



**City of Saratoga Springs  
Unified Development Ordinance (UDO)  
Technical Review Advisory Committee (TRAC)**

**Meeting Minutes  
Tuesday February 7, 2017  
4:00 p.m.  
Saratoga Springs Music Hall**

**PRESENT:**

Susan Barden, Senior Planner; Brad Birge, Admin of Planning & Economic Development; Tina Carton, Parks, Open Space, Historic Preservation /Sustainability; Vince DeLeonardis, City Attorney; Amy Durland, Planning Board; Tamie Ehinger, Design Review Commission (Skype); Meg Kelly, Deputy Mayor; Kate Maynard, Principal Planner; and Susan Steer, Zoning Board of Appeals.

**CONSULTANTS:** Michael Allen, Behan Planning and Design

**ABSENT:** None

**CITY OFFICIALS:** None

**PUBLIC:** Maureen Curtin, Mike White, Geoff Bornemann, and Matt Jones

**RECORDING OF PROCEEDING**

The proceedings of this meeting were taped for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript.

**PUBLIC COMMENT:**

Brad Birge opened the public comment period at 4:14 p.m.

Maureen Curtin of Grand Ave. reiterated an email sent to committee members regarding the undemocratic nature of the TRAC committee. She is concerned that six members of the Mayor's staff and three members from the Land Use Boards, whom the mayor appoints, are the foundation of the decisions presented to City Council. She then brought to the committee her concern that the first paragraph on page 6 of the UDO Outline v2 referenced a context based approach to setbacks and design review for new projects where it would be appropriate, such as older denser neighborhoods. She stated that she spoke for the residents of residential neighborhoods of Saratoga Springs who are not interested in the context based approach to

setbacks. She requests that all of the current tables be maintained as is and the comprehensive plan was clear that Saratoga Springs should maintain these as they protect the neighborhood quality of the residential neighborhoods. She stated that the 2015 Comprehensive Plan gave clear direction not to increase density in residential neighborhoods. She also referenced a meeting with planning staff on June 14th, 2016 where she stated that she was assured that there would not be increases in density in residential neighborhoods.

Matt Jones of Saratoga Springs had questions for the committee. His first question for the committee was if Institutional Municipal Purpose (INST-MP) was a new zoning district. Second, if Saratoga Hospital would fall under the Institutional Municipal Purpose (INST-MP) designation. Michael Allen stated that this was public comment and he would get back to Mr. Jones with a response.

Geoff Bornemann from Sustainable Saratoga commented that Sustainable Saratoga was pleased that the revised outline addressed many of the concerns that they had submitted about the previous version. He encouraged the committee to post materials in a timelier manner for review. At this time, Sustainable Saratoga will not be making additional comments on the revised outline and looks forward to the process moving forward. When there are draft materials of the UDO made available, Sustainable Saratoga will provide additional feedback.

Brad Birge closed the public comment period at 4:19 p.m.

#### Approval of 1/17/17 TRAC Meeting Minutes

Brad Birge moved to approve the 1/17/2017 TRAC meeting minutes. Amy Durland requested that the second sentence of page 4 be amended and the word transect be replaced with mix-use instead of transect - which was her intent. Kate Maynard moved to approve the amended minutes replacing transect with mixed use on the second sentence of page 4 and Amy Durland seconded to accept the agenda.

Ayes - All

#### Discussion and Vote on TRAC By-Laws

Brad Birge moved to vote on the revised by-laws were distributed to the committee prior to the meeting as well as posted online to the City website as part of the agenda. Susan Steer moved to approve the revised by-laws and Susan Barden seconded.

Ayes - All

#### Presentation / Discussion on UDO Draft Outline

Michael Allen started with the overview of changes to the outline. As suggested, additional text was added to the document to describe what was intended by the black and blue text in the document. Language was added about which chapters of the city code are expected to be included in the UDO. The TRAC committee then discussed implications of including Chapter 242: Stormwater Management and Chapter 120: Flood Damage Prevention in its entirety. The committee recommended that these two chapters be included within the UDO in a similar manner to the Behan's recommendation on Chapter 220 – both would remain in the code with elements incorporated into the new UDO as needed for reference and clarity.

Vince DeLeonardis brought to the floor that Chapter 240 is a local ordinance where as Chapter 241 is local law. He discussed issues this raises with amending the ordinance and the protocol for amending a UDO.

Michael then discussed a previous question on how the UDO should reference materials outside of the UDO such as staff or other state or federal regulation. Behan will refer to the latest version of the document/information. In instances where they may not want to reference the latest – for example the City is not ready to adopt the latest change - they will reference the version being used. Michael then discussed the layout of the districts in Article 2 and what will be included.

To clarify Behan's intent, Michael shared sample materials. The sample materials are not final materials but are being used for explanatory purposes only at this time. The first sample sheet displayed the Appendix – Glossary. He used this page to show the mechanism for tracking changes to the ordinance. Text color was explained as follows: green text is new text not currently in the ordinance, red strike-through text is text proposed to be removed, and red text is a section needing clarity or additional research. The second sheet was a sample one-page reference guide showing the flow chart of process as well as an overview and QA of the process. The third sheet was a sample use schedule. The fourth sheet was a sample of district requirements – building placement and setbacks, lot and block configuration, building types allowed, building form, allowed use types frontage types and façade types allowed. The final sheet displayed design standards – in this case signage awning lettering.

For sheet one, the committee agreed that the consultant should be consistent about tracking changes. Two of the definitions appear to be new definitions but the headers were not green indicating new material. During the review of the district overview sheet, Tina Carton wondered if the UDO would benefit from the inclusion of graphics for the district on a block level and not just an individual parcel level as provided. Michael explained that this could be accomplished for some districts but not all. Kate Maynard pointed the consultant to the current ordinance which includes block level graphics which she often shares with applicants for direction when developing projects. Susan Barden asked if photographs from Saratoga Springs could be utilized for explanatory purposes as these would reduce the burden to create graphics. Michael explained that using local photographs could be perceived as promoting a local business over another.

During the discussion on Article 3, Vince DeLeonardis stated that if the intent of the new UDO was user friendliness including signs in the Sustainable Design would not be intuitive for applicants. Committee members then discussed how and where to best include sustainability. Kate Maynard does like the additional of a section on sustainability but agrees that the consultant should consider rewording Article 3 to make it clear what the article's intent is. The committee recommended including in Article 1 a description of the 2015 Comprehensive Plan mission statement which details the intent to strengthen sustainability. Amy Durland recognized that Article 3: Sustainable Design may be awkwardly titled for applicants, but would like to ensure that sustainability is integrated into the UDO and suggested the title be changed to Article 3: Sustainable Design and Design Standards. Kate Maynard suggested Article 3 be entitled: Site Design and Standards.

For Article 1, Vince DeLeonardis recommended including the authority and the interpretation of language up front. He is concerned with the general headings included in the revised outline such as "What This Document Covers" are too informal. He understands making the document more user friendly for the general public, but reminded the committee that this is still a legal document. It should be clear and straight forward but not informal. The article could also benefit from the inclusion of information on the land use boards and their function as well as enabling authority provisions.

The committee then discussed if the approval and permit type one page reference sheets should remain in the UDO or be considered as a companion document. Amy Durland would like to ensure that SEQR information is included as its own category as well as embedded within each relevant process. The final recommendation from the committee was that the Approval and Permit Types one-pagers become a companion document.

The TRAC committee also discussed the placement of Planned Unit Developments (PUDs) within the UDO. At the end of the discussion, the committee recommended that the existing PUDs are included in the appendix as well PUDs being called out as a specialty district in Article 2. Additionally, Section 5.14 should be moved to 5.14.9 Amendments. The committee suggested to the consultant to look at other municipalities for direction on this topic and best methods to include PUDs in a UDO.

The committee broadened the conversation and questioned the current layout of the articles in the outline. The committee recommended that Use Requirements should be above Sustainable Design. Brad Birge recommended that Variances (5.15) be removed from Article 5 and made into a separate article after application review, and amendments become a separate Article. Susan Steer provided background on how both of these items are separate, distinct processes. The committee also questioned the term Use Requirements and would like Behan to consider new language for this article.

Amy Durland opened a discussion of whether the UDO should also include a Country Overlay district. The 2015 Comprehensive Plan includes within the Future Land Use Chapter 4 a Conservation Development District and describes its intent. It therefore would make sense to include a new overlay district in the UDO. Within the Country Overlay District, the UDO would describe the intent of the district and general design guidelines/characteristics similar to how Gateway Districts are described in the current ordinance. Michael countered with an alternate idea – to instead add language within each existing district falling inside the Conservation Development District additional language regarding special requirements of the “Country” in the City. Kate Maynard liked the recommendation of overlaying the Conservation Development District within the zoning map as extra direction to applicants on considerations and intent.

Recognizing the remaining time in the meeting, Amy Durland requested a further discussion with Brad Birge on other items of concern.

Through Skype, Taime Ehinger brought back to the table thoughts on the one page reference sheets. She asked Michael Allen if multiple versions of these sheets would be created depending on the target audience – homeowners, developers, etc. Michael Allen stated that he did not envision multiple versions – these were meant to be basic reference guides.

## NEXT STEPS

The next priority for Behan will be to provide the committee with the application, administration and/or introduction sections of the UDO. This will lay the groundwork of the UDO and provide the committee with a foundation for the look and feel/content of the new ordinance. Tina Carton acting as the committee liaison will update the commissioners on the status of the project. Michael will get back to the City the timeframe for providing one or two of the portions of the UDO as requested. Michael also plans on sharing with the committee analysis that Behan has done on comparing the Comprehensive Plan to the current zoning map. This could be discussed at the next meeting.

The committee also discussed with Behan attendance at future meetings.

### PUBLIC COMMENT:

Brad Birge opened the second public comment period at 6:00 p.m.

Maureen Curtin addressed the committee and wanted to know if the committee would be responding in writing to the email that was sent out earlier regarding the TRAC committee membership and voting rights. She understands that listening to the discussion is helpful, but with 6 members of one department she is still concerned that this process is not democratic since the work the committee can affect so many members of the public.

Meg Kelly stated that the committee is taking all comments into consideration and had not as a group discussed the email to date.

### FUTURE MEETING

Committee meetings will be at 4 p.m. in the Music Hall on the first and third Tuesday of each month.

### ADJOURNMENT:

The next TRAC meeting will be held on February 21<sup>st</sup> at 4 PM in the Music Hall.