CITY OF MOUNT VERNON DOWNTOWN TRANSIT ORIENTED ARTS DISTRICT (DTOAD)

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SECTION 1. GENERAL PROVISIONS

A. Overview:

The Downtown Transit Oriented Arts District (Designated as DTOAD) has been established to promote the reuse and redevelopment of sites for mixed use (residential and retail) uses that will increase the economic activity within Downtown while increasing housing options.

B. Applicability:

The Downtown Transit Oriented Arts District applies to property Designated as DTOAD on the City of Mount Vernon Zoning Map, which is on file in the Office of the City Clerk. Parcels located in the zone are more specifically known as:

Address	Tax Section	Tax Block	Tax Lot
n/a	165.70	3112	39
23 S. 3rd Avenue	165.70	3112	37
20 S. 2nd Avenue	165.70	3112	11
n/a	165.70	3112	13
22 E. 1st Street	165.70	3112	1
28 E. 1st Street	165.70	3112	4
30 E. 1st Street	165.70	3112	5
34 E. 1st Street	165.70	3112	6
38 E. 1st Street	165.70	3112	7
10 S. 2nd Avenue	165.70	3112	8
19 S. 3rd Avenue	165.70	3112	9
16 S. 2nd Avenue	165.70	3112	10
38 S. 2nd Avenue	165.70	3112	16
48 S. 2nd Avenue	165.70	3112	17
54 S. 2nd Avenue	165.70	3112	18
29 E. 2nd Street	165.70	3112	19
23 E. 2nd Street	165.70	3112	20
67 S. 3rd Avenue	165.70	3112	21
65 S. 3rd Avenue	165.70	3112	22
61 S. 3rd Avenue	165.70	3112	23
47 S. 3rd Avenue	165.70	3112	26
45 S. 3rd Avenue	165.70	3112	28
41 S. 3rd Avenue	165.70	3112	29
39 S. 3rd Avenue	165.70	3112	30
15 S. 3rd Avenue	165.70	3112	33
11 S. 3rd Avenue	165.70	3112	34
62 S. 2nd Avenue	165.70	3112	36
17 S. 3rd Avenue	165.70	3112	38
40 E. 1st Street	165.70	3123	1
50 E. 1st Street	165.70	3123	2
8 S. 1st Avenue	165.70	3123	5
14 S. 1st Avenue	165.70	3123	6
16 S. 1st Avenue	165.70	3123	7
18 S. 1st Avenue	165.70	3123	8
22 S. 1st Avenue	165.70	3123	9
49 S. 2nd Avenue	165.70	3123	10

28 S. 1st Avenue	165.70	3123	11
29 S. 2nd Avenue	165.70	3123	21
n/a	165.70	3123	23
17 S. 2nd Avenue	165.70	3123	25
n/a	165.70	3123	26

C. Purpose and Intent

The DTOAD zone provides for a diverse array of uses (residential, institutional, commercial, community facilities) in a compatible manner, oriented around the Mount Vernon East train station. Specifically, the DTOAD provides for:

- i. Higher density residential development near the Mount Vernon East train station and other modes of public transit.
- ii. Promotion of live/work opportunities for members of the creative community including artists, makers and others engaged in the creative economy.
- iii. Encourage the development of new arts/cultural institutions and retail opportunities to support the development of a downtown mixed use cultural district in Mount Vernon
- iv. Growing the creative economy and creating new job opportunities in Mount Vernon for cultural and creative entrepreneurs, and workers.
- v. The physical integration, improvement and coordination of diverse land uses.
- vi. Development that is maximally transit supportive.
- vii. The establishment of a pedestrian-friendly environment.
- viii. Reduction of auto dependency and roadway congestion.
- ix. Reduce total vehicle miles traveled and greenhouse gas emissions within the city and region.
- x. Emphasize, restore and preserve the areas urban fabric.
- xi. Facilitate redevelopment that will create new jobs.
- xii. Emphasize, support and facilitate high quality building design, streetscape and public realm improvements.
- xiii. Encourage the development of high performance green buildings and other investments that reduce dependance on fossil fuels, decrease greenhouse gas emissions and support the goals and objectives of the New York State Climate Leadership and Community Protection Act and the City of Mount Vernon.
- xiv. Encourage the development of children and youth focused community facilities.
- D. Organization

The DTOAD zone utilizes the concept of a Form-Based Code to set guidelines for development. A form-based code creates a predictable public realm by establishing guidelines and regulations that focus primarily on the physical form of the environment, with a lesser focus on specific land-use requirements.

Form-based codes address the relationships between building facades and the public realm, the form and mass of buildings in relation to one another and the pedestrian environment, and the scale and types of streets and blocks. This is in contrast to conventional zoning's focus on the management and segregation of land uses.

Section 2 identifies the allowable building types in the DTOAD and Section 3 identifies the standards for building design, configuration and placement. Section 4 presents the table of permitted uses. Section 5 presents the parking reduction incentives available in the DTOAD and Section 6 identifies the parking requirements for the DTOAD. Section 7 presents design guidelines, which all projects are expected to comply with. Finally, Section 8 sets forth the administrative procedures that must be complied with for all projects in the DTOAD.

E. Relationship to Comprehensive Plan

The long range planning vision and strategy of the City of Mount Vernon has identified the Mount Vernon East area, which includes the DTOAD zone, as a "Higher Intensity Planning area." This designation signifies a district where higher development density is targeted and encouraged. According to the City of Mount Vernon Comprehensive Plan, Planning Strategies for the Mount Vernon East area are as follows:

With large parcels given over to surface parking and the Petrillo Plaza bus hub, the station and surrounding area presents a prime opportunity for transit oriented development (TOD). Correspondingly, this is also an area of the City where taller buildings would be in context and appropriate from an urban design perspective. The sites here are of a scale unique in this densely developed City that could allow for larger floor plates and, given the proximity to Downtown, this is an area where taller buildings – perhaps 8 to 12 stories with a mix of street level and upper level residential or office uses – would be in context and appropriate.

F. Planning Principles

The Downtown Transit Oriented Arts District Zoning Ordinance establishes an efficient, effective and equitable regulatory and procedural code for the use of land in the Downtown Transit Oriented Arts area, subject to the following policies:

- i. The area should include a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.
- ii. Development in the area should be of appropriate density, pedestrian oriented and contain a mix of uses.
- iii. The ordinary activities of daily living should be provided within walking distance of residential uses, allowing for independence from the automobile.
- iv. Within the area, a range of multi-family housing types and price levels should be provided to accommodate diverse ages, incomes and family sizes.
- v. Appropriate land uses and densities should be provided within walking distance to the train station.
- vi. Civic, institutional and commercial activity should be embedded throughout the area, and not isolated into remote single-use complexes.
- vii. Encourage equitable place-based development.
- viii. Development in the area should feature live/work space for the creative community of artists and makers and commercial and community space curated to support artists, residents and the larger Mount Vernon community.
- ix. Buildings, landscaping and other amenities should contribute to the physical definition of thoroughfares as public places.
- x. The design of buildings and sites should reinforce safe environments, but not at the expense of accessibility.

- xi. Public/semipublic gathering places should be provided as locations that reinforce community identity and support youth and families.
- G. Non-Conforming Uses and Buildings

The DTOAD replaces defined portions of the Downtown Business (DB) and Residential Multi-Family (RMF-10) zones by expanding parameters to provide for the addition of a broad array of uses including innovative high-density residential uses. The DTOAD accommodates the comprehensive redevelopment of vacant or underutilized sites with transit-oriented mixed use development of affordable and market rate housing along with neighborhood commercial or retail space and community space.

The regulations governing non-conforming uses set forth in Section 267-10 remain applicable to uses and buildings in the DTOAD. However, all legal pre-existing, nonconforming uses are encouraged to comply with the design guidelines established herein, to assure that the area evolves in a manner that is consistent with the goals and objectives of the City.

SECTION 2. ALLOWABLE BUILDING TYPES

- A. Mixed-Use Building:
 A building that supports ground floor commercial and/or public use, with upper story residential or office uses.
 - B. General Commercial:
 A building type that accommodates retail, office or other commercial uses.
 - C. Multi-Family Apartment: Three or more dwelling units.

D. Tower on Podium:

Multi-story apartment building constructed atop a podium containing off-street parking wrapped by ground level commercial uses.

E. Townhouse:

Three or more dwelling units where each unit is separated vertically by a party wall.

SECTION 3. BUILDING TYPE REGULATIONS

A. Mixed Use Building		
LOT		
Lot Dimensions		
a. Lot Area (min)	5,000 SF	
b. Lot Width (min)	50'	
Usable Open Space		
c. Usable Open Space	75 SF/DU	
BUILDING PLACEMENT		
Building Setbacks		
a. Common lot line (if provided)	0'	
b. Lot line	0'	
Build to Line		
c. Building along primary street (min % of lot width)	100%	
d. Building along side street (min % of lot width)	100%	
Coverage		
e. Building (max)	100%	
f. Impervious surface (max)	100%*	
HEIGHT AND MASS		
Building Height		
a. Maximum building height from legal grade	the greater of 15	
	stories/150'	
ACTIVATION		
Transparency		
a. Ground story, primary street façade (min)	60%	
b. Ground story, side street façade (min)	40%	
c. Blank wall length, primary street (max)	30'	
d. Blank wall length, side street (max)	40'	
Functional Entries		
e. Area of garage or service bay openings along street-wall (max)	20%	
Permitted Building Elements (yes or no)		
Porch	No	
Stoop	No	
Balcony	Yes	
Awning/Canopy	Yes	

B. General Commercial		
LOT		
Lot Dimensions		
a. Lot Area (min)	5,000 SF	
b. Lot Width (min)	50'	
Usable Open Space		
c. Usable Open Space	n/a	
BUILDING PLACEMENT		
Building Setbacks		
a. Common lot line (if provided)	0'	
b. Lot line	0'	
Build to Line		
c. Building along primary street (min % of lot width)	100%	
d. Building along side street (min % of lot width)	100%	
Coverage		
e. Building (max)	100%	
f. Impervious surface (max)	100%*	
HEIGHT AND MASS		
Building Height		
a. Maximum building height from legal grade	4 stories/50'	
ACTIVATION		
Transparency		
a. Ground story, primary street façade (min)	60%	
b. Ground story, side street façade (min)	20%	
c. Blank wall length, primary street (max)	35'	
d. Blank wall length, side street (max)	40'	
Functional Entries		
e. Area of garage or service bay openings along street-wall (max)	20%	
Permitted Building Elements (yes or no)		
Porch	No	
Stoop	No	
Balcony	Yes	
Awning/Canopy	Yes	

C. Multi-Family Apartments		
LOT		
Lot Dimensions		
a. Lot Area (min)	7,500 SF	
b. Lot Width (min)	75'	
Usable Open Space		
c. Usable Open Space	75 SF/DU	
BUILDING PLACEMENT		
Building Setbacks		
a. Common lot line (if provided)	0'	
b. Lot line	0'	
Build to Line		
c. Building along primary street (min % of lot width)	100%	
d. Building along side street (min % of lot width)	100%	
Coverage		
e. Building (max)	100%	
f. Impervious surface (max)	100%*	
HEIGHT AND MASS		
Building Height		
a. Maximum building height from legal grade	6 stories/70'	
ACTIVATION		
Transparency		
a. Ground story, primary street façade (min)	20%	
b. Ground story, side street façade (min)	20%	
c. Blank wall length, primary street (max)	40'	
d. Blank wall length, side street (max)	50'	
Functional Entries		
e. Area of garage or service bay openings along street-wall (max)	20%	
Permitted Building Elements (yes or no)		
Porch	No	
Stoop	No	
Balcony	Yes	
Awning/Canopy	Yes	

D. Tower on Podium		
LOT		
Lot Dimensions		
a. Lot Area (min)	15,000 SF	
b. Lot Width (min)	100'	
Usable Open Space		
c. Usable Open Space	75 SF/DU	
BUILDING PLACEMENT		
Building Setbacks		
a. Common lot line (if provided)	0'	
b. Lot line	0'	
Build to Line		
c. Podium along primary street (min % of lot width)	100%	
d. Podium along side street (min % of lot depth)	100%	
Coverage		
e. Building (max)	100%	
f. Impervious surface (max) (provided open space is provided on	100%*	
podium)		
HEIGHT AND MASS		
Building Height		
a. Maximum building height from legal grade	the greater of 17	
	stories/180'	
Story Height		
b. Ground story height floor to ceiling (min)	11'	
c. Upper story height floor to ceiling (min)	7'6"	
ACTIVATION		
Transparency		
a. Ground story, primary street façade (min length)	60%	
b. Ground story, side street façade (min)	20%	
c. Podium blank wall length, primary street (max)	30′	
d. Podium blank wall length, side street (max)	40'	
Functional Entries		
e. Area of garage or service bay openings along street-wall (max)	20%	
Permitted Building Elements (yes or no)		
Porch	No	
Stoop	No	
Balcony	Yes	
Awning/Canopy	Yes	

E. Townhouse	
LOT	
Lot Dimensions	
a. Lot Area (min)	40,000 SF
b. Lot Width (min)	150'
Usable Open Space	
c. Usable Open Space	100 SF/DU
BUILDING PLACEMENT	
Build to Line	
a. Building along primary street (min % of lot width)	70%
Coverage	
b. Building (max)	40%
c. Impervious surface (max)	60%
HEIGHT AND MASS	
Building Height	
a. Maximum building height from legal grade	3 stories/40'
b. Accessory building height	1 story/15'
Unit Size	
c. Width (min)	30'
ACTIVATION	
Transparency	
a. Ground story, primary street façade (min)	20%
b. Blank wall length, primary street (max)	35'
Functional Entries	
c. Functional entries	On primary street
Permitted Building Elements (yes or no)	
Porch	Yes
Stoop	Yes
Balcony	Yes
Awning/Canopy	No

SECTION 4. PERMITTED USE TABLE USE	
Residential Uses	
One and 2-Family Dwelling	Х
Attached Dwelling Units and Townhouses	Р
Multi-Family Dwellings	Р
Institutional Uses	·
Universities, Colleges & Private Schools	SP
Commercial Uses	·
Business, Professional Offices	Р
Retail	Р
Personal Services	Р
Hotels	Р
Bakeries, Retail	Р
Restaurants	Р
Restaurants, Carry-Out	Р
Restaurants, Fast-Food (excluding drive-up window service)	Р
Bars, Nightclubs, Catering Halls	Р
Medical and Dental Offices	Р
Theaters & Concert Halls	Р
Museums & Art Galleries	Р
Maker spaces for artisans and craftsmen	Р
Art Gallery & Exhibition Space	Р
Artisanal/Micro Manufacturing	Р
Artist-in-Residence	Р
Artist & Resident Production	Р
Artist Studio as a working space for use by a fine arts artist	Р
or artist collective, hand crafter, designer, or digital media	
producer in day to day production, which may be used for	
auxiliary instruction and auxiliary sales of items produced	
on-site	
Co-Working Facility	Р
Creative Office	Р
Private or public multipurpose arts space (for multiple uses	Р
including administration, community space, studio space,	
information dissemination, arts production, publication,	
classes, gallery space, and events)	
Retail Laundries and Dry Cleaners	Р
Motor Vehicle Rental Agencies	SP
Day-Care Centers	SP
Nursery Schools	SP
Banks	Р
Funeral Parlors	SP
Medical Laboratories	Р
Radio Towers for Licensed Radio Stations	Р
Satellite Earth Stations or Dish Antennas	SP
(when accessory to principal use)	

Accessory Uses		
Incidental Customary Accessory Uses	Р	
Community Purpose Building		
Public Schools	Р	
Community Purpose Building	Р	
Municipal Uses for Mount Vernon	Р	
Use of Other Governmental Agencies	SP	
Places of Worship	SP	
Public Utility	SP	
Parking Garage	SP	
P = Permitted		

SP = Special Permit

X = Prohibited

SECTION 5. INCENTIVES

DENSITY BONUS

For properties located in the DTOAD, a density bonus may be applied subject to the standards set forth below. The City Council may, at its discretion grant a density bonus of up to a maximum of two (2) stories or 30' in exchange for an applicant providing one or more of the following off-site civic improvements, amenities or development actions above and beyond those that are directly or indirectly necessitated by the proposed project itself.

A. Provision, Renovation or Rehabilitation of a Public Open Space Amenity or Community Recreation Facility

By contributing a significant provision, renovation donation and/or or rehabilitation of a public open space amenity or community recreation facility, to include but not limited to a public park and/or other public open space, a density bonus may be granted. The usable open space required for a development, as set forth in the Building Type Regulations shall not count towards this amenity.

B. Elective Historic Recognition

Preserving a significant portion of a building(s) or structure(s) listed and the State and National Registers of Historic Places.

C. Brownfield or Derelict Property Remediation and Restoration

Applicants may apply for a density bonus in exchange for providing brownfield or derelict property (as defined in the City Code) remediation and restoration on lots other than those currently before the City for development within the DTOAD, to prepare the property(ies) for either dedication for public use for redevelopment by a public or private owner. The Building Department shall provide a list of preferred properties for rehabilitation or restoration.

D. Contribution to Community Benefit Non-Site Related Infrastructure Improvements

Non-site related improvements are considered significant improvements that are not directly needed, required or related to the subject site development, but may indirectly improve the area. Infrastructure improvements may include, but are not limited to significant provisions, renovations, creation, donation, installation and/or rehabilitation of public solid waste and recycling receptacles, traffic calming measures, public seating, wider than required sidewalks, specialty pavers or utility covers as part of district "branding", repaving of a street(s), intersection upgrades (including street lights and crosswalks), bus shelters, and storm or sanitary sewer improvements. To the extent the proposed infrastructure improvements are related to sanitary sewage improvements, in order to be eligible for the density bonus, the applicant shall reduce inflow/infiltration (I&I) at a ratio of six to one. The City Department of Public Works may provide recommendations to the City Council.

E. Reduction based on Provision, Renovation or Rehabilitation of community cultural facility

By contributing a significant provision, renovation donation and/or or rehabilitation of a community cultural facility, to include but not limited to a theater, museum, gallery, or performance center, a density bonus may be granted.

PARKING REDUCTION INCENTIVES

For properties located in the DTOAD, a reduction in the number of required off-street parking spaces may be applied. The City Council may, at its discretion and subject to the standards and considerations set forth below, grant a parking reduction of up to 50% in exchange for an applicant providing one or more of the following off-site civic improvements, amenities or development actions above and beyond those that are directly or indirectly necessitated by the proposed project itself.

A. Provision of Utilizing Alternative Off-site Parking Facilities or payment in lieu of parking¹

To meet the minimum parking requirement, a proposed development may contribute to the creation of an off-site parking facility, which may include, but is not limited to, creation of a public off-street parking garage, financing off-street parking spaces in an existing parking facility, dedicating land for the creation of a public off-street parking facility or the creation

¹ Residential fee in lieu of parking in the DTOAD, for dwelling unit including living/loft use, per parking space not provided on site: 1 to 6 dwelling unit development \$1,000.00

	<i>q</i> =)000.00
7 to 10 dwelling unit development	\$2,000.00
11 to 20 dwelling unit development	\$6,000.00
More than 20 dwelling unit development	\$10,000.00*

Annual fee in perpetuity for project with more than 20 dwelling units (unless a one-time payment is provided) \$1,000.00

*\$20,000 per space (for each parking space not provided on site) if no annual fee will be provided.

of a privately-operated parking facility. No more than 80% of the required parking spaces may be provided off-site.

B. Alternative Modes of Transit Improvements require no City Council action or approval and shall be defined as "as of right reductions".

By contributing a significant improvement to alternative modes of transportation (alternative to automobile use), to include bus, train, bicycle, and pedestrian improvements, a parking reduction may be granted.

A parking reduction may be granted for developments that include electric vehicle charging stations, designated Zipcar parking, and/or loading/unloading zone for car/vanpool or car-share service.

- 1. Parking requirement shall be reduced by 5 vehicles for each Zip Car or other shared vehicle located on the site for a contracted period of no less than 3 years.
- 2. Parking requirement may be reduced by 2 vehicles for each plug in electrical vehicle charging station.
- 3. Parking requirement may be reduced by 1vehicles for every 10 bicycle storage spaces provided inside the building for residents.
- 4. Parking may be reduced by 1 space for every 10 outdoor bicycle parking spaces the developer provides within 100 feet of the building; within 100' of the Metro North Train station and within 100' of a grocery, or retail space greater than 2,500 SF and less than 1 mile from the development site
- 5. The parking requirement may be reduced by 5% if the building provides a dedicated drop-off/pick-up location for car sharing services in an area for which no other parking is permitted. Drop-off/pick up location must be within 50 of a building entrance if on a public street or maybe located onsite in a garage or other parking facility.
- 6. The parking requirement may be reduced by 5% if the building provides a shuttle service no less than 8 hours per day between transit stations including Metro North and the 241 Street stop on the NYC #2 and #5 subway line.
- 7. Parking requirement may be reduced by 1% if residential building provide in apartment or secure package room deliveries of packages from USPS or other nationally recognized couriers, grocery delivery companies and other packages that may reduce the need for vehicle dependency for shopping.
- C. Provision of live/work space for members of the creative class of artists and makers working in the creative economy.

Applicants shall receive as of right a 50% reduction for the parking requirement for each dwelling unit permanently reserved for live/work space for resident artists and makers working in the creative economy.

- D. Location Based ⁱ:
 - a. Reduction based on Walk Score >85
 - b. Reduction based on Transit Score >50

Developments in a location with a Walk Score greater than 85 and/or a Transit Score greater than 50 (as defined in footnote i) shall be eligible for a 5% reduction in the parking requirement.

SECTION 6. PARKING REGULATIONS

Required parking in the DTOAD reflects reduced off-street parking ratios for certain uses. The use of shared parking is also permitted and encouraged.

A. Off-Street Parking Requirement

The off-street parking requirements established in the Table of Off-Street Parking and Loading Requirements, set forth in Section 267 – Attachment 3, shall apply, unless modified below, in which case the requirements of this section shall apply.

Use		Required Parking
Residenti	al Uses	
Units at less than	Multifamily Dwelling Studio (less than 50% AMI) within ¹ / ₄ mile of Metro North station	0 cars per dwelling unit
50% AMI	Multifamily Dwelling One Bedroom (less than 50% AMI) within ¹ / ₄ mile from Metro North station	0 cars per dwelling unit
	Multifamily Dwelling Two Bedroom (less than 50% AMI) within ¹ / ₄ mile from Metro North station	0.175 car per dwelling unit
Units between	Multifamily Dwelling Studio (between 50% and 79% of AMI) within 1/4 mile from Metro North station	0.15 cars per dwelling unit
50% and 79%	Multifamily Dwelling One Bedroom (between 50% and 79% of AMI) within 1/4 mile from Metro North station	0.25 cars per dwelling unit
	Multifamily Dwelling Two Bedroom (between 50% and 79% of AMI) within 1/4 mile from Metro North station	0.35 cars per dwelling unit
Units at 80%	Multifamily Dwelling Studio (80% AMI or above) within ¹ / ₄ mile of Metro North station	0.3 cars per dwelling unit
AMI or greater	Multifamily Dwelling One Bedroom (80% AMI or above) within 1/4 mile of Metro North station	0.5 cars per dwelling unit
	Multifamily Dwelling Two Bedroom (80% AMI or above) within 1/4 mile of Metro North station	0.7 cars per dwelling unit
Multifami North stat parking le	ly Dwelling more than ¼ mile and up to ½ from Metro tion shall be increased by 20% above requirement for ss than and up to ¼ mile from the Metro North station	
Non-Resi	dential Uses	
Business, offices	professional or governmental	1 per 650 square feet GFA
Retail stor service es	es, shops and personal tablishments	1 per 500 square feet GFA
Restauran	ts	1 per 5 seats or 1 per 500 square feet

	of GFA, whichever is less
Community indoor recreation facilities for neighborhood youth	1 per 2,000 square feet of GFA

B. Shared Parking

The concept of shared parking, whereby land uses that have different parking demand patterns can use the same parking spaces throughout the day, is particularly useful in districts nearby public transportation, where a large percentage of trips are accommodated via public transit. Public transit reduces the overall demand for individual passenger vehicle trips and the related demand for parking.

Shared parking is permitted and encouraged in the DTOAD. The City Council, if the application is subject to review by the City Council or Planning Board, in all other instances, may consider the use of shared parking, according to the following provisions:

- The uses proposing to share parking spaces are different land uses as set forth in the Permitted Use Table.
- All new development that relies on shared parking must demonstrate the adequacy of the proposed parking as a result of a capacity being provided that will substantially meet the intent of the parking requirements by reason of variation in the probable time of maximum use by residents, patrons, visitors or employees among residences and establishments sharing such parking, and provided that said approval of such joint use shall be automatically terminated upon the termination of the operation of any use on which the shared parking analysis has been based. The analysis of shared parking must be based on established standards/methodology.
- In cases where shared parking is proposed between adjacent parcels under separate ownership, irrevocable cross-easements shall be required, to assure the perpetual right to share the parking spaces.
- No more than 80% of the required parking for a particular use shall be provided in a shared parking arrangement.
- Up to 100% of the parking requirement may be met by an offsite parking garage facility contingent on the operators commitment to issue at market price monthly parking permits for the specified number of parking spaces for no less than 5 years.
- C. Design and Layout

The design and layout of off-street parking spaces shall comply with the provisions of Section 267-38, except as modified herein:

- To minimize curb cuts on the roadways in the DTOAD, the use of shared driveways is encouraged, where feasible.
- Where feasible, driveways shall front on streets that are less pedestrian intensive.

- Off-street parking is encouraged to be as inconspicuous as possible and to incorporate landscaping and screening to the greatest extent possible to minimize its physical and visual impact.
- Off-street parking and loading areas shall be coordinated with the public street system serving the DTOAD in order to avoid conflicts with through-traffic, obstruction to pedestrian walks and vehicular thoroughfares.
- All parking structures shall be designed using compatible or complementary materials to the principal buildings so that they blend in architecturally. All voids in the structures shall be architecturally treated or screened, so that lights and vehicles are not individually visible.
- Parking structures fronting on East 1st Street shall be wrapped by first floor non-residential uses.
- Surface parking shall include street lighting that adequately provides for safe vehicle circulation and public safety, but shall not be excessive. Light poles shall be as low as possible to achieve the desired purpose, and fixtures shall be shielded and downward directed. The use of energy efficient luminaries is encouraged.
- Surface parking shall not front any public street or sidewall but shall be confined to rear yards.
- All pedestrian pathways across and along parking areas shall be appropriately lit with pedestrian scaled lighting fixtures.
- Vehicular access to internal parking structures shall be designed so as not to negatively impact upon major pedestrian routes. If necessary, provide "fish eye" mirrors or alarms to manage the interaction between pedestrians and vehicles.
- The potential conflicts between truck delivery, vehicular traffic, and pedestrian circulation shall be considered when designing service entries, roadways, walkways, and pedestrian entrances.
- To the extent possible, service entrances and loading areas between adjacent buildings shall be consolidated. Such service entrances shall be separated from walkways and pedestrian entrances.
- In each parking lot containing over 150 parking spaces, at least two of the parking spaces must be provided with an electric vehicle charging station.
- Spaces for handicapped car and van parking must be provided as required by law.
- Within a structured parking garage, up to 30% of the total parking spaces provided may be compact spaces. No more than six compact parking spaces may abut each other. Compact spaces may be reduced to 7.5 feet in width. All compact parking spaces must be clearly and visibly striped and labeled for compact car use only.
- To minimize the extent of impervious surfaces and the "heat-island" effect, and to enhance the aesthetic appearance of surface parking lots, the following landscaping requirements shall apply:

Interior Islands:

- A landscaped interior island shall be provided every 10 parking spaces. Interior islands shall be distributed evenly throughout the parking area.
- An interior or terminal island shall be a minimum of 8.5 feet in width and 300 square feet in area.
- All rows of parking must terminate with a landscaped terminal island. No more than 30 parking spaces may be located between drive aisles.
- Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.
- Interior islands must be installed below the level of the parking lot surface to allow for runoff capture.

Median Islands:

- A landscape median island shall be provided between every six single parking rows.
- A landscape median island shall be a minimum of five feet wide.
- A median island may also serve as the location for a sidewalk. In such case, the sidewalk shall be a minimum of six feet wide, and the remaining planting area shall be no less than five feet wide.
- Median islands may be consolidated or intervals may be expanded in order to preserve existing trees.
- Median islands must be installed below the level of the parking lot surface to allow for runoff capture.

Tree Coverage:

- Each interior island (and terminal interior island) must include at least one shade tree.
- In no case can there be less than one tree for every 3,000 square feet of parking area.
- Off-street parking areas shall be surfaced with asphalt, bituminous concrete or other type of dustless material in accordance with the City of Mount Vernon standards and specifications and maintained in a smooth, well-graded condition.
- Pervious or semi-pervious parking area surfacing materials may be provided in accordance with the City of Mount Vernon standards and specifications. Permitted materials may include but are not limited to "grasscrete", ring and grid systems used in porous or grid pavers, or recycled materials such as glass, rubber, used asphalt, brick, block and concrete. Once installed, all pervious or semi-pervious parking areas shall be maintained in accordance with the manufactures specifications.

SECTION 7. DESIGN GUIDELINES

This section of the DTOAD form-based code describes recommended design practices that have been established to create a high-quality, pedestrian friendly, urban environment. The principles described in this section are not considered mandatory development standards. However, all projects are strongly encouraged to utilize this section to design projects that meet the purpose and intent of these guidelines. The ultimate approval of projects will be judged in accordance with these design practices.

A. Architectural Details

Building architecture creates an interesting visual environment and provides a basis for the overall character of an area. Architectural details are those elements that do not contribute structurally to a building's construction, but add visual interest, identify building styles, and often display superior craftsmanship. They should not be used however, as a substitute for genuine building massing and articulation.

New construction should emphasize the use and application of a high degree of architectural detailing. Building renovations should strive to preserve unique or native vernacular details.

B. Ground Floor Facades

In the context of a transit oriented district where pedestrian activity is emphasized, the design and activation of the ground floor base is imperative.

The concept of "build-to-lines" assures that new buildings will front on the public streetscape. Creating visual interest along the base of the building, by assuring a high percentage of transparency in storefront windows is a design goal. Façade details are encouraged to vary the building texture, highlight façade articulation and break-up the building mass.

The provision of security grates, air conditioning units or other similar fixtures on the principal façade must be avoided. Where security gates are provided, they shall be located inside the glass line and be no more than 10% opaque.

C. Functional Entries

To improve the pedestrian experience and to facilitate the activation of the public realm surrounding individual buildings, pedestrian access points (functional entries) should be easily identifiable, inviting and accessible and located along the public frontage as often as practical. Maximizing the number of functional entries also helps to create interesting and diverse street level architecture.

Access ways into the buildings may be into lobbies, commercial spaces or common areas.

All functional entries should meet ADA requirements, and be adequately lit.

D. Building Materials

The choice of materials used for construction or renovating buildings affects the way a building relates to its neighborhood context. When designed well, a building can contribute to the continuity of street elevation, as well as emphasize a site's unique characteristics. Buildings constructed with complementary materials contribute to the interest of a streetscape. Consequently, a building's design – particularly the façade – and exterior materials can have a significant impact on how the structure is perceived.

E. Awnings

Awnings over pedestrian walkways and sidewalks are encouraged to provide shade and rain protection while adding interest to a facade with shape and color. They are also effective in identifying a business.

Long expanses of awnings are discouraged. Awnings should have a pedestrian scale and be placed so as to provide weather protection and/or business identification to potential patrons of a business.

F. Signs

The provision of high quality signage, both as a communication tool and as a component of building form is a goal in the DTOAD. Creative and unique sign designs are encouraged while cluttered and unattractive streetscapes must be prevented.

In general, effectively designed signs should respond to the site, landscape, and architectural design context within which they are located. Signs should be compatible in scale, proportion, and design with the building's facade and its surroundings. Painted window signs should not be too large or obscure transparency. Internally illuminated "sign boxes" as well as neon signs should be avoided, as should excessive lighting of all varieties. Projecting signs, perpendicular to the sidewalk are effective when properly scaled for pedestrian use. Graphics should be well-designed and legible.

The signage requirements established in Article XIII shall apply.

G. Site Lighting

Effective exterior site lighting is an important element in the overall appearance and operation of a project.

The quality of light, level of light as measured in footcandles, and the type of bulb or source should be carefully addressed. Lighting levels should not be so intense as to draw attention to the glow or glare of the project site. The lighting plan should incorporate current energy-efficient fixtures such as LED and similar technologies.

Spotlighting or glare from any site lighting should be shielded from adjacent properties and directed at a specific object or target area to prevent light trespass. Exposed bulbs should not be used.

Building light fixtures should be designed or selected to be architecturally compatible with the main structure. The height of light poles should be appropriately scaled to the project.

H. Building Services

To create a more attractive pedestrian friendly environment, utilitarian features, such as trash facilities, loading docks, HVAC equipment and above ground utility infrastructure, should be out of the public's view. Ground level services should be located at the rear of the building, if possible. A screen wall should be used to camouflage the service features if optimal placement does not adequately screen the features from the public realm. Landscape treatments may be appropriate to soften the interface of the equipment.

I. Project Open Spaces

Residential developments and mixed-use projects require the provision of usable open space for residents. These amenities increase light and air to dwelling units, enhance the aesthetics of projects and the environmental quality of neighborhoods, promote physical activity, afford stormwater management opportunities, increase social interaction opportunities with neighbors and increase safety by providing "eyes on the space."

Usable open space can be provided in outdoor spaces such as courtyards, walkways, rooftops, balconies and terraces and garden plots. Indoor facilities such as fitness centers or swimming pools can also be used to meet the usable open space requirements of a project. In the DTOAD mixed use residential buildings, indoor facilities like lounges, artists' studios, theater space, dance studios, galleries, meeting rooms, maker spaces, music rooms and other programmed non living areas shall count toward open space requirements

Unique features such as green roofs and green or "living" walls are also beneficial open space amenities.

J. Streetscapes

Great streetscapes are the center of public life. They brand a neighborhood, giving it a cultural identity and shaping the perceptions of the area. The elements of the streetscape can create a place of vitality and activity.

The streetscape is composed of 3 zones; the Pedestrian Zone, Public Amenity Zone and Frontage Zone.

Sidewalks, shall be required throughout the district. Curb cuts should be minimized and clearly marked. Street trees with grates should be provided at 30' intervals. Planters are encouraged containing seasonal plantings and flowers. Wayfinding signage should be provided to assist pedestrian navigation through the area. Banners and flags can be used to announce special events and to help brand the district, as can public art. Street and pedestrian lighting should illuminate at a level consistent with pedestrian activity. Benches, seating and other street furniture should be selectively sited to take advantage of sunshine

in winter and shade in summer. The provision of bus stops is an essential component to the DTOAD, as are bicycle racks that should be located at regular intervals.

K. Pedestrian and Bicycle Circulation

In order to facilitate pedestrian movement throughout the district, Sidewalks, a minimum of 8' wide are encouraged.

Larger surface parking lots should provide separate pedestrian connects through the parking lot.

Bicycle circulation should be encouraged via the provision of defined bike lanes or signaled Class III share-the-road bike routes where appropriate. Short-term bike parking (bike racks) in retail areas and long-term bike parking (lockers, covered corrals, etc.) at commutation points, are encouraged.

L. Landscaping

Landscaping enhances the visual image of the City, preserves natural features, improves property values, and alleviates the impact of noise, traffic, and visual distraction associated with certain uses. It aids in energy conservation and promotes urban wildlife habitats.

Trees and shrubs should be located and spaced to allow for long-term growth. Evergreen and deciduous or flowering trees should be used in combination to create visual interest and to create a dynamic landscape.

Accent planting should be used around entries and key activity hubs. Screening should be used to protect less intensive uses from the impacts of more intrusive uses and to block views of less desirable features from public view (trash enclosures, etc.).

The use of native plants is preferred. Xeriscaping is encouraged to promote water conservation, reduce maintenance requirements, and decrease flooding. Recycled grey water should be used for irrigation.

M. Sustainability and Green Building Design

Sustainability and green building refers to the practice of creating structures using a process that is environmentally responsible and resource-efficient throughout a building's life-cycle: from siting to design, construction, operation, maintenance, renovation, and demolition.

Elements include the construction of buildings that are energy efficient (high levels of insulation, high performance windows) and that use renewable resources (passive solar heating, daylighting), are designed for durability, future reuse and adaptability, use low maintenance building materials with low embodied energy. Building materials should be locally sourced, with a high percentage of salvaged and recycled materials. Install high efficiency heating and cooling equipment, high efficiency lights and appliances and water efficient equipment.

SECTION 8. ADMINISTRATION

- A. Project Review and Approval
 - a. Application Requirements
 - 1. All site plan applications shall be prepared in accordance with the requirements of Section 267-33.
 - 2. In addition to the requirement to submit an Environmental Assessment Form with the application (whether a short or full EAF is required shall be determined at the pre-application conference), the applicant shall also submit a report documenting whether the project complies with all Findings of the SEQRA Generic Environmental Impact Statement adopted for the DTOAD rezoning, and will not result in any significant adverse impacts that exceed the thresholds established therein, or in the alternative, shall specifically identify areas where the project is inconsistent or nonconforming.
- B. Supplemental Standards
 - a. Utility Location

Utilities shall be installed underground and any above ground equipment shall be located away from pedestrian street corners. Equipment boxes and vaults should be placed in back of the sidewalk and where landscaping can minimize or screen their impact. Relocation of provisions for private and public underground utility systems shall be made, as needed. These requirements may be waived by the Planning Board in situations where it is determined that the underground installation of utilities is not appropriate and/or that adjoining land uses, topographic features or existing vegetation satisfy the same purpose in terms of minimizing or screening equipment boxes and/or vaults. The costs of relocating the underground utility lines shall, where appropriate, be borne by the utility companies and/or private developers, pursuant to the appropriate laws, regulations and ordinances.

b. Affordable Housing Unit Location

In instances where a development includes affordable or workforce housing units, said units shall be fully integrated into and dispersed throughout the project so as to be indistinguishable from other market rate units. Affordable or workforce units shall not be isolated, clustered or grouped. Additionally, access to affordable and workforce housing units shall be provided in a manner similar to all other market rate units, and shall not be physically segregated. Affordable and workforce housing units shall be designed, constructed and finished in a manner similar to the other market rate units within the project.

DEFINITIONS:*

USABLE OPEN SPACE – Usable open space is the portion of a lot which is unoccupied by driveways, drive aisles, service drives, off-street parking spaces and/or loading berths, principal buildings, and accessory buildings. This area of usable open space shall be available and accessible to all occupants of the building for use for recreation and other leisure activities normally carried on outdoors. <u>Usable open space can be provided in outdoor spaces such as courtyards, walkways, rooftops, balconies and terraces</u>

and garden plots. Indoor facilities such as fitness centers, swimming pools, dance/art studios or flex space to support artists can also be used to meet the usable open space requirements of a project.

BUILDING HEIGHT – The vertical distance from <u>the average finished</u> grade <u>of the adjacent ground</u> to the level of the highest point of the roof if the roof is flat or mansard, or to the mean level between the eaves and the highest point of the roof if the roof is of any other type. <u>Outdoor roof-mounted</u> <u>mechanical equipment is not included in building height</u>.

BUILD TO LINE – The line at which construction of a building façade is to occur on a lot, running parallel to the front property line without setback, and thus ensuring a uniform (or more or less even) building façade line on the street.

PRIMARY STREET – The street along which the main frontage of a building is located (the frontage designated to bear the address and principal entrance to the building).

SIDE STREET – The street along which the secondary frontages of a building are located.

BUILDING LEGAL GRADE- The average elevation of the finished ground at the exterior walls of the main building. Building height is measured from the building legal grade.

<u>BULKHEAD – A bulkhead is an enclosed structure on the roof of a building that may include mechanical</u> <u>equipment, water tanks and roof access from interior stairwells. It is not counted as floor area and is</u> <u>permitted to exceed zoning height and setback requirements, within limits specified in the Zoning</u> <u>Resolution.</u>

*NOTE: All new text is underlined.

ⁱ The Walk Score methodology (<u>https://www.walkscore.com</u>) was developed with the <u>Walk Score advisory board</u> and has been validated by Smart Growth America (<u>https://smartgrowthamerica.org/search/walk+score/</u>). Smart Growth America is a nonprofit organization fundamentally built around the goals of the US EPA Smart Growth initiative. Smart Growth America encourages the development of compact walkable communities around existing infrastructure, decreased private vehicle use, increased reliance on public transportation and encourages equitable development. <u>https://smartgrowthamerica.org/our-vision/our-work/</u>

Walk Score measures the walkability of any address using a patented system. For each address, Walk Score analyzes hundreds of walking routes to nearby amenities. Points are awarded based on the distance to amenities in each category. Amenities within a 5-minute walk (.25 miles) are given maximum points. A decay function is used to give points to more distant amenities, with no points given after a 30-minute walk. Walk Score also measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. Data sources include Google, Education.com, Open Street Map, the U.S. Census, Localeze, and places added by the Walk Score user community. https://www.walkscore.com/methodology.shtml

Transit Score (<u>https://www.walkscore.com/methodology.shtml</u>) is a patented measure of how well a location is served by public transit. Transit Score is based on data released in a standard format by public transit agencies. To calculate a Transit Score, a "usefulness" value is assigned to nearby transit routes based on the frequency, type of route (rail, bus, etc.), and distance to the nearest stop on the route. The "usefulness" of all nearby routes is summed and normalized to a score between 0 - 100.