

ARTICLE LIX Downtown Center 4: Office/Residential Transition (DC-4) Zoning Use District [Added 11-3-2004 by L.L. No. 48-2004]

§ 108-309. Purpose and intent.

The Intent of the Downtown Center 4: Office/Residential Transition (DC-4) Zoning Use District is to allow, maintain, and foster a downtown neighborhood of homes and offices that is less intensive than the Downtown Center 1: Main Street (DC-1) and Downtown Center 3: Office (DC-3) Zoning Use Districts. The DC-4 Zoning Use District does not allow for any retail or personal services.

§ 108-310. Uses.

In the DC-4 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Offices, professional and public.
- (2) Single-family dwelling units.
- (3) Townhouses.
- (4) Places of worship.
- (5) Funeral homes.

B. Special permit uses:

- (1) Home professional offices.
- (2) Bed-and-breakfast establishments.
- (3) Day-care facilities, nursery schools.

C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:

- (1) Artists' studios, provided that they occupy 40% or less of a principal residence or are located in a detached accessory building on a residential parcel, and do not exceed 1,000 square feet of floor area.
- (2) Dormitories supporting a place of higher education.
- (3) Home occupations.

D. Prohibited uses:

- (1) Retail stores and personal services.

§ 108-311. Lot, yard, bulk, and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule **Editor's Note: The Zoning Schedule is included at the end of this chapter.** incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

- B. New buildings in the Downtown Center Zoning Use Districts shall comply with the lot, yard, bulk, and height requirements of the Zoning Schedule. However, the Town Board shall have discretion during site plan approval to increase front yard setbacks based on the existing setbacks of adjacent structures, so as to maintain a unified street wall pattern.
- C. Exemptions. Bay windows, unenclosed porches, and other front and side projections shall be exempt from the calculation of building area, so as to encourage a variety in facade design. However, such projections shall be required to meet the setback requirements of the Zoning Schedule.

§ 108-312. Supplementary requirements.

The following design and parking standards shall apply:

A. Design standards.

- (1) The principal building entrance and front shall face the primary street frontage and sidewalk.
- (2) Building shape, massing, and siting should reflect the prevalent character of surrounding buildings on the block, while allowing for freedom of architectural style.
- (3) Where shade is desired for commercial buildings, awnings are encouraged. Windows may not be obscured more than 20% by opaque banners, or either permanent or temporary advertisements or signs.
- (4) Front porches are encouraged for all entries. Porches, where provided, shall have minimum dimensions of eight feet in depth and 15 feet in width.
- (5) Signage in the DC-4 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.
 - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses.
 - (c) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-4 Zoning Use District shall be provided in accordance with § 108-60, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to a twenty-percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.
- (3) The parking requirement may be reduced with payment of a fee in lieu of providing off-street parking as provided for in § 108-60.
- (4) Structured parking is prohibited in the DC-4 Zoning Use District. Attached or freestanding garages are permitted for residential use.
- (5) Off-street parking shall not be permitted in the front yard. Parking shall be sited to the rear of buildings, away from street frontage(s) when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.

- (6) Curb cuts to parking lots shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than 30 feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.
- (7) Curb cuts, driveways, and garages shall meet the following dimensional regulations:
 - (a) Curb cuts and driveways at the front property line leading to parking areas of 10 or fewer spaces shall not exceed 10 feet in width along any point.
 - (b) Curb cuts and driveways at the front property line leading to parking areas of 11 or more spaces shall not exceed 14 feet in width at any point.
 - (c) The maximum width of garage entryways facing a front street shall not exceed 18 feet.
- (8) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses or low shrubs for at least 15% of their land area.
- (9) In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot and along the edges.
- (10) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support Infiltration of precipitation to the groundwater:
 - (a) Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.
 - (b) Landscaped areas of parking lots shall be planted, situated and graded in a manner to provide infiltration and detention of runoff from paved areas.