

## **ARTICLE LX Downtown Center 5: Residential (DC-5) Zoning Use District [Added 11-3-2004 by L.L. No. 49-2004]**

### **§ 108-313. Purpose and intent.**

The intent of the Downtown Center 5: Residential (DC-5) Zoning Use District is to allow, maintain, and foster a downtown residential neighborhood enlivened with live/work spaces and home occupations.

### **§ 108-314. Uses.**

In the DC-5 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) Single-family and two-family dwelling units.
  - (2) Townhouses.
  - (3) Places of worship.
  - (4) Schools.
- B. Special permit uses.
  - (1) Day-care facilities and 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) Home occupations.
  - (3) Home professional offices.
- D. Prohibited uses:
  - (1) Apartment buildings.
  - (2) Residential health-care facilities.
  - (3) Dormitories.

### **§ 108-315. 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.

**§ 108-316. Supplementary requirements.**

A. Design standards.

- (1) To the maximum extent possible, housing should exhibit variations in massing, finishes, features, and colors within each block in order to provide variety and interest at the street.
- (2) The principal building entrance and front shall face the primary street frontage and sidewalk.
- (3) Front porches are encouraged for all individual entries to residential buildings.
- (4) Building shape, massing, and siting should reflect the prevalent character of surrounding buildings on the block, while allowing for freedom of architectural style.
- (5) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-5 Zoning Use District shall be provided in accordance with § 108-60, Off-street parking.
- (2) Garages or parking areas shall be located to the rear or side of a building. No surface parking spaces shall be allowed within 15 feet of the front property line. At-grade garages and/or parking areas in all cases 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.
- (3) 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.
- (4) 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.
- (5) 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 the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.