



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

**Meeting Minutes
Tuesday November 14, 2017
3:00 p.m.
City Council Chamber**

PRESENT:

Susan Barden, Senior Planner; Tina Carton, Parks, Open Space, Historic Preservation & Sustainability; Kate Maynard, Principal Planner; Vince DeLeonardis, City Attorney; and Tamie Ehinger, Design Review Commission.

CONSULTANTS: Michael Allen, Behan Planning and Design

ABSENT: Brad Birge, Admin of Planning & Economic Development, Meg Kelly, Deputy Mayor; Amy Durland, Planning Board; and Susan Steer, Zoning Board of Appeals.

CITY OFFICIALS: None.

RECORDING OF PROCEEDING

The minutes are not a verbatim record of the proceedings; the minutes are not a word-for-word transcript.

PUBLIC COMMENT

Matt Jones of The Jones Firm, Saratoga Springs, addressed the TRAC committee. Mr. Jones was concerned with the draft Zoning District Map and if the map posted with the 75% was the final map or if there were more changes forthcoming. In particular he was concerned with the Urban Residential-1 (UR-1) zoned parcels that the Comprehensive Plan Future Land Use Map designated as "institutional". Mr. Jones stated that the changes to the parcels along Morgan and Myrtle Street were consistent with Planning Board approval previously brought forth to City Council. Behan Planning then requested additional information from city staff.

In addition, Mr. Jones questioned the lack of other changes to the zoning map: the parcel behind the Route 50 Price Chopper current zoned as WD: Warehouse District called out as Core Residential Neighborhood (CRN)-1 vision area; and the area along South Broadway below Crescent Avenue included in the Specialty Mixed-Use Park (SP). For the South Broadway area, he mentioned that the Comprehensive Plan calls for a mix of low to moderate commercial and

residential uses and the new zoning map rezoned this area to OMB which does not allow residential uses.

APPROVAL of 10/30/17 TRAC MEETING MINUTES

Due to the lack of a quorum of members present at the last meeting, the meeting minutes were not discussed. The minutes will be brought forth at the next UDO meeting.

Discussion on UDO Draft Schematic Materials Article 1

At the 10/20/2017 TRAC meeting, there were a number of items that were discussed that the committee members requested Planning Staff review. With Kate Maynard present at the meeting, the committee directed the discussion back to Article 1 to address the remaining concerns.

Tina Carton noted the Recreation Committee was struck in 1.1.9.F but not 1.1.9.G. Since the recommendations are referred to other body, agency or department of the City, Kate Maynard agreed with striking Recreation Committee from 1.1.9.G.

Next the committee discussed 1.1.5.F and non-conforming lots. Vince DeLeonardis questioned the use of language in this section – “no person shall offer for sale or erect a building on a parcel...” He stated the current language implies that the City can interfere with the sale of property. He stated that this should be removed. Kate Maynard was confused by how the Planning Board shall interpret and enforce this section. Michael Allen stated that this section was added by John Behan and he would get additional information from Mr. Behan on the purpose of this section. The committee decided that further discussion is necessary at future meetings.

The committee then discussed 1.1.6.A and 1.1.6.C. Exemption For Certain Government Activities, especially how it applies to 2.4.3.C5 - “Architectural Review of projects shall also apply to municipal work conducted by the City of Saratoga Springs”. The committee agreed that additional items should be added after the following language “provisions relate to governmental immunity from zoning regulations but such exemption shall not apply to”: historic landmark buildings and other projects in the historic and/or architectural districts. Taime Ehinger stated that the requirements should be full review and not simply an advisory opinion. The current language makes the DRB opinion non-binding.

The committee discussed editing issues within the document. It was noted that Zoning Enforcement Officer is found capitalized and not capitalized as well as sometimes referred to as Zoning Officer. The term needs to be consistent within the document. Vince DeLeonardis also noted that the document has not updated all references to the DRB and not the DRC.

Vince DeLeonardis then brought to the consultant’s attention the two areas of the UDO containing information on Separability (Article 1.1.12) and Severability (Article 4.4.4). The committee concluded to keep the text in Article 1 and remove it from Article 8.

The committee then discussed budget and expenditure language regarding Land Use Boards. The Land Use Boards do not currently submit budgets. This is an administrative function. The committee discussed the need for consistency in the language among the boards and questioned how the boards can requests outside legal opinions without legally having an expense budget and responsibility. Staff will ask Brad Birge the historical background on this item.

Item 1.1.9.H was requested to be moved below items 1.1.9.L and M.

The TRAC committee discussed the consultant’s question on the necessity of 1.1.10.U - Develop a preservation component in the Comprehensive Plan of the City of Saratoga Springs and

recommend it to the Planning Board and the City Council. Taimé Ehinger stated that the DRC reviewed the Comprehensive Plan committee's material on historic preservation but did not draft the language. The committee recommended removing the second half of the sentence since it was the Comprehensive Plan committee's responsibility to bring the plan to City Council and the Planning Board.

Discussion on UDO Draft Schematic Materials Article 2

The discussion on Article 2 started with questions regarding the Use Schedule notations. Michael Allen clarified that explanations of the Use Schedule Notations are found in the Temporary Pages of the draft 75%. Michael Allen then explained that Auto Junk Yard was removed from all districts. The committee discussed pre-existing, non-conforming uses, the process of amortization, and methods to phase out these non-conforming uses. The committee also discussed consolidating Auto Junk Yards into the Salvage and Scrap Processing definition/use. Michael also explained that certain uses are not allowed even by special permit such as mining in the transect zones.

Vince DeLeonardis questioned the removal of solar access in Article 3. Tina Carton explained that the City of Saratoga Springs Solar Committee final report recommended replacing the current Solar Access Ordinance 6.4.8 with the New York State Unified Solar Permit which has already been completed. NYSERDA through the NY Sun program offers assistance to municipalities working on solar zoning. Tina Carton worked with the Pace Law Center to modify the New York State Model Solar Energy Law for Saratoga Springs. Pace Law Center did not recommend including solar access due to issues that have arisen enforcing solar access. She suggested that the consultant at Pace could be invited to conference into a future TRAC meeting to explain proposed solar ordinance included in the 75%.

The committee then discussed changes in building heights in the 75%. Michael Allen explained the lower heights reflect the predominant heights within these neighborhoods.

The committee then discussed the 2.2.3 Highway General Business (HGB) District and 2.2.4 Tourist Related Business (TRB). Kate Maynard stated that the Planning Board and staff have learned that there needs to be more physical separation for side and rear yards. The committee recommended 5 feet for side and rear yards.

The committee quickly reminded Michael Allen of the last TRAC discussion regarding noting civic space in the relevant district descriptions as well as the standardization of 25 foot for accessory structure height within the various districts.

Behan Planning included a note on page 2-10: "May want to consider reducing minimum lot width in this district to 50 feet to align with actual lot widths commonly found in city". Susan Barden questioned if the consultant had also reviewed average setbacks, sideward and rear yard. The committee did not reach a conclusion on reducing minimum lot widths.

The committee then discussed the conclusion of the TRAC at the previous meeting to not remove setbacks for terrace and patios but to instead consider residential and commercial districts with differing criteria. It may be prudent to require urban residential areas to retain consistent setbacks as accessory structures. Rural areas should retain the 10 foot minimum.

The committee then updated Kate Maynard on the previous discussion regarding how best to formalize pre-design meetings. No consensus was reached.

PUBLIC COMMENT

No public was present at the end of the meeting.

ADJOURNMENT:

The meeting was adjourned at 5:10 pm.

The next TRAC meeting is to be determined.

DRAFT