waived for units when there are no qualified buyers.

Is the draft ordinance applying a model from Montgomery County, Maryland, or other communities that are larger, more urban, or fundamentally different than Saratoga?

- No. The 2006 Committee was advised by the Innovative Housing Institute, nationwide experts on IZ, and the key IHI consultant formerly worked in Montgomery County and shared the Montgomery County experience. However, this ordinance was not based on Montgomery County or any other community. It was drafted from scratch, drawing on the experience of a range of communities, and modified based on substantial community input. The end result is a totally unique ordinance that is unlike any other community's ordinance and tailored to the market and conditions in Saratoga Springs.

Why was a threshold of 10 units chosen?

- A 20% bonus only begins to make sense at 10 or more units. Because of the rounding required to get full units, a 20% bonus in smaller projects could have a dramatic and visible impact on density. The 2006 Committee looked at permits drawn in recent years, and has concluded that there would not be a significant increase in inclusionary unit production if the threshold were lowered to five units. The ordinance includes a voluntary provision where smaller projects could propose inclusionary units if it made sense from design and financial standpoints.

Can developers propose to build the IZ units off site?

- No. In cases where it is determined by the Planning Board that units cannot be accommodated on site, the requirement will be waived rather than shifted off site.

Does the City have the option to purchase the affordable units or change their use?

- No. This is not allowed, due to concerns that the intent and use of the units could be changed.

Will these families be able to afford the housing costs, including maintenance, taxes and homeowner association fees?

- The 2006 Committee analyzed the affordability, and created a pricing model that includes all costs, including taxes, insurance and homeowner association fees (if applicable). Taxes are based on assessments reflecting the lower price and value of the IZ units. In certain developments with high homeowner association fees, the pricing may need to be adjusted or subsidies provided to make it affordable. Maintenance and improvement of IZ units will be encouraged and taken into account for resale pricing.

Will the IZ unit buyers be able to enjoy appreciation in their unit value when they sell?

- Yes. Homeowners will be able to sell at a price that enables them to share in market appreciation in direct proportion to their initial investment when they sell. For example, if they were able to buy the unit at 60% of its original fair market value, they will be able to receive 60% of the appreciation at time of resale. The new buyer will continue to be a priority household in the eligible income range.

Why don't we just make inclusionary zoning a voluntary program?

- It is widely accepted that voluntary inclusionary zoning programs have been largely ineffective nationwide. Saratoga Springs has incorporated voluntary incentive-based affordable housing into its zoning standards for a number of years, but this has not resulted in the construction of any affordable units.. Also, if voluntary, it is likely that IZ units would not be produced throughout the City and this would result in higher concentrations of IZ units in some neighborhoods rather than others.

Wouldn't it be easier if the City just paid developers to build affordable units?

- It is the removal of land costs from the additional units, achieved through the density bonus, which permits IZ units to be offered at a more affordable price. To achieve similar pricing levels, the City would need to either build on City property, thereby concentrating these units, or provide substantial subsidies to offset the rising cost of available privately held land.

Shouldn't this be a County-wide program?

- The market pressures exist throughout the Saratoga region, but have become most focused in Saratoga Springs. While a County-wide strategy would produce more needed units, Saratoga Springs needs to address this problem whether or not other communities join in. We hope that our leadership on this issue will encourage other communities in the County to consider the benefits of creating their own inclusionary zoning programs.

Will inclusionary zoning solve all of our community's affordable housing needs?

- Inclusionary zoning is not a panacea, but it is an important tool in establishing a range of options to address affordable housing needs in Saratoga Springs. Providing these units through a private market solution allows Saratoga Springs to meet some of the need without large government subsidies and regulation by the state or Federal governments. It is a modest but truly local solution.

What if it doesn't work?

- Several features have been included in the Ordinance to enable it to be modified or suspended if it doesn't work or if there isn't sufficient demand.
  (1) The Ordinance provides for a committee to monitor the initial implementation and to make recommendations for changes.
  (2) There is a "circuit breaker" for the Planning Board to suspend the requirements for new developments if there is insufficient demand for the units.
  (3) There is a provision to allow individual units to be sold at market value if eligible buyers cannot be found.
  (4) The Ordinance requires an annual report to the Council on the IZ units produced.
  (5) The Ordinance requires an evaluation of the Ordinance and its impact within three

years.

(6) And, of course, the City Council could choose to re-evaluate and change the ordinance at any point if it proves to be unsuccessful, has unintended loopholes or negatively affects the community.

Who drafted the 2006 ordinance?

- In early 2005, Mayor Michael Lenz created the Inclusionary Zoning Ordinance Development (IZOD) Committee to study the City housing issues and develop a new ordinance. The worked for over a year and in April 2006 delivered a new ordinance to the City Council. That committee consisted of Monte Franke (Chair), Sonny Bonacio, Amy Durland, Matt Gabryshak and Vilma Heramia. Eric Schreck and Nancy Ohlin also served in the earlier months on the committee.

Why didn't the City Council adopted the draft ordinance in 2006?

- We can only speculate why the City Council did not adopt the draft ordinance as recommended by the IZOD Committee. There is official record of any public discussion of the Ordinance by the City Council.
- Sustainable Saratoga believes there probably were a number of factors that contributed to the lack of action. These might have included:
  - Desire to see if the ordinance could be adopted on a regional or county-wide level;
  - Suggestions by some developers that more time could allow affordable housing to be built on a voluntary basis;
  - Concern with forecasts of an uncertain housing market;
  - A tight City budget that were projecting employee layoffs.

HOUSING DATA
SARATOGA SPRINGS, NY

Compiled by Sustainable Saratoga (August 2016)

AFFORDABLE HOUSING:

The US Department of Housing and Urban Development (HUD) defines "Affordable Housing as "housing for which the occupant(s) is/are paying no more than 30 percent of his or her income for gross housing costs, including utilities".

The US Census's 2010-2014 American Community Survey reports:

SARATOGA SPRINGS:

- 24.81% of all homeowners spend more than 30% of their income on housing costs.
  - This represents 1,596 households
- 44.14% of all renters spend more than 30% of their income on housing costs.
  - This represents 2,154 households
- 33.15% of all households spend more than 30% of their income on housing costs.
  - This represents 3,750 households

COUNTY OF SARATOGA:

- 23.60% of all homeowners spend more than 30% of their income on housing costs.
- 42.62% of all renters spend more than 30% of their income on housing costs.

DEMOGRAPHIC:

The US Census 2000:

SARATOGA SPRINGS:

- Total populations: 26,586 (26,186 in 2000)
- Number of persons per household: 2.13 (2.21 in 2000)
- Number of occupied housing units: 11,312 (10,784 in 2000)
  - Number of owner-occupied housing units: 6,431
  - Number of renter-occupied housing units: 4,881

COST OF HOUSING:

The US Census's 2010-2014 American Community Survey reports:

SARATOGA SPRINGS:

- Mean value for owner-occupied units: $310,200
- Mean monthly gross rent for renter-occupied units: $988

COUNTY OF SARATOGA:

- Mean value for owner-occupied units:.$230,900
- Mean monthly gross rent for renter-occupied units: $978

City Data.com reports:

SARATOGA SPRINGS:

- Median gross rent in 2013: $1,011.
- Mean prices in 2013:
  - *All housing units: $*337,814;
  - Detached houses: $327,096
  - In 5-or-more-unit structures: $938,279
- Median house of condo value:
  - In 2013: $297,771
  - In 2000: $128,600

INCOMES:

The US Census's 2010-2013 American Community Survey reports:

SARATOGA SPRINGS:

- Per capita income: $39.,355
- Median household income: $67,303

COUNTY OF SARATOGA:

- Per capita income: $35,860
- Median household income: $70,581

City Data.com reports:

SARATOGA SPRINGS: (zip code area)

- Estimated median household income in 2013: $67,522

The US Department of Housing and Urban Development:

COUNTY OF SARATOGA: (no separate data available for City of Saratoga Springs)

- 2016 Median Income: $82,000
- 2016 Median household income by household size: (see table below)

HOUSEHOLD SIZE: (persons)	HOUSEHOLD INCOME (30% of Area Median)	HOUSEHOLD INCOME (50% of Area Median)	HOUSEHOLD INCOME (80% of Area Median)	**HOUSEHOLD INCOME (100% of Area Median)**	HOUSEHOLD INCOME (110% of Area Median)	HOUSEHOLD INCOME (120% of Area Median)
1	$17,250	$ 28,700	$ 45,950	**$57,400**	$63,150	$68,900
2	$19,700	$32,800	$52,500	**$65,600**	$72,150	$78,700
3	$22,150	$36,900	$59,050	**$73,800**	$81,200	$88,550
4	$24,600	$41,000	$65,000	**$82,000**	$90,200	$98,400
5	$28,450	$44,300	$70,850	**$88,600**	$97,450	$106,300
6	$32,600	$47,600	$76,100	**$95,200**	$104,700	$114,250
7	$36,750	$50,850	$81,350	**$101,700**	$11,850	$122,050
8	$40,900	$54,150	$86,600	**$108,300**	$119,150	$123,000

(All numbers rounded to nearest $50)

Sustainable Saratoga
PO Box 454
Saratoga Springs, NY 12866

[redacted]
www.sustainablesaratoga.org

August 5, 2016

Honorable Joanne Yepsen, Mayor
City of Saratoga Springs
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Mayor Yepsen:

RE: SPA-HOUSING ORDINANCE

We have submitted to the City Council zoning amendment that would create "The Saratoga Places for All (SPA) Housing Ordinance". This is a zoning text amendment that is intended to create more diverse housing opportunities citywide –especially for the middle income households.

Due to the public benefit nature of this zoning text amendment we are requesting a waiver of the application fee. We also indicated this request on the application form.

Sincerely,

Harold J. Moran

Harry Moran
Chair

Attachments
cc: Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Anthony Scirocco

Sustainable Saratoga
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September 6, 2016

Mr. Mark Torpey, Chair
Saratoga Springs Planning Board
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Mr. Torpey:

RE: SPA HOUSING ORDINANCE – ADVISORY OPINION TO THE CITY COUNCIL

We would like to offer some supportive information as the Planning Board undertakes its advisory opinion to the City Council on Sustainable Saratoga's application to amend the Zoning Ordinance to include language that requires that development projects of 10 or more units include units deemed affordable under current HUD income guidelines.

We understand that, at a minimum, your task is to determine 1) whether the proposed revision is consistent with the Comprehensive Plan; and 2) whether the proposed revision is not contrary to the general purpose and intent of the Zoning Ordinance.

We offer the following comments on these two tasks.

CONSISTENT WITH COMPREHENSIVE PLAN:

We believe the propose SPA Housing Ordinance is completely consistent with the 2015 Comprehensive Plan.

Specifically, we believe the proposed zoning amendment is consistent with the following recommended housing actions presented within the Comprehensive Plan.

> 3.4-50 Encourage a range of residential opportunities that will be available to all residents to promote the social and economic diversity vital to a balanced community.
>
> 3.4-51 Actively promote affordable housing of all types and tenure throughout the City, and avoid overconcentration in any one area to reduce the potential for isolation of income groups.
>
> > a. Promote diversity of housing types in close proximity to employment centers such as Downtown, the hospital, Skidmore College, the racetracks, etc.
> > b. Encourage the development of higher density residential alternatives within the urban core including the conversion to residential use of upper floors in commercial districts.
> > c. Make greater use of City-owned properties for affordable housing and consider acquiring additional properties for this purpose.
>
> 3.4-54 Rehabilitate and develop affordable housing via a "whole-site approach" with attention to site location and layout, façade design, pedestrian movement and accessibility, adequate infrastructure provision, and sensitivity to historic preservation and neighborhood context. This will also assist to revitalize and/or preserve existing neighborhoods.

3.4-56 Promote more effective development incentives.

a. Consider incentives, such as density bonuses, temporary property tax relief from building setback, and parking requirements, to encourage affordability.

b. Consider providing infrastructure incentives for developments with affordable units.

3.4-57 Address procedural items related to housing Citywide.

a. Review zoning, subdivision, building codes, and develop policies to actively encourage affordable housing construction or redevelopment.

b. Investigate appropriate opportunities for the conversion, building, and permanent residential use of building code compliant accessory buildings such as carriage houses and garages.

c. Promote more aggressive enforcement of housing codes and zoning regulations.

We don't believe the proposed zoning amendment is inconsistent with any of the housing policies of the 2015 Comprehensive Plan.

We also note that the proposed density bonus in the proposed zoning amendment is totally consistent with the following policy statement on page 62 of the Comprehensive Plan:

Incentive Zoning Supporting Public Purpose:

Section 81-D of the NYS General City Law sets forth the conditions under which cities can enact incentive zoning. Saratoga Springs already has density bonuses for affordable housing and publicly accessible open space in several zoning districts. This legislation requires the density incentives to be consistent with the municipality's Comprehensive Plan. Therefore, public purpose density bonuses permitted by Section 81-D would be able to exceed the residential density caps in each of the land use categories.

CONSISTENT WITH GENERAL PURPOSE AND INTENT OF ZONING ORDINANCE:

The purpose and intent of the Zoning Ordinance is set forth in Article 1.3 of the ordinance and presented below. We believe the SPA Housing Ordinance zoning amendment is consistent with, and not contrary to, the intent and purposes described below.

1.3 INTENT AND PURPOSES

A. The intent of this Chapter is to encourage appropriate and orderly physical development; promote public health, safety, and general welfare; classify, designate and regulate the location and use of buildings, structures and land for agricultural, residential, commercial, industrial or other uses in appropriate places; and to divide the City of Saratoga Springs into districts of such number, shape and areas as may be deemed best suited to carry out these regulations and provide for their enforcement.

B. The regulations and district boundaries identified in this Chapter and upon the Zoning Map are made with the following additional purposes:

1. Facilitation of efficient, economical, and adequate provision of public utilities and services;

2 .Assurance of adequate sites for residential, agricultural, industrial, commercial and other appropriate uses;

3. Provision of privacy for families and the maximum protection of residential areas;

4. Prevention and reduction of traffic congestion so as to promote efficient and safe circulation of vehicles and pedestrians;

5. Gradual elimination of nonconforming uses;
6. Conservation of the taxable value of land and buildings while enhancing the appearance of the City of Saratoga Springs as a whole;
7. Encouragement of flexibility in the design and development of land;
8. Protection of the general environment in compliance with the objectives of applicable Federal and State statutory and regulatory programs;
9. Protection of the natural resources of the community including but not limited to the protection of the water resources of the City;
10. Safeguarding the heritage of the City of Saratoga Springs by preserving districts and landmarks in the City which reflect elements of its cultural, social, economic, political, artistic and architectural history;
11. Promoting the use of historic districts and landmarks for the education, pleasure and welfare of the citizens of the City.

In addition, we note that the structure of our proposed amendment is identical in substance to the draft created in 2006 by the Inclusionary Zoning Ordinance Development (IZOD) Committee. Due to the zoning ordinance reorganization that was undertaken in 2012, we have made some numbering changes to the amendment. In 2006 the inclusionary zoning amendment was proposed as Article 240-11A. With the new ordinance organization we propose this amendment as Article 240-4.4.

We appreciate the opportunity to provide these comments on this important zoning amendment.

Respectfully,

Harry Moran, Chair

cc: Mayor Joanne Yepsen
Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Skip Scirocco

Sustainable Saratoga
Advocate.
Educate.
Act.

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October 6, 2016

Mr. Mark Torpey, Chair
Saratoga Springs Planning Board
City Hall
Saratoga Springs, New York 12866

Dear Mr. Torpey and Planning Board Members:

RE: SPA HOUSING ORDINANCE QUESTIONS AND ANSWERS

We understand that as a result of the discussion on the advisory opinion for the SPA Housing Ordinance at the September 8, 2016 meeting, the Planning Board has the following questions that are listed below. Our responses are presented after each question.

1. ***Is there a financial model available to show that developers will not lose money under this inclusionary zoning ordinance***?

    - In 2006, local developer, and original IZOD committee member, Sonny Bonacio ran a financial model using his private construction cost information. He allowed it to be reviewed by some local independent housing experts and the City's housing consultants. Based on this data, Mr. Bonacio and the IZOD committee concluded that developers would not lose money under the ordinance and that even the IZ units would be modestly profitable.
    - Sustainable Saratoga has not attempted an update on the financial model since we do not have the updated private construction costs. We have met with developers and have encouraged them to re-run the model if they suspected that the conclusion would be materially different than in 2006. We are prepared to find a housing expert to privately review for the City any new financial model that was run.
    - We have no reason to believe today that developers would lose money on the IZ units if this ordinance was adopted. The basic reason that this ordinance will work is due to the density bonus, which essentially guarantees that there are no land costs for the IZ units. Therefore, those units can be offered at a lower rent or sale price than the market-priced units in a development.

2. ***What are some similar size communities that have IZ ordinances?***

- We haven't done a comprehensive analysis of all the reported 500 communities that have some kind of IZ ordinance.
- We have seen reports that indicate the following "small communities" have some type of IZ ordinance.
    - Davidson, NC (12,000)
    - Salem, NH (28,000)
    - Princeton, NJ (28,000)
    - West Hollywood, CA (35,000)
    - Montclair, NJ (40,000)
    - Burlington, VT (42,000)
- Each IZ ordinance is different. There is a lot of variation with respect to the level of density bonuses, percentage of required to be affordable units, eligibility of occupants, duration for the subsidies, etc. So it is nearly impossible, and somewhat meaningless, to compare IZ ordinances with one another.
- The SPA Housing Ordinance was carefully developed in 2006 in response to Saratoga Springs' development process and housing market. The ordinance is unique to Saratoga Springs.

3. ***Are there some communities that have been successful in creating IZ units?***

- Yes, there are studies that report successful IZ programs in other communities. There are also studies that point to failures and problems with IZ projects in other communities.
- The internet is full of information on inclusionary zoning. We see little value in studies or discussing theses other ordinances, because the SPA Housing ordinance is uniquely designed for Saratoga Springs. One cannot effectively compare our ordinance with those different ordinances in other communities.
- But if the Planning Board would find a list of accomplishments from IZ ordinance in other communities helpful, here are a few:
    - In the first 10 years of Denver CO the IZ ordinance created 1,155 affordable units.
    - Since 1974 Montgomery County, Maryland created over 10,000 IZ units.
    - Between 1992 and 2003, over 1,200 IZ units were built in San Diego, CA.
    - Sacramento, CA has added 465 IZ units since 2000.
    - Burlington VT has created 284 IZ units since 1990.

4. ***What is the basic theory behind IZ ordinances? How do they vary from community to community?***

- Inclusionary housing policies require developers of new market-rate real estate to provide affordable housing. It works well in communities where markets are driving up housing costs and displacing lower-income residents.
    - "For cities struggling to maintain economic integration, inclusionary housing is one of the most promising strategies to ensure that the benefits of development are shared widely." (Lincoln Institute of Land Policy, 2015)
- A well-designed IZ ordinance is intended to generate significant affordable housing without overburdening developers or negatively impacting the pace of development.
- IZ ordinances vary considerably. But some of the general characteristics are as follows:
    - Some are mandatory, but some are not.
    - Most require developers to sell or rent 10 to 20 percent of their new residential units to middle- to-lower-income households. The target income groups vary but commonly are households making between 50% and 110% of local median income.
    - Communities give a variety of off-sets for this requirement. Most give the developer a right to build at a higher density, some waive development requirements such as parking and setbacks, others give tax abatements.
    - Most require the IZ units to be located on site in a mixed-use project. But some allow in-lieu fees or provisions for the IZ units to be moved off site.
- Most studies show that successful IZ ordinances are ones that are designed to reflect the local culture, economic conditions and housing market.

5. ***Briefly describe how the approval process would work on an inclusionary zoning project that comes before the Planning Board***.

- By adopting the SPA Housing Ordinance, the City Council establishes the general rules and regulations for this inclusionary zoning program in Saratoga Springs. There are provisions for the City Council to annually monitor progress and to periodically make any needed adjustments or refinements in the ordinance. But the City Council has <u>no</u> involvement in any of the development projects that are covered by this ordinance.
- It is the City Planning Board that has full responsibility to implement the ordinance. The following is a brief "over-simplification" of how the process works.
    - During site plan review or the subdivision review process, the PB and the developer negotiate an "Inclusionary Housing Agreement" for any project that is to have 10 or more residential units.
        - The covered projects could be single family homes, apartments, condominiums, mixed-uses or any combination of any type of residential uses.

    - The developer first proposes a conceptual plan what he/she would like to build that is in conformance the zoning. The PB must then "accept" this conceptual plan.
        - In all zoning districts except the transect districts, the maximum number of units per site is set by the zoning density caps and by the site analysis of the property.
        - In the transect districts the maximum number of units is set by the allowable building envelop and the site analysis.
    - The developer then proposes to the PB the target income category for the IZ units and that helps determine the number of IZ units that will be set aside as affordable. That figure can be up to 20% of the total units in the zoning correct conceptual plan. The number of units set aside as IZ units then determines the number of density bonus units that the developer will receive.
    - The PB and the developer then negotiate or design a site development plan that best accommodates the density bonus units on the property and what relief (setbacks, heights, parking, etc.) the developer will be granted.
    - The PB and developer then agree on a final wording of Inclusionary Housing Agreement that is a legal document between the City and the developer.
    - Final site plan or subdivision approval can then be granted by the PB.
- The City staff is responsible for finding and screening households that will occupy the IZ units.
    - Priority can be given to existing city residents or people who currently work in the city.
    - A lottery may be used to select eligible households to occupy the IZ units.
    - The selected households then negotiate a rental or sale price for the IZ units, utilizing the required guidelines of the ordinance.
    - The City is required to do annual monitoring of all IZ units and project to be sure the conditions of the Inclusionary Housing Agreement are being met.

6. *Why shouldn't this IZ ordinance be postponed and be included in the new UDO rezoning effort?*

- In March of 2016, we submitted comments to the UDO consultants and City staff indicating that we were working on resubmitting the 2006 inclusionary zoning ordinance to the City Council. We recommended that this IZ ordinance be handled separately from the UDO process because of timing and complexity.
- We were very surprised that the September 6, 2016 UDO Diagnostic Report included the possibility that an inclusionary zoning provision be restudied and included in the UDO.

    - We suspect there is an inadequate budget and resources for the UDO process to restudy inclusionary zoning and we don't think that task is necessary or a good use of public funds.
- We do not recommend that the SPA Housing ordinance be postponed and folded into the UDO process.
    - There are no formal announced target dates yet for completing the UDO process. We suspect the UDO will not be completed until late 2017.
- The Saratoga Springs real estate market is very strong now. It would be a shame to keep postponing an excellent opportunity to create guaranteed affordable/workforce housing in this community. For the last 10 years, we feel that the City has "wasted" an opportunity but action now will still make a difference.

7. ***Why aren't all the questions answered in the SEQRA short form that was submitted with the application?***

- On August 5, 2016 Sustainable Saratoga submitted to the City a SEQRA Short Environmental Assessment Form with Part I – Project Information completed.
    - The Planning Board has noted that questions #3 though # 21 had no "yes" or "no" boxes checked and they want know why we did not provide those answers. All those questions relate to site specific issues. Since our zoning amendment is a text amendment only and is not specific to any one site in the City, we felt that these questions were all "not applicable". Therefore, we did not answer them.
    - The City required us to provide a digital copy of this form that is downloaded from the NYS DEC website. The form does not allow one to enter "not applicable".
- We note that the City needs to complete Part II and maybe Part III of the SEQRA Long Form for this zoning amendment.
    - In 2006, the City staff drafted a detailed Part II and Part III of the SEQRA Long Form. This data may need to be updated and place in the new version of the SEQRA Forms.
    - The Saratoga County Planning Board has implied that the City may have to undertake a generic environmental impact statement (EIS) because this amendment involves a density bonus for a public purpose. We believe a generic EIS is not necessary unless the City Council determines the zoning amendment will have significant adverse impacts.

8. ***What are the true costs to the City of administering this ordinance?***

- In 2006, the IZOD committee, working with the City staff, developed a projection of administrative costs. They created a detailed spread sheet with tasks and assigned person-hours to each task. They then totaled all the hours and assigned an annual cost to those hours. They included costs for employee benefits and City overhead.

    - The 2006 estimates were: $55,000 for the first year (for startup) and $46,500 for sequent years.
- In 2006, developer Sonny Bonacio suggested that the project cost estimate might be too low and that he was concerned that the program wouldn't succeed and that developers would lose valuable time and money if the program was not adequately staffed.
    - The IZOD Committee chair Monte Franke (a national housing consultant) did review the numbers for a second time and did not recommend any further revisions in the Committee's original estimates.
- On May 5, 2016, Sustainable Saratoga met with Mayor Yepsen and recommended that the Mayor's department take another look at the 2006 estimate to determine if they were still valid or needed to be revised. The Mayor told us that her staff would take care of this.
    - We are unsure of the current status of this review.
    - Sustainable Saratoga can NOT produce these cost estimates. The estimates have to come from the City.
- Some communities assign their own staff to administer the program. Some contract out the administrative tasks to other entities.
- Some communities with IZ programs fund the administrative costs with: general budget expenditures; federal housing block grant funds; new local inclusionary housing fee revenues collected from developers or IZ unit tenants/homebuyers; or, from a percentage of unit resale fees

9. ***What is the maximum rental or sale price in today's dollars for an IZ unit?***

- In 2006 the IZOD Committee and City staff worked with a formula to project these costs. They were as follows:

  Based on current (2006) income levels, the maximum sale prices are approximately:
    - $140,500-$180,00 for 1 bedroom units
    - $180,000-$299,500 for 3 bedroom units

  Based on current (2006) income levels, the maximum rents are approximately (per month):
    - $800-$1,280 for 1 bedroom units
    - $1,000-$1,600 for 3-bedroom unit
- Sustainable Saratoga does not have access to the formula or the data that goes into the formula. So, we can't update these figures, but we believe that the City Planning staff should be able to accomplish this task with the resources they have at their disposal.

10. Is the SPA Housing Ordinance compatible with the 2015 Comprehensive Plan and the general purpose and intent of the Zoning Ordinance?

- On September 2, 2016 Sustainable Saratoga submitted a separate letter that specifically addressed the two tasks that the Planning Board must address in their advisory opinion to the City Council.

- At a minimum, the Planning Board must determine 1) whether the proposed revision is consistent with the Comprehensive Plan; and 2) whether the proposed revision is not contrary to the general purpose and intent of the Zoning Ordinance.
- Consistent with 2015 Comprehensive Plan:
    - Our letter reference 5 specific policies in the Comp Plan that we believe are consistent with the SPA Housing Ordinance.
    - Our letter also references a specific policy of the Comp Plan that supports development density increases for a public purpose. In this case the public purpose is affordable housing.
- Not contrary to general purpose and intent of the Zoning Ordinance:
    - Our letter presents the two major purpose and intent of the Zoning Ordinance and we conclude our SPA Housing Ordinance is not contrary to of either of those.

We look forward to discussing this issue further with the Planning Board at the October 13, 2016 meeting during the advisory opinion review of the SPA Housing Ordinance.

Respectfully,

Harry Moran
Chair

cc: Mayor Joanne Yepsen
Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Skip Scirocco

SARATOGA BUILDERS
ASSOCIATION, INC.

RECEIVED
SEP 07 2016
By

August 1, 2016

Honorable Mayor Joanne Yepsen
City Hall – 474 Broadway
Saratoga Springs, NY 12866

RE: Affordable Housing Task Force

Dear Mayor Yepsen:

The Saratoga Builders Association, Inc. (SBA) is a non-profit, specialized professional trade association representing the entire building industry. Our members include home builders, developers, remodelers, suppliers, sub- contractors, financial institutions, architects, engineers, realtors, attorneys and other industry professionals. The SBA is committed to the continued growth, prosperity and quality of life in Saratoga County, including the City of Saratoga Springs.

As an organization, we offer our members opportunities to work together, learn and share information. We are also committed to supporting a diverse, quality housing stock for our region. Our members are currently involved with two Habitat for Humanity projects in Saratoga Springs. Additionally, proceeds from our *Showcase of Homes* benefit Rebuilding Together Saratoga County and Northern Saratoga Habitat for Humanity.

The SBA recognizes the issue of affordable housing is complex and will require a creative approach. We encourage you and the City Council to engage partners, such as the SBA, as you work to address it. The establishment of the Affordable Housing Task Force (Task Force) has once again started the affordable housing discussion in the City. The SBA would welcome an open dialogue with the City Council and the Task Force to discuss challenges and realistic, implementable approaches for addressing this very important issue.

Specifically, the SBA is interested in understanding if the Task Force has identified areas within the City to focus more affordable and diverse housing (through zoning, incentives, or other mechanisms). We would request that information be provided to the SBA and other partners. That important information could be shared with our members to assist in facilitating the City's goals of a more affordable and diverse housing stock.

P.O. BOX 1063 SARATOGA SPRINGS, NY 12866 518.366.0946 www.saratogabuilders.org

SARATOGA BUILDERS
ASSOCIATION, INC.

Our members are the very professionals that construct or support the construction of quality housing that contributes to the high quality of life in Saratoga County. As such, we have the understanding and knowledge to approach this issue in a practical and realistic manner. Again, we encourage the City Council and the Task Force to engage industry partners to assist in tackling this issue in the City of Saratoga Springs. Further, we would also welcome the opportunity for a representative from the SBA to join the Task Force to ensure ongoing communication and coordination.

Should you have any information to share on the Task Force's efforts to date or wish to include the SBA in discussions about affordable housing solutions, please do not hesitate to contact me. We look forward to hearing from you.

Sincerely,

Barry Potoker
Executive Director

CC: Commissioner Franck, Commissioner Madigan, Commissioner Mathiesen, Commissioner Scirocco, Bradley Birge, SBA Board Members

P.O. BOX 1063 SARATOGA SPRINGS, NY 12866 518.366.0946 www.saratogabuilders.org

SARATOGA
BUILDERS
ASSOCIATION, INC.

August 29, 2016

Honorable Mayor Joanne Yepsen
City Hall – 474 Broadway
Saratoga Springs, NY 12866

Dear Mayor Yepsen:

You indicated in your comments at the August 16th City Council meeting that the Saratoga Builders Association (SBA) was "in favor of moving forward with this type of ordinance," referring to the proposed SPA Zoning Amendment presented by Sustainable Saratoga to be sent to City and County Planning Boards for advisory opinions.

To be clear, this is not the case, and is in no way what our letter indicated. In fact, the central point of our letter was a request that the SBA be invited to the table to help draft an effective ordinance. The fact that an entire ordinance amendment has been drafted and presented with little or no input from the builder/developer/finance community was exactly the situation our letter was seeking to avoid.

The process of creating affordable housing through incentive mechanisms is challenging and complex. Expecting an arbitrary collection of requirements, density bonus, and fee alterations will work because they appear to have "worked in another community" or because work done 10 years ago is "still valid" is preposterous and unrealistic.

As has too often been the case, broad politically charged ideas are playing a poor substitute for the real work that would be required to bring about meaningful change.

We have the tools to conduct a factual analysis - to look at the revenue impact of various requirement levels of affordable housing and competently show what the required offset would need to be to maintain a viable, financeable project. We have the expertise to produce feasibility studies and schematic pro-formas that can be discussed with and vetted by our local financial institutions. We have the experience to engage in an honest discussion about the vehement NIMBY attitudes we encounter in the neighborhoods in which we develop and how the City will act to mitigate the delays and expenses associated with countering them.

P.O. BOX 1063 SARATOGA SPRINGS, NY 12866 518.366.0946 www.saratogabuilders.org

SARATOGA BUILDERS
ASSOCIATION, INC.

To be forced, by uninformed regulation, to build a product that is not financeable, does not result in more housing options, it results in no housing options.

We look forward to working with the other members of the task force to explore how the City and our members can work together to create a broader housing mix in our city.

Sincerely,

Barry Potoker
Executive Director

CC: Commissioner Franck, Commissioner Madigan, Commissioner Mathiesen, Commissioner Scirocco, Bradley Birge, SBA Board Members

P.O. BOX 1063 SARATOGA SPRINGS, NY 12866 518.366.0946 www.saratogabuilders.org

SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

September 22, 2016

John P. Franck, Commissioner of Accounts
City of Saratoga Springs
City Hall 474 Broadway
Saratoga Springs, NY 12866

RE: SCPB Referral Review#16-162-Text Zoning Amendment-Inclusionary Zoning

A zoning amendment to require that in residential developments of 10 or more units 20% of the units (for sale or rent) be dedicated as affordable to households of moderate or low income with the provision of a density bonus of 20% to the developer.

Received from the City of Saratoga Springs City Council on August 26, 2016.

Reviewed by the Saratoga County Planning Board on September 15, 2016.

Decision: Incomplete Application

Comments:

APPLICATION/NEED

On August 5, 2016 a letter from Mr. Harry Moran, Director of Sustainable Saratoga (SS), was submitted to Mayor Yepsen requesting City Council acceptance for further review the application by SS for a zoning amendment titled "The Saratoga Places for All (SPA) Housing Ordinance." On August 16th the City Council did vote to refer the proposed zoning amendment to both the city and county planning boards for their respective reviews and recommendations. The referral was received by the Saratoga County Planning Board (SCPB) on Aug. 26 and reviewed at its monthly meeting of September 15th. We note that at the present time the proposed legislation has not yet been heard as part of a public hearing held by the City Council, nor has review and a lead agency determination been made under SEQRA. The SCPB agrees that as noted in Sustainable Saratoga's August 6 letter, the efforts made in both 2006 and 2016 to provide "a good housing program for Saratoga Springs" are laudable and desirable, deserving of a detailed community discussion and consideration. We find, however, and cite below, that material to assist in a complete review of the proposed legislation was not part of the referral submitted and ask that such material be provided (or counsel's determination that it is not required) for the SCPB to take final action at its October 20th meeting. Perhaps once the city council holds its public hearing there will

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BALLSTON SPA, NY 12020

(518) 884-4705 PHONE
(518) 884-4780 FAX

be a clearer understanding of the material submitted to date and a further submission of supplemental (if necessary) material.

Just because a standard zoning ordinance exists there is no guarantee or surety provided (or implied) that there will be actual development of any property, much less in the manner prescribed or hoped for. If a municipality determines that it needs or desires to have a specific type of development, it can only zone to allow that use (or uses) and then allow market conditions to work – the question then becomes whether a developer will find it economically feasible to develop a certain property in the way that the zoning ordinance defines. That is why the city has again pursued a means by which a developer may be permitted to exceed standard zoning restrictions in exchange for meeting a community need, the provision of some type of affordable housing within a plan of development. Incentive zoning can be used to encourage developers to provide community amenities that cannot be required. It is notable that court decisions have recognized that affordable housing can only be built by providing incentives to private enterprise and that some municipalities have been mandated in some court decisions to use incentives and the elimination of costly regulatory requirements as means of setting aside an established percentage of all new housing units as affordable.

We recognize the need for the city council to look beyond standard zoning - to Incentive Zoning, as proposed then (2006) and now – for a means of implementing the development of some type of affordable housing within Saratoga Springs. In different sections of the draft ordinance and correspondence this has been noted as workforce housing, moderate-income, and low-income housing. Legislative action, therefore, has been spearheaded by an advocacy group, Sustainable Saratoga – Advocate. Educate. Act. Legislation has been proposed to guarantee more diverse housing opportunities. SS has reintroduced a 2006 study and the then-proposed ordinance which provide for a density bonus along with a mandate to include an amount of affordable housing. Anecdotally, commentary has referenced the city's high cost of land for development, the resulting high cost of housing, and the need for housing that meets the needs of lower to middle-income households.

The amendment for inclusionary zoning proposes consideration of developments (for sale or rentals) of 10 or more dwelling units within which 20% of the units are dedicated for moderate-income households (or 10 % of rental units are dedicated toward low-income households). A developer "could" increase the density of a development project by "up to" 20% through this set aside provision. Without such legislated economic incentive and agreements a municipality is not able to require a builder/developer to provide public amenities as a condition of gaining his/her development approval. Zoning restrictions could not be exceeded. But, through such an amendment a developer can be offered a bonus in greater density above what the zoning otherwise permits and the community will benefit by obtaining an amenity it sees as necessary and desirable for its citizens.

In order for this legislation to be considered a completed draft for review we note that:

- It should be determined (documented in study and review) that the amenity to be received (affordable housing) is needed and useful.
    - Is there an analysis of the number of existing housing units that are classified as occupied by low-income and moderate-income (and workforce housing?) households?
    - Is there a definitive number of such units that need to be built over the next 10 or 20 years to fill the gap between existing affordable housing units and what is needed? Has it been

determined in numbers what that latter need (the number of affordable housing units) is?
    - Has there been a citywide build-out analysis (presently or as an update of 2006 data) of lands in districts where residential development is permitted in order to determine the possible number of dwelling units that could be built, and
    - Under the provisions of the proposed ordinance, has that analysis determined the number of affordable housing units (by bonuses) that could then be built?
- The amenity must be effective in addressing an issue, meeting a need or solving a problem. Is the approval of/construction of affordable housing units through the use of density bonuses the only option being considered to address the issue?
- As determined by a financial analysis, the incentive must be sufficient to make it worthwhile for private enterprise to provide the housing type sought by the municipality. Has there been such an analysis by the city with all stakeholders?
- Therefore, we believe that the study that precedes this legislation must provide a cost-benefit analysis
    - Financial modeling data and development costs as input from architects, residential developers and builders (as noted by the chairman of the city's Inclusionary Zoning Ordinance Committee in 2005: "We just need to plug in the numbers," and "those numbers we can't pull out of the air. They have to be based on the hard science…").
- Concurrence needs to be obtained from stakeholders (municipal and private businesses) that the proposed legislation is favorable enough to serve as an inducement.
    - Developer can and will provide the community's desired but uneconomic amenity,
    - Developer will receive a definitive density bonus (not a subjective "up to" percent or a statement that density "could be increased" to…
    - No economic windfall received through the bonus
    - City land use board will provide for a full 20% density bonus
- The bonus in density must be carefully designed (and reviewed under SEQR and in accord with City Law section 81) to ensure that the municipality will not overload public services or adversely impact adjacent municipal services such as:
    - Water - supply
    - Sewer – capacity issues,
    - Street system – maintain flow of through traffic, no increase in need for signalization, signage, or on-street parking, and no intersection degradation in LOS ratings
    - Parking – potential for increased parking need, particularly in Transect Zones
        - Need for paid parking or garages?
    - Schools – Districts may be impacted, but have no land use decision-making ability
    - Fire and police protection – need for new or expanded locations? Limits to areas of service? Time for response?
    - Emergency services – same as above

The applicant has stated that the SEQR review conducted for the 2006 legislation is sufficient for consideration of the legislation proposed in 2016. For our record and

final review of the legislation we would like a determination from the city council (assuming lead agency status will be with the council) that it is satisfied with what is on record from 2006 and that there is no need to undertake a new review.

Additionally, we note that the referral submitted to SCPB is for the proposed amendment to the zoning ordinance. Does the city council believe that there should or should not have also been submitted for consideration (as part of that referral) an amendment to the 2015 Comprehensive Plan, or is only the zoning amendment being considered?

The "Purpose" section of the legislation makes repeated reference to workforce housing rather than the affordable housing (low-income, moderate-income) referenced in the materials supplementing the application/referral. It appears that the legislation carries over the terminology from 2006 committees and proposed legislation. Which housing type is it that the present amendment is addressing, if they are different in any manner?

In reference to the quantification questions raised above, for our clarification we ask that the applicant please identify what is being/should be quantified as the housing needs for the respective income levels. It is cited that the city has a goal of increasing the workforce housing stock – what is the present number of "workforce" housing units in the city and, then, what are the number of units available, occupied, needed? Also stated is that there is a "limited supply of workforce housing" but we ask where is this quantified?

Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

[FOR OFFICE USE]

_____ (Application #)

_____ (Date received)

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

(Rev: 12/2015)

APPLICATION FOR:
SITE PLAN REVIEW
(INCLUDING PUD)

*****Application Check List - All submissions must include completed application check list and all required items.**

Project Name: The Ice House - Permanent Tent

Property Address/Location: 70 & 72 Putnam St., Saratoga Springs, NY 12866

Tax Parcel #: 160.60-1-51 & 52 Zoning District: T-6
(for example: 165.52-4-37)

Proposed Use: Installation of permanent tent structure to replace existing temporary tent

Date special use permit granted (if any): _____ Date zoning variance granted (if any): August 2, 2016

Is property located within (check all that apply)?: ☐ Historic District ☑ Architectural Review District ☑ 500' of a State Park, city boundary, or county/state highway

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Lynchy's Tavern, Inc.	(Same)	Agent: Engineering America Co.
Address	70 & 72 Putnam St.		76 Washington St.
	Saratoga Springs, NY 12866		Saratoga Springs, NY 12866
Phone			[redacted]
Email			

Identify primary contact person: ☐ Applicant ☐ Owner ☑ Agent

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

☐	Sketch Plan -	$250	$ _____
☐	Final Site Plan Approval		
	Residential -	$250 plus $150/unit	$ _____
	Non-Residential -	$500 plus $100/1,000 SQ. FT.	$ _____
☑	Modification		
	Residential -	$250	$ _____
	Non-Residential -	$500	$ 500 -
			Total $ 500 -

Submission Deadline – Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ☐ NO ☑. If YES, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

I, the undersigned owner, leasee or purchaser under contract for the property, hereby request Site Plan Review by the Planning Board for the identified property above. I agree to meet all requirements under Section 240-7.2 of the Zoning Ordinance of the City of Saratoga Springs.

Furthermore, I hereby authorize members of the Planning Board and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.

Applicant Signature: [signature] Date: 5/19/16

If applicant is not current owner, owner must also sign.

Owner Signature: (SAME AS ABOVE) Date: _____

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
The Ice House by Lynchy's Tavern, Inc.		
Name of Action or Project: The Ice House - Permanent Tent		
Project Location (describe, and attach a location map): #70 & 72 Putnam St., Saratoga Springs, NY		
Brief Description of Proposed Action: Installation of permanent tent structure to replace previous temporary tent. DRC review & approval granted July 13, 2015. ZBA variance for height and location approved July 11, 2016 & Signed / Filed 8/2/16.		
Name of Applicant or Sponsor: Lynchy's Tavern, Inc.	Telephone: [redacted] E-Mail:	
Address: 70 & 72 Putnam St.		
City/PO: Saratoga Springs	State: NY	Zip Code: 12866

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit by City of Saratoga Springs Building Dept.	☐	☑

3.a. Total acreage of the site of the proposed action? 0.098 acres
b. Total acreage to be physically disturbed? 24 sq.ft. (+/-) acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.098 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	✓	☐
b. Consistent with the adopted comprehensive plan?	☐	✓	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:	✓	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	✓	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: The Tent structure will not be conditioned / heated and will therefore have no requirements for insulation.	☐	✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: The Ice House establishment has an existing public water connection. There are no new water connections associated with the installation of the permanent tent structure.	✓	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: The Ice House establishment has an existing public sewer connection. No new connections are proposed with this project	✓	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	✓	☐
b. Is the proposed action located in an archeological sensitive area?	✓	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	✓	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	✓	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	☐
16. Is the project site located in the 100 year flood plain?	✓	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	✓	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☑ YES The proposed permanent tent structure is the same size as what currently exists. The tent structure is erected over an existing impermeable patio surface. Currently stormwater is managed via a previously approved on-site drywell		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	✓	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Sean Lynch Date: 8/17/16

Signature:

PRINT FORM

ENGINEERING AMERICA CO.

76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866

[redacted]

TRANSMITTAL SHEET

TO: Tim Wales, City Engineer	FROM: Tonya Yasenchak
COMPANY: City of Saratoga Springs	DATE: August 18, 2016
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: 1 Site Plan Application + $500 App. Fee
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Lynchy's Tavern: The Ice House #70 & 72 Putnam St., Saratoga Springs	YOUR REFERENCE NUMBER:

☐ URGENT ☑ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ AS REQUESTED

Tim Wales,

Engineering America Co. has been retained to represent the Ice House owner as he proposes a permanent tent installation at 70-72 Putnam St. in Saratoga Springs, NY. The Building Dept. and Planning Dept. has requested that a modified site plan be reviewed by the City Planning Board. The following items address required items for the Site Plan:

Stormwater Management:

- No site construction or excavation is being proposed beyond the installation of the tent supports. There are 12 supports, resulting in a maximum disturbance of 24 sq.ft.
- The tent is proposed to be installed in a location which is currently paved and impermeable. The impermeable surface of the site will not be changed in anyway due to the proposed tent.
- The tent currently has a temporary permit. The new proposed location will not change the existing drainage patterns on the site.
- A previously approved catch basin exists on site. The stormwater conditions, volume, drainage and management will not be effected by the proposed tent.

Project Cost Estimate:

- The tent currently exists and will be relocated on a permanent basis in a slightly different location to allow for 5' separation between the tent & the property lines. No costs exist with the tent itself.
- Twelve (12) new permanent supports will be installed for the tent structure. The installation cost per support is approx. $150 per = $1800 cost.
- The on-site brick patio will be repaired with existing bricks to be removed for the new supports.
- There is no work proposed within the City Right of Way for sidewalks or landscaping as these elements already exist & are in good repair.

Please contact my office with any questions or if additional information is required.
Thank you for your time and cooperation.

Tonya Yasenchak, PE
Enc.

City of Saratoga Springs Complete Streets Checklist

Saratoga Springs Complete Street Policy Vision (May 2012)
The City of Saratoga Springs Complete Streets Policy will encourage the development of a complete streets network throughout the City to create a more balanced transportation system. The Policy shall be consistent with and assist in achieving the goals and recommendations set forth in the City's Comprehensive Plan and other policy documents. The Policy shall ensure new and updated public and private projects are planned, designed, maintained and operated to enable safer, comfortable and convenient travel to the greatest extent possible for users of all abilities including pedestrians, bicyclists, motorists and transit riders.

This checklist is intended to assist the City in achieving its vision for complete streets.

Project Name: The Ice House - Permanent Tent **Date:** 8/17/2016

Project Location / Limits: 70 & 72 Putnam St., Saratoga Springs, NY

Project Description: Installation of permanent tent structure to replace temporary tent structure

Instructions: For each box checked, please provide a brief description for how the item is addressed, not addressed, or not applicable and include supporting documentation.

Street Classification (identify street or streets within the project area)
Principal arterial ☐ Minor arterial ☐ Mixed use collector ☐ Mixed use local ☐
Residential collector ☐ Residential local ☐ Special use street ■

EXISTING CONDITIONS				
Item to Be Addressed/ Checklist Consideration	**YES**	**NO**	**N/A**	**Required Description**
Existing Bicycle & Pedestrian Operations				
Do bicycle and pedestrian accommodations exist? (see page 2 for examples)	☑	☐	☑	Sidewalks exist
Existing Transit Operations				
Do transit facilities exist within the study area, including bus and train stops/stations?	☑	☐	☐	CDTA services located on Broadway
Is the project area on a transit route? (CDTA Service Routes)	☐	☑	☐	
Are there bicycle racks, shelters, or parking for transit riders available?	☑	☐	☐	Located at adjacent public library
Existing Access and Mobility				
Do connective opportunities exist with schools, hospitals, senior care or community centers or persons with disabilities within project area?	☑	☐	☐	
Are there gaps inhibiting continuous access between schools, hospitals, senior care, or community centers or persons with disabilities within project area?"	☐	☑	☐	
Project Area Context				
Are there prominent landmarks, recreation, shopping, employment center, cultural centers or other key destinations that offer opportunities to connect this site?	☑	☐	☐	

Please list and/or describe planning or policy documents addressing bicyclist, pedestrian, transit, or truck/ freight use for the project area. Examples can include: City of Saratoga Springs Comprehensive Plan, City of Saratoga Springs Open Space Plan, Capital District Transportation Committee Bicycle/ Pedestrian Priority Network, City Standard Details, etc.

PROPOSED DESIGN

Item to Be Addressed/ Checklist Consideration	YES	NO	N/A	Required Description
Complete Streets Design				
Bicyclist accommodations?	☐	☑	☐	no bicycle accomodations proposed
Pedestrian accommodations?	☑	☐	☐	Sidewalks existing - no new proosed
Access and Mobility accommodations?	☑	☐	☐	Existing sidewalks allow for access & mobility
Transit accommodations?	☐	☑	☐	not applicable to project
Truck/ freight accommodations?	☐	☑	☐	existing designated delivery parking on Putnam St
Streetscape elements?	☐	☑	☐	existing trees and landscaping - no new proposed

Bike Facilities:	
Off-roadway bike accommodations	☐ Yes ☐ No ☑ NA
Dedicated bike lane	☐ Yes ☐ No ☑ NA
Shared-use lane	☐ Yes ☐ No ☑ NA
Shoulder	☐ Yes ☐ No ☑ NA
Acceptable actuated traffic signal bike detection, including turn lanes	☐ Yes ☐ No ☑ NA
Do signals allow adequate minimum green time for bicyclist to safely cross intersection?	☐ Yes ☐ No ☑ NA
Signage and pavement markings specific to proposed bike facilities	☐ Yes ☐ No ☑ NA
Bicycle safe inlet grates	☐ Yes ☐ No ☑ NA
Bicycle parking, eg. bike racks, bike lockers	☐ Yes ☑ No ☐ NA
Transit Facilities:	
Transit shelters	☐ Yes ☐ No ☑ NA
Bus turnouts	☐ Yes ☐ No ☑ NA
Standing pads	☐ Yes ☐ No ☑ NA
Has CDTA been contacted?	☐ Yes ☐ No ☑ NA
Access and Mobility Facilities:	
Adequate sidewalk or paved path	☑ Yes ☐ No ☐ NA
Acceptable consideration/provision for accessible pedestrian traffic signal features	☐ Yes ☐ No ☑ NA
Curb ramps, including detectable warning surface	☐ Yes ☐ No ☑ NA
Acceptable slope and cross-slope for driveway ramps, sidewalks, crossings)	☐ Yes ☐ No ☑ NA
Have conflicts been reduced among pedestrian, bicyclists, and motor vehicles (access management)?	☐ Yes ☐ No ☑ NA

Pedestrian Facilities:	
Sidewalks on both sides of the street	☑ Yes ☐ No ☐ NA
Striped crosswalks	☐ Yes ☐ No ☑ NA
Geometric modifications to reduce crossing distances such as curb extensions (e.g. bulb-outs)	☐ Yes ☐ No ☑ NA
Acceptable provision for pedestrian traffic signal features (e.g. ped. buttons)	☐ Yes ☐ No ☑ NA
Pedestrian signage for crossing & wayfinding	☐ Yes ☐ No ☑ NA
Safety islands/medians on roadways with two or more traffic lanes in each direction	☐ Yes ☐ No ☑ NA
Enhanced supplemental pedestrian treatments at uncontrolled marked crossings	☐ Yes ☐ No ☑ NA
Connectivity:	
Are there proposed connections to other bike paths, pedestrian facilities, or transit facilities?	☑ Yes ☐ No ☐ NA
Are there proposed connections to any key destinations listed on page 1?	☑ Yes ☐ No ☐ NA
Are there proposed connections to neighborhoods?	☐ Yes ☐ No ☑ NA
Streetscape Elements:	
Are streetscape elements proposed such as landscaping, street trees, planters, buffer strips, etc?	☐ Yes ☑ No ☐ NA
Pedestrian-level lighting	☐ Yes ☑ No ☐ NA
Public seating or benches	☐ Yes ☑ No ☐ NA

Design Standards and Guidelines				
Design meets guidelines such as described below for bicycle/pedestrian/bus/transit facilities?	☑ Yes	☐ No	☐ NA	Describe

***American Association of State Highway and Transportation Officials (AASHTO)** - *A Policy on Geometric Design of Highway and Streets, Guide for the Development of Bicycle Facilities and AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities; Public Right-of-Way Accessibility Guide*(PROWAG); *Manual on Uniform Traffic Control Devices* (MUTCD); *Americans with Disabilities Act Accessibility Guidelines* (ADAAG); **National Association of City Transportation Officials (NACTO)** - *Urban Bikeway Design Guide*. **New York State Department of Transportation –** *Highway Design Manual*

CITY OF SARATOGA SPRINGS

PLANNING BOARD

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[FOR OFFICE USE]

_____ (Application #)

_____ (Date received)

Rev. 12/2015

SITE PLAN REVIEW SUBMITTAL CHECKLIST

Project Name: THE ICE HOUSE - PERMANENT TENT

Listed below are the minimum submittal requirements for site plan review as set forth in The City of Saratoga Springs' Zoning Ordinance Appendix B. The Planning Board reserves the right to request additional information, as necessary, to support an application. The Board also reserves the right to reject the application if these minimum requirements are not met. Please complete the checklist below and provide with your submission.

REQUIRED ITEMS: *3 hard copies and 1 digital copy of ALL materials are required.

CHECK EACH ITEM	
☑	1. Completed Site Plan Application (3 hard copies - *1 w/original signature - and 1 digital) and Fee
☑	2. SEQR Environmental Assessment Form- short or long form as required by action.
☑	3. Set of plans including: (3) large scale plans (sheets must be 24" x 36", drawn to a scale of not more than 1"=50 feet). One digital version of all submittal items (pdf) shall be provided.
☑	4. Basic or Full Storm Water Pollution Prevention Plan as required per City Code Chapter 242. ENGINEERING LETTER
☐ N/A	5. Copy of signed DPW water connection agreement for all projects involving new water connections to the City system (NOT APPLICABLE) - EXISTING & UNCHANGED
☐ N/A	6. Engineering Report for Water and Sanitary NOT-APPLICABLE - EXISTING & UNCHANGED
☑	7. Complete Streets Checklist
☐ N/A	8. Project Cost Estimate-Quantities of work items and estimate of costs - ALL COSTS ARE ASSOCIATED WITH TENT INSTALLATION & NOT SITE.

REQUIRED ITEMS ON SITE PLAN, AS APPLICABLE:

☑	1. Property line survey prepared by a licensed land surveyor. Site plan must reference such survey with all corners set and marked on plan. A copy of the original property survey must also be included.
☑	2. North arrow and map scale
☑	3. Parcel tax map number
☐	4. Site location map
☐	5. Site vicinity map (all features within 300 feet of property)
☑	6. Identification of zoning district with corresponding area requirements

☐	7. Building setback lines, either listed or shown on plans.
☑	8. Title block with project name; name and address of applicant; and name and address of property owner (if different)
☐ NA	9. Topography data tied to NGVD 1929 datum
☑	10. Name of all adjacent property owners
☑	11. Parcel street address (existing and any proposed postal addresses)
Yes ☑ No ☐ N/A ☐	12. Identification of all existing or proposed easements, covenants or legal rights-of-way on this property
☑ ☐ ☐	13. References to all prior variances or special use permits
☐ ☐ ☑	14. Existing and proposed contours and spot grades (at 2 foot intervals)
☐ ☐ ☑	15. Identification of all spoil or borrow areas
☐ ☐ ☑	16. Identification of all watercourses, designated State wetlands, buffers, Federal wetlands, floodplains, rock outcroppings, etc.
☑ ☐ ☐	17. Location of proposed storage
☑ ☐ ☐	18. Identification of all existing or proposed sidewalks or pedestrian paths (show type, size and condition of existing sidewalks)
☐ ☐ ☑	19. Location, design specifications and construction material for all proposed site improvements (drains, culverts, retaining walls, berms, fences, etc.)
☐ ☐ ☑	20. Location and distance to fire hydrant
☐ ☐ ☐	21. Location, size, and material of all existing and proposed utility services
☐ ☐ ☑	22. Parking lot layout plan and identification of all loading areas (number all spaces)
☐ ☐ ☑	23. Parking demand calculations
☐ ☐ ☑	24. Identification of parking spaces and access points for physically impaired persons
☑ ☐ ☐	25. Location and screening plan for dumpster or recycling bins
☑ ☐ ☐	26. Location, design, type of construction and materials, proposed use and exterior dimensions of all buildings (existing and proposed) on site
☐ ☐ ☑	27. Identification of storage of any potentially hazardous materials
☐ ☐ ☐	28. Planting plan identifying quantity, species and size of all proposed new plant materials. Label existing plant material to be retained or removed.
☐ ☐ ☐	29. Lighting plan showing type, location and intensity of all existing and proposed exterior lighting fixtures
☐ ☐ ☑	30. Erosion and sediment control plan – including designated concrete truck washout area

Checklist prepared by: _____ Date: 8/18/16

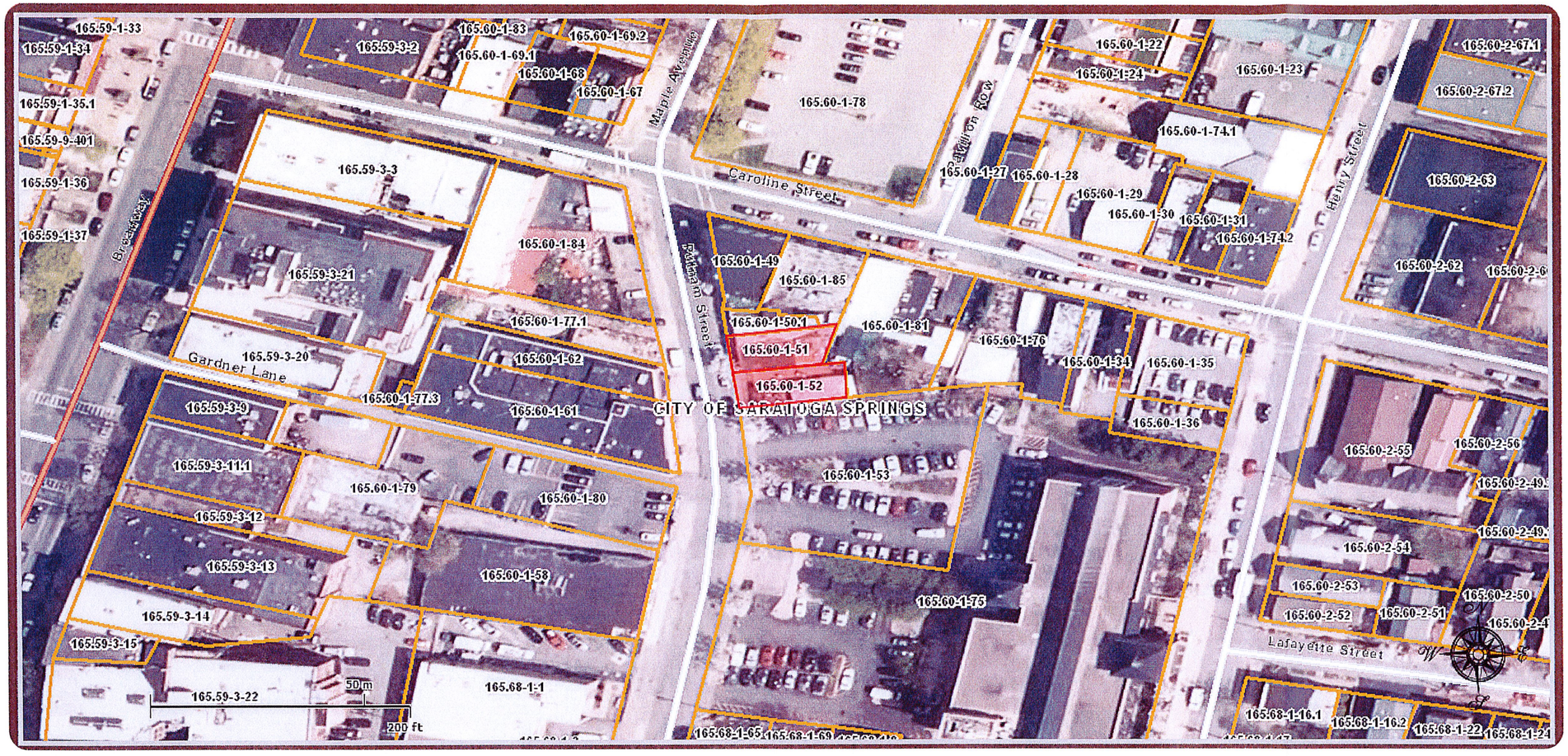
The Ice House: 70-72 Putnam

Legend

- County
- Municipal Boundaries
- Parcels

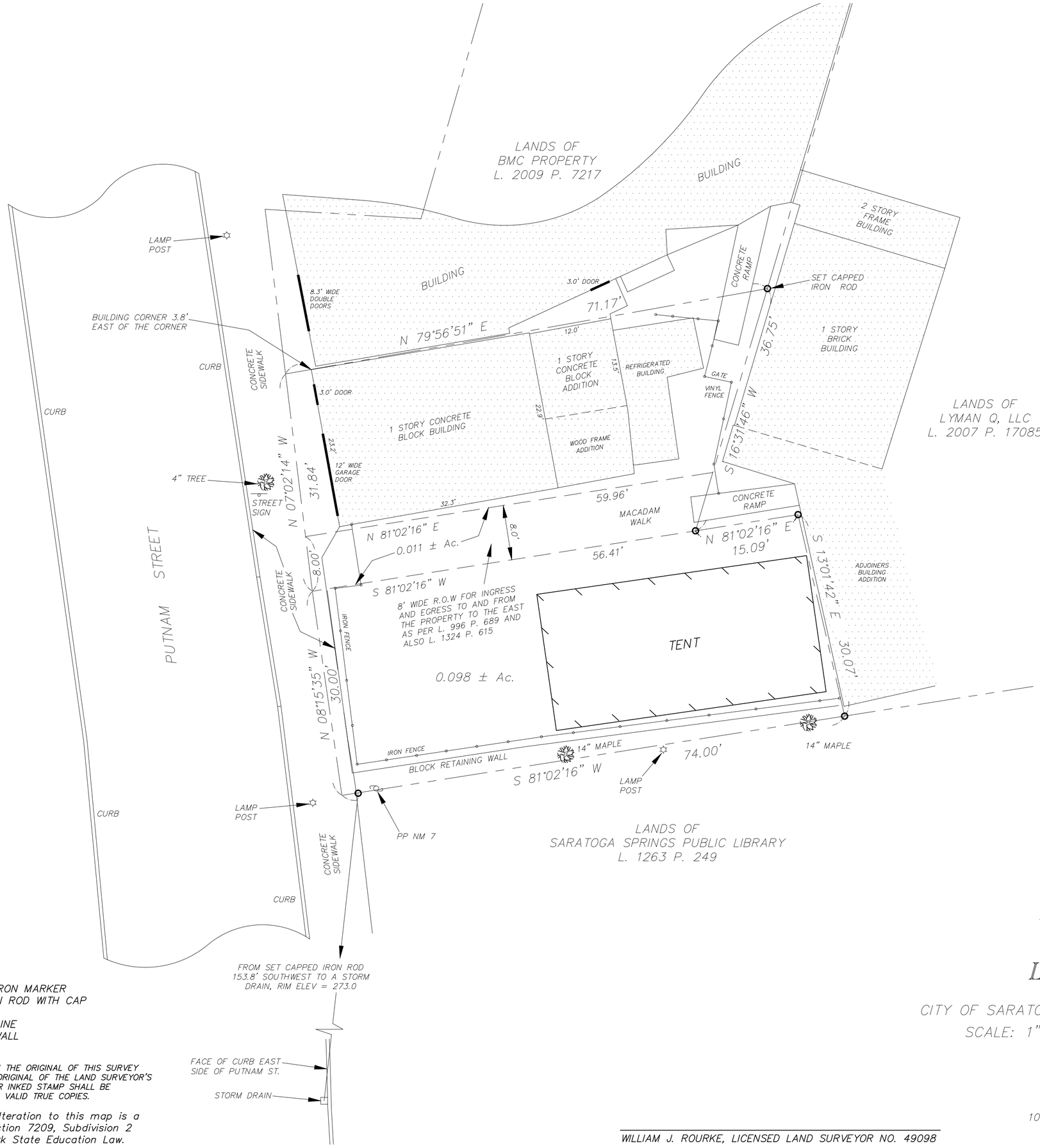
Local Roads

- Local
- State and County
- US and Interstate



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthoimagery) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

August 18, 2016



AS PER MAP REF. NO. 1

MAP REFERENCES:

1. MAP OF PROPERTY OF THOMAS WILLSON TO BE CONVEYED TO MARK AND KIMBERLY A. SUTTON, CITY OF SARATOGA SPRINGS, DATED JANUARY 12, 1998, BY THOMPSON & FLEMING L.S., P.C.
2. MAP OF PARKING/RELOCATION PLAN FOR PUTNAM STREET PARKING LOT (PARCEL 3) HATHORN SPRING NO. 1, BEING LANDS OF THE CITY OF SARATOGA SPRINGS, DATED MARCH 15, 1999, BY PAUL K. MALE P.E., P.L.S. CITY ENGINEER.
3. MAP OF SURVEY OF LANDS OF THOMAS WILLSON, CITY OF SARATOGA SPRINGS, DATED APRIL 20, 1999, BY W.J. ROURKE ASSOCIATES L.L.S., FILED AS JOB NO. 99-55B.
4. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 165.60, BLOCK 1, PARCEL NO. 51 AND 52, L. 996 P. 689, AND L. 1101 P. 523.

* SUBJECT TO AN EASEMENT AND RIGHT-OF-WAY FOR INGRESS AND EGRESS TO AND FROM PROPERTY TO THE EAST, TO ALLOW DELIVERIES TO TAVERN PROPERTY AS PER L. 996 P. 689 AND L. 1324 P. 615.

LEGEND:

- ● FOUND IRON MARKER
- ○ SET IRON ROD WITH CAP
- ⊙ POINT
- —E— POWER LINE
- ∞∞∞ STONE WALL
- —×—×— FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

MAP OF SURVEY

OF LANDS OF

LYNCHY'S TAVERN

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

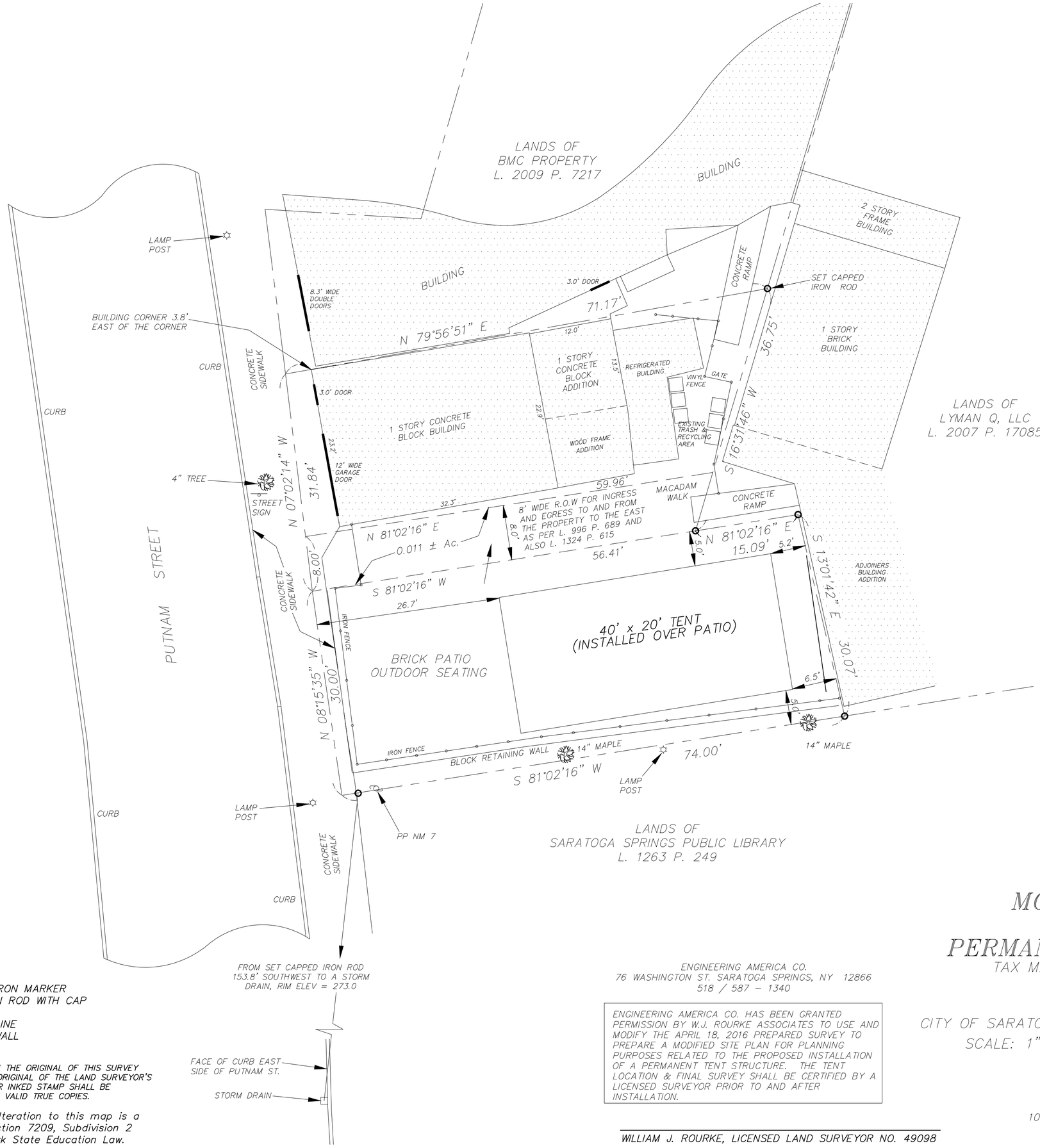
SCALE: 1" = 10' DATE: APRIL 18, 2016

WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

W. J. ROURKE, ASSOCIATES
Licensed Land Surveyors
10264 Saratoga Road, P.O. Box 1434
South Glens Falls, N.Y. 12803

16-12
JOB NO.

W.J. ROURKE, ASSOCIATES — LICENSED LAND SURVEYORS
P.O. BOX 1434, SARATOGA ROAD, SOUTH GLENS FALLS, NEW YORK 12803



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* SUBJECT TO AN EASEMENT AND RIGHT-OF-WAY FOR INGRESS AND EGRESS TO AND FROM PROPERTY TO THE EAST, TO ALLOW DELIVERIES TO TAVERN PROPERTY AS PER L. 996 P. 689 AND L. 1324 P. 615.

GENERAL INFORMATION:

1. OWNER & APPLICANT: LYNCHY'S TAVERN, INC.
   70 & 72 PUTNAM ST., SARATOGA SPRINGS, NY
2. SITE: 0.098 ACRES
3. ZONING DISTRICT: T-6
4. ZONING VARIANCES GRANTED FOR 1 STORY STRUCTURE AND MINIMUM BUILD OUT ON JULY 11, 2016.
5. DRC REVIEW & APPROVAL GRANTED JULY 13, 2016

LEGEND:

- ● FOUND IRON MARKER
- ○ SET IRON ROD WITH CAP
- ⊙ POINT
- —E— POWER LINE
- ∞∞∞ STONE WALL
- —×—×— FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

ENGINEERING AMERICA CO.
76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866
518 / 587 - 1340

ENGINEERING AMERICA CO. HAS BEEN GRANTED PERMISSION BY W.J. ROURKE ASSOCIATES TO USE AND MODIFY THE APRIL 18, 2016 PREPARED SURVEY TO PREPARE A MODIFIED SITE PLAN FOR PLANNING PURPOSES RELATED TO THE PROPOSED INSTALLATION OF A PERMANENT TENT STRUCTURE. THE TENT LOCATION & FINAL SURVEY SHALL BE CERTIFIED BY A LICENSED SURVEYOR PRIOR TO AND AFTER INSTALLATION.

WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

MODIFIED SITE PLAN
THE ICE HOUSE
PERMANENT TENT STRUCTURE

TAX MAP: 160.60-1-51 & 160.60-1-52

#70 & 72 PUTNAM ST.
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK
SCALE: 1" = 10' DATE: APRIL 18, 2016

W. J. ROURKE, ASSOCIATES
Licensed Land Surveyors
10264 Saratoga Road, P.O. Box 1434
South Glens Falls, N.Y. 12803

JOB NO.

W.J. ROURKE, ASSOCIATES — LICENSED LAND SURVEYORS
P.O. BOX 1434, SARATOGA ROAD, SOUTH GLENS FALLS, NEW YORK 12803

70 Putnam

2008211483367

2008023159 $214.00
7/1/2008 02:15:37 PM
4 Pages
DEED

Kathleen A Marchione Saratoga Co Clerk RECORDED

WARRANTY DEED WITH FULL COVENANTS

THIS INDENTURE, made the 24th day of June, Two Thousand Eight
between

PABO REALTY, LLC, a New York State Limited Liability Company with principal offices at 1468 Sedgefield Drive, Murrels Inlet, South Carolina

party of the first part and

LYNCHY'S TAVERN, INC., a New York State Corporation with principal offices at 68 Middle Road, Saratoga Springs, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SEE ATTACHED SCHEDULE A

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the party of the first part covenants as follows:

FIRST. That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND. That the party of the second part shall quietly enjoy the said premises;

THIRD. That the said premises are free from encumbrances, except as aforesaid;

FOURTH. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH. That said party of the first part will forever warrant the title to said premises.

The word "parties" shall be construed as if it read "party" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

PABO REALTY, LLC

By: _____
Robert Paseka

STATE OF SOUTH CAROLINA)
) ss.:
COUNTY OF) Horry

On the 24 day of June in the year 2008 before me, the undersigned, personally appeared Robert Paseka personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument and that such individual made such appearance before the undersigned in Murrells Inlet, SC (insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).

Kathy D. Hare
Notary Public
My Commission Expires August 8, 2015

Record and Return to:

Lynchys Tavern Inc.
68 Middle Rd.
Saratoga Springs NY 12866

ALL THAT CERTAIN PARCEL OF LAND, situate in the City of Saratoga Springs, Saratoga County, New York, lying on the easterly side of Putnam Street, being bounded and described as follows:

BEGINNING at a point in the east line of Putnam Street, situate S. 08° 46′ 20″ W. a distance of 105.55 feet along said easterly line from its intersection with the southerly line of Caroline Street, said point also being 33.98 feet southerly of the northwest corner of lands described in Book 335 of Deeds at Page 587; thence running from said point of beginning S. 84° 14′ 35″ E. along lands now owned by party of the first part 71.17 feet to a point; thence running S. 32° 20′ 20″ W. 36.75 feet to a point; thence running N. 83° 09′ 10″ W. 56.41 feet to a point on the easterly line of Putnam Street, thence running N. 08° 46′ 20″ E. 31.83 feet to the point of beginning.

The bulk of said premises are a portion of the property described in the first parcel of a deed conveyed by Catherine Jean Sperry executrix of the estate of Charles B. Sperry to Catherine Jean Sperry by deed recorded in the Saratoga County Clerk's Office on October 27, 1966 in Book 799 at Page 21. The small northwest portion of said premises are the same as those described in a deed from Thomas W. Willson to Catherine J. Sperry recorded in the Saratoga County Clerk's Office March 20, 1979 in Book 992 page 984.

RESERVING to Catherine Jean Sperry a/k/a Catherine J. Sperry, her distributes and assigns an easement and the right of way for ingress and egress to and from property now owned by Catherine Jean Sperry a/k/a Catherine J. Sperry adjoining the easterly boundary of the premises conveyed herein. Said right of way and easement shall run easterly from the east line of Putnam Street, adjacent to the south wall of the building now located on the premises conveyed herein and extend through the rear of the premises conveyed herein to the West boundary of property now owned by Catherine Jean Sperry a/k/a Catherine J. Sperry to allow motor vehicles and trucks to make deliveries of merchandise and other items to the rear of the tavern property owned by Catherine Jean Sperry a/k/a Catherine J. Sperry which fronts on Caroline Street, including sufficient room for said delivery vehicles to turn around and exit through the right of way in a forward motion.

This conveyance is made subject to all restrictions, easements, covenants and conditions of record, if any, affecting said premises.

N+L Lynchup Tavern
68 Middle Rd
Saratoga S.P NY 12866

SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

September 7, 2016

Kate Maynard, Principal Planner
City of Saratoga Springs
City Hall, 474 Broadway
Saratoga Springs, NY 12866

SCPB Referral Review#16-100-Site Plan Review-Lynchys Tavern/The Ice House
Site plan modification for erection of permanent tent structure to replace the temporary structure now in place.
Putnam Street (east side), south of Caroline Street (off Broadway)

Received from the City of Saratoga Springs Planning Board on September 7, 2016.

Reviewed by the Saratoga County Planning Board and staff on September 7, 2016.

Decision: No Significant County Wide or Inter Community Impact

Comment: In accordance with the Memorandum of Understanding (MOU) between the City of Saratoga Springs Planning Board and the Saratoga County Planning Board, the above-noted Site Plan has been reviewed by staff and with necessary concurrence has been deemed to present no significant countywide impacts.

Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

(518) 884-4705 PHONE
(518) 884-4780 FAX

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

[FOR OFFICE USE]

_____ (Application #)

_____ (Date received)

APPLICATION FOR: SPECIAL USE PERMIT

(Rev: 07/2016)

Project Name: Child Care on Beekman Street

Property Address/Location: 48 Beekman Street/51 Ash Street

Tax Parcel #: 165.74-2-65 *(for example: 165.52-4-37)* Zoning District: NCU-1

Proposed Use: Child Care

Type of Special Use Permit: ☑ Permanent ☐ Temporary ☐ Renewable ☐ Modification

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Jenna Eddy	Jason/ Joanne LaBarge	
Address	[redacted]	[redacted]	
	[redacted]	[redacted]	
Phone	[redacted]		
Email	[redacted]	[redacted]	

Identify primary contact person: ☑ Applicant ☐ Owner ☐ Agent

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Please check the following to affirm information is included with submission.

☑ Sketch Plan Attached:
Applicant is encouraged to submit sketch plans showing features of the site and /or neighborhood and illustrate proposed use.

☑ Environmental Assessment Form:
All applications must include a completed SEQR Short or Long Form. SEQR Forms can be completed at http://www.dec.ny.gov/permits/6191.html.

☐ Water Service Connection Agreement- For all projects including new water connections to the City system, a copy of a signed water service connection fee agreement with the City Department of Public Works is required and MUST be submitted with this application.

☑ Application Fee: $750.00 ..... $250-modifications (check box)
A check for the total amount made payable to: "Commissioner of Finance" MUST accompany this application.

☑ 3 hard copies (*1 signed original) and one electronic copy (PDF) of complete application and ALL attachments.

Submission Deadline - Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ☐ NO ☑. If YES, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

I, the undersigned owner, leasee or purchaser under contract for the property, hereby request Special Use Permit approval by the Planning Board for the identified property above. I agree to meet all requirements under Section 240-7.1 of the Zoning Code of the City of Saratoga Springs.

Furthermore, I hereby authorize members of the Planning Board and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.

Applicant Signature: Jenny Eddy Date: 9/19/16

If applicant is not current owner, owner must also sign.

Owner Signature: Date: 9/20/16

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
Child Care at 48 Beekman Street

Project Location (describe, and attach a location map):
The building is located at 48 Beekman Street. It is on the corner of Beekman and Ash streets. The property shares a lot with 51 Ash Street.

Brief Description of Proposed Action:

See attached statement

Name of Applicant or Sponsor:	Telephone: [redacted]
Jenna Eddy	E-Mail: [redacted]

Address:
[redacted]

City/PO:	State:	Zip Code:
[redacted]	[redacted]	[redacted]

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☑

3.a. Total acreage of the site of the proposed action? **0.1** acres
b. Total acreage to be physically disturbed? **0** acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? **0.1** acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	✓		
b. Consistent with the adopted comprehensive plan?		✓	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
		✓	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	✓		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	✓		
b. Are public transportation service(s) available at or near the site of the proposed action?		✓	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		✓	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	✓		
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
		✓	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
		✓	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	✓		
b. Is the proposed action located in an archeological sensitive area?	✓		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	✓		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	✓		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☑ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	✓		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	✓		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	✓		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____			

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Jenna Eddy Date: 9/19/16

Signature: Jenna Eddy

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Short Environmental Assessment Form
Part 3 Determination of Significance

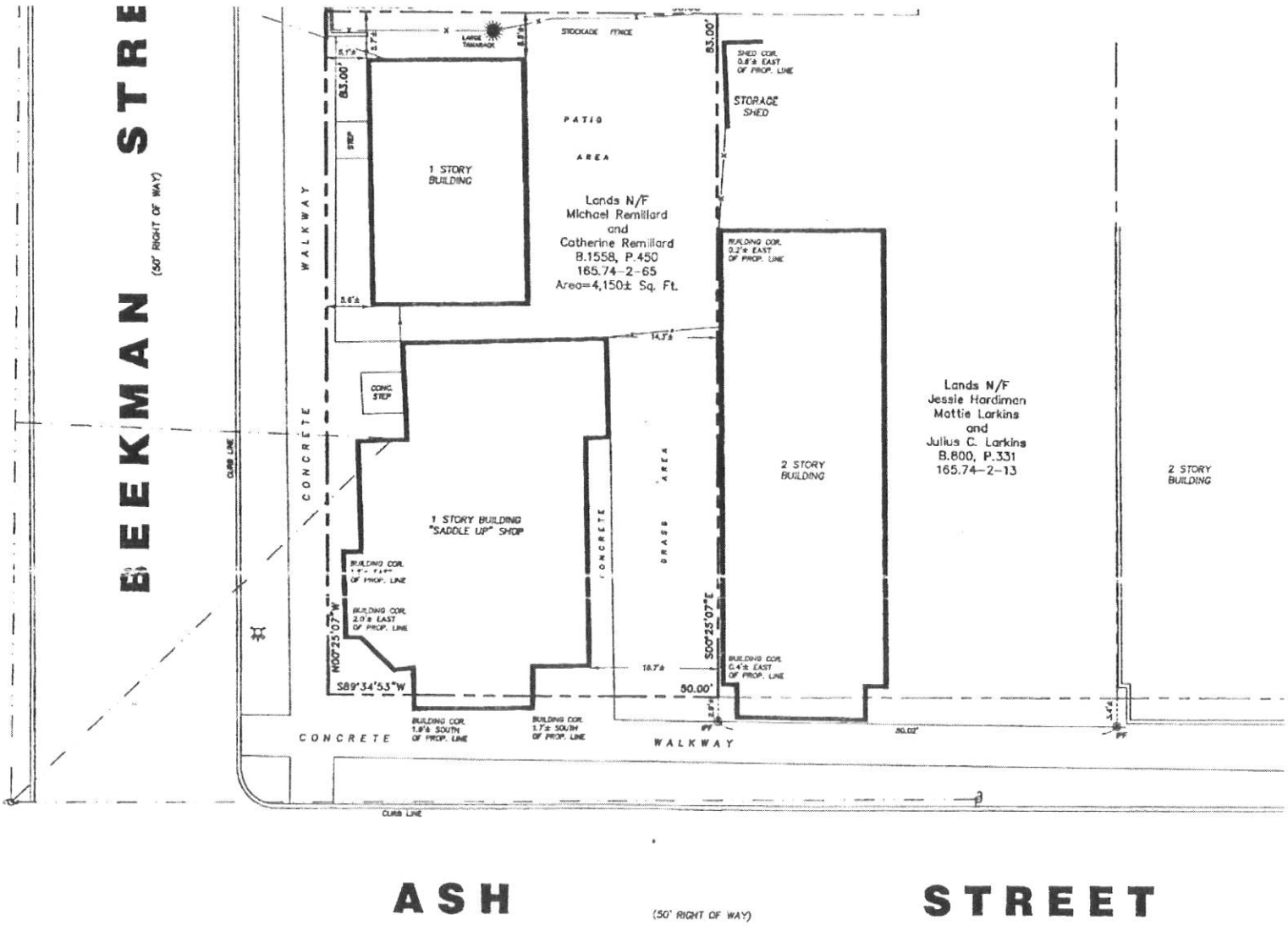
For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



NOTES

1. NORTH ORIENTATION IS MAGNETIC AS OBSERVED DURING JUNE, 2004.
2. REFERENCE IS HEREBY MADE TO A MONROE TITLE INSURANCE CORPORATION COMMITMENT FOR TITLE INSURANCE BEARING TITLE NUMBER MAC 49721 EC AND A DATE OF APRIL 13, 2004.
3. THE RIGHT OF WAY FOR ASH STREET AND BEEKMAN STREET, AS SHOWN HEREON, WERE ESTABLISHED USING THE WIDTHS OF THE STREETS OBTAINED FROM THE CITY OF SARATOGA SPRINGS ENGINEERING OFFICE. THE RIGHT OF WAYS WERE DETERMINED BY THE LOCATION OF THE EXISTING CURB LINES AND CENTERLINES OF SAID ROADS. THERE ARE APPARENT ENCROACHMENTS ON BOTH THE NORTH AND SOUTH SIDE OF ASH STREET USING THIS METHOD.
4. THE SURVEYED PARCEL IS SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE TRAVELING PUBLIC OR CITY OF SARATOGA SPRINGS MAY HAVE OVER THE TRAVELED WAY OR ANY RIGHT OF WAYS OF RECORD OVER BEEKMAN STREET AND ASH STREET.

CERTIFIED TO:

JASON LaBARGE

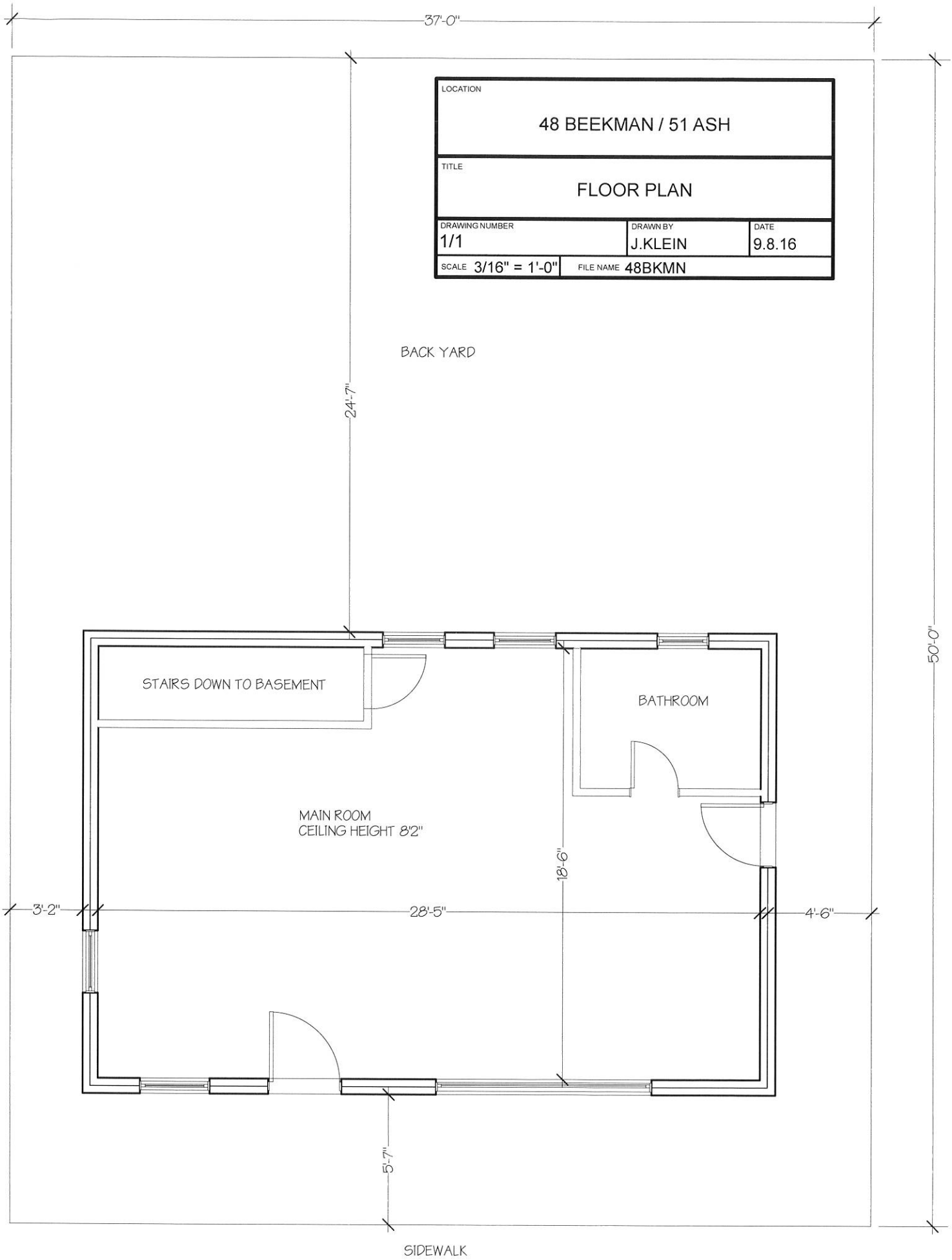
JOANNE LaBARGE

SARATOGA NATIONAL BANK & TRUST CO.
its successors and/or assigns

MONROE TITLE INSURANCE COMPANY

6/21/04
JOSEPH P. FUERST PLS 50,419

LOCATION		
48 BEEKMAN / 51 ASH		
TITLE		
FLOOR PLAN		
DRAWING NUMBER 1/1	DRAWN BY J.KLEIN	DATE 9.8.16
SCALE 3/16" = 1'-0"	FILE NAME 48BKMN	



Short Environmental Assessment Form Part I Narrative:

Brief Description of Proposed Action:

The intended purpose of the proposed space is to open a small preschool/day care. The hours of operation would be from 8:00 AM-5:30 PM, Monday-Friday. The number of clientele will be 8-12 children ranging in age from 3-5 years. There will be two teachers on site (the owners of the school).

Parking:

The issue of parking related to the proposed use of the premises is manageable and negligible for the following reasons:

1. Scope of Impact:
    a. The anticipated number of employees at any given time is two. The current staff both reside within walking distance and will not require parking.
    b. The anticipated number of children attending is currently between seven-eight with perhaps a maximum of twelve within the next year. As the age of the children is between three and five years, the children will be entering and exiting the vehicles with their parents as any other occupant/vehicular parking would occur.
    c. Some children will also be within walking and cycling distance which allows a percentage of them to be picked up and/or dropped off using non-vehicular transportation.
    d. The low number of employees and persons accessing the premises is minimal, and due to teacher to child licensing restrictions, will always be limited in the number of students allowed.

2. Predictability of Impact:
    a. The timing of parking is also generally limited to two one-hour windows during the day: The first being between 8am-9am and the second between 4:30pm-5.30pm.
    b. The extent of the parking is expected to involve a parent temporarily parking to accommodate a student "pick-up/drop-off" in proximity to the premises.
        i. The individuals who will need to park or drive on the street will have multiple side streets as options for parking. Ash Street and Oak Street are two options that have ample amounts of parking. Parking on Beekman Street passed Ash Street has been known to be quiet and could serve as available temporary parking as well.
    c. The actual occupied time for parking space to accomplish a "pick-up/drop-off" is expected to be less than 10 minutes per student.
    d. The premises will be closed from 5:30 pm – 7:30 am with the remainder of the day expecting only an occasional "pick-up/drop-off" from a parent. No long-term parking is needed for the customers/parents.

3. <u>Magnitude of Impact:</u>
    a. Beekman Street is a low volume, one-way street with cross-streets in close proximity.
        i. As a one-way street, the traffic pattern is mandated and determined to limit traffic flow thereby creating expected travel lanes and safety standards.
    b. The premises will not be operating on Holidays or weekends.
    c. The premises does not require or contemplate any delivery or service vehicles.
4. <u>Overall:</u>
    a. As the total number of vehicles accessing the premises is small, temporary, low-volume, and predictably scheduled the overall parking impact is negligible.

From: "Jenna Eddy" [redacted]
To: "kate maynard" <kate.maynard@saratoga-springs.org>
Sent: Thursday, October 6, 2016 4:23:26 PM
Subject: Waivers

Dear Planning Board,

Please note in regards to the request to hold a Preschool/ Licensed child care center at 48 Beekman St. that we are requesting a waiver from 1 parking space and from a site plan review.

Thank you,
Jenna Eddy

Sent from my iPhone
--
Kate Maynard, AICP
Principal Planner
City of Saratoga Springs
474 Broadway, Saratoga Springs, NY 12866
518.587.3550x2517

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[FOR OFFICE USE]

_____ (Application #)

_____ (Date received)

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

(Rev: 05/2016)

APPLICATION FOR: APPROVAL EXTENSIONS – SPECIAL USE PERMIT, SITE PLAN, LAND DISTURBANCE ACTIVITY, SUBDIVISION

Project Name: Congress Plaza Redevelopment

Property Address/Location: 46 West Congress Street

Date of original Planning Board approval: April 24, 2013

Current expiration date: Construction was commenced within 18 months of approval.

- ☐ Special Use Permit approval – 18 month extension
- ■ Site Plan approval – 18 month extension
- ☐ Land Disturbance Activity approval – 18 month extension
- ☐ Subdivision approval – 90 day extension

Reason for Extension: Additional time is needed to complete site improvements and to submit as-built plans.

Since the project was originally approved, are there any significant changes to the site or neighborhood or within the circumstances and findings of fact upon which the original approval was granted? ☐ No ☐ Yes If Yes, please describe: The applicant is seeking a minor change to the site plan approval which is addressed in the letter accompanying this form.

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Donald MacElroy/Don Greene Enterprises, Inc.		LA Group
Address	800 Rt. 146 Ste 240		40 Long Alley
	Clifton Park, New York 12065		Saratoga Springs, New York 12866
Phone	[redacted]		[redacted]
Email	[redacted]		[redacted]

Identify primary contact person: ■ Applicant ■ Owner ☐ Agent

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ■ No ☐ Yes If Yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

Please check the following to affirm information is included with submission:

■ **3 hard copies (1 with original signature) and one electronic copy (PDF)** of complete application and ALL attachments.
☐ Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

Special Use Permit approval extension
☐ $250
Site Plan approval extension
☐ Residential - $250
■ Non-Residential - $500
Land Disturbance Activity approval extension
☐ $250
Subdivision approval extension
☐Residential - $100
☐Non-Residential - $250

Submission Deadline - Applications must be submitted **prior to approval expiration.** Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

I, the undersigned owner, lessee or purchaser under contract for the property, hereby request approval by the Planning Board for the aforementioned extension of the Site Plan approval.

Applicant Signature: _____ Date: 8/23/16

If applicant is not currently the owner, the owner must also sign.

Owner Signature: _____ Date: _____

development co.
800 Route 146, Suite 240
Clifton Park, NY 12065
[redacted]

August 23, 2016

City of Saratoga Planning Board
City of Saratoga Engineer's Office
City of Saratoga Attorney's Office
City of Saratoga Springs Offices
474 Broadway
Saratoga Springs, New York 12866

Re: Congress Plaza Site Plan—Request for a Site Plan Amendment and Extension of the Cash Escrow Account/Letter of Credit

Dear Chair and members of the City of Saratoga Planning Board, City Engineer and City Attorney:

The redevelopment of Congress Plaza is substantially complete and DCG Development Company has worked hard with the assistance of its site engineers and contractors and the oversight of City representatives to carefully adhere to the approved site plan and to strive to improve the project at every opportunity. DCG has just been made aware through conversations with its close neighbors the City Senior Center, of some additional improvements that could be achieved in the event the Planning Board is willing to consider a minor site plan amendment. The currently approved site plan for Congress Plaza envisions site access to South Federal Street through the project. This site access which would be a travel way for vehicles in and out of the Plaza is a concern to the City Senior Center. The City Senior Center residents currently walk to the Plaza through what will become the vehicle travel way.

DCG has carefully examined this situation and requested its traffic engineers, Creighton Manning also to look at the site plan in light of the City Senior Center concerns. Both DCG and CME agree that modifying the site plan so that the access is limited to pedestrian and bicycle traffic only would be an improvement over the existing site plan. Please see the attached drawing prepared to show this change. In addition to the limitation to pedestrian and bicycle traffic only and also at the request of the City Senior Center a number of additional parking spaces devoted exclusively to their use could be added along with the proposed additional amenities such as a new handicapped ramp and crosswalk, additional landscaping, attractive fencing and an outdoor dining area. DCG has shared the proposed improvements with the City Senior Center and they prefer the proposed plan and appreciate the dedicated parking.

DCG believes that the access point is unnecessary for traffic flow into and out of Congress Plaza and is willing to forgo the access point as a vehicular one and would prefer to accommodate the suggestions of the City Senior Center. It is worth noting that the plaza was operated from many years with a grocery store, a use which typically generates more traffic, without the additional access point.

Attached for your consideration is the completed City form requesting a site plan amendment accompanied by a check for $500.00; the completed City form requesting an extension of the escrow account/letter of credit accompanied by a check for $400.00 (in response to the City Attorney's letter of July 26, 2016); the drawing showing the requested site plan amendment; and a letter from Creighton Manning Associates.

DCG is close to completing the redevelopment of Congress Plaza and would respectfully request an opportunity to appear before the City Planning Board to discuss the feasibility of this proposed site plan amendment.

Very truly yours,

Ronald C. McKelvey

DCG Development Co.

cc: Kate Maynard, Principal Planner of the City
Tim Wales, City Engineering
Vincent J. DeLeonardis, Esq., City Attorney

ENGINEERS
PLANNERS
SURVEYORS

Creighton Manning

August 16, 2016

Mr. Donald MacElroy
DCG Development Co.
240 Clifton Corporate Parkway
Clifton Park, NY 12065

RE: Access Review, Congress Plaza, City of Saratoga Springs, Saratoga County, New York; CM Project 112-229

Dear Mr. MacElroy:

As you are aware, Creighton Manning Engineering, LLP completed a traffic assessment for the proposed redevelopment of Congress Plaza in the City of Saratoga Springs in 2013. The proposal at that time included primary access to the site via three driveways on Congress Street and neighborhood connections to the plaza via South Franklin Street at Ash Street and via South Federal Street. To date, the redevelopment has been constructed including the addition of the Embassy Suites Hotel and all but the connection to South Federal Street are constructed and operational.

Although a site access to South Federal Street was envisioned as part of the original plans, we acknowledge your experience with cut-through traffic during construction and misuse of your lot by the public, and your subsequent efforts to eliminate this access. Our numerous site visits completed in 2015 and 2016 note that the current site driveways appear to operate acceptably and a secondary access to the southern neighborhoods is being served by the existing South Franklin Street access. It is also our understanding that prior to 2013, the initial site development plans included a supermarket, which is a higher generating retail use that would have served the surrounding neighborhoods. The largest anchor tenant at the current site includes the Embassy Suites Hotel, a hospitality use that has little interaction with the neighborhoods.

It is our understanding that in your recent conversations with Senior Center representatives, located on Williams Street adjacent to the potential South Federal Street connector, some concerns were expressed regarding the additional vehicular/pedestrian conflict area that would be created if a vehicular connection is made from South Federal Street into the site. It is also our understanding that you would be able to provide the Senior Center with some needed off-street parking on your site (in the area of the connection) if the site vehicular connection is not completed. This parking could be considered a public benefit as it would help the City Senior Center, a public service facility.

Based on Creighton Manning's experience with retail/mixed use developments and site visits, the site as currently operating with four full access driveways is adequate to serve the site traffic and the additional vehicular connection to the site is not needed from a capacity standpoint. Should the subject area be converted to parking, there would be a benefit for pedestrians and bicyclists traveling between the adjacent neighborhoods and the site or Senior Center by reducing the pedestrian/bicyclist conflicts with vehicles. The current proposal includes the addition of landscaping and an extension of the sidewalk on

2 Winners Circle
Albany, NY 12205
518.446.0396 (p)
518.446.0397 (f)
www.cmelp.com

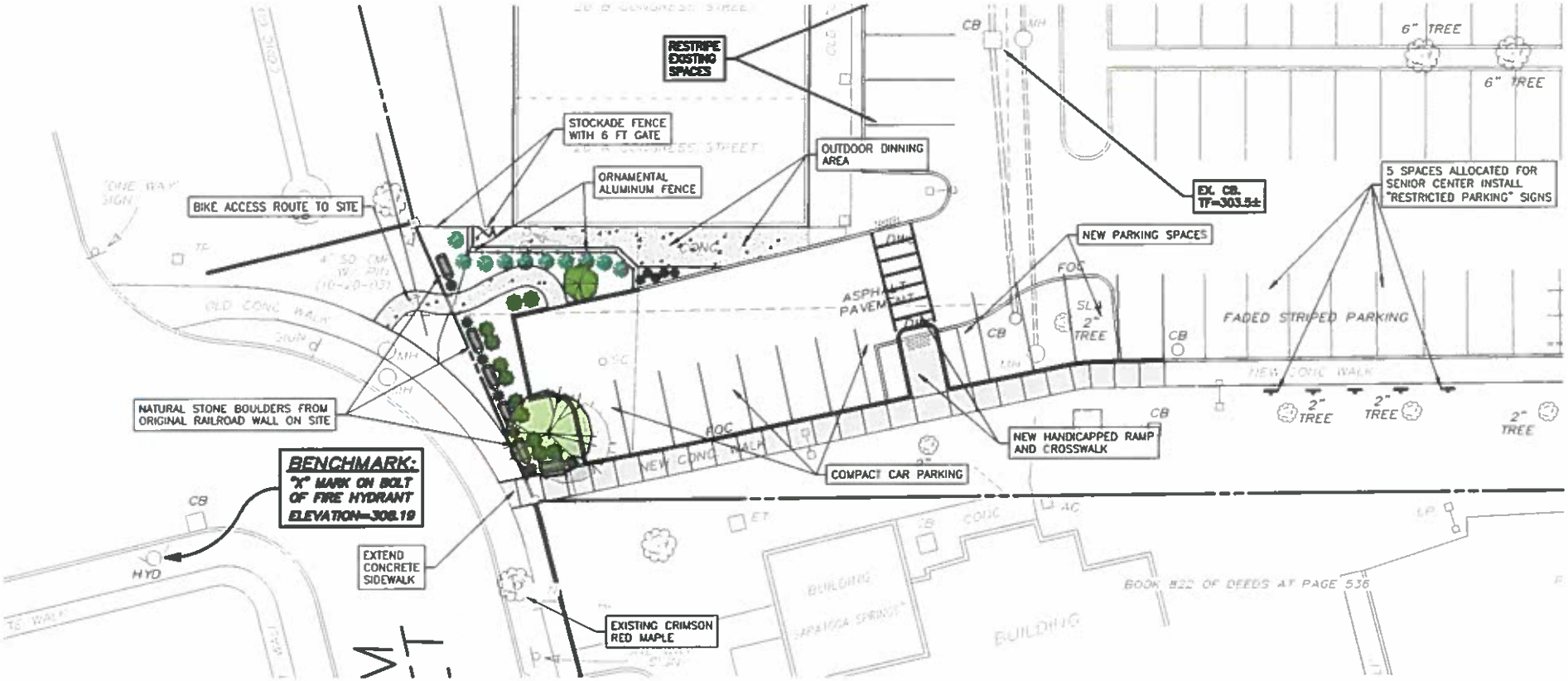
the east side of the site connecting to the existing sidewalk on South Federal Street and a bike access route to the west connecting between South Federal Street and the site.

Please feel free to call our office if you have any questions or comments regarding the above analysis.

Respectfully submitted,
Creighton Manning Engineering, LLP

Wendy C. Holsberger, P.E., PTOE
Associate

F:\Projects\2012\112-229 Congress Plaza\112229_Access Review_20160816.doc



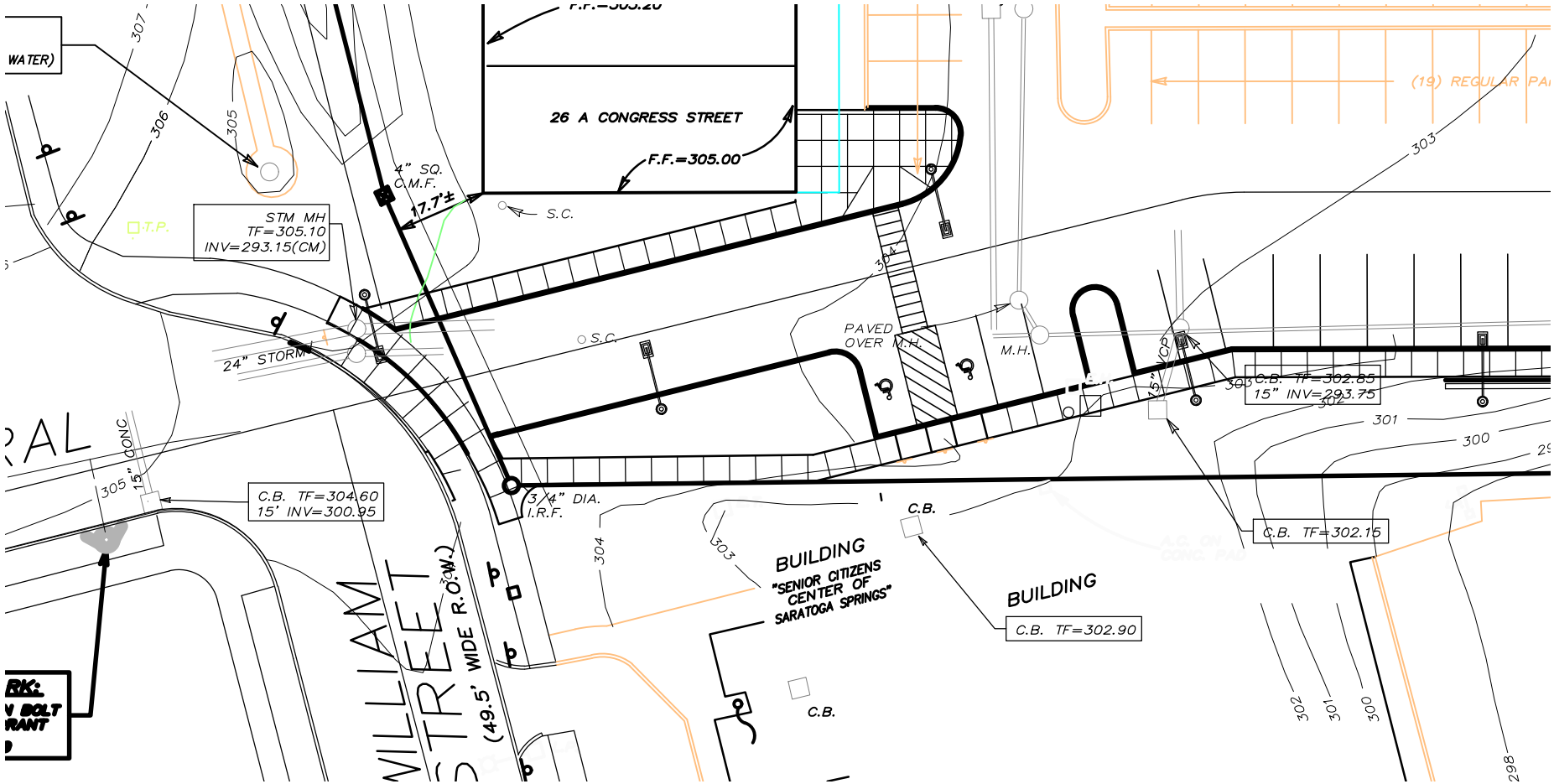
CONGRESS STREETSCAPE IMPROVEMENTS

SCALE: 1"=20'

(JUNE 1, 2016)

GRAPHIC SCALE

(IN FEET)
1 INCH = 20 FT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15" INV=293.75
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301
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298
RAL
15" CONC
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C.B. TF=304.60
15' INV=300.95
3/4" DIA.
I.R.F.
C.B.
C.B. TF=302.15
BUILDING
"SENIOR CITIZENS
CENTER OF
SARATOGA SPRINGS"
BUILDING
C.B. TF=302.90
C.B.
WILLIAM
STREET
(49.5' WIDE R.O.W.)
RK:
V BOLT
RANT

Mr. Mark Torpey,

Saratoga Springs Planning Board

September 13, 2016

Re: DCG Development Co. Congress Plaza

Dear Mr Torpey,

The Saratoga Senior Center located at 5 William St adjacent to the Congress St parking lot was approached by DCG Development about the curb cut into their lot. We have been in conversations with DCG and our Board of Directors, staff and some seniors have expressed concern about the safety of pedestrians and seniors using the sidewalk in the area should the curb cut be put in. We have many members from the Stonequest housing site as well as the surrounding area who frequent the Center and walk by the Center on their way to the plaza or elsewhere. The fear is that a cut through would significantly increase traffic flow through here and put our seniors at risk. We have continuously discussed our need for parking spaces for the growing senior population who use the senior center. DCG has agreed to donate/designate 5 parking spaces to the Center if the curb cut is eliminated. Thus we are in support of their proposal of additional parking donated to the Senior Center without a curb cut into the parking lot.

Thank you for considering our position on this matter.

Respectfully,

Lois Celeste

Executive Director

Senior Citizens Center of Saratoga Springs

5 William St

Saratoga Springs, NY 12866

[redacted]

[redacted]

Cc: DCG Development Co.

EMBASSY SUITES®

Saratoga Springs

August 1st, 2016

Embassy Suites by Hilton Saratoga Springs
86 Congress St.
Saratoga Springs, NY 12866

Concerning the opening of Congress Plaza to the corner of William St. and S. Federal St.

The Embassy Suites holds the position that opening the south east corner of Congress Plaza's parking lot will invite potentially dangerous traffic into the shopping plaza, will take away much needed parking for the Plaza tenants, and doesn't present a need for a new traffic path in this area.

Our concern exists currently with having a proper amount of parking to affectively handle the needs for the Plaza. Being newly renovated and almost at 100% occupancy, the plaza has come back to life and the number of shoppers has increased considerably in the last two years. With the current number of parking slips and an additional 60+ slips behind the hotel, the need for the plaza to retain the parking it has is imperative.

The Embassy Suites believes that the beautified street presence of the Congress Plaza has helped to increase commerce and removing the much needed parking that supports these businesses to be a tremendous mistake. Secondly, inviting 30 to 40mph traffic into a peaceful shopping area will be a deterrent to these businesses and their prosperity.

The Embassy Suites respectfully requests the opening remain closed for the safety and prosperity of the shoppers and the businesses of the Plaza.

Daniel Fortier
General Manager
Embassy Suites by Hilton Saratoga Springs
[redacted]