

§ 300-36. Downtown districts.

A. District purposes.

- (1) General purposes of all downtown districts. The downtown districts are intended to accommodate retail, service, residential and commercial uses and to ensure that business and commercial-zoned areas are compatible with the character of existing neighborhoods. The downtown districts are also intended to ensure the preservation of the unique character and quality of life in the downtown area by encouraging compatible redevelopment and infill development.
- (2) Specific purposes of commercial districts.
 - (a) Downtown Business (DB) District. The purpose of the Downtown Business (DB) Zoning District is to maintain the existing character, scale and mix of uses in the downtown core that allow it to serve as the Village's meeting place while encouraging appropriate redevelopment that adds to the civic and economic vitality of the community. A mix of uses, including residential uses above nonresidential establishments, is encouraged. In order to encourage a pedestrian-friendly environment, flexible standards are provided for meeting parking requirements.
 - (b) Downtown Transition (DT) District. The purpose of the Downtown Transition (DT) Zoning District is to maintain the existing character, scale and mix of uses along Lower Main Street (below the Library) as a transition between the more intensive Downtown Business District and the surrounding residential areas. Residential uses are permitted on both the ground floor and above nonresidential establishments. In addition, the DT Zoning District may be applied to other commercial areas that serve surrounding residential neighborhoods.
 - (c) Gateway (DG) District. The purpose of the Downtown Gateway (DG) Zoning District is to provide an appropriate location for community- and region-serving commercial within a mixed use environment near the intersection of Ashford and Broadway; to enhance the pedestrian environment; to reduce traffic conflicts; and to encourage development including residential uses with a quality of design appropriate for this highly visible location. Development should be focused to the major streets, with transitions in building scale, intensity and use adjacent to established residential neighborhoods.

B. Downtown design guidelines. Conformance with the Downtown Design Guidelines in Appendix F,¹ as adopted by the Board of Trustees, is encouraged and shall be considered as part of the site plan review criteria, as well as a basis for the Architectural and Historic Review Board's evaluation.

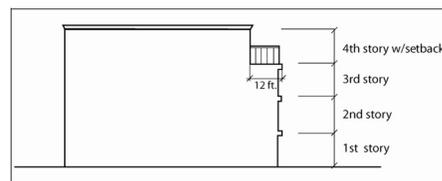
C. Use requirements.

- (1) Table of permitted uses. Permitted uses in the downtown zoning districts shall be as specified in Table A-2.²

1. Editor's Note: Appendix F is included at the end of this chapter.

2. Editor's Note: Table A-2 is included at the end of this chapter in Appendix A.

- (2) Ground-floor uses restricted. In order to maintain an active streetscape for pedestrians and pedestrian-oriented businesses and activities, residential uses are prohibited along the entire length of the ground floor of the principal building adjacent to a public street in the DB and DG Districts. That nonresidential space shall be no less than 25 feet deep. Properties located in the DT District are exempt from this restriction.
- D. Area requirements. All structures in the downtown zoning districts shall meet the standards in Table B-8.³
- E. The building design standards are intended to ensure compatibility with the historic character and design quality of the Village. These standards apply within all downtown zoning districts, except where specifically noted. The Board of Trustees on recommendation from the AHRB and the Planning Board may, at its sole discretion, waive or modify these standards through the site plan review. See Table B-8. **[Amended 8-22-2017 by L.L. No. 6-2017]**
- (1) Upper-story setbacks. The number of permitted stories in the DT, DG and DB Zones shall be three stories. The addition of a fourth story of any building and/or a building in excess of 40 feet in a DG and DB Zones or 35 feet in the DT Zone (up to 45 feet in the DB and DG zones or 40 feet in the DT Zone) may be permitted only at the discretion of the Board of Trustees as part of the site plan review application and only after a reasoned judgment setting forth the public benefits of the development which would warrant the Board of Trustees granting approval of a fourth story and an increase in height above 40 feet or 35 feet as the case may be. In determining the appropriateness of the fourth story and an increase in height above 40 feet in the DB or DG Zones or 35 feet in the DT Zone, the Board of Trustees shall take into consideration the recommendations of the Planning Board and the AHRB in considering impacts, including but not limited to viewsheds, solar access to the streetscape and surrounding buildings, use and enjoyment of the Old Croton Aqueduct (OCA) and consistency with the character of the individual building and surrounding buildings. Based on a review of potential impacts cited above, a fourth story and/or an increase in height above 35 feet or 40 feet, if approved, may be required to recede from the front facade, either within a sloping roof form or as a setback volume and the applicant must use available techniques to minimize the visual impact of any such fourth story or increased height. In addition, in the downtown districts, the liveable floor area of the fourth story, if permitted, shall not comprise more than 50% of the total floor area of the story below.



- (2) Transparency. Blank street-facing facades are not permitted. For new construction and

3. Editor's Note: Table B-8 is included at the end of this chapter in Appendix B.

additions, except for structures used solely for residential occupancy, transparent glazing shall be integrated into the design of each facade facing a public street, with storefront windows on the ground floor. Window glazing shall be clear and shall transmit at least 65% of visible daylight (visible transmittance shall be 0.65 or greater). Glazing must be maintained without interior or exterior obstructions that limit visibility, including, but not limited to, window signs, interior shelving, or window coverings during hours of business operation for a minimum distance of three feet from the interior face of the glass.

- (3) Building articulation. Buildings shall be designed to reduce apparent mass and reflect historic patterns by including a clearly identifiable base, middle and top, with horizontal elements separating these components.
- (4) Building entrances.
 - (a) Buildings shall have one or more pedestrian entrances located on the front facade and facing the street. A building located on a corner may have an angled entrance at the corner of the two streets. The pedestrian entrance(s) shall be operable during normal hours of business operation.
 - (b) Building entrances shall be emphasized through the use of architectural treatments.



- F. Site development standards. The site development standards are intended to ensure compatibility with the historic character and design quality of the Village.
 - (1) Pedestrian access. Sites must be designed to promote safe and convenient pedestrian, bicycle and vehicular circulation according to the following standards:
 - (a) To establish and maintain a continuous streetscape, curb cuts allowing access to parking areas and service entrances shall be limited within the DB District to one curb cut for every 75 linear feet of street frontage. In no case shall a curb cut exceed 18 feet in width. Existing curb cuts shall be replaced with curbing when redevelopment of a property makes them unnecessary or inconsistent with the

intended character of the zoning district.

- (b) Pedestrian routes must be continuous, clear of obstructions, and easily identifiable as protected pedestrian routes. Landscaping, curbing, raised paving, bollards, distinctive paving materials, and other similar means may be used to separate and protect pedestrian routes from vehicular traffic.⁴

4. Editor's Note: Former Subsection F(2), Parking, which immediately followed, was repealed 7-23-2024 by L.L. No. 2-2024.