
O N O N D A G A C O U N T Y
S E T T L E M E N T P L A N
T R A D I T I O N A L N E I G H B O R H O O D D E V E L O P M E N T
C O D E

Prepared by:

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ENVIRONMENTAL DESIGN AND RESEARCH
LOCAL PLANNER

2001

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ONONDAGA SETTLEMENT PLAN**EXECUTIVE SUMMARY**

The *Onondaga County Settlement Plan* was completed over a two-year period beginning in 1999. Its intention from the start was to create a document that would encourage and enable the thirty-five municipalities of Onondaga County to improve their residents' quality of life through a renewed emphasis on neighborhoods. Specifically, the Plan began by acknowledging that the County's greatest strength was its tradition of historic neighborhoods, and then focused on providing the tools that could most effectively reinforce that tradition. It was preceded and inspired by the County's *2010 Development Guide* -- adopted as the County Plan in 1998 -- which emphasized the goal of cost-efficient infrastructure, and recognized how that goal mandated the reinforcement of existing urban centers. This *Settlement Plan* was created to move the intentions and policies of the 2010 Development Guide into concrete action.

This Plan begins with the recognition that, in its long history, Onondaga County has experienced only two models of growth: the traditional neighborhood and suburban sprawl. The dominant model until the second world war, the traditional neighborhood is characterized by its diversity of use, pedestrian scale, and clear identity. The dominant model in recent years, suburban sprawl is characterized by the strict separation of land uses, the resulting dependence on the automobile, and a feeling of placelessness. While the neighborhood model -- represented by the County's villages, hamlets, and urban neighborhoods -- is associated with the high quality of life which many residents enjoy, suburban sprawl is associated with an erosion of that quality of life, best represented by increased traffic, decreased environmental quality, excess taxation for infrastructure, and inner-city deterioration. The *Onondaga County Settlement Plan* represents the determination of the County and its citizens -- as demonstrated in the *2010 Development Guide* -- to limit suburban sprawl in favor of the traditional neighborhood model of growth.

This is an ambitious task, but the *Onondaga County Settlement Plan* brings together a series of planning tools that have been demonstrated to affect positive change elsewhere. In the hands of effective leadership, these documents will prove more than adequate to the task of redirecting the County's growth.

Taken together, the three documents of the *Settlement Plan* described below provide a complete tool kit for Onondaga County's return to the traditional neighborhood pattern of growth. Most American counties are suffering from suburban sprawl, but Onondaga County has shown unique initiative in creating this *Plan*; if it is followed, the area could become a model for the nation. Now the task falls to the City of Syracuse and the individual towns and villages within the County to make use of these tools in their own way. The Syracuse-Onondaga County Planning Agency stands ready to assist them in adapting this Plan to their local situations.

The Regional Plan and Pilot Projects

Most land use decisions in Onondaga County are made at the local government level. This degree of autonomy is beneficial in that it allows individual towns and villages to enact change with great efficiency, but it ignores the fact that most people live their lives at the scale of the metropolis, sometimes crossing municipal boundaries several times a day. Similarly, natural systems such as rivers and wildlife corridors pay no attention to municipal boundaries. For these reasons, certain decisions made at the local level must refer to a larger vision of the structure of the metropolis. This vision is provided in the *Regional Plan*. In addition, the *Plan* acknowledges the primary way in which the County does have influence on growth, through its transportation policy. Most settlement patterns are the direct result of transportation and linear infrastructure, and thus the County can most

directly curtail suburban sprawl through its own capital investment. The Transportation Policies included herein intended to direct the County's infrastructure expenditures while also providing a model for cities, towns, and villages to emulate in their own street policies and decisions.

An essential component of the *Regional Plan* is the collection of *Pilot Projects* that accompany it. Municipalities within the County face a variety of planning dilemmas: how to preserve farmland and open space; how to revitalize struggling urban neighborhoods; how to redevelop abandoned industrial sites; how to reclaim a village or neighborhood from high-speed traffic; how to replace a dying mall; how to humanize a commercial strip; how to grow a village or hamlet in a way that strengthens its character. In order to address these abstract issues in a concrete way, *Pilot Projects* were commissioned at specific locations. Each *Project* by necessity presents a somewhat customized solution, but also demonstrates a generic approach and technique that can be used in similar situations throughout the County.

The Traditional Neighborhood Development Code

Onondaga County has experienced half a century of suburban sprawl. Most of this sprawl occurred in direct accordance with existing zoning and subdivision regulations that effectively outlaw traditional neighborhood development. Clearly, an alternative set of regulations is necessary to allow and encourage the construction, extension, and revitalization of the County's neighborhoods. Such regulations were first created over a decade ago by Duany Plater-Zyberk & Co., and have been continuously refined and most recently customized to the conditions of Onondaga County. Those municipalities that wish to provide an alternative to suburban sprawl will adopt the *Traditional Neighborhood Development Code* and incentivize its use.

The Traditional Neighborhood Development Guidelines

The *Traditional Neighborhood Development Code* is a technical document designed to attain specific built results in a heavily regulated legal environment. As such, it is written in a way that expedites its use, not in a way that fully explains its intentions or teaches its users the general principles and techniques of community-making. This role is played by the *TND Guidelines*, which are designed to quickly and easily communicate the philosophy and practice of Traditional Neighborhood Development. As a guideline, it is more descriptive and less precise than the Code, and is best used as an educational tool for citizens, public servants, and developers. It should be distributed as widely as possible.

DUANY PLATER~ZYBERK & COMPANY
ARCHITECTS AND TOWN PLANNERS

For use in
ONONDAGA COUNTY, NEW YORK

TND CODE

APRIL 2001

TABLE OF CONTENTS

- 1. DESCRIPTION OF THE CODE**
 - 2. USE OF THE CODE**
 - 3. THE REGULATING PLAN**
 - 4. DESIGN OF THOROUGHFARES**
 - 5. DESIGN OF PRIVATE AREAS**
 - 6. DESIGN OF CIVIC PLACES**
 - 7. DEFINITIONS**
-

8. SUMMARY TABLES

SMARTCHART
THOROUGHFARES TABLE

9. APPENDICES

FLOW CHART OF PROCESS TO USE THE TND CODE
 PREPARING A MUNICIPAL SETTLEMENT PLAN
 SAMPLE MUNICIPAL SETTLEMENT PLAN
 SAMPLE GREENFIELD REGULATING PLAN
 SAMPLE INFILL REGULATING PLAN
 REGULATING PLAN REVIEW CHECKLIST
 PRIVATE LOT PLAN AND
 ARCHITECTURAL DESIGN REVIEW CHECKLIST
 TND CODE INCENTIVES
 APPLICATION REQUIREMENTS
 APPLICATION FORMS
 MODEL ENABLING LEGISLATION

The TND Code was prepared by Duany Plater-Zyberk & Company for Onondaga County, New York.

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1. DESCRIPTION OF THE CODE

1.1 THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) CODE

- 1.1.1 A municipality or locality may replace their existing zoning ordinance with the TND Code or offer it as an option to the existing ordinance in designated parts or all of the municipality or locality . Once land is rezoned to one of the TND Code Designations, (TND Hamlet, TND Village or TND Town) the TND Code is mandatory.
- 1.1.2 A municipality or locality may apply the TND Code to undeveloped areas and to areas where urbanization already exists. Where there is no existing urban fabric ("Greenfield Sites"), the TND Code enables, qualifies and encourages the patterns of the TND. Where urban fabric already exists ("Infill Sites"), it provides standards for community design as well as for private lots and private buildings.
- 1.1.3 A municipality or locality may encourage use of the TND Code by incentives, some of which are described in the Appendix.

1.2 THE PRINCIPLES OF SMART GROWTH

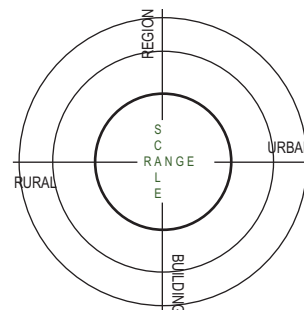
The intent of the TND Code is to:

- 1.2.1 Encourage development so long as it is compact, diverse and walkable.
- 1.2.2 Protect open space so long as it is ecologically, and culturally viable, and an economic priority.
- 1.2.3 Encourage its use by providing incentives, rather than by prohibiting conventional development.
- 1.2.4 Expedite the permitting process of infill and renovation projects to parity with that of Greenfield projects.
- 1.2.5 Allocate the maintenance and cost of infrastructure and services equitably between existing and incoming residents.
- 1.2.6 Support a balance among transportation options that include the automobile, transit, bicycles and walking.
- 1.2.7 Encourage the collaboration of public, private and not-for-profit sectors.

1.3 THE TECHNIQUES

The TND Code integrates the following variety of techniques, eliminating the need for separate sections dedicated to them:

- 1.3.1 The integration of scale from the region to the building and range from the rural to the urban.
- 1.3.2 A system of regional planning that complements existing laws of environmental protection and open space conservation.
- 1.3.3 A system for the Transfer of Development Rights as a market-driven instrument to secure open space.
- 1.3.4 A zoning system that enables and qualifies both new TNDs and Infill TNDs (the completion of such patterns within existing urban areas).
- 1.3.5 A single set of zoning categories for both Greenfield and infill development.
- 1.3.6 The evolution of the existing built environment, including conventional suburban development and older, tired neighborhoods, into viable neighborhoods through infill development that is consistent with the principles and scope of the TND Code.



- 1.3.7 The use of parametric criteria which is to say on acceptable range of options, thus providing the flexibility of a performance code with only minimal negotiation, rather than the open-endedness of a performance code that requires constant negotiation.
 - 1.3.8 The ability within recognized neighborhoods and historic districts to adjust the parameters of the TND Code by warrant in such ways as deemed appropriate to reinforce the existing or desired character of the neighborhood. Warrants are described in Section 2.3 .
 - 1.3.9 Architectural, landscape and signage standards integrated with the zoning provisions.
 - 1.3.10 A simplified system of administrative review that replaces, whenever possible, the public hearings.
 - 1.3.11 An increased range of options than are allowed by conventional zoning.
-

1.4 THE SETTLEMENT PATTERNS

The TND Code enables settlement patterns that have the following characteristics:

- 1.4.1 Sensitive natural and cultural landscapes are preserved as permanent open space;
 - 1.4.2 The basic increment of development is the diverse, compact, walkable neighborhood;
 - 1.4.3 Each neighborhood has a central gathering place;
 - 1.4.4 There are shops in proximity to the neighborhood, sufficient to satisfy ordinary daily household needs;
 - 1.4.5 The neighborhood incorporates a variety of work places, including those that integrate work and dwelling;
 - 1.4.6 The neighborhood incorporates a range of dwelling types suitable for younger and older persons, single-person households and families
 - 1.4.7 The syntax of the buildings is harmonious to facilitate a variety of functions in close proximity.
 - 1.4.8 An elementary school, or a site reserved for one, should be available within one mile of most dwellings;
 - 1.4.9 Thoroughfares within a Pedestrian Shed form a network, connecting wherever possible to adjacent tracts in order to disperse traffic;
 - 1.4.10 Thoroughfares within a Pedestrian Shed are designed to slow traffic, creating an environment equitable to pedestrians, bicyclists and automobiles;
 - 1.4.11 Building frontages collectively support pedestrian streetscapes while masking most parking lots and parking structures.
 - 1.4.12 Where the existing built environment is rezoned TND, new construction shall repair or enhance the existing urban fabric by becoming a seamless part of it, not taking the form of an isolated "project" within it.
 - 1.4.13 Where the existing built environment is rezoned TND, special permits may be granted for design characteristics that reinforce and enhance the unique and desirable character of the existing environment, in recognition of the important fact that idiosyncracies often add to the character of a community.
-

1.5 THE TRANSECT

The TND Code is based on the Transect as follows:

- 1.5.1 The Transect is an analytical system that extends from the rural to the urban, thereby including the range of environments that support the viability of all species.

- 1.5.2 The Transect conceptualizes each environment as a set of elements that reinforce each other, creating a set of specific natural habitats or zones.
- 1.5.3 The continuum of the Transect lends itself to coding. When sites are sliced into specific zones (Transect Zones) for administrative convenience, each Transect Zone retains and intensifies its distinct character by controlling its component elements.
- 1.5.4 The component elements integrated by the Transect Zones include the types of thoroughfare, streetscape, building function and landscape and civic open space.
- 1.5.5 The Transect integrates environmental methodology for habitat assessment with zoning methodology for community design. The "urban boundary" between the natural and man-made disappears by enabling environmentalists to assess the design of various human habitats while enabling the urbanists to support the viability of the varieties of nature.
- 1.5.6 Each Transect Zone retains and encourages the full measure of diversity and connectivity that differentiates Smart Growth from the isolated monocultures of conventional zoning.

1.6 TRANSECT-BASED ZONING

The Transect is the organizing system of the TND Code. Understanding the Transect leads to a clear understanding of the Code. The Transect is an environmentally based system of classification that deploys the conceptual range of "most rural" to "most urban" to arrange in useful order the typical elements of the natural landscape and of urbanism. Within the continuum of the Transect, every element easily finds a place within its continuum. For example: a road is more rural than a street; a swale is more rural than a gutter; a wood building is more rural than a brick building; a park is more rural than a plaza; a cluster of trees is more rural than a regular alley; and a pond is more rural than a fountain. The TND Code employs a Transect-based operating system that leads to authentic settlement patterns, specifically Traditional Neighborhood Developments. It is as comprehensive as the existing code, easier to use and results in better places to live. In addition to being a system of classification, the continuous Transect is an instrument of design when divided for administrative convenience into Transect Zones, each retaining the full complexity of its environmental niche. See Section 1.9: The Transect.

1.7 THE TRANSECT ZONES

1.7.1 Rural Preserve Transect Zone (T1).

T1 is the open space that is legally protected from development in perpetuity. The Preserve Transect Zones include areas under environmental protection as well as land acquired for preservation through purchase, by conservation easement, transfer of development rights, or another method. The Rural Preserve Transect Zone (T1) consists of the aggregate of the following Geographic Information System (GIS) categories: Civic Open Space (T1a), Conservation Easements (T1b), Protected Upland Habitats (T1c), Protected Wetlands (T1d), Designated Greenway and Waterway corridors (T1e), Steep Slopes (Tg), Other (T1h).

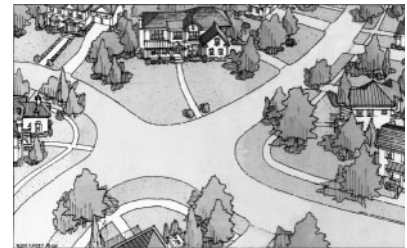
1.7.2 Rural Reserve Transect Zone (T2).

T2 is the open space that is not yet protected from development but that should be added to the Preserve Transect Zone. The Rural Reserve Transect Zone includes Civic open space identified for public acquisition, areas identified as TDR Sending Areas, stream buffers, greenway, highway and view corridors.

The Rural Reserve may be undeveloped land that is not yet zoned for or protected from development, but should be protected; undeveloped land that is zoned for development but should be protected (TDR Sending Area); developed land that should be "undeveloped" to infill a greenway for example (TDR Sending Area). The municipal Settlement Plan may designate appropriate properties as TDR Sending Areas. This may or may not be done at the request and with the consent of the property owner. A typical TDR Sending Area would be the 400 feet of frontage along rural roads in the Rural Reserve. If none are designated, existing zoning capacity may be purchased from any property and "sent" to a TND and the capacity of the conventionally zoned property simultaneously reduced. The Rural Reserve Transect Zone (T2) consists of the aggregate of the following GIS categories: (T2a) Open Space to be Conserved, (T2b) Greenway Corridors, (T2c) Waterway Buffers, (T2d) Special Woodlands, (T2e) Special Farmlands, (T2f) Viewsheds, (T2g) Other.

1.7.3 **Suburban Transect Zone (T3).**

T3 is the most naturalistic, least dense, most purely residential habitat of a community. It consists principally of single-family, detached houses with outbuildings permitted. Buildings are disposed on relatively large lots with substantial setbacks on all sides. When lots are wide enough, the parking may be accessed from the frontage by a driveway; but lightly-paved rear lanes are permitted. The preferred building frontage is the common lawn. The streetscape consists of naturalistically clustered trees of multiple species. The trees in the front yard should match the street trees in order to achieve a coherent naturalistic landscape. The predominant thoroughfare is the road, typically edged by swales, providing drainage through conveyance and infiltration. They are bordered by paths and seldom include parallel parking. The uses permitted include restricted office and lodging, with limited signage. Civic open spaces should be parks and greens, rural in character.



1.7.4 **General Urban Transect Zone (T4).**

T4 is primarily residential habitat of a community, typically the largest area within the Pedestrian Shed. It consists of single-family detached houses, cottages, sideyard houses and rowhouses, with one outbuilding permitted on each lot. Buildings are disposed on small and medium-sized lots with some setback to the front yard. The narrow lots require that the parking be accessed from the rear by an alley or lane. The building frontages include porches, fences and terraces. The streetscape consists of a regular, aligned planting of a single tree species in a planting strip. Roads or streets usually include parallel parking, curbs equipped with storm drains and sidewalks. In addition to the residential use, the commercial functions allowed are limited office and lodging accommodations with retail confined to certain designated lots, typically at corners. Small commercial signs are permitted. Civic open spaces should be parks, greens and squares.



1.7.5 **Urban Center Transect Zone (T5).**

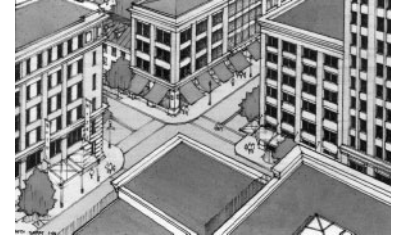
T5 is the denser, fully mixed-use habitat of a community. It is typically located at the centroid of a Pedestrian Shed or along an important thoroughfare. It consists primarily of attached buildings including rowhouses, sideyard houses, flexhouses (live/work), apartment houses and offices above shops, without need for outbuildings. These buildings are disposed on small and medium-sized lots with disciplined, shallow front setbacks. The required parking, which is substantial, shall be accessed by an alley or may be provided remotely, so long as it is within the same Pedestrian Shed. The building frontages include stoops, forecourts and storefronts. The streetscape consists of the regular, aligned planting of a single tree species in tree grates. Streets always include parallel parking, curbs equipped with storm drains and wide sidewalks. Ground



floor retail is allowed everywhere and it is mandatory on certain designated frontages. Throughout, signs are permitted. The civic open spaces consist of squares and plazas.

1.7.6 **Urban Core Transect Zone (T6).**

T6 is the densest business, cultural and entertainment concentration of a region. It typically occurs at major regional crossroads, usually involving historic city centers and underutilized malls. Buildings are attached and often tall. They include rowhouses, apartment houses, office buildings and department stores. Outbuildings, though permitted, are scarce as the lot coverage of the principal buildings is extensive. These buildings are disposed on a wide range of lot sizes, from those small enough for a rowhouse, to an upper limit controlled by the size of the block. The buildings are disciplined to very shallow, mandatory front setbacks. Any front "yards" are paved to match the sidewalks, effectively widening them. The required parking must be accessed by rear alley or may be provided remotely, so long as it is within the same Pedestrian Shed. The allowed building frontages include stoops, forecourts and storefronts. Each streetscape consists of a single tree species in grates, with irregular spacing to accommodate the location of storefronts and building entrances. The thoroughfares are streets, always including parallel parking, curbs equipped with storm drains and very wide sidewalks. In addition to residential use, the buildings are open to substantial commercial use as office and lodging. Retail use is mandatory at the ground level of certain designated frontages. The range of signage is extensive and well lit. The civic open spaces consist of squares and plazas.



1.7.7 **Civic Space Overlay Zone (CS).**

An overlay zone for sites reserved for common open space in the form of parks, greens, squares, plazas, playgrounds and sportsfields. CS overlays do not count towards the net area calculations. Civic Spaces shall be as described in the Design of Civic Places Section.

1.7.8 **Civic Building Overlay Zone (CB).**

An overlay zone for sites reserved for communal buildings, generally those operated by not-for-profit organizations dedicated to arts, culture, education, government, transit, municipal parking facilities and clubs. Civic Buildings shall be as described in the Design of Civic Places Section

1.7.9 **District by Warrant (DW).**

A warrant issued administratively to allow a use (function) that is justified, but is prevented by a provision of this code, such as a hospital or gasoline station. Districts shall only be created by warrant to allow a use (function) that is consistent with the previously stated principles (1-2), techniques (1-3) and settlement patterns (1-4). The function, disposition and configuration of the buildings shall be determined concurrently with the issuance of the warrant.

1.7.10 **District by Rezoning (DR).**

A rezoning is required to allow a use (function), disposition and/or configuration that is not justified by need. Once an area has been rezoned TND, it is acceptable for a portion of it, not to exceed 20% less the area of Districts by Warrant, to be subsequently rezoned to zoning district other than TND. Such rezoning would allow development that is in consistent with the TND requirements. Such non-TND development shall be considered to be consistent with the Settlement Plan as long as it does not undermine the feasibility and integrity of the TND itself. Rezoning of a portion of a TND may change the allocations among different parts of the transect. This is permitted as long as the resulting allocations of the areas that remain TND are consistent with the TND Code. In such a case, the portion of the site which is rezoned to another zoning

category shall be excluded from the calculation of TND transect allocations. Such districts are generally dedicated to a single function that is not intrinsically noxious, such as a housing subdivision, a business park, or a shopping center. The function, disposition and configuration of the buildings shall be determined concurrently with the rezoning.

1.8 THE TRANSECT
See next page.

2. USE OF THIS CODE

2.1 THE PROCESS

Those interested in using the TND Code are encouraged to meet with the municipality's TND Code Facilitator to discuss how this code applies to their property. The usual sequence of steps in using this code is as follows:

- Step 1: Read the previous Section.** Use of the TND Code is greatly facilitated by a clear understanding of the Principles and Scope of the TND Code, the Patterns of Development that it enables and the Transect on which it is based.
- Step 2: Review the Municipal Settlement Plan** to verify that the property is zoned TND. If there is not a Municipal Settlement Plan, one may be prepared by following the instructions for Preparing a Municipal Settlement Plan included in the Appendix. A Sample Municipal Settlement Plan is included in the Appendix. A Municipal Settlement Plan, once approved, identifies where the TND Code may be used. A Municipal Settlement Plan may be prepared for all or part of a municipality. A Municipal Settlement Plan may replace or be available as a parallel option to existing land use and subdivision plans.
- Step 3: Review the Regulating Plan** to verify that the TND has been divided into Transect Zones. If there is not a Regulating Plan, one may be prepared by following the requirements of Section 3. A Sample Regulating Plan is included in the Appendix. Prepare a Regulating Plan Review application that complies with the TND Code. Submit it to the TND Code Facilitator for review. The Facilitator will personally guide your application through the review process and keep you apprised of its progress. The requirements of the Regulating Plan application and the details of the process are included in the Appendix.
- Step 4: Obtain Private Lot Plan and Architectural Design Approval.** Prepare an application for review of the Private Lot and Architectural Design consistent with the TND Code. Submit it to the TND Facilitator for review. The proposed architecture and landscaping will be reviewed for adherence to the TND Code. Again, the TND Facilitator guide your application through the approval process and keep you apprised of its progress. The requirements of the Private Lot Plan and Architectural Design application and the details of the process are included in the Appendix.
- Step 5: Obtain a Building Permit.** This process is the same throughout the municipality.

Note: The provisions of New York State Law regarding the State Environmental Quality Review Act (SEQRA) and the subdivision of land shall be adhered to as appropriate in each municipality and each TND. See Flow Chart of Process to Use the TND Code in Appendix.

2.2 USE OF THE CODE

- 2.2.1 The provisions of this Code, when in conflict, shall take precedence over all other codes, ordinances, regulations and standards except that the Uniform Fire Prevention and Building Code of the State of New York.
- 2.2.2 Provisions of the TND Code are activated by the verb "shall" or "is" when required; "should" when recommended; and "may" when optional.
- 2.2.3 Terms used throughout this code shall take their commonly accepted meaning unless herein defined. Definitions contain regulatory language that is an integral part of this code. When there are conflicts between the definitions

herein and definitions as provided in an existing code, the definitions in the TND Code shall take precedence.

- 2.2.4 Should any provision, paragraph, sentence, word or phrase contained in the TND Code be determined to be invalid, illegal or unenforceable, such provision, paragraph, sentence, word or phrase shall be deemed modified to the extent necessary to conform with the law or else the same shall be deemed severable. In either event the remaining terms and provisions of the TND Code shall remain unmodified and in full force and effect.

2.3 WARRANTS AND REZONINGS

- 2.3.1 The TND Code shall be applied in its entirety or not at all. However, Warrants and Rezonings may be granted if expressly requested and expressly approved. Approval of a Regulating Plan requiring a warrant or rezoning but not expressly requesting it does not constitute approval of the Warrant or Rezoning.
- 2.3.2 A Warrant permits a practice, justified by need or hardship, that is consistent with the general intent of connectivity, walkability and diversity of the TND Code, but is not consistent with a specific provision of the TND Code. A Warrant is granted administratively through the Staff Action Committee (SAC).
- 2.3.3 A Rezoning permits a practice that is not consistent with the general intent of connectivity, walkability and diversity of the TND Code. A Rezoning may be obtained only through the rezoning process.
- 2.3.4 The request for a Rezoning shall not subject the entire application to public hearing, but only that portion necessary to rule on the Rezoning.
- 2.3.5 The applicant may appeal a decision of the SAC to the review board with decision-making authority. A decision of this review board may be appealed to the courts under Article 78 of the Civil Practice Law and Rules of New York State.
- 2.3.6 Warrants and Rezonings granted shall be considered unique and shall not set precedent for future ones.
- 2.3.7 The following provisions of the TND Code shall not be changed by Warrants and Rezonings:
- a. The allocation parameters of each Transect Zone.
 - b. The maximum dimensions of thoroughfares.
 - c. The requirements for alleys and lanes.
 - d. The minimum residential densities.
 - e. The right to construct outbuildings and ancillary apartments.
 - f. The requirements of parking location and maximum number of spaces.

2.4 VIOLATIONS

- 2.4.1 In the event of a violation of any requirement of the TND Code during construction (for which a warrants and rezoning has not been approved) the municipality has the right to require that the applicant cease construction and remove, alter or otherwise bring the violation into conformance with the approved documents, or, to secure a special permit or variance, as deemed necessary by the SAC.
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3. THE REGULATING PLAN

3.1 GENERAL NOTES

- 3.1.1 The Regulating Plan for each TND shall be prepared according to the requirements in this section for Pedestrian Shed Allocation and Transect Zone Allocation and designed within the parameters of the following Sections: Thoroughfares, Private Areas and Civic Places.
 - 3.1.2 The Regulating Plan may also include mandatory and/or recommended build-to lines, retail frontages, arcade frontages, terminated vista locations; building tower locations and parking reserve areas. (A Sample Regulating Plan is included in the Appendix.)
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3.2 PEDESTRIAN SHED ALLOCATION

- 3.2.1 Each Regulating Plan shall be structured as one or several Pedestrian Sheds. Pedestrian Sheds shall be an average ¼-mile radius.
 - 3.2.2 Sites larger than a single Pedestrian Shed shall be designed and developed as multiple Pedestrian Sheds.
 - 3.2.3 Remnants of the site outside a Pedestrian Shed shall be Civic Space (CS) and Rural Preserve Transect Zone (T1). Remnants may be Sub-Urban Transect Zone (T3) and General Urban Transect Zone (T4) by Variance.
 - 3.2.4 Districts by Warrants and by Rezoning collectively shall not exceed 20% of the net area of a Pedestrian Shed.
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3.3 TRANSECT ZONE ALLOCATION

- 3.3.1 Each Regulating Plan shall allocate its net land area to the various Transect Zones as specified in the SmartChart.
 - 3.3.2 Each TND shall have a minimum residential density calculated on the basis of the gross site area. The zoning capacity may be increased within the density range shown on the SmartChart by: approval through the rezoning process and/or purchase through the Transfer of Development Rights system (TDRs) from a Rural Reserve Transect Zone (T2).
 - 3.3.3 The municipality shall establish a system for the Transfer of Development Rights (TDR) from the Rural Reserve Transect Zones (T2) in order to enable the upper limit of the permitted density of the TND. The TDR system shall be carried out by the initiative of private-sector realtors for market rate fees for such transactions. The Municipality shall maintain a record of such transfers.
 - 3.3.4 Transect Zones shall only change along side and rear property lines. Note: In order to concisely illustrate the parametric characteristic of the transect, the Transect Illustration (1.9) and (page 7) show the transect zones changing along frontages.
 - 3.3.5 Each Transect Zone, every twenty years after the rezoning permit is granted, shall be reviewed for rezoning to the successional (next higher) Transect Zone by approval of the Municipal Legislative Body.
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3.4 THE REGULATING PLAN REVIEW PROCESS

- 3.4.1 Prepare and submit to the Municipality a Regulating Plan Application. (An application is included in the Appendix.)
- 3.4.2 A Regulating Plan found by the SAC to be in compliance with the requirements of the TND Code or requiring only Warrants, shall be considered vested and the permitting process shall be administrative.

- 3.4.3 A Facilitator shall be assigned to each Regulating Plan application by the municipality. The Facilitator may be a consultant acting under the supervision of the municipality and remunerated by the municipality, or, if no other funds are available, with fees charged to the applicant for this purpose. The Facilitator shall provide a single interface between the applicant and the municipality. The Facilitator shall assemble a Staff Action Committee (SAC) to include an assigned representative of the various regulatory agencies that have jurisdiction. The function of the SAC shall be to process the application simultaneously and expeditiously and to ensure compliance of the project with the provisions and the intent of the TND Code.
- 3.4.4 A Regulating Plan may be prepared by a municipality. Such Regulating Plans are vested.
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4. DESIGN OF THOROUGHFARES

4.1 ALL TRANSECT ZONES

- 4.1.1 Thoroughfares consist of moving lanes, parking lanes, curbs or swales, planters, street trees, street lights and sidewalks.
- 4.1.2 Thoroughfare types shall be designated on the Regulating Plan.
- 4.1.3 Thoroughfare types are allocated to Transect Zones in the SmartChart and the Thoroughfares Table.
- 4.1.4 Roads, Streets and Commercial Streets may be modified to become Avenues, Boulevards and Drives. Modifications shall be consistent with the definitions of these Thoroughfare Type and with the Transect Zone.
- 4.1.5 Thoroughfares passing from one Transect Zone to another shall change appropriately except those designated as a "connector" on the Regulating Plan.
- 4.1.6 The exact locations of street trees and street lights may be adjusted for specific conditions, such as building entrances.
- 4.1.7 Thoroughfares that exist in a TND at the time of rezoning need not be changed, but if changed shall be changed such that the change(s) result in greater conformance with the TND Code.
- 4.1.8 Thoroughfares that exist in or near a TND at the time of rezoning and are consistent with the intent of the TND Code, may, by Special Permit, become an approved standard for use in that TND. An example of such a condition is commonly found in a nearby historic neighborhood.
- 4.1.9 If striped, on street parallel parking spaces shall be striped collectively, not individually.
- 4.1.10 The full width of all paths, passages, rural lanes, lanes and alleys shall be designated a utility easement. Only in the absence of these thoroughfare types are utility easements permitted elsewhere.
- 4.1.11 Traffic signals shall be timed on 60 second / 30 second intervals, with exceptions only for unorthodox intersections with an unusually high number of turning motions.

4.2 URBAN TRANSECT ZONES (T3-T6)

- 4.2.1 The thoroughfare network shall consist of blocks with maximum average perimeters as shown in the SmartChart. Blocks in the Urban Core Transect Zone may exceed the maximum perimeter to accommodate an internal parking lot or structure.
 - 4.2.2 All lots shall enfront on a thoroughfare, except that a maximum of 20% of lots served by a rear lane or alley may enfront a path or passage.
 - 4.2.3 All thoroughfares within a TND shall terminate at other thoroughfares, forming a network. A Special Permit (see Section 2.3) for a cul-de-sac shall be granted only when justified by site conditions.
 - 4.2.4 Thoroughfares may intersect at non-orthogonal angles as acute as 30 degrees.
 - 4.2.5 A bicycle network consisting of bike trails, lanes and routes shall be provided throughout the TND.
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4.3 CIVIC (CS & CB)

4.3.1 Thoroughfares enfronting Civic Buildings or Civic Spaces shall follow the standards of the underlying Transect Zone.

4.4 DISTRICTS (DW & DR)

Thoroughfares within Districts shall be determined concurrently with the granting of the warrant or rezoning that creates the District.

5. DESIGN OF PRIVATE AREAS

5.1 ALL TRANSECT ZONES

- 5.1.1 Private Areas consist of the private lots and the buildings they accommodate.
- 5.1.2 All private lots are within one of six Transect Zones described below and shown on the Regulating Plan.
- 5.1.3 Building Function is the use of a building (and its lot). Building Disposition is the placement of a building on its lot. Building Configuration is the three-dimensional form of a building including the form and materials of roofs, walls, openings and other elements.
- 5.1.4 Building Types result from the combination of Function, Disposition and Configuration, as well as Standards for Parking, Architecture, Landscape and Signage included in this section and the SmartChart. Included in the Appendix.
- 5.1.5 Building Functions, Configurations and Dispositions that exist within a TND at the time of rezoning need not be changed, but if changed shall be changed such that the changes result in greater conformance with the TND Code.
- 5.1.6 Building Functions, Configurations and Dispositions that exist near a TND at the time of rezoning and are consistent with the intent of the TND Code, may, by warrant, become an approved standard for use throughout that TND. An example of such a condition is commonly found in a nearby historic neighborhood.
- 5.1.7 Where buildings exist on adjacent lots at the time of rezoning, setbacks shall match one or the other of the adjacent building setbacks and heights, shall be somewhere between the adjacent building heights.
- 5.1.8 Building Functions not expressly permitted or which create an adverse impact require a variance. Building Functions that are prohibited are listed under "Prohibited Uses" in the Definitions.
- 5.1.10 Building height limitations do not apply to one portion of a building having an area of 240 square feet or less.
- 5.1.11 Parking lots along frontages shall be masked by a building, streetwall and/or a hedge.
- 5.1.12 The Shared Parking Ratio applies to all Transect Zones.
- 5.1.13 Ancillary units shall be no more than 600 square feet and share a single set of utility connections with the principal building. Ancillary units do not count toward density regulations.
- 5.1.14 Liner Buildings have no parking requirement.
- 5.1.15 A garage facing a frontage shall not exceed two cars in width, or, 50% of the width of the house, whichever is narrower. The garage facade shall be set back a minimum of 20 feet from the house facade; 10 feet if the house facade has a porch across 75% or more of its width.
- 5.1.16 One bicycle parking or storage space shall be provided for every 15 off-street vehicular parking spaces provided on the same lot.
- 5.1.17 The office and retail uses defined in the Building Function Table shall be calculated as equivalents to the residential density allocation at the rate of 1000 sq. ft. of other uses for each dwelling unit.
- 5.1.18 Demolition or substantial modification of existing structures of potential historic value must be approved by a process that includes public review. At the time of review the applicant shall show drawings of the proposed replacement and /or modifications. The architectural harmony (similar materials, window proportions, color range, mass/void ratio, roof type and pitch) of modifications with the original structure shall be a condition of approval.

SHARED PARKING RATIO

COMBINED SPACES REQUIRED
 divided by
 EFFICIENCY RATIO
 equals
 ADJUSTED SPACES REQUIRED

CIVIC						
RETAIL						
OFFICE						
THEATER						
LODGING						
RESIDENTIAL						
RESIDENTIAL	1.0					
LODGING	1.1	1.0				
THEATER	1.1	1.1	1.0			
OFFICE	1.4	1.7	1.7	1.0		
RETAIL	1.2	1.3	1.3	1.2	1.0	
CIVIC	*	*	*	*	*	*

* By Special Permit

- 5.1.19 The restoration or rehabilitation of a pre-1930 building of potential historic value shall not require the provision of parking in addition to that, if any, which is existing.
- 5.1.20 Buildings on Secondary Thoroughfares are exempt from requirements followed by an asterisk (*).
- 5.1.21 Private lots are divided into layers which are described in the Definitions section.

5.2 RURAL PRESERVE TRANSECT ZONE (T1)

- 5.2.1 Permission to build in the Rural Preserve Transect Zone and the specifications required shall be determined concurrently as Variances.

5.3 RURAL RESERVE TRANSECT ZONE (T2)

5.3.1 Building Function.

- a. Restricted Residential and Restricted Lodging shall be permitted.

5.3.2 Building Disposition.

- a. A lot containing a principal building shall be between 1.5 acres and 3 acres and no closer than 1/4 mile to another such lot.
- b. One principal building and as many as five outbuildings may be built on each lot.
- c. Facades shall be built with a minimum setback of 96 feet from the Frontage Line.
- d. Side setbacks shall be a minimum of 24 feet to each side for principal buildings and 18 feet for backbuildings and out buildings.
- e. Rear setbacks for principal buildings shall be a minimum of 48 feet from the rear lot line and for outbuildings a minimum of 24 feet.
- f. Backbuildings shall be no greater than 24 feet wide by any depth.
- g. Open porches, stoops, balconies, awnings and bay windows may encroach into any setback.

5.3.3 Building Configuration.

- a. Building Types shall be Edgeyard.
- b. Frontage Types shall be the Common Lawn.
- c. Building height shall be a maximum of 2 stories for principal buildings and outbuildings, measured above grade.

5.3.4 Parking Standards.

- a. Open parking areas shall be at the Second Layer. Enclosed parking areas shall be at the Third Layer.
- b. Parking shall be accessed from a driveway.
- c. Parking shall be provided as required by the Restricted Function categories.
- d. On-street parking along the adjacent frontage shall be counted toward the parking requirements.

5.3.5 Architectural Standards.

- a. No specific architectural standards shall apply.

5.3.6 Sign Standards.

- a. Address numbers shall be attached to the building and the mailbox.
- b. In the event of Lodging Use, a single sign of less than 4 square feet and less than 4 feet in height from grade to the top may be permanently installed in the front yard.
- c. Signage may be externally lit with incandescent bulbs.

5.3.7 Landscape Standards.

- a. A minimum of a dozen trees to match the street trees shall be planted and maintained on the First Layer of each lot.

- b. Groundcover shall be planted on the First Layer of each lot.
-

5.4 SUBURBAN TRANSECT ZONE (T3)

5.4.1 Building Function.

- a. Limited Residential shall be permitted.
- b. Restricted Lodging and Restricted Office shall be permitted in the outbuilding.

5.4.2 Building Disposition.

- a. Lots shall be a minimum of 72 feet wide and a minimum of 100 feet deep.
- b. One principal building and one outbuilding may be built on each lot.
- c. Facades shall be built approximately parallel to the principal Frontage Line with a minimum setback of 24 feet from the Frontage Line.
- d. Side setbacks shall be a minimum of 12 feet to each side for principal buildings and 6 feet for backbuildings and outbuildings.
- e. Rear setbacks for principal buildings shall be a minimum of 24 feet from the rear lot line and for outbuildings a minimum of 6 feet.
- f. Backbuildings shall be no greater than 24 feet wide by any depth.
- g. Open porches may encroach up to one half of the depth of setbacks at frontages and rear setbacks. Stoops, balconies, awnings and bay windows may encroach up to 50% of the depth of any setback.

5.4.3 Building Configuration.

- a. Building Types shall be Edgeyard.
- b. Building Frontage Type shall be the Common Lawn.
- c. Building height shall be a maximum of 2 stories for principal and outbuildings measured above grade.

5.4.4 Parking Standards.

- a. Open parking areas shall be at the Second Layer. Enclosed parking areas shall be at the Third Layer.
- b. Parking may be accessed from a driveway, a rural lane, or a rear lane.
- c. Parking shall be provided as required by the Restricted Function categories.
- d. On-street parking along the adjacent frontage shall be counted toward the parking requirements.

5.4.5 Architectural Standards.

- a. The exterior finish material on all facades shall be limited to brick, wood, and cementitious clapboard siding. Two or more materials may be combined on one facade only horizontally with brick below wood or clapboard.
- b. Balconies and porches shall be made of painted wood.
- c. Buildings shall have symmetrical pitched roofs with slopes no less than 5:12, except that porch roofs may be sheds with pitches no less than 2:12.
- d. Openings, including porches, windows and arches shall be square or greater in height than width.
- e. Sliding doors and windows are prohibited along frontages.
- f. Fences shall not be allowed within the First Layer of a lot. Fences at other layers may be wood board or vinyl-coated chain link and not more than 8 feet in height.

5.4.6 Signage Standards.

- a. Address numbers shall be attached to the building and the mailbox.
- b. In the event of Office or Lodging Use, a single sign of less than 4 square feet and less than 4 feet in height from grade to the top, may be permanently installed in the front yard.
- c. Signage may be externally lit with incandescent bulbs.

- 5.4.7 **Landscape Standards.**
- a. A minimum of two trees to match the street trees shall be planted and maintained on the First Layer of each lot.
 - b. Groundcover shall be planted on the First Layer of each lot.
-

5.5 GENERAL URBAN TRANSECT ZONE (T4)

- 5.5.1 **Building Function.**
- a. Limited Residential shall be permitted.
 - b. Limited Lodging and Limited Office shall be permitted in outbuildings.
 - c. Limited Retail shall be permitted at corner lots. Retail uses may display goods at frontages only during business hours.
- 5.5.2 **Building Disposition.**
- a. Lots shall be 36-72 feet wide and a minimum of 100 feet deep.
 - b. One principal building and one outbuilding may be built on each lot.
 - c. Facades shall be built parallel to the principal Frontage Line along a minimum of 50% of its length with a setback of 12 to 18 feet from the Frontage Line.
 - d. Side setbacks shall be a total of 12 feet for principal buildings and a total of 6 feet for backbuildings and outbuildings.
 - e. Rear setbacks for principal buildings shall be a minimum of 24 feet. Rear setbacks for outbuildings shall be a minimum of 3 feet.
 - f. Backbuildings shall be no greater than 24 feet wide by any depth.
 - g. Open porches may encroach up to 50% of the depth of the frontage and rear setbacks. Stoops, balconies, awnings and bay windows may encroach up to 50% of the depth of any setback.
- 5.5.3 **Building Configuration.**
- a. Building Types shall be Edgeyard, Sideyard and Rearyard.
 - b. Building Frontage Types shall be the Porch & Fence and Stoop.
 - c. Building height shall be a maximum of 3 stories for principal buildings and a maximum of 2 stories for outbuildings, measured above grade.
 - d. Shopfronts may be located at corner lots only.
- 5.5.4 **Parking Standards.**
- a. Open parking areas shall be at the Second Layer from the frontage. Enclosed parking areas shall be at the Third Layer.
 - b. Parking shall be accessed from a rural lane, a lane or an alley.
 - c. Parking shall be provided as required by the Building Function.
 - d. On-street parking along the adjacent frontage shall be counted toward the parking requirements.
- 5.5.5 **Architectural Standards.**
- a. The exterior finish materials on all facades shall be limited to brick, stone, wood or cementitious clapboard siding and/or stucco. Two or more materials may be combined on one facade only horizontally with brick below stucco and either below clapboard.
 - b. Balconies and porches shall be made of painted wood or metal.
 - c. Buildings shall have symmetrical pitched roofs with slopes no less than 5:12, except that porch roofs may be sheds with pitches no less than 2:12.
 - d. Openings, including porches, windows and arches shall be square or greater in height than width.
 - e. Sliding doors and windows are prohibited along frontages.
 - f. Fences at the First Layer of a lot shall be painted wood pickets or garden walls and not more than 42 inches in height. Fences at other layers may be painted pickets, wood board, vinyl coated chain link or masonry and not more than 8 feet in height.

- 5.5.6 **Sign Standards.**
- a. Address numbers shall be attached to the building and the mailbox.
 - b. In the event of Limited Office or Lodging Use, a single sign of less than 4 square feet and less than 4 feet in height from grade to the top may be permanently installed in the front yard.
 - c. Signage may be externally lit with incandescent bulbs.
- 5.5.7 **Landscape Standards.**
- a. A minimum of one tree to match the street tree shall be planted and maintained on the First Layer of each lot.
 - b. Groundcover shall be planted on the First Layer of each lot.
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5.6 URBAN CENTER TRANSECT ZONE (T5)

- 5.6.1 **Building Function.**
- a. Open Residential and Open Lodging shall be permitted.
 - b. Open Office shall be permitted in the outbuilding.
 - c. Limited Retail shall be permitted at corner lots. Retail uses may display goods at frontages only during business hours.
 - d. Open Light Manufacturing shall be permitted within the first story by Special Permit.
 - e. 70% of retail frontages designated on the Regulating Plan shall be permanently assigned to retail in the First Layer..
- 5.6.2 **Building Disposition.**
- a. Lots shall be 18-54 feet wide and a minimum of 80 feet deep.
 - b. One principal building and one outbuilding may be built on each lot.
 - c. Facades shall be built parallel to the principal Frontage Line along a minimum of 70% of its length with a setback of 0 to 12 feet from the Frontage Line. In the absence of building along the remnant of the lot width, a freestanding wall shall be built in the same plane as the facade.
 - d. Side setbacks shall not be required.
 - e. Rear setbacks shall not be required.
 - f. Backbuildings shall be no greater than 24 feet wide by any depth.
 - g. Stoops, balconies, awnings and bay windows may encroach up to one half of the depth of any setback.
 - h. Loading docks and service areas shall not be permitted on frontages.
 - i. Surface parking lots shall not be permitted on frontages.
 - j. Principal Buildings shall have their principal entrance on a Frontage Line.
- 5.6.3 **Building Configuration.**
- a. Building Types shall be Edgeyard, Sideyard, Rearyard and Courtyard.
 - b. Building Frontage Types shall be the Stoop, Terrace, Forecourt, and Shopfront & Awning.
 - c. Building height shall be a minimum of 3 stories and a maximum of 4 stories for principal buildings and a maximum of 2 stories for outbuildings, measured above grade.
 - d. Buildings for Residential Use shall be raised above sidewalk grade a minimum of 2 feet.
- 5.6.4 **Parking Standards.**
- a. Open parking areas shall be at the Second Layer and Third Layers.
 - b. Parking shall be accessed from a rear lane or from an alley.
 - c. Parking shall be provided as required by the Building Function.
 - d. On-street parking along the adjacent frontage shall be counted toward the parking requirements.
 - e. Parking lots shall be planted with indigenous shade trees at a minimum ratio of one tree for every ten parking spaces.

- f. One bicycle parking or storage space shall be provided for every 15 off-street vehicular parking spaces.

5.6.5 **Architectural Standards.**

- a. The exterior finish material on all facades shall be limited to brick, stone and/or stucco. Materials may be combined on one facade only horizontally with brick below stucco.
- b. Balconies and porches shall be made of painted wood or metal.
- c. Buildings may have flat roofs enclosed by parapets or symmetrical pitched roofs with slopes no less than 5:12, except that porch roofs may be sheds with pitches no less than 2:12.
- d. Openings, including porches, arches and windows, shall be square or greater in height than width.
- e. Sliding doors and windows are prohibited along frontages.
- f. Streetwalls shall be located at the First Layer and along the facade line. They shall be made of brick, stone or stucco or other material to match the facade of the Principal Building and not more than 8 feet in height.

5.6.6 **Sign Standards.**

- a. Address numbers shall be attached to the building and the mailbox.
- b. A single external sign band may be applied to the facade of each building providing it not exceed 3 feet in height.
- c. A single sign, for each business, of less than 4 square feet may be attached perpendicular to the facade.
- d. Signage may be externally lit. Signage within shopfront windows may be neon.

5.6.7 **Landscape Standards.**

- a. The First Layer shall be landscaped, or paved to match the adjacent streetscape.

5.7 URBAN CORE TRANSECT ZONE (T6)

5.7.1 **Building Function.**

- a. Open Residential, Open Lodging and Open Office shall be permitted.
- b. Open Lodging and Open Office shall be permitted in the outbuilding.
- c. Open Retail shall be permitted at the first story. Retail uses may display goods at frontages only during business hours.
- d. At the first story along principal frontages uses other than parking shall be mandatory for the First Layer. The remaining depth may be used for parking.
- e. 70% of retail frontages designated on the Regulating Plan shall be permanently assigned to retail in the First Layer.

5.7.2 **Building Disposition.**

- a. Lots shall be 18 -144 feet wide and a minimum of 80 feet deep.
- b. One principal building may be built on each lot.
- c. Facades shall be built on principal Frontage Lines along a minimum of 90% of their length with no more than a 6 foot setback permitted.
- d. In the absence of a building facade along the remainder of the lot frontage, a freestanding wall shall be built in the same plane as the facade.
- e. Side setbacks shall not be required.
- f. Rear setbacks shall not be required.
- g. Stoops, balconies, awnings and bay windows may encroach the full depth setbacks at frontages and up to half the depth of other setbacks.
- h. Loading docks and service areas shall be prohibited on frontages.
- i. Surface parking lots shall be prohibited on frontages.

j. Principal Buildings shall have their principal entrance on a Frontage Line.

5.7.3 **Building Configuration.**

- a. Building Types shall be Sideyard, Rearyard and Courtyard.
- b. Building Frontage Types shall be the Terrace, Forecourt, Stoop, Shopfront & Awning, Gallery & Arcade.
- c. Building height shall be a minimum of 3 stories and a maximum of 18 stories above grade with a recess line at the third to fifth story.
- d. A transition line shall be provided at the top of the second story.
- e. Stories at sidewalk level shall be no less than 12 feet in height from finished floor to finished ceiling.

5.7.4 **Parking Standards.**

- a. Parking shall be located at the Second and Third Layers.
- b. Parking shall be accessed from an alley.
- c. Parking shall be provided as required by the Building Function.
- d. The required parking may be provided on sites elsewhere but within the Pedestrian Shed of the building negotiated with the SAC.
- e. On-street parking along the adjacent frontage shall be counted toward the parking requirements.
- f. Pedestrian entrances to all parking lots and parking structures shall be directly from an adjacent Frontage Line. Only underground parking structures may be entered directly from a building.
- g. The opening of a parking lot or structure to a frontage shall be a maximum of 30 feet wide.
- h. Parking lots shall be planted with indigenous shade trees at a minimum ratio of one tree for every ten parking spaces.
- i. Required parking spaces may be obtained from an existing or proposed municipal parking garage, subject to availability.
- j. The parking surfaces in a parking structure shall be level to enhance the compatibility of the pattern of openings with surrounding buildings and to enable the future reuse of the structure.
- k. One bicycle parking or storage space shall be provided for every 15 off-street vehicular parking spaces.

5.7.5 **Architectural Standards.**

- a. The exterior finish materials on all facades shall be limited to light-colored, pre-cast concrete, brick, stone or stucco. Materials may be combined on one facade only horizontally with the brick below the stucco.
- b. Windows shall be clear or lightly tinted glass.
- c. Balconies and porches may be metal, concrete, or stucco.
- d. Buildings shall have flat roofs enclosed by parapets no less than 42 inches high or as required to conceal HVAC equipment.
- e. Openings shall be square or greater in height than width.
- f. The glazed area and all other openings of a facade above the first story shall not exceed 50 % of the total area, with each facade being calculated independently.
- g. The first story of facades on retail frontages shall be detailed and glazed as storefronts to no less than 70 % of the frontage offering an unobstructed view to a minimum depth of five feet into the space.
- h. Sliding doors and windows are prohibited along frontages.
- i. Streetwalls shall be located at the First Layer and along the building Frontage Line. They shall be made of brick, or concrete block and stucco or other material to match the facade of the Principal Building and not more than 8 feet in height.

5.7.6 Sign Standards.

- a. Address numbers shall be attached to the building.
- b. A single external sign band may be applied to the facade of each building providing it not exceed 3 feet in height.
- c. A single sign, for each business, of less than 4 square feet may be attached perpendicular to the facade.
- d. Signage may be externally lit. Signage within shopfront windows may be neon.

5.7.7 Landscape Standards.

- a. The First Layer shall be landscaped or paved to match the enfronting streetscape.
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5.8 CIVIC (CB & CS)

Civic Buildings and Spaces shall be as described in the Civic Areas section.

5.9 DISTRICTS (DW & DR)

5.9.1 The function, disposition, configuration, parking, architecture, landscaping and signage shall be determined concurrently with the granting of the Warrant (DW) or Rezoning (DR) that creates the District.

5.9.2 Districts shall not exceed 20 % of the net area of a Pedestrian Shed.

6. DESIGN OF CIVIC PLACES

6.1 ALL TRANSECT ZONES

- 6.1.1 Civic Overlay Zones are reserved for common open space and for communal buildings.
- 6.1.2 Civic Open Space Types are defined in the Definitions and allocated to Transect Zones in the SmartChart.
- 6.1.3 Certain civic buildings and spaces, or reservations for them, are required within each TND and shall be designated on the Regulating Plan.
- 6.1.4 The ongoing construction and improvements on Civic Sites shall be supported by an annual assessment dedicated to this purpose administered by the Community Council. The Community Council is an umbrella organization that includes all landowners in a TND except those in Districts by Rezoning. It is similar in structure to a combined homeowners association and merchants association.

6.2 RURAL TRANSECT ZONES (T1-T2)

- 6.2.1 Rural Preserve Transect Zones (T1) shown on the Municipal Settlement Plan shall be an integral part of the Civic sites of the community and shall be shown on the Regulating Plan as such.
- 6.2.2 Rural Reserve Transect Zones (T2) of the Municipal Settlement Plan shall be available for development only by variance, otherwise they shall be shown on the Regulating Plan as Civic Sites.
- 6.2.3 Civic Buildings and Spaces related to education, recreation and culture may be approved within Rural Transect Zones as a District by variance.

6.3 URBAN TRANSECT ZONES (T3-T6)

Civic Spaces (CS)

- 6.3.1 Each Pedestrian Shed shall contain at least one Principal Civic Space between one and three acres in size that is within 800 feet of the geographic center of a Pedestrian Shed and follow the description appearing in the definition of Civic Space, adjusted to site conditions. A Warrant may be obtained to adjust the location requirement based on topographic conditions, pre-existing thoroughfare alignments or other circumstances.
- 6.3.2 A Civic Space to function as a playground shall be provided and equipped within three blocks of all lots.
- 6.3.3 Every Civic Space shall have a minimum of 50 % of its perimeter along a thoroughfare other than a rear lane or alley.

Civic Buildings (CB)

- 6.3.4 Civic Buildings related to education, recreation and culture may be included in any Urban Transect Zone by warrant. Such Civic Sites shall not occupy more than 20% of the net area of each Pedestrian Shed.
- 6.3.5 Civic Buildings should be located within or adjacent to Civic Spaces, on hilltops, or at the axial termination of significant thoroughfares and vistas.
- 6.3.6 Civic Buildings shall not be subject to the Function, Disposition or Configuration standards of this code. The particulars of the Civic Building design shall be negotiated with the SAC but shall be of the same or superior materials and construction technique as private buildings in the same Transect Zone.
- 6.3.7 Parking for Civic Buildings shall be approved by the SAC and shall meet the requirements for design of parking lots and structures for private buildings in the

SHARED PARKING RATIO

COMBINED SPACES REQUIRED
 divided by
 EFFICIENCY RATIO
 equals
 ADJUSTED SPACES REQUIRED

CIVIC						
RETAIL						
OFFICE						
THEATER						
LODGING						
RESIDENTIAL						
RESIDENTIAL	1.0					
LODGING	1.1	1.0				
THEATER	1.1	1.1	1.0			
OFFICE	1.4	1.7	1.7	1.0		
RETAIL	1.2	1.3	1.3	1.2	1.0	
CIVIC	*	*	*	*	*	*

* By Special Permit

same Transect Zone. Shared Parking shall be adjusted for mixed use according to the Shared Parking Ratio Chart.

- 6.3.8 Civic parking lots shall be graded, compacted, landscaped and paved.
- 6.3.9 The applicant for a Greenfield Settlement Plan shall covenant to construct a Meeting Hall, or reserve a site for one, in each Pedestrian Shed at an Urban Center Transect Zone. The Meeting Hall shall have at least one room with an area equivalent to at least 10 square feet per projected dwelling unit. The Meeting Hall may be within a building serving other purposes, but shall have its own prominent entrance. The construction of the Meeting Hall shall be completed upon the sales of 75% of the lots. The Meeting Hall may be used for the marketing purposes of the developer until the sale of 75% of the lots at which time it shall be deeded over to the Community Council.
- 6.3.10 The applicant for a Greenfield Settlement Plan shall covenant to construct a corner store and/or café, or reserve a site for one, in each Pedestrian Shed at an Urban Center Transect Zone. This site shall be equipped with a bus stop.
- 6.3.11 The applicant for a Greenfield Settlement Plan shall reserve one Civic Building lot of 8-10 net acres for an elementary school for each increment of 1000 new or renovated dwelling units. The school building may be within any Urban Transect Zone, while the playing fields may be outside the Pedestrian Shed so as not to interrupt the pedestrian continuity.
- 6.3.12 The applicant for a Greenfield Settlement Plan shall reserve one Civic Building lot suitable for a childcare building within each Pedestrian Shed. The Community Council shall organize, fund and construct an appropriate building as the need arises.
-

6.4 DISTRICTS (DW & DR)

- 6.4.1 Civic Spaces and Buildings shall be allowed within Districts by warrant or rezoning.
- 6.4.2 Districts shall not exceed 20 % of the net area of a Pedestrian Shed.
-

Adverse Impact: the negative consequences of a use on adjacent lots, usually as a result of size, scale, noise, vibration, odor, traffic generation, or pollution. Consequences confined within the lot boundaries are not considered to create adverse impact.

Alley: a vehicular way at the rear of a lot provided for service and /or parking access. An alley is largely paved and more urban than a rear lane.

Ancillary Unit: an apartment not greater than 600 sq. ft. sharing utility connections with a principal building. It may or may not be a separate building. An ancillary unit does not count toward maximum density calculations.

Apartment: a dwelling unit sharing a building and a lot with other dwellings and/or uses.

Attic: the area within the slope of a roof. An inhabited attic shall not be considered a story for purposes of determining building height.

Backbuilding: see **Principal Building**.

Bicycle Network: an interconnected network of trails, lanes and routes dedicated to bicycles.

Bicycle Lane: a dedicated bicycle lane adjacent to a lane vehicular demarcated by striping.

Bicycle Route: a vehicular lane suitable for shared bicycle use by having a speed limit under 25 mph.

Bicycle Trail: a bicycle way running independent of a vehicular thoroughfare.

Block: the aggregate of lots, lanes and alleys, circumscribed by thoroughfares.

Block face: all the building facades on one side of a block. *The block face provides the context for establishing architectural harmony*

Boulevard: see **Thoroughfare**.

Building Configuration: arrangement of a building in relation to its lot. *Building configuration contributes to the degree of urbanity.*

Building Disposition: the placement of a building on its lots.

Building Function: the uses within a building and its lots. Functions are restricted, limited or open according to Transect Zone.

Building Type: certain constants defined by the relationship between configuration, disposition and function.

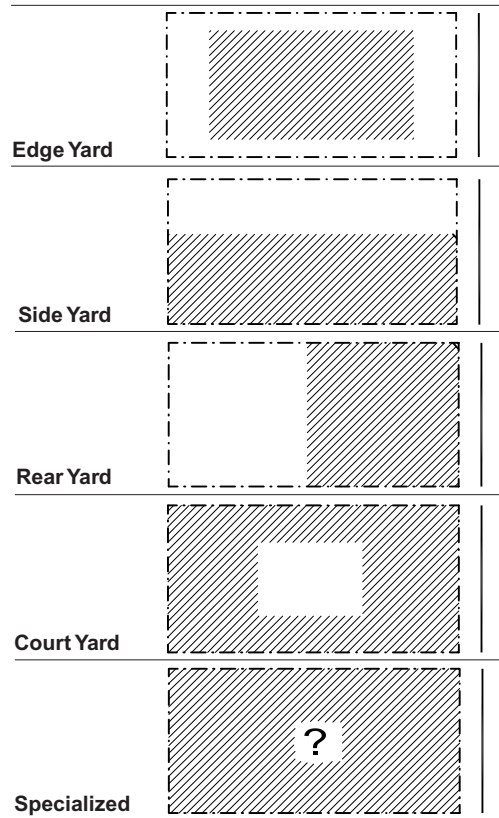
Edge Yard: a building that occupies the center of its lot with setbacks on all sides. It is the least urban of types; the front yard sets it back from the frontage, while the open sideyard weakens the spatial definition of the enfronting space. It is usually assigned to General, Sub-Urban, Rural Zones. The front yard is intended to be semipublic and visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed outbuilding. Syn: House

Side Yard: a building that occupies one side of the lot with the primary open space to the other side. The visual opening of the side yard on the street frontage causes this building type to appear freestanding, so that it may be interspersed with edge yard buildings in Center and General Zones. The shallow front setback, when completed by a streetwall coplanar with the facade also permits its use in Center Zones. If the adjacent building is also a side yard type with a blank party wall on the lot boundary, the side yard can be quite private. This type permits systematic climatic orientation, with the long sideyard elevation responding to the sun or the breeze. Syn.: **Zero Lot Line**

Rear Yard: a building that occupies the full frontage of its lot, eliminating most side yards and leaving the rear portion as a large yard. This is a very urban type appropriate for Center and Core Zones. The building facade steadily defines the edge of the public space while the rear elevation may be articulated for functional purposes. In its residential form, this type is represented by the rowhouse with a backbuilding and well-placed outbuilding creating privacy. In its commercial form, the depth of the rear yard accommodates substantial parking.

Court Yard: a building that occupies the boundaries of its lot while internally defining one or more private patios. This is the most urban of types as it is able to shield the private realm from all sides. This type is common in hot climates, but is useful everywhere. Because of its ability to accommodate incompatible activities in close proximity, it is recommended for workshops, lodging, and schools. The high security provided by the boundary definition is useful for crime-prone urban cores.

Specialized: a building not subject to typological categorization. Buildings dedicated to manufacturing and transportation, such as factories or airports, often requiring large, moving equipment. Civic buildings, which must express the aspirations of institutions may be exempt from the discipline of type. Certain unconventional types, such as hospitals and cohousing, may evolve unprecedented types. Such specialized buildings, where not envisioned by code may be permitted in districts by warrant or rezoning.



Drawings are shown non-alphabetically to demonstrate the Transect categories from most rural to most urban.

Building Function: the use of structures. Functions are restricted, limited or open according to transect zone.

	RESTRICTED	LIMITED	OPEN
<p>RESIDENTIAL: premises available for long-term habitation by means of ownership and rental, but excluding short-term letting.</p>	<p>Restricted Residential: The number of residences is restricted to one within a principal building and one within an ancillary building, and by the requirement of one assigned parking space for each. Both residences shall be under single ownership. The habitable area of the ancillary residence shall not exceed 600 sq. ft.</p>	<p>Limited Residential: The number of residences is limited by the requirement of 1.5 assigned parking spaces for each residence, a ratio which may be reduced according to shared parking standards.</p>	<p>Open Residential: The number of residences is limited by the requirement of 1.5 assigned parking spaces for each residence, a ratio which may be reduced according to shared parking standards.</p>
<p>LODGING: premises available for short-term habitation, including daily and weekly letting.</p>	<p>Restricted Lodging: The number of bedrooms available for lodging is restricted to one within an ancillary building, and by the requirement of one assigned parking space for each leasable bedroom in addition to the parking requirement of two spaces for a residence.</p>	<p>Limited Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each residence. Food service may be provided only before 11 a.m. The maximum length of stay shall not exceed seven days.</p>	<p>Open Lodging: The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom and one for each on-duty employee, a ratio which may be reduced according to shared parking standards. Food service may be provided at all times.</p>
<p>OFFICE: premises available for the transaction of general business, but excluding retail sales and arts and crafts.</p>	<p>Restricted Office: The area available for office use is restricted to the first story of the principal building or an ancillary building, and by the requirement of one assigned parking space for each 250 net sq. ft., in addition to the parking requirement for each residence.</p>	<p>Limited Office: The area available for office use is limited to the first story of the principal building and/or to the ancillary building, and by the requirement of one assigned parking space for each 250 net sq. ft., in addition to the parking requirement for each residence.</p>	<p>Open Office: The area available for office use is limited by the requirement of one assigned parking space for each 250 net sq. ft., a ratio which may be reduced according to shared parking standards.</p>
<p>RETAIL: premises available for the commercial sale of merchandise and prepared foods, but excluding manufacturing.</p>	<p>Restricted Retail: Retail use is prohibited except that one neighborhood shopfront (at the first story of a corner location) shall be permitted for each 300 dwelling units.</p>	<p>Limited Retail: The area available for retail use is limited to the first story of buildings at corner locations. The specific use shall be further limited to neighborhood store, child care, or limited food service seating no more than 40. The parking requirement shall be negotiated according to the specific activity.</p>	<p>Open Retail: The area available for retail use is limited by the requirement of one assigned parking space for each 250 sq. ft. of gross retail space, a ratio which may be reduced according to shared parking standards.</p>
<p>LIGHT MANUFACTURING: Premises used primarily for the manufacture and sale of artifacts within using only hand-held and/or table-mounted electrical tools.</p>	<p>Restricted Light Manufacturing: The area available for artisanal use is limited to 500 sq. ft. within the first story of the ancillary building. Artifacts shall not be stored in the yard. There shall be no parking requirement assigned to this use.</p>	<p>Limited Light Manufacturing: The area available for artisanal use is limited to the building and a contiguous yard to its rear circumscribed by a solid, decorative masonry wall no less than 8 ft. high. The parking requirement shall be negotiated according to the specific manufacturing activity.</p>	<p>Open Light Manufacturing: The area available for artisanal use is limited to the building and a contiguous yard to its rear circumscribed by a solid decorative masonry wall no less than 8 ft. high. The parking requirement shall be negotiated according to the specific manufacturing activity.</p>
<p>CIVIC: premises available for not-for-profit organizations dedicated to: religion, arts and culture, education, sport and government.</p>	<p>Restricted Civic: Civic buildings are conditional by special permit or variance.</p>	<p>Limited Civic: Civic buildings are conditional by special permit or variance.</p>	<p>Open Civic: Civic buildings are conditional by warrant or rezoning.</p>

Civic: see **Building Function.**

Civic Space: an area dedicated for use by the public, typically for community gatherings. The type of civic space is determined by its intended use and its location in the pedestrian shed. The civic space type is reinforced by surrounding frontage types and by design, landscaping and finishing.

Park: a large civic space available for recreation, usually located at a neighborhood edge, and fronted by buildings. Its landscape comprises paved paths and trails, some open lawn, trees, and open shelters, all naturalistically disposed and requiring limited maintenance.

Green: a medium-sized civic open space available for unstructured recreation, circumscribed by building frontages, its landscape predominantly consisting of grassy areas and trees, naturalistically disposed and requiring only limited maintenance.

Square: a civic space, seldom larger than a block, at the intersection of important streets, and circumscribed spatially by frontages, its landscape consisting of paths, lawns, trees, and civic buildings all formally disposed, and requiring substantial maintenance.

Plaza: a civic space at the intersection of important streets set aside for civic purposes and commercial activities. A plaza is circumscribed spatially by frontages, its landscape consisting of durable pavement for parking and trees requiring little maintenance. All parking lots on frontages shall be designed and developed as plazas with the paving not marked or detailed as a parking lot.

Commercial Street: see **Thoroughfare.**

Commercial Use: see **Building Function.**

Common Lawn: see **Frontage.**

Community Pattern: the form of a settlement based on the neighborhood, determined by its function and degree of urbanity. Variations are due to the particulars of density, spatial definition, transportation, and implementation. Patterns have in common that they are socially and functionally variegated and are walkable and that they manifest as a gradient from urban center to rural edge.

Hamlet: neighborhood in the making. Standing free in the countryside, by virtue of its location away from transportation, the hamlet may have a weak center.

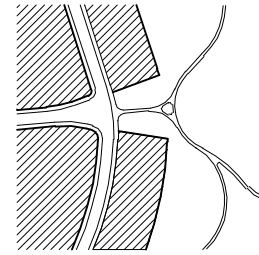
Village: complete neighborhood standing free in the countryside. The strong center of a village can usually be attributed, not to the population, but to its location on a transportation corridor.

Town: an assemblage of several neighborhoods, sharing a substantial center.

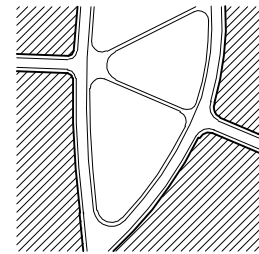
City: an assemblage of several neighborhoods with a strong core supported by the surrounding region. Similar to a town in its neighborhood structure

Connector: a thoroughfare which connects a principal civic space in one Pedestrian Shed with the same in another.

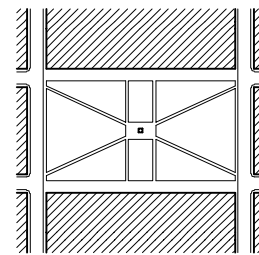
Park



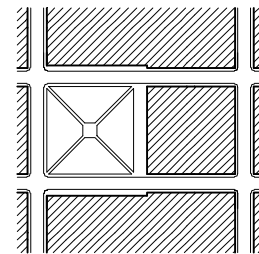
Green



Square



Plaza



Drawings are shown non-alphabetically to demonstrate the Transect categories from most rural to most urban.

Corridor: lineal sector containing transportation and/or greenway connections.

Court Yard: see **Building Configuration**.

Curb Radius: the curved edge of a thoroughfare at an intersection, measured at the inside edge of the travel lane. *The smaller the curb radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. Control of the maximum curb radius is an important variable in the fostering of a pedestrian environment.*

Density: the number of dwelling units within a standard measure of land area as units per acre.

Density, gross: the number of dwelling units within the whole area of a site.

Density, net: the number of dwelling units within the buildable area of a site.

Design Speed: see **Thoroughfare Design Speed**.

Dooryard and Light Court: see **Frontage**.

Driveway: see **Thoroughfare**.

Edge Yard: see **Building Configuration**.

Elevation: the exterior walls of a building not along a frontage. See Facade.

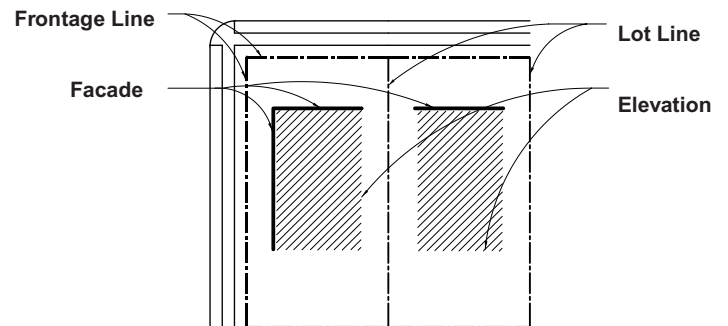
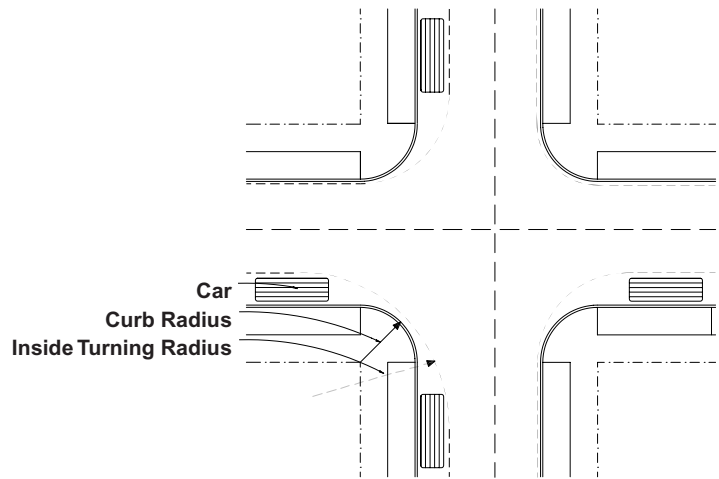
Enfront: the placing of an element along a frontage line, as in "porches enfront the street."

Entrance, principal: the principal place of pedestrian entry to a building. *In the support of pedestrian activity, the entrance door should give to the frontage rather than to the parking.*

Exception: see Section 2.4

Facade: the exterior walls of a building that are set along a frontage line. See Elevation. *Facades support the public realm and are subject to frontage requirements additional to those required of elevations.*

Forecourt: see **Frontage**.



Frontage: those elements of building and the lot frontage line, thoroughfare or a civic open space. The frontage is a privately-held layer as opposed to the street scape which is publicly held. Syn.: Front Facade Zone. *Those elements of building and landscape that are within a frontage are held to specific standards. The variables of private frontage are the depth of the setback and the combination of architectural elements such as fences, stoops, porches, and galleries. These elements influence social behavior in the public realm*

Gallery and Arcade: the facade is aligned on the frontage line with an attached colonnade or the building overlaps the sidewalk above, while the ground story remains setback at the frontage line. *This type is indicated for retail use, but only when the sidewalk is fully absorbed within the arcade so that a pedestrian cannot bypass it. An easement for private use of the right-of-way is usually required. To be useful, the arcade should be no less than 12 ft. wide.*

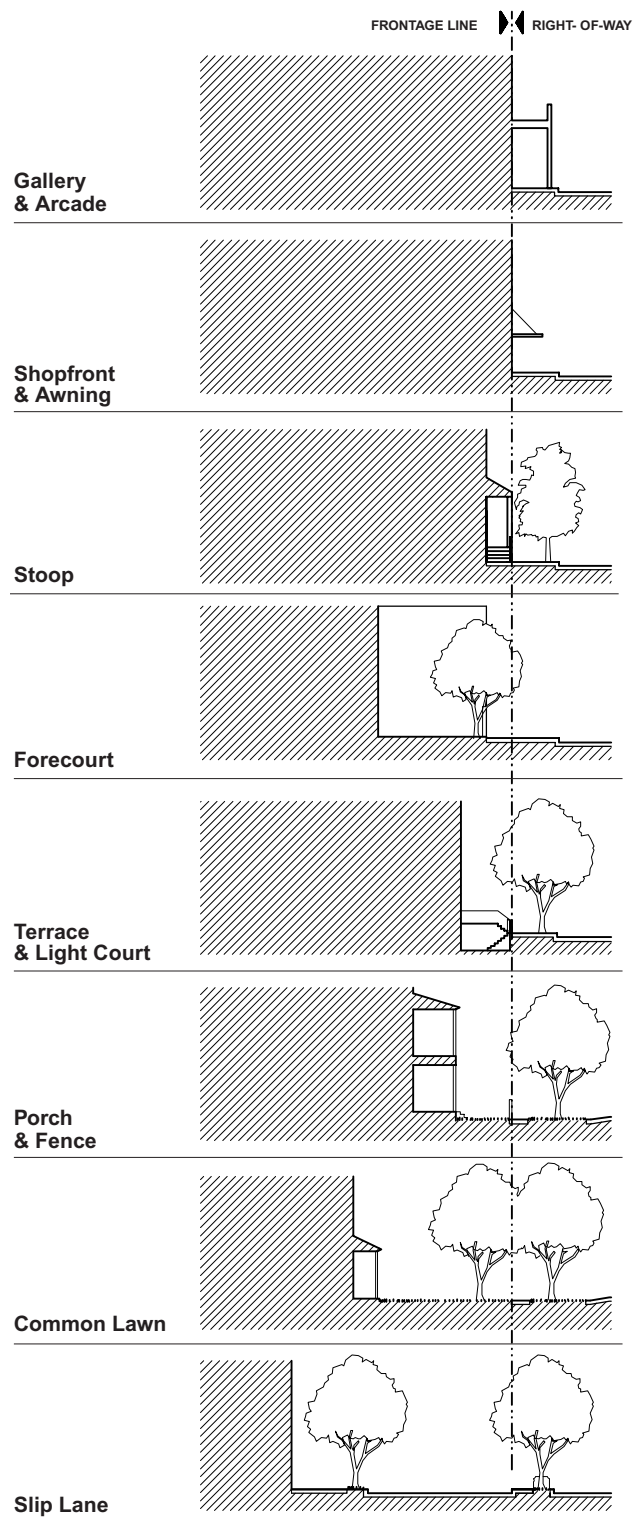
Shopfront and Awning: a facade is aligned close to the frontage line with the entrance at sidewalk grade. *This type is conventional for retail frontage. It is commonly equipped with cantilevered shed roof or an awning. The absence of a raised ground story precludes residential use on the ground floor, although this use is appropriate above.*

Stoop: a facade is aligned close to the frontage line with the ground story elevated from the sidewalk, securing privacy for the windows. *This type is suitable for ground-floor residential uses at short setbacks with rowhouses and apartment buildings. An easement may be necessary to accommodate the encroaching stoop. This type may be interspersed with the shopfront.*

Forecourt: a facade is aligned close to the frontage line with a portion of it set back. The forecourt created is suitable for gardens, vehicular drop-offs, and utility off loading. *This type should be used sparingly and in conjunction with the two frontage types above, as a continuous excessive setback is boring and unsafe for pedestrians. Trees within the forecourts should be placed to have their canopies overhanging the sidewalks.*

Terrace and Light Court: a facade is set back from the frontage line with an elevated garden or terrace, or a sunken light court. *This type can effectively buffer residential quarters from the sidewalk, while removing the private yard from public encroachment. The terrace is suitable for restaurants and cafes as the eye of the sitter is level with that of the standing passerby. The light court can give light and access to a basement.*

Porch and Fence: a facade is set back from the frontage line with an encroaching porch appended. *The porch should be within a conversational distance of the sidewalk, while a fence at the frontage line maintains the demarcation of the yard. A great variety of porches is possible, but to be useful, none should be less than 8 ft. wide.*



Drawings are shown non-alphabetically to demonstrate the Transect categories from most urban to most rural.

Common Lawn: a facade set back substantially from the frontage line. The front yard thus created should remain unfenced and be visually continuous with adjacent yards. The ideal is to simulate buildings sitting in a common rural landscape. *A front porch is optional, as social interaction from the enfronting thoroughfare is unlikely at such a distance. Common Lawns are suitable frontages for higher speed thoroughfares, as the large setback provides a buffer from the traffic.*

Slip Lane: a facade no more than 80 ft. from the right-of-way. Parking is placed within the first layer. Private sidewalks are provided between the public sidewalk and the building entrances. *The parking and private sidewalk system are landscaped to provide shade and shelter and a streetwall buffer. Appropriate transit stops are provided along the frontages, directly linked to the private sidewalk system.*

Frontage Line: those lot lines that coincide with a public thoroughfare or a civic space. For lots with more than one frontage line, one shall be designated as the primary frontage line. Facades along frontage lines define the public realm and are therefore more highly regulated than elevations that coincide with other lot lines. Infill plan frontage lines are assigned only along thoroughfares that are required to provide an excellent pedestrian experience. Other thoroughfares are assumed to be assigned to secondary or support functions and are therefore exempt from these requirements to allow for necessary open parking lots, unmasked parking decks, drive-throughs and windowless building fronts.

Gallery: see **Frontage**.

Green: see **Civic Space**.

Greenway: a corridor left largely in a natural condition which may include a trail for bicycles and pedestrians, connecting the countryside and urban parks.

Greenfield: a development site outside the existing urban fabric large enough to require thoroughfares and to absorb a variety of densities and uses within a large number of buildings. See **Infill**.

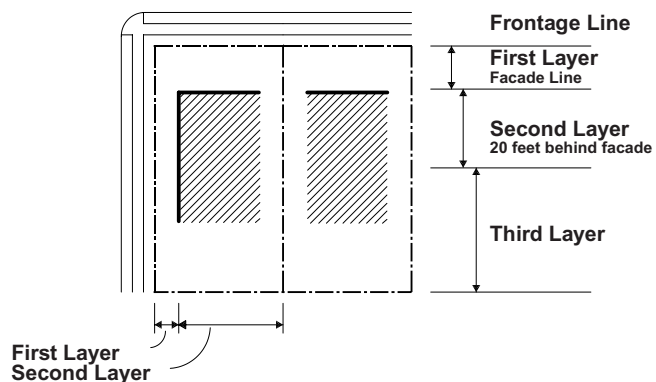
Highway: see **Thoroughfare**.

Infill: a site within the existing urban fabric small enough to involve the design of one or a few buildings.

Interior Area, net: the enclosed area of a building, excluding unglazed porches, arcades, and balconies.

Lane: see **Thoroughfare**.

Layer: the depth of the lot within which certain elements are permitted. The first layer is the area between the frontage line and the facade. The second layer is the area starting at the facade to a depth of 20 ft. The third layer is the area starting 20 ft. behind the front facade to the rear lot line. Layers on corner lots only apply to one of the frontages as determined by the SAC.



Light Court: see **Frontage**.

Light Manufacturing: see **Building Function**.

Liner Building: a shallow building designed specifically to mask a parking lot, parking structure or other use while minimizing the loss of parking.

Lot Line: the boundary that legally and geometrically demarcates a lot. See **Frontage Line**. *For the purposes of coding such lines appear graphically on the Regulating Plan. Codes reference lot lines as the baseline for measuring setbacks.*

Lodging: see **Building Function**.

Lot Coverage: the area of a lot covered by a building(s), not including open porches and arcades.

Lot Width: the dimension of a lot measured parallel to the frontage line at the front of the lot.

Office: see **Building Function**.

Outbuilding: see **Principal Building**.

Park: see **Civic Space**.

Parking Structure: a building containing two or more stories of parking. *Parking structures have a propensity to create negative pedestrian experiences along the frontages. This can be mitigated by the provision of a liner building at the first floor.*

Parkway: see **Thoroughfare**.

Passage: see **Thoroughfare**.

Path: see **Thoroughfare**.

Pedestrian Shed: the distance that may be traversed at an easy pace by a walk in all directions from the Center to Edge. *This distance is used to determine the outer limit of the Neighborhood. This dimension is approximately one quarter of a mile or 1400 ft. This dimension may be adjusted by waiver to accommodate site conditions with transit availability, by extension of the pedestrian shed to a distance of a half mile or 2800 ft.*

Plaza: see **Civic Space**.

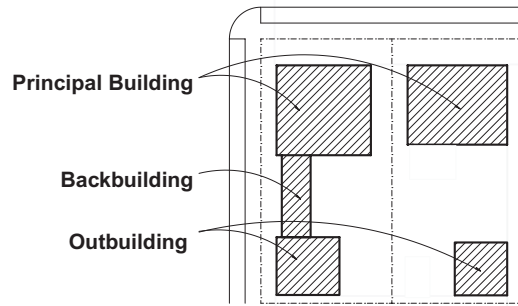
Porch and Fence: see **Frontage**.

Primary/Secondary Thoroughfare: Those thoroughfare designations on the Regulating Plan. Buildings on Primary Thoroughfares are subject to all of the provisions of this code. Buildings on Secondary Thoroughfares are exempt from Private Area provisions marked by an asterisk (*).

Principal Building: the main building on a lot, always located towards the frontage. A principal building accommodates the uses described in the Summary Tables under Building Function.

Backbuilding: a single story structure connecting a principal building to an outbuilding.

Outbuilding: an ancillary building, usually located towards the rear of the lot, on the same lot as principal building.



Prohibited Uses: uses that are allowed only through Exception. They include:

Automotive sales (service and repair permitted).

“Big-Box” retail with parking lot on the street frontage.

Cell Phone Towers.

Commercial kennels and animal husbandry.

Depots for large scale storage or distribution of goods.

Detached Signs and billboards.

Drive-through retail, where patrons remain in automobiles, *except* service stations, book and video drops, and banking facilities.

Golf courses and other large open spaces including nurseries.

Industrial enterprises emanating noise, vibration, or smell beyond the boundary of its site.

Landfills and Dumps.

Mineral Extraction.

Prisons except as accessories to police stations.

Scrap yards for the processing, storage and disposal of waste materials, excepting recycling collection centers.

Terminals for large scale transportation except bus terminals.

Vending machines, except those for newspapers and those within buildings.

Rear Alley: see **Thoroughfare.**

Rear Lane: see **Thoroughfare.**

Rear Yard: see **Building Configuration.**

Residential: see **Building Function.**

Retail: see **Building Function.**

Retail Frontage Line: those frontage lines designated on the Regulating Plan that are required to provide a shopfront, making the ground level available for retail use.

Road: see **Thoroughfare.**

Rural Road: see **Thoroughfare.**

Secondary Thoroughfare: See Primary Thoroughfare.

Setback: the area of a lot measured from a lot line to a building that must be maintained clear of permanent structures, except galleries, fences, garden ways, arcades, porches, stoops, balconies, bay windows, terraces, and decks (that align with the first floor level) which are permitted to encroach into the setback.

Shared Parking Policy: for parking spaces assigned to more than one use, the requirement is reduced by a factor, shown as a calculation, according to the attached chart, where utilization of the spaces for different uses, is unlikely to require the spaces at the same time of day.

Shopfront: see **Frontage**.

Side Yard: see **Building Configuration**.

Slip Lane: see **Frontage**.

Specialized: see **Building Configuration**.

Square: see **Civic Space**.

Stoop: see **Frontage**.

Story: a habitable level within a building of no more than 14 feet in height from finished floor to finished ceiling. Attics and raised basements are not considered a story for the purposes of determining building height.

Street: see **Thoroughfare**.

Streetwall: an opaque, freestanding wall built along the Frontage Line, or co-planar with the facade, with the purposes of masking a parking lot from the street. Streetwalls shall be between 3.5 and 4.5 feet in height, and constructed of a material matching the adjacent building facade, or it may be a continuous, maintained hedge. Streetwalls may have openings no larger than necessary, to allow automobile and pedestrian access.

Succession: the evolution of a transect zone to the next more urban transect zone.

Terminated Vista: a location at the axial conclusion of a thoroughfare. A building located at a terminated vista may be required by an annotation on the Regulating Plan to receive the axis with an articulation of the facade.

Terrace: see **Frontage**.

SHARED PARKING RATIO

COMBINED SPACES REQUIRED
divided by
EFFICIENCY RATIO
equals
ADJUSTED SPACES REQUIRED

CIVIC							
RETAIL							
OFFICE							
THEATER							
LODGING							
RESIDENTIAL							
RESIDENTIAL	1.0						
LODGING	1.1	1.0					
THEATER	1.1	1.1	1.0				
OFFICE	1.4	1.7	1.7	1.0			
RETAIL	1.2	1.3	1.3	1.2	1.0		
CIVIC	*	*	*	*	*	*	*

* By Special Permit

Thoroughfare: the paved vehicular way consisting of moving lanes and parking lanes. Thoroughfares are accompanied by streetscapes at the sides, both within a public right-of-way.

Boulevard: a long-distance, free movement thoroughfare traversing an urbanized area unaffected by the transition of Transect Zones. Boulevards shall be approved by the SAC. A boulevard is designed for a balanced vehicular and pedestrian use and is flanked by parking, sidewalks, and planters buffering the buildings along the sides.

Rural Road: a thoroughfare with open swales drained by run-off percolation and no separate pedestrian path. Street trees consist of multiple species composed in clusters. This type is suitable within Rural and Edge Zones, especially when serving estate lots.

Road: a thoroughfare with open swales drained by runoff percolation and an informal walking path or bicycle trail along one side. Street trees consist of multiple species composed in clusters. This type is suitable within Zones T6-T4. Roads have low pedestrian use. The design speed can exceed the posted speed.

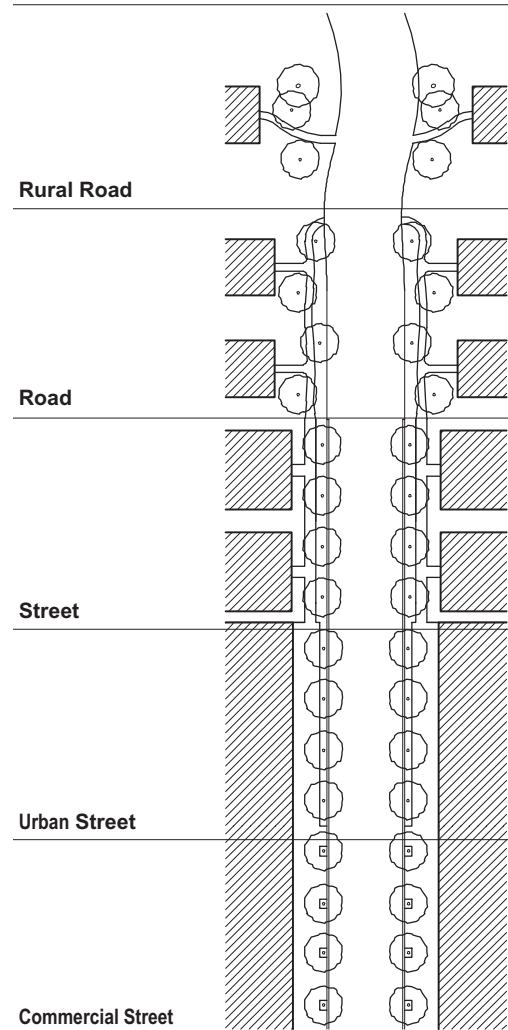
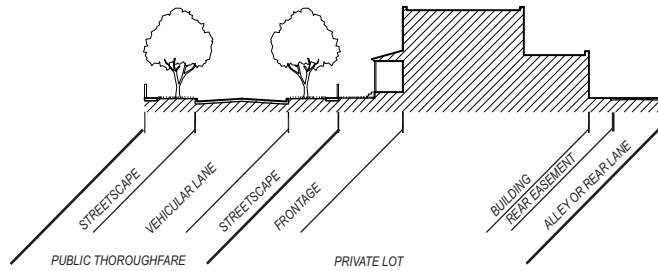
Street: a generalized condition which comprises a street drained by inlets in raised curbs. Narrow sidewalks along both sides are separated from the thoroughfare by a wider, continuous planter. The street trees consist of single or alternating pairs of species aligned in a regular allée. The trees of the front yard should be of compatible species. This type is suitable within General Zones, especially when enfronting house and cottage lots. Streets have high pedestrian use.

Urban Street: a typical urban condition which comprises a street with raised curbs drained by inlets. A narrower, continuous planter separates wide sidewalks along both sides from the thoroughfare. The street trees consist of a single species aligned in a regular allée. This type is suitable within Center Zones, especially when enfronting rowhouse and apartment lots.

Commercial Street: a very urban condition which comprises a street with raised curbs drained by inlets. Wide sidewalks along both sides are separated from the thoroughfare by small separate treewells. The street trees consist of a single species aligned in a regular allée. This type is suitable within Center and Core Zones, especially when serving shopfront lots. The tree spacing may be irregular, to stay clear of the shop entrances. Commercial streets have the highest pedestrian use.

Driveway: a vehicular access way within a lot.

Highway: a long-distance, speed-movement thoroughfare designed for vehicle use, traversing open countryside. A highway should be relatively free of intersections, driveways, and adjacent buildings, otherwise it becomes strip development which interferes with traffic flow and human comfort. Variants include **Freeway**, **Expressway** and **Parkway**. A freeway has only grade separated intersection, such as an Interstate system. An expressway is a highway with both grade-separated intersections and at-grade intersections with signals. A parkway is a highway designed in conjunction with naturalistic landscaping, including a variable-width median.



Drawings are shown non-alphabetically to demonstrate the Transect categories from most rural to most urban.

Passage: a pedestrian connector passing between buildings. Passages provide shortcuts through long blocks and connect rear parking areas with street frontages. Passages may be roofed over and lined by shopfronts. *Variants include Court.* A passage that is wide enough to be landscaped, being the frontage for buildings which are otherwise provided with vehicular access only by rear alleys.

Path: a pedestrian way traversing a park or the countryside. Paths should connect directly with the sidewalk network at the urban edge.

Rear Alley: a narrow service access to the rear of more urban buildings providing service areas, parking access, and utility easements. Alleys, as they are used by trucks and must accommodate dumpsters, should be paved from building face to building face, with drainage by inverted crown at the center. Buildings facing the alley must have windows.

Rear Lane: a vehicular access way located to the rear of a lot providing access to parking and outbuildings as well as easements for utilities. Rear lanes are paved as lightly as possible to driveway standards or with gravel. Rear lanes should be as rural as possible in character. Buildings facing the lane must have windows. Posted speed should equal design speed.

Transect: a system of classification deploying the conceptual range rural-to-urban to arrange in useful order the typical elements of natural and urban areas. This gradient, when rationalized and subdivided into zones, becomes the basis of a planning system that supports Smart Growth.

Transfer of Development Rights (TDR) : a method of reallocating existing, typically unused development rights.

TDR Receiving Area: an area intended for development, that may be made denser by the purchase of development rights from TDR Sending Areas.

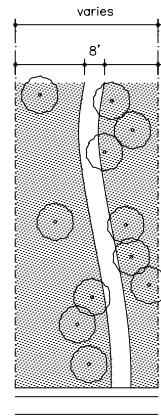
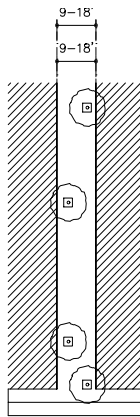
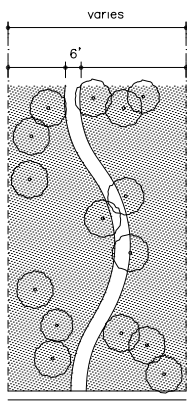
TDR Sending Area: an area previously zoned for development, but now designated Rural Reserve (T2). The development rights assigned to this land may be purchased for to TDR Receiving Areas. The sending areas voided of their development rights are allocated to Rural Preserve Zones (T1).

Transition line: a horizontal line, the full width of a facade expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

Type: form determined by function confirmed by culture.

Urban Street: see **Thoroughfare**.

Warrant: see Section 1.8.9, 1.8.10, and 2.3.



Path: a pedestrian way traversing a park or the country-side. Paths should connect directly with the sidewalk network.

Passage: a pedestrian connector passing between buildings. Passages provide shortcuts through long blocks and connect rear parking areas with street frontages. Passages may be roofed over and lined by shopfronts.

Bike Trail: an independent bicycle way generally running through the countryside or parallel with parkways and highways.

THOROUGHFARE TYPE

Transect Zone	
Movement	
Design Speed	
R.O.W. Width	
Pavement Width	
Traffic Flow	
Number of Parking Lanes	
Curb Type	
Curb Radius	
Planter Width	
Planter Type	
Planting Pattern	
Tree Type	
Street Light Type	
Street Light Spacing	
Bike Way Type	
Bike Way Width	
Sidewalks	
Sidewalk Width	

PATH

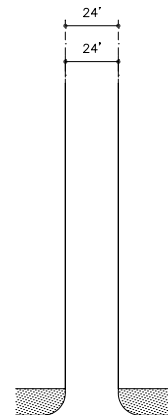
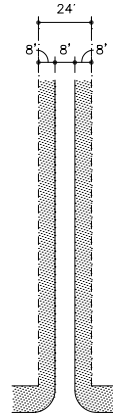
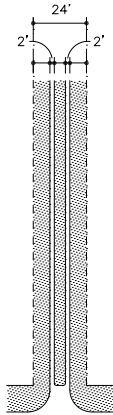
T1-T4
Pedestrian Only
N/A
varies
N/A
N/A
N/A
N/A
N/A
N/A
varies
continuous
cluster
See Local Standards
None
N/A
N/A
N/A
One
6 ft.

PASSAGE

T5-T6
Pedestrian Only
N/A
9-18 ft.
N/A
N/A
N/A
N/A
N/A
N/A
Varies
Individual
Occasional
See Local Standards
None (Lights on Buildings)
N/A
Bike Route
N/A
One
9-18 ft.

BIKE TRAIL

T2-T3
Bicycles & Pedestrians Only
N/A
varies
N/A
N/A
N/A
N/A
N/A
N/A
varies
continuous
Single and cluster, avg. 1/30 ft.
See Local Standards
None
N/A
Bike Trail
8'
none
N/A



Lane: a vehicular access way located to the rear of more rural lots providing access to parking and outbuildings and utility easements. Wheel ruts are paved as lightly as possible (to driveway standards) and may be just gravel or left unpaved and should be as rural as possible in character.

Lane: a vehicular access way located to the rear of more rural lots providing access to parking and outbuildings and utility easements. Moving lanes is paved as lightly as possible (to driveway standards) and may be just gravel or left unpaved and should be as rural as possible in character.

Alley: a narrow vehicular access way to the rear of more urban lots providing service areas, parking access, and utility easements. Alleys, as they are used by trucks and must accommodate dumpsters, should be paved from building face to building face, with drainage by inverted crown at the center.

THOROUGHFARE TYPE

Transect Zone	
Movement	
Design Speed	
R.O.W. Width	
Pavement Width	
Traffic Flow	
Number of Parking Lanes	
Curb Type	
Curb Radius	
Planter Width	
Planter Type	
Planting Pattern	
Tree Type	
Street Light Type	
Street Light Spacing	
Bike Way Type	
Bike Way Width	
Sidewalks	
Sidewalk Width	

RURAL LANE

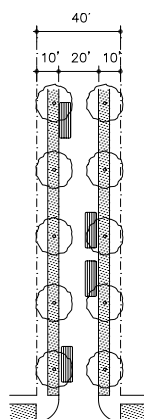
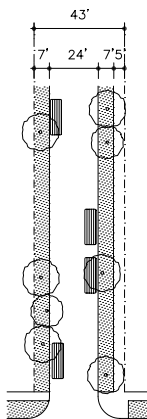
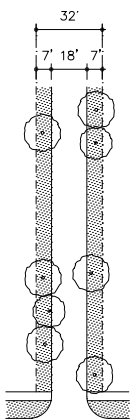
T3-T4
Yield Movement
15 MPH
24 ft.
2 ruts @ 2 ft. each
One Way
None
Swale
15 ft. max
20 ft. total
Continuous
None
See Local Standards
None
None
None
Bike Route
N/A
NONE

REAR LANE

T3-T4
Yield Movement
15 MPH
24 ft.
8-12 ft.
Two Ways
None
Swale
15 ft. max
6-7.5 ft. each
Continuous
None
See Local Standards
None (Lights on Garages)
None
Bike Route
N/A
None
N/A

ALLEY

T5-T6
Slow Movement
20 MPH
24 ft.
24 ft.
Two Ways
None
None
15 ft. max
None
None
None
None
None (Lights on Buildings)
N/A
Bike Route
N/A
None
N/A



Road: a local, slow-movement thoroughfare suitable for Edge and Rural Zones. Roads provide frontage for low-density buildings such as houses. A road tends to be rural in character without curbs or striped on-street parking; it has clustered plantings and paths instead of sidewalks. The degree of rural or rustic character of a road may be adjusted by the manipulations of such elements.

Road: a local, yield-movement thoroughfare suitable for Edge and Rural Zones. Roads provide frontage for low-density buildings such as houses. A road tends to be rural in character without curbs or striped on-street parking; it may have clustered plantings and paths instead of sidewalks. The degree of rural or rustic character of a road may be adjusted by the manipulations of such elements.

Close: A thoroughfare enclosing a small green, performing the same function as a cul-de-sac but creating a useful space. The width of the close may correspond to the standard turning radius requirements. A close may be built to economical driveway standards.

THOROUGHFARE TYPE

Transect Zone
Movement
Design Speed
R.O.W. Width
Pavement Width
Traffic Flow
Number of Parking Lanes
Curb Type
Curb Radius
Planter Width
Planter Type
Planting Pattern
Tree Type
Street Light Type
Street Light Spacing
Bike Way Type
Bike Way Width
Sidewalks
Sidewalk Width

RURAL ROAD

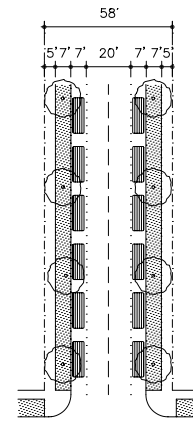
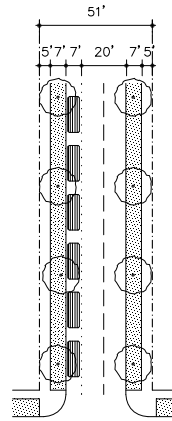
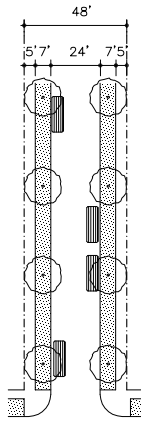
T2-T3
Slow Movement
20 MPH
32 ft.
18 ft.
Two Ways
None
Swale
15 ft. max
7 ft.
Continuous
Clusters 30 ft. o.c.
See Local Standards
Rural
Rare
Bike Route
N/A
None
N/A

ROAD

T3-T4
Yield Movement
20 MPH
43 ft.
24 ft.
Two Ways
Both Sides
Swale
15 ft. max
7 ft.
Continuous
Clusters 30 ft. o.c.
See Local Standards
Rural
At Intersections
Bike Route
N/A
ONE SIDE

CLOSE

T3-T5
Yield Movement
20 MPH
40 ft.
20 ft.
Two Ways
Both Sides
Raised or None
10 ft. max
5 ft.
Continuous
Allee
See Local Standards
General
One per Corner
Bike Route
N/A
Both Sides
5 ft.



Street: a local, slow-movement thoroughfare suitable for General, Center, and Core Zones. Streets provide frontage for higher-density buildings such as offices, shops, apartment buildings, and rowhouses. A street is urban in character, with raised curbs, closed drainage, wide sidewalks, parallel parking, and trees in individual planting areas. Character may vary somewhat, however, responding to the enfronting commercial or residential uses.

Street: a local, slow-movement thoroughfare suitable for General, Center, and Core Zones. Streets provide frontage for higher-density buildings such as offices, shops, apartment buildings, and rowhouses. A street is urban in character, with raised curbs, closed drainage, wide sidewalks, parallel parking, and trees in individual planting areas. Character may vary somewhat, however, responding to the enfronting commercial or residential uses.

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THOROUGHFARE TYPE

Transect Zone
Movement
Design Speed
R.O.W. Width
Pavement Width
Traffic Flow
Number of Parking Lanes
Curb Type
Curb Radius
Planter Width
Planter Type
Planting Pattern
Tree Type
Street Light Type
Street Light Spacing
Bike Way Type
Bike Way Width
Sidewalks
Sidewalk Width

STREET 1

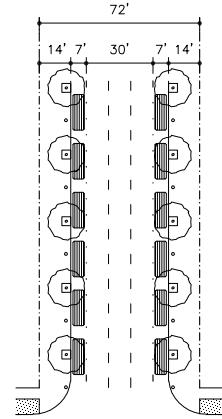
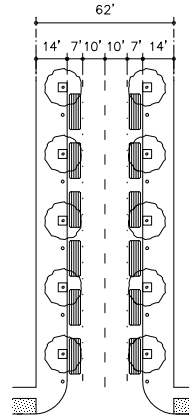
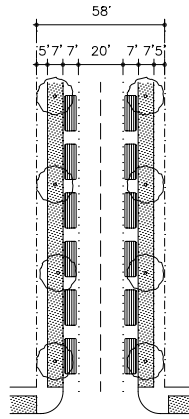
T3-T6
Yield Movement
20 MPH
48 ft.
24 ft.
Two Ways
Both Sides
Raised
15 ft. max
7 ft.
Continuous
Clusters 30 ft. o.c.
See Local Standards
General
100 ft. Intervals
Bike Route
6 ft.
Both Sides
5 ft.

STREET 2

T4-T6
Free Movement
30 MPH
51 ft. min
27 ft.
Two Ways
One Side
Raised
15 ft. max
7 ft.
Continuous
Allee 30 ft. o.c.
See Local Standards
General
100 ft. Intervals
Bike Route
N/A
Both Sides
5 ft.

STREET 3

T4-T6
Free Movement
30 MPH
58 ft. min
34 ft.
Two Ways
Both Sides
Raised
15 ft. max
7 ft.
Continuous
Allee 30 ft. o.c.
See Local Standards
General
100 ft. Intervals
Bike Route
N/A
Both Sides
5 ft.



Commercial Street: a local, slow-movement thoroughfare suitable for Center and Core Zones, providing frontage for higher-density mixed-use buildings such as shophouses, shops and offices. It is urban in character with raised curbs, storm-drain inlets, and striped on-street parking. A single species of tree is planted in opportunistic alignment and confined by individual planters create a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks and high canopies are necessary to avoid shopfronts, signage, and awnings.

Commercial Street: a local, slow-movement thoroughfare suitable for Center and Core Zones, providing frontage for higher-density mixed-use buildings such as shophouses, shops and offices. It is urban in character with raised curbs, storm-drain inlets, and striped on-street parking. A single species of tree is planted in opportunistic alignment and confined by individual planters create a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks and high canopies are necessary to avoid shopfronts, signage, and awnings.

Commercial Street: a local, slow-movement thoroughfare suitable for Center and Core Zones, providing frontage for higher-density mixed-use buildings such as shophouses, shops and offices. It is urban in character with raised curbs, storm-drain inlets, and striped on-street parking. A single species of tree is planted in opportunistic alignment and confined by individual planters create a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks and high canopies are necessary to avoid shopfronts, signage, and awnings.

THOROUGHFARE TYPE

Transect Zone
Movement
Design Speed
R.O.W. Width
Pavement Width
Traffic Flow
Number of Parking Lanes
Curb Type
Curb Radius
Planter Width
Planter Type
Planting Pattern
Tree Type
Street Light Type
Street Light Spacing
Bike Way Type
Bike Way Width
Sidewalks
Sidewalk Width

COMMERCIAL STREET 1

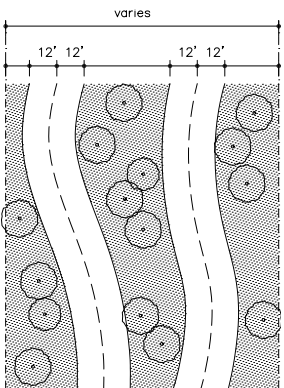
T5-T6
Free Movement
30 MPH
58 ft. min
34 ft.
Two Ways
Both Sides
Raised
15 ft. max
7 ft.
Individual
Allee 30 ft. o.c.
See Local Standards
Urban
30 ft. intervals
Bike Route
N/A
Both Sides
12 ft.

COMMERCIAL STREET 2

T6
Speed Movement
35 MPH
62 ft.
34 ft.
Two Ways
Both Sides
Raised
15 ft. max
4 ft.
Individual
Allee 30 ft. o.c.
See Local Standards
Urban
30 ft. intervals
Bike Route, Optional Bike Lane
4 ft.
Both Sides
14 ft.

COMMERCIAL STREET 3

T6
Speed Movement
35 MPH
72 ft.
44 ft.
Two Ways w/ Shared Center Turn Lane
Both Sides
Raised
15 ft. max.
4 ft.
Individual
Allee 30 ft. o.c.
See Local Standards
Urban
30 ft. intervals
Bike Route, Optional Bike Lane
4 ft.
Both Sides
14 ft.



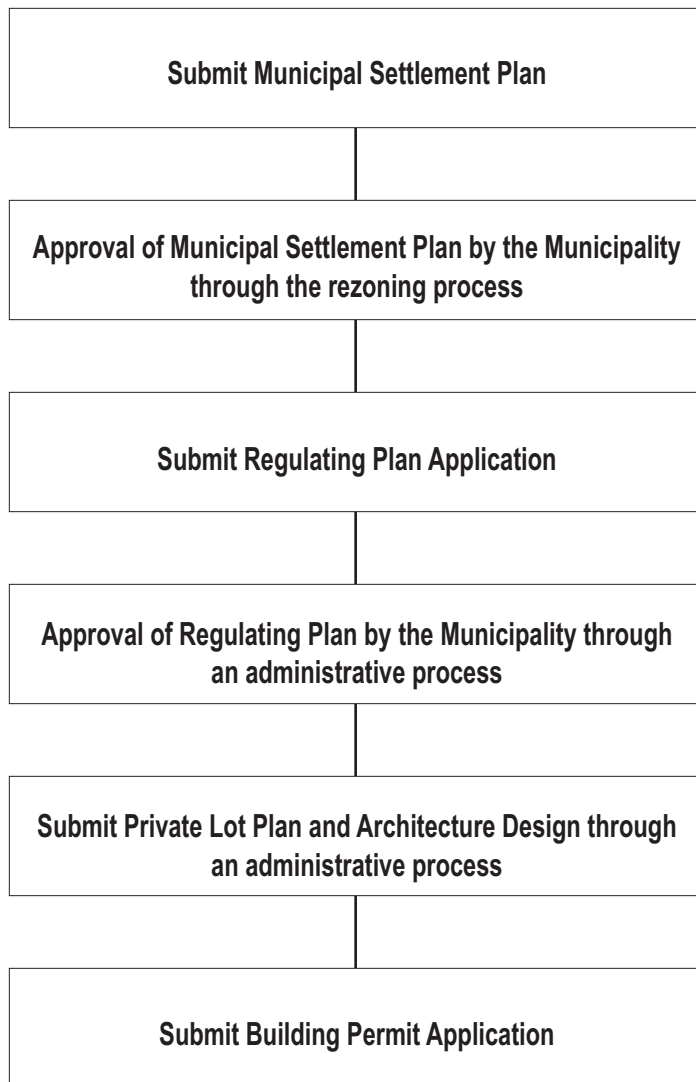
Parkway: A parkway is free of intersections. Its plantings are natural in species and pattern. Its structures (walls, guardrails, shoulders, etc.) are more rural than urban (stone, wood or cor-ten steel, grass).

THOROUGHFARE TYPE

Transect Zone
Movement
Design Speed
R.O.W. Width
Pavement Width
Traffic Flow
Number of Parking Lanes
Curb Type
Curb Radius
Planter Width
Planter Type
Planting Pattern
Tree Type
Street Light Type
Street Light Spacing
Bike Way Type
Bike Way Width
Sidewalks
Sidewalk Width

PARKWAY

T2-T6
Speed
45
Varies
12 ft./travel lane
Two Way
None
Raised or Mountable Curb, or Swale
None
Varies
Continuous
Cluster
See Local Standards
Parkway
TBD
Optional Bike Lane
8 ft. (Not Shown)
None
N/A



A Municipal Settlement Plan is prepared and administered by the municipality. Ideally the Municipal Settlement Plan is based on Geographic Information System (GIS) data.

There are two regional categories within which the TND Code operates: the Rural Sector and the Urban Sector. The Rural and Urban Sectors support a transect of local zones, ranging in character from rural to urban. In various combinations, these local zones create the neighborhood-based TND designations of Hamlet, Village and Town. TND Hamlets, Villages and Towns have area and density requirements that are recorded on the SmartChart. These consist of a combination of existing and proposed development (Infill) or entirely of new development (Greenfield).

STEPS TO PREPARING A MUNICIPAL SETTLEMENT PLAN Steps 1 through 8 record the existing conditions. Steps 9 through 12 propose areas for future development. Although listed sequentially, steps 9 through 12 must be executed simultaneously to balance the consequences of each step.

SUMMARY OF DESIGNATIONS

The designations to be shown on the Municipal Settlement Plan are:

T1	Rural Preserve Zone
T2	Rural Reserve Zone
RBL	Rural Boundary Line
RT	Rural Transition Zone
TS	Traditional Settlement
CSD	Conventional Suburban District
ED	Existing District
ND	New District
IO	Infill Opportunity
UD1	Urban Designation: Hamlet
UD2	Urban Designation: Village
UD3	Urban Designation: Town

THE RURAL SECTOR

Step 1: Identify and Designate the Current and Future Corridors. These include roadways, railways, canals, rivers, bike paths, and other linear elements that pass through the region and must be preserved.

Step 2: Designate the Rural Preserve Zone (T1) The Preserve Zone includes areas protected from development in perpetuity. They are confirmed in this status by scientific justification and established legally - purchase or donation. These areas consist generally of lands acquired, and sections designated environmental areas, and designated greenway and transportation corridors.

Step 3: Designate the Rural Reserve Zone (T2) The Reserve Zone includes areas discouraged from additional development until such time as they are added to the Rural Preserve by outright purchase, Transfer of Development Rights (TDR) or controlled by low-density zoning. Rural Reserves include viewsheds, upland habitats, buffers, and lands to be acquired.

Step 4: Designate the Rural Boundary Line (RBL) as everything within the RP and RR Zones. Areas within the RBL will receive no future development at all. The transfer of the development rights (TDR) of the Rural Preserve and Rural Reserve zones will be affected by private sector transaction, involving licensed Realtors. The TDRs may be acquired within the Rural Boundary and voided or purchased to increase density within the Urban Sector.

THE URBAN SECTOR

Step 5: Designate all regional features, both natural and man-made, that are not within the RBL and are of such significance that they should influence development (views, water tables, and the like).

Step 6: Identify and Record Traditional Settlements (TS), as a Hamlet, Village, Town Neighborhood, or City Neighborhood. This designation should recognize the center and edges of each neighborhood, while leaving blank areas where infill development is appropriate.

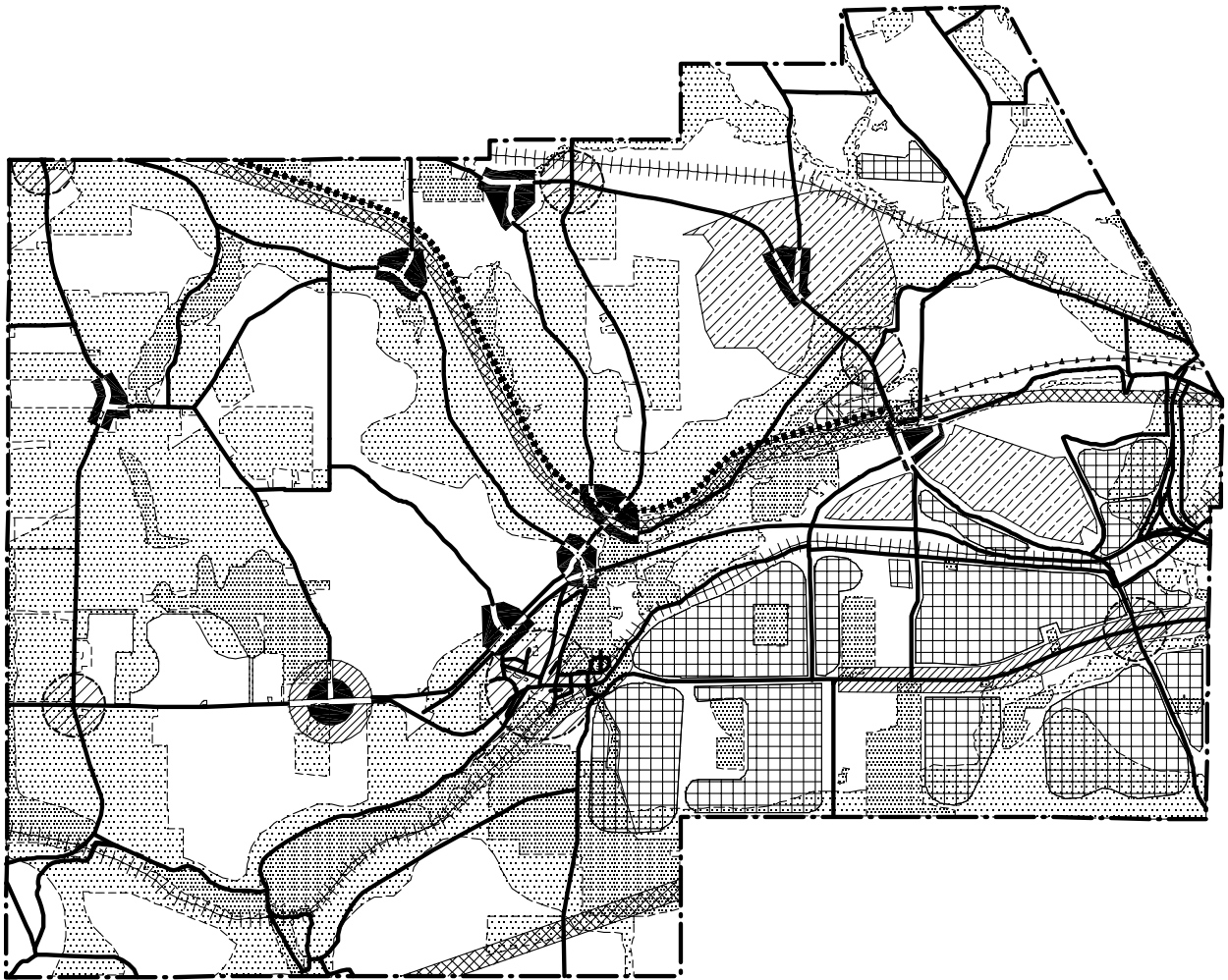
Step 7: Identify and Record Conventional Developments (CSD) that do not have the potential to become a Hamlet, Village, Town Neighborhood or City Neighborhood. These are areas with existing development, typically in the conventional suburban development pattern, where the TND Code is currently not an option. It is possible that these areas can be rezoned TND if merit is demonstrated.


















Step 8: Identify and Record Existing Future Districts. Districts are airports, campuses and other areas where a single dominant use is justified. Existing Districts (ED) are located, as are New Districts (ND), to serve future developments.

Step 9: Designate Infill Opportunities at underdeveloped areas that have growth potential. These are areas to which the TND Code shall apply and where growth shall be first promoted. These neighborhood-based urban environments are comprised of a combination of local zones as specified in the Immersive Environment section of the TND Code.

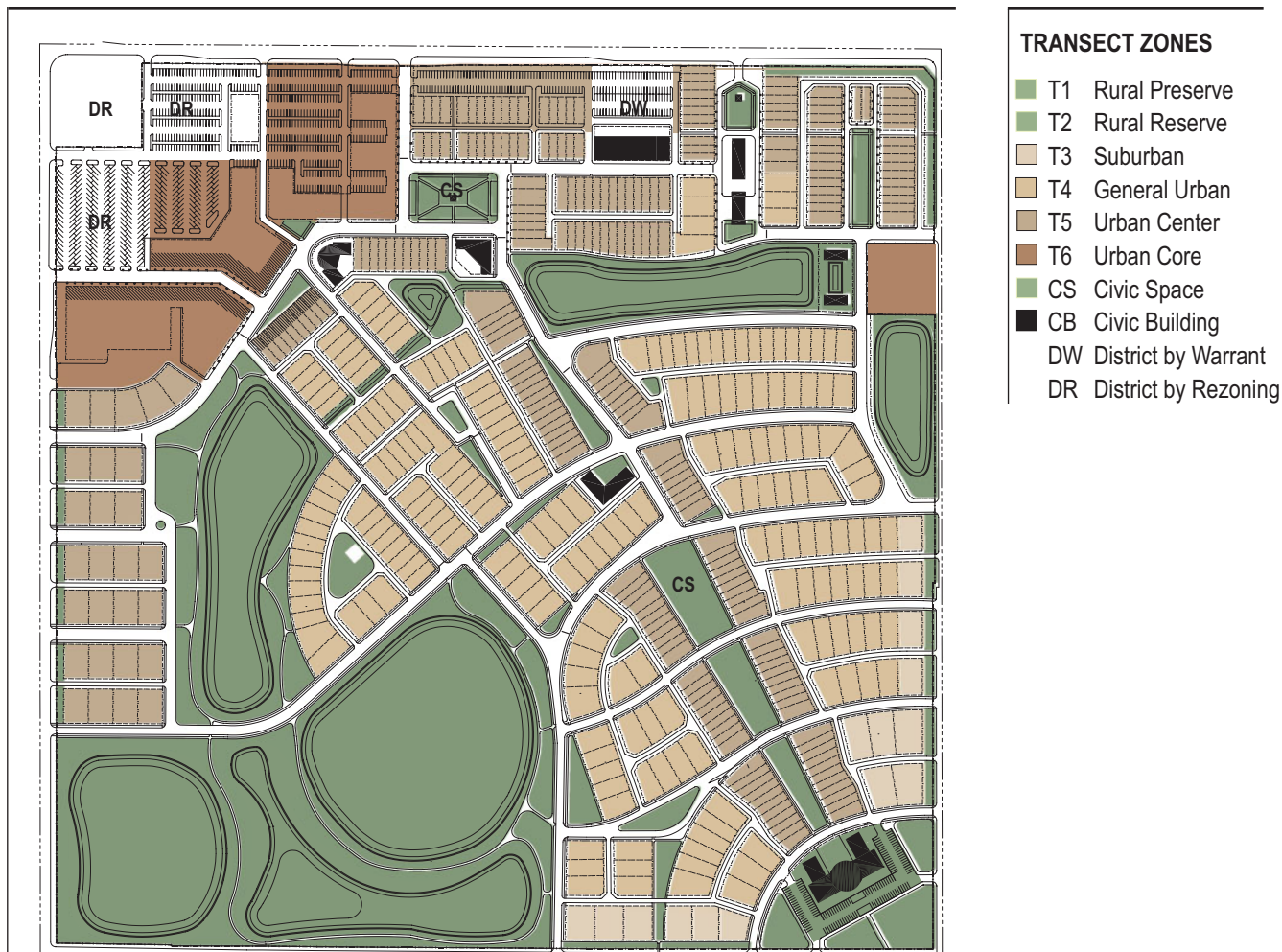
Step 10: Designate undeveloped areas as future Hamlets or Villages as projected growth demand warrants. These are the areas to which the Greenfield Section of the TND Code shall apply. The local zones themselves are not shown on the Regional Plan. Hamlets and Villages may contain land within the Rural Transition Zone, but may not exceed an Urban Boundary Line.

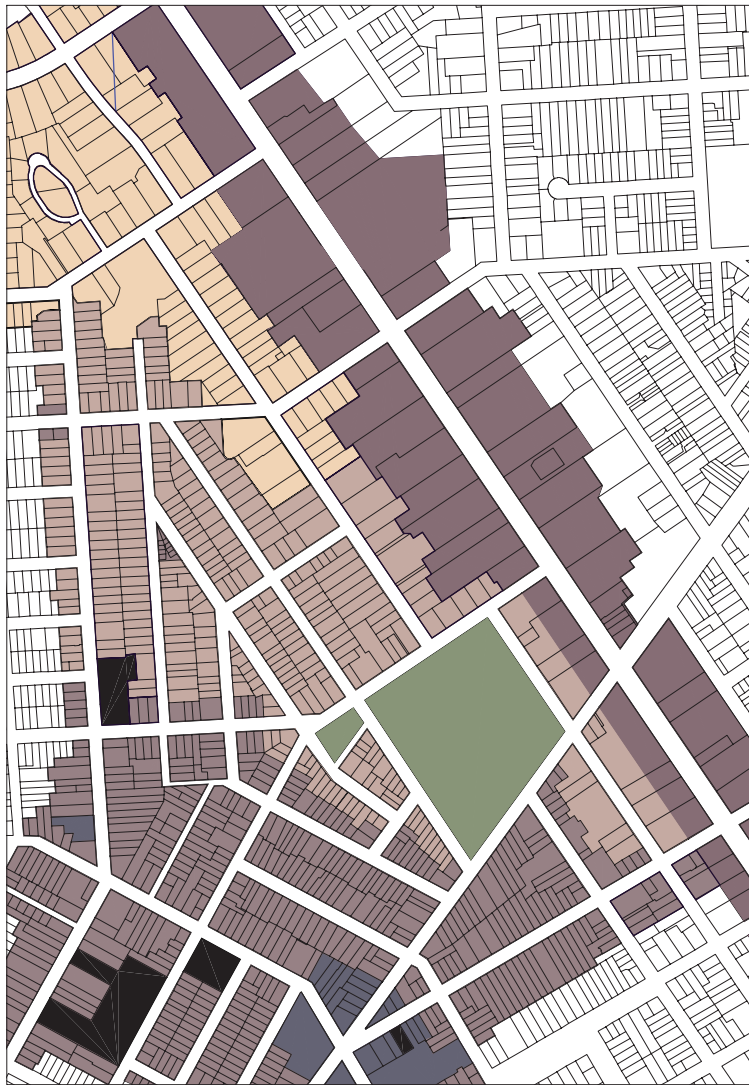
Step 11: Designate as Rural Transition Zone (RT) all areas outside the Rural Boundary Line not previously identified as Traditional Settlements, Conventional Developments, Districts, Infill Opportunities, Hamlets or Villages. The RT Zone includes areas intended for future development under certain conditions, usually time.














- | | | | |
|---|----------------------|---|----------------------------|
|  | TOWN BOUNDARY |  | RURAL BOUNDARY LINE |
|  | THOROUGHFARES |  | REGIONAL FEATURE |
|  | RAIL LINE |  | CONVENTIONAL SUBURBAN DEV. |
|  | EXISTING BIKEWAY |  | DISTRICT |
|  | FUTURE BIKEWAY |  | INFILL OPORTUNITY |
|  | CANAL |  | FUTURE HAMLETS |
|  | RURAL PRESERVE |  | FUTURE VILLAGE |
|  | TOWN RURAL RESERVE |  | TRADITIONAL SETTLEMENTS |
|  | COUNTY RURAL RESERVE | | |

THE KEY FOR THE TOWN SETTLEMENT PLAN.









TRANSECT ZONES

-  **RP** T6 - URBAN CORE ZONE
-  **RR** T5 - URBAN CENTER ZONE
-  **T4** - GENERAL URBAN ZONE
-  **T3** - SUB-URBAN ZONE
-  **T2** - RURAL RESERVE
-  **T1** - RURAL PRESERVE
-  **CP** - CIVIC PARKING RESERVATION
-  **CB** - CIVIC BUILDING RESERVATION
-  **CS** - CIVIC SPACE RESERVATION
-  **DW** - DISTRICT BY WARRANT
-  **DR** - DISTRICT BY REZONING

SPECIAL REQUIREMENTS

-  RETAIL FRONTAGE REQUIRED
-  RETAIL FRONTAGE RECOMMENDED
-  ARCADE FRONTAGE RECOMMENDED
-  TERMINATED VISTA RECOMMENDED

9. APPENDIX: REGULATING PLAN REVIEW CHECKLIST

This checklist is intended as an administrator's guide and will not confirm compliance with all TND Code requirements.

STEP 1: Verify that the application is complete.

Does the application include:

- Form A: Regulating Plan Review Application.
 - Form B: Statistical Summary.
 - An Existing Conditions Plan.
 - A Regulating Plan.
 - Conceptual Architectural Drawings.
 - Civic Space Detail Plans.
-

STEP 2: VERIFY, AT A GLANCE, THAT THE PROJECT IS A TND.

Y	N	Is the site zoned TND?
Y	N	Is the site structured as one or several pedestrian sheds?
Y	N	Is there a variety of uses?
Y	N	Is there a variety of housing types?
Y	N	Is there a variety of thoroughfares?
Y	N	Is there a variety of civic spaces?
Y	N	Are special sites reserved for civic buildings?
Y	N	Do buildings spatially define civic spaces and thoroughfares and mask most of the parking lots?
Y	N	Does the architecture and the landscaping respond to the climate and culture of the region?

STEP 3: COMMENCE REVIEW OF THE TND.

1. Assign a project number.
 2. Schedule departmental review to occur within one week.
 3. Distribute application to all TND Staff Action Committee (SAC) representatives.
 4. Post project status on web site.
 5. Phone applicant to make introduction and confirm completion of the above.
-

THOROUGHFARES

All Transect Zones

1. Are thoroughfare types designated on the Regulating Plan?
2. Are thoroughfare types allocated to Transect Zones as shown in the SmartChart and the Thoroughfares Table?
3. Do thoroughfares passing from one Transect Zone to another change appropriately unless designated a "connector"?
4. Are thoroughfares that exist in a TND at the time of rezoning, if changed, changed such that the change(s) result in greater conformance with the TND Code?
5. If striped, are all on street parallel parking spaces striped collectively, not individually.
6. Is the full width of all paths, passages, rural lanes, rear lanes and alleys designated as a utility easement?

Urban Transect Zones (T3-T6)

7. Does the thoroughfare network consist of blocks with maximum average perimeters as shown in the SmartChart?
8. Do all lots enfront on a thoroughfare?
9. Do all thoroughfares terminate at other thoroughfares, forming a network?
10. Is a bicycle network consisting of bike trails, lanes and routes provided?

Civic (CS & CB)

11. Do thoroughfares enfronting Civic Buildings or Civic Spaces follow the standards of the underlying Transect Zone?

PRIVATE LOT PLAN & ARCHITECTURAL DESIGN REVIEW CHECKLIST

All Transect Zones

1. Are Building Functions, Configurations and Dispositions that existed at the time of rezoning, if changed, changed such that the changes result in greater conformance with the TND Code.
 2. Where buildings exist on adjacent lots at the time of rezoning, do setbacks match one or the other of the adjacent building setbacks and are heights shall be between building heights of adjacent buildings?
 3. Are parking lots along frontages masked by a building, streetwall and/or a hedge?
 4. Are ancillary units no more than 600 square feet and do they share a single set of utility connections with the principal building?
 5. Do garages facing frontages exceed two cars in width, or, 50% of the width of the house, whichever is narrower? Is the garage façade set back a minimum of 20 feet from the house façade; 10 feet if the house façade has a porch across 75% or more of its width?
 6. Is one bicycle parking or storage space provided for every 15 off-street vehicular parking spaces provided on the same lot?
 7. Has demolition or substantial modification of existing structures of potential historic value been approved by public review?
-

Rural Preserve Transect Zone (T1)

8. Has permission to build in the Rural Preserve Transect Zone been obtained as a variance?

Rural Reserve Transect Zone (T2)

9. Are the proposed Building Functions, restricted residential and restricted lodging?
10. Are lots between 1.5 and 3 acres and no closer than 1/4 mile to another such lot?
11. Is there no more than one principal building and five outbuildings proposed for each lot?
12. Are facades built with a minimum setback of 96 feet from the Frontage Line?
13. Are side setbacks a minimum of 24 feet to each side?
14. Are rear setbacks for principal buildings a minimum of 48 feet from the rear lot line, and for outbuildings a minimum of 24 feet?
15. Are backbuildings no wider than 24 feet?
16. Is the proposed Building Type the Edgeyard?
17. Is the proposed Frontage Types the Common Lawn?
18. Are principal buildings and outbuildings a maximum of 2 stories above grade?
19. Are open parking areas at the Second Layer and enclosed parking areas at the Third Layer?
20. Is parking accessed from a driveway?
21. Is parking provided as required by the Restricted Function categories?
22. Is on-street parking along the adjacent frontage counted toward the parking requirement?
23. Are address numbers attached to the building and the mailbox?
24. Are a minimum of a dozen trees to match the street trees proposed on the First Layer of each lot?
25. Is groundcover planted on the First Layer of each lot?
- 26.

Suburban Transect Zone (T3)

27. Is the proposed Building Function Limited Residential, or in outbuildings Restricted Lodging and Restricted Office?
28. Are lots a minimum of 72 feet wide and a minimum of 100 feet deep?
29. Is there no more than one principal building and one outbuilding proposed for each lot?
30. Are facades built approximately parallel to the principal Frontage Line with a minimum setback of 24 feet from the Frontage Line?
31. Are side setbacks a minimum of 12 feet to each side for principal buildings and 6 feet for backbuildings and outbuildings?
32. Are rear setbacks for principal buildings a minimum of 24 feet from the rear lot line, and for outbuildings a minimum of 6 feet.
33. Are backbuildings no greater than 24 feet wide?
34. Do open porches encroach up to one half of the depth of setbacks at frontages and rear setbacks? Do stoops, balconies, awnings and bay windows may encroach no more than 50% of the depth of any setback?
35. Is the Building Type the Edgeyard?
36. Is the Building Frontage Type the Common Lawn?
37. Are the Principal buildings and outbuildings a maximum of 2 stories above grade?
38. Are open parking areas at the Second Layer and Enclosed parking areas at the Third Layer?
39. Is parking accessed from a driveway, a rural lane, or a rear lane?
40. Is parking provided as required by the Restricted Function categories?

41. Is on-street parking along the adjacent frontage counted toward the parking requirement?
42. Is the exterior finish material on all facades either brick, wood, clapboard siding, and/or cementitious? If two or more materials are combined on one facade is the line between them horizontal with brick below wood or clapboard?
43. Are balconies and porches made of painted wood?
44. Do buildings have symmetrical pitched roofs with slopes no less than 5:12, and porches sheds with pitches no less than 2:12?
45. Are openings, including porches, windows, and arches square or greater in height than width.
46. Are fences within the Second or Third Layer of a lot and are they wood board or vinyl-coated chain link.
47. Are address numbers attached to the building and the mailbox?
48. Is a minimum of two trees to match the street trees proposed on the First Layer of each lot?
49. Is groundcover proposed on the First Layer of each lot?

General Urban Transect Zone (T4)

50. Is the Building Function Limited Residential, or in outbuildings Limited Lodging and Limited Office?
51. Is Limited Retail proposed only at corner lots?
52. Are lots between 36-72 feet wide and a minimum of 100 feet deep?
53. Is there no more than one principal building and one outbuilding proposed on each lot?
54. Are facades built parallel to the principal Frontage Line along a minimum of 50% of its length with a setback of 12 to 18 feet from the Frontage Line?
55. Are Side setbacks a total of 12 feet for principal buildings and 6 feet for backbuildings and outbuildings?
56. Are rear setbacks for principal buildings a minimum of 24 feet and rear setbacks for outbuildings a minimum of 3 feet?
57. Are backbuildings no greater than 24 feet wide?
58. Do open porches encroach no more than 50% of the depth of the frontage and rear setbacks and do stoops, balconies, awnings and bay windows encroach no more than 50% of the depth of any setback?
59. Are the Building Types the Edgeyard, Sideyard and Rearyard?
60. Are the Building Frontage Types the Porch & Fence and Stoop?
61. Are principal buildings a maximum of 3 stories and outbuildings a maximum of 2 stories above grade?
62. Are shopfronts located at corner lots only?
63. Are open parking areas at the Second Layer from the frontages and enclosed parking areas at the Third Layer?
64. Is parking accessed from a rural lane, a rear lane or an alley?
65. Is parking provided as required by the Building Function?
66. Is on-street parking along the adjacent frontage counted toward the parking requirements?
67. Are the exterior finish materials on all facades limited to brick, stone, wood or cementitious clapboard siding, and/or stucco, and if two or more materials may be combined on one facade, are they combined along a horizontal line with brick or stone below stucco and any other material below clapboard?
68. Are balconies and porches made of painted wood or metal?
69. Do buildings have symmetrical pitched roofs with slopes no less than 5:12, and porches shed roofs with pitches no less than 2:12?
70. Are openings including porches, windows, and arches square or greater in height than width?

71. Are fences at the First Layer of a lot painted wood pickets or garden walls. and fences at other layers painted pickets, wood board, vinyl-coated chain link or masonry?
72. Is Groundcover planted on the First Layer of each lot?
Are address numbers attached to the building and the mailbox?
73. Is a minimum of one tree to match the street tree planted in the First Layer of each lot?

Urban Center Transect Zone (T5)

74. Is the Building Function Open Residential and Open Lodging, or in outbuildings, Open Office?
75. If proposed, is Limited Retail at corner lots?
76. Are 70% of the retail frontages designated on the Regulating Plan permanently assigned to retail in the First Layer?
77. Are lots between 18 and 54 feet wide and a minimum of 80 feet deep?
78. Is there no more than one principal building and one outbuilding proposed on each lot?
79. Are facades parallel to the principal Frontage Line along a minimum of 70% of its length with a setback of 0 to 12 feet from the Frontage Line and in the absence of building along the remnant of the lot width, a freestanding wall built in the same plane as the facade?
80. Do stoops, balconies, awnings and bay windows encroach up to one half of the depth of any setback?
81. Are loading docks and service areas prohibited on frontages?
82. Are surface parking lots prohibited on frontages?
83. Do principal buildings have their principal entrance on a Frontage Line?
84. Are proposed Building Types the Edgeyard, Sideyard, Rearyard and Courtyard?
85. Are proposed Building Frontage Types the Stoop, Terrace, Forecourt, Stoop, and Shopfront and Awning.
86. Are principal buildings a minimum of 3 stories and a maximum of 4 stories, and outbuildings a maximum of 2 stories above grade?
87. Are buildings for Residential Use raised above sidewalk grade a minimum of 2 feet?
88. Are open parking areas at the Second Layer and Third Layers?
89. Is parking accessed from a rear lane or from an alley?
90. Is parking provided as required by the Building Function?
91. Is on-street parking along the adjacent frontage counted toward the parking requirements?
92. Are parking lots planted with indigenous shade trees at a minimum ratio of one tree for every ten parking spaces?
93. Is one bicycle parking or storage space provided for every 15 off-street vehicular parking spaces?
94. Is the exterior finish material on all facades limited to brick, stone, and/or stucco and if materials are combined on one facade, are they combined only horizontally with brick and stone below stucco?
95. Are balconies and porches shall be made of painted wood or metal?
96. Do buildings have flat roofs enclosed by parapets or symmetrical pitched roofs with slopes no less than 5:12 and porches have sheds or hips with pitches no less than 2:12.
97. Are openings, including porches, arches, and windows, square or greater in height than width?
98. Are streetwalls located at the First Layer and along the façade line and are they made of brick, stone, stucco or other material to match the façade of the Principal Building and not more than 8 feet in height?

-
- 99. Are address numbers attached to the building and the mailbox?
 - 100. If proposed, is there only one, single, external sign band applied to the facade of each building, provided it does not exceed 3 feet in height?
 - 101. If proposed, is there only one sign, for each business, of less than 4 square feet attached perpendicular to the facade.
 - 102. Is the First Layer landscaped, or paved to match the adjacent streetscape?
-

Urban Core Transect Zone (T6)

- 103. Is the proposed building function Open Residential, Open Lodging and Open Office or in outbuildings Open Lodging and Open Office?
- 104. If proposed, is Open Retail permitted only at the first story?
- 105. At the first story along principal frontages are uses other than parking mandatory for the First Layer?
- 106. Is 70% of retail frontages designated on the Regulating Plan permanently assigned to retail in the First Layer?
- 107. Are lots between 18 and 144 feet wide and a minimum of 80 feet deep?
- 108. Is one principal building proposed on each lot?
- 109. Are facades built on principal Frontage Lines along a minimum of 90% of their length with no more than a 6 foot setback permitted?
- 110. In the absence of a building facade along the remainder of the lot frontage, is a freestanding wall built in the same plane as the facade?
- 111. Do stoops, balconies, awnings and bay windows encroach no more than half the depth of side and rear setbacks?
- 112. Are loading docks and service areas prohibited on frontages?
- 113. Are surface parking lots prohibited on frontages?
- 114. Do principal buildings have their principal entrance on a Frontage Line?
- 115. Are the proposed Building Types the Sideyard, Rearyard and Courtyard?
- 116. Are the proposed Frontage Types the Terrace, Forecourt, Stoop, Shopfront & Awning, Gallery & Arcade?
- 117. Are buildings a minimum of 3 stories and a maximum of 18 stories above grade with a recess line at the third to fifth story?
- 118. Is a transition line provided at the top of the second story?
- 119. Are stories at sidewalk level no less than 12 feet in height from finished floor to finished ceiling?
- 120. Is parking located at the Second and Third Layers?
- 121. Is parking accessed from an alley?
- 122. Is parking provided as required by the Building Function?
- 123. Is on-street parking along the adjacent frontage counted toward the parking requirements?
- 124. Are pedestrian entrances to all parking lots and parking structures (except underground structures) directly from an adjacent Frontage Line?
- 125. Is the opening of a parking lot or structure to a frontage a maximum of 30 feet wide?
- 126. Are parking lots planted with indigenous shade trees at a minimum ratio of one tree for every ten parking spaces?
- 127. Are the parking surfaces in a parking structure level?
- 128. Is one bicycle parking or storage space provided for every 15 off-street vehicular parking spaces?
- 129. Are the exterior finish materials on all facades limited to light-colored, pre-cast concrete, brick, stone or stucco, and if materials are combined on one facade are they combined only horizontally with the brick below the stucco?
- 130. Are windows clear or lightly tinted glass?
- 131. Are balconies and porches metal, concrete, or stucco?

132. Do buildings have flat roofs enclosed by parapets no less than 42 inches high or as required to conceal HVAC equipment?
133. Are openings square or greater in height than width?
134. Does the glazed area and all other openings of a facade above the first story not exceed 50 % of the total area, each facade being calculated independently?
135. Is the first story of facades on retail frontages detailed and glazed as storefronts to no less than 70 % of the frontage offering an unobstructed view to a minimum depth of five feet into the space?
136. Are sliding doors and windows prohibited along frontages?
137. Are streetwalls located at the First Layer and along the building Frontage Line and are they made of brick, or concrete block and stucco or other materials to match the façade of the Principal Building and not more than 8 feet in height?
138. Are address numbers attached to the building and the mailbox?
139. If proposed is there only one external sign band applied to the facade of each building not exceeding 3 feet in height?
140. If proposed is there only one sign, for each business, of less than 4 square feet attached perpendicular to the façade?
141. Is the First Layer landscaped or paved to match the enfronting streetscape?

DESIGN OF CIVIC PLACES

142. Is the ongoing construction and improvements on Civic Sites supported by an annual assessment dedicated to this purpose administered by the Community Council?
143. Does each Pedestrian Shed contain at least one Principal Civic Space between one and three acres in size and is the Principal Civic Space within 800 feet of the geographic center of a Pedestrian Shed and does it follow the description appearing in the Civic Space Definition?
144. Is there a Civic Space equipped to function as a playground proposed within three blocks of all lots?
145. Does every Civic Space have a minimum of 50 % of its perimeter along a thoroughfare other than a rear lane or alley?
146. Do Civic Sites for Civic Buildings related to education, recreation and culture occupy no more than 20% of the net area of each Pedestrian Shed?
147. Are Civic Buildings located within or adjacent to Civic Spaces, on hill tops, or at the axial termination of significant thoroughfares or vistas?
148. Are Civic Buildings of the same or superior materials and construction technique as private buildings in the same Transect Zone?
149. Does the parking meet the design requirements for parking lots and parking structures for private buildings in the same Transect Zone?
150. Are civic parking lots graded, compacted, landscaped and paved?
151. Has the applicant covenanted to construct a Meeting Hall, or reserve a site for one, in each Pedestrian Shed at an Urban Center Transect Zone?
152. Has the applicant covenanted to construct a corner store and/or café, or reserve a site for one, in each Pedestrian Shed at an Urban Center Transect Zone and is this site equipped with a bus stop?
153. Has the applicant reserved one Civic Building lot of between 8 and 10 net acres for an elementary school for each increment of 1000 dwelling units? Is the school building within an Urban Transect Zone?

- 154. Has the applicant reserved one Civic Building lot suitable for a childcare building within each Pedestrian Shed?

DESIGN OF DISTRICTS

- 155. Do Districts by Variance not exceed 20 % of the net area of a Pedestrian Shed?

Districts (DW & DR)

- 156. Has the function, disposition, configuration, parking, architecture, landscaping and signage of Districts been determined concurrently with the granting of the Warrant or Rezoning that creates the District?
-

9. APPENDIX: TND CODE INCENTIVES

To encourage the use of the TND Code, the Municipality may grant any or all of the following incentives, or others as may be proposed from time to time, within its purview. Those incentives outside the purview of the Municipality may be pursued with the appropriate authority by the Municipality, the applicant or both.

1. A TND Code application shall be processed with priority over all other types, including those with prior filing dates. This could be extended to including the processing of construction documents, building inspections and issuance of Certificates of Occupancy.
2. Municipal review fees may not be imposed. Instead, funding for review of TND Code applications shall be from others sources, such as higher fees for the review of conventional development applications.
3. Density may be increased unilaterally by the Municipality, or by the market-rate or subsidized Transfer of Development Rights (TDRs) from Rural Reserve Transect Zones that have been designated a TDR Sending Area.
4. A traffic impact study may not be required, because of the internal trip capture and the emphasis on walking and biking in TNDs.
5. Existing buildings that have at any time received a certificate of occupancy may not require upgrade to the current Building Code and may remain at the standard under which it was originally permitted provided the use is the same. Several years ago New Jersey passed such a rehab code and has met with great success. Maryland is drafting one.
6. The municipality may choose to construct, or at least accept and maintain those thoroughfares that connect to thoroughfares on adjacent properties.
7. Property taxes in TNDs may continue to be calculated at the rate of the previous zone until a certificate of occupancy has been issued for a building in them as permitted by Chapter 361 of the New York State Real Property Tax Code.
8. First-time buyers of dwellings located within TNDs may receive municipal tax credits due to the lower demand on municipal services resulting from compact mixed-use developments.
9. Office and retail uses located within TNDs may receive municipal tax credits due to the lower demand on municipal services resulting from compact mixed-use developments.
10. Required parking may be purchased from a municipal parking lot, structure or reserve within the Pedestrian Shed.
11. Development impact fees may be reduced due to the lower demand on municipal services resulting from compact mixed-use developments.
12. Land annexed into a municipality shall not be rezoned except to the General Community Designation of TND.
13. The County shall prepare a hypothetical model project and perform a State Environmental Quality Review Act (SEQRA) review. This review shall be used to prepare a generic Environmental Impact Statement the applicable results of which shall be applied to similar projects under this Code in an effort to expedite the SEQRA review.
14. Development Rights within TDR Sending Areas may be purchased by the municipality or others and sold below market rate for use in TDR Receiving Areas.

15. The municipality shall develop a Parking Plan and Policy with the intention of identifying a built or planned Municipal Parking Reserve that will make parking spaces available within Center & Core Transect Zones to applicants building in them. This parking shall be in the form of parking lots and/or garages consistent with requirements of the TND Code. The municipality may give, lease or sell this parking.
-

9. APPENDIX: APPLICATION REQUIREMENTS

The following Documents shall constitute the Regulating Plan Application:

- Form A: Regulating Plan Review Application
- Form B: Statistical Summary application
- An Existing Conditions Plan 1" = 200' minimum, showing location plan, north arrow, scale, property lines, dimensions and area, adjacent properties, natural features, thoroughfares and buildings.
- A Regulating Plan at 1" = 200' minimum showing all relevant information included on the Existing Conditions Plan and all proposed Transect Zones, Thoroughfares, Civic Spaces and Buildings and Private Lots.
- Conceptual architectural drawings of all proposed Building Types.
- Civic Space Detail Plans at 1" = 30' minimum, showing landscaping (including Latin and common names of all plant material, size, quantity and location of all material, elements such as retaining walls, paved surfaces, etc.), lighting (location and details), furnishings, accessories (locations and details), signs (locations and details) and material specifications.

The following Documents shall constitute the Private Lot and Architecture Application:

- Form C: Private Lot and Architecture Review Application
 - A Site Plan (1" = 30') showing the location in the Specific Plan, north arrow, scale, property lines, dimensions and area, natural features, building footprints, parking, landscaping, lighting, signage and materials as well as the same for adjacent existing buildings to remain or previously approved buildings.
 - A Block Face Elevation (1/8" = 1') of each block face that includes existing buildings that will remain or previously approved buildings within that block.
 - Floor Plans (1/4" = 1') showing room dimensions and uses labeled; encroachments (if any) dimensioned; total square footage.
 - Elevations at (1/4" = 1') showing: openings, doors and windows; materials rendered and specified, including colors; finished grade and finished floor elevations; building height to the eaves or parapet walls; open or closed eave condition (if any); overall height from grade at front setback; roof pitches.
-

**FORM A:
REGULATING PLAN
REVIEW APPLICATION**

Property Address: _____

Parcel: _____

Applicant: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Designer: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Variances from the TND Code must be clearly noted on submitted documents.

For SAC use only:

Received by: _____

Date: _____

Reviewed by: _____

Date: _____

Approved Approved as noted Denied

Comments: _____

**FORM C:
PRIVATE LOT &
ARCHITECTURE
REVIEW APPLICATION**

Property Address: _____

Parcel: _____

Applicant: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Designer: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Variances from the TND Code must be clearly noted as such on the submitted documents.

For SAC use only:

Received by: _____

Date: _____

Reviewed by: _____

Date: _____

Approved Approved as noted Denied

Comments: _____

**FORM D:
FIELD INSPECTION
APPLICATION**

Property Address: _____

Parcel: _____

Applicant: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Designer: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Variants from the TND Code must be clearly noted on the submitted documents. _____

For SAC use only:

Received by: _____

Date: _____

Reviewed by: _____

Date: _____

The Design Review Committee has conducted a post-construction inspection of improvements on Parcel _____. The purpose of this inspection is to review and evaluate improvements for compliance with the SmartCode and previously approved documents. Based upon its review, the DRC has concluded that:

the improvement(s) are in compliance with the SmartCode and previously approved documents.

the improvement(s) are in compliance with the SmartCode and previously approved documents, with the exception of the approved waiver(s) noted below.

**FORM E:
MINOR CHANGE
APPLICATION**

Property Address: _____

Parcel: _____

Applicant: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Designer: _____

Contact: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

Variances from the TND Code must be clearly noted on submitted documents.
Describe the minor change(s) below and submit this documents to the DRC.

Description of minor change(s): _____

For SAC use only:

Received by: _____

Date: _____

Reviewed by: _____

Date: _____

Approved Approved as noted Denied

Comments: _____

AN ORDINANCE

To provide that each county, municipality, or other unit of local government in the state should develop strategies to allow Smart Growth as a land development option; to do so by eliminating impediments in the existing land codes; to create and make available a new state model code by which the Smart Growth option is certifiable; to provide for state certification of local government strategies; to provide state funding incentives for local governments with certified strategies; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Be it enacted by _____ that _____ relating to local government, is amended by adding at its end a new chapter to read as follows:

This chapter shall be known and may be cited as the "Smart Growth Act of 2001."

The legislature finds and determines that many of the planning, zoning, and permitting processes of units of local government in states, inadvertently discourage, provide disincentives to, or even prohibit the desirable Smart Growth development practice. This Act is intended to, and shall be liberally construed to encourage units of local government to develop strategies to allow rather than deter Smart Growth and that such strategies should be optional and market-driven rather than through government requirement. The legislature finds and determines that Smart Growth would increase consumer choice, have the desirable result of reducing land consumption and transportation burdens. This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

Each county, municipality, or other local government unit in this state that exercises planning, zoning or permitting functions is encouraged to develop a strategy to allow and to remove disincentives and barriers to Smart Growth through the provision of a specific TND Code based on the model to be provided.

All laws and parts of laws in conflict with this Act are repealed.

For purposes of this chapter, Smart Growth is construed to be development in a neighborhood pattern which meets all or most of the following provisions:

1. That development should preserve sensitive natural and cultural areas as permanent open space;
2. That the basic increment of development should be the walkable, diverse pedestrian shed, forming a neighborhood;
3. That each neighborhood should have a discernible place to serve as a community gathering place;
4. That the pedestrian shed be a five or ten-minute walk to the neighborhood center such that pedestrians may have access to transit;

5. That there should be shops within, or in proximity to, the neighborhood, sufficiently varied to satisfy ordinary daily household needs;
6. That the neighborhood should incorporate a variety of places to work, including those that enable work at the dwelling;
7. That each neighborhood should incorporate a variety of dwelling types, such that younger and older persons, single households and families may be housed;
8. That each dwelling should be permitted to have an ancillary unit for use as a rental apartment;
9. That an elementary school should be available, or a site reserved, within one mile of most dwellings;
10. That thoroughfares within the neighborhood be a network, connecting wherever possible to adjacent thoroughfares to provide a variety of itineraries and disperse traffic;
11. That thoroughfares should be designed to slow traffic, creating an environment appropriate for pedestrians, bicyclists and automobiles;
12. That building frontages should collectively support pedestrian streetscapes and mask most parking lots.

Each county, municipality, or other local government unit in this state that adopts a strategy as provided in Code Section may submit its strategy for certification to the Department of _____. If the department determines that the strategy conforms to and meets the goals of this chapter, the department shall certify the strategy as being in conformance with this chapter.

Each county, municipality, or other local government unit in this state that has a strategy certified under this chapter shall be eligible for grants from the Department of _____ from funds appropriated or otherwise made available for purposes of this chapter. Such grants awarded each year shall be distributed so that each participating county, municipality, or other local government unit receives its pro rata share of all grants for that year, according to population.

The Department of _____ may adopt rules and regulations as necessary or appropriate for the administration of this chapter.