

§ 120-62. Permitted uses.

- A. All uses are permitted in fully enclosed buildings in the CCD unless specifically listed as limited or prohibited uses in this article.
- B. Festivals, events and activities, including those associated with public parks, plazas and open spaces, are allowed in any portion of the CCD.
- C. Walk-up service windows in the CCD. [Added 9-19-2017 by Ord. No. 2017-299]

§ 120-63. Limited uses in the CCD Center City District. [Amended 9-19-2012 by Ord. No. 2012-363; 8-9-2016 by Ord. No. 2016-263; 11-3-2022 by Ord. No. 2022-322]

- A. The operating hours of retail sales and service establishments licensed by New York State as adult-use cannabis retail dispensaries shall be restricted to liquor store hours.
- B. The operating hours of on-site cannabis consumption lounges shall be restricted to bar hours and no later than 11:00 p.m., provided that the operating hours may be extended to bar hours after 11:00 p.m. if authorized by special permit.
- C. The following limited uses in the CCD Center City District shall meet the requirements set forth in Article XVIII, Additional Requirements for Specified Uses:
 - (1) Homeless residential facilities.
 - (2) Personal wireless communication facilities.
 - (3) Residential care facilities.
 - (4) Rooming houses.
 - (5) Surface parking lots when a parking demand analysis is submitted to substantiate the need for the lot.

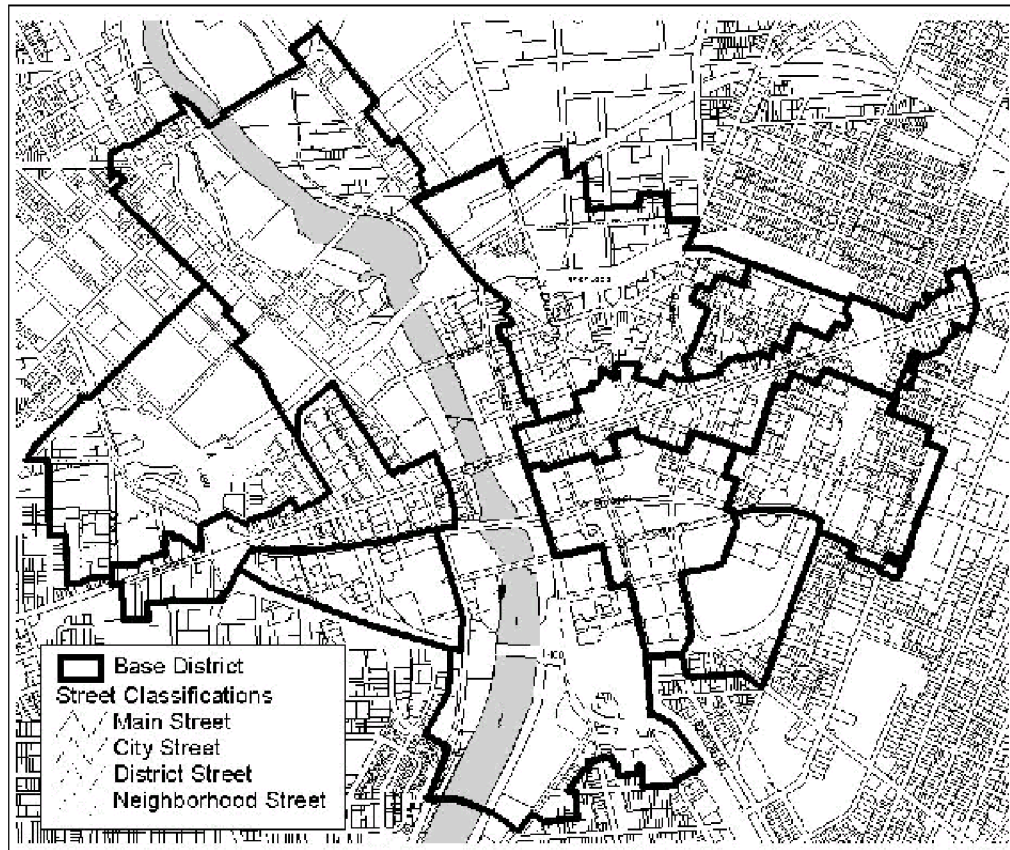
§ 120-65. Additional regulations and procedures.

- A. In the CCD, no parking shall be required. All applicants proposing to construct surface parking shall submit a parking demand analysis that illustrates the following:
 - (1) The reason surface parking is required.
 - (2) The anticipated number of parking spaces needed to accommodate the proposed use.
 - (3) How the parking spaces are accommodated (on site, public lots, on street, etc.)
 - (4) Methods to accommodate the potential deficiencies.
- B. Designated building of historic value .
 - (1) Demolition of a designated building of historic value shall be prohibited.
 - (2) Significant architectural features, including but not limited to slate or tile roofing, original cladding, porches, cornices, etc., shall be maintained.

- (3) Replacement windows in a designated building of historic value shall utilize true divided lights or simulated divided lights when matching the original mullion and/or muntin configuration. This would not include interior-only grids or grids between the panes of glass.
- C. Applications meeting all design criteria set forth in this article shall not require site plan approval unless such approval is required pursuant to other thresholds as listed in § 120-191 of this chapter.
- D. Applications not meeting the design criteria, within the specified tolerance limits set forth in the Design Checklist tables at the end of this chapter, shall require site plan approval. **[Amended 9-21-2010 by Ord. No. 2010-323]**
- E. The use of the word "shall" in §§ 120-65 through 120-72 of this article shall not be deemed to mean mandatory, but rather to be necessary to secure approval without additional design review.

§ 120-66. CCD Base District.

- A. Purpose of the district. The primary purpose of the design criteria for the CCD Base District is to:
 - (1) Preserve the desirable design character of the public realm of the CCD.
 - (2) Promote diversity and variety in the public realm which maintains and enhances the existing diversity found in the CCD.
 - (3) Promote street-level activity and uses.
 - (4) Create green streets and mid-block corridors to enhance pedestrian circulation.
- B. District boundaries and definition. The following outlines the boundaries for the Base District of the CCD. Areas not included in one of the six design districts shall be subject to the regulations of this district.



- C. Design Checklist. The following chart lists the design criteria and the deviations that require major site plan or minor site plan review. Applications that are within acceptable tolerances, and otherwise meet all design criteria, do not require site plan approval unless such approval is required pursuant to the other site plan thresholds as listed in § 120-191 of this chapter.

| Design Checklist — Base District | | | |
|---|-----------------|-----------------|-----------|
| Design Criteria | Major Deviation | Minor Deviation | Tolerance |
| BUILDINGS | | | |
| Building form and mass | X | | |
| Minimum lot frontage | X | | |
| Maximum building length and depth relative to block | | X | 10% |
| Accessory building coverage | | X | 10% |
| Minimum and maximum building height | X | | |
| Maximum accessory building height | X | | |

| Design Checklist — Base District | | | |
|---|------------------------|------------------------|------------------|
| Design Criteria | Major Deviation | Minor Deviation | Tolerance |
| Orientation to street frontage | X | | |
| Front setback | X | | |
| Accessory building setbacks | X | | |
| DISTRICT CHARACTER | | | |
| Building maintains horizontal alignment | | X | |
| Building facade planes | | X | |
| Facade fenestration | | X | |
| Equal street frontage facades | X | | |
| Vehicular entry width | | X | 10% |
| Service bay depth | | X | |
| Facade lighting | | X | |
| Facade window coverage | | X | 10% |
| Window height to width ratio | | X | 20% |
| Windows translucent | | X | |
| Window recess | | X | 30% |
| Entrance translucent | | X | 20% |
| Entrance lighting | | X | |
| Rooftop mechanical/ telecommunications equipment | | X | |
| Primary construction material | | X | |
| Location of refuse storage | | X | |
| Refuse storage details (enclosures, doors) | | X | |
| SIGNAGE | | | |
| Number of building identification signs | | X | |
| Location and size of building identification sign | | X | 20% |
| Building identification sign luminaries | | X | |

| Design Checklist — Base District | | | |
|---|------------------------|------------------------|------------------|
| Design Criteria | Major Deviation | Minor Deviation | Tolerance |
| Building identification sign graphics | | X | |
| Number of business signs | | X | |
| Size of business signs | | X | 20% |
| Directory sign location and size | | X | 20% |
| Address sign location | | X | |
| Address sign copy raised/recessed | | X | 20% |
| Address sign lighting | | X | |
| Heritage sign information | | X | |
| Heritage sign size | | X | 20% |
| Awning locations | | X | |
| Entrance awning width | | X | 10% |
| Window awning width | | X | 10% |
| Awning height | | X | 10% |
| Entry awning projection | | X | 10% |
| Window awning projection | | X | 10% |
| Awning material | | X | |
| Awning color | | X | 30% |
| Awning equality | | X | |
| Awning copy content and size | | X | 20% |
| Awning lighting | | X | |
| SITE | | | |
| Building parking location and surfacing | | X | |
| Building parking access | | X | |
| Building parking lighting | | X | |
| Parking lot location | | X | |
| Parking lot access | | X | |
| Parking lot front yard setback | | X | 10% |
| Parking lot side/rear setback | | X | 10% |
| Parking lot surfacing and curbing | | X | |

| Design Checklist — Base District | | | |
|---|------------------------|------------------------|------------------|
| Design Criteria | Major Deviation | Minor Deviation | Tolerance |
| Parking lot aisle | | X | |
| Parking lot pedestrian walkway | | X | 10% |
| Parking lot landscaping | | X | 20% |
| Parking lot shaded area | | X | 20% |
| ADDITIONAL AMENITIES | | | |
| Fencing/wall location | | X | 10% |
| Fence gates | | X | |
| Walkway at entrances fronting streets | | X | |
| Walkway width, material and color | | X | 10% |

D. Buildings.

(1) District context.

(a) Building form and mass.

[1] Buildings shall exhibit a vertical mass on the street frontage.

(b) Lot size and coverage.

[1] The minimum lot frontage shall be 45 feet.

[2] The maximum building length and depth shall be no more than 25% of the block length and 50% of the block depth.

[3] One accessory building or structure shall be allowed.

(c) Height.

[1] Buildings heights shall include:

[a] Main Street: N/A.

[b] City street: shall be a maximum six stories in height and a minimum three stories.

[c] District street: shall be a maximum five stories in height to a maximum of 48 feet and a minimum two stories.

[d] Neighborhood street: shall be a maximum five stories in height to a maximum of 48 feet and a minimum two stories.

[2] Accessory building or structure shall be a maximum of 1 1/2 stories to a maximum 24 feet.

(d) Orientation.

- [1] Buildings shall be parallel to the street frontage property line.

(e) Setbacks.

- [1] Front yard setback shall be:

- [a] Main Street: N/A.

- [b] City street: shall be within two feet of the average setback of three adjacent buildings on either side of the building to a maximum of 15 feet.

- [c] District street: shall be within two feet of the average setback of three adjacent buildings on either side of the building to a maximum of 10 feet.

- [d] Neighborhood street: shall be within two feet of the average setback of three adjacent buildings on either side of the building to a maximum of nine feet.

- [2] Accessory buildings or structure shall be located in the rear yard and conform to all primary building requirements.

(2) District character.

(a) Facade composition.

- [1] Buildings shall maintain the alignment of horizontal elements of adjacent existing buildings.

- [2] The maximum length of a facade plane shall be 50 feet. A change in facade plane shall occur when length exceeds 50 feet. The change shall be no less than two feet in depth and 12 feet in length.

- [3] The facade shall be composed to exhibit a vertically aligned fenestration pattern.

- [4] All facades fronting a street shall be equal.

- [5] One vehicular entrance is permitted per building.

- [6] The depth of any service bay shall accommodate total vehicle length so as not to interrupt pedestrian circulation on the sidewalk.

- [7] Facade lighting shall be wall-mounted luminaires and shall be mounted no higher than the top of the first floor. No light shall cast upwards.

- [8] Facade lighting shall conform to Illumination Engineers Society of North America (IESNA) guidelines. No floodlighting is permitted.

(b) Window.

- [1] Window coverage.

- [a] City and district streets. All first floor building facades shall be a minimum 40% and a maximum 75% window coverage.
 - [b] Neighborhood streets. All first floor building facades shall be a minimum 30% and a maximum 60% window coverage.
- [2] All other floors on building facades shall be a minimum 25% and a maximum 60% window coverage.
- [3] All other facades shall be a minimum 20% window coverage.
- [4] Windows shall be translucent.
- [5] Windows shall be recessed.
- (c) Entrance.
 - [1] Entrances shall be clearly accented.
 - [2] All entrances shall be illuminated and shall conform to facade lighting.
- (d) Roofline.
 - [1] Rooftop mechanical and telecommunications equipment shall be concealed so as not to be visible from the street.
- (e) Material and color.
 - [1] In addition to the windows, a maximum of three primary construction materials shall be used on any street facade.
 - [2] Concrete finishes or precast concrete panels (tilt wall) that are not exposed aggregate, hammered, embossed, imprinted, sandblasted or covered with a cement-based acrylic coating shall not be used as exterior building materials and shall be prohibited on all exterior walls.
 - [3] Metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge shall not be used as exterior building materials and shall be prohibited on all exterior walls.
 - [4] No unpainted masonry or brick materials may be painted if originally designed to be unpainted. This shall not include cement block construction.
- (f) Refuse storage.
 - [1] Excluding alley streets, refuse storage shall not be located on a street frontage and shall not be visible from the street.
 - [2] Refuse storage areas shall conform to the following:
 - [a] If a loading dock/service bay or vehicular garage is part of the building, refuse storage shall be contained within this area.

- [b] If not located within the building, refuse storage shall be located within a concealed enclosure that includes solid metal doors, is integral to the building, consists of the same material as the building and is located at the rear of the building.

(3) Signage.

(a) Building identification signage.

- [1] One sign shall be allowed.
- [2] The sign shall not be placed higher than the top of the first floor.
- [3] Signs shall be horizontal or vertical and flush mounted or perpendicular to the building face. Perpendicular signs shall not project more than four feet from the face of a building and shall be located a minimum of eight feet from the ground.
- [4] Signs shall not exceed 12 square feet.
- [5] Sign luminaires shall conform to the facade lighting.
- [6] Sign graphics shall include raised or recessed copy.

(b) Business signage.

- [1] A maximum of one sign per ground floor commercial user shall be permitted and shall be located no higher than the top of the first floor.
- [2] The total sign area of attached business signs shall be a maximum of 0.5 square foot for every foot of building frontage.
- [3] Directory signage shall be allowed at each building entrance and shall be flush mounted and a maximum six square feet.

(c) Address signage.

- [1] One sign shall be located at the primary building entrance no higher than the top of the first floor.
- [2] Sign graphics shall include raised or recessed copy and shall be a minimum of two inches and a maximum nine inches in height.
- [3] Building lighting shall illuminate address signage.

(d) Heritage signage.

- [1] One sign shall be placed on the primary frontage of each building and shall be located no higher than five feet above finished grade.
- [2] The sign shall include, at a minimum, the date of construction.
- [3] The maximum sign area shall be 1.5 square feet.

(e) Awning.

- [1] Awnings shall be permitted at building entrances and windows.
- [2] At building entrances the maximum width shall be two times the width of the opening.
- [3] At windows the maximum width shall be 1.5 times the width of the opening.
- [4] First floor awnings shall be a minimum eight feet and a maximum nine feet above the exterior finished elevation at the building.
- [5] Building entrance awnings shall project no more than 14 feet and shall be set back one foot from the lot line.
- [6] Window awnings shall project no more than three feet.
- [7] Awnings shall be made of flexible woven, natural or synthetic materials.
- [8] All window awnings shall be equal in material and color.
- [9] Awning signage copy shall only include building identification or address located on the valance and shall be a maximum nine inches in height.
- [10] Awnings shall only be illuminated by building lighting.

E. Site.

(1) Parking.

(a) Building parking.

- [1] Building parking shall not be located at intersecting city streets.
- [2] Building parking shall be located in the rear yard and be hard surfaced.
- [3] Parking shall be accessed from district, neighborhood or alley streets.
- [4] Lighting shall conform to Illumination Engineers Society of North America (IESNA) guidelines.
- [5] Parking luminaires shall be located on the building and conform to the building lighting criteria. If additional lighting is required, freestanding light fixtures shall conform to parking lot lighting criteria.

(b) Parking lot.

- [1] Parking lots shall not be located at intersecting city streets.
- [2] Access to parking lots shall be from district, neighborhood or alley streets.
- [3] Front yard setback shall be two feet greater than the larger adjacent building setback and shall be a minimum of 12 feet.

- [4] Side and rear yard setback shall be a minimum six feet.
- [5] Parking lots shall be hard surfaced and concrete or granite curbed.
- [6] Parking aisles shall be oriented perpendicular to the front yard.
- [7] Parking lots shall have one paved pedestrian walkway to each street frontage sidewalk a minimum six feet and a maximum eight feet wide. Pedestrian walks shall be hard surfaced and equal in material and pattern to the adjacent sidewalk.
- [8] Setbacks shall be landscaped with one tree per 250 square feet and continuous ground cover. Parking lots shall be landscaped with trees and continuous ground cover in curbed islands so that the parking lot is shaded to a minimum 40% at tree maturity.
- [9] Lighting shall conform to Illumination Engineers Society of North America (IESNA) guidelines and shall be maintained from dusk to dawn.

(2) Additional amenities.

(a) Fencing/wall.

- [1] Fencing/wall shall not be located on primary street frontage.
- [2] Fencing/wall shall be allowed in rear yards, side yards and secondary street frontages to a minimum 10 feet from the front facade.
- [3] Gates shall be equal to fencing.

(b) Walkways.

- [1] All entrances fronting onto city, district and neighborhood streets shall have a walkway connecting to the sidewalk.
- [2] Walkways shall be minimum five feet wide and concrete or modular unit paving.¹

1. Editor's Note: Former Subsection F, Noise level performance criteria, which immediately followed this subsection, was repealed 9-21-2010 by Ord. No. 2010-323.