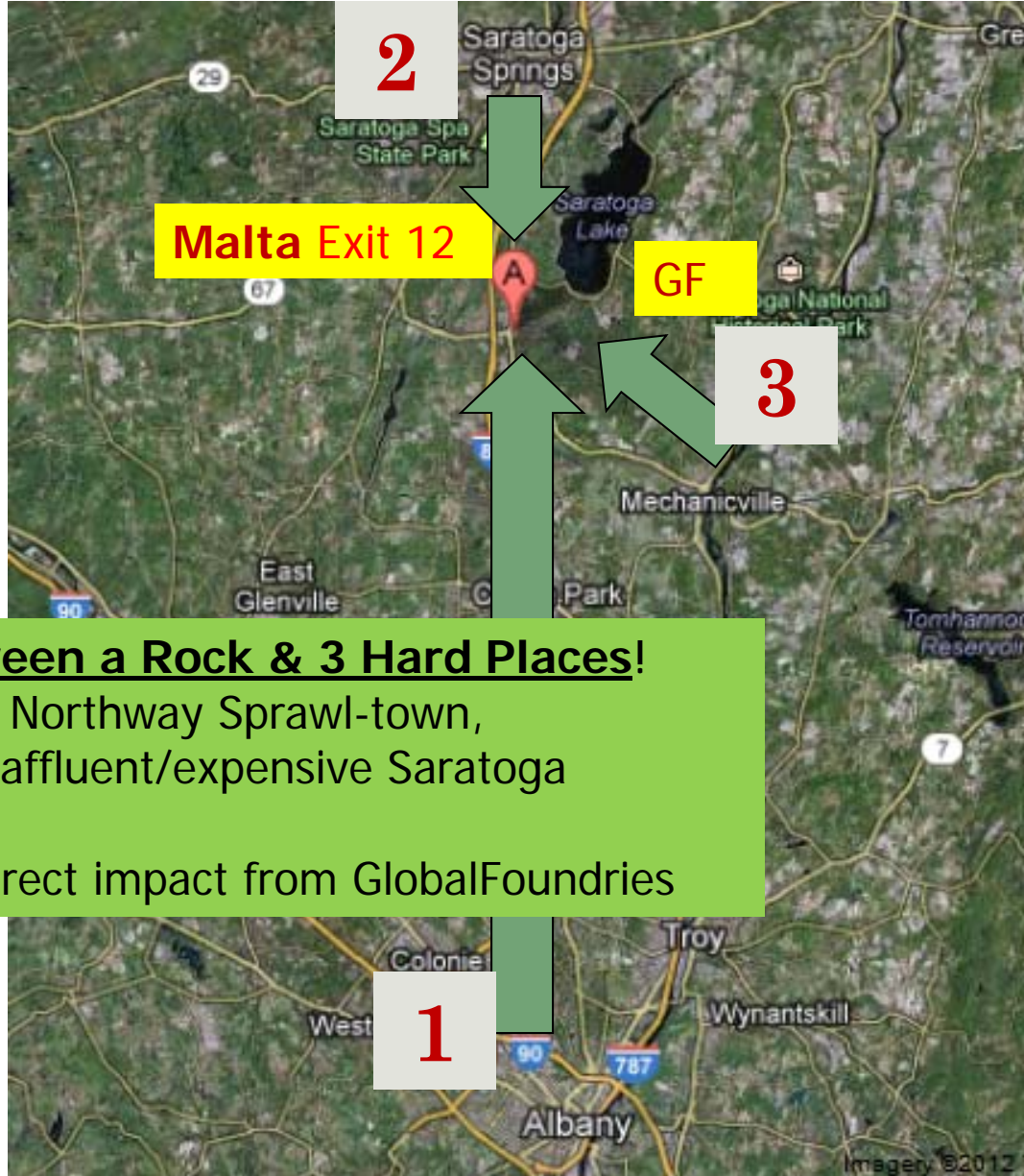


The background features a large, light grey watermark of the Town of Malta seal. The seal is circular with the words 'TOWN OF MALTA' around the top edge and 'Est. 1802' on a banner at the bottom. In the center is a map of Malta with a star on either side.

# **Introduction of the Town of Malta Form Based Code**

**Capital District Regional Planning Commission  
June 20, 2013**

**Presented By: Anthony Tozzi,  
Town of Malta Building & Planning Director**

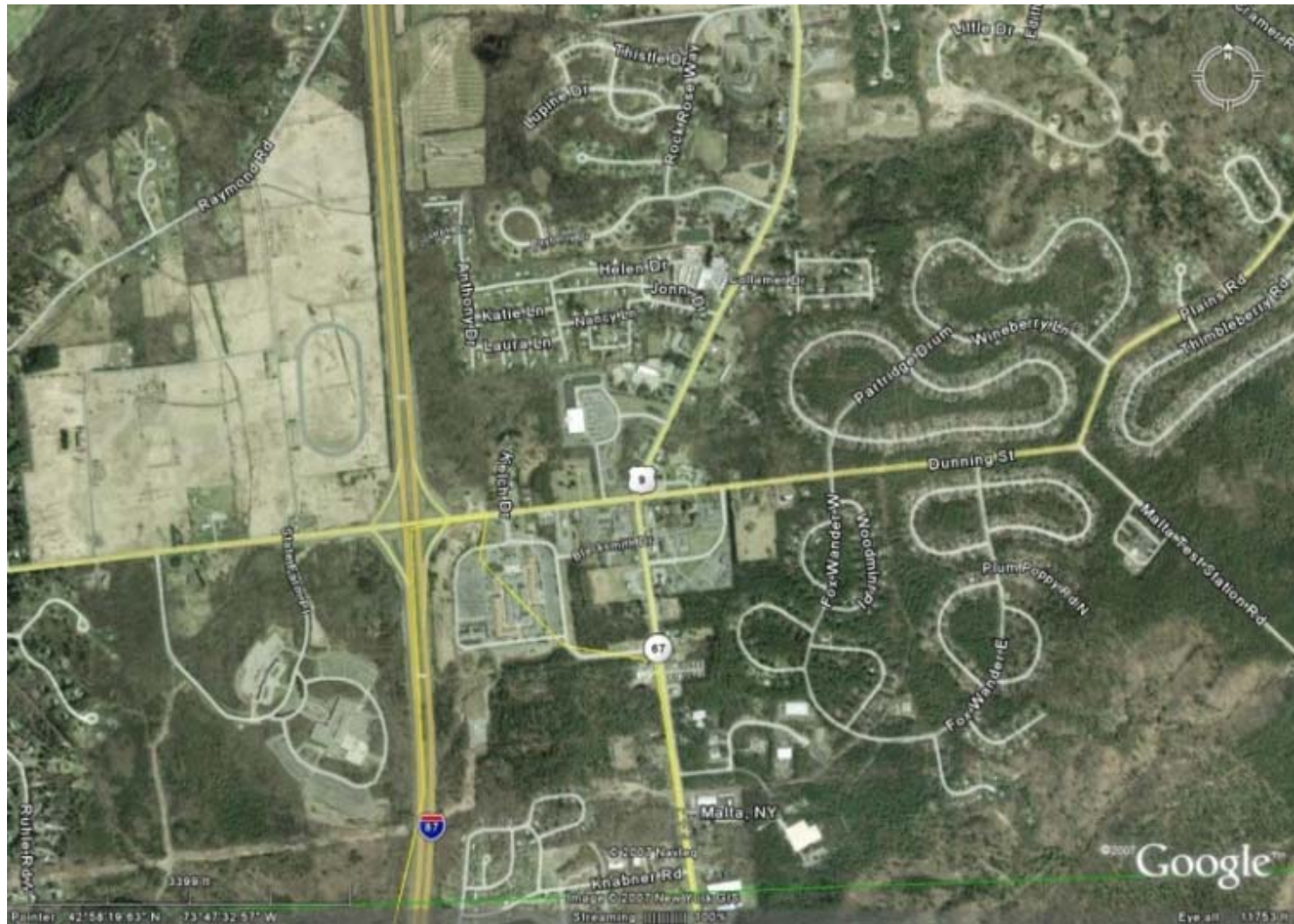


**MALTA: Between a Rock & 3 Hard Places!**

- 1) A traditional Northway Sprawl-town,
- 2) A suburb of affluent/expensive Saratoga Springs, &
- 3) Direct & indirect impact from GlobalFoundries



# SPRAWLMALTA:

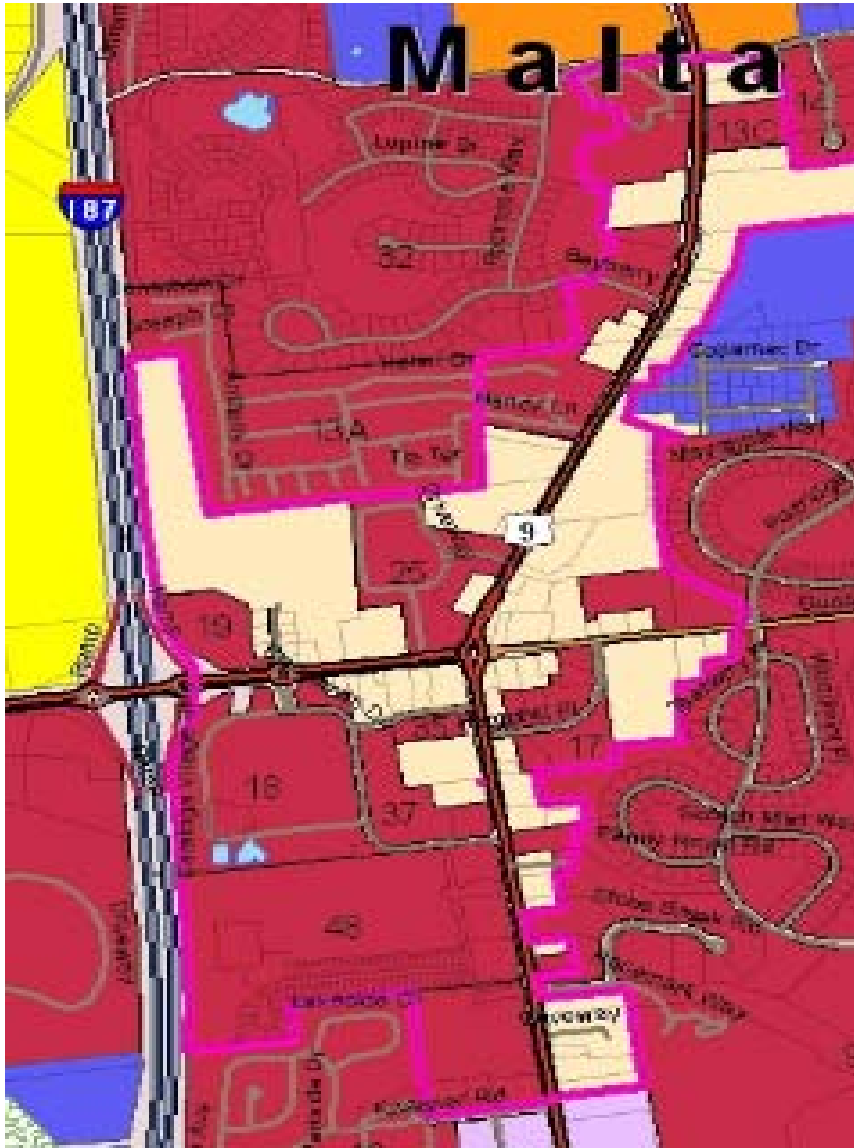




**General Original  
Downtown Area:**

- Suburban Commercial Development
- Suburban Residential Development
- Suburban Street Networks
- Northway Interstate 87, US Route 67 and US Route 9 are adjacent or routes through the Downtown
- Numerous PDD's that are "Islands of Disconnected Development"

## Malta Downtown Setting – circa 2005



### Pre-FBC Downtown:

- C-1 Commercial
  - Established 2005
- A Dozen PDD's
  - Disconnected
  - "Islands of development"
    - Poor connectivity
    - Poor interrelation
- Downtown Overlay
  - Intended to address combo of PDD and C-1 conflicts and/or goals
  - Promoted Design Standards & linkages
- Historic Overlay
  - Dunning Street
  - Parade Ground
  - 19<sup>th</sup>-century structures
  - 20<sup>th</sup>-century suburban commercial



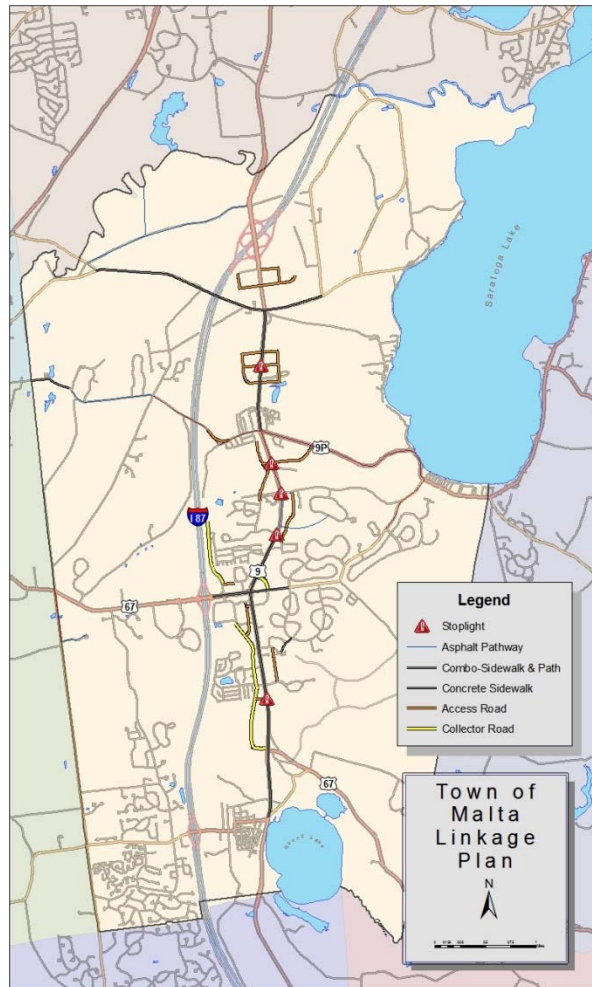
## TOWN OF MALTA

**“Malta envisions itself as a place where people can raise a family and take pride in their community – its beauty, appearance, businesses, services and natural resources.”**

- Comprehensive Plan 2005



# *“A TOWN WILL NEVER BE GREATER THAN THE VISION THAT GUIDES IT.”*

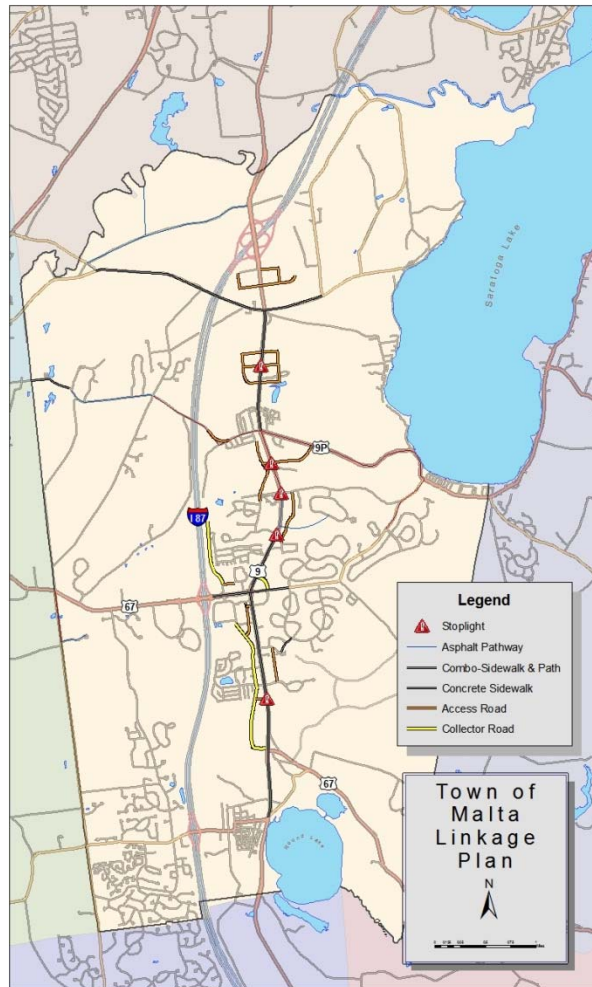


- 2000 – Updated 1987 Master Plan
- 2001 – Open Space and Agricultural Plan
- 2003 – Linkage Study with CDTC
- 2004 – Downtown Overlay District
- 2004 – Downtown Design Standards
- 2004 – Moratorium on Development
- 2005 – Comprehensive Master Plan Update
- 2005 – Amended Zoning to reflect Master Plan
- 2005 – Town Wide GEIS
- 2006 – Route 9 North and South Corridor
- 2008 – Green Space & Economic Development
- 2009 – Agricultural Protection Plan





*“A TOWN WILL NEVER BE GREATER  
THAN THE VISION THAT GUIDES IT.”*



- 2010 – Downtown Master Plan **Adopted**
- 2010 – CDTC Grant to develop FBC
- 2011 – Form Based Code process begins
- 2013 –FBC **ADOPTED** Feb. 04 2013
  - The FBC finish line is really a **start line**

**Other Recent Planning Work:**

- 2011 – Round Lake Road Corridor Plan
- 2012 – RLR Corridor Plan **Accepted**
- 2012 – Full Funding for RLR improvement
- 2012 – RLR Corridor Plan **Adopted** (Dec '12)
- 2013 – STWGEIS – likely to begin
- 2014 – RLR Improvements to begin



# CIRCA 2003: WHAT WAS THE CATALYST FOR CHANGE?

## Luther Forest Technology Campus



The Town of Malta identified itself as wanting to diverge from the status quo.

The objective was to mitigate sprawl with the principles that support sustainable communities.



# GLOBALFOUNDRIES FAB 8.1



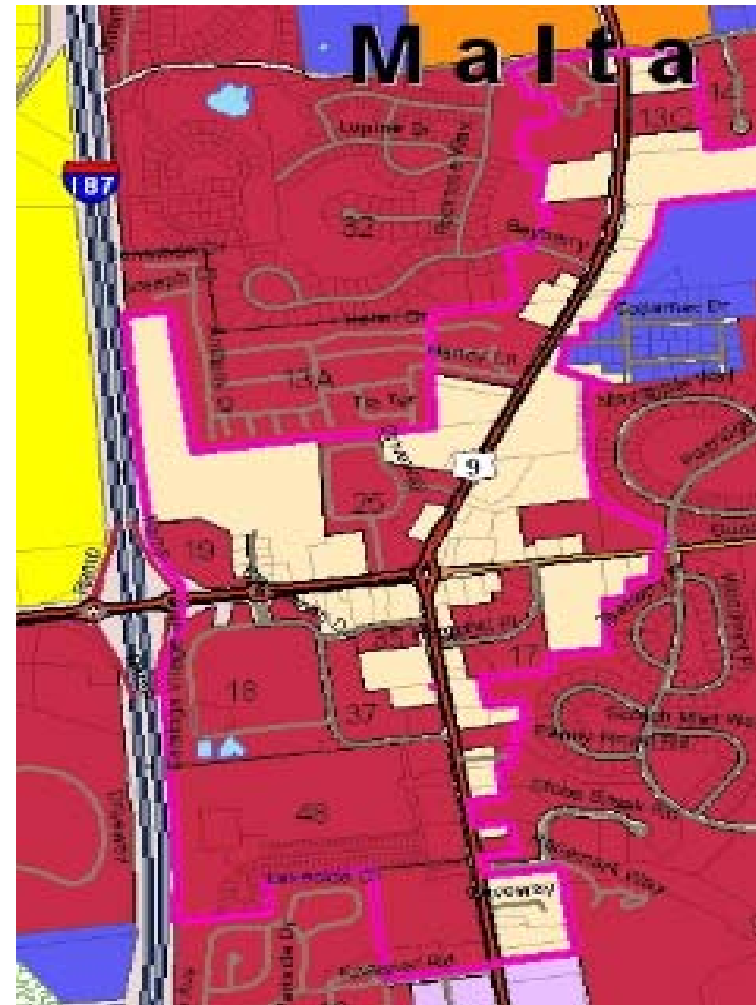
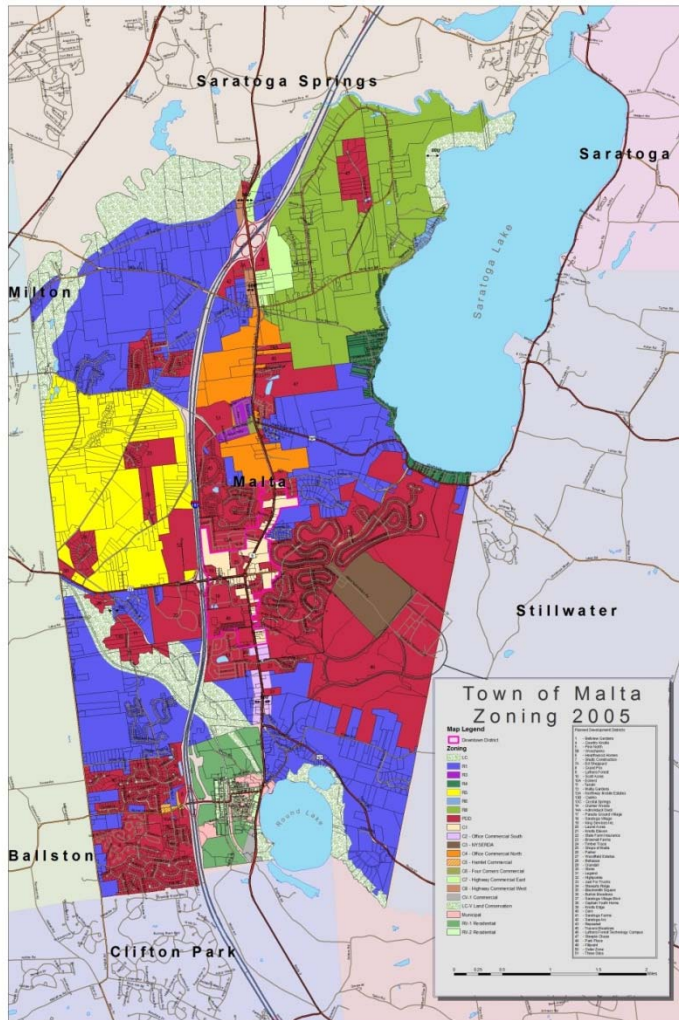
# WHAT WAS THE PROCESS FOR ESTABLISHING THESE PLANS?



- **Public Input.** Solicit and directly involve residents. Create buy in from broad groups of participants such as CDRPC, CDTC, County Planning, Residents, Planning Board, Committees, Emergency Services etc.
- **Visioning Sessions**
- **Meetings, charrette**
- **Solicit “Gate Keepers”** persons not of political position, but political influence. In each municipality these people are different you just need to know who they are.
- **Prepare simple solutions to complex problems.**
- **Remember that plans are all about people, and what will improve the quality of life for existing and future residents.**



# A TWGEIS, COMP-MASTER PLAN & TOWN-WIDE REZONING



## PowerPoint Format:

- 1) Intro to Malta
  - Location Map
  - SprawlMalta
  - Downtown Maps
    - Overlay
    - 2005 Zoning
    - Present Zoning
- 2) Go through previous planning work
  - Walk through the long list of planning products
  - Show pics of why Malta wanted to plan for future
  - Discuss where it landed in 2005
- 3) Discuss Downtown Controversy
  - Ellsworth, Blacksmith, Synthesis, Hamlet Zoning, FBC
- 4) Go through specific Downtown steps toward FBC
  - Slide of Hamlet zoning, Chazen, CDTC, Code Studio, FBC enacted
- 5) Walk through the FBC
  - Use slides from CDTC PP
- 6) Discuss experiences to date



# *A DOWNTOWN TIMELINE*

**2005 – The Town enacts new “C-1” zoning for Downtown, and created an Overlay District to apply regulations such as design standards to both C-1 and PDD’s within the Downtown Overlay.**

**2007-08: Synthesis Architecture & River Street Planning completed “Downtown...Analysis”. This report showed the Town what their 2005 C-1 zoning would look like, and some Town Board members decided to shoot the messenger.**

**2008-09: Town Board considers whether to amend Comprehensive Master Plan / Zoning, but could not develop a majority to agree what direction to move toward.**

**2010: Town Supervisor runs on platform of “Reduced Downtown Development” and immediately begins “New England Hamlet-Style Zoning” initiative. The initiative fails, following a considerable amount of controversy and threats of lawsuits.**

**2010-11: Chazen begins preparation of a “Downtown Plan”, with a focus toward development of a Form Based Code.**

**2012: Town is awarded a grant from Capital District Transportation Committee to develop a Form Based Code for the Downtown.**

**2012: Code Studio selected to develop the FBC for Downtown.**

**February 4, 2013: Town Board adopts the Downtown FBC.**

# ELLSWORTH COMMONS – THE CONTROVERSY BEGINS

## Complaints included:

- Too tall (54' max/up to 5 storys)
- Too close to the road.
- Later complaints about quality of construction, 'accidental' changes to exterior materials, and 'fake' materials.
- Too much like Saratoga Springs.



Approved – 2006  
Construction – 2010 - 2012

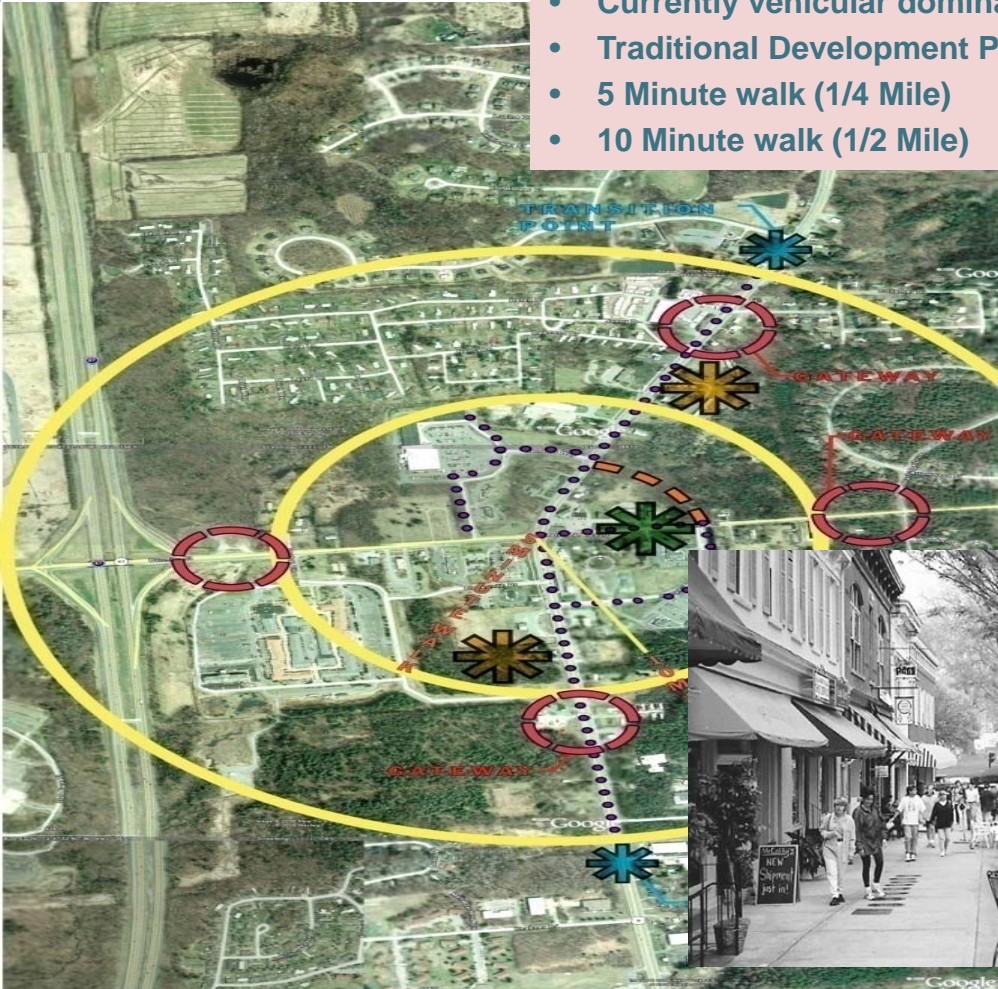




# Synthesis Architecture & River Street Planning & Development Study – 2007-08

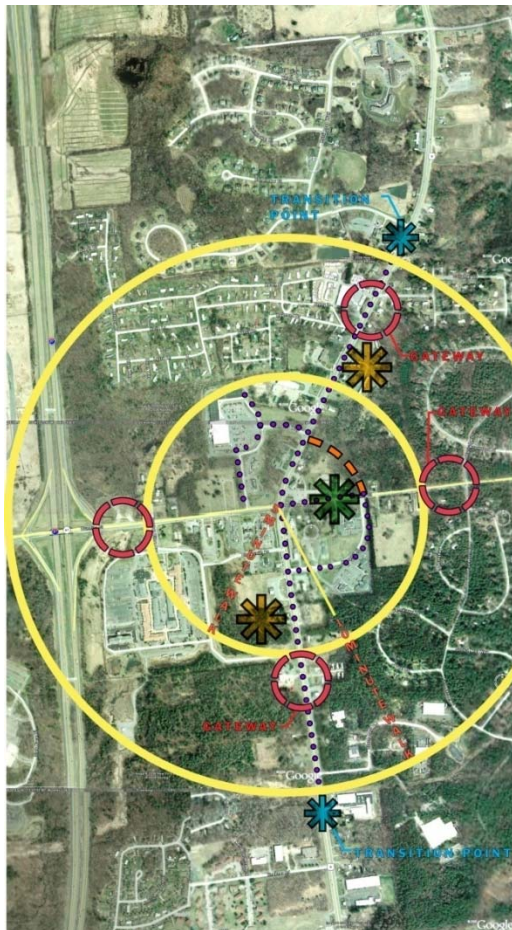
## 3. Walk-ability

- Currently vehicular dominant
- Traditional Development Pattern
- 5 Minute walk (1/4 Mile)
- 10 Minute walk (1/2 Mile)



# Synthesis Architecture & River Street Planning & Development Study – 2007-08

## Key Design Considerations



## Transitions & Gateways

- Provide a sense of arrival and “sense of place”
- Relate to scale with progression toward center
- Landmarks / welcome signage

## Existing & Future Development

- Mixed Use
- Spin – Off Economics
- Site Amenities

## Walkability

- Currently vehicular dominant
- Traditional Development Pattern
- Comfortable Walking Distances

## Connectivity

- Currently arteries create quadrants
- Promote interconnectivity and intermodality

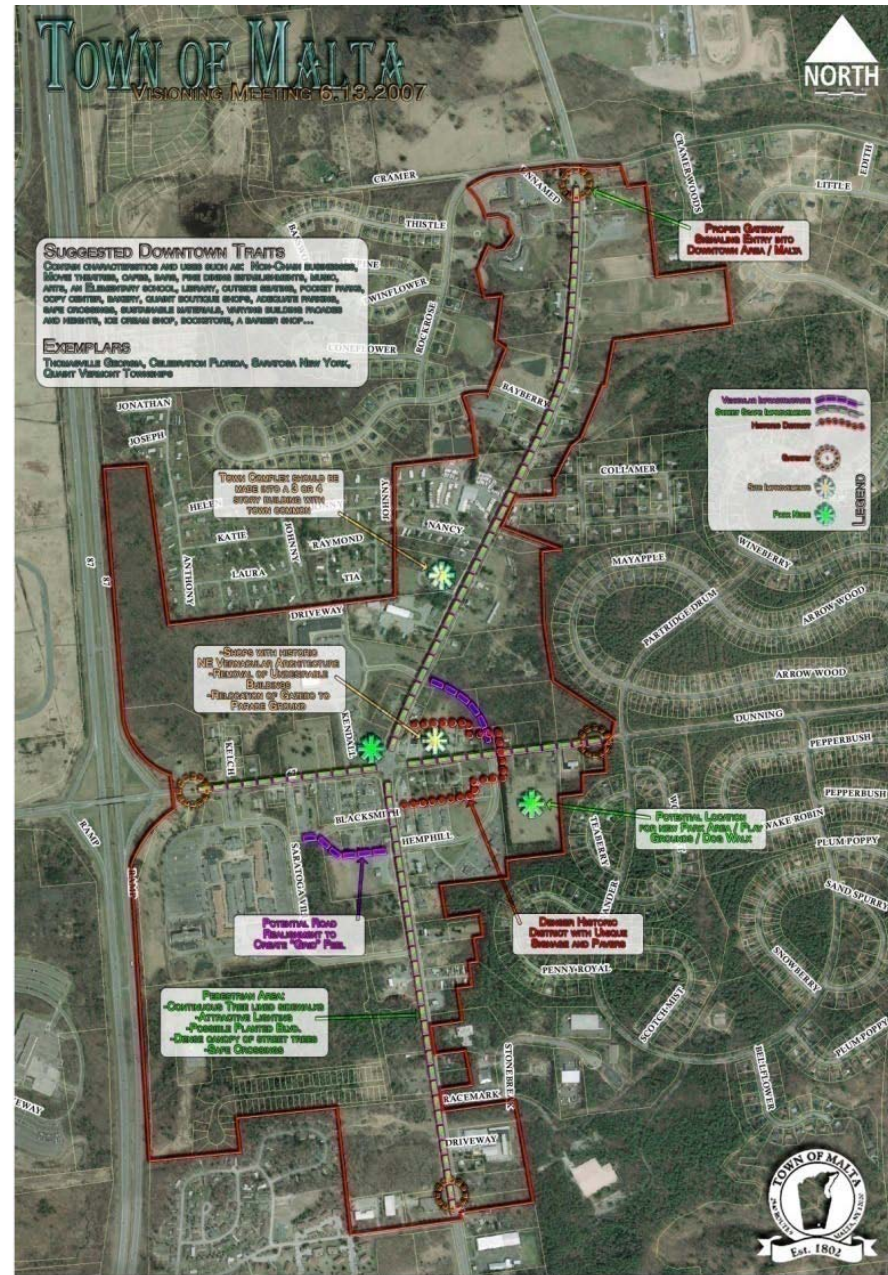
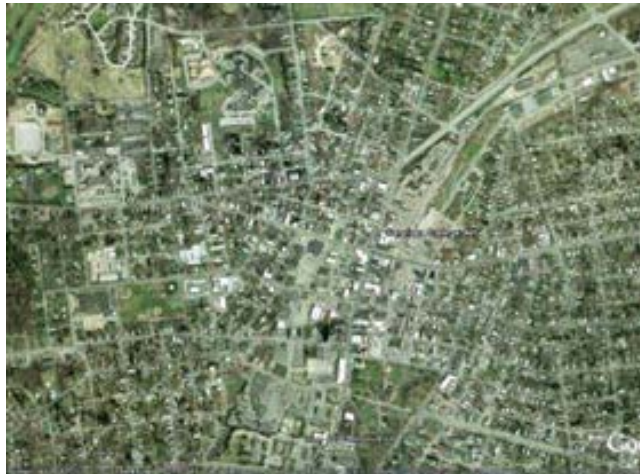
## Quality Green Space

- Currently arteries create quadrants
- Promote interconnectivity and intermodality



## 2008 Build Out Analysis:

- Determined that a 2-mile long downtown was unsustainable.
- Provided comparison to Saratoga Springs downtown, which is 1/3 mile long.





- 2008 Commissioning of Economic Development, Greenspace and Historic Preservation study.
- Study identified need to revise existing plans
- Relationship between boundary of C-1 District and the residential density needed for sustainability were among primary concerns
- Aesthetic value of height and setback in contrast to familiar development patterns





CONCEPTUAL BUILDING 2 WEST ELEVATION



CONCEPTUAL BUILDING 1 EAST ELEVATION

**BLACKSMITH SQUARE**  
ALBANY PARTNERS

MALTA, NY

12/14/2009

HPA#09372



**HUMPHREYS & PARTNERS ARCHITECTS, L.P.**

5339 Alpha Road, Suite 300 • Dallas, TX 75240 • (972) 701-9636 • (972) 701-9639  
www.humphreys.com • marketing@humphreys.com

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Architectural conceptual site plans are for feasibility purpose only. Revisions may occur due to further investigation from regulatory authorities and building code analysis. Dimensions shown are of a strategic intent only. Refer to surveys and civil drawings for technical information and measurements.

# MALTA CROSSINGS



**SHEET 1 OF 1**

**MALTA CROSSINGS**  
NO. 2000 W. 10TH ST.  
LOT 1-40 (2024) 01-24

**LEGEND**

**NORTH EAST LAND SURVEY & LAND DEVELOPMENT CONSULTANTS, P.C.**  
1000 W. 10TH STREET, SUITE 100  
MARIETTA, GA 30067  
PHONE: 770.429.1000  
WWW.NELANDCONSULTANTS.COM

**With Ellsworth's approval and the 2007 Build-out Analysis came **CRISIS!****

- Who approved THAT?!
- It's not "Malta"
- We don't want to be like Saratoga Springs!
- We don't want to be like Clifton Park!
- It will bring people!
- It will raise taxes!
- Why do we need all this for a Starbucks?!
- I HATE it!
- I LOVE it!
- Town Supervisor: Supports new Downtown zoning in 2005\*
- Town Supervisor: Opposes new Downtown zoning in 2007
- NO, it will bring too much traffic!
- YES, it will allow me to walk to get to the things I need!

\* Chaired the rezoning effort as a TB member, not Supervisor.



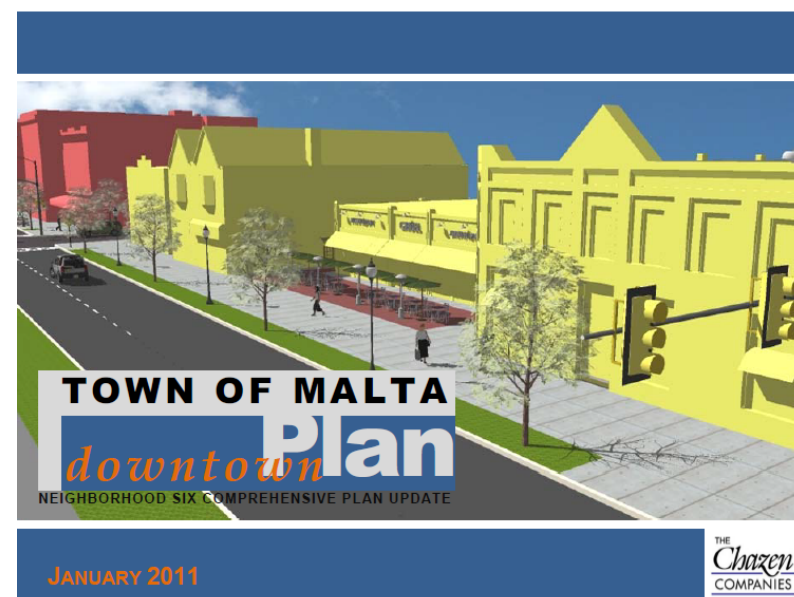
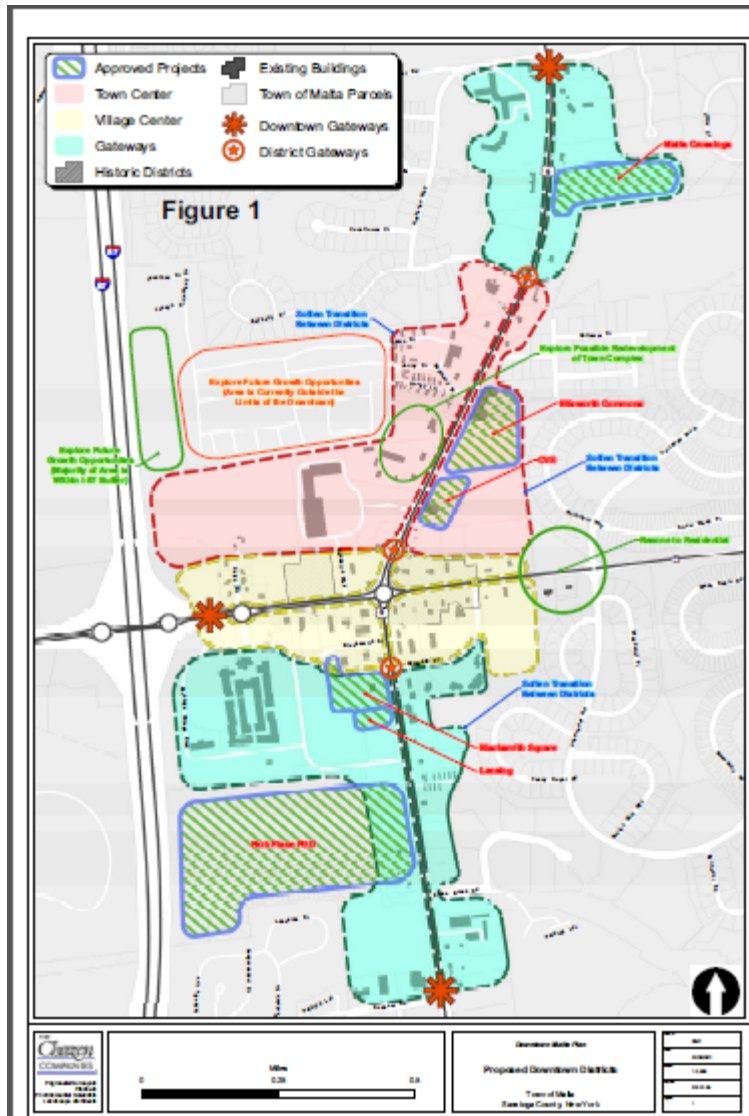
## MALTA'S PATH TOWARD A FBC

- A process that began circa 2003
- Substantial advances – circa 2005
- Controversy begins – 2007
- Political stalemate – 2008-2009
- Attempt at 'New England Hamlet Zoning' – 2010
- A new Downtown Plan – 2010 - 2011
- A timely and helpful CDTC grant – 2011
- Code Studio – 2012-2013
- A new Form-Based Code arrives – Feb 04, 2013
- FBC implementation underway - Present

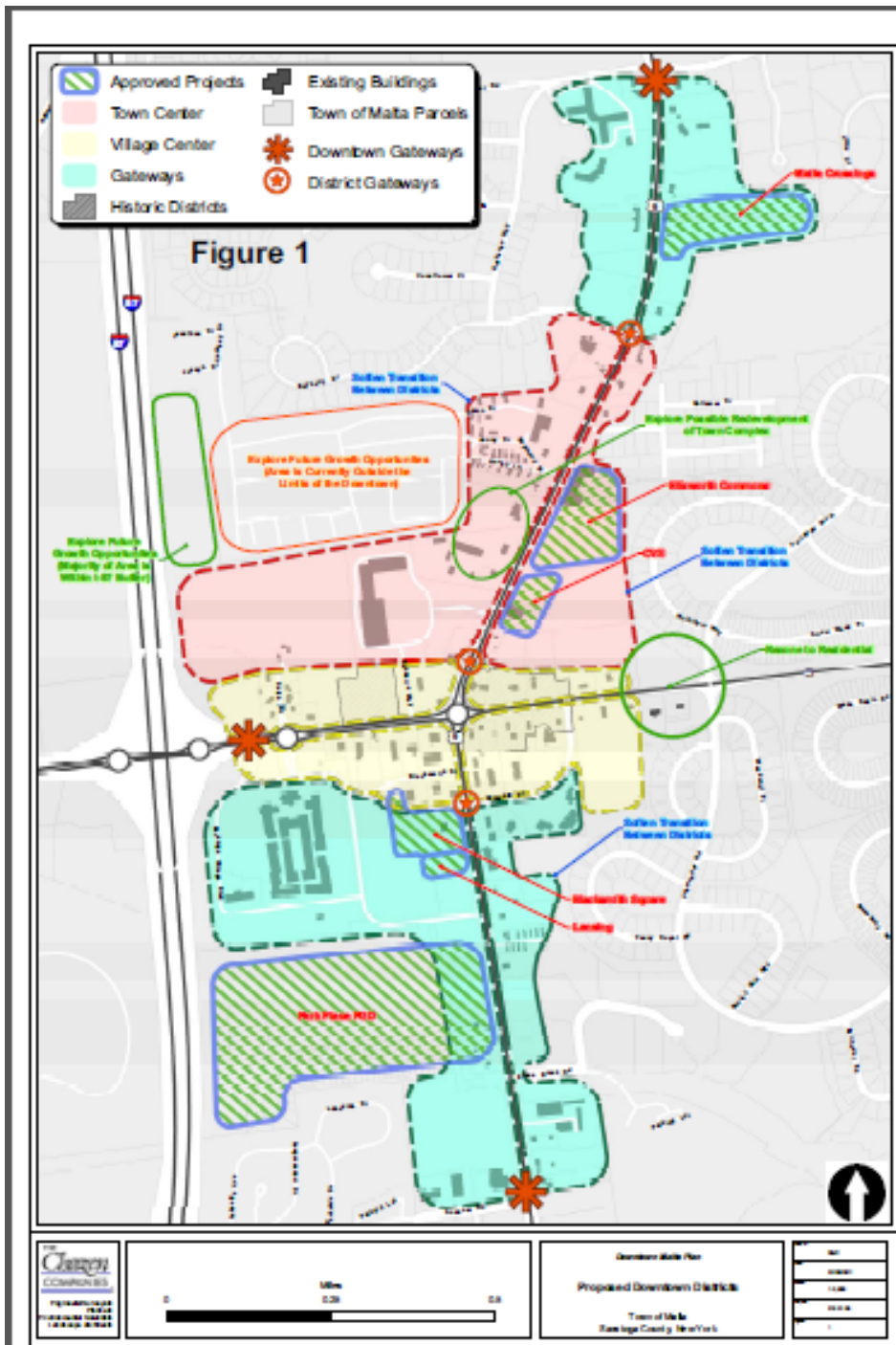




# CHAZEN: DEVELOPMENT OF A DOWNTOWN COMPREHENSIVE PLAN – 2010-11



- Key Outcomes:**
- Set direction toward a FBC
  - Established general land use direction
  - Resulted in a political compromise
    - Steering Committee sidestepped key issues including Historic District, inclusion of a valuable ‘re-developable’ community, and created land use conflicts



## A Good, but not perfect, Plan:

- TB established a good Steering Committee
- Steering Committee made compromises and sidestepped issues that weakened the final plan and created land use conflicts:
  - Sidestepped Northway Estates property
  - Sidestepped the Dunning/Parade Ground Historic District
  - Established a southern Gateway area that resulted in land use conflict at Malta Business Park



# A Perfect Grant opportunity at a Perfect Time

Code Studio (Austin, TX) selected as lead consultant to develop the FBC.

- Lee Einsweiler has been the lead contact

Lee's first visit to Malta was a bit startling:

- Highly negative about Ellsworth
- Highly negative about other developments
- Criticized the Downtown Plan:
  - For sidestepping the Dunning Street Historic District issue
  - For sidestepping the Northway Mobile Estates issue
  - For land use conflicts along south side of Rt. 67/Dunning

*Lee exclaimed "I can give you what you paid me for and not address the issues, or I can address the issues and give you a FBC that will really work"*



# CODE STUDIO – 2011-12



Article XVI  
Downtown Malta  
**Form-Based Code**

prepared by

**CODE STUDIO**

for

the Town of Malta, New York

**ADOPTED** February 4, 2013

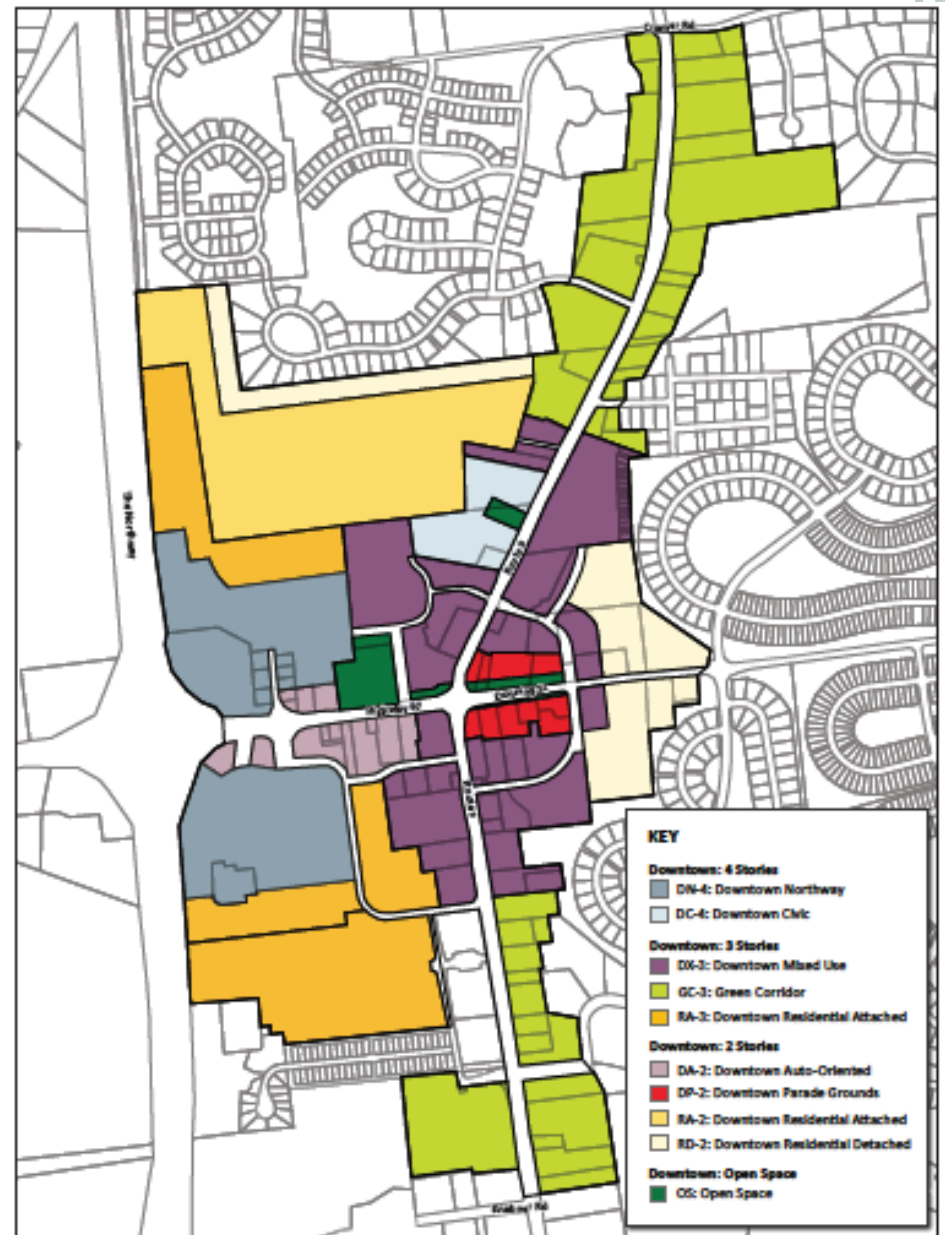
## Key Outcomes:

- Corrected key land use conflict.
- Recognized the Town Board's desire that Route 67 be a gateway & simultaneously established an auto-oriented zone near the Northway, while keeping to FBC.
- Addressed Historic District sensitivities by promoting the District's most important feature as a centerpiece of the FBC, while greatly reducing Review Commission's authority over buildings in the district.
- Pulled-in the Northway Estates neighborhood into the FBC
- Extinguished all PDDs in the Downtown
- Reduced the Downtown Footprint
- Established and administrative review process.

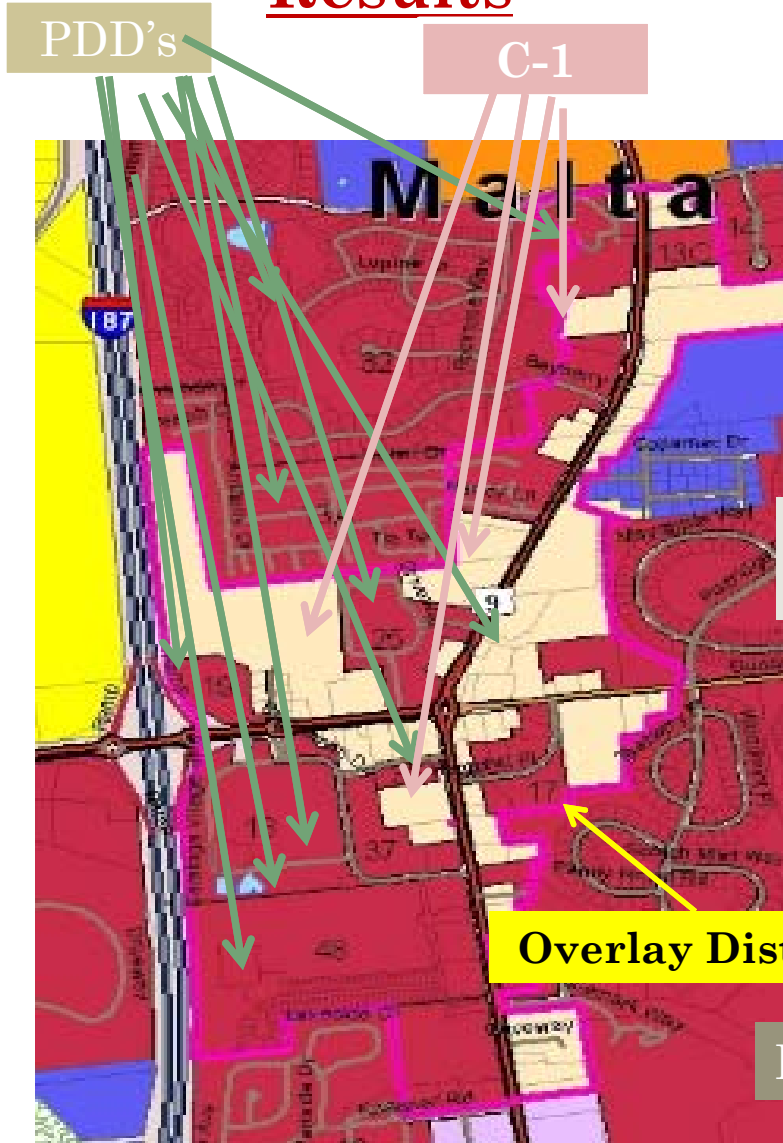
# Code Studio Illustrative Plan



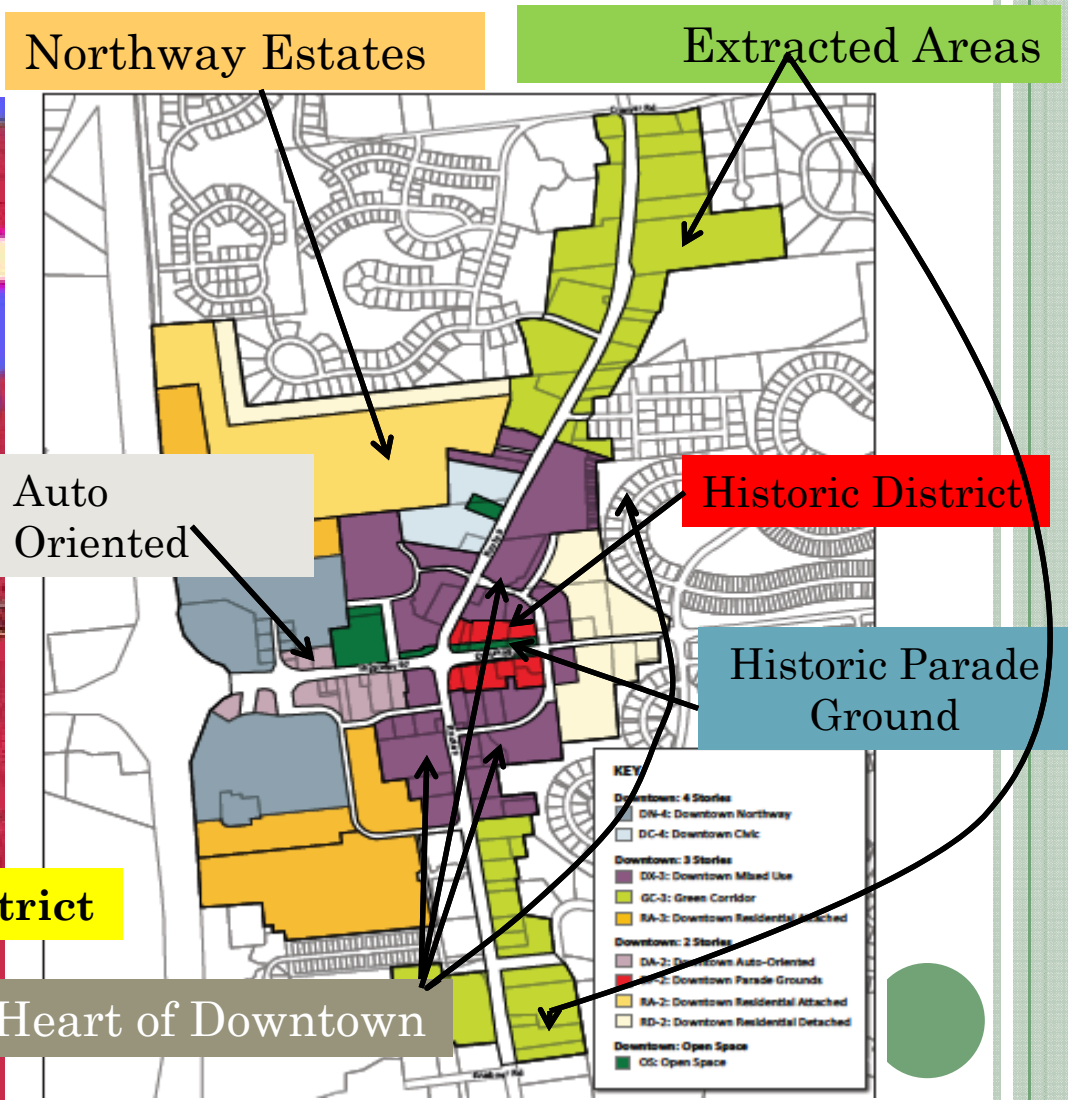
# Code Studio FBC Zoning



# 2005 Zoning Results



# 2013 Zoning Results



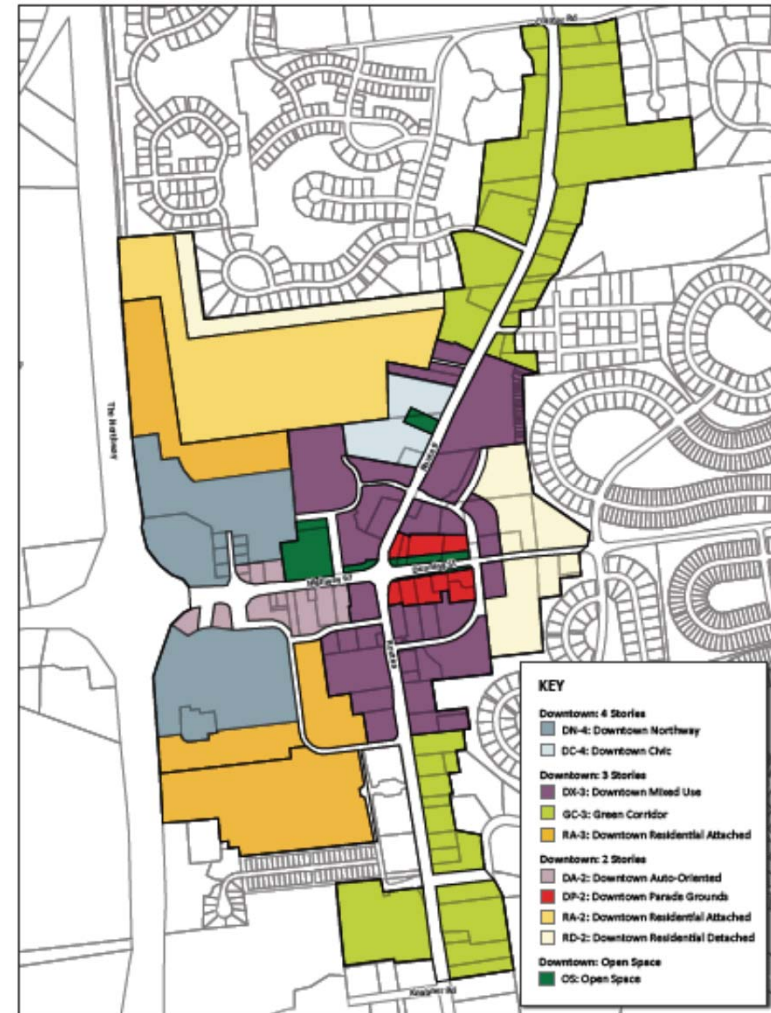
# FBC ZONING MAP

- FBC district contains 10 separate zones (pg. 5)
- Each zone has a list of permitted building types and permitted uses

## Section 2.3, page 5

### 2.3. Downtown Malta Zoning Map

The following map is established and made a part of the City of Malta Official Zoning Map.



# CODE STUDIO – 2011-12



Article XVI  
Downtown Malta  
**Form-Based Code**

*prepared by*

**CODE STUDIO**

*for*

the Town of Malta, New York

**ADOPTED** February 4, 2013

## Key Outcomes:

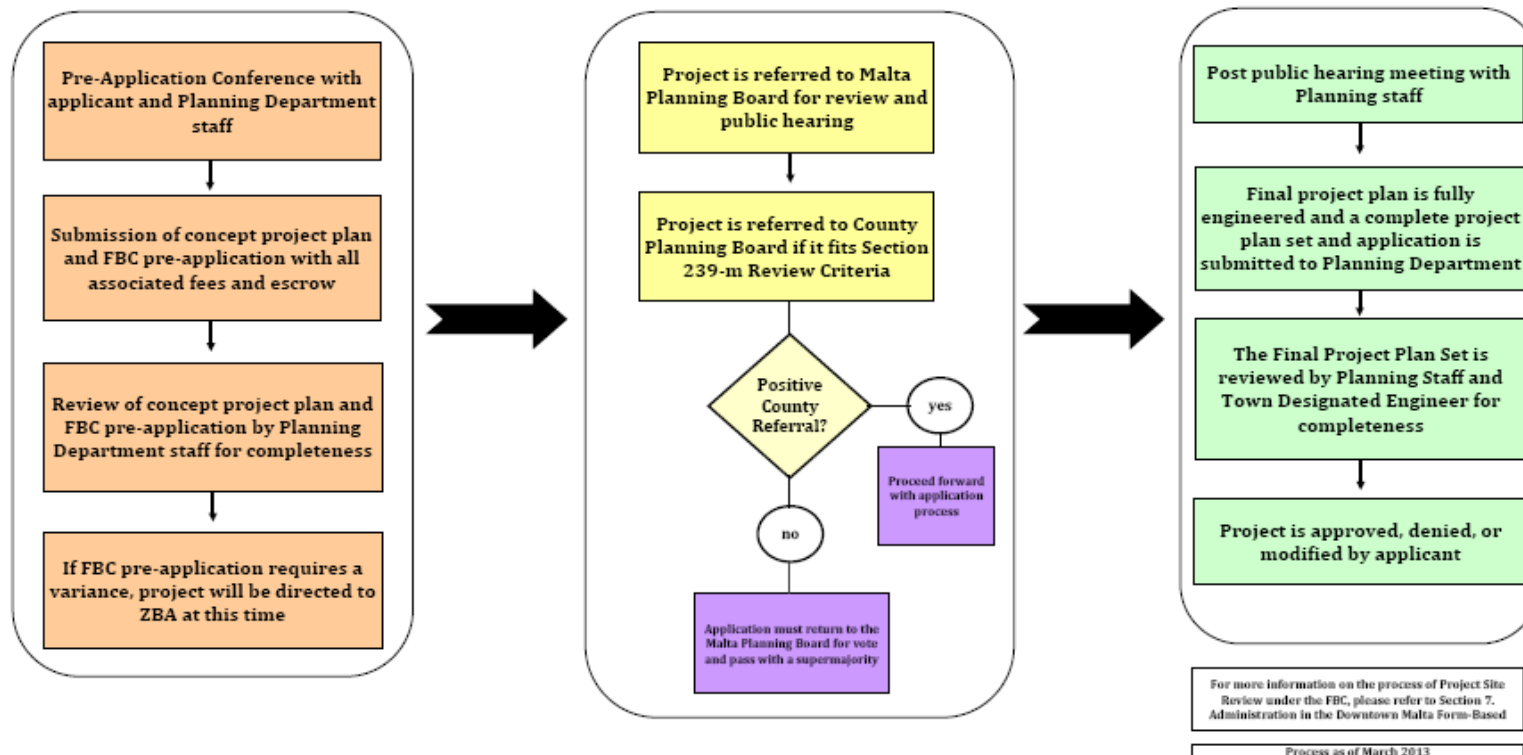
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- Reduced the Downtown Footprint
- Established and administrative review process.



# ADMINISTRATION



## Form-Based Code Project Plan Application Process



# REVIEW PROCESS FOR AN FBC APPLICATION

- SEQR was completed with the adoption of the FBC
- Project Plan is reviewed by planning staff
- Applicant attends PB meeting for public hearing
  - No PB action taken
  - Nothing binding on the applicant
  - Planning staff discusses issues raised with applicant
- Project fees follow the same fee schedule for site plan applications
- New application forms and checklists



# APPLICATION

- Pre-Application and Application contain the same content
- Similar to site plan application; differs by:
  - FBC District
  - Historic Designation
  - General FBC Review Process
  - FBC Pre-Application Requirements



# INTRODUCTION TO THE FBC DOCUMENT

- Section 1. General
- Section 2. Districts
- Section 3. Buildings
- Section 4. Land Use
- Section 5. Sites
- Section 6. Streets
- Section 7. Administration
- Section 8. Definitions



Article XVI  
Downtown Malta  
**Form-Based Code**

*prepared by*

**CODE STUDIO**

*for*

the Town of Malta, New York

**ADOPTED** February 4, 2013

# WHAT IS FORM-BASED CODE?

- Malta FBC (page 1):

“...fosters predictable results and a high-quality public realm by prescribing the physical form of buildings and other elements and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks.



# INTRODUCTION TO THE FBC DOCUMENT

- **Section 1. General**
- Section 2. Districts
- Section 3. Buildings
- Section 4. Land Use
- Section 5. Sites
- Section 6. Streets
- Section 7. Administration
- Section 8. Definitions



Article XVI  
Downtown Malta  
**Form-Based Code**

*prepared by*

**CODE STUDIO**

*for*

the Town of Malta, New York

**ADOPTED** February 4, 2013

# Section 1.

## General

- ❑ Purpose: Explains difference between FBC & Traditional Zoning
- ❑ Intent: Provides the 'spirit and intent' of the FBC.
- ❑ Applicability: Addresses potential of conflicts with other Town Codes. FBC overrules all Town Code. FBC does not (can not) overrule County, State or Federal regulations.
- ❑ Transitional Provisions: Addresses New, existing and 'pending applications'.
  - Pending applications: FBC does not apply to applications on file for subdivision, special use or site plan. However, applicants may opt for FBC 'Project Site' review instead of 'Site Plan Review'.
  - Malta Crossings was provided explicit transitional provisions due to its speculative nature, subdivision approval, and extent of site plan review.



# INTRODUCTION TO THE FBC DOCUMENT

- Section 1. General
- **Section 2. Districts**
- Section 3. Buildings
- Section 4. Land Use
- Section 5. Sites
- Section 6. Streets
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Article XVI  
Downtown Malta  
**Form-Based Code**

*prepared by*

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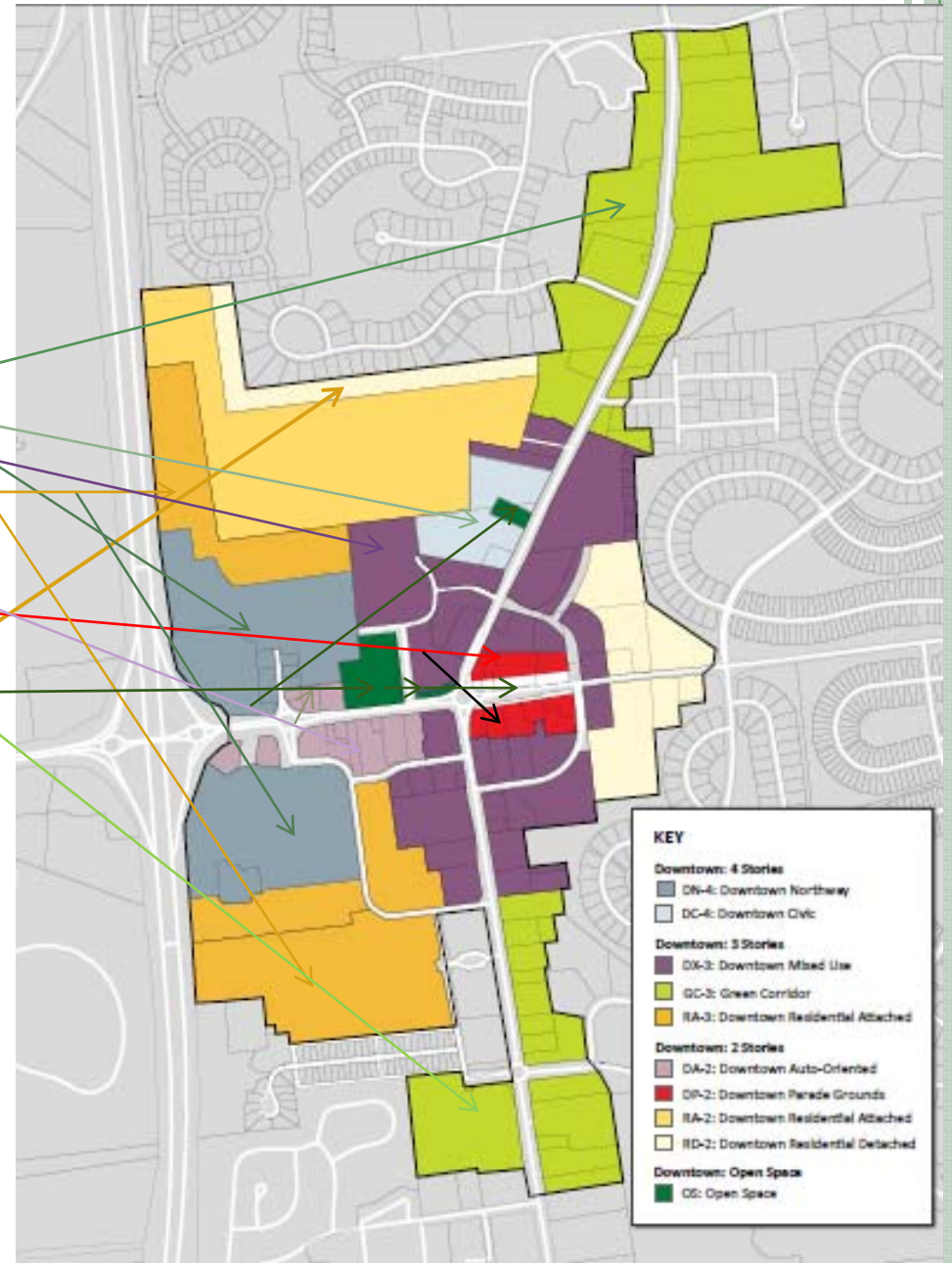
**ADOPTED** February 4, 2013



# Section 2. Districts

## □ Ten zoning districts established:

- DN-4 Downtown Northway
- DC-4 Downtown Civic
- DX-3 Downtown Mixed Use
- DC-3 Green Corridor
- RA-3 Downtown Residential Attached
- DA-2 Downtown Auto-Oriented
- DP-2 Downtown Parade Grounds
- RA-2 Downtown Residential Detached
- OS: Open Space



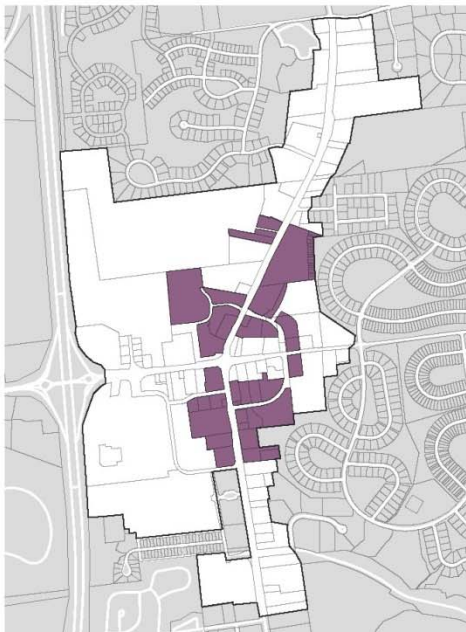
## 2.6. DX-3: Downtown Mixed Use

The DX-3 District is intended to accommodate a mix of compatible uses in a variety of building types in a pedestrian-friendly and walkable environment where buildings do not exceed 3 stories in height.



**Section 2. Districts**

- Provides brief narrative describing zoning district objectives
- Identifies permitted building types
- Identifies permitted buildings by permitted height
- Provides graphic depicting zoning district locations
- Provides illustration example of conceptual build-out



### A. Permitted Building Types

- Mixed Use Shopfront
- Traditional Shopfront
- Single-Story Shopfront
- General Building
- Civic Building
- Apartment
- Townhouse
- Cottage Court
- Detached House

### B. Maximum Building Heights

- |           |                                                                             |
|-----------|-----------------------------------------------------------------------------|
| 3 stories | Mixed Use Shopfront, General Building, Apartment, Townhouse, Civic Building |
| 2 stories | Traditional Shopfront, Cottage Court, Detached House                        |
| 1 story   | Single-story Shopfront                                                      |



# INTRODUCTION TO THE FBC DOCUMENT

- Section 1. General
- Section 2. Districts
- **Section 3. Buildings**
- Section 4. Land Use
- Section 5. Sites
- Section 6. Streets
- Section 7. Administration
- Section 8. Definitions



Article XVI  
Downtown Malta  
**Form-Based Code**

*prepared by*

**CODE STUDIO**

*for*

the Town of Malta, New York

**ADOPTED** February 4, 2013

- Identifies 9 types of buildings permitted
- Provides brief description of each

- Identifies zoning districts where buildings are permitted

## Section 3. Buildings

### Section 3. Buildings

#### 3.1. Building Types

Section 3 establishes and defines a set of building types to ensure that proposed development is consistent with the Downtown goals for building form, physical character, land use and quality.



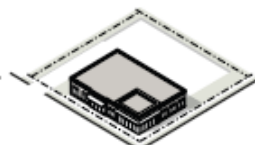
#### A. Mixed Use Shopfront

A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses. Not intended for ground floor residential uses.



#### B. Traditional Shopfront

A building type that typically accommodates ground floor retail, office or commercial uses at a scale that complements the historic character along Dunning. Not intended for ground floor residential uses.



#### C. Single-Story Shopfront

A single-story building type that typically accommodates retail or commercial uses. Not intended for residential uses.



#### D. General Building

A building type that typically accommodates commercial or office uses. Not intended for retail or residential uses.



#### E. Civic Building

A building type that accommodates public or civic uses. Not intended for commercial, retail, office or residential uses.



#### F. Apartment

A building type that accommodates 3 or more dwelling units vertically and horizontally integrated. Not intended for nonresidential uses.



#### G. Townhouse

A building type that accommodates 3 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed. Not intended for nonresidential uses.



#### H. Cottage Court

5 to 9 detached houses organized around an internal shared courtyard. Not intended for nonresidential uses.



#### I. Detached House

A building type that accommodates one dwelling unit on an individual lot with yards on all sides. Not intended for nonresidential uses.

### Sec. 3.2. Building Types Allowed by District | BUILDINGS

#### 3.2. Building Types Allowed by District

Building types are allowed by district as shown below.

BUILDING TYPE	DN-4	DC-4	DX-3	RA-3	DA-2	DP-2	RA-2	RD-2
Mixed Use Shopfront (Sec. 3.4)	•		•		•			
Traditional Shopfront (Sec. 3.5)	•		•		•	•		
Single-Story Shopfront (Sec. 3.6)	•		•		•			
General Building (Sec. 3.7)	•	•	•		•			
Civic Building (Sec. 3.8)	•	•	•	•	•	•	•	•
Apartment (Sec. 3.9)	•		•	•				
Townhouse (Sec. 3.10)	•		•	•			•	
Cottage Court (Sec. 3.11)			•	•			•	•
Detached House (Sec. 3.12)			•	•			•	•

## Section 3. Buildings

### 3.3 Rules Applicable to All Buildings

- A. **Site:** Definition, Site Area, Site Width
- B. **Lot:** Definition, Lot Area, Lot Width, Lot Depth, Lot Frontage
- C. **Outdoor Amenity Space:** Applicability, Standards, Examples
- D. **Building Setbacks:** Overview, Measurement of, Primary/Side Street Designation
- E. **Build-to Zone:** Definition, Corner Lots, Uses Allowed
- F. **Setback Encroachments:** Building Features, Mechanicals/Utilities, Other
- G. **Parking Setbacks:** On-site, Surface/Structured, Applicability, Location
- H. **Building Height:** Pitched/Flat roof, Average Grade, Sloped Lot, Attic, Basement
- I. **Height Encroachments:** Roof projections, Structures, Accessory Structures
- J. **Ground Floor Elevation:** Measurement standards
- K. **Story Height:** Measurement, Ground Story, Upper Story
- L. **Transparency:** Percentage of windows/doors, Ground Story, Upper Story
- M. **Blank Wall Area:** Defined, Vertical measure, Horizontal measure, Applicability
- N. **Pedestrian Access:** Entrances, Spacing, Location
- O. **Neighborhood Compatibility:** Applicability, Bulk Plane, Transitional Buffer
- P. **Building Materials:** Applicability, Primary/Accent/Use-of materials, Color, Alternates
- Q. **Underground Utilities:** Must be underground on private property



# 3. HEIGHT & MASS: BUILDING HEIGHT, STORY HEIGHT, BUILDING MASS

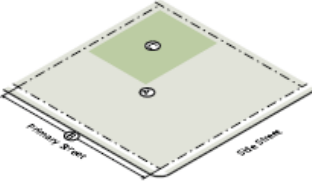
## 4. ACTIVATION: TRANSPARENCY, PEDESTRIAN ACCESS, PERMITTED BUILDING ELEMENTS

### Sections 3.4 - 3.13, Pages 26 - 45

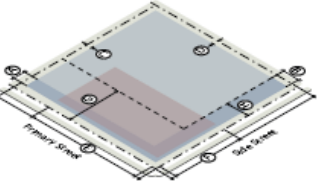
BUILDINGS | Sec. 3.4. Mixed Use Shopfront

#### 3.4. Mixed Use Shopfront

**1. Lot**



**2. Placement**



Lot Dimensions	
Ⓐ Lot area (min)	5,000 SF
Ⓐ Lot width (min)	50'

Building Setbacks	
Ⓐ Primary street (min/max)	5'/10'
DA-2 exception	5'/85'
Ⓐ Side street (min/max)	5'/15'
Ⓒ Side interior (min)	0' or 5'
Ⓒ Side interior, abutting protected district	15'
Ⓒ Rear (min)	0' or 5'
Ⓒ Rear, abutting protected district (min)	15'
Ⓒ Alley (min)	5'

Lot Parameters	
Ⓒ % of outdoor amenity space (min)	20%

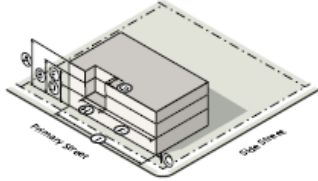
Build-to Zone (BTZ)	
Ⓐ Building in primary street BTZ (min % of lot width)	70%
Ⓐ Building in side street BTZ (min % of lot width)	35%

Parking Setbacks	
Ⓐ Primary street (min)	30'
DA-2 exception	10'
Ⓐ Side street (min)	10'

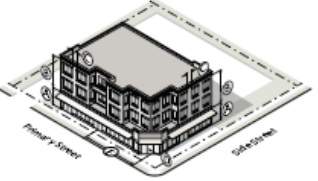
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Sec. 3.4. Mixed Use Shopfront | BUILDINGS

**3. Height and Mass**



**4. Activation**



Building Height	
Ⓐ Building height (max)	
DA-2	2 stories / 30'
DA-3	3 stories / 40'
DA-4	4 stories / 50'
Reduced height may be required when abutting a protected district (see Sec. 3.3.D)	
Ⓐ Building height (min)	2 stories

Transparency	
Ⓐ Ground story, primary/side street (min)	60%/30%
Ⓐ Upper story, street-facing facade (min)	20%
Ⓐ Blank wall area, primary/side street (max)	30%/40'

Story Height	
Ⓐ Ground floor elevation (min/max)	0'/2'
Ⓐ Ground story height, floor to ceiling (min)	13'
Ⓐ Upper story height, floor to ceiling (min)	9'

Building Mass	
Ⓐ Upper-story street-facing wall length without offset (max)	100'
Ⓐ Upper-story street-facing wall offset depth (min)	4'
Ⓐ Upper-story street-facing wall offset length (min)	5'
Ⓐ Building length, street-facing facade (max)	175'

Pedestrian Access	
Ⓐ Entrance facing primary street	Required
Ⓐ Entrance spacing along primary street (max)	75'

Permitted Building Elements	
Porch	No
Stoop	No
Balcony	Yes
Gallery	Yes
Awning/Canopy	Yes
Forecourt	Yes

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# INTRODUCTION TO THE FBC DOCUMENT

- Section 1. General
- Section 2. Districts
- Section 3. Buildings
- **Section 4. Land Use**
- Section 5. Sites
- Section 6. Streets
- Section 7. Administration
- Section 8. Definitions



Article XVI  
Downtown Malta  
**Form-Based Code**

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*for*

the Town of Malta, New York

**ADOPTED** February 4, 2013

# Permitted Use Table

## 4.4. Permitted Use Table

Uses are allowed by district as shown below.

	DN-4	DC-4	DX-3	GC-3	RA-3	DA-2	DR-2	DP-2	RA-2	RD-2	OS	Use Limitations
<b>Residential Uses</b>												
Dwelling, one family			●		●		●		●	●		
Dwelling, multifamily	●		●		●	●	●	●	●	●		
Nursing or convalescent home	●		●		●		●					
Senior housing	●		●		●		●		●	●		
<b>Public/Civic Uses</b>												
Area of public assembly		●										
Cemetery											●	
Church, rectory (place of worship)	●	●	●	●	●	●	●	●	●	●		Sec. 4.3.A
College/educational facility	●	●	●	●								Sec. 4.3.A
Day-care center, adult	●	●	●	●		●						
Day-care center, child	●	●	●	●		●						
Library	●	●	●	●				●				Sec. 4.3.A
Municipal building	●	●	●	●		●		●				
Museum	●	●	●	●				●				Sec. 4.3.A
Nursery school	●	●	●	●		●						
Park, playground	●	●	●	●	●	●	●	●	●	●	●	
School (K-12)	●	●	●	●	●	●	●	●	●	●	●	Sec. 4.3.A
Utility structures/lines, minor	●	●	●	●	●	●	●	●	●	●	●	
Utility structures/lines, major	○	○	○	○	○	○						
<b>Commercial Uses</b>												
Animal hospital	●		●	●		●		●				
Automatic laundry/laundromat	●		●			●						
Bank	●		●	●		●		●				
Boutique Hotel	●		●	●								
Business office	●	●	●	●		●						
Club/lodge	●	●	●	●		●						
Conference center	●	●	●	●								
Convenience store, no gas	●		●			●		●				
Drive-through service establishment	○		○	●		●						Sec. 4.3.B
Drugstore	●		●			●		●				
Fitness center	●		●			●		●				
Funeral home	●		●			●						

KEY: ● = Permitted Use ○ = Special Use Permit Blank Cell = Use not Permitted

	DN-4	DC-4	DX-3	GC-3	RA-3	DA-2	DR-2	DP-2	RA-2	RD-2	OS	Use Limitations
Grocery store	●		●			●						
Hotel	●											
Indoor recreation	●		●	●		●						
Medical center	●	●	●	●		●		●				
Parking garage	●	●	●				●					Sec. 4.3.C
Personal service shop	●		●			●		●				
Professional office	●	●	●	●		●		●				
Restaurant	●		●			●		●				
Retail business	●		●			●		●				
Theater	●	●	●									
<b>Heavy Commercial Uses</b>												
Auto service/fueling station						●						Sec. 4.3.D
Automotive repair						●						
Car wash						○						
Gasoline service						●						Sec. 4.3.D
Laboratory	●		●	●		●						
Research and development	●	●	●	●		●						
Technology/research office	●	●	●	●		●						

KEY: ● = Permitted Use ○ = Special Use Permit Blank Cell = Use not Permitted



# **BUILDING ELEMENTS**

**Definitions and Standards for the following:**

**A. Porch**

**B. Stoop**

**C. Balcony**

**D. Gallery**

**E. Awning/Canopy**

**F. Forecourt**



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# Site Elements Regulations

- A. Parking:** Applicability, General, Additions, Change in Use, Vehicle Parking Schedule, Parking Location, Bicycle Parking, Drive-Through Stacking, Dimensional standards, Landscaping, Screening, Islands, Medians, Trees, Maintenance, Surfacing, Loading, Cross-Access.
- B. Landscaping & Screening:** Applicability, Transitional Buffer, Screening, Fences/Walls, Plant Installation, Maintenance.
- C. Signs:** Applicability, Right-of-Way, Common Sign Plan, Sign Schedule by District, Sign Area, Area Computations, Height Measurement, Illumination, Nonconforming signs.

Sign Types -

Wall/Awning/Canopy/Projecting/Shingle/Window/Monument/Bracket/Sidewalk.

- D. Site Lighting:** Applicability, Light Levels, Prohibited Sources, Design & Installation, Parking/Ped lighting, Flood, Car Canopies, Building & Security.
- E. Outdoor Display & Storage:** Applicability, Outdoor Displays, Outdoor Storage

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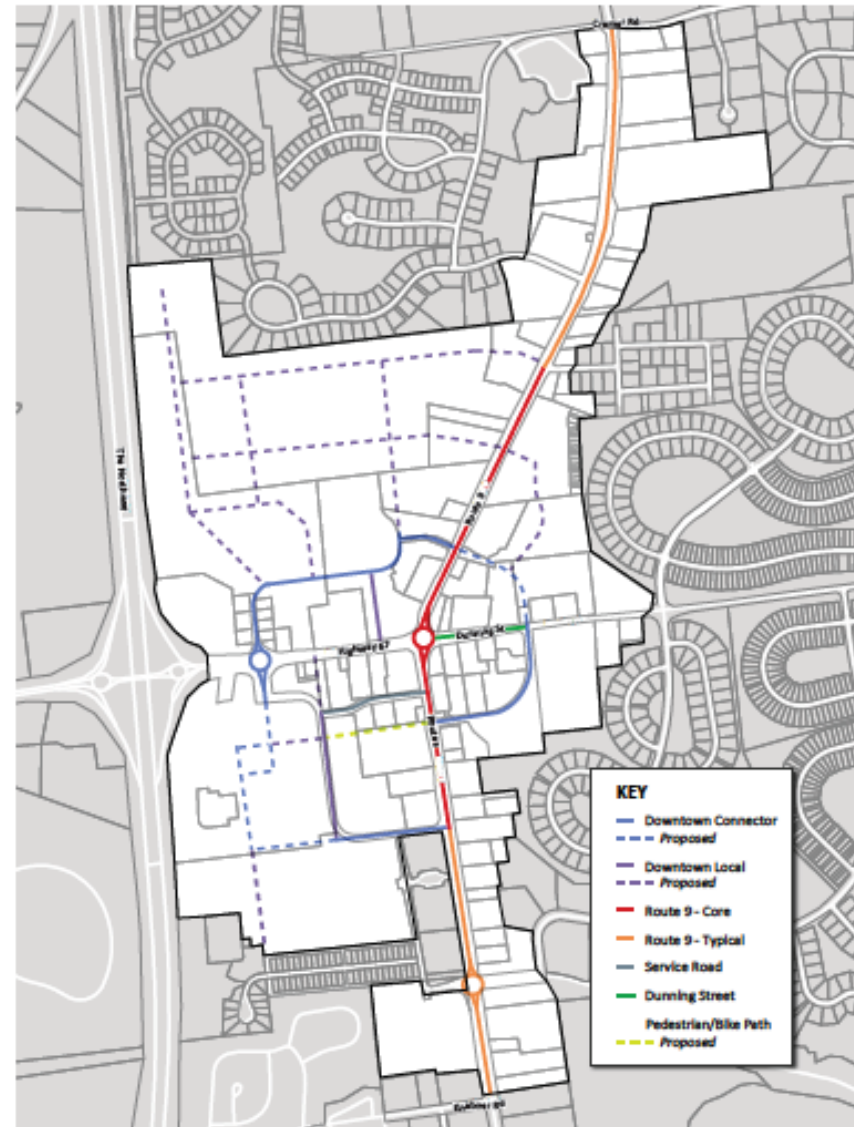
# Section 6. Streets

## General Provisions:

- A. Applicability
- B. Proposed Streets
- C. Existing Streets
- D. Tree Planting
- E. Street Types
- F. Street Modifications

### 6.2. Downtown Future Street Map

The following street types are established and mapped on the Downtown Malta Future Street Map.

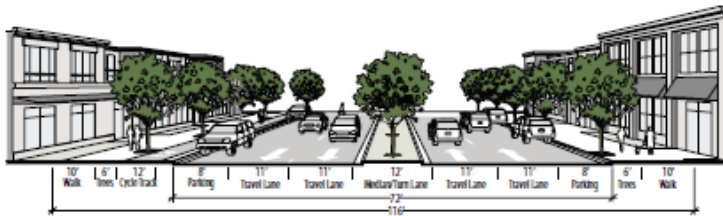


# Section 6. Streets

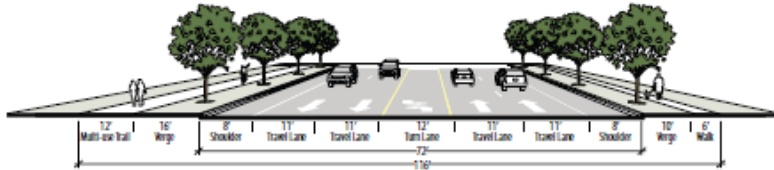
## 6.3. Street Types

The dimensional and installation requirements for the street types identified on the Future Street Map are shown on the following pages.

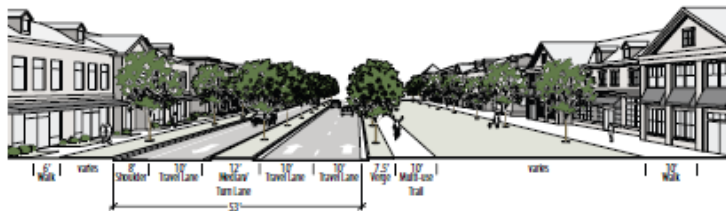
### A. Route 9: Core



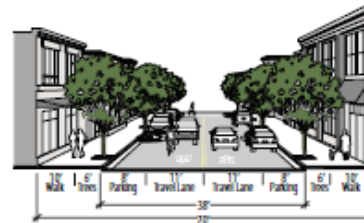
### B. Route 9: Typical



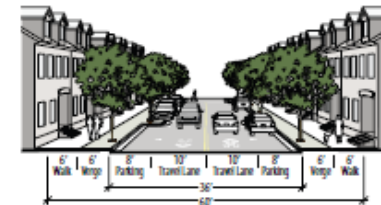
### C. Dunning Street



### D. Downtown Connector



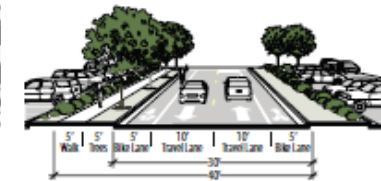
### E. Downtown Local



### F. Downtown Residential



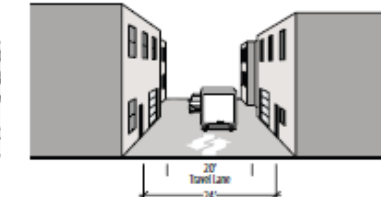
### G. Service Street



### H. Residential Alley



### I. Commercial Alley

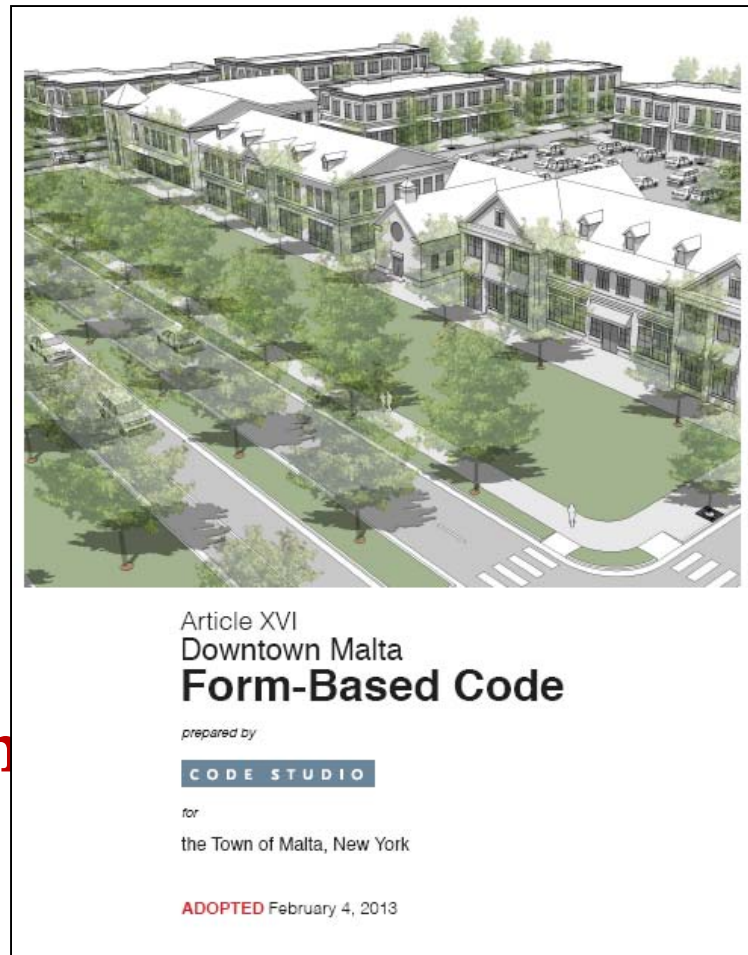


### J. Pedestrian / Bike Path



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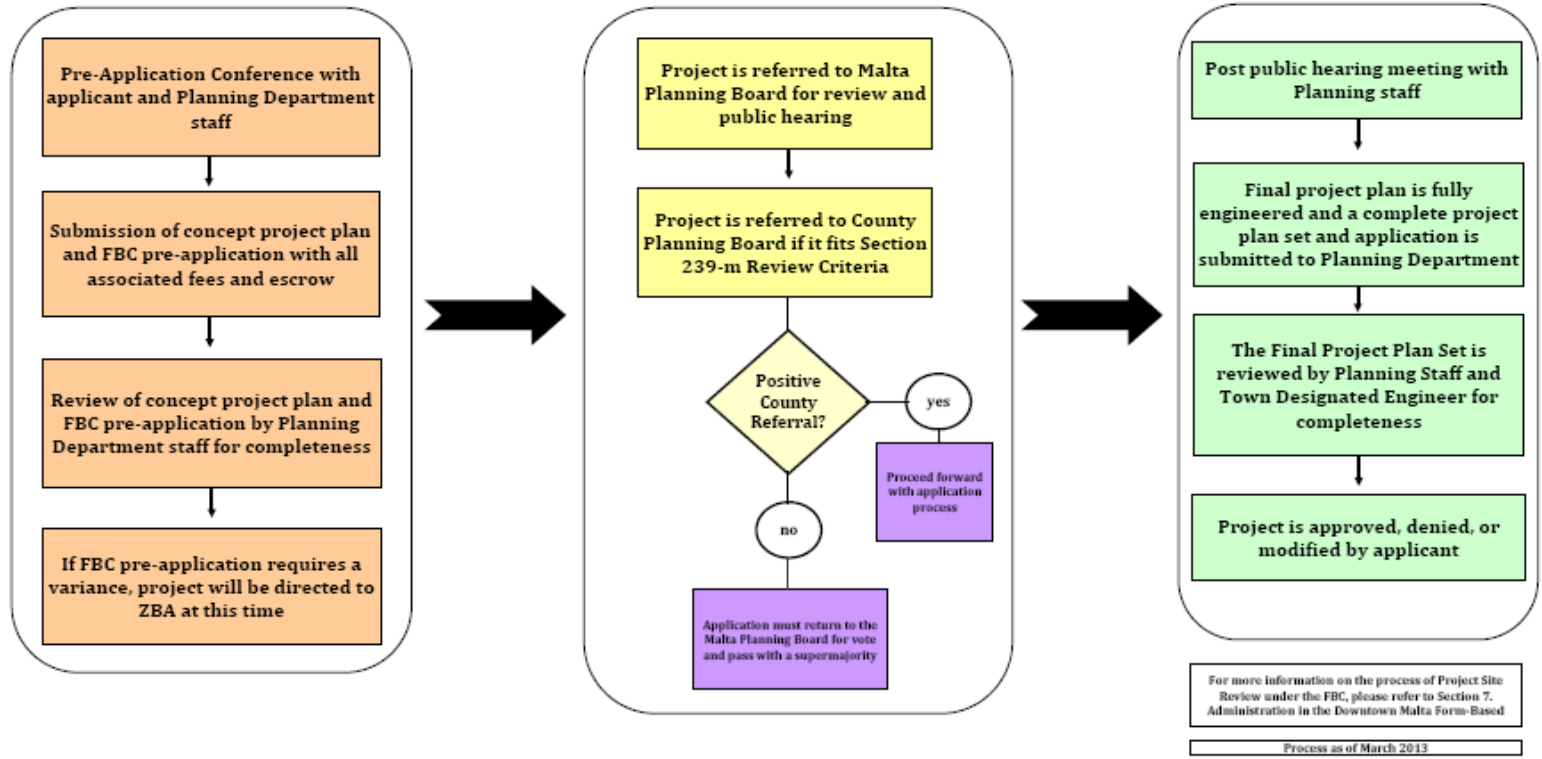
- Section 1. General
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# SECTION 7. ADMINISTRATION



## Form-Based Code Project Plan Application Process





# Section 7. Administration

## Administrative Tools & Assistance:

- FBC Concept Project Plan Pre-Application Checklist
- FBC Concept Project Plan Pre-Application
- FBC Final Project Plan Checklist
- FBC Final Project Plan Application
- Engagement of services of Code Studio/Third Coast Group for applicant guidance and formal plan review.
- Interpretations
- Strong planning staff & building staff communication
- Town Engineer services
- Town land-use attorney
- Zoning Board of Appeals
- Planning Board
- FBC Training to potential applicants/representatives, PB, ZBA
- And – of course – the “Downtown Malta Form-Based Code”

# CHECKLIST

- Final Project Plan Checklist – contents of Concept Checklist, plus:
  - Public hearing info
  - NOI, SWPPP, Stormwater Management Plan
  - All site and use details with full engineering



## WHAT CHANGED?

- All parcels within the Downtown Overlay zone have been rezoned (PDDs Extinguished).
- Process relies on Planning staff review, not PB.
- Administrative approvals only: one mandatory Planning Board meeting with public hearing, referral to County, back to staff review.
- SEQRA does not apply.
- More reliance on ZBA. Variances more 'exotic:
  - Area Variances for transparency, building orientation, ground floor elevation, blank wall area, etc.
  - Use Variances for proposed uses not permitted in zoning districts – AND/OR – for proposed uses not permitted in selected building – or for selection of a building not permitted within a zoning district.



# 'Different' Variances than the 'Usual'

## DIMENSIONAL REGULATIONS: SOME 'EXOTIC' DIMENSIONAL REGULATIONS

- Build-to Zone (page 20)
- Ground Floor Elevation (page 22)
- Story Height (p. 22)
- Transparency (p.23)
- Blank Wall Area (p. 23)
- Pedestrian Access (p. 23)
- Neighborhood Compatibility (p. 24)
- Building Materials (p. 24)



# Challenges and Lessons Learned To-Date

- ❑ Businesses seem extremely happy with the FBC
- ❑ Recognize the need for ‘tweaking’ in six months (Aug/Sept).  
A laundry list continues to evolve.
- ❑ Numerous interpretations needed to clarify or to address concerns prior to ‘tweak’.
- ❑ The ZBA will be actively involved – and is likely to have greater authority over Downtown development than the PB.
- ❑ Staff and I are still chewing through much of the learning curve.
- ❑ More applications for project plan ‘alterations’ than there have been for new project plans.



**QUESTIONS???**



# **THANK YOU!**

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