

## DOWNTOWN YONKERS REZONING

City of Yonkers  
Westchester County, NY

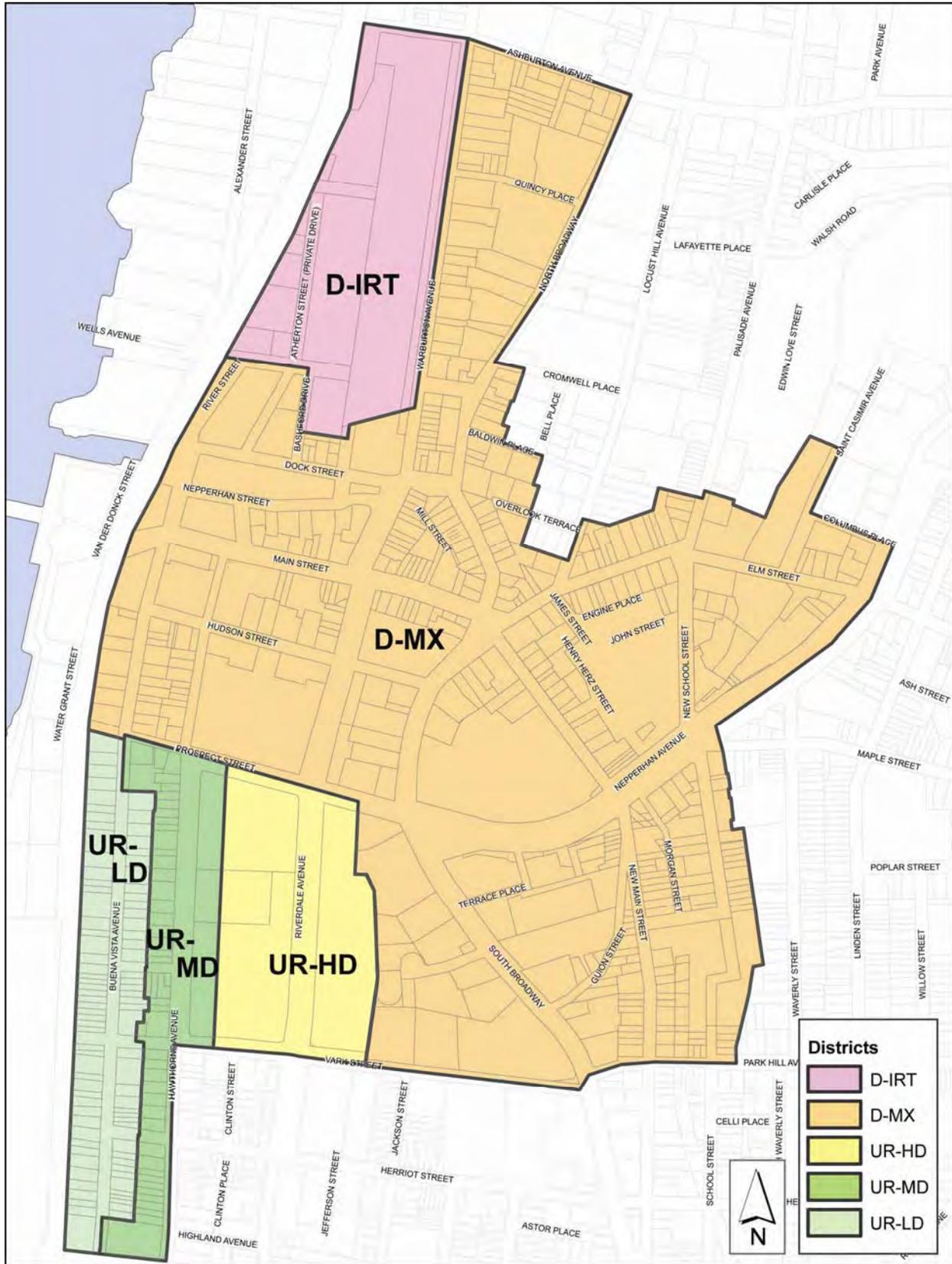
Draft Generic Environmental Impact Statement  
Appendices

September 16, 2011

**APPENDIX A**

**PROPOSED ZONING AMENDMENTS TO CODE**





## ARTICLE XX. DOWNTOWN DISTRICTS

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### §43-X1. PURPOSE STATEMENTS

The following districts comprise the Downtown Districts:

#### A. D-MX Mixed-Use District

The D-MX Mixed-Use District is a high concentration of commercial, residential and institutional developments in the Downtown. The D-MX District encourages ground floor commercial uses to activate the street level environment. In order to create a concentration of pedestrian-oriented commercial uses networked throughout the D-MX District, certain streets are designated “Key Streets” and require commercial ground floor uses within a storefront design.

**(1) Key Streets:** The Key Streets of the D-MX District are shown in Map A: Key Streets. The purpose of Key Streets is to preserve and enhance the pedestrian-oriented commercial environment and promote economic development focused on active uses such as retail, restaurant, service and entertainment uses. To achieve this, regulations require certain ground floor uses, a storefront design at the street level, and increased transparency requirements. The following streets are designated as Key Streets in the D-MX District:

- (a) Main Street** between Buena Vista Avenue and Getty Square/North & South Broadway
- (b) New Main Street** between Getty Square/North & South Broadway and Vark Street/Park Hill Avenue
- (c) Nepperhan Street** between Buena Vista Avenue to Warburton Avenue
- (d) Dock Street** from Buena Vista Avenue to Warburton Avenue
- (e) Riverdale Avenue/Warburton Avenue** between Prospect Street and Wells Avenue
- (f) South Broadway/North Broadway** between Nepperhan Avenue and Manor House Square
- (g) Palisade Avenue** between Main Street/Getty Square and Elm Street

#### B. D-IRT Downtown Industrial Research and Technology District

The D-IRT District supports the industrial uses in the northern portion of Downtown. This district with its close proximity to the Metro North and Amtrak train lines is a prime location for office, industrial, research and development and technology-based uses. It also allows certain commercial uses to serve the work force. Residential uses are prohibited to avoid conflicts with industrial users and encroachment into industrial land.

#### C. UR-LD Low Density Urban Residential District

The UR-LD Urban Residential Low Density District is intended to address urban neighborhoods, adjacent to the Downtown, that contain a mix of single-family, detached and attached two-family, and townhouse dwellings. The UR-LD District is intended to maintain the residential environment of these urban neighborhoods, continuing the

development patterns of these areas established in mid to late 19<sup>th</sup> and early 20<sup>th</sup> centuries.



#### **D. UR-MD Medium Density Urban Residential District**

The UR-MD Urban Residential Medium Density District is intended to address urban neighborhoods, adjacent to the Downtown, that contain a mix of all dwelling types, including apartment house dwellings. The UR-MD District is intended to maintain the residential environment of these urban neighborhoods, continuing the development patterns of these areas established in mid to late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

#### **E. UR-HD High Density Urban Residential District**

The UR-HD Urban Residential High Density District encourages a high density residential development, located adjacent to the Downtown to increase the Downtown residential population, build a critical mass for the commercial uses located Downtown and take advantage of existing transportation resources. Limited commercial establishments are also allowed at select locations within the district.

### **§43-X2. SCHEDULE OF USES**

- A.** The schedule of principal uses permitted within the Downtown Districts is shown in Table 1: Schedule of Principal Uses. Principal uses are allowed as permitted (P), permitted with supplemental standards (Ps) or special uses (S).

In addition, the following use regulations apply:

- (1)** Within the D-MX District, certain uses are required on the ground floor of Key Streets in order to create a concentration of pedestrian-oriented uses. See Section 43-XX.A (1) and Map A for Key Street designations. Table 1: Schedule of Principal Uses shows those uses that are required on the ground floor of buildings along the Key Streets.
- (2)** Within the UR-HD District, limited commercial uses are allowed on the ground floor of apartment houses for lots that front on Riverdale Avenue<sup>1</sup>. Table 1: Schedule of Principal Uses shows the non-residential uses that are allowed along that frontage. Such non-residential uses must comply with the following conditions:
  - (a)** Such uses must be conducted entirely inside a building.
  - (b)** Such uses must front on Riverdale Avenue and provide access to the commercial uses from Riverdale Avenue only.
  - (c)** No more than one (1) wall sign on the exterior of the structure for each commercial use is permitted. Such wall sign is limited to letters no more than twelve (12) inches in height and a total sign length that equals seventy percent (70%) width of the store's Riverdale Avenue façade.
  - (d)** Window signs are permitted and limited to no more than twenty-five percent (25%) of each window and door area.
  - (e)** New construction requires a minimum first floor height of twelve (12) feet and fifty percent (50%) transparency of the first floor façade. A minimum eighteen (18) inch high knee wall is required beneath glazing. Knee walls are limited to a maximum height of thirty-six (36) inches.

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<sup>1</sup> The non-residential uses allowed on the ground floor of apartment houses that front Riverdale Avenue are accessory uses to the residential uses permitted in the UR-HD District.

- (f) Any security gates must comply with the design standards for security gates in the Downtown Districts for non-residential and mixed-use buildings. Security gates are discouraged in the Downtown Districts and are not required during any rehabilitation of a building or for new construction.

TABLE 1: SCHEDULE OF PRINCIPAL USES & UR-HD ACCESSORY USES							
PRINCIPAL USES	DISTRICTS						UR-HD: Non-Residential Accessory Uses allowed on ground floor of buildings that front Riverdale Avenue
	D- MX	D-MX – KEY STREETS: Required ground floor uses	D- IRT	UR- LD	UR- MD	UR- HD	
<b>Residential Uses</b>							
Single-family detached dwellings				P	P		
Two-family attached dwellings				P	P		
Two-family detached dwellings				P	P		
Apartment houses	P				P	P	
Live/work buildings	P				P	P	
Townhouses				P	P	P	
Senior citizen apartment houses	P				P	P	
Community residential facilities – up to 14 persons				Ps	Ps	Ps	
Community residential facilities – over 14 persons					S	S	
<b>Public and Institutional Uses</b>							
Children's day camps	S			S	S	S	S
Colleges/universities	P						
Convents, monasteries and seminaries				S	S		
Government uses (non-City of Yonkers)	S		S			S	
Hospitals	S						
Medical Establishment	Ps						
Municipal uses (City of Yonkers)	P		P	P	P	P	
Offices of philanthropic institutions	Ps						
Parish houses				Ps	Ps	Ps	
Places of Worship				Ps	Ps	Ps	
Philanthropic institutions providing social services	S						
Private recreational clubs or community swimming pools	S			S	S	S	
Private clubs and community centers	S					S	
Private not-for-profit recreational uses	S			S	S	S	
Schools	Ps			Ps	Ps	Ps	
<b>Business, Commercial and Office Uses</b>							
Audio, radio, video and television stations and studios	Ps		Ps				
Banks and financial uses	P	P					P
Banquet and catering facilities	P						

TABLE 1: SCHEDULE OF PRINCIPAL USES & UR-HD ACCESSORY USES

PRINCIPAL USES	DISTRICTS						UR-HD: Non-Residential Accessory Uses allowed on ground floor of buildings that front Riverdale Avenue
	D-MX	D-MX – KEY STREETS: Required ground floor uses	D-IRT	UR-LD	UR-MD	UR-HD	
Cabarets and nightclubs	P	P					
Commercial recreation uses, indoor	P	P					
Commercial schools	P		P				
Conference centers	Ps		Ps				
Day-care centers	Ps	Ps	Ps				Ps
Department stores	P	P					
Eating and drinking establishments	P	P	P				P
Fast-food restaurants	P	P					
Drive-through Restaurants							
Food and beverage stores	P	P					P
Health clubs and gymnasiums	P	P	P				P
Hotels	P	P					
Indoor markets	P	P					
Live/work buildings	P						
Medical and dental offices	P	P	P				P
Offices	P	P	P				
Personal service establishments	P	P	P				P
Restaurants	P	P					
Retail establishments	P	P					P
Retail craft uses	P	P					
Supermarkets	S	S					
Telephone switching facilities	P						
Theaters and movie theaters	P	P					
Veterinary offices or hospitals	P						
<b>Motor Vehicle Uses</b>							
Automobile rental establishments – Within fully enclosed structure only	Ps						
Automobile supply and service stores	P						
<b>Industrial, Warehouse and Storage Uses</b>							
Breweries and microbreweries			P				
Industrial design uses	P	P	P				
Light industrial uses	P		P				
Medium industrial uses			P				
Printing plant, photo lithography or reproduction establishments			P				
Laboratories, research and development			P				
Testing laboratories and pilot plants			P				
Industrial Vivarium			P				

## B. Accessory Uses

The schedule of accessory uses permitted within the Downtown Districts is shown in Table 2: Schedule of Accessory Uses. Accessory uses are allowed as permitted (P), permitted with supplemental standards (Ps) or special (S) uses. Accessory uses are allowed as permitted (P), permitted with supplemental standards (Ps) or special (S) uses.

(1) Non-residential accessory uses within the UR-HD District are allowed only when accessory to a commercial use located along Riverdale Avenue.

TABLE 2: SCHEDULE OF ACCESSORY USES					
ACCESSORY USES	DISTRICTS				
	D-MX	D-IRT	UR-LD	UR-MD	UR-HD
<b>Residential Accessory Uses</b>					
Decks and patios	Ps		Ps	Ps	Ps
Doghouses and structures accommodating pets			Ps	Ps	
Family day care	Ps		Ps	Ps	Ps
Fences and walls	Ps		Ps	Ps	Ps
Group family day-care homes	Ps		Ps	Ps	Ps
Home-based businesses	S		S	S	S
Home occupations	P		Ps	Ps	Ps
Parish houses			Ps	Ps	
Radio and TV antennas	Ps		Ps	Ps	Ps
Refuse collection, storage and recycling facilities	Ps		Ps	Ps	Ps
Satellite antennas	S		S	S	S
Signs	Ps		Ps	Ps	Ps
Swimming pools and bathhouses	Ps		Ps	Ps	Ps
Tennis courts and other sports courts	Ps		Ps	Ps	Ps
Exercise facilities - Resident use only	P		P	P	P
<b>Non-Residential Accessory Uses</b>					
Amusement games and devices	Ps	Ps			
Automatic teller machines	Ps	Ps			Ps <sup>1</sup>
Awnings or canopies	Ps	Ps			Ps <sup>1</sup>
Bars or lounge areas serving liquor and brew pubs	Ps	Ps			Ps <sup>1</sup>
Christmas tree sales	Ps				Ps <sup>1</sup>
Fences and walls	Ps	Ps			Ps <sup>1</sup>
Greenhouses	Ps	Ps			Ps <sup>1</sup>
Helistops or heliports	S				
Laboratories	Ps	Ps			
Live entertainment	P	P			
Live/work units	P				
Loading berths or spaces	Ps	Ps			Ps <sup>1</sup>
Newspaper vending machines	Ps	Ps			Ps <sup>1</sup>
Outdoor dining areas	Ps	Ps			Ps <sup>1</sup>
Outdoor storage		Ps			
Railroad sidings		Ps			
Refuse collection, storage and recycling facilities	Ps	Ps			Ps <sup>1</sup>
Satellite antennas	S	S			
Signs	Ps	Ps			Ps <sup>1</sup>
Soda or candy vending machines	Ps	Ps			Ps <sup>1</sup>
Temporary flea markets or carnivals	Ps				
Water tanks	P	P			P <sup>1</sup>
<b>Accessory Parking</b>					
Fee-in-lieu of parking	Ps	Ps			
Shared parking	Ps	Ps			Ps

<sup>1</sup> Only permitted as an accessory to non-residential uses allowed on ground floor of apartment houses on lots that front Riverdale Avenue in the UR-HD District.

TABLE 2: SCHEDULE OF ACCESSORY USES					
ACCESSORY USES	DISTRICTS				
	D-MX	D-IRT	UR-LD	UR-MD	UR-HD
Private garage	Ps	Ps	Ps	Ps	Ps
Private open-air parking	Ps	Ps	Ps	Ps	Ps
Semipublic garage	Ps	Ps			Ps
Semipublic open-air parking	Ps	Ps			Ps

**§43-X3 DIMENSIONAL STANDARDS**

**A. Bulk and Setback Regulations**

(1) Table 3: Dimensional Standards for D-MX and D-IRT Districts establishes the bulk and setback regulations for the D-MX and D-IRT Districts.

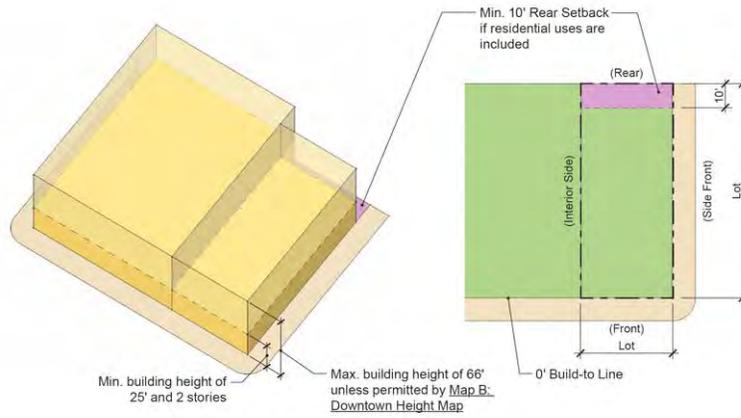
TABLE 3: DIMENSIONAL STANDARDS FOR D-MX AND D-IRT DISTRICTS		
BULK & SETBACK REGULATIONS	DISTRICTS	
	D-MX	D-IRT
<b>BULK</b>		
Maximum Building Height	66', unless permitted height by Section 43-X3.B below and <u>Map B: Downtown Height Map</u>	66', unless permitted height by Section 43-X3.B below and <u>Map B: Downtown Height Map</u>
Minimum Building Height	25' and 2 stories	25' and 2 stories
<b>REQUIRED SETBACKS</b>		
Front Build-To Line	0 <sup>1,2</sup>	0 <sup>1,2</sup>
Minimum Interior Side Setback	0	0
Side Front Build-To Line	0 <sup>1,2,3</sup>	0 <sup>1,2</sup>
Minimum Rear Setback	Non-residential: 0 Residential: 10'	0

<sup>1</sup> Exceptions: See Map C: Downtown Sidewalk Enhancement Areas Map for setback exceptions

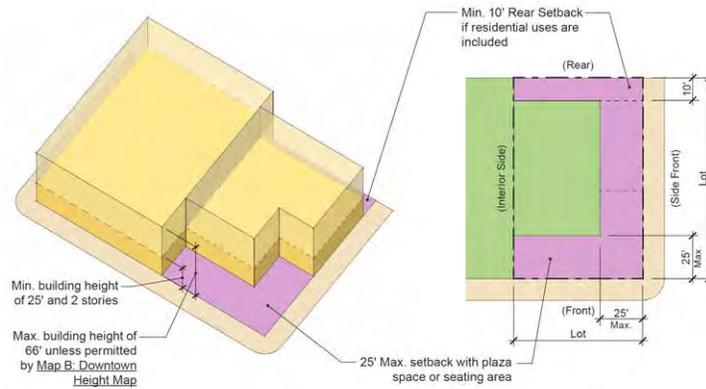
<sup>2</sup> A setback may be increased to a maximum of 25' if a public plaza or public seating area is incorporated and located adjacent to a public street.

<sup>3</sup> On a corner lot, where a rear yard is required because of residential uses, the side front build-to line requirement applies only up to the rear yard line, where no setback is required to the rear lot line.

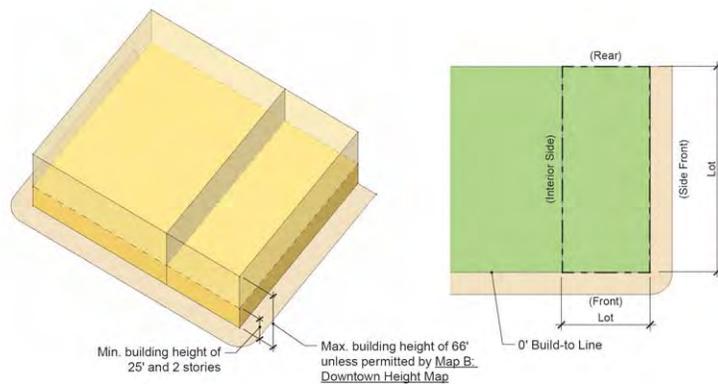
**FIGURE 1: D-MX DISTRICT HEIGHT AND SETBACK REQUIREMENTS**



**FIGURE 2: D-MX DISTRICT HEIGHT AND SETBACK REQUIREMENTS WITH PUBLIC PLAZA**



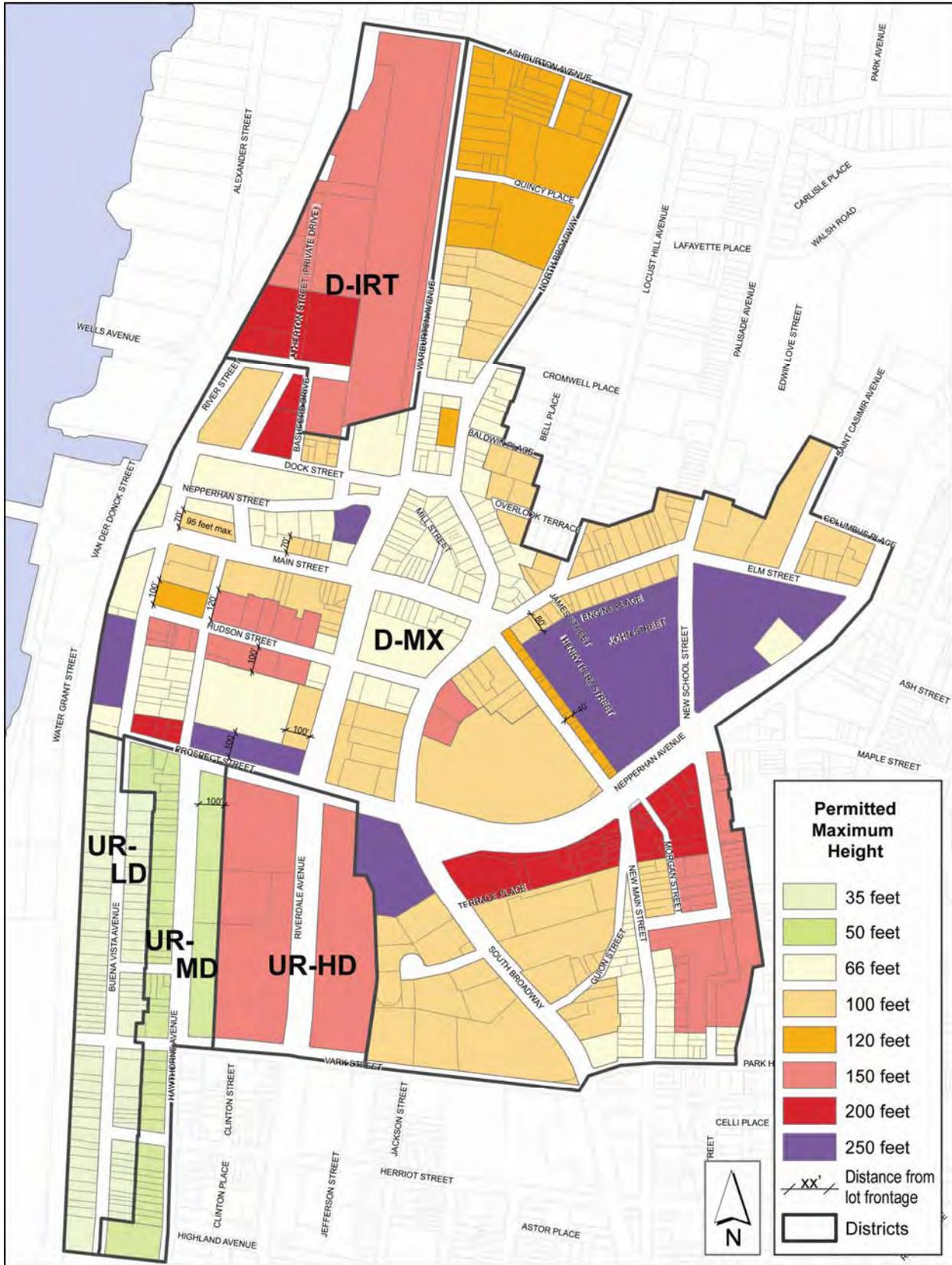
**FIGURE 3: D-IRT DISTRICT HEIGHT AND SETBACK REQUIREMENTS**



(2) Table 4: Dimensional Standards for UR-LD, UR-MD and UR-HD Districts establishes the bulk and setback regulations for the UR-LD, UR-MD and UR-HD Districts. “DU” is an abbreviation for “dwelling unit.”

TABLE 4: DIMENSIONAL STANDARDS FOR UR-LD, UR-MD AND UR-HD DISTRICTS							
BULK AND SETBACK STANDARDS	UR-LD & UR-MD DISTRICTS			UR-LD, UR-MD & UR-HD DISTRICT	UR-MD DISTRICT	UR-HD DISTRICT	UR-LD & UR-MD DISTRICTS
	Detached Single-Family Dwelling	Two-Family Detached	Two-Family Attached	Townhouse	Apartment House	Apartment House	Non-Residential
<b>BULK</b>							
Minimum Lot Area	2,500sf	2,500sf	2,500sf	6,000sf	10,000sf	-	15,000sf
Minimum Lot Width	25'	25'	25'	20 ft/du but a minimum of 70'	70'	-	150'
Maximum Building Height	2.5 stories & 35'	2.5 stories & 35'	2.5 stories & 35'	3 stories & 36'	5 stories & 50'	66', unless height exceptions permitted by Section 43-X3.B below and <u>Map B: Downtown Height Map</u>	3 stories & 36'
Minimum Building Height	25'	25'	25'	25'	25'	25' and 2 stories	-
Minimum Upper Story Setback	-	-	-	-	-	-	-
Maximum Building Coverage	40%	40%	40%	50%	70%	-	40%
<b>SETBACKS</b>							
Minimum Front Setback	5'	5'	5'	5'	5'	-	5'
Maximum Front Setback	20'	20'	20'	20'	20'	See <u>Map C: Downtown Sidewalk Enhancement Areas Map</u> or if no setback indicated on <u>Map C</u> , a build-to line of 0' is required; for a corner lot, side front yard requirement applies only up to the rear setback line	None
Minimum Interior Side Setback	10% of lot width but no less than 2.5' & no more than 5' required	10% of lot width but no less than 2.5' & no more than 5' required	5'	5' - only required at end of development	10'	0'	12'
Minimum Side Front Setback	5'	5'	10'	5'	10'	See <u>Map C: Downtown Sidewalk Enhancement Areas Map</u> if no setback indicated on <u>Map C</u> , a build-to line of 0' is required	25'
Minimum Rear Setback	25'	25'	25'	25'	20'	20'	20'

# MAP B: DOWNTOWN HEIGHT MAP



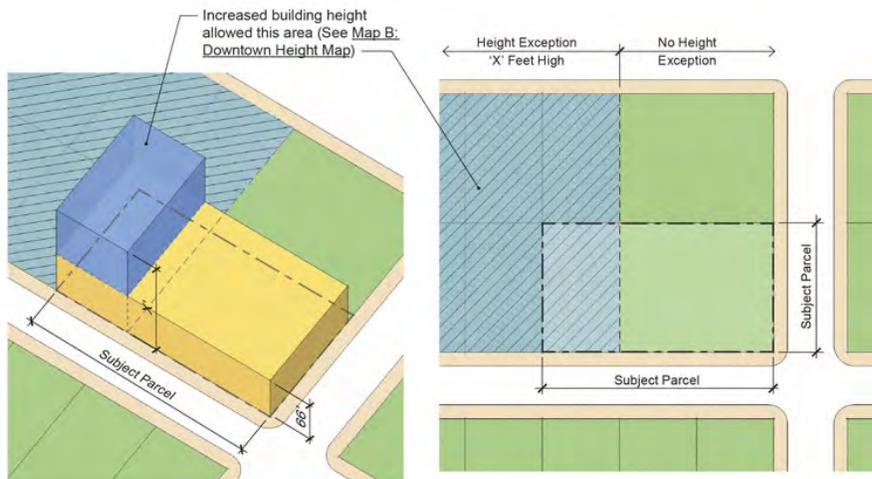


## B. Permitted Height

Permitted Height above the base height of 66 feet as shown by Map B: Downtown Height Map, must meet the following standards:

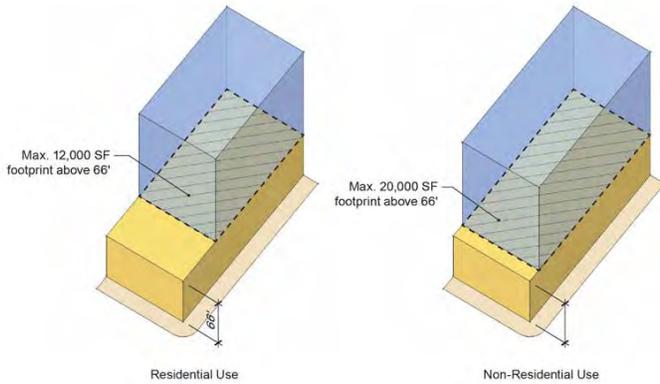
- (1) Permitted height applies to the entire lot when the boundary matches the existing lot line on Map B showing lots existing at the time of passage of this ordinance
- (2) Permitted height applies to portions of lots existing at the time of the adoption of this chapter, when there is a distance specified on Map B for a portion of a lot. Measurement is from the property line taken at the front and/or side/front lot line.

**FIGURE 4: DOWNTOWN HEIGHT CALCULATION**

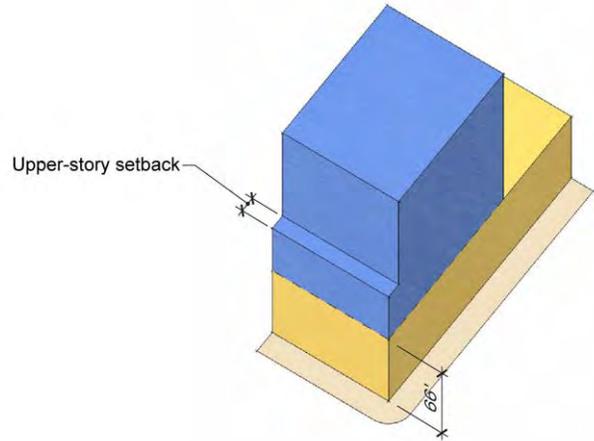


- (3) The first sixty-six (66) feet of height must be built to the required setbacks. Height above sixty-six (66) feet must meet required and additional setbacks and is limited as shown on Map B. Additionally, the building bulk is subject to the following maximum building footprints:
  - (a) Residential Use: Twelve-thousand (12,000) square feet maximum tower footprint.
  - (b) Non-Residential Use: Twenty-thousand (20,000) square feet maximum tower footprint.
- (4) All structures above sixty-six (66) feet in height must include a setback of a minimum of five (5) feet on some portion of the building's side or side front facing façade.
- (5) A tower must be sited a minimum of sixty (60) feet from any other tower. This measurement is taken from the façade of the tower nearest to the façade of another tower.

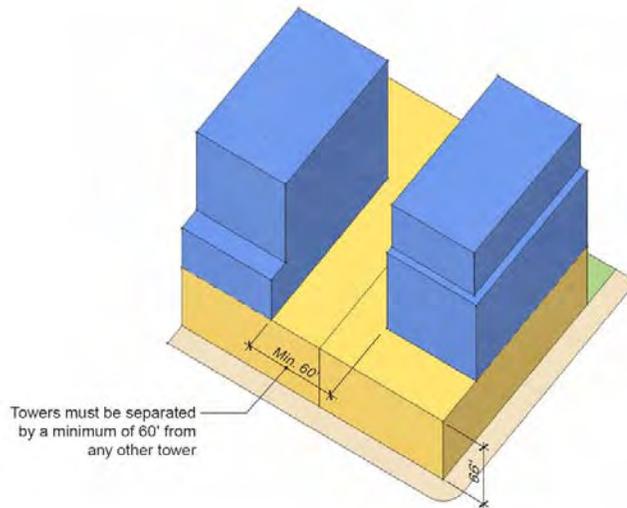
**FIGURE 5: BUILDING FOOTPRINT  
MAXIMUM ABOVE 66'**



**FIGURE 6: MINIMUM UPPER-  
STORY SETBACK**



**FIGURE 7: REQUIRED TOWER SEPARATION**



- (6) Towers located along Nepperhan Street, Prospect Street, Main Street, Hudson Street and Dock Street should be sited to maximize the view corridor toward the Hudson River from public right-of-way and public open spaces.

**§43-X4 GREEN BUILDING REQUIREMENT**

The provisions of the City of Yonkers' Green Building Standards apply to the construction, addition, alteration, enlargement, removal and demolition of every structure and any appurtenances connected or attached to such structures and to the site on which the structure is located, except that these provisions do not apply to detached and attached one- and two-family dwellings.

**§43-X5 DESIGN STANDARDS**

New, buildings, structures, and uses in the Downtown Districts must meet the following design standards.

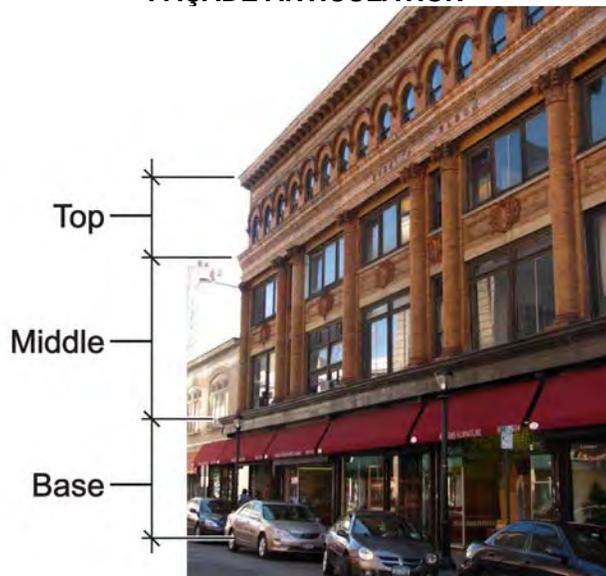
**A. Non-Residential and Mixed-Use Buildings**

The following design standards apply to new non-residential and mixed-use buildings

**(1) Façade Articulation and Massing**

- (a) Buildings must be designed with a defined base, middle and top.
- (b) Public entrances must be well defined and visible from the street.
- (c) Blank walls (walls without windows or doors) shall not face any street in the downtown area. Any facades that face a street must be broken into bays, be designed with windows and doors, or otherwise designed to enliven the street façade of the downtown area. Windows are required as part of any façade facing a street. In addition, facades must have at least two (2) of the following architectural features to add interest to the building elevation:
  - [1] Change in wall or building plane of varying depths, at least two (2) feet in depth and eighteen (18) inches in width, at least once every thirty (30) feet for the length of the façade.
  - [2] Reveals and openings.
  - [3] Changes in color, texture and/or material.

**FIGURE 8: BASE, MIDDLE & TOP  
FAÇADE ARTICULATION**



**FIGURE 9: DEFINED PUBLIC ENTRANCES**



Defined  
public entrance

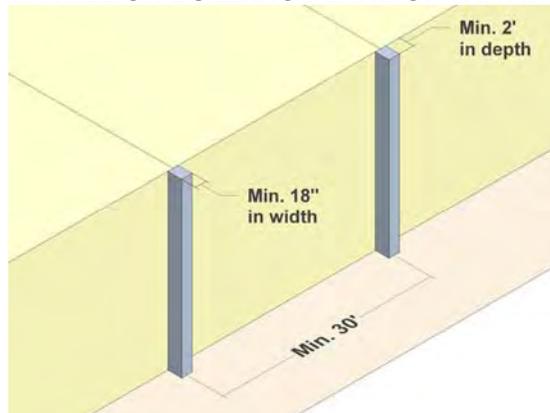
**FIGURE 10: ARTICULATION OF  
FAÇADES FACING A STREET**



Changes in  
wall plane

Changes in  
material and color

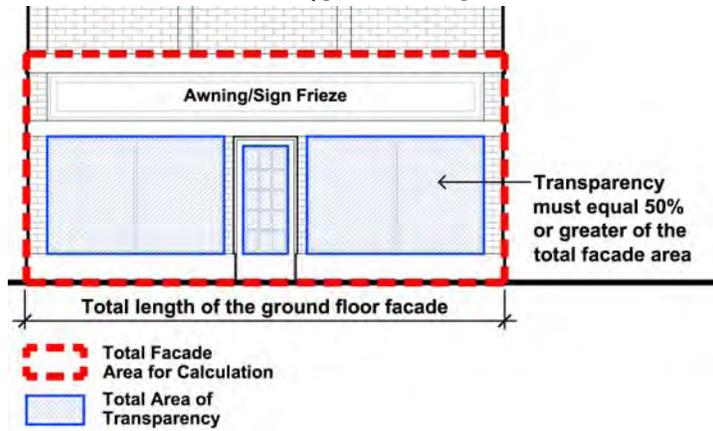
**CHANGE IN WALL OR BUILDING PLANE OF VARYING DEPTHS**



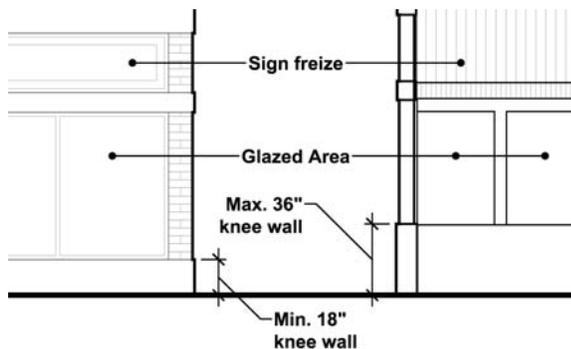
(d) The ground floor must be designed as follows:

- [1] A minimum ground floor height of twelve (12) feet is required, as measured from grade to the second floor.
- [2] The ground floor must maintain a transparency of fifty percent (50%). No more than 25% of any window or door, if the door is constructed of glass, may be covered with signage of any type.
- [3] Ground floor windows must be clear, untinted glass.
- [4] A minimum eighteen (18) inch high kneewall is required. Kneewalls are limited to a maximum height of thirty-six (36) inches.

**FIGURE 11: GROUND FLOOR TRANSPARENCY REQUIREMENTS**

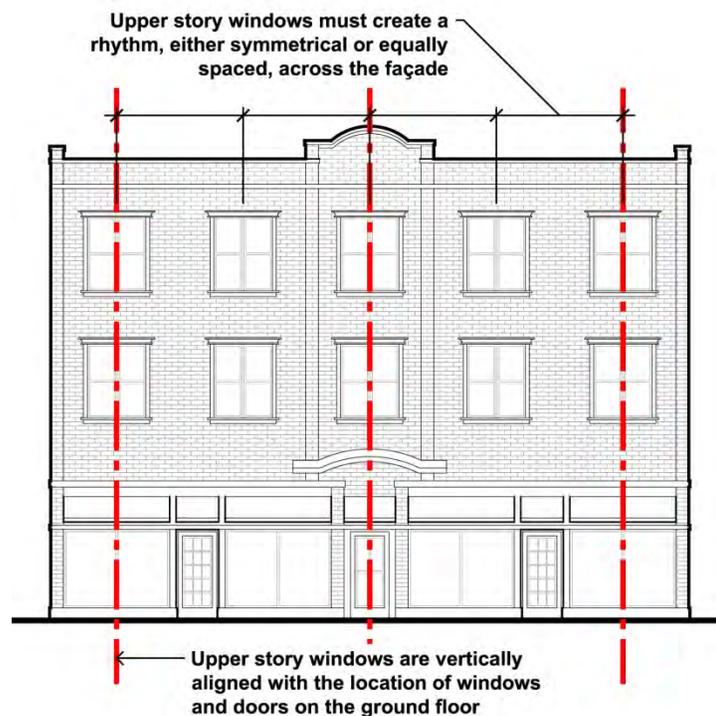


**FIGURE 12: REQUIRED KNEEWALL DIMENSIONS**

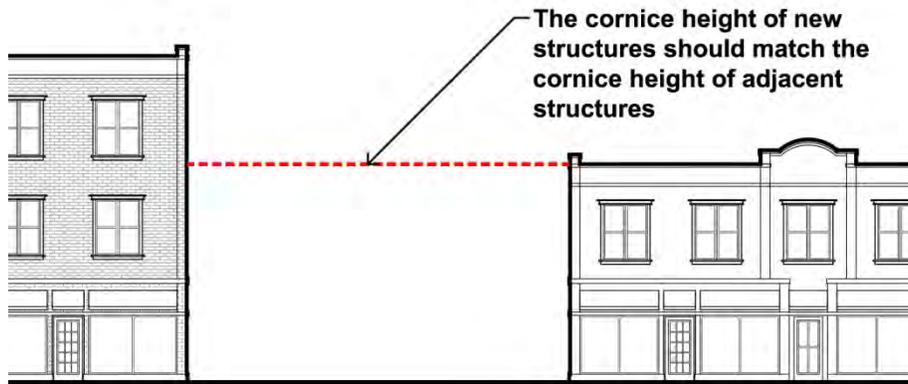


- (d) Upper story façade articulation must reflect a similar rhythm and proportion to that of the ground floor façade.
- (e) Upper story windows must create a rhythm, either symmetrical or equally spaced, across the façade, and, where appropriate, must be vertically aligned with the location of windows and doors on the ground floor. Tinting of upper story glass is limited to twenty percent (20%).
- (f) The elevation of horizontal façade elements, such as cornices, belt courses, awnings, sign friezes and canopies, must generally align with those of surrounding buildings.
- (g) The cornice height of new structures should match the cornice height of adjacent structures, where applicable.

**FIGURE 13: RHYTHM OF UPPER STORY WINDOWS**



**FIGURE 14: ALIGNMENT OF HORIZONTAL FAÇADE ELEMENTS**



- (h) Buildings located on corners on Nepperhan Street, Nepperhan Avenue, Manor House Square, Main Street, Riverdale Avenue, Warburton Avenue, and North and South Broadway within the Downtown Districts must use architectural massing to define corners through prominent decorative features such as turrets, rounded facades, chamfered corners or other massing characteristics. Buildings located on other corners throughout the Downtown Districts on streets not specified by this regulation are also encouraged to define corners through the same type of decorative architectural massing.

**FIGURE 15: ARCHITECTURAL MASSING TO DEFINE CORNERS**



**(2) Security Gates**

Security gates are discouraged in the Downtown Districts. If security gates are installed:

**[1] New Construction and Substantial Improvement**

- [a]** Security gates must be located on the inside of windows of any building constructed after the adoption of the Downtown Districts, (\_\_\_date\_\_\_). Substantial rehabilitation involving the replacement of the storefront all security gates must be located inside of the windows
- [b]** When security gates are engaged, the screening must be designed to permit viewing into the business. Security gates must be of a lattice-type design. The lattice-type design must provide a minimum openness of seventy-five percent (75%) when engaged and allow for viewing inside the building when engaged.
- [c]** Security gates must be opened, raised or otherwise removed from view during business hours.

## **[2] Minor Alterations**

- [a]** When minor building rehabilitation requires replacement of security gates, new security gates must be of the seventy-five percent (75%) open lattice-type design.
- [b]** Replacement of any security gates requires a lattice-type design. The lattice-type design must provide a minimum openness of seventy-five percent (75%) when engaged and allow for viewing inside the building when engaged.
- [c]** When minor rehabilitation includes the exterior storefront, no new exposed hoods for security gates are permitted on the exterior of a storefront.
- [d]** Security gates must be open, raised or otherwise removed from view during business hours.

## **B. Residential**

The following design standards apply to new residential structures.

### **(1) UR-LD and UR-MD District Design Guidelines**

All new buildings, structures, and additions to buildings or structures within the UR-LD and UR-MD Districts will be reviewed against and should comply with the design guidelines of the "Downtown Neighborhood Design Guidelines for the City of Yonkers," including architectural standards and landscape requirements.

### **(2) Single-Family and Two-Family**

- (a)** Windows or other architectural features are required on all facades in order to avoid the appearance of blank walls and facades. Windows must be set into or projected out from the façade, in order to provide depth and shadow, and be of a consistent style. Porches, bay windows and special elements are required to vary the articulation along a street.
- (b)** The front entry must be the predominant feature on the front elevation of a home and be emphasized as an integral part of the building design with features such as front porches, raised steps and stoops, roof overhangs, columns and decorative railings, to help create a protected entry area and enhance its appearance.
- (c)** The pitch, design and scale of roofs of new dwellings should be similar to the roof forms of surrounding dwellings.

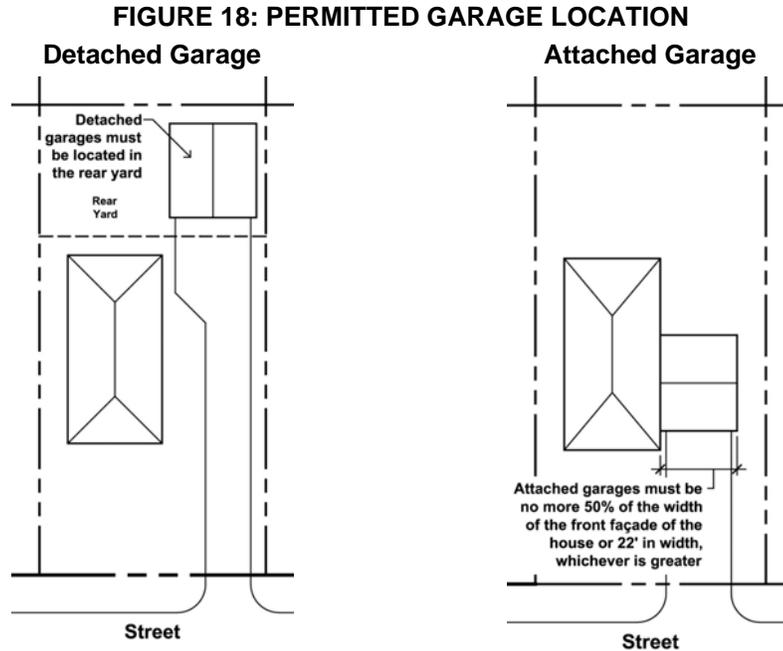
**FIGURE 16: ARTICULATED  
RESIDENTIAL FAÇADE**



**FIGURE 17: PROMINENT RESIDENTIAL  
FRONT ENTRY**



- (e) Detached garages must be located in the rear yard. Front-loaded attached garages are limited to a garage door of no more than twenty-two (22) feet in width or fifty percent (50%) of the width of the front façade of the house, as measured along the building line that faces the street, whichever is greater.



### (3) Townhouse

- (a) Townhouse developments are limited to a maximum of six (6) attached townhouse units.
- (b) The front façade of townhouses must be articulated through windows, front porches, raised steps and stoops, projected entrances and overhangs to create substantial shadows and visual interest.
- (c) There must be a unifying architectural theme for a townhouse development. Each townhouse unit in the development must utilize a common vocabulary of architectural forms, elements, materials and colors. The townhouse development shall cause, by means of legal instruments acceptable to the approving agency and the Corporation Counsel of the City of Yonkers, there to be an agreement amongst the owners to maintain the original, approved architectural theme of the townhouses during the life of the development.
- (d) Windows must be set back into or projected out from the façade, to provide depth and shadow, and of a consistent style. In addition, three-dimensional elements, such bay windows, should be incorporated to provide dimensional elements on a façade.
- (e) (when building adjacent is new construction it must respect the neighboring building)

**FIGURE 19: TOWNHOUSE FAÇADE ARTICULATION**



**FIGURE 20: UNIFYING ARCHITECTURAL THEME**



**FIGURE 21: WINDOWS PROJECTED OUT FROM FAÇADE**

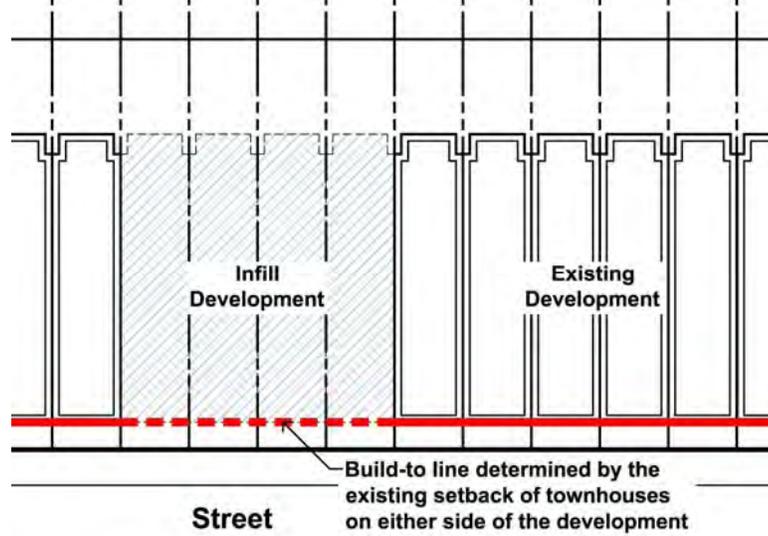


- (e) For flat roofs, cornices and parapets should be used to create shadowing on the building facades.
- (f) The following standards must be met for the replacement of an individual townhouse unit within an existing townhouse development:
  - [1] The townhouse unit must be built at the established front setback of the development as a whole, as determined by the existing front setbacks of townhouses on either side.
  - [2] The townhouse unit must match the existing building heights as determined by adjacent townhouses on either side, with exceptions for accommodation of grade changes. Where grade changes occur, the rhythm of building heights within the overall development must be maintained.
  - [3] The townhouse unit must match or complement the roof form of the group on the front façade. If certain architectural details are common to the roof design of the street-facing façade of the townhouse development as a whole, such as cornices or dormers, the townhouse unit must include this in roof design.
  - [4] The cornice height of the townhouse unit must match the cornice height of the townhouses on either side, with exceptions for accommodation of grade changes. Where grade changes occur, the rhythm of building cornice heights within the development as a whole must be maintained.
  - [5] The townhouse unit must match the first floor elevation and the rhythm of front entrances as determined by adjacent townhouses on either side, with accommodation for grade changes. Where grade changes occur, the rhythm of first floor elevations and entrances within the development as a whole must be maintained.
  - [6] The townhouse unit must match the fenestration pattern of the development as a whole.

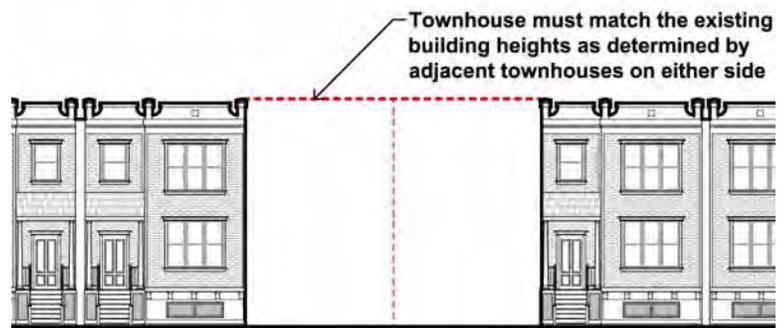
[7] Architectural features, such as porches, steps and stoops, cornices and bay windows, that are common to the townhouse development as a whole must be included and must match or complement the design and placement of the development.

[8] Building materials must match those within the townhouse development as a whole.

**FIGURE 22: TOWNHOUSE ESTABLISHED FRONT SETBACK**



**FIGURE 23: TOWNHOUSE MATCHING EXISTING HEIGHTS**



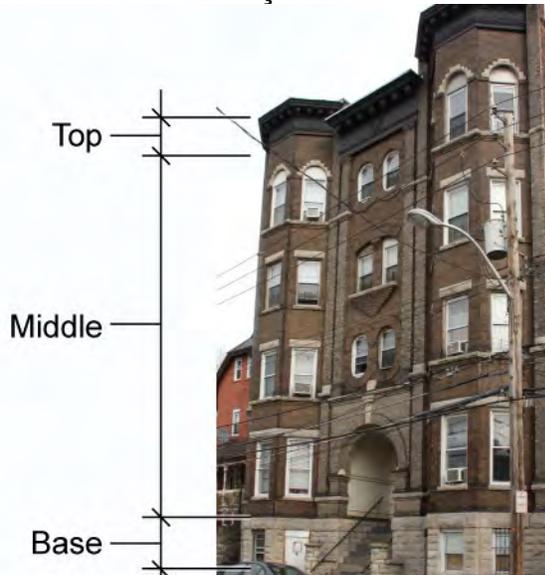
**FIGURE 24: MATCHING BUILDING MATERIALS WITHIN A TOWNHOUSE DEVELOPMENT**



**(4) Apartment House**

- (a) Structures must be designed with a defined base, middle and top.
- (b) Public entrances must be well defined and visible from the street.

**FIGURE 25: BASE, MIDDLE AND TOP APARTMENT HOUSE FAÇADE ARTICULATION**



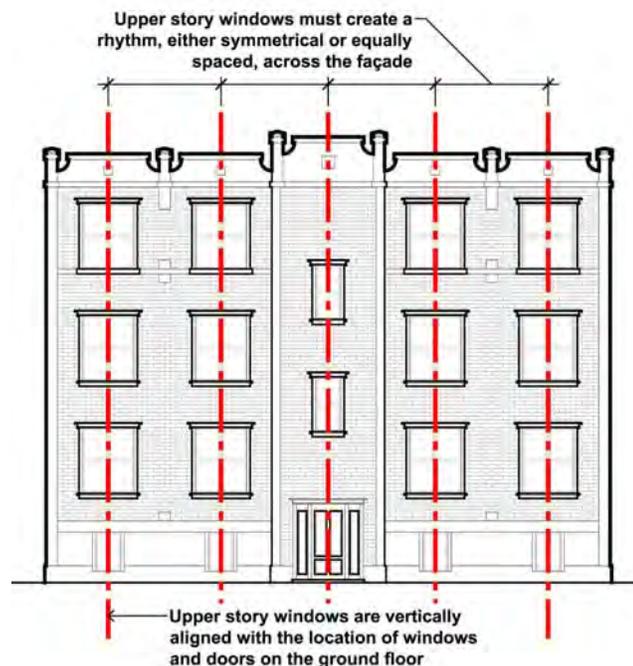
**FIGURE 26: DEFINED PUBLIC ENTRANCE TO APARTMENT HOUSE**



- (c) The building mass must be articulated to create substantial shadows and visual interest by including form-giving elements on all facades adjacent to a public street such as doors and windows, bay windows, balconies, terraces, projected entrances and overhangs.
- (d) Facades adjacent to a public street must be designed to be viewed from multiple directions and, therefore, be designed with consistent building materials and treatment. There must be a unifying architectural theme for the entire residential development, utilizing a common vocabulary of architectural forms, elements, materials and colors.
- (e) Windows must be defined by one (1) or more of the following to provide façade depth and shadow:
  - [1] Recessing windows in from the building wall.
  - [2] Projecting windows out from the façade.
  - [3] Using window trim to highlight windows.
  - [4] Using projecting sills and/or lintels.
- (e) Upper story façade articulation must reflect a similar rhythm and proportion to that of the ground floor façade.

- (f) Upper story windows must create a rhythm, either symmetrical or equally spaced, across the façade, and, where appropriate, must be vertically aligned with the location of windows and doors on the ground floor. Tinting of upper story glass is limited to twenty percent (20%).
- (g) The elevation of horizontal façade elements, such as cornices, belt courses, awnings, sign friezes and canopies, must generally align with those of surrounding buildings.
- (g) The cornice height of new structures should match the cornice height of adjacent structures, where applicable.
- (h) Buildings located on corners on Nepperhan Street, Nepperhan Avenue, Manor House Square, Main Street, Riverdale Avenue, Warburton Avenue, and North and South Broadway within the Downtown Districts must use architectural massing to define corners through prominent decorative features such as turrets, rounded facades, chamfered corners or other massing characteristics. Buildings located on other corners throughout the Downtown Districts on streets not specified by this regulation are also encouraged to define corners through the same type of decorative architectural massing.

**FIGURE 27: RHYTHM OF UPPER STORY WINDOWS**



### C. Industrial

The following design standards apply to new industrial structures.

#### (1) Façade Articulation and Massing

- (a) Windows are required as part of any façade facing a street. In addition, any facades that face a street must have at least two (2) of the following architectural features to add interest to the building elevation:

**[1]** Change in wall or building plane of varying depths, at least two (2) feet in depth and eighteen (18) inches in width, at least once every thirty (30) feet for the length of the façade.

**[2]** Reveals and openings.

**[3]** Changes in color, texture and/or material.

**(b)** In multi-building complexes, a comprehensive architectural concept is required. Various site components must be unified through the use of similar design features, construction, building material and color.

**(c)** The design of accessory buildings, such as security kiosks, maintenance buildings, and outdoor equipment enclosures, must be incorporated into and compatible in design concept with the overall architectural concept.

**(d)** Predominant façade colors shall be neutral or earth-tone colors. Primary colors, high-intensity colors, metallic or fluorescent colors, and black are prohibited as predominant façade colors. However, building trim areas may be brighter and include primary colors. Trim materials are those that are used for architectural elements and accent and shall not exceed a total of thirty percent (30%) of any façade.

**(e)** A minimum ground floor height of twelve (12) feet is required, as measured from grade to the second floor.

**FIGURE 28: INDUSTRIAL FAÇADE ARTICULATION**



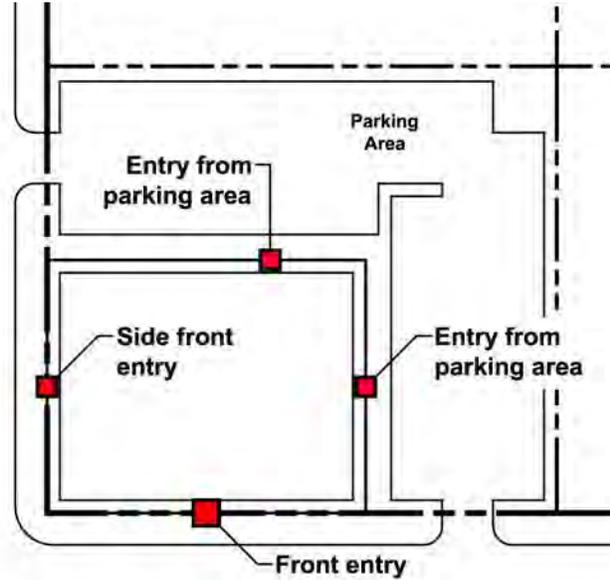
## **(2) Siting Requirements**

**(a)** Public entrances must be well defined and visible from the public street. The entry to office or guest facilities must have direct access from public street frontages or parking areas.

**(b)** Storage structures must be sited towards the center or rear of the site to minimize impact on adjacent parcels and views from the street.

- (c) Service doors are discouraged on the front and side front façades of structures. Service doors must be integrated into the overall design of the building, and recessed and screened where possible.
- (d) Large expansive paved areas located between the street and building are prohibited. Smaller, multiple lots separated by landscape and buildings, is required.

**FIGURE 29: SITING OF PUBLIC ENTRANCES**



**FIGURE 30: SEPARATION OF PARKING AREA INTO MULTIPLE LOTS**



**D. Special Paving Finishes in Required Sidewalk Enhancement Areas**

Where Sidewalk Enhancement areas are indicated on Map X such sidewalk enhancements are required only for new construction. The paving of the enhancement area shall be coordinated with the adjacent streetscape in the public right of way and

shall not present any impediments to pedestrian movement between the sidewalk and the enhancement area.

#### **E. Mechanical Equipment**

- (1) The location of mechanical equipment within the building is preferred and strongly encouraged.
- (2) Ground-based mechanical equipment is discouraged. Wherever possible, mechanical equipment must be contained within buildings or roof-mounted.
- (3) Roof-mounted mechanical equipment must be architecturally integrated into the design of the structure.
- (4) All ground-based mechanical equipment including, but not limited to, heating, ventilating, and air-conditioning units (HVAC), must be located only in the rear or interior side yard a minimum of five (5) feet from any lot line. Ground-based mechanical equipment is prohibited within the front or side front yard. Ground-based mechanical equipment must comply with the City's noise ordinance.

#### **F. Building Material Restrictions**

- (1) The following building materials are limited to use as trim and accent materials in the construction of the exterior façade of a structure within the Downtown Districts. Trim materials are those that are used for architectural elements and accent, and are limited to a total of thirty percent (30%) of any exterior façade and as further regulated by the Building and Fire Code of New York State.
  - (a) Metal
  - (b) EIFS/Dryvit
  - (c) Fiberglass or plastics
  - (d) Vinyl, aluminum or wood-slat siding
  - (e) Concrete masonry unit (CMU)
  - (f) Exposed aggregate (rough finish) concrete wall panels
  - (g) Reflective and mirror glass
- (2) The following building materials are prohibited in the construction of the exterior facade of a structure within the Downtown Districts:
  - (a) Glass curtain wall systems
  - (b) T-111 Composite plywood siding
  - (c) Large expanses of highly reflective wall surface material
- (3) Corrugated metal is prohibited as a façade building material and a roof material. This prohibition does not include standing seam metal roofs.

**§43-X6 PARKING AND ACCESS**

In addition to the parking requirements of Article X of the City’s Zoning Ordinance, all new development in the Downtown Districts must meet the following parking and access regulations.

**A. Open Air Parking Lots**

**(1) Location**

Accessory open air parking lots are prohibited in the front or side front setbacks.

**(2) Required Landscape**

**(a) General Requirements**

The following landscape is required for open-air parking in the Downtown Districts:

- [1]** Perimeter open-air parking lot landscape is required for all open air parking lots and must be established along the edge of the parking lot.
- [2]** Interior landscape is required for open air parking lots of twenty (20) or more spaces.
- [3]** All planting materials used must be of good quality and meet the “American Standard for Nursery Stock,” latest edition, as published by the American Nursery and Landscape Association, hereafter referred to as ANLA, for sizes, grading, root spread, dimension of root ball, and quality. The use of native species is encouraged. Size and density of plant material, both at the time of planting and at maturity, are additional criteria to be considered when selecting plant material. All landscape must use non-invasive species.
- [4]** All landscape materials must be installed in accordance with the current planting procedures established by ANLA. Planting material should be grown in a climate similar to or more severe than that of the City of Yonkers, typical of its species in branch structure, free of cultural or mechanical injury, insect eggs or their larvae and plant diseases, and is accompanied by certification of inspection from authorities having jurisdiction over use and shipment. All plant material must be installed so that soil is of sufficient volume, composition and nutrient balance to sustain healthy growth.
- [5]** All landscape must be maintained in good condition, present a healthy, neat and orderly appearance, and kept free of weeds, refuse and debris.

**(b) Perimeter Landscape**

A perimeter landscape yard is required for all open air parking lots and the landscape treatment must run the full length of the parking lot where it abuts a street, excluding driveways and access points. The perimeter parking lot landscape yard must be improved as follows.

- [1]** The perimeter landscape yard must be a minimum of five (5) feet in width.
- [2]** A single hedge row is required, planted with one (1) shrub every thirty-six (36) inches on center, spaced linearly. The shrubs must measure a minimum of thirty-six (36) inches in height at planting and a minimum of forty-eight (48) inches to a maximum of sixty (60) inches in height at maturity. In addition, an ornamental fence a minimum of four (4) feet in height is required along the perimeter landscape yard.
- [3]** Alternatively, a low pedestrian wall the height of which provides effective screening to a maximum height of three (3) feet may be used instead of shrubs and an ornamental fence. Where possible, plant materials must be installed between the sidewalk and the wall to provide a softening effect on the wall.
- [4]** All perimeter parking lot landscape areas must be protected with raised concrete, Belgian block or granite curbs.

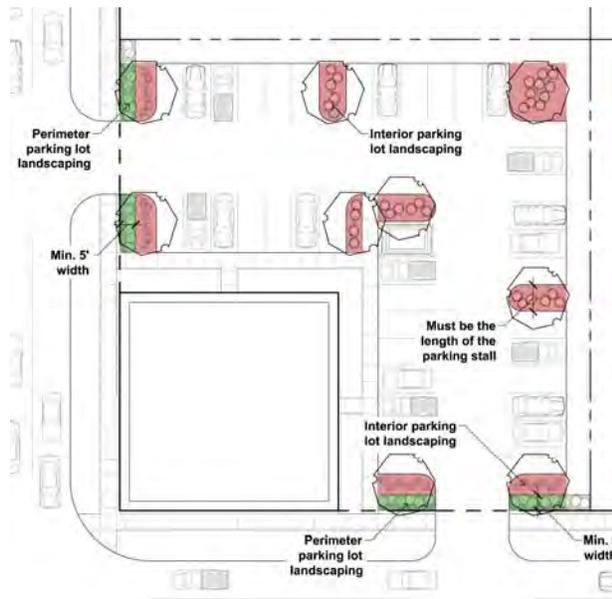
**(c) Interior Landscape**

For open air parking lots consisting of twenty (20) or more spaces, interior parking lot landscape is required.

- [1]** One (1) parking lot island must be provided between every ten (10) contiguous parking spaces. As part of site plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, to be approved as part of the landscape plan, but the total number of islands must be no less than the amount required one (1) island for every ten (10) spaces.
- [2]** In addition to parking lot islands, additional landscaped areas must be provided within the interior of parking lots. All rows of parking spaces must terminate in a parking lot island or landscaped area. The minimum landscaped area, including parking lot islands, is ten percent (10%) of the parking lot area. Perimeter parking lot landscape is not considered part of the ten percent (10%) calculation and is not included in the area used to calculate the required ten percent (10%).
- [3]** Parking lot islands or landscaped areas must be at least one-hundred twenty-five (125) square feet in area. However, parking lot islands must be the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row.
- [4]** Parking lot islands or landscaped areas must be at least six (6) inches above the surface of the parking lot and protected with concrete, Belgian block or granite curbing, except where designed to apply sustainable techniques allowing the flow and access of stormwater. Such islands and landscaped areas must be properly drained and irrigated as appropriate to the site conditions to ensure survivability.
- [5]** Shade trees must be the primary plant materials used in parking lot islands and landscaped areas. One (1) shade tree is required every parking lot island or landscaped area. If the island extends the width of a double row, then two (2) shade trees are required.

- [6] Shrubs must be planted within the parking island to provide a second layer of planting for visual interest.
- [7] A minimum of seventy-five percent (75%) of every parking lot island must be planted in live groundcover, perennials or ornamental grasses. Mulch is required to fill in planting areas for early growth protection until the groundcover is established and covers the planting area. It is encouraged to mulch bare areas for three (3) to five (5) years, or until the plant material is fully established in the parking islands.
- [8] Plant materials must not be installed to create visibility concerns for automobiles and pedestrians.

**FIGURE 31: PARKING LOT LANDSCAPE**

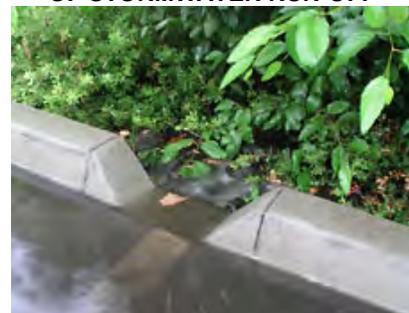


**FIGURE 32: RAISED CURB DESIGN**

**PARKING LOT ISLAND:  
TYPICAL RAISED CURB**



**PARKING LOT ISLAND: SUSTAINABLE  
DESIGN OF RAISED CURB FOR REUSE  
OF STORMWATER RUN-OFF**



## B. Parking Structures

### (1) Ground Floor Uses

- (a) Parking structures on Key Streets (Map A) must maintain ground floor uses as required in Table 1: Schedule of Principal Uses.
- (b) Parking structures on other streets within the Downtown Districts are encouraged to locate Key Street ground floor uses from Table 1: Schedule of Principal Uses on the ground floor.

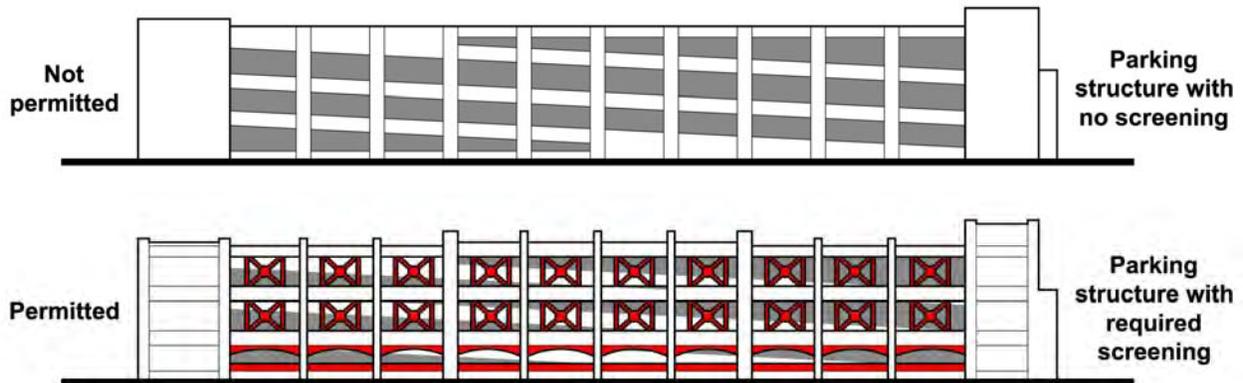
**FIGURE 33: PARKING GARAGE GROUND-FLOOR USES**



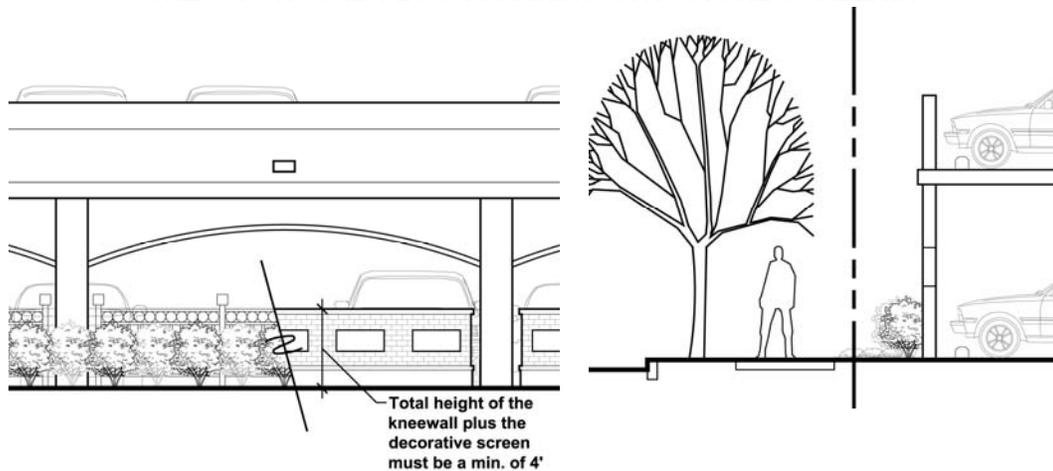
### (2) Parking Ramps

- (a) On parking structure facades that front on Key Streets, the exterior articulation of internal vertical vehicle circulation, such as ramped portions of the structure used to access higher parking levels, are prohibited. Where internal ramps front on public streets, façade design and screening is required to mask the internal ramps.
- (b) On parking structures that front other streets within the Downtown Districts, the exterior articulation of internal vertical vehicle circulation, such as ramped portions of the structure used to access higher parking levels, are discouraged. Where internal ramps front on other public streets, façade design and screening is encouraged to mask the internal ramps.

**FIGURE 34: SCREENING OF INTERNAL PARKING GARAGE RAMPS**



**FIGURE 35: GROUND FLOOR PARKING STRUCTURE SCREENING**



**(3) Façade Design**

- (a) The design of the facade that fronts on a public street must include horizontal design elements, such as kneewalls and cornices, which reflect the design of other structures in the Downtown Districts.
- (b) On portions of the ground floor façade where parking spaces are visible, a decorative screen is required above the kneewall to screen traffic and pedestrians in the public right-of-way from headlight glare. The total height of the kneewall plus the decorative screen must be a minimum of four (4) feet.
- (c) A parking structure accessory to a principal building must be constructed with materials and design elements that reflect the principal building.
- (d) For parking structures with rooftop open-air parking, a parapet wall of four (4) feet is required. Additional screening of rooftop open-air parking is encouraged in addition to the parapet wall.

**C. Mechanical Parking**

All mechanical parking must be located completely within a structure and meet the design standards for parking structures.

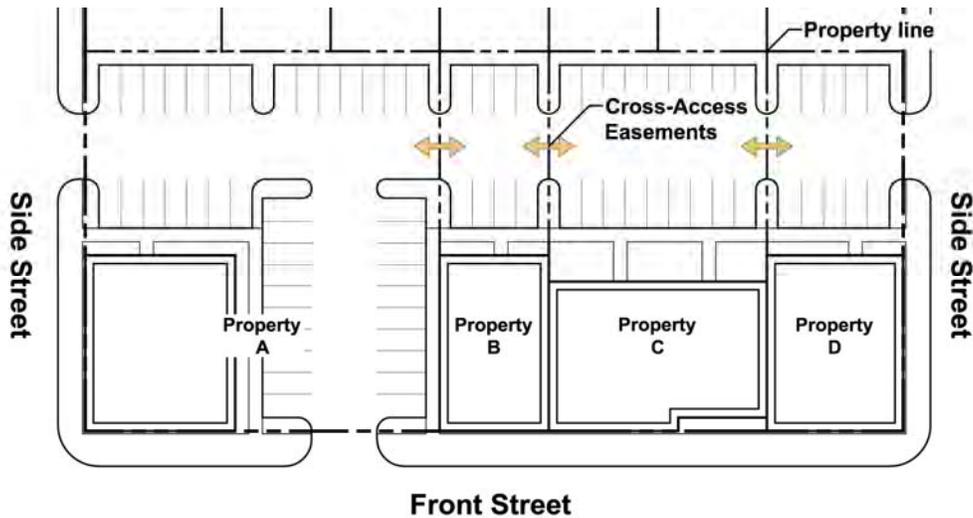
#### **D. Curb Cuts and Access**

- (1)** Any new curb cuts proposed after the adoption of the Downtown Districts, (\_\_\_date\_\_\_), requires site plan review and approval. Site plan review will consider the following site design standards in the review and approval of new curb cuts:
  - (a)** The location of new curb cuts will minimize potentially dangerous traffic movements and will not create a hazard for pedestrians.
  - (b)** The property owner has considered the use of alternate methods as a means to minimize curb cuts, including, but not limited to, cross-access easements and shared parking.
  - (c)** New curb cuts are discouraged on Key Streets (Map A) and efforts at access by curb cuts on other streets has been considered.
- (2)** Single-family and two-family detached and attached dwellings located on corner lots must provide parking access from the side front setback. For the purposes of this provision, the side front setback is defined as the longer front setback. Access must be designed to minimize curb cuts along front setbacks along the block face.

#### **E. Cross-Access Easements**

- (1)** Uses with adjacent parking areas are encouraged to provide a cross-access to allow circulation between sites. Joint use driveways are encouraged where feasible. If cross-access is provided, as a condition of its approval, the approving agency requires a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such cross-access with the uses and structures that it serves.
- (2)** Cross-access easements must incorporate the following:
  - (a)** Internal circulation allows the smooth circulation of traffic between both parking lots, and safe access to and from the street.
  - (b)** Driveways shall meet City standards. No driveway may exceed twenty-four (24) feet in width.
  - (c)** Bump-outs and other design features are required to make it visually obvious that the abutting properties are tied together.
  - (d)** A site plan is required for coordinated or shared parking areas.
- (3)** Property owners who establish cross-access easements must:
  - (a)** Record an easement allowing cross-access to and from properties served by the joint use driveways.
  - (b)** Record a joint maintenance agreement defining the maintenance responsibilities of each property owner.

**FIGURE 36: CROSS-ACCESS EASEMENTS**



**§43-X7 SIGNS**

All signs in the Downtown Districts must meet the requirements of Chapter 47 of the City Code.

**§43-X8. SPECIAL REGULATIONS FOR DESIGNATED DEVELOPMENT SITES**

The following zoning regulations apply to Designated Development Sites within the D-MX Downtown Mixed-Use District. In the case of conflict with D-MX District regulations, these regulations will control. These regulations are in effect for three (3) years from the date of adoption of this ordinance for the Downtown District. After three (3) years, the regulations of the D-MX District will control.

**A. Principal Uses**

**(1) Permitted Uses**

- (a) Apartment houses
- (b) Commercial recreation uses, indoor and outdoor
- (c) Department stores
- (d) Planned shopping centers

**(2) Permitted Uses with Supplemental Standards**

- (a) Building supply stores
- (b) Cabarets and nightclubs
- (c) Garden centers

(d) Philanthropic institutions providing social services, existing as of the date of the adoption of this ordinance

**(3) Special Uses**

- (a) Planned urban redevelopments
- (b) Supermarkets
- (c) Wholesale price clubs and big-box retail stores

**B. Accessory Uses**

**(1) Permitted Uses with Supplemental Standards**

- (a) Classrooms for existing places of worship, existing as of the date of the adoption of this ordinance
- (b) Decks and patios for residential uses
- (c) Fences and walls for residential uses
- (d) Radio and TV antennas for residential uses
- (e) Refuse collection, storage and recycling facilities, for residential uses
- (f) Signs for residential uses
- (g) Storage sheds greenhouses and children's playhouses, for residential uses
- (h) Swimming pools and bathhouses for residential uses
- (i) Tennis courts and other sports courts for residential uses

**(2) Special Uses**

- (a) Satellite antennas for residential uses

**C. Dimensional Standards**

- (1) No rear yard is required.
- (2) The maximum permitted building coverage is one hundred percent (100%).
- (3) A minimum height of two (2) stories or twenty-five (25) feet, whichever is greater, is required.
- (4) In the former CB District within a Designated Development Site, the required minimum gross floor area for apartments is three hundred fifty (350) square feet per dwelling unit.
- (5) In the former CB District within a Designated Development Site, the maximum height is four hundred (400) feet. The maximum FAR is six (6.0).
- (6) In the former GC District within a Designated Development Site, the maximum height is two-hundred twenty (220) feet.

- (7) The total area coverage limitations for height exceptions in the Schedule of Dimensional Regulations (Table 43-3) do not apply on Designated Development Sites.

#### **D. Parking**

- (1) A semi-public parking structure and private parking structures accessory to an apartment house, may contain five (5) or more parking levels above its lowest grade.
- (2) Off-street parking accessory to a principal use may be provided in one (1) or more public parking facilities provided that the property line of the principal building and the pedestrian entrance to the parking facility are no more than five hundred (500) feet apart, measured by the shortest available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking serves to the pedestrian entrance of such parking garage or parking lot closest to such property line.
- (3) On a Designated Development Site, the minimum number of off-street parking spaces to be provided for the designated uses is as described in this section. Parking requirements for those uses not listed are found in Table 43--4:
- (a) Apartments: One (1) per dwelling unit
  - (b) Commercial recreation uses and outdoor minor league baseball parks: One (1) per four (4) spectator seats
  - (c) Offices: One (1) per five hundred (500) square feet of gross floor area.
  - (d) Offices, medical: One (1) per four hundred (400) square feet of gross floor area
  - (e) Planned Shopping Centers: One (1) per three hundred fifty (350) square feet of gross floor area
  - (f) Restaurants: One (1) per one hundred fifty (150) square feet of gross floor area
  - (g) Retail craft uses: One (1) per four hundred fifty (450) square feet of gross floor area
  - (h) Retail establishments: One (1) per three hundred fifty (350) square feet of gross floor area
  - (i) Supermarkets: One (1) per three hundred fifty (350) square feet of gross floor area
  - (j) Wholesale price clubs: One (1) per three hundred fifty (350) square feet of gross floor area
  - (k) Theater or movie theater: One (1) per

## **SIGN CODE AMENDMENTS**

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The following sign code amendment must be added to the Code to allow projecting signs in the Downtown Districts:

### **Section §47-7.F**

#### **F. Projecting signs.**

- (1) Except as permitted by Subsection F (5) and signs permitted by Subsection F (2) of this section, projecting signs are prohibited that include all signs erected, constructed or maintained at right angles or at any angle to a building or structure, which sign extends or projects over the sidewalk, street or highway.
- (2) The provisions of this section shall not prohibit the erection and maintenance of a sign which is affixed flat against a building or structure or of a wall bulletin, vertical sign or angle sign, provided that none of such signs shall extend or project more than 12 inches over the sidewalk, street or highway, nor shall the provisions of this section prohibit the erection, construction and maintenance of marquee signs in accordance with the provisions of § 47-7E of this chapter
- (3) Every projecting sign, the erection, construction or maintenance of which is permitted by Subsection F (2) of this section, shall be made of a nonflammable material. Such sign shall be at its lowest point not less than 10 feet above sidewalk level, shall be constructed and braced to withstand a horizontal wind pressure of 30 pounds for every square foot of surface exposed and shall be securely attached to the building or structure by iron or metal anchors, bolts, supports, chains, stranded cables, steel rods or expansion screws. A projecting sign may not be self-illuminated.
- (4) A sign attached to the corner of a building or structure and parallel to the vertical line of such corner and extending over the sidewalk, street or highway shall be deemed to be a projecting sign and shall be subject to all the restrictions of this chapter pertaining to projecting signs.
- (5) Projecting signs are permitted in the **Downtown Districts** and the **South Broadway Special Districts** subject to the requirements of Subsection F (3) above and the following:
  - (a) One (1) projecting sign is permitted per ground floor use that has an entrance or front façade on a public street. For a ground floor use located on a corner, one (1) projecting sign is permitted for each street frontage.
  - (b) Projecting signs must be mounted on or immediately above the façade or storefront of the ground floor use. Projecting signs may not be mounted higher on the façade than the ground floor use that the sign is associated with.
  - (c) Projecting signs may not project more than four (4) feet from the face of the building to which they are attached, including the area between the sign and the face of the building.
  - (d) Projecting sign areas are limited to a maximum area of eight (8) square feet.

## DEFINITION AMENDMENTS

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The following definitions need to be added to the Ordinance:

### *Use Definitions*

**Industrial Design Uses.** An establishment where the form, usability, physical ergonomics, marketing, brand development and sales of various products are researched and developed. An industrial design establishment may create prototypes of products, but may not manufacture products for sale and distribution.

**Industrial Vivarium.** A facility designed for the keeping and raising living animals and plants under natural conditions for observation, research, or distribution to other research and development or industrial facilities.

**Printing Plant, Photo Lithography or Reproduction Establishments.** A large-scale facility for the custom reproduction of written or graphic materials on a custom order basis. Typical processes include, but are not limited to, offset printing, photocopying, blueprint printing and copying, and binding. Printing establishments do not include a commercial copy shop, where services such as photocopying, binding, and access to computers and facsimile sending and receiving are provided. A commercial copy shop is considered a personal service establishment.

**Two-Family Attached Dwelling.** Two (2) single-family dwelling units attached side-by-side or two (2) two-family dwellings, where a two-family dwelling is defined as one (1) dwelling unit is stacked above another, attached side-by-side.

### *General Terms*

**Alteration.** Any construction or renovation to an existing structure other than repair or addition.

**Build-To Line.** An alignment established a specified distance from the lot line to a line where the building must be built.

**Glass Curtain Wall.** An exterior cladding erected on the building structure from floor to floor characterized by narrowly spaced vertical and horizontal caps with glass infill panels.

**Key Street.** Specific streets designated within the Downtown is to preserve and enhance the pedestrian-oriented commercial environment and promote economic development that require active first floor uses, such as retail, restaurant, service and entertainment uses, and a storefront design at the street level.

**Mechanical Parking.** Parking machines, lifts, elevators or other mechanical devices for vehicles moving from and to the street level, including automated valet, where the car is driven onto a pallet and the pallet moves the car to a parking slot where the driver is not in the car and cannot access the space, and self-park, where the parking space is accessed and operated directly by the driver and no cars are removed from another space for access.

**Sign, Window.** A sign that is attached to, placed upon, printed on the interior or exterior of a window or door of a building, or displayed within twelve (12) inches of a window intended for viewing from the exterior of such a building. A window sign may be either permanent or temporary.

**Substantial Improvement.** Any repair, reconstruction, rehabilitation, addition or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure

before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure required to correct existing health, sanitary or safety code violations identified by the code enforcement official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

**Tower.** A building or part of a building taller in proportion to its width and length.

**Transparency.** Transparency is calculated as the total window area, not including mullions, divided by the total façade area between the ground and the top of the sign frieze or the finished floor of the second story, whichever is greater. If the door is constructed of glass, it is counted as part of transparency. In order to meet the transparency requirements, the window area must be comprised of non-tinted glass and a viewer must have a line of sight to the inside of the establishment.

**PARKING AMENDMENTS**

**§43-132D** – Amend to reflect the provision applies to the Downtown Districts.

**§43-135** – Amend to allow for car sharing facilities; add second paragraph:

Spaces within open air parking lots and parking garages may include designated parking spaces for car-share facilities. A car-share facility is a membership-based car-sharing service that provides automobile rental to members, billable by the hour or day. Car-sharing is not considered a motor vehicle rental establishment.

**§43-XX** – Amend Ordinance to allow the following exemptions:

- A.** All structures existing as of the adoption of the Downtown Districts ordinance, (\_\_\_date\_\_\_), are exempt from all parking requirements. However, existing structures that currently provide parking must continue to maintain the existing parking spaces.
- B.** New construction in the Downtown Districts is permitted an exemption of the first ten (10) parking spaces required by this Ordinance. All spaces above the first ten (10) spaces must be provided on-site. Any additional spaces above the first ten (10) spaces that cannot be provided on-site must be provided through a shared parking agreement, or by use of the fee-in-lieu provisions of this Ordinance.

**§43-XX** – Amend Ordinance to include the following parking requirements for the Downtown Districts:

The Downtown Districts are subject to the following minimum parking requirements:

USE	REQUIRED PARKING
<b>RESIDENTIAL USES</b>	
Apartment	1 per dwelling unit within .25 miles of train station 1 per dwelling unit + 0.33 per bedroom
Community Residential Facility	0.33 per bed
Nursing Home	0.33 per bed
Residential Health-Care Facility	0.33 per dwelling unit
Rowhouse (Attached Single-Family House)	1.5 per dwelling unit
Senior Citizen Apartment House	0.5 per dwelling unit
Single-Family Detached Dwelling	1.5 per dwelling unit
Townhouse	1 per dwelling unit + 0.33 per bedroom
Two-Family or Three-Family Dwelling	2 per dwelling unit
<b>PUBLIC AND INSTITUTIONAL USES</b>	
Children’s Day Camp	1 per employee + 1 per Camp vehicle parked on premises + 5 visitor spaces, Existing spaces when using existing facility
Colleges and Universities	Parking calculated separately for each use on-site
Convents, Monasteries and Seminaries	1 per 300sf of GFA
Governmental Motor Vehicle Yards	1 per 750sf of GFA
Government Uses (Non-City of Yonkers)	1 per 300sf of GFA for offices + 1 per 500sf of GFA for all other areas
Hospital	0.4 per employee + 0.33 per bed + 0.2 per outpatient treatment capacity + 0.25 per staff physician
Medical Clinic	1 per 300sf of GFA
Municipal Uses (City of Yonkers)	1 per 300sf of GFA
Offices of Philanthropic Institutions	1 per 300sf of GFA

<b>USE</b>	<b>REQUIRED PARKING</b>
Parish House	2 per house
Philanthropic Institutions Providing Social Services	1 per 250sf of GFA
Private Club and Community Center	1 per 4 seats or 1 per 250sf of floor space for public assembly, whichever is greater
Private Not-For-Profit Recreational Uses and Clubs	
<i>Athletic Field</i>	<i>20 per athletic field or diamond</i>
<i>Auditorium</i>	<i>1 per 4 seats</i>
<i>Basketball Court</i>	<i>5 per court or 1 per 4 spectator seats, whichever is greater</i>
<i>Hiking, Picnicking, Camping, Nature Preserves</i>	<i>2 per acre of lot area but no less than 15 spaces</i>
<i>Recreation Center</i>	<i>1 per 350sf of GFA</i>
<i>Stadium</i>	<i>1 per 4 spectator seats</i>
<i>Swimming Pool/Club (Including Community Swimming Pool)</i>	<i>1 per 100sf of surface water area + 1 space per 50sf of accessory buildings</i>
<i>Tennis/Raquetball Courts/Clubs</i>	<i>2 per court + 1 space per 100sf of GFA of accessory space</i>
Religious Retreat	1 per employee + 1 per vehicle parked on-premises + 1 per 4 visitors
Utility Substation	1 per 400sf of GFA of office use + 1 per 1,000sf of GFA for other uses, but no less than 1 space
<b>BUSINESS, COMMERCIAL AND OFFICE USES</b>	
Audio, Radio, Video and Television Station and Studio	1 per 400sf of GFA
Banks and Financial Use	1 per 300sf of GFA
Banquet and Catering Facility	1 per 3 seats or 1 per 75sf of GFA, whichever is greater
Building Supply Store	1 per 400sf of GFA
Cabaret and Nightclub	1 per 5 seats or 1 per 150sf of GFA, whichever is greater
Commercial Recreation Uses, Indoor and Outdoor	
<i>Batting Cage</i>	<i>2 per cage</i>
<i>Bingo Parlor</i>	<i>1 per 3 seats or 1 per 50sf of public assembly area, whichever is greater</i>
<i>Bowling Alley</i>	<i>3 per lane</i>
<i>Golf Driving Range</i>	<i>1.25 per practice tee</i>
<i>Mini Golf Course</i>	<i>2 per hole</i>
<i>Pool or Billiard Hall</i>	<i>2 per table</i>
<i>Rifle or Pistol Range (Indoor)</i>	<i>1 per target</i>
<i>Skating or Roller Rink</i>	<i>1 per 200sf of rink area</i>
<i>Water Sports Facility (Water Skiing, Sailing, Canoeing)</i>	<i>0.25 per boat berth + 10 per dock or launch area</i>
Commercial School	1 per 500sf of GFA + 1 per 5 seats
Convenience Store	1 per 400sf of GFA
Day Care Center	1 per staff member + 1 per vehicle parked on-premises + 1 per 40 registrants
Dry Cleaning Establishment	1 per 300sf of GFA
Eating and Drinking Establishment	1 per 300sf of GFA
Fast-Food Restaurant	1 per 4 seats or 1 per 300sf of GFA, whichever is greater
Food and Beverage Store	1 per 300sf of GFA
Health Club and Gymnasium	1 per 350sf of GFA
Hotel	0.75 per room + parking required for other uses
Indoor Market	2 per booth + 1 per 300sf of GFA

USE	REQUIRED PARKING
Live-Work Building	1 per dwelling unit within .25 miles of train station 1 per dwelling unit + 0.33 per bedroom.
Medical and Dental Office	1 per 350sf of GFA
Office	1 per 500sf of GFA
Personal Service Establishment	1 per 350sf of GFA
Restaurant	1 per 4 seats or 1 per 300sf of GFA, whichever is greater
Retail Establishment	1 per 300sf of GFA, except furniture store = 1 per 500sf of GFA
Retail Craft Use	1 per 350sf of GFA
Supermarket	1 per 300sf of GFA
Telephone Switching Facility	1 per 500sf of GFA
Theater or Movie Theater	1 per 4 seats, except multi-screen movie theater – 1 per 3 seats
Veterinary Office or Hospital	1 per 300sf of GFA
<b>MOTOR VEHICLE USES</b>	
Automobile Rental Establishment	1 per 350sf of GFA, but no less than 3 spaces
Convenience Store in Conjunction with Automobile Service Stations	1 per 350sf of GFA in addition to automobile service station parking
Transport Service Business	0.5 per vehicle stored on-site but no less than 10 spaces
<b>INDUSTRIAL WAREHOUSE AND STORAGE AREAS</b>	
Brewery and Microbrewery	1 per 1,000sf of GFA
Industrial Design Use	1 per 400sf of GFA
Light Industrial Use	1 per 400sf of GFA
Medium Industrial Use	1 per 500sf of GFA
Printing Plant, Photo Lithography or Reproduction Establishment	1 per 400sf of GFA
Research and Testing Laboratories and Pilot Plants	1 per 400sf of GFA
Warehousing, Storage and Wholesaling of Nonhazardous and Noncombustible Material	1 per 1,000sf of GFA
<b>RESIDENTIAL ACCESSORY USES – Provided in addition to that of the principal use</b>	
Family Day Care or Group Family Day Care	1 per employee
Home-Based Businesses	1 per 300sf of space devoted to a business + 1 per outside employee
<b>NONRESIDENTIAL ACCESSORY USES– Provided in addition to that of the principal use</b>	
Automatic Teller Machine	2 per ATM
Bar or Lounge Area Serving Liquor, Brew Pubs	1 per 3 seats or 1 per 75 sf of area, whichever is greater
Christmas Tree Sales	3 per establishment
Greenhouse	1 per 750sf of GFA
Helistop or Heliport	4 per pad
Laboratory	1 per 600sf of GFA
Live-Work Unit	1 per dwelling unit within .25 miles of train station 1 per dwelling unit + 0.33 per bedroom
Outdoor Dining Area	1 per 4 seats
Retail Uses in Conjunction with Offices	1 per 350sf of GFA
Temporary Flea Market or Carnival	3 per booth or vendor

## **USE STANDARD AMENDMENTS**

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**§43-36A1b; §43-44A9a1; §43-44B2a** – Amend to reflect the Downtown Districts.

**§43-38A** – Amend to include the following standard:

7. Where permitted in the Downtown Districts, all automobile rental establishments must be located in fully enclosed structures.

**§43-73F** – Amend to eliminate special bulk and yard standards when located in the D-MX District. (Hospitals should be subject to the standards of the D-MX District.)

## DESIGN STANDARDS CHECKLIST

The following is a summary checklist of the design standards for the Downtown Districts. This is not part of the Downtown Districts ordinance, but rather provided to aid in the application of these standards in the field. This should be maintained as a separate hand-out from the ordinance so that it can be updated and improved once implemented.

<b>DOWNTOWN DISTRICTS DESIGN STANDARDS CHECKLIST</b> <i>(Reference Purposes Only)</i>	
<b>DESIGN STANDARD</b>	<b>MEETS STANDARD</b> Yes or No
<b>NON-RESIDENTIAL AND MIXED-USE DEVELOPMENTS</b>	
<b><i>Building Articulation</i></b>	
Designed with a defined base, middle and top	
Public entrances defined	
Public entrances visible from the street	
<b><i>Street-Facing Facades</i></b>	
Street-facing facades broken into bays	
Street-facing facades have windows	
Street-facing facades must have at least 2 of the following architectural features: 1. Change in wall or building plane of varying depths at least 2' in depth and 18' in width, at least once every 30' for the length of façade 2. Reveals and openings 3. Changes in color, texture and/or material	
<b><i>Ground Floor Requirements</i></b>	
A minimum ground floor height of 12', measured from grade to the second floor	
Ground floor transparency of 50%.	
Ground floor windows of clear glass	
A minimum 18" high kneewall provided and does not exceed 36"	
<b><i>Upper Story Façade</i></b>	
Upper story façade articulation similar in rhythm and proportion to ground floor façade	
Upper story windows must create a rhythm, either symmetrical or equally spaced, across façade	
Upper story windows generally vertically aligned with the location of windows and doors on ground floor	
Tinting of upper story glass does not exceed 20%	
The elevation of horizontal façade elements, such as cornices, belt courses, awnings, sign friezes and canopies, generally align with adjacent buildings	
Cornices match the cornice height of adjacent structures	
<b><i>Corner Buildings</i></b>	
Buildings located on corners on Nepperhan Street, Nepperhan Avenue, Manor House Square, Main Street, Riverdale Avenue, Warburton Avenue, and North and South Broadway: architectural massing defines corners (for example, turrets, rounded facades, chamfered corners, etc.)	
<b><i>Security Gates<sup>1</sup></i></b>	
Gates located on the inside of windows	
Lattice-type design with minimum openness of 75% when engaged	

<sup>1</sup> For new construction, substantial rehabilitation involving the replacement of the storefront and minor building rehabilitation with replacement of security gates

<b>DOWNTOWN DISTRICTS DESIGN STANDARDS CHECKLIST</b> <i>(Reference Purposes Only)</i>	
<b>DESIGN STANDARD</b>	<b>MEETS STANDARD</b> Yes or No
<b>RESIDENTIAL DEVELOPMENT</b>	
<b><i>SINGLE-FAMILY AND TWO-FAMILY</i></b>	
<b><i>Building Articulation</i></b>	
Windows or other architectural features present on all facades	
Windows set back into or projected out from façade	
Porches, bay windows or other front facade special elements provided (to vary articulation)	
The front entry predominant feature on the front elevation (for example, front porches, raised steps and stoops, roof overhangs, columns and decorative railings)	
The pitch, design and scale of roofs of new dwellings similar to the roof forms of surrounding dwellings	
<b><i>Garage Design</i></b>	
Detached garage located in the rear yard	
Front-loaded attached garage does not exceed 22' in width or 50% of the width of the front façade of the house, as measured along the building line that faces the street, whichever is greater	
<b>TOWNHOUSE</b>	
<b><i>Building Articulation</i></b>	
No more than 6 attached townhouse units	
The front façade articulated (for example, windows, front porches, raised steps and stoops, projected entrances and overhangs)	
Unifying architectural theme for a townhouse development - common vocabulary of architectural forms, elements, materials and colors	
<b><i>Fenestration</i></b>	
Windows set back into or projected out from the façade	
Three-dimensional elements, such bay windows, should be incorporated on front façade	
<b><i>Roof Form</i></b>	
Flat roof: cornices and parapets incorporated	
<b><i>Replacement of an Individual Townhouse Unit Within an Existing Townhouse Development</i></b>	
Built at the established front setback of the development, determined by the existing front setbacks of adjacent townhouses	
Matches existing building heights, determined by adjacent townhouses (accommodation for grade change allowed)	
Matches or complements roof form of the group on front façade	
When certain architectural details are common to the roof design of the front façade of development, included in roof design	
Cornice height matches the cornice height of adjacent townhouses on either side (accommodation for grade change allowed)	
Matches first floor elevation and rhythm of front entrances, determined by adjacent townhouses (accommodation for grade change allowed)	
Matches fenestration pattern of the development	
Architectural features common to the townhouse development (for example, porches, steps and stoops, cornices and bay windows) included and match or complement design and placement within the group	
Building materials match the development	
<b>APARTMENT HOUSE</b>	
<b><i>Building Articulation</i></b>	
Designed with a defined base, middle and top	
Public entrances well defined	
Public entrances visible from the street	
The building mass articulated by including form-giving elements on all	