

Chapter 575. Zoning

Section 575-3 of the City of Peekskill Code is hereby amended to read as follows:

§ 575-3. Districts established.
[Amended 1-25-1982; 8-16-1982; 10-12-1982; 2-25-1991[1]]

The City of Peekskill is hereby divided into the following zoning districts:

One-Family Residence District	R-1A
One-Family Residence District	R-1B
One-Family Residence District	R-1C
One- and Two-Family Residence District	R-2
One-, Two- and Three-Family Residence District	R-3
Low-Density Multiple Residence District	R-4
Medium-Density Multiple Residence District	R-5
Central Multiple Residence District	R-6
Planned Residential Development District	PRD
Shopping Center District	C-1
Shopping Center District - Limited	C-1A
Central Commercial District	C-2
General Commercial District	C-3
Neighborhood Commercial District	C-4
Light Industrial District	M-1
General Industrial District	M-2
Design Industrial District	M-2A
<u>Design Industrial District</u>	<u>M-2B</u>
Industrial Park District	M-3
Planned Commercial Development District	PCD
Waterfront District	WF

[1]Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).

Section 575-19 of the City of Peekskill Code is hereby amended to read as follows:

§ 575-19. Local waterfront revitalization program.
[Added 5-14-2007 by L.L. No. 3-2007]

In addition to the requirements set forth in this Chapter 575 of the Code of the City of Peekskill, the City of Peekskill Local Waterfront Revitalization Program adopted_____, as it may be amended from time to time, shall apply to all properties located within the City of Peekskill Local Waterfront Revitalization Program boundaries and compliance with the City of Peekskill Local Waterfront Revitalization Program Consistency Law, Chapter 365 of the Peekskill City Code, is required. A copy of the City of Peekskill Local Waterfront Revitalization Program is available in the office of the Peekskill City Clerk.

Section 375-40.1, M-2B, Design Industrial District, is hereby added to the City of Peekskill Code, to read as follows:

§ 575-40.1 M-2B Design Industrial District.
[Amended 12-14-1987; 11-13-1990]

- A. Permitted uses. No building or premises shall be used, and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except the uses listed in this section. The permitted uses shall require approval by the Planning Commission of a site plan in accordance with the provisions of § 575-56 herein. For all permitted uses, the Design Guidelines for the M-2A District are hereby deemed additional criteria to be used in evaluating

proposals. In review of site plans, the Planning Commission shall make a finding of consistency with the Design Guidelines. No site plan shall be approved unless such a finding is made.

- (1) All uses permitted in the M-2A District.
- (2) Restaurants and carry-out restaurants
- (3) Retail stores, not to exceed a gross floor area of 100,000 square feet.
- (4) Business, professional or governmental offices and schools.
- (5) Personal services, including dry-cleaning stores solely for pickup and delivery and provided that no dry cleaning may be performed on the property
- (6) Dance studios, martial arts studios, health clubs, gyms, and similar indoor recreations uses used solely for commercial purposes
- (7) Museums, artist studios, art galleries, theaters and auditoriums.
- (8) Amusement centers and children's amusement centers, subject to the conditions of § 575-38B(2) herein.

B. Special permit uses. The following uses are permitted subject to the issuance of a special permit by the Director of Planning upon authorization by the Common Council in accordance with the provisions of § 575-57 and subsequent approval by the Planning Commission of a site plan in accordance with the provisions of § 575-56 herein. For all special permit uses in the M-2B District, the Design Guidelines for the M-2A District are hereby deemed additional criteria to be used in evaluating proposals. In reviewing special permit applications, the Planning Commission shall make a report to the Common Council regarding consistency with the Design Guidelines. No special permit shall be granted pursuant to this section unless the Common Council shall have made an affirmative finding that the project is consistent with the Design Guidelines to the maximum extent possible.

- (1) All special permit uses permitted in the M-2A District, in accordance with the standards contained in §575-40 herein.
- (2) Day-care centers and school-age child care, subject to the following conditions:
 - (a) Buffering five feet in width and a six-foot-high opaque fence with the finished side facing out shall be required between all play areas and all lot lines, subject to Planning Commission full or partial waiver of this requirement.
- (3) Restaurants with a designed seating capacity of more than 200 patrons are permitted pursuant to performance standards enumerated in §575-34B(2) and subject to the issuance of a special permit by the Director of Planning upon authorization of the Planning Commission.
- (4) Restaurants having accessory outdoor dining service on the same parcel as the restaurant or on an adjacent parcel shall be subject to approval by a special permit of the Planning Commission, pursuant to the procedures and standards enumerated in §575-34B(6).

C. Accessory uses shall be as follows:

- (1) All accessory uses permitted in the M-2A District, in accordance with the standards contained in §575-40 herein.

D. All uses, whether principal uses or accessory uses, other than off-street parking, shall be carried on in roofed buildings fully enclosed on all sides. The processing, mixing, grinding, preparation, storage and the loading for transport of all materials shall be carried on in roofed buildings fully enclosed on all sides except as may be permitted under a special permit issued pursuant to § 575-40B. Accessory outdoor storage pursuant to a special permit, temporary or otherwise, shall at all times be fully screened from all adjacent properties and all adjacent roads, streets, highways and residential areas in accordance with the M-2A District Design Guidelines.

E. All lot and building requirements shall be the same as in the M-2A District.

F. Location of accessory buildings on lots. Accessory buildings must fully comply with the lot and building requirements of § 575-40E.

G. Off-Street parking and loading.

- (1) Off-street parking and loading requirements shall be the same as for the Design Industrial M-2A District with the following amendment:

Use

Parking Requirements
(spaces)

<u>Use</u>	<u>Parking Requirements (spaces)</u>
<u>Restaurants and carry-out restaurants</u>	<u>1 for each 100 square feet of patron use area</u>
<u>Retail stores</u>	<u>1 for each 300 square feet of gross floor area</u>
<u>Business, professional or business office not for a doctor or dentist</u>	<u>1 for each 300 square feet of gross floor area exclusive of bulk storage and utility areas or 1 per employee, whichever is greater</u>
<u>Office of a doctor or dentist</u>	<u>4 for each doctor or dentist, plus 1 for each 2 employees</u>
<u>Service business</u>	<u>1 for each 200 square feet of customer service area</u>
<u>School</u>	<u>1 for each 2 classroom seats plus 1 for each staff member on the maximum shift</u>
<u>Museum</u>	<u>1 for each 1,000 square feet of gross floor area plus 1 per employee on the maximum shift</u>
<u>Libraries</u>	<u>1 for each 500 square feet of gross floor area plus 1 per employee on the maximum shift</u>
<u>Theaters and auditoriums</u>	<u>1 for each 4 seats</u>
<u>Amusement centers and children's amusement centers</u>	<u>1 per 200 square feet of gross floor area within enclosed structures plus 1 for every 3 persons that outdoor facilities are designed to accommodate when used to the maximum capacity.</u>
<u>Day-care centers and school-age child care</u>	<u>1 per 10 children on the maximum shift, plus 1 per employee on the maximum shift</u>
<u>Uses not listed</u>	<u>As determined by the Planning Commission to be needed to discourage long-term on-street parking</u>

(2) Notes relating to waiver of part or all of the parking requirement and joint use of parking area (§ 575-33G) shall apply to the M-2B District.

H. Approval of site plan. All site plans shall be subject to approval of the Planning Commission in accordance with the provisions of § 575-56 herein.

Section 575-43C of the City of Peekskill Code is hereby amended to read as follows:

§ 575-43 WF Waterfront District.

[Amended 12-14-1987; 11-13-1990]

C. Subareas. The Waterfront District, as established, is hereby divided into four ~~three~~ subareas: WF-1, WF-2, WF-3 and WF-PRD. The Common Council finds that each subarea has a distinct character because of topography and/or location within the waterfront area. These subareas are established as delineated on the Zoning Map of the City of Peekskill.^[2]

[2] *Editor's Note: A Table of Zoning Map Amendments is included at the end of this chapter.*

Section 575-43D of the City of Peekskill Code is hereby amended to read as follows:

D. Subarea WF-1.

[Amended 12-23-1991; 9-26-1995]

(1) Permitted uses.

(a) Municipal parks.

(2) Special permit uses.

(a) For all special permit uses in the WF-1, the Design Guidelines for the WF District are hereby deemed additional criteria to be used in evaluating proposals.^[3] In reviewing special permit applications, the Planning Commission shall make a report to the Common Council

regarding consistency with the Design Guidelines. No special permit shall be granted pursuant to this section unless the Common Council shall have made an affirmative finding that the project is consistent with the Design Guidelines to the maximum extent possible.

[3] *Editor's Note: The Design Guidelines for the Waterfront District are included at the end of this chapter.*

- (b) The following uses are permitted in the WF-1 Subarea subject to the issuance of a special permit by the Common Council:

- [1] Marina, boat club, boat launching and sale or rental of marine supplies and boats.
- [2] Fully enclosed structures not to exceed 10,000 feet of floor area for the repair and manufacture of boats, sails and equipment.
- [3] Transportation services, including ferry terminal and commercial boat charter.
- [4] Restaurant.
[Amended 9-10-2012 by LL No. 12-2012]
- [5] Hotels and motels.

- (3) Lot area and building requirements.

- (a) Height. No structure shall be erected to a height in excess of two stories or 24 feet. This height requirement may be waived by the Planning Commission for structures to be developed at Travis Point; however, such structure may not exceed four stories and the overall height may not exceed 45 feet.
- (b) Structures shall be set back ~~100~~ at least 50 feet from the water's edge, except structures which require direct access to the water for their function and which are not more than one story or 12 feet in height.
- (c) For hotel/motel uses the following standards shall additionally apply: [Amended 4-14-2008 by LL No. 5-2008]

- [1] Minimum of 50 guest rooms must be provided.
- [2] The following bulk standards shall apply:
 - [a] One thousand square feet of lot area shall be provided for each guest room.
 - [b] Each guest room shall include a full private bathroom.
 - [c] Minimum guest room size, including private bathroom, shall be 400 square feet.
 - [d] Maximum floor area ratio (FAR) shall be 0.75.
 - [e] Gross floor area designated to permitted ancillary uses shall not exceed 60% of the gross floor area for all site structures.
 - [f] Buffering shall be provided as follows: a twenty-foot-wide buffer, planted and maintained to the satisfaction of the Director of Planning, shall be provided between both the main building and all outdoor recreation areas and all side and rear lot lines; a ten-foot-wide buffer, planted and maintained to the satisfaction of the Director of Planning, shall be provided between all parking areas and all side and rear lot lines.
[Amended 5-29-2012]
- [3] Occupancy shall be limited to transients who shall reside in the hotel for not more than 180 days a year and the minimum rate shall be for a full day; hourly rental rates shall not be permitted.

- (d) Hotels and motels ~~achieving~~ able to achieve a U.S. Green Building Council LEED Rating of Certified, Silver, Gold or Platinum, subject to the following conditions:
[Added 4-14-2008 by LL No. 5-2008]

- [1] Minimum of 50 guest rooms must be provided.
- [2] The following bulk standards shall apply:
 - [a] Seven hundred square feet of lot area shall be provided for each guest room.
 - [b] Each guest room shall include a full private bathroom.
 - [c] Minimum guest room size, including private bathroom, shall be 325 square feet.
 - [d] Maximum floor area ratio (FAR) shall be 1.2.

- [e] Gross floor area designated to permitted ancillary uses shall not exceed 60% of the gross floor area for all site structures.
 - [f] The following U.S. Green Building Council Materials must be submitted as part of application:
 - [i] Proof that the project has been registered on the U.S. Green Building Council website.
 - [ii] A completed U.S. Green Building Council Registered Project Checklist.
 - [iii] A completed U.S. Green Building Council LEED certification application.
 - [g] Visual buffering within the site and along the perimeter of the site shall be provided, inasmuch as practicable, to be determined by the Planning Commission during site plan review.
 - [h] The Planning Commission shall, as part of site plan review, request architectural building elevations and evaluate same for appropriateness, within the context of the setting of the site.
- [3] Occupancy shall be limited to transients who shall reside in the hotel for not more than 180 days a year, and the minimum rate shall be for a full day; hourly rental rates shall not be permitted.

(4) Special permit additional criteria.

(a) Marinas.

- [1] For marina development within the WF-1, the following criteria are requirements for the issuance of a special permit by the Common Council:
 - [a] A traffic analysis must be provided, indicating that peak hour traffic flows can be accommodated at adequate levels by the existing street system and/or proposed improvements to the existing street system.
 - [b] An engineer's report must be provided, certifying that improvements to be constructed in conjunction with the development will not have significant negative impacts on the following:
 - [i] The quality of water in Peekskill Bay, defined herein as the portion of the Hudson River located between the northern and southern boundaries of the City of Peekskill.
 - [ii] Boating safety and freedom from boat congestion in Peekskill Bay due to the number of proposed and preexisting slips in Peekskill Bay.
 - [c] Sewerage pump-out stations must be provided and located in convenient locations in accordance with applicable federal, state and local standards and must be available to the general boating public.
 - [d] Garbage stations must be provided and located in convenient locations in accordance with all applicable federal, state and local standards.
 - [e] Upland support facilities, including but not limited to showers, bathrooms and Laundromats must be provided for the use of marina patrons for marina developments with 100 or more boat slips.
 - [f] Improved public access to the shoreline through boardwalks or other suitable means must be provided.
 - [g] Not less than 25% of all boat slips must be made available to the public through annual leases.
 - [h] Acceptable and adequate provision for the off-season storage of boats, whether on site or off site, must be demonstrated to the satisfaction of the Common Council. Any such storage which, in the determination of the Common Council, results in excessive interference of shore sight lines to the river shall be deemed unacceptable.
- [2] The residential use of marinas is strictly prohibited. For the purposes of this Subsection **D(4)(a)[2]**, continuing occupation of any boat by any person for a period of seven days shall be deemed a prohibited residential use.^[4]
 - [4] *Editor's Note: Former Subsection D(4)(b), which immediately followed this subsection, was repealed 4-14-2008 by L.L. No. 5-2008.*

Section 575-43E of the City of Peekskill Code is hereby amended to read as follows:

E. Subarea WF-2.

[Amended 11-29-1994; 9-26-1995]

(1) Permitted uses.

- (a) Commercial uses with a maximum floor area of 4,000 square feet for each structure limited to the following uses:

[Amended 7-10-2000 by LL No. 2-2000]

[1] Retail stores ~~to include photocopying services.~~

[2] Arts and crafts studios, art and/or antique galleries or museums.

[3] Professional and business offices.

[4] Personal services, including beauty parlors, barbershops, tailors and nail shops.

[5] Furniture, cabinetry and musical instrument design, fabrication and repair and small appliance repair, provided that items are offered for sale on the premises.

~~[6] Job printing which includes design and reproduction work.~~

~~[7]~~ Dance studios, and martial arts studios, health clubs, gyms and similar indoor recreational uses used solely for commercial purposes.

~~[8]~~ Dry-cleaning stores, except that no dry cleaning may be performed on the property.^[5]

[5] *Editor's Note: Former Subsection E(1) (a) [9], Outdoor dining facilities for five or fewer tables, added 12-14-2009 by LL No. 79-2009, as amended, which immediately followed this subsection, was repealed 7-11-2011 by LL No. 8-2077.*

- (b) Municipal parks and playgrounds and community/recreational center, including customary recreational, refreshment or service buildings and, without limitation, any other proprietary or governmental use of the City of Peekskill.

- (c) ~~Reserved for art lofts.~~ Up to two (2) artist lofts in one building subject to the development standards for artist lofts outlined in 575-43E(2)(b)[k][ii] and [iii].

~~[Added 7-19-2010 by LL No. 7-2010]~~

- (d) Restaurants with 199 or fewer seats.

[Added 7-19-2010 by LL No. 7-2010; amended 9-10-2012 by LL No. 12-2012]

- (e) Farmer's markets.

- (f) Cultural arts facilities, performing arts centers, theaters and museums.

(2) Special permit uses.

[Amended 7-21-1997; 7-10-2000 by LL No. 2-2000; 12-14-2009 by LL No. 19-2009; 7-19-2010 by LL No. 7-2010]

- (a) For all special permit uses in the WF-2, the Design Guidelines for the WF District are hereby deemed additional criteria to be used in evaluating proposals.^[6] In reviewing Common Council special permit applications, the Planning Commission shall make a report to the Common Council regarding consistency with the Design Guidelines. No special permit shall be granted pursuant to this section unless the Common Council or the Planning Commission shall have made an affirmative finding that the project is consistent with the Design Guidelines to the maximum extent possible.

[6] *Editor's Note: The Design Guidelines for the Waterfront District are included at the end of this chapter.*

- (b) The following uses are permitted in the WF-2 Subarea subject to the issuance of a special permit by the Common Council, or, where indicated, by the Planning Commission:

[1] Residential uses limited to the following:

- [a] Dwelling units, whether attached or semi-attached, including townhouse, garden apartment, and mid-rise apartment configurations, in accordance with the standards and guidelines of the WF Zoning District and if located within a special flood hazard area, shall comply with the standards and procedures of § 287 (Flood Damage Prevention) of the City Code.

[Amended 9-8-2014 by LL No. 5-2014]

[2] Nonresidential uses limited to the following:

- [a] Restaurants with a designed indoor seating capacity of more than 200 patrons are subject to the issuance of a Planning Commission special permit.
[Amended 9-10-2012 by LL No. 12-2012]

~~[b] Retail stores to include photocopying services.~~

- [eb] Business and professional offices with a floor area of greater than 4,000 square feet.

- [ec] Arts or crafts studios, art galleries and antique galleries, furniture, cabinetry and musical instrument design, fabrication, and repair studios with a floor area greater than 4,000 square feet. [Amended 7-10-2000 by LL No. 2-2000]

- [ed] Public or private parking lots or structures.

- [fe] Day-care centers and school-age child care as a principal use, subject to the following conditions:

- [i] Buffering five feet in width and a six-foot-high opaque fence with the finished side facing out shall be required between all play areas and all lot lines, subject to Planning Commission full or partial waiver of this requirement.

- [gf] Houses of worship, subject to the following standards in addition to those identified in §§~~575-56~~ and ~~575-57~~ of this chapter:

- [i] Minimum dimensional standards for a house of worship shall be as follows: one-acre minimum lot size; one-hundred-fifty-foot minimum lot width; twenty-percent maximum building coverage; fifty-percent maximum impervious coverage; and maximum building height of 50 feet.

- [ii] One parking space per four seats.

- [iii] Parking area to be buffered from all side and rear lot lines by a planted area a minimum of 10 feet in width; no parking is permitted in a required front yard.

- [iv] Building setbacks for all structures shall be a minimum of 50 feet from all front lot lines, 15 feet from all side lot lines and 30 feet from all rear lot lines, or 1/2 of the building height from each lot line, whichever is greater.

- [v] Any facility with maximum capacity of 150 persons or more shall prepare a traffic impact analysis, which analysis shall include proposals for any necessary mitigation measures to be undertaken by the applicant, to the satisfaction of the Planning Commission.

- [vi] Maximum site-generated light shall not exceed 1.5 footcandles at the property line, and the source of all exterior lighting shall not be visible beyond the property line.

~~[h] Museums.~~

[ig] Libraries.

[jh] Bed-and-breakfast hotel, subject to the following standards: [Amended 1-28-2013 by LL No. 2-2013]

- [i] Each bed-and-breakfast hotel shall be established, maintained and operated so as to preserve and compliment the character and integrity of the surrounding area when the facility is established.
- [ii] The owner of the bed-and-breakfast hotel must reside in and continue to reside in the dwelling as his/her/their principal residence. The owner will provide an annual sworn statement to the City Clerk certifying to such residency.
- [iii] Bed-and-breakfast guest rooms shall not be permitted on the first floor of a building. Office space and living quarters for the owner are permitted on the first floor.
- [iv] The bed-and-breakfast hotel shall have a minimum of two and a maximum of five guest rooms.
- [v] The total number of paying adult guests accommodated per night shall not exceed 10. No more than two adult guests are allowed per room. Further, no guest shall stay for a period of time in excess of 14 consecutive days. Documentation verifying the length of stay of each guest, such as a registration

ledger or receipts, will be made available to the Code Enforcement Officer or the Building Department upon request.

[vi] A site plan and detailed floor plan shall be required as a condition of this special permit.

[vii] Parking. The bed-and-breakfast hotel shall provide a minimum of one off-street parking space for the owner/staff, and at least one parking space per guest room.

[A] Parking for staff may be waived if the owner can demonstrate available nearby parking off site. Pursuant to §**575-431-1**, the off-street parking requirement may be waived by the Planning Commission.

[viii] The residence must be issued a certificate of occupancy from the Building Inspector as a bed-and-breakfast hotel. A fee, consistent with the issuance of a commercial certificate of occupancy, is required.

[ix] A smoke detector and carbon monoxide detector is required in each guest room.

[x] The Building Inspector (or designee) shall be given such access to be given access to perform annual inspections to ensure compliance with all federal, state and local codes, rules and regulations, including the New York State Uniform Fire Prevention and Building Code. Such inspections may be made with or without prior notice thereof.

[xi] A single exterior sign or display may be established on the site of the bed-and-breakfast hotel; Said sign or display shall not exceed eight square feet in area. No freestanding sign shall be located less than 10 feet from the front property line nor less than five feet from the side property line.

[A] Said sign or display shall be as unobtrusive as reasonably possible and may be externally illuminated, provided it is shielded so as to prevent glare onto adjoining properties. Signs shall adhere to all applicable provisions of Chapter **468**, Signs, of the Code of the City of Peekskill.

[xii] A full, hot breakfast must be served in a designated dining area within the bed-and-breakfast hotel, and only to overnight guests. Other meals are not permitted.

[xiii] Each special permit shall expire on the third anniversary of the issuance of the initial Certificate of Occupancy from the Building Department. The applicant must apply for a special permit renewal.

[xiv] The bed-and-breakfast must be in compliance with all applicable federal, state, and local laws.

[xv] The Planning Commission shall have the right to impose and include additional conditions as it may deem necessary to effectuate the purpose of this chapter.

[~~k~~i] Artist lofts.

[Added 7-21-1997]

[i] When an action will result in one building containing three (3) or more artist lofts, the artist loft shall be subject to the issuance of a special permit by the Planning Commission

[ii] Development standards.

[A] An artist loft may exist on the first floor of the structure if all of the following conditions are satisfied:

- { 1 } The artist loft is arranged in such a fashion that as to comply with guidelines defined in Design Guidelines, Subsection C(2), such that consistent street wall with street frontage is maintained.
- { 2 } The portion of the loft space primarily intended for residential use does not directly face the street.
- { 3 } The loft shall maintain a commercial appearance from the street consistent with the retail nature of the surrounding area.

[B] Each artist loft shall be separated from other artist lofts or other uses within a particular building. Access to artist lofts may be provided from common access areas, halls or corridors.

[C] Each artist loft must be individually equipped with an enclosed bathroom containing a bathroom sink, water closet, shower and appropriate venting.

- [D] Each artist loft must be individually equipped with a kitchen that contains a four-burner stove and oven, with a range hood vented to the exterior of the unit. Each unit must provide a minimum of five feet of countertop, a kitchen sink and a minimum of 10 feet of storage cabinets. Each unit must be served by a garbage disposal unit.
- [E] Each artist loft must contain a livable floor area of no less than 800 square feet and no greater than 2,000 square feet. The Planning Commission, upon review, may waive the aforementioned maximum requirement upon a finding that artwork to be created in said space would require greater square feet for production or all of said increased square feet was to be used as work space.
- [F] No more than 49% of the livable floor area of the artist loft may be primarily intended for residential uses. In no event may said residential area exceed 980 square feet. Direct internal access between living and working areas must be provided.
- [G] Sprinkler systems must be provided in all common hallways and areas of any building containing an artist loft if the loft contains only one legal means of egress. Hard-wired smoke detectors with battery back ups must be provided for all units.

[iii] Other requirements.

- [A] All lofts must comply with New York State Uniform Fire Prevention and Building Code standards for storage of materials.
- [B] The artist loft must be occupied by at least one person who is registered as an artist by ~~one of the following organizations: the Peekskill Arts Council, the Paramount Center for the Arts or the City of Peekskill.~~
- [C] The artwork that is to be created within the artist loft must be compatible with other uses which occur or are to occur within the building in which the artist loft is to be located.
- [D] No more than two persons per bedroom of residential floor area may reside within an artist loft.
- [E] Only three nonresident employees may be employed within an artist loft. This requirement may be waived for artist lofts that occur on the first floor of a structure that provide retail space on that first floor.
- [F] Other than in a first-floor retail-oriented area, articles offered for sale within an artist loft must include those produced by the artist occupying said artist loft and may be offered with other like items.
- [G] Air conditioners, clotheslines and other objects or equipment shall be prohibited from projecting from any window that is visible from a public street.
- [H] One flush-mounted nonilluminated sign attached adjacent to or near the street entrance door to the artist loft may be used to identify the artist. Where two or more artist lofts occur within the same building, the signs must be placed in an orderly fashion in relation to each other.
- [I] Work space and accessory residential space shall not be rented separately or used by persons other than those people legally residing within the artist loft.
- [H] Mixed-use development containing only those uses approved for the WF-2 Subarea. Where residential and nonresidential uses are in the same structure, the residential portion of a building shall have separate access. [Amended 7-21-1997]
- ~~[m]~~ Restaurants' accessory outdoor dining service on the same parcel as the restaurant or on an adjacent parcel shall be subject to approval by a special permit of the Planning Commission. [Amended 7-19-2010 by L.L. No. 7-2010; 7-11-2011 by LL. No. 8-2011; 5-14-2012 by L.L. No. 7-2012; 9-10-2012 by L.L. No. 12-2012]
- [i] Procedures.
 - [A] Renewal of special permit. Special permits for accessory outdoor dining in the WF-2 District shall be subject to annual renewal by the Director of Planning. Such renewal shall be based upon written statements from the Chief of Police and the Building Inspector that outdoor dining is in

conformity with the terms of its special permit, with the terms of this chapter pertaining to said use, and with all applicable laws and regulations.

- [B] Procedures for the renewal of special permits. Prior to the expiration date of the special permit, the owner of the restaurant (or designee) shall file a request for inspection with the Director of Planning, which must be accompanied by an inspection fee, the cost of which shall be equal to the cost of obtaining a special permit for accessory outdoor dining at the time of the request. If the owner fails to apply for a request for an inspection prior to the date of the expiration of the special permit, the special permit shall immediately lapse.

[ii] Special permit standards.

- [A] All outdoor use or service shall be accessory to and used in conjunction with an enclosed restaurant located on the same parcel or an adjacent parcel under legal control by the same management.
- [B] Separation of adjacent properties and the right-of-way, including sidewalks, from customers by landscaping, low walls or fencing.
- [C] All tables, chairs or other seating and activities shall take place entirely on the subject parcel(s). The City right-of-way and sidewalk shall at all times remain clear of the outdoor facility or service activities other than pursuant to an accessory sidewalk cafe permit issued under Chapter **505** of the City Code.
- [D] Sunday through Thursday evening closing time for outdoor service shall be no later than 11:00 p.m., and Friday and Saturday evening closing time for outdoor service shall be no later than 12:00 midnight.
- [E] Chapter **391**, Noise, of the City Code, must be adhered to at all times.
- [F] The outdoor facility or service area shall be kept free of debris and litter.
- [G] Exterior lighting shall be directed onto the accessory outdoor dining area and shall not intrude onto the adjoining properties.
- [H] Alcoholic beverages can only be served during times when food service is available.
- [I] The operator of the accessory outdoor dining area shall take whatever steps are necessary to procure the appropriate license from the State Liquor Authority if it intends to serve alcoholic beverages in the outdoor dining area and shall comply with all other laws and regulations concerning the serving of alcoholic beverages in New York.

- [H] Restaurants having accessory outdoor entertainment shall be subject to approval by a special permit of the Planning Commission.

[Added 7-11-2011 by L.L. No. 8-2011; amended 5-14-2012 by L.L. No. 7-2012]

[i] Performance standards:

- [A] Procedures for renewal of special permit. Special permits for accessory outdoor entertainment in the ~~C-2~~ WF-2 District shall be subject to annual renewal by the Director of Planning. Such renewal shall be based upon written statements from the Chief of Police and the Building Inspector that outdoor entertainment is in conformity with the terms of its special permit, with the terms of this chapter pertaining to said use, and with all applicable laws and regulations.
 - { 1 } Procedures for the renewal of special permits:

Prior to the expiration date of the special permit, the owner of the standard restaurant (or designee) shall file a request for inspection with the Director of Planning, which must be accompanied by an inspection fee, the cost of which shall be equal to the cost of obtaining a special permit for accessory outdoor entertainment at the time of the request. If the owner fails to apply for a request for an inspection prior to the date of the expiration of the special permit, the special permit shall immediately lapse.

[B] Accessory outdoor entertainment is only permitted in conjunction with accessory outdoor dining, which shall require a separate special permit under this chapter.

[C] Accessory outdoor entertainment shall not be allowed on Mondays through Wednesdays and shall only be allowed on Thursdays through Sundays at the following hours: Thursdays through Saturdays from 12:00 noon until 10:00 p.m. and Sundays from 12:00 noon until 5:00 p.m.

[D] Noise from accessory outdoor entertainment shall be mitigated to the greatest extent practicable, using measures approved by the Planning Commission.

(3) Lot area and building requirements. [Amended 7-21-1997]

(a) Height. No building shall be erected to a height greater than ~~three~~ four stories or ~~38~~ 45 feet.

~~[1] This requirement may be waived by the Planning Commission for parcels fronting on Pemart Avenue or east of Route 9 to a height not to exceed 52 feet solely upon an affirmative finding that adequate parking is provided pursuant to Section 575-43H of this chapter and that the proposed height will not block upland views to the Hudson River or produce buildings out of scale with the character of the surrounding neighborhood.~~

~~[2] Chimneys, flues, towers, bulkheads, spires parapets, skylights and other decorative features shall be exempt from the provisions of this subsection, provided that they occupy not more than 20% of the area of the roof of the building of which they are a part and do not exceed an additional 10 feet above the maximum height set forth in this §575-43E(3).~~

(b) Yards. No side yard or rear yard is required. If a side or rear yard is provided, it must be 10 feet.

(c) Setbacks. Buildings shall be set back 10 feet from the curb to create a consistent street wall except in the case of South Street, Union Avenue and Depew Street. On these aforementioned streets, buildings may be built up to the road right-of-way in order to maintain the existing street walls. The Planning Commission may vary this requirement to increase or decrease the setback of a building if it is determined by the Planning Commission that the building entry space provided creates a usable open space such as a park or plaza or if such space provides an improved alignment with existing adjacent buildings.

(d) Residential parking. Parking for residential uses shall not be located within the frontage abutting the street. The Planning Commission may waive this requirement for lots in excess of one acre if the parking scheme is deemed appropriate for said residential space.

(e) Residential entrances. Main entries to residential uses shall be from the side of the structure that faces the street except in the case of artist lofts where residential entrances may be from the side of the structure that does not face the street.

(f) Residential unit size. In a multiple-dwelling development containing more than five dwellings, the average size of residential units within a single parcel shall not be less than ~~1000~~ 800 square feet of floor area per unit. In the case of artist lofts, see §575-43E(2)(b)[2][k][ii][E] and [F] for specific unit size requirements.

(g) Bonus height. Additional building height for developments on the east side of Water Street and Railroad Avenue may be granted by the Common Council to developments that provide retail uses on the ground floor of residential buildings. This area may be in the form of one additional story, not to exceed 12 additional feet in height 55 feet in total height. In addition, on the south side of Central Avenue, the Common Council may grant additional building height in the form of two additional stories, not to exceed 65 feet in total height. Such bonus heights may be granted to developments that provide the following.

[1] Payment into an infrastructure fund as specified in § 275-18.2 to be managed by the City Manager or his designee, to be used for municipal improvements within the WF Waterfront District, including but not limited to parking facilities, water and sewer, stormwater management and flood control.

Section 575-43E.1 of the City of Peekskill Code is hereby added to read as follows:

E.1. Subarea WF-3.

(1) Permitted uses.

(a) All uses permitted in the WF-2 Subarea.

(2) Special permit uses.

- (a) For all special permit uses in the WF-3, the Design Guidelines for the WF District are hereby deemed additional criteria to be used in evaluating proposals. In reviewing Common Council special permit applications, the Planning Commission shall make a report to the Common Council regarding consistency with the Design Guidelines. No special permit shall be granted pursuant to this section unless the Common Council or the Planning Commission shall have made an affirmative finding that the project is consistent with the Design Guidelines to the maximum extent possible.
- (b) The following uses are permitted in the WF-3 Subarea subject to the issuance of a special permit by the Common Council, or, where indicated, by the Planning Commission:
 - [1] All special permit uses permitted in the WF-2 Subarea, subject to the same procedures and standards.
- (3) Lot area and building requirements. All lot area and building requirements shall be the same as the W-2 Subarea, except for the following:
 - (a) Height. No building shall be erected to a height greater than six stories or 65 feet.
 - (b) Bonus height. Additional building height may be granted by the Common Council in the form of up to two additional stories, not to exceed 85 feet in total height. Such bonus height may be granted to developments that provide the following:
 - [1] Payment into an infrastructure fund as specified in § 275-18.2 to be managed by the City Manager or his designee, to be used for municipal improvements within the WF Waterfront District, including but not limited to parking facilities, water and sewer, stormwater management and flood control.

Section 575-43H of the City of Peekskill Code is hereby amended to read as follows:

H. Off-street parking.
[Amended 9-26-1995; 7-21-1997]

- (1) Except for the WF-PRD Subarea and for artist lofts in the WF-2 and WF-3 Subareas, all parking must be at the side or rear of the building it is provided for. Artist loft parking areas may be defined by the Planning Commission.
- (2) Minimum requirements.
 - (a) The following minimum off-street parking requirements shall apply:
[Amended 4-14-2008 by L.L. No. 5-2008; 6-23-2014 by L.L. No. 4-2014]

Use	Required Spaces
Retail	1 per 350 square feet of floor area
Restaurant	1 per 150 square feet of patron use area
Marina	1 for each 2 boat slips
Office <u>not for a doctor or dentist</u>	1 per 400 square feet of gross floor area exclusive of bulk storage and utility areas
<u>Office of a doctor or dentist</u>	<u>4 for each doctor or dentist, plus 1 for each 2 employees</u>
<u>Theater and auditoriums</u>	<u>1 for each 4 seats</u>
<u>Educational facility</u>	<u>1 for each 2 classroom seats plus 1 for each staff member on the maximum shift</u>
Bed-and-breakfast facility	1 per guest room plus 2 for the required manager's dwelling unit
Artist loft	1 parking space per artist loft
Day-care center or school-age child care	As a principal use, 1 parking space per 10 on the maximum shift plus 1 parking space per employee on the maximum shift
Hotel	1 per room, plus 2 for the live-in manager-caretaker (if any), plus 1 per employee on the maximum shift, plus 1 per 300 square feet of gross retail or service floor area, plus 1 per 150 square feet of restaurant patron area, plus the number of parking spaces determined by the Planning Commission to be appropriate for any use not specifically identified above. The Planning Commission may waive a portion of the parking

Use	Required Spaces
	requirement if, in its sole authority, the Commission determines, based upon a showing by the applicant, that such a waiver is warranted due to variation in the probable times of maximum use by employees and guests or such other evidence as is provided by the applicant to the satisfaction of the Planning Commission.
Able to achieve LEED certified hotel and motel	1 per room, plus 2 for the live-in manager-caretaker (if any), plus 0.50 per employee on the maximum shift, plus 1 per 300 square feet of gross retail or service floor area, plus 1 per 150 square feet of restaurant patron area, plus the number of parking spaces determined by the Planning Commission to be appropriate for any use not specifically identified above; the Planning Commission may waive a portion of the parking requirement if, in its sole authority, the Commission determines, based upon a showing by the applicant, that such a waiver is warranted due to variation in the probable times of maximum use by employees and guests or such other evidence as is provided by the applicant to the satisfaction of the Planning Commission
Libraries	1 for each 500 square feet of gross floor area plus 1 per employee on the maximum shift
Museum	1 for each 1,000 square feet of gross floor area plus 1 per employee on the maximum shift
Residential	
<u>Studio</u>	1.0
1-bedroom	1.25
2-bedroom	1.5
3-bedroom or more	2.0
	When boat slips are provided as part of the development, an additional 0.5 parking space shall be provided per boat slip
Uses not listed	As determined by the Planning Commission to be needed to discourage long-term on-street parking

(b) All or portions of the off-street parking requirements may be waived by the Planning Commission upon an affirmative finding that the following conditions have been satisfied:

- [1] The proposed use is within 500 feet for residential or 1,000 feet for other uses of a municipally operated off-street parking facility, such distance to be measured from the midpoint of the front street lot line.
- [2] The Planning Commission shall, at the time of site plan approval, certify on such plan that the municipally operated off-street parking facility has adequate capacity for storage of passenger vehicles generated by activities proposed to be conducted on the subject lot in addition to those generated by any other uses already serviced or programmed by such off-street parking facility.
- [3] On parcels less than 10,000 square feet, if parking adequate to meet the standards of this chapter, as determined by the Planning Commission, is available within 1,000 feet, a payment in lieu of providing off-street parking shall be made to the City in amounts set by the Common Council for each required space that is waived. This payment will be deposited in a special parking fund, to be used solely for the purpose of providing off-street parking in the Waterfront District.
- [4] On parcels 10,000 square feet or greater, if parking adequate to meet the standards of this chapter, as determined by the Planning Commission, is available within 500 feet for residential or 1,000 feet for other uses, a maximum of 20% of the required parking can be waived upon payment of a fee in amounts set by the Common Council for each required space that is waived.
- [5] Where two or more uses exist on the same lot, the total amount of parking space to be provided shall be the sum of the requirements for each individual use on the lot. However, the total parking requirement may be reduced if a shared parking analysis demonstrates to the Planning Commission's satisfaction that such shared parking will be adequate to service all uses within the site.
- [6] The Common Council may waive the above fee requirements if parking adequate to meet the standards of this chapter, as determined by the Planning Commission, is provided within 500 feet for a residential use or 1,000 feet for other uses or if other appropriate arrangements, as

determined by the Planning Commission, can be made for private off-site parking within 500 feet for residential use or 1,000 feet for other uses.

[7] The Planning Commission may reduce the off-street parking requirements by up to 15 percent where the development is within one-third of a mile of the Peekskill train Station.

- (3) Bicycle parking. The Planning Commission may require the provision of appropriate bicycle parking (secure bicycle storage areas, bike lockers, and/or bike racks) for larger residential, commercial, or mixed-use projects.

[Added 6-23-2014 by L.L. No. 4-2014]

Section 575-45F of the City of Peekskill Code is hereby amended to read as follows:

§ 575-45. Termination of nonconforming buildings and uses.

- F. In the M-2A and M-2B Design Industrial District any use which does not conform to the requirements of § **575-40D** and 575-40.1D of this chapter shall be made to conform therewith or shall be terminated not later than three years from the effective date of this amendment.

[Added 9-15-2003 by L.L. No. 10-2003]

Section 575, Attachment 2 of the City of Peekskill Code is hereby amended to read as follows:

**Design Guidelines for the Waterfront
District¹**

A. Introduction.

- (1) The purpose of these Design Guidelines is to set the visual and urban design parameters for development in the Waterfront District. They are referred to under the ~~new~~ zoning regulations for the Waterfront District (§ 575-43) and are intended to be flexible and allow for responsiveness to the unique features of individual parcels, while providing a context within which rational and cohesive development can occur.
- (2) The Design Guidelines should be used by developers when beginning the design phase of development and will be referred to by the Planning Board or other reviewing body when assessing projects under the site plan review process.
- (3) This document consists of a Design Guidelines map, typical street sections for the major streets within the waterfront and text describing the rules which govern separate areas of the waterfront.²
- (4) The map shows important view corridors, existing structures, open space and environmentally sensitive areas which should be preserved, as well as the preferred parking areas, building entries and new rights-of-way.
- (5) The typical street sections were developed to show ideal building heights and setbacks from the curb, as well as sidewalk widths, landscaping, parking and lighting locations.
- (6) For each project type and/or discreet parcel within the subareas, ~~specific rules govern this section~~ guides the orientation of buildings, their massing and setback from the street, ~~permitted~~ preferred building materials and criteria for parking that promote the quality of design that responds to the unique historical and topographical features of the Peekskill waterfront.
- (7) For land use, dimensional and height regulations for specific subareas within the Waterfront District, refer to Chapter 575, Zoning, from the Code of the City of Peekskill.

B. Design guidelines for development in Subarea WF-1

- (1) Orientation.
 - (a) Uses on this site should take advantage of the riverfront views. ~~without significantly altering existing topography on Travis Point such that the vegetation and tree growth is destroyed.~~
- (2) Building mass and form.

¹Editor's Note: Prepared by Sasaki Associates, Inc., December 1989.

²Editor's Note: The map and typical street sections are on file in the City Clerk's office as part of Schedule C annexed to an ordinance adopted 11-13-1990.

- (a) Buildings should step down in mass and form so as not to appear monolithic, particularly in the case of a hotel building.
 - (b) The facade should include punched windows, bay windows and balconies.
 - (c) ~~No~~ strip windows are ~~permitted~~ discouraged.
 - ~~(d) The roof should be sloped a minimum of 30° and be articulated with dormers.~~
- (3) Setback.
- (a) Buildings should be set back at least ~~100~~ 50 feet from the water's edge, except a restaurant, clubhouse or marina structure which requires direct water access may be closer, depending upon its use.
- (4) Materials.
- (a) The building exterior should be constructed of stone, brick, clapboard, or stucco, and/or cement board or similar materials. ~~Prefabricated cladding is not allowed.~~
 - (b) Use of reflective materials ~~is not permitted as~~ should not be the dominant building material.
- (5) Parking.
- (a) Surface parking or a deck should be placed between any structure and the railroad tracks so that it is not visible from the waterfront.
 - (b) Surface parking should be set back from the water and screened by vegetation so as not to dominate the landscape.

C. Guidelines for development in Subareas WF-2 and WF-3. [Amended 7-21-1997]

- (1) Residential.
- (a) Orientation.
 - [1] Dwellings should be oriented toward the street and related open spaces in order to take advantage of the views towards the Hudson River.
 - (b) Setback.
 - [1] Buildings should generally be set back 15 feet from the curb, unless reduced as necessary to establish a consistent street wall. This includes a zone of five feet that allows for porches, balconies and bay windows.
 - (c) Massing and building form
 - [1] Buildings should relate directly to the street so that the public space is clearly defined by the building mass.
 - [2] Buildings should maintain a parallel alignment with the street and not zigzag with minor setbacks at each unit.
 - [3] Buildings should reflect the ~~residential nature of the development~~ surrounding character of the WF-2 Subarea, and should include porches, balconies, bay windows and a sloped roof of 30° to 45° with dormers—similar architectural elements. In general, flat roofs are preferred, although the Planning Commission will consider sloped roofs if such elements complement the surrounding architectural character. Sloped roofs of greater than 50° are ~~not permitted~~ discouraged.
 - [4] Building entries should be from the main street on which the building fronts. Buildings should have a principal functional entry on the front façade that faces a public space, including streets, squares, parks or plazas, but not parking lots. These entries should connect to sidewalks or equivalent provisions for walking. If an entrance opens to a square, park or plaza, that amenity should be landscaped to prevent empty “dead” space in front of the building. The amenity also should be at least 50 feet wide at a point perpendicular to each entry.
 - [5] A richness of facade texture should be encouraged through the use of punched windows, deep reveals and marked roof profiles.
 - (d) Materials.

- [1] The exterior should consist of stone, brick, masonry, and/or clapboard, cement board and/or stucco. ~~Prefabricated exterior cladding is not permitted.~~
 - [2] Use of metallic or reflective materials is not desired as the dominant building material.
- (e) Parking guidelines.
- [1] Surface parking should not be visible from the street. Parking may occur behind the building mass or partially under the building (at grade) if it is accessed from the side or the back.
 - [2] ~~No~~ Garage doors or service bay openings are permitted to should not face onto the street.
- (2) Nonresidential; mixed use.
- (a) Orientation.
- [1] Nonresidential and mixed-use development should be oriented towards the street and/or public space with entries and display area facing the sidewalk.
- (b) Setback.
- [1] Setbacks should generally be 10 feet from the curb, except as provided in § 575-43E(3)(c) or as otherwise necessary to establish a consistent street wall. However, if outdoor eating terraces are proposed, a further setback as necessary is permitted. ~~{Also see § 575-43E(3)(e) for setback requirements.}~~
- (c) Massing and building form.
- [1] Building footprints and form should reflect ~~a village-like~~ the maritime industrial character as ~~depicted in the Comprehensive Plan~~ of existing buildings in the area (e.g., the Standard House and Peekskill Brewery building).
 - [2] Each store should have its main entry on the street or public space. All buildings should have functional entries that occur at an average of 75 feet or less along non-residential or mixed-use buildings or blocks. Functional entries are those that encourage pedestrians to enter or exit the building from a street or other space. Service entries; emergency exits; non-functioning doors; secondary side doors and doors facing alleys, parking lots or other non-public spaces are not functional entries.
 - [3] Buildings should have a principal functional entry on the front façade that faces a public space, including streets, squares, parks or plazas, but not parking lots. These entries should connect to sidewalks or equivalent provisions for walking. If an entrance opens to a square, park or plaza, that amenity should be landscaped to prevent empty “dead” space in front of the building. The amenity also must be at least 50 feet wide at a point perpendicular to each entry.
 - [34] Buildings located on corners should be articulated with special features such as towers or fenestration.
 - [5] All ground-level retail, service and trade uses that face a public space should have clear glass on at least 60% of their facades between 3 feet and 8 feet above grade. Such windows should be kept visible and unshuttered at night, and any security bars over the windows must allow a view of interior spaces.
 - [6] Blank walls without doors or windows should be limited to no more than 40% of the façade that abuts a sidewalk (or 50 feet, whichever is less). To further break up blank walls, projects should include landscaping, murals, articulation of the wall plane and street furniture.
 - [47] The building exterior should be constructed of stone, brick, masonry, ~~and/or~~ cementboard, clapboard, and/or stucco.
 - [58] The use of reflective materials is ~~not permitted~~ discouraged as the dominant building material.
 - [6] ~~In general, no prefabricated exterior cladding is allowed. The Planning Commission can waive this requirement.~~
- (d) Parking.
- [1] Parking lots within public spaces ~~such as the proposed green at Central Avenue and Water Street~~ should be appropriately screened ~~from the green acres~~ and should be set back from the street.

- [2] No more than 20% of street frontages should be faced directly by garages, service bay openings or surface parking lots. Surface parking lots should be screened from the street with low walls and/or hedges in a landscaped buffer five to 10 feet wide.
- [3] Parking structures should be accompanied by architectural and/or landscaping elements that enhance the structure and break up its mass, as well as design that blocks the visibility of vehicle headlights from outside the structure. The street-facing ground-floor level of the parking structure should be wrapped with retail, personal-service or similar use that promotes pedestrian activity.

D. Guidelines for development in subarea WF-PRD.

(1) Orientation.

- (a) The main convent building and chapel should be retained and rehabilitated for the existing convent, housing or hotel use.
- (b) New housing should restrict itself to the flatter parts of the site such that the vegetation and steep slopes are not disturbed.

(2) Setback.

- (a) The sloped area to the north of the convent chapel should be preserved as a grassy lawn.
- (b) Housing along South Street should maintain a setback of 50 feet from the road with vegetation and trees preserved as buffer.

(3) Massing and building form.

- (a) The existing convent building ~~to be rehabilitated~~ may be modified with bay windows, balconies and other elements in keeping with its scale and style.
- (b) It should, however, remain as the most dominant building on the site in terms of height and mass.
- (c) New buildings on the old orphanage site east of the existing convent building should present an attractive front towards the grassy lawn and Railroad Avenue below.
- ~~(d) Any parking deck should be built into the slope of the land such that it is not prominently visible from Railroad Avenue.~~

[4] Materials.

- (a) Exterior materials that are typical to the historic character of the Hudson Valley are favored. The preferred materials for buildings on the site are brick and/or clapboard or stucco. Aluminum or vinyl siding shall not be utilized.
- (b) Use of metallic or reflective materials is not permitted as the dominant building material.

[5] Parking.

- (a) Large areas of the site should not be cleared for surface parking.
- (b) All parking should be accommodated as close to the units as possible or within the building envelope.
- (c) The amount of street frontages this is devoted to garages or service bays should be limited
- (ed) Deck parking should be kept low (i.e., one level) and unobtrusive. Parking structures should be accompanied by architectural elements that enhance the structure and break up its mass, as well as design that blocks the visibility of vehicle headlights from outside the structure.
- ~~(de)~~ Surface or deck parking on the convent property should not be visible from the Waterfront Park or Travis Point.

Section 575, Attachment 3, Subsection A of the City of Peekskill Code is hereby amended to read as follows:

Design Guidelines for the M-2A and M-2B Design Industrial Districts¹

In addition to the provisions of § **575-56** herein, all site plans are subject to specific design guidelines. These guidelines are intended to provide substantial buffering and screening of outdoor storage areas as well as to preserve views of the Hudson River from within the district and from adjacent areas. The following guidelines shall be applied in the review of site plans.

A. Introduction.

- (1) The purpose of these Design Guidelines is to set the visual and urban design parameters for development in the M-2A and M-2B Design Industrial Districts. They are referred to under ~~new~~-zoning regulations for the M-2A Design Industrial District (§ **575-40**) and the M-2B Design Industrial District (§ **575-40.1**) and are intended to be flexible and allow for responsiveness to the unique features of individual parcels, while providing a context within which rational and cohesive development can occur.
- (2) The Design Guidelines should be used by developers when beginning the design phase of development and will be referred to by the Planning Commission or other reviewing body when assessing projects under the site plan review process.
- (3) This document consists of a Design Guidelines map, typical street sections for Lower South Street and text describing the objectives for the area.²
- (4) The map shows important view corridors which should be preserved, as well as the preferred building entries and new rights-of-way.
- (5) The typical street sections were developed to show sidewalk widths, landscaping and lighting locations.
- (6) For land use, dimensional and height regulations refer to § **575-40** and § **575-40.1**.

¹Editor's note: Prepared by Harrall-Michalowski Associates, June 1997

²Editor's Note: The map and typical street sections are on file in the City Clerk's office.