Downtown Overlay Zone
City of New Rochelle

Article XXII
Downtown Overlay Zones
Section 331-175

December 2, 2015

Last Revised March 7, 2019
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SECTION 331-175.02 INTENT AND PURPOSE

A. This Article regulates the location, design, occupancy, and use of structures and the use of land within the area known as the “Downtown Overlay Zones” (hereinafter “DOZ”) within the City of New Rochelle.

B. This Article is intended to promote the health, safety and general welfare of the City by creating a holistic and comprehensive economic development strategy that utilizes the principles of social, economic and environmental responsibility to re-establish the downtown as a center of vibrancy within a mixed-use, transit oriented setting. This Article is intended to create an opportunity for a more economically successful and environmentally responsible City and downtown with a more harmonious and pedestrian-oriented public realm than can be achieved under the regulations in the underlying zoning in effect at the time of adoption of this Article.

C. The primary purpose of this Article is to institute a legally enforceable form-based code within the DOZ, based upon the City of New Rochelle Comprehensive Plan adopted on July 30, 1996 (hereinafter “the Comprehensive Plan”), the Final Generic Impact Statement (hereinafter “the FGEIS) dated December 8, 2015, and the Findings Statement prepared for the Downtown Overlay Zone, adopted on December 8, 2015, and amended on December 2, 2016, October 30, 2017, December 19, 2017, June 19, 2018, September 20, 2018, and January 15, 2019, in connection thereto. This Article establishes development rules and procedures that will result in a compact and walkable transit-oriented mixed-use development in the Downtown Overlay Zone area.
## SECTION 331-175.03 APPLICABILITY

A. This Article applies to all land, buildings, streets, sidewalks, uses, activities, private improvements, and landscape alterations of any kind occurring within the six Downtown Overlay Zones, as further detailed below in Section 331-175.08.

B. The six Downtown Overlay Zones do not replace the underlying zoning rules and regulations that currently exist in the DOZ. They provide an alternative option for landowners to use in developing and redeveloping their land and buildings within the DOZ. All existing rights, allowable uses, and approval procedures under the City of New Rochelle Zoning Ordinance and of the City Code remain in full force and effect, except that if a property owner elects to proceed under the overlay provisions of this Article and there is a conflict between the overlay zoning and the underlying zoning, the provisions of the overlay zoning shall control.

C. This article includes use standards, development standards, street standards, and site planning standards, organized by Downtown Overlay Zone Districts as further described in Section 331-175.04 through Section 331-175.21. In case of any conflict between this Article and any other provision of the City Code, this Article shall control, except as provided in subsection D below. Procedural requirements for applications in the DOZ are contained in Section 331-175.14.

D. Building Code and Life Safety Codes: All applications for building construction are required to conform to applicable building code and life safety ordinances, laws, and regulations. Applicants shall be responsible for obtaining all necessary building permits and other approvals from local regulatory agencies with jurisdiction over a project.
SECTION 331-175.04 DEFINITIONS

The definitions below describe terms as they appear in this Article that are technical in nature or that otherwise may not reflect common usage. If a term is defined in Section 331-4 of this ordinance and in Section 331-175.04, then the definition in Section 331-175.04 shall apply, unless otherwise specified. In any interpretation of terms used in this Article, the official or officials responsible for making such interpretation shall consult with the Department of Development.

ACTIVE EDGE
A combination of doors and glazing designed to stimulate pedestrian activity along a Public Frontage.

AGRICULTURE, URBAN
The use of land and buildings including rooftops for one or more of the purposes listed below, where no nuisance is created by such use. Urban Agriculture does not include animal husbandry or the raising of animals by a person for other than domestic use by that person.

COMMUNITY GARDENS
Land managed by a public or not-for profit organization or association and used to grow plants or ornamental crops for household use, sale, or donation.

AQUACULTURE
Raising aquatic plants or animals for sale to customers.

ARCADE FRONTAGE
A Private Frontage Type that has a series of arches or openings carried by columns or piers, and provides a covered walkway with access to adjacent storefronts compliant with Storefront Frontage requirements.

ARTISAN PRODUCTION
The production of small-scale art, craft, baked goods, prepared and packaged foods for consumption off-site and similar products produced and/or sold on the premises, including but not limited to arts and crafts, micro breweries, musical instrument makers, toy makers, and custom furniture makers. Artisan Production does not include industrial-scale mass production.

BLOCK
The aggregate of private lots and rear access lanes circumscribed by streets.

BUILD-TO-LINE
A line parallel to the curb closest to a Street at a distance defined by the Street Type or a line at the edge of an approved Pedestrian Way.

BUILD-TO-ZONE
The portion of a lot between the Build-To-Line and a line parallel to the Build-To-Line defined by the Private Frontage Type where the front facade of a building can be located.

COMMUNITY BENEFIT BONUS (CBB)
Incentive for Applicants who choose to seek additional height by providing desired community amenities from an approved list of benefits.

CURB
The portion of pavement marking the transition from the vehicular to the pedestrian realm. It may be raised, flush or with bollards or similar indications. (See: Face of Curb)

CURB CUT
Any point of access along a street where the curb line is broken in order to permit the passage of vehicles to another street, an access lane, a loading area, parking area or parking structure.

DATA INFORMATION CENTER
A facility that provides services or management for data processing and houses related equipment.

DOWNTOWN OVERLAY ZONES (DOZ)
As plotted on the Official Zoning Map of the City of New Rochelle.

EDGING ELEMENTS
Structures, walls, or landscaping along the edges of public spaces and the public realm that define and enclose the public realm.

EDUCATIONAL USE
Provision of educational services, including but not limited to primary and secondary schools, nursery schools, colleges and universities, music schools, dance schools, vocational schools, apprenticeship programs, and facilities designed to provide instruction in any other recognized skill or vocation.
SECTION 331-175.04 DEFINITIONS

ENTERTAINMENT/CULTURAL/ARTS FACILITY
Any facility for public entertainment including theaters, museums, galleries, cinemas and indoor amusement establishments.

EXPRESSION LINE
Architectural elements that define the base, middle and top of a building and unify different buildings along a public frontage through use of horizontal expression elements, such as moldings, shading devices, changes of material and cornices, that complement and continue the prevailing character of adjacent and nearby buildings.

FACADE
The face of a building fronting on a Street, civic space or Pedestrian Way.

FACE OF CURB (F.O.C.)
The vertical side of a curb at the edge of the traveled way.

FORECOURT FRONTAGE
Private Frontage type, where a portion of the building façade is set back to allow for large private gardens, bio-retention areas, or similar uses.

FRONTAGE OCCUPANCY
The percentage of the Site Frontage that is occupied by a Street Wall or approved civic space within the Build-To-Zone.

FRONTAGE, PRIMARY
Frontage facing the street type with the highest priority where A streets are the highest and F streets are the lowest. P Streets shall have priority equivalent to A Streets.

FRONTAGE, PRIVATE
A zone provided within a site between the Build-To-Line and a line parallel to it ten feet behind the Street Wall, except where there is no Street Wall, the Private Frontage shall be the Build-To-Zone.

FRONTAGE TYPES, PRIVATE
The Private Frontage Types, as further defined in this Section, are:
- Stoop Frontage
- Porch Frontage
- Lightwell Frontage
- Forecourt Frontage
- Mid-Block Frontage

FRONTAGE, PUBLIC
A zone provided between the face of curb and the Build-To-Line.

FRONTAGE, SITE
The length of a Site fronting on a Street or Pedestrian Way, measured in feet along the Build-To-Line.

FRONTAGE, TOTAL SITE
The sum of all Site Frontages facing one or more Streets, measured in feet, located on one contiguous Development Site, excluding frontages along Pedestrian Ways.

FRONTAGE TRANSITION ZONE
The portion of the Public Frontage between the Pedestrian Cleanway and a building Facade allowing for doorways, building fixtures (e.g. lighting, signage, projected architectural moldings), landscaping, and removable planters.

HOTEL
A facility offering transient lodging accommodations to the general public containing suites or condominium units and providing additional guest amenities or services, such as restaurants, meetings rooms, banquet halls, entertainment, and recreational facilities (excluding inns and bed and breakfast establishments).

INDOOR RECREATION
A business and/or club, which for compensation and/or dues, offers indoor recreational services, including but not limited to gyms, health clubs, martial arts studios, educational use, indoor sports, children’s play facilities, bowling alleys, rock climbing gyms, indoor tennis clubs and similar establishments.

LANDSCAPE AND FURNISHING ZONE
The area of sidewalk where placement of street furniture and landscaping is allowed.
SECTION 331-175.04 DEFINITIONS

LIGHTWELL FRONTAGE
Private Frontage Type, typically residential, where the façade is set back to allow for below-grade entrances or windows designed to allow light into basements.

LINER BUILDING
A building designed to screen a building without an Active Edge, a parking lot or parking structure from a Build-To-Zone, street or civic space.

LIVE-WORK
A residential dwelling unit with a permitted accessory non-residential use such as retail, professional and/or artisan production facilities in excess of what is allowed as a home based business.

MEDICAL OFFICE
Offices of physicians and dentists, including outpatient medical and surgical services and facilities, medical labs, and also including animal hospitals.

MID-BLOCK FRONTAGE
Private Frontage type with lower Frontage Occupancy, that permits courtyard, drop-off and parking areas with incorporated edging elements to screen the view from the street.

MIXED USE
A building or site designed for and containing more than one permitted use in Section 175.11A(2)

MULTI-FAMILY DWELLING
Three or more dwelling units in a building.

PARAPET LINE
A continuous horizontal projection for most of a facade. The parapet can be a designated location for measure of building height.

PEDESTRIAN CLEARWAY
An area within the sidewalk that must remain clear of obstructions to allow public passage.

PEDESTRIAN WAY
A Street Type that is intended for use primarily by pedestrians.

PORCH FRONTAGE
Private Frontage type, typically residential, where the façade is set back from an attached porch that may not be screened or glazed, and is no less than 5 feet deep.

PRINCIPAL ENTRANCE
The main point of access for pedestrians into a building.

PRIVATE FRONTAGE
See Frontage, Private.

PRIVATE OPEN SPACE
A privately owned outdoor space located at ground level or on upper floors, designed to provide outdoor dining, passive recreation, gardens, urban agriculture, plaza space, sitting areas, green roof, landscaped courtyards or similar spaces for regular occupant use, not including parking areas, roofs not designed for regular occupant use, loading areas or mechanical areas.

PROFESSIONAL SERVICES
Services rendered by a Professional Person or Persons.

PUBLIC FRONTAGE
See Frontage, Public.

RESEARCH AND DEVELOPMENT
The systematic study and application of knowledge or understanding, directed toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements, excluding High Hazard Group H occupancies, per New York State Building Code, Chapter 3, Section 307.

RESIDENTIAL CARE FACILITY
An adult care facility where compensation and/or reimbursement of costs is paid to an operator, pursuant to State or Federal standards, licensing requirements, or programs funding residential care services.

RETAIL USE
Sale of goods and/or provision of personal services directly to the ultimate consumer.

SETBACK
The distance between a lot line and the front, side, or rear of a building.
SIGNIFICANT CORNER
A corner location, at the intersection of two streets, providing a distinguishing architectural element, building massing, or a composition of architectural elements to signify the importance of the corner. Architectural elements may include distinguishing materials, textures, colors, fenestrations, cornices, balconies, or similar elements designed to feature a corner.

SITE / DEVELOPMENT SITE
An assemblage of one or more contiguous Lots controlled through an individual owner, contract vendee, or a group of owners acting together to develop under the provisions of this Article.

SMALL-SCALE RENEWABLE ENERGY
Use of a structure or Improvement for the generation of energy from renewable resources, including, but not limited to, wind, solar, hydroelectric, methane, wood, biomass and alcohol, not to exceed a generating capacity of 100 Kilowatts.

STEPBACK
A portion of a building set back above the Street Wall before the total height of the building is achieved. The position of the stepback is controlled by a specified distance from the required Street Wall.

STOOP FRONTAGE
Private Frontage type, typically residential, with an elevated first floor to sufficiently secure privacy for the windows, with entrance accessed from an exterior stair and landing that may be a perpendicular or parallel to the sidewalk, located within Build-To-Zone.

STOREFRONT FRONTAGE
A Private Frontage primarily for retail or restaurant use, with substantial glazing and Active Edge, complying with Storefront Frontage requirements.

STORY
That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. An intermediate floor between the floor and ceiling of any story, and covering less than one-third of the floor area immediately below the intermediate floor shall be considered a mezzanine, which shall not be counted as a story. A basement shall be counted as a story when the basement structural ceiling level, as measured from the lowest point of that structural ceiling level, is four or more feet above the average level of the finished grade surrounding the basement.

STREET
A public right-of-way, bounded by lot lines on both sides.

STREET TYPE
A classification assigned to a Street or Pedestrian Way denoting the standards of Public Frontages and Private Frontages.

STREET WALL
The building facade located within the Build-To-Zone, up to the Street Wall Height, facing a Street, Pedestrian Way or civic space.

STREET WALL HEIGHT
The vertical distance from the mean grade of a sidewalk at the Street Wall to the highest point of a cornice or roof line before a required Stepback.

TERMINATING VISTA
A location at the axial conclusion of a street providing a distinguishing architectural element, building massing, or a composition of architectural elements, to signify the importance of such location. Architectural elements may include distinguishing materials, textures, colors, fenestrations, cornices, balconies, or similar elements designed to feature a location.

TOWNHOUSE
A single-family dwelling unit attached by a common party wall to another building in which each unit has a separate entrance.

TRAVELED WAY
The portion of a Street between the curbs that is available for vehicular transportation.

URBAN FRONTAGE
A Private Frontage type with less substantial Active
SECTION 331-175.04 DEFINITIONS

Edge and glazing at the sidewalk level than Storefront Frontage.

UTILITIES

Facilities and structures used for production, generation, transmission and distribution of services including but not limited to electric, gas, water, sewer, telephone, cable TV, and internet access services, excluding local services directly provided to buildings by cables, wires, poles and pipes.

WHOLESALE USE

The sale of goods to other businesses or individuals not open to the general public, generally offering goods in larger volume than customary for retail sales.
SECTION 331-175.05 RESERVED

SECTION 331-175.06 RESERVED

SECTION 331-175.07 RESERVED
A. The DOZ is divided into the following Overlay Zones, shown as “DO-1,” “DO-2,” “DO-3,” “DO-4,” “DO-5,” and “DO-6.” The boundaries of these Overlay Zones are shown on the Official Zoning Map of the City of New Rochelle and the DOZ Standards Map 175.08G.

B. If a parcel is located in more than one DOZ overlay district, each portion of the parcel shall conform to Development Standards of the applicable district.

C. A DOZ Standards Map is hereby established and incorporated into this Article, with designated DO-1, DO-2, DO-3, DO-4, DO-5 and DO-6 zoning districts as shown on the Official Zoning Map of the City of New Rochelle.

D. The DOZ Standards Map, because of its level of detail, is available on both one sheet and in a series of tiled maps, along with a legend and key map.

E. The DOZ Standards Map designates a series of zoning standards elements to regulate the building forms most appropriate for each Overlay District, street, block and lot. This map regulates DOZ Street Types, Terminating Vistas, Significant Corners and Required Frontage Types.

(1) DOZ Street Types
The Downtown Overlay Zones permit seven Street Types, which regulate the allowable Frontage Types:
(a) A Street
(b) B Street
(c) C Street
(d) D Street
(e) E Street
(f) F Street
(g) P Street - Pedestrian Way
See Section 175-09 for Public Frontage Standards and Section 175-11.D for Private Frontage Standards.

(2) Terminating Vistas
The DOZ Standards Map designates locations of required and permitted Terminating Vistas, as defined in 331-175.11E(9).

(3) Significant Corners
The DOZ Standards Map designates locations of required and permitted Significant Corners as defined in Section 331-175.11E(8).
175.08F(1) DOZ STREET TYPE STANDARDS

(1) The DOZ Street Types Table designates the Street Types, Storefront requirements and Maximum Door Separation requirements associated with each Street or portion of Street within the Downtown Overlay Zones.

(a) The designated Street Type establishes the width of the Public Frontage and the types of Private Frontages permitted.
(b) Certain streets are designated as "Storefront Required" requiring the Private Frontage to comply with either Storefront Frontage or Arcade Frontage requirements.
(c) Those streets designated as "Storefront Required" or "Frequent Entryways Required" on the DOZ Street Types Map establish a maximum door entryway separation measured in feet along the Build-To-Line as shown in 175.08F(2) and required in Section 175.11E(5). See 175.11E(5)(e) and (f) for conditions that permit greater maximum door separations.
(d) Where Max Door Separation states “N/A” the standard is not applicable.

175.08F(2) DOZ STREET TYPES TABLE

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Street Type</th>
<th>Storefront Required</th>
<th>Max Door Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Ave</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Bally Pl</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Bartels Pl</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Beauchamp Pl</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Bonneytoy Pl</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Bridge St</td>
<td>E Street</td>
<td>N</td>
<td>60'</td>
</tr>
<tr>
<td>Burling Ln</td>
<td>C Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Cedar St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From I-95 to Palmer Ave</td>
<td>D Street</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>From Palmer Ave to Huguenot St</td>
<td>D Street</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>From Huguenot St to Harrison St</td>
<td>A Street</td>
<td>N</td>
</tr>
<tr>
<td>Centre Ave</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From I-95 to Huguenot St</td>
<td>D Street</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>From Huguenot St to Main St</td>
<td>B Street</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>From Main St to Prospect St</td>
<td>D Street</td>
<td>N</td>
</tr>
<tr>
<td>Chauncey Ave</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Church St</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Clinton Pl</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Cologni Ave</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Columbus Ave</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Cottage Pl</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Division St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From Station Plz S to Huguenot St</td>
<td>D Street</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>From Huguenot St to Main St</td>
<td>B Street</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Division St - From Main St to Prospect St</td>
<td>D Street</td>
<td>N</td>
</tr>
</tbody>
</table>

1 Where a single retail occupancy is provided for 20,000 SF or greater see Section 175.11 E(5)(e) for provisions permitting greater door separations.
2 Where a Storefront is required, either a Storefront Frontage type or Arcade Frontage type is required.
3 Pedestrian Ways designated on the DOZ Standards Maps in Section 175.08G(3) through (7) shall comply with the standards in 175.09A(4).
### 175.08F(2) DOZ STREET TYPES TABLE (CONT’D)

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Street Type</th>
<th>Storefront Required</th>
<th>Max Door Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockwood Ave</td>
<td>C Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Locust Ave</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Main Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From Webster Ave to Maple Ave</td>
<td>D Street</td>
<td>N</td>
<td>80’</td>
</tr>
<tr>
<td>From Maple Ave to Harrison St</td>
<td>A Street</td>
<td>Y</td>
<td>60’</td>
</tr>
<tr>
<td>From Harrison St to Pratt St</td>
<td>C Street</td>
<td>N</td>
<td>80’</td>
</tr>
<tr>
<td>Manor Pl</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Maple Ave</td>
<td>D Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>May St</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>Memorial Highway</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From Station Plz S to Huguenot St</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>From Huguenot St to Main St</td>
<td>A Street</td>
<td>Y</td>
<td>60’</td>
</tr>
<tr>
<td>Morris St</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
<tr>
<td>North Ave</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From Treno St to 1 Parcel North of Lincoln Ave &amp; Manor Pl</td>
<td>D Street</td>
<td>N</td>
<td>80’</td>
</tr>
<tr>
<td>From 1 Parcel North of Lincoln &amp; Manor Pl to I-95</td>
<td>D Street</td>
<td>Y</td>
<td>60’</td>
</tr>
<tr>
<td>From I-95 to Railroad Tracks</td>
<td>D Street</td>
<td>N</td>
<td>80’</td>
</tr>
<tr>
<td>From Railroad Tracks to Main St</td>
<td>A Street</td>
<td>Y</td>
<td>60’</td>
</tr>
<tr>
<td>From Main St to Union St</td>
<td>D Street</td>
<td>N</td>
<td>80’</td>
</tr>
<tr>
<td>Palmer Ave</td>
<td>D Street</td>
<td>N</td>
<td>80’</td>
</tr>
<tr>
<td>Park Pl</td>
<td>E Street</td>
<td>N</td>
<td>N/A</td>
</tr>
</tbody>
</table>

1. Where a single retail occupancy is provided for 20,000 SF or greater see Section 175.11 E(5)(e) for provisions permitting greater door separations.
2. Where a Storefront is required, either a Storefront Frontage type or Arcade Frontage type is required.
3. Pedestrian Ways designated on the DOZ Standards Maps in Section 175.08G(3) through (7) shall comply with the standards in 175.09A(4).
175.08G(1) DOZ STANDARDS MAP KEY

LEGEND
- Downtown Overlay District Boundary
- DO-1 Downtown Core District
- DO-2 Downtown District
- DO-3 Gateway Transition District
- DO-4 River Street Commercial District
- DO-5 Wellness District
- DO-6 North of Lincoln District
- Storefronts Required
- Frequent Entryways Required
- 6-Story Maximum
- Civic Space Required
- Pedestrian Way Required
Where Storefront Required is designated along a Site on the DOZ Standards Map, a Storefront Frontage or Arcade Frontage shall be provided and Active Frontage standards in Section 175.11E(5)(c) shall apply.

Where Frequent Entryways Required is designated along a Site on the DOZ Standards Map, Active Frontage standards in Section 175.11E(5)(d) shall apply.
175.08G(5) DOZ STANDARDS MAP TILE 3 AND 3.1

Section 331

DOWNTOWN OVERLAY ZONE
City of New Rochelle

DOZ STANDARDS MAP
TILE 3 AND 3.1

T3

TILE 1

TILE 2

TILE 3.1

TILE 5
**Section 175.09 Street and Public Frontage Standards**

(1) The combination of the Traveled Way, Public Frontage, and Private Frontage defines the character of the public realm.

(2) The Street Type is a classification assigned to a Street or Pedestrian Way that determines the width of the Public Frontage as distance of a Build-To-Line from the Face of Curb, regulates the width of the Pedestrian Clearway, the type of the associated permitted Private Frontages, and the Street Wall Height.

(3) The Private Frontage Type regulates the depth of the Build-To-Zone and the Minimum Frontage Occupancy, minimum clear glazing area, dimensional depth of the visible use of the ground floor, allowable placement of parking, and the combination of allowed Frontage Edging Elements.

**175.09A Street Standards**

(1) Street Type Designations

(a) DOZ Street Types Map in Section 175.08F assigns Street Types to each existing street and mandated new Pedestrian Ways.

(b) Through the process of block development and land subdivision or re-subdivision as described in this Article, the Planning Board shall designate, upon the recommendation of the Commissioner of Development, all new streets as A Streets through F Streets or P Streets as Pedestrian Ways to reflect the importance of pedestrian and commercial activity, the intended form of development, and the need for traffic management along each street.

(2) Street Responsible Parties

(a) The design, maintenance and rehabilitation of an existing street shall be the responsibility of the owner of such traveled way (e.g. City, County, State or Private Owner).

(b) The design and construction of new streets shall be the responsibility of the applicant proposing new streets. New Streets shall comply with the street standards required by the City of New Rochelle and shall be offered for dedication to the City of New Rochelle.

(3) New Streets

(a) Design of Streets and Access Lanes

[1] The Planning Board may prepare a Design Guidelines Manual with provisions to establish standards and guidance on the design of new or the re-design of existing Streets and Access Lanes. The Planning Board may require applicants to comply with the provisions of this Manual.

(b) Site Access Standards

[1] The Planning Board may require sites to provide for pedestrian access, service access, and loading access within a reasonable distance from a public street or access lane.

(c) The Planning Board may require, where appropriate and necessary to provide adequate access to a Site, a minimum 16 foot wide access easement at one or more locations within the site, at the side(s) of the site or at the rear of the site on the street level, with a 14 foot clear height.

(d) The Planning Board may require the Applicant to design streets and access lanes to connect to other access lanes, streets, loading areas or parking areas or parking structures on the applicant's site or on adjacent sites.

(e) The Planning Board may require the Applicant to create Pedestrian Ways, Access Lanes, or Streets within the designated access easements, and may require these ways, lanes or streets to connect to existing streets. The Planning Board may also require adjoining property owners to combine access easements from adjoining sites to create an interconnected network of streets, access lanes and pedestrian ways.

(4) Pedestrian Ways

(a) For those Sites facing a Pedestrian Way designated as Street Type P on the DOZ Street Types Map in Section 175.08, the applicant shall provide such Pedestrian Way at the approximate location shown on the map by establishing a Build-To-Line at a location acceptable to the Planning Board. The Planning Board may approve Pedestrian Ways at other locations.

(b) Where a Pedestrian Way is required, the Applicant may choose to provide a Pedestrian Way complying with either Option 1 or Option 2. Alternatively, applicant may choose to satisfy the requirement for Street Type P by providing an A Street, B Street, C Street or D Street.

(c) Pedestrian Ways shall provide an access easement, accessible to public at least 16 hours a day, and a portion of it may be located within the building provided that it maintains the intent of the permitted frontages specified in Section 175.09B.
### DOWNTOWN OVERLAY ZONES

**City of New Rochelle**

### 175.09B. PUBLIC FRONTAGE AND PRIVATE FRONTAGE STANDARDS

<table>
<thead>
<tr>
<th>STREET TYPE</th>
<th>STREET TYPE A</th>
<th>STREET TYPE B</th>
<th>STREET TYPE C</th>
<th>STREET TYPE D</th>
<th>STREET TYPE E</th>
<th>STREET TYPE F</th>
<th>STREET TYPE P-PEDESTRIAN WAY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DISTANCE FROM FACE OF CURB TO BUILD-TO-LINE</strong></td>
<td>15'-0&quot;</td>
<td>12'-0&quot;</td>
<td>15'-0&quot;</td>
<td>12'-0&quot;</td>
<td>9'-0&quot;</td>
<td>6'-0&quot;</td>
<td>16'-0&quot;</td>
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<td><strong>LANDSCAPE AND FURNISHING ZONE MINIMUM</strong></td>
<td>2'-0&quot;</td>
<td>2'-0&quot;</td>
<td>2'-0&quot;</td>
<td>2'-0&quot;</td>
<td>no min.</td>
<td>no min.</td>
<td>2'-0&quot;</td>
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<tr>
<td><strong>PEDESTRIAN CLEARWAY MINIMUM</strong></td>
<td>6'-0&quot;</td>
<td>5'-0&quot;</td>
<td>6'-0&quot;</td>
<td>5'-0&quot;</td>
<td>5'0&quot;</td>
<td>5'0&quot;</td>
<td>8'-0&quot;</td>
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<td><strong>TRANSITION ZONE MINIMUM</strong></td>
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<td>2'-0&quot;</td>
<td>2'-0&quot;</td>
<td>no min.</td>
<td>no min.</td>
<td>2'-0&quot;</td>
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### PRIVATE FRONTAGE TYPES

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<thead>
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<th>MIN. CLEAR GLAZING AREA REQUIRED</th>
<th>BUILD-TO-ZONE (BTZ) WIDTH</th>
<th>MIN FRONTAGE OCCUPANCY</th>
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<tr>
<td><strong>STOREFRONT FRONTAGE</strong></td>
<td>65%</td>
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<tr>
<td><strong>Arcade Frontage</strong></td>
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<td>15'-0&quot;</td>
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<tr>
<td><strong>Urban Frontage</strong></td>
<td>50%</td>
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<td><strong>Stoop Frontage</strong></td>
<td>20%</td>
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<tr>
<td><strong>Porch Frontage</strong></td>
<td>20%</td>
<td>10'-0&quot;</td>
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<tr>
<td><strong>Lightwell Frontage</strong></td>
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<td>10'-0&quot;</td>
</tr>
<tr>
<td><strong>Forecourt Frontage</strong></td>
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<tr>
<td><strong>Mid-Block Frontage</strong></td>
<td>10%</td>
<td>X</td>
</tr>
</tbody>
</table>

1. On Streets designated on the DOZ Standards Map as “Storefront Required” (see Section 175.08), a Storefront Frontage or Arcade Frontage is required.
2. For Sites in DO-4, the minimum Frontage Occupancy shall be 60%.
3. For Sites in DO-4, the minimum Frontage Occupancy shall be 50%.
4. Provided that the structural columns or piers are located within 5 feet of the Build-To-Line.
5. Minimum clear glazing area required between 2' and 8' above the sidewalk.
6. Minimum clear glazing area required between the first floor slab and underside of the second floor slab.
7. Pedestrian Way shall require a Private Frontage on one side.
8. Pedestrian Way shall require Private Frontages on both sides.
9. The Planning Board shall have the authority to modify the Public Frontage Requirements.
10. X - Frontage Not Permitted.

### Stepback Requirements

<table>
<thead>
<tr>
<th>STREET TYPE</th>
<th>STREET TYPE A</th>
<th>STREET TYPE B</th>
<th>STREET TYPE C</th>
<th>STREET TYPE D</th>
<th>STREET TYPE E</th>
<th>STREET TYPE F</th>
<th>STREET TYPE P</th>
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</thead>
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<td>Above Street Wall</td>
<td>Above Street Wall</td>
<td>Above Street Wall</td>
<td>Above Street Wall</td>
<td>Above 28 stories</td>
<td>None</td>
<td>Above Street Wall</td>
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175.09C. PUBLIC FRONTAGE

(1) Public Frontage Standards

(a) The design, rehabilitation and construction of public frontages within the public right-of-way, including curbs, shall be the responsibility of the Applicant, according to the design standards established in this Article and any associated design guidelines adopted by the Planning Board. The Applicant is responsible for obtaining approval of such improvements from all agencies with jurisdiction over the public right-of-way.

(b) All Sites shall provide Public Frontages along Streets.

(c) Where the required Build-To-Line as identified herein would be located within the public street right-of-way, the Build-To-Line shall instead be placed at the front lot line(s).

(d) No building or portion thereof shall be located within the Public Frontage, except as provided in 175.11H Projections and Encroachments. The Planning Board may modify these minimum standards to address existing or proposed conditions where:

[1] Existing buildings are closer than the required Build-To-Line

[2] Pedestrian demand for a narrower Pedestrian Clearway is demonstrated and mitigated.

[3] The Landscape and Furnishing Zone requires additional space for transit facilities.

(e) To qualify for development using the provisions of this Article, all sites shall meet the minimum Site Area and Site Frontage requirements as defined in Section 175.11B(2) and comply with the Build-To-Line in Section 175.09 and Build-To-Zone requirements in Section 175.11.

(f) All Public Frontages shall provide a Landscape and Furnishing Zone, Pedestrian Clearway Zone and a Transition Zone according to the minimum dimensions established in 175.09B. for the designated Street Type along each Public Frontage.

[1] The Landscape and Furnishing Zone establishes an area for the placement of parking fee meters, street signage, street lighting, bike racks, refuse receptacles, street trees and bio-retention areas, transit stop waiting and enclosure areas, seating furniture, extended outdoor dining areas or similar items.
175.09D BUILD-TO-LINE

(1) Build-To-Line Standards

(a) The Build-To-Line shall be set parallel to the face of a curb for a distance regulated by Section 175.09B Public Frontage and Private Frontage Standards, and Street Types Map in Section 175.08F.

(b) All existing and new streets within the Downtown Overlay Zone district shall require a Build-To-Line.

(c) Where an existing building is closer to the Street than the designated Build-To-Line, the Planning Board has the authority to establish an alternate Build-To-Line at a location to allow the existing Street Wall to remain within the Build-To-Zone.

(d) Where a Pedestrian Way is provided according to Section 175.09A(4), the Planning Board may permit the Build-To-Line to be placed at alternate locations it deems appropriate.
SECTION 175.10. CIVIC SPACE STANDARDS

A. Applicability: This Section 331-175.10 applies to those developments that:

(1) Choose to provide civic space of a certain size and location to qualify for a Community Benefit Bonus from the list of approved bonuses or

(2) Choose to develop civic space on an approved development site in compliance with these standards of 175.10 to achieve greater flexibility in the placement of buildings or

(3) Are required to develop a civic space where designated on the DOZ Standards Map.

B. Minimum Civic Space Standards

To qualify for approval by the Planning Board as a civic space during the site plan review process, the space shall:

(1) Be in a form of ownership acceptable to the City Council.

(2) Provide public access at least 16 hours per day.

(3) Be located at the ground level or within one floor of the ground level and provide clear visual connections to pedestrians on an adjacent public sidewalk.

(4) Adhere to the standards established for civic spaces in this Section.

C. Maintenance

(1) Privately-Owned civic space shall be maintained by its owner or a private entity such as a Property Owners Association, Municipal Improvement District or Business Improvement District.

(2) Publicly-Owned civic space shall be maintained by its public owner or a contracted entity such as a Property Owners Association, Municipal Improvement District or Business Improvement District as approved by the applicable government agency.

D. Civic Space Programming, Placement and Design Criteria

(1) The following programming and design considerations, among others, shall be evaluated by the Planning Board in the course of site plan and/or subdivision approval and design as considerations in determining the acceptable location for civic space:

(a) Solar orientation of civic space

(b) Amenities such as water features, public bathrooms, informational kiosks, drinking fountains, play & entertainment areas

(c) Facilities for the use, retention and recharging of rainwater

(d) Projected public access and likelihood of use

(e) Seasonal programming of the space

(f) Intensity of adjacent private frontage(s)

(2) The Planning Board shall consider the following during its site plan review process to determine whether the civic space design is acceptable:

(a) All civic spaces shall provide pedestrian access from a public sidewalk via a publicly accessible Pedestrian Way or a private walkway open to the public at least 16 hours per day.

(b) A civic space may be indoors or outdoors. However, it must provide active or passive uses designed to bring regular pedestrian, civic and/or commercial activity to the Site.

(c) The Applicant may seek approval from the Planning Board for an alternate placement of a required Build-To-Zone to permit a civic space along a Street.


[1] Where a civic space is proposed on a development site adjacent to an existing building not controlled by the Applicant, the Applicant shall provide Edging Elements as defined in Section 175.11F and landscaping to buffer any adjacent areas of blank walls or service uses.

[2] A civic space may include buildings provided that they are designed to activate the civic use of the space and provide public access.

[3] Buildings and temporary structures within civic spaces may be as low as one story in height.

(3) Civic Space Frontage Occupancy

(a) Civic spaces shall be mapped and measured on the site plan to designate a Build-To-Zone with a total linear length along the edges of the proposed civic space excluding the length of the edge along the street and/or the length of the Pedestrian Way conforming to its Private Frontage requirements.

(b) Civic spaces shall provide a minimum 60% civic space frontage occupancy, unless the Planning
175.10.4 CIVIC SPACE STANDARDS

Board determines that a lower standard is permitted. Civic space frontage occupancy shall be calculated by measuring the length of the Street Wall in the civic space Build-To-Zone divided by the length of the perimeter of the civic space established above in 175.10D(3)a.

(4) New buildings contiguous to a civic space shall provide Build-To-Zone(s) and Street Wall(s) as required by the Street Type designated on the nearest Street on the DOZ Standards Map. Where existing buildings front onto a civic space, the Planning Board shall determine the minimum standards for civic space frontage occupancy consistent with the intent of 175.10, while recognizing the challenges of retrofitting existing buildings.
175.10E. PERMITTED CIVIC SPACE TYPES

(1) To qualify for designation as a civic space each proposed civic space must comply with the intent of one of the following permitted forms and fulfill the requirements associated with that civic space:

175.10E(1)(a) COURT

A civic space framed by buildings with Build-To-Zones on 3 or more sides and at grade access contiguous to a Public Frontage or an approved Pedestrian Way.

175.10E(1)(b) CORNER PLAZA

A civic space framed by buildings with Build-To-Zones on 2 sides and at grade access contiguous to a Public Frontage or an approved Pedestrian Way.

175.10E(1)(c) PLAZA

A civic space surrounded by streets on all sides or framed by buildings with Build-To-Zones on 1 or more sides and at grade access contiguous to a Public Frontage or an approved Pedestrian Way.
### SECTION 175.11. USES AND DEVELOPMENT STANDARDS

#### 175.11A. PERMITTED USES BY DISTRICT

(1) The schedule of uses permitted within the DOZ is shown in Section 175.11A(2) Table of Uses. Principal uses are listed as Permitted (P), Prohibited (X), Allowed by Special Permit (SP), or Accessory (A).

(2) Accessory Uses customarily associated with Uses, including home based business, shall be permitted.

All uses require site plan approval. See Section 331-175.14 for Administration.

#### 175.11A(2) TABLE OF USES

<table>
<thead>
<tr>
<th></th>
<th>DO-1</th>
<th>DO-2</th>
<th>DO-3</th>
<th>DO-4</th>
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P: Permitted  
SP: Allowed by Special Permit from the Planning Board  
A: Accessory to a Permitted Principal Use  
X: Prohibited  
*: Allowed if and to the extent permitted by the underlying district  

(1) Suites/units associated with Hospitality Uses and residential dwellings are prohibited within the Private Frontage area on the first floor of Storefront Frontages and Arcade Frontages. Common areas of residential and hospitality building such as lobbies, gyms and similar spaces servicing the primary use may occupy the ground floor of a storefront as long as it complies with the active edge requirements.

(2) Entertainment/ Cultural/ Arts includes theater, museum, gallery, cinema, indoor amusement establishments  

(3) When accessory to a restaurant
### 175.11A(2) TABLE OF USES (CONT'D)

<table>
<thead>
<tr>
<th>DO-1</th>
<th>DO-2</th>
<th>DO-3</th>
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</tr>
<tr>
<td>Parking Lot</td>
<td>A</td>
<td>A</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td><strong>UTILITIES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

**Legend:**
- **P** Permitted
- **SP** Allowed by Special Permit from the Planning Board
- **A** Accessory to a Permitted Principal Use
- **X** Prohibited
- ***** Allowed if and to the extent permitted by the underlying district

(1) Suites/units associated with Hospitality Uses and residential dwellings are prohibited within the Private Frontage area on the first floor of Storefront Frontages and Arcade Frontages. Common areas of residential and hospitality building such as lobbies, gyms and similar spaces servicing the primary use may occupy the ground floor of a storefront as long as it complies with the active edge requirements.

(2) Entertainment/ Cultural/ Arts includes theater, museum, gallery, cinema, indoor amusement establishments

(3) When accessory to a restaurant
175.11B. SITE DEVELOPMENT STANDARDS AND INCENTIVES

(1) Sites may qualify for the provisions of this article by meeting the site frontage and site area minimum requirements of one of the three development standards established in Section 175.11B(2). The building height requirements listed in Section 175.11B(2) under each development standard shall apply to those sites meeting the minimum requirements thereof.

<table>
<thead>
<tr>
<th>175.11B(2). DEVELOPMENT STANDARDS FOR DO-1, DO-2, DO-3, DO-4, DO-5, DO-6</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development Standard 1</strong></td>
</tr>
<tr>
<td><strong>Site and Building Height Requirements</strong></td>
</tr>
<tr>
<td>Total Site Frontage Min.</td>
</tr>
<tr>
<td>Site Area Minimum</td>
</tr>
<tr>
<td><strong>Building Height</strong></td>
</tr>
<tr>
<td>DO-1</td>
</tr>
<tr>
<td>DO-2</td>
</tr>
<tr>
<td>DO-3</td>
</tr>
<tr>
<td>DO-4</td>
</tr>
<tr>
<td>DO-5</td>
</tr>
<tr>
<td>DO-6</td>
</tr>
<tr>
<td><strong>Street Wall Height &amp; Stepback</strong></td>
</tr>
<tr>
<td><strong>Parking</strong></td>
</tr>
<tr>
<td>Placement - See DOZ minimum requirements in Sec 175.11I</td>
</tr>
<tr>
<td><strong>Min side yard from residential districts</strong></td>
</tr>
<tr>
<td><strong>Rear yard setback at residential districts</strong></td>
</tr>
</tbody>
</table>

1 Total sum of all Site Frontages facing Streets, excluding those Site Frontages along Pedestrian Ways.
2 Additional Bonus Height may be achieved according to Community Benefit Bonuses Figure 175.11C. See Section 175.11G & H for building height standards, exceptions and permitted projections and encroachments.
3 Except: 6 story, 65’ maximum building height where shown on the DOZ Standards Map in Section 175.08
4 Except in DO-1 where minimum site area is 40,000 SF
175.11C. COMMUNITY BENEFIT BONUSES (CBB)

(1) Community Benefit Bonuses offer the ability to develop beyond the individual development standards for each district in exchange for investment in public benefits, up to a maximum building height, measured in feet and stories, defined in Section 175.11C(3).

(2) To ensure the fulfillment of the community benefit goals of the City, all CBB development within the DOZ that is approved under this Article shall comply with the requirements of any adopted Community Benefit Bonus policies in effect as of the date such policies have been adopted or modified by resolution of the City Council. Compliance with the terms of these policies shall be made a condition of any site plan approval within the DOZ after adoption of such policies, and such compliance shall be monitored and enforced as set forth in the Community Benefit Bonus Policies and as conditions of approval of a site plan under this ordinance. Where such conditions have been imposed on site plan approvals, no building permit, certificate of occupancy, or business license or business license renewal shall be issued unless the Applicant has demonstrated compliance with these policies.

175.11C(3). TABLE OF COMMUNITY BENEFIT BONUSES (CBB)

<table>
<thead>
<tr>
<th>District</th>
<th>Development Standard 1 Bonus*</th>
<th>Development Standard 2 Bonus*</th>
<th>Development Standard 3 Bonus*</th>
</tr>
</thead>
<tbody>
<tr>
<td>DO-1</td>
<td>up to 2 Bonus stories</td>
<td>up to 4 Bonus stories</td>
<td>up to 8 Bonus stories</td>
</tr>
<tr>
<td>DO-2</td>
<td>up to 1 Bonus story</td>
<td>up to 2 Bonus stories</td>
<td>up to 4 Bonus stories</td>
</tr>
<tr>
<td>DO-3</td>
<td>No Bonus Available</td>
<td>up to 2 Bonus stories</td>
<td>up to 4 Bonus stories</td>
</tr>
<tr>
<td>DO-4</td>
<td>No Bonus Available</td>
<td>up to 2 Bonus stories</td>
<td>up to 4 Bonus stories</td>
</tr>
<tr>
<td>DO-5</td>
<td>No Bonus Available</td>
<td>up to 2 Bonus stories</td>
<td>up to 4 Bonus stories</td>
</tr>
<tr>
<td>DO-6</td>
<td>No Bonus Available</td>
<td>up to 2 Bonus stories</td>
<td>No Bonus Available</td>
</tr>
</tbody>
</table>

* Where a site has been designated on the DOZ Standards Map as a Six Story Maximum Building Height, the total building height including Community Benefit Bonuses shall be a maximum of 6 stories and 65 feet.
175.11D(1) PRIVATE FRONTAGE DIAGRAM

175.11D(2) PRIVATE FRONTAGE STANDARDS

(2) Private Frontage Standards

(a) All Sites shall provide a Private Frontage along each Street and each Pedestrian Way, except:

[1] On F Streets Private Frontages are not required.

[2] Where a Site with multiple frontages has provided at least one Private Frontage of a minimum 100 feet in length along the Primary Frontage and complied with the Frontage Occupancy, the Site’s other frontages of less than 55 feet in length are not required to provide a Frontage Occupancy on a Private Frontage.

[3] Where a Site has three Site Frontages, and two of the highest priority Site Frontages comply with its Frontage Occupancy or where a Site has four Site Frontages, and three of the highest priority Site Frontages comply with its Frontage Occupancy, the Planning Board may reduce or remove the Frontage Occupancy requirement for one Site Frontage that it deems to be of the lowest priority.

(b) All buildings shall provide a Principal Entrance on the Primary Frontage.

(3) All Sites shall provide Private Frontages composed of one or more of the permitted Private Frontage Types as defined in Section 175.09B Public Frontage and Private Frontage Standards Private Frontage Types are: Storefront Frontage, Arcade Frontage, Urban Frontage, Stoop Frontage, Porch Frontage, Lightwell Frontage, Forecourt Frontage, Mid-

(4) Private Frontage Type standards are established in the definitions Section 175.04, regulated in Section 175.09B Public Frontage and Private Frontage Standards and further clarified below:

(a) Arcade Frontage Standards

[1] A clear distance for pedestrian access between the outer and inner arcade elevations shall be minimum of 6’

[2] A minimum clear vertical height between sidewalk and the arcade ceiling shall be 10’

(b) Urban Frontage Standards

[1] Where a development provides a parking structure facing any Street Type except an A or B Street, a minimum of 50% of the street-level, street facing building area located between 2’ & 8’ above the sidewalk shall provide architectural openings designed to appear as windows, however glass may be replaced with non-glazed openings designed to look like windows.
175.11E(1). BUILD-TO-ZONE

(a) Structural elements of a front building facade, known as a Street Wall, shall be located within the Build-To-Zone.

(b) To satisfy Frontage Occupancy requirements the face of the building for the required minimum Street Wall Height and minimum length of the building shall occupy the Build-To-Zone as defined by each Street Type frontage in Section 175.09B. Where a Site complies with the Significant Corner and Terminating Vista standards defined in 175.11E(8) and 175.11E(9) certain portions of the Street Wall shall permit the maximum Street Wall to be taller than otherwise required.

(c) The Build-To-Zone allows building entrance alcoves and expanded sidewalk area for outdoor dining, building facade articulation, inclusion of projected and/or recessed building elements, and building alignment with existing neighboring buildings.

175.11E(2). FRONTAGE OCCUPANCY

(a) All developments in the Downtown Overlay Zone require buildings to occupy a minimum Frontage Occupancy within the Build-To-Zone as defined by the DOZ Standards Map (Sec 175.08G) and DOZ Street Types (Sec 175.08F).

(b) Frontage Occupancy shall be calculated as a percentage by measuring the length of a Street Wall or approved civic space measured along the Build-To-Line within the Build-To-Zone divided by the Site Frontage.

(c) Where the Planning Board approves a civic space along a Street or Pedestrian Way, that portion of the Site Frontage shall be considered 100% occupied, provided that the civic space conforms to the standards established in 175.10.

175.11E(2)(d) BUILD-TO-ZONE AND FRONTAGE OCCUPANCY DIAGRAM
175.11E(3). STREET WALL

(a) Where a Street Wall is required, it shall comply with the following:

[1] Minimum Street Wall Height shall be 50% of largest perpendicular horizontal distance between the two opposing Build-To-Lines on either side of a street.

[2] Maximum Street Wall Height shall be equal to the largest perpendicular distance between two opposing Build-To-Lines on either side of a Street.

175.11E(4). STEPBACK

(a) Those Sites designated on the DOZ Street Types Standards Map in Section 175.08F as Street Type A, B, C, D, E or P shall require a Stepback of a minimum of 10 feet from the Street Wall above the maximum Street Wall Height as defined by the applicable Street Type in Section 175.09B.

(b) Where the DOZ Standards Map in Section 175.08 designates a Significant Corner, the development may qualify for an exemption from the Stepback requirement for up to 30 percent of the Site Frontage, provided they meet the standards in Sec 175.11E(9).

(c) Where the DOZ Standards Map in Section 175.08 designates a Terminating Vista, the development may qualify for an exemption from the Stepback requirement for up to 30 percent of the Site Frontage, provided they meet the standards in Sec 175.11E(9).

(d) Where the Planning Board determines Sites qualify for more than one Stepback exemption, up to 60 percent of the site frontage may qualify for a Stepback exemption.
**175.11E(5) ACTIVE EDGE FRONTAGE REQUIREMENTS**

(a) All sites shall endeavor to create an active edge along streets and sidewalks through the design and frequent placement of entryways and clear glazing to promote pedestrian activity and commerce in the DOZ.

(b) Applicants shall provide a minimum separation between entryways to promote pedestrian activity on sidewalks as defined by this Section.

(c) Storefront Required: Those Public Frontages designated on the Section 175.08 DOZ Standards Map as “Storefronts Required” shall comply with the following standards:

1. A development shall comply with minimum standards of either a Storefront Frontage or an Arcade Frontage as defined in Figure 175.09B.

2. The Private Frontage area within a Site behind the glazing at the Street Wall shall provide an Active Edge including frequent placement of entrances, storefronts, display areas and/or areas designed for multiple users designed to stimulate and concentrate pedestrian activity along the Public Frontage.

3. A Storefront Frontage shall be provided at the designated street and shall extend a minimum of 20 feet around the corner along the Build-To-Zone of the intersecting Streets and Pedestrian Ways.

4. The architectural design for the ground floor street level shall provide frequent entryways no further than 60 feet from the end of the building at the Street Wall and the edge of each entryway shall be no greater than 60 feet from a consecutive entryway as measured along the Build-To-Line.

(d) Frequent Entryways Required: Those Public Frontages designated on the Section 175.08 DOZ Standards Map as “Frequent Entryways Required” shall comply with the following standards:

1. The architectural design for the ground floor street level shall provide frequent entryways no further than 80 feet from the end of the Street Wall and the edge of each entryway shall be no greater than 80 feet from an adjacent entryway as measured along the Build-To-Line.

(e) Large Retail Occupancy Standard: Where a site requires either Frequent Entryways or Storefronts and where a single retail occupancy is provided for 20,000 SF or greater the architectural design for the ground floor street level shall provide frequent entryways no further than 100 feet from the end of the building at the Street Wall and the edge of each entryway shall be no greater than 100 feet from a consecutive entryway as measured along the Build-To-Line.

(f) Place of Public Assembly Standard: Where a site requires either Frequent Entryways or Storefronts, and where a ground floor place of public assembly is included, the architectural design for the frontage of the building occupied by that use shall provide frequent entryways no further than 100 feet from the end of the building at the Street Wall and the edge of each entryway shall be no greater than 100 feet from a consecutive entryway as measured along the Build-To-Line.

**175.11E(6) GLAZING REQUIREMENTS**

(a) The first story of all Street Walls shall provide a minimum area of window glazing according to standards established in Section 175.09B for the permitted Private Frontage Types as further defined below:

1. The window glazing shall be clear, transparent glass unless otherwise provided in Section 331-175.11D(4)(b).

2. At Storefront Frontage, Arcade Frontage and Urban Frontage the Glazing area percentage shall be determined by measuring the surface area of the Glazing divided by the surface area of the Street Wall located between 2’ and 8’ above the elevation of the nearest sidewalk.

3. At Stoop Frontage, Porch Frontage, Lightwell Frontage, Forecourt Frontage, and Mid-Block Frontage the Glazing area percentage shall be determined by measuring the Glazing surface area divided by the surface area of the Street Wall located between the first floor elevation and the underside of the second floor slab.
175.11E(7) EXPRESSION LINES

(a) The Expression Lines guidelines provided below may be considered by the Professional Architectural Review Committee during its review of a site plan and proposed architectural design.

(b) All buildings should provide horizontal expression lines in order to:

1. Differentiate between the base, middle or top of buildings.

2. Emphasize a massing transition or change of use.

(c) Expression lines should be articulated through the use of moldings, shading devices, changes of material, changes of color, cornices, and other similar architectural elements.

175.11E(7)(d) EXPRESSION LINES DIAGRAM
175.11E(8) SIGNIFICANT CORNER

(a) With respect to the Sites depicted as Significant Corners on the DOZ standards Map in Section 175.08, [1] for those sites depicted as High Priority Significant Corners, the Professional Architectural Review Committee shall, in all cases, include a review of the design of the applicable corner as part of its review of the site plan and proposed architectural design of the overall project of which it is a part, and [2] for all other sites depicted as Significant Corners on the DOZ Standards Map, the Professional Architectural Review Committee shall include an analysis of the design of the applicable corner as part of its review of the site plan and proposed architectural design of the overall project of which it is a part if requested by the Applicant, provided that, in the case of this clause [2], if the Applicant does not request such a review, then the Applicant will not be permitted to take advantage of the benefits described in 175.11E(8)(b).

(b) Those sites designated as Significant Corners shall qualify for exemption from the Stepback requirements for up to 30 percent of the Site Frontage at the corner, provided that the additional height above the Street Wall is located at the corner.

(c) Where a civic space is proposed at a designated Significant Corner, the requirement for the Significant Corner shall be permitted at locations outside the Build-To-Zone where approved by the Planning Board.

(d) The location of the architectural features shall be expressed within a portion of the Street Wall and may be expressed above the Street Wall.
175.11E(9) TERMINATING VISTA

(a) With respect to the Sites depicted as Terminating Vistas on the DOZ Standards Map in Section 175.08, [1] for those sites depicted as High Priority Terminating Vistas, the Professional Architectural Review Committee shall, in all cases, include a review of the design of the applicable terminating vista as part of its review of the site plan and proposed architectural design of the overall project of which it is a part, and [2] for all other sites depicted as Terminating Vista on the DOZ Standards Map, the Professional Architectural Review Committee shall include an analysis of the design of the applicable Terminating Vista as part of its review of the site plan and proposed architectural design of the overall project of which it is a part if requested by the Applicant, provided that, in the case of this clause [2], if the Applicant does not request such a review, then the Applicant will not be permitted to take advantage of the benefits described in 175.11E(9)(b).

(b) Those sites designated as Terminating Vistas shall qualify for exemption from the Stepback requirements for up to 30 percent of the Site Frontage, provided that the additional height for the Street Wall is located at the Terminating Vista.

(c) Where a civic space is considered at a designated Terminated Vista, the requirement for the Terminated Vista shall be met at the Street Wall.

(d) The location of the architectural features shall be expressed within a portion of the Street Wall and may be expressed above the Street Wall.

175.11E(9)(e) TERMINATING VISTA DIAGRAM
175.11. EDGING ELEMENT STANDARDS

(1) Permitted Edging Elements shall be provided within the Build-To-Zone for 100% of the Site Frontage except where approved Street Walls, curb cuts, Pedestrian Ways, entryways and civic spaces are provided. Edging elements must conform to the requirements of Section 331-175.11F(2) and 175.11F(3).

331-175.11F(2) TABLE OF PERMITTED EDGING ELEMENTS

<table>
<thead>
<tr>
<th>Private Frontage Type</th>
<th>Edge Structure</th>
<th>Ornamental Fence</th>
<th>Privacy Fence</th>
<th>Planters</th>
<th>Landscaped Edge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storefront</td>
<td>EE-1</td>
<td>EE-2</td>
<td>EE-3</td>
<td>EE-4</td>
<td>EE-5</td>
</tr>
<tr>
<td>Arcade</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Urban</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Stoop</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Porch</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Lightwell</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>X</td>
<td>P</td>
</tr>
<tr>
<td>Forecourt</td>
<td>P</td>
<td>P</td>
<td>X</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Mid Block</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

P = Permitted; X = Prohibited

* Additional building standards for railing may apply.
** Privacy fences shall be used for screening of utility and service areas and shall be no taller than 6 feet.

331-175.11F(3) EDGING ELEMENT STANDARDS

Edging Elements shall be designed to define and enclose the edge of the Public Frontage and create a transition onto a site.

<table>
<thead>
<tr>
<th>Edging elements</th>
<th>ID</th>
<th>Description</th>
<th>Maximum Height</th>
<th>Prohibited Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edge Structure</td>
<td>EE-1</td>
<td>A low masonry wall, platform or stair.</td>
<td>42”</td>
<td>-</td>
</tr>
<tr>
<td>Ornamental Fence</td>
<td>EE-2</td>
<td>A semi-transparent fence.</td>
<td>42”</td>
<td>Chain Link</td>
</tr>
<tr>
<td>Privacy Fence</td>
<td>EE-3</td>
<td>An opaque fence or wall for screening utility and service areas.</td>
<td>72”</td>
<td>Chain Link</td>
</tr>
<tr>
<td>Planters</td>
<td>EE-4</td>
<td>Landscaped planters with spacing of not less than 8’ clear.</td>
<td>72”</td>
<td>-</td>
</tr>
<tr>
<td>Landscaped Edge</td>
<td>EE-5</td>
<td>A hedge or row of plants and/or flowers.</td>
<td>42”</td>
<td>-</td>
</tr>
</tbody>
</table>
175.11G BUILDING HEIGHT

(1) Ground floor uses with Storefront, where required, shall have a minimum clear height of 10 feet.

(2) The following Height Exceptions shall be permitted:
   (a) Buildings less than two stories shall be permitted by the Planning Board only when located in areas of civic space.
   (b) Open railings, planters, skylights, church steeples, greenhouses, parapets, and firewalls may extend up to 4 feet above the maximum height limit with unlimited rooftop coverage.
   (c) Solar collectors may extend up to 7 feet above the maximum height limit, with unlimited rooftop coverage.
   (d) The following structures may extend up to 20 feet above the maximum height limit, as long as the combined total coverage of all features listed in this subsection does not exceed 30 percent of the roof area including one or more of the following:
      [1] “green” energy production or reduction equipment (e.g., solar collectors, wind turbines, solar hot water systems)
      [2] stair and elevator penthouses
      [3] mechanical equipment
      [4] greenhouses, urban agriculture structures, and solariums
      [5] play equipment and open-mesh fencing that encloses it, as long as fencing is at least 15 feet from the roof edge
      [6] minor communication utilities and accessory communication devices
      [7] cupolas and church steeples
      (e) Greenhouses that are dedicated to produce production are permitted to extend 15 feet above applicable height limit as long as the combined total coverage of all features gaining additional height does not exceed 50% of the roof area. The combined total coverage may be increased to 65%, provided that all mechanical equipment is screened and that no rooftop features are located closer than 10 feet to the roof edge.
      (f) Art installations shall be allowed at a height and coverage subject to the review and approval of the Municipal Arts Commission, and in accordance with all applicable Federal, State, and local regulations.

Building Height at Stepbacks

(a) See Sec 175.11E(4) for maximum building height at building stepbacks.

175.11H PROJECTIONS AND ENCROACHMENTS

(1) Building projections shall be permitted to encroach into a required front, side or rear yard setback, or across a Build-To-Line provided that:
   (a) Structural encroachments shall provide a minimum of 14 feet of clearance over a public sidewalk or right of way.
   (b) Architectural encroachments such as cornices or canopies that are not occupied space shall provide a minimum of 10 feet of clearance over a public sidewalk or right of way.
   (c) Projections shall not be included in the calculation of building or impervious coverage.
   (d) Signs, awnings, overhangs and similar elements, if determined by the Planning Board to be consistent with the regulations and intent of the frontages, may encroach beyond a Build-To-Line.
   (e) Stairs and hand railings may project beyond the Build-To-Line for up to 2 feet provided they do not project into the Pedestrian Clearway and they are not closer to the street than the front lot line.
175.11I. PARKING REQUIREMENTS

(1) Parking requirements for development in the Downtown Overlay Zone District shall be determined by Article XIV - Off-Street Parking and Loading. Section 331-126 identifies an overlay district called the Central Parking Area (CPA) that establishes alternate parking standards appropriate for the Downtown Overlay Zone in Section 331-125 through 331-126.G.

2) On-Site Parking Placement

   (a) There shall be no parking at the sidewalk level within the Build-To-Zone unless the Planning Board determines that such parking is incidental.

   (b) There shall be no parking within a building at the sidewalk level within the Private Frontage unless the Planning Board determines that such parking is incidental.

175.11J SUSTAINABLE DEVELOPMENT STANDARDS

(1) All Sites shall comply with Outdoor Potable Water Consumption Reduction and Heat Island Reduction standards.

175.11J(2) OUTDOOR POTABLE WATER CONSUMPTION REDUCTION

(a) Minimum reduction for potable water consumption for outdoor landscape irrigation shall be 50% from a calculated midsummer baseline case.

(b) Reductions may be attributed to any, but not limited to, combination of the following items:

   [1] Plant species, density and microclimate factor
   [2] Irrigation efficiency
   [3] Use of captured rainwater
   [4] Use of recycled wastewater
   [6] Use of other non-potable water sources such as stormwater, air conditioning condensate, and foundation drain water.

175.11J(3) HEAT ISLAND REDUCTION

(a) Minimum requirement of 50% heat island reduction for non-roof site hardscape (including sidewalks, courtyards, parking lots, parking structures, and driveways) shall be achieved through any combination of the following strategies:

   [1] Provide shade from open structures such as those supporting solar photovoltaic panels, canopied walkways, and pergolas
   [2] Have open grid pavement system (at least 50% pervious)
   [3] Provide shade from tree canopy (within five years of landscape installation)

(b) Minimum requirement for heat island reduction for roof areas shall be achieved through any combination of the following strategies:

   [1] Use roofing materials that have a Solar Reflectance Index (SRI) equal to or greater than the values in the table below for a minimum of 75% of the roof area surface of all new buildings within the project

   [2] Install a vegetated roof for at least 50% of the roof area of all new buildings within the project.

   [3] Combinations of SRI compliant and vegetated roof can be used provided that they collectively cover 75% of the roof area of all new buildings.

<table>
<thead>
<tr>
<th>Roof Type</th>
<th>Slope</th>
<th>SRI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low-Sloped Roof</td>
<td>≤ 2:12</td>
<td>78</td>
</tr>
<tr>
<td>Steep-Sloped Roof</td>
<td>&gt; 2:12</td>
<td>29</td>
</tr>
</tbody>
</table>
175.11K. RESERVED

175.11L. RESERVED
SECTION 331-175.12 RESERVED

SECTION 331-175.13 RESERVED
Prior to the filing of an application for site plan approval for a use or development under the Downtown Overlay Zone regulations, the Applicant or designated representative shall meet in person with the Commissioner of Development, or designated representative, to discuss the proposed site plan, so that the necessary steps may be undertaken with a clear understanding of the Planning Board’s attitude and requirements in matters of site development. A site plan and accompanying documents, as specified in § 331-119, shall be prepared by the Applicant or designated representative in accordance with the general requirements and design standards specified in the Downtown Overlay Zone. The Applicant shall also submit a preliminary worksheet, in a format acceptable to the Department of Development, identifying which development standards from Section 175.11C the Applicant is seeking approval and which Community Benefit Bonuses from 175.11C the Applicant is seeking approval. The Applicant shall submit the required preliminary architectural facade elevations and plans to the Department of Development for preliminary review comments by the Professional Architectural Review Committee. The Commissioner of Development, or designated representative, shall review the site plan and accompanying documents to ascertain what development standard will apply to the project, and determine general conformity with the Downtown Overlay Zone regulations. The Commissioner of Development, or designated representative, will meet with the Applicant or designated representative with regard to changes deemed advisable and the kind and extent of improvements to be made and with regard to the need for applying to the Zoning Board of Appeals prior to submitting official application to the Department of Development.

After the required pre-submission meeting outlined in Section 175.14-A, formal application for site plan approval shall be submitted to the Department of Development. The Department of Development shall promulgate administrative procedures for formal details on submission requirements. The Department shall distribute prints to City departments for review and comments. Where required, the Board shall hold a public meeting on the site plan which shall be coordinated with any hearings held pursuant to the State Environmental Quality Review Act.
175.14D SUBMISSION REQUIREMENTS

(1) A Pre-Submission meeting as identified in Section 331-175.14-A is required.
(2) The site plan and accompanying documents, shall be prepared as specified in Section 331-119.
(3) All Site Plan applications shall comply with Section 331-117.1 Architectural Review of site plans and Major Subdivisions by professional architects required.
(4) All developments shall comply with the Fee schedule established and amended from time to time in Section 133.

175.14E SITE PLAN AMENDMENTS

Proposed amendments to site plans shall be presented first to the Commissioner of Development, or designated representative, who shall determine whether they will require a pre-submission conference and review and approval by the Planning Board (for major amendments) or an expedited review and administrative approval by the Commissioner of Development (for minor amendments). The Planning Board may establish and adopt criteria for determining the degree of change to a site plan that triggers the need for a new application and full approval process.

175.14F DURATION OF APPROVALS

(1) All development proposals approved under this Article shall remain valid for a period of two years from the date of site plan approval and an Applicant shall obtain necessary building permits and other approvals from permitting agencies and commence construction within such time period. Such approvals shall expire after two years unless the Applicant can show good cause for its failure to obtain a building permit, in which case an extension of up to one year may be granted by the Planning Board. If construction is suspended for a period greater than six months, the Planning Board shall be empowered to notify the Applicant and revoke the approval if such suspension is not found to be for good cause.

SECTION 331-175.15. RESERVED
SECTION 331-175.16. COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

A. In accordance with the State Environmental Quality Review Act (SEQRA) and the regulation issued thereunder, the City Council has accepted and approved a Draft and Final Generic Environmental Impact Statement (SGEIS) and a Statement of Findings which analyze the potential environmental impacts of adoption of this DOZ. The Statement of Findings, summarizes the City Council's findings on these potential impacts and establishes conditions and thresholds for development under this Article and the extent to which further SEQRA review may be required for site-specific impacts of projects to be built under the terms of this Article.

B. The Findings Statement includes conditions and thresholds for the entire DOZ. All development within the DOZ that is subject to SEQRA shall comply with the conditions and thresholds in the Findings Statement.

SECTION 331-175.17 RESERVED

SECTION 331-175.18 AMENDMENTS TO THIS ARTICLE

This Article may be amended from time to time in accordance with State Environmental Quality Review Act. Prior to adopting an amendment, the City Council shall refer such proposed amendment to the Planning Board and the Master Developer (if the Master Developer Agreement remains in full force and effect) for comment. If comments are not received within 30 days of such referral, the City Council may enact the amendment without receiving such comment. All such amendments shall be consistent with the Recommended Action Plan and the Statement of Findings.

SECTION 331-175.19 RESERVED

SECTION 331-175.20 RESERVED
A. Section 175.21 provides illustrations, for reference only, to assist applicants in applying the standards for the Downtown Overlay Zone. The figures in this section are provided as a courtesy to applicants and do not supersede or modify the standards established in other sections of 331-175.

FRONTAGE, SITE
The length of a Site fronting on a Street or Pedestrian Way, measured in feet along the Build-To-Line.

FRONTAGE, TOTAL SITE
The sum of all Site Frontages facing one or more Streets, measured in feet, located on one contiguous Development Site, excluding frontages along Pedestrian Ways.
175.21E PUBLIC FRONTAGE

(1) Public Frontages shall consist of the following elements:

(2) LANDSCAPE AND FURNISHING ZONE

(a) The area closest to the face of curb determined by the Street Type.
(b) Allows for placement of parking fee meters, street signage, street lighting, bike racks, refuse receptacles, etc.
(c) Allows for street trees and bio-retention areas.
(d) Allows for transit stop waiting and enclosure areas.
(e) Allows for seating furniture (benches) and extended outdoor dining areas.

(3) PEDESTRIAN CLEARWAY ZONE

(a) The area between the Landscape and Furnishing Zone and Transition Zone as determined by Street Type
(b) Allows for the clear passage of pedestrians

(4) TRANSITION ZONE

(a) The area between the Pedestrian Clearway and the Build-To-Line.
(b) Allows for placement of building fixtures (lighting, signage, projected architectural moulding etc), removable planters, and signage boards.
(c) Serves as an extended entrance and storefront interaction area.
(d) Allows for seating furniture (benches) and extended outdoor dining or landscaped areas.

(5) BUILD-TO-ZONE
175.21F BUILD-TO-ZONE

Street Frontages showing a typical Ten Foot Build-To-Zone on a typical residential street

Street Frontages showing a typical Five Foot Build-To-Zone
175.21G(1) STOREFRONT FRONTAGE

175.21G(1)(a) STOREFRONT FRONTAGE

(c) Storefront Frontage is a private Frontage primarily for retail or restaurant use, with substantial glazing and Active Edge, complying with Storefront Frontage or Arcade Frontage requirements.
Arcade Frontage is a Private Frontage Type that has a series of arches or openings carried by columns or piers, and provides a covered walkway with access to adjacent storefronts.
Urban Frontage is a Private Frontage type with less substantial Active Edge and glazing at the sidewalk level than Storefront Frontage.
Stoop Frontage is a Private Frontage type, typically residential, with elevated first floor to sufficiently secure privacy for the windows, with entrance accessed from an exterior stair and landing that may be a perpendicular or parallel to the sidewalk, located within Build-To-Zone.
Porch Frontage is a Private Frontage type, typically residential, where the façade is set back from an attached porch that may not be screened or glazed, and is no less than 5 feet deep.
175.21G(6) LIGHTWELL FRONTAGE

Lightwell Frontage is a Private Frontage type, typically residential, where the façade is set back to allow for below-grade entrances or windows designed to allow light into basements.
175.21G(7) FORECOURT FRONTAGE

Forecourt Frontage is a Private Frontage type, where a portion of the building façade is set back to allow for large private gardens, bio-retention areas, or similar.
175.21G(8) MID-BLOCK FRONITAGE

Mid-Block Frontage is a Private Frontage type with lower Frontage Occupancy, that permits courtyard, drop-off and parking areas with incorporated edging elements to screen the view from the street.
### 175.21(1) Edge Structure

![Edge Structure Diagram](image)

### 175.21(2) Ornamental Fence

![Ornamental Fence Diagram](image)

### 175.21(3) Privacy Fence

![Privacy Fence Diagram](image)

### 175.21(4) Planters

![Planters Diagram](image)

### 175.21(5) Landscaped Edge

![Landscaped Edge Diagram](image)