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June 5, 2019

Mayor Meg Kelly
Commissioner of Finance, Michele Madigan
Commissioner of Accounts, John Franck
Commissioner of Public Safety, Peter Martin
Commissioner of Public Works, Skip Scirocco

Dear Mayor and City Council Members,

RE: COMMENTS ON UDO "TECHNICAL REVIEW AND APPROACHES" REPORT

Our organization is very pleased that new progress is being made to develop the Unified Development Ordinance that will help codify the policies of the 2015 Comprehensive Plan. We have reviewed the draft document dated April 2019 prepared by Camiros. We have both questions and comments. I will first highlight our key points and then present our more detailed comments.

Our key question relates to the process of how decisions were made about which issues in the Comprehensive Plan would be addressed. There are over 100 action items in the Comprehensive Plan, but only some of those items are addressed by the consultants. How did the consultant determine which issues to include? It would be helpful if the key concepts chosen denote a reference to their origin in the Comprehensive Plan or one of the other plans adopted by the Council.

We also have several questions about the public review process for the full development of the UDO. This UDO is extremely important and we all need to be reassured that the public can meaningfully participate in its preparation.

- What is the complete schedule or timeline that identifies key products and how and when the public can weigh in?
- Will there be a location on the City's website where the public can view comments submitted by the public? There was such a provision during the first UDO effort, and we think this is needed for transparency.
- How will incremental decisions be made? The UDO is a process by which the final product is built upon incremental decisions that are made along the way. For example, public input from this technical report will be used to decide what items get included or omitted in later stages of the UDO. In the first UDO effort, the City had a committee that made those incremental decisions in a public forum. We are concerned with a lack of transparency if such incremental decisions are going to be made by the consultant and/or City staff without any public record or explanation.

We have numerous comments about how the UDO can implement the many sustainable policies of the Comprehensive Plan, the Complete Streets Plan, the Urban and Community Forest Master Plan (UCFMP), etc. One of our principal concerns is that new energy and environmental regulations are needed to protect biodiversity and shield us from the adverse impacts of climate change. In our detailed



comments, we express our views that some preliminary UDO approaches do not go far enough to achieve the recommended actions set forth in the City-adopted plans.

We are pleased that this report outlines some creative ways to support appropriate sustainable development in the core area of the community. But we also are concerned that the report ignores some of the action items in the Comprehensive Plan to preserve the city's "greenbelt" (not to be confused with the proposed Greenbelt Trail Plan) such as reducing the permitted intensity and design of land uses in the gateways and in the "country" parts of our City in the Country.

We applaud the proposed inclusion of many new types of sustainable land use. Many will help achieve more diversity for our economy and living environment. We support the concept of reusing carriage houses and accessory structures in the urban core for housing but suggest the addition of a requirement for those units to be affordable. We would like to see the UDO do more to address housing diversity and affordability issues as set forth in the Comprehensive Plan.

The following are our detailed comments on the technical report.

1. On page 3, we have no objections at this time to the proposed organizational structure of the new UDO but we have long recommended that, due to the length of the document, there needs to be an easy-to-read index to help the user locate items.
2. On page 5, we endorse the concept to allow more uses by right in the transect districts, but there should be requirements that guarantee the appropriate amount of mixed-use activity. To date this mix has been controlled by the special use permit process.
3. We are pleased to see that on pages 6-10, many new types of land uses are considered for inclusion in the UDO. We urge you to add emerging types of housing (such a co-housing, co-operative housing, concierge apartments, senior rooming housing, micro-units, tiny houses, etc.) and new principal renewable energy uses (such as community solar, wind farms, geothermal, etc.)
4. On page 11, pages 30-31, and elsewhere, there are proposals that regulate various setbacks, size of side yard, "building coverage," and "impervious surface requirements." We support any measures that mandate that properties in most zoning categories leave sufficient room for the planting of trees. Even if current owners do not plant trees, the "preservation and expansion" of the urban forest, the central goal of the UCFMP, requires that projects leave enough open space so as not to preclude future planting in perpetuity.
5. On page 12, we request that the list of existing uses in the RR district be reexamined to be sure they meet low intensity development requirements expressed in the Comprehensive Plan policy #3.4-2. In addition, the examination of the physical characteristics of the RR district bulk standards should be expanded to comply with the policy for ensuring rural design character in the built environment.
6. On page 13, we understand the concern with the maximum building height standard, but we urge sensitivity to the existing built environment of steep peaked roofs in some neighborhoods. The historical context of the roof lines in these neighborhoods should not be ignored.
7. On page 14, we are concerned that the UR-4 building setback requirements, which are not urban in nature, are not being reexamined.



8. We support the possibility of new gateway commercial districts as outlined on page 17, but urge the formal adoption of mandated rural character design standards that are now voluntary and not being utilized (as recommended on page 19). Special attention should be given to creating the most appropriate standards for the district along the east side of Route 9, south of Crescent Avenue.
9. On page 18, we endorse the suggestion to enhance the form-based and graphic elements of the transect districts. We share the concern about transitions to adjacent zoning districts, the need to vary building roof lines and set back upper stories, and the enhancement of corner buildings. We urge you also to consider many of the other possible building height issues and regulations we shared with the Council last year after we sponsored the community forum on downtown building heights. We also encourage the use of residential density caps in the transect districts.
10. On page 19, we ask that the provision for allowing 25-room corridor inn lodging establishments in the greenbelt be repealed. This was unfortunately added in some 2012 “minor” zoning amendments and it appears to be especially contrary to the intent of the RR district.
11. We are extremely disappointed with the recommendation on the bottom of page 19 not to strengthen the current regulations for water bodies and stream corridor protection. This appears contrary to numerous Comprehensive Plan policies in #3.2. In our view, almost all types of land disturbances should be prohibited within 100 feet of a stream bank and within the entire wetland buffer areas.
12. On page 20, the concept of a Natural Resource Protection District is vague as currently written, but it could be effective, depending on details. We are hopeful that the NRI recommendations for strong management of important significant ecological areas will be realistic and valuable. If so, we support the addition of a Natural Resource Protection District.
13. We are pleased that, on page 20, there is a proposal to strengthen the floodplain regulations and prepare for their boundary expansion due to changes in climate and urban runoff.
14. We support possible new standards for requiring more small open spaces within developments in the core area of the community. These must be accompanied by good policies and guidelines for pocket park locations, public access and maintenance.
15. We are not in favor of the proposal on page 20 to allow payments in lieu of on-site density bonus public benefits. We believe these benefits should stay on site and not be used to further divide the community.
16. We think the city should drop voluntary incentives for affordable housing because voluntary incentives have not been used by developers.
17. On page 15, we are strongly opposed to the proposal to give developers within the greenbelt areas any density bonus for adding elements for Greenbelt Trail improvements. The greenbelt portions of the Greenbelt Trail need to remain in low intensity development, so as to enhance the “nature trail” character of these parts of the trail.
18. We strongly support the proposal on page 18 that the standards for development in transect zones be presented as requirements rather than recommendations. Exemptions from requirements should be permitted only if a proposed project meets certain clear and enforceable conditions specified in the ordinance, and the basis for exemption should be documented.



19. We wholeheartedly endorse the establishment of new lighting standards on page 22 that cut light pollution, particularly in the greenbelt areas and low density zoning districts.
20. On page 22, we are supportive of the preliminary list for adding and defining new accessory uses – many of which contribute to sustainability.
21. On page 24, we endorse the proposed concept for new standards for electric vehicle recharging stations and solar facilities (which ought to be expanded to all renewable energy generation facilities) as accessory uses. We agree that there is potential for solar installations to work against the City’s UCFMP goals for a more robust urban forest. We support an effort to find strategies that allow for increased use of solar energy in ways that do not diminish current or future tree canopy.
22. Regarding the amount of effort being devoted to developing new parking standards on pages 26-28, we think the city should do more to discourage devoting land for parking and instead promote other modes of transportation in the core areas of the community. Strengthening the bike parking requirement is a step in the right direction. The suggested loading dock standards are not very relevant in the core area.
23. On pages 27, 30, in addition to recommendations for pervious pavement and landscape features, we advocate additional guidelines for the retention or addition of trees in parking lots larger than a certain size to reduce runoff, shade cars, and make lots more attractive. We support the call for landscaped parking lot perimeters and islands but would recommend making explicit that the goal is to accommodate shade trees. With this in mind, the parking lot design process should clarify how snow removal will not impact these landscape areas.
24. On pages 30 and 31, we are pleased that many of the recommendations of the UCFMP are proposed to be incorporated into landscaping standards. We are especially pleased with the new effort to control tree clearing and the retention of larger, significant trees. However, we believe that such regulation should not be limited to new construction projects. Since large-scale tree removal, with or without construction, alters land use, we recommend placing tree removal approval under land-use board jurisdiction. We strongly support a required tree inventory as part of all plan reviews. While we support the prohibition against “clear-cutting,” we would prefer that that be enfolded into a broader general regulation to retain and protect significant trees.
25. On page 31, the report suggests that street tree planting requirements might be waived if there is insufficient space in the street right-of-way (ROW). We think that wherever sidewalks are being built new or replaced, they should be placed at the edge of the ROW to maximize the width of the tree lawn. In new developments where there is insufficient space within the ROW, developers should be required to plant trees in front lawns within reach of the street.
26. We endorse the idea expressed on page 35 of having adequate staff to enforce the UDO provisions. To facilitate long-term enforcement, we believe that the City should develop a GIS system that would allow both City staff and the public to easily access maps and documents related to determinations by City officials and the land use boards.
27. We support the general tone of the ideas presented on pages 36 and 37 to improve the application procedures for land use related permits. We recommend that consideration be given to requiring that all notices of pending applications be posted on the applicant’s property to

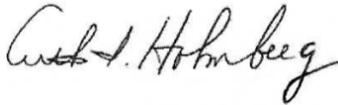


provide greater notification to neighbors. We urge the establishment of standards for judging applications for compliance with provisions of the Comprehensive Plan (#3.1-21 in the Comprehensive Plan).

28. We think it is not relevant to exert all the effort set forth on pages 39-41 to revise the PUD regulations. The direction being taken to provide greater flexibility in many of the zoning districts should significantly reduce the need for PUDs. The focus on amending the PUD regulations should be on density control and giving the Council permission to extinguish PUD ordinances.
29. On page 42, we support some improvements to the conservation subdivision standards and procedures. We emphasize that these standards need to be tightened and made more restrictive to better protect the environment and the city's rural character.

Thank you for giving us the opportunity to make these comments.

Sincerely,



Art Holmberg
Chair, Sustainable Saratoga

Cc: Bradley Birge, Director of the Office of Planning and Economic Development
Susan Barden, Principal Planner

