

### **3.4 CORRIDOR LODGING DISTRICT**

#### **3.4.1 INTENT**

This Section is established to provide for the location of special types of lodging facilities to serve the traveling or transient public provided special conditions are met.

#### **3.4.2 PERMITTED LODGING FACILITIES**

The following lodging facilities are permitted upon special use permit and site plan review.

##### **A. Corridor Bed and Breakfast**

A supplementary use in a single or two-family residential structure having a resident host where six to ten rooms are offered for rent and one or more meals are furnished to guests. Corridor bed and breakfast establishments may have regularly scheduled commercial indoor or outdoor activities such as weddings/receptions/showers, business meetings, catered events, and the like. The special use permit shall establish the types of permissible activities, a maximum number of events, and/or days on which such activities can occur and the maximum number of people who can attend such events. The above activities shall not require off-street parking.

##### **B. Corridor Rooming House**

A supplementary use in a single or two-family residential structure having a resident host where five to ten rooms are offered for rent and where meals may be provided to lodgers for compensation. A corridor rooming house shall provide lodging to people for a rental period of no less than twenty-eight consecutive days. A corridor rooming house may have a common kitchen facility available to lodgers but shall have no kitchen or dining facilities in any guestroom. A corridor rooming house shall not have regularly scheduled commercial activities such as weddings, catered events, and the like.

##### **C. Inn**

A residential building with a resident manager in which eleven to twenty-five rooms are offered for rent to not more than fifty lodgers. An inn may offer meals to lodgers and/or the public for compensation. An inn may have regularly scheduled commercial indoor or outdoor activities such as weddings/receptions/showers, business meetings, catered events, and the like. The special use permit shall establish the type of permissible activities, a maximum number of events/days on which such activity can occur and the maximum number of people who can attend such events. The regularly scheduled activities above shall not require off-street parking.

#### **3.4.3 PERMITTED LOCATIONS**

An applicant may seek approval for a corridor bed and breakfast, corridor rooming house, or an inn on all properties that front on the following streets:

- Ballston Avenue

- Broadway
- Church Street
- Circular Street
- Crescent Street
- Crescent Avenue
- East Avenue
- Excelsior Avenue
- Frank Sullivan Place
- Geysler Road
- Grand Avenue
- High Rock Avenue
- Lake Avenue
- Lincoln Avenue
- Marion Avenue
- Nelson Avenue (between Union Ave and Crescent Avenue)
- Nelson Avenue Extension
- South Broadway
- Route 9 (between Avenue of the Pines and Malta Town Line)
- Union Avenue
- Washington Street
- West Circular Street
- Whitney Place

A map of the Corridor Lodging Overlay District is available at [www.saratoga-springs.org](http://www.saratoga-springs.org).

### **3.5 PUBLIC WATER SUPPLY AND WETLAND PROTECTION DISTRICT**

#### **3.5.1 INTENT**

This Section is intended to protect the City public water supply and wetland resources to provide for flood control, water quality, recreational, aesthetic and open space benefits.

#### **3.5.2 PUBLIC WATER SUPPLY AND WETLAND PROTECTION DISTRICT LOCATIONS**

The Public Water Supply and Wetland Protection District encompasses the following areas:

1. Land within 300 linear feet from the high water elevation for the Loughberry Lake Public Water Supply Reservoir.
2. Lands and waters identified as Class I and Class II Freshwater Wetlands by the Commissioner of the New York State Department of Environmental Conservation. Such areas are generally shown on the maps entitled "Final Freshwater Wetlands Maps-Saratoga County" prepared by the New York State Department of Environmental Conservation. The precise boundaries of such wetlands may be determined by field inspection by the New York State Department of Environmental Conservation.

**3.5.3 RESTRICTED ACTIVITIES**

No structures shall be permitted within the Public Water Supply and Wetland Protection District with the following exception. A principal or accessory residential structure that legally existed on or before January 1, 2001 within the Loughberry Lake Public Water Supply area may be expanded up to a total of 30% of its footprint.

**3.6 WATERCOURSE PROTECTION DISTRICT****3.6.1 INTENT**

This Section is intended to protect City watercourses and adjacent lands to enhance recreational and visual amenities, minimize sedimentation and erosion, reduce excessive flooding, prevent degradation or loss of stream-related wetlands, flora and fauna, and control watercourse pollution.

**3.6.2 WATERCOURSE PROTECTION DISTRICT LOCATIONS**

All water and land within 50 linear feet of the center line of all City streams with a mean high water channel top width between 10 feet and 50 feet. Maps of these regulated watercourse areas are available in the City Clerk's Office and in the Office of Planning and Economic Development.

**3.6.3 ACTIVITIES WITHIN DISTRICT**

A. Activities subject to permit. A Watercourse Activity Permit shall be required before undertaking the following activities:

1. Any development activity subject to subdivision or site plan review
2. The replacement in-kind of any lawfully existing structure
3. The installation, reconstruction, replacement or maintenance of [non-municipal or private utilities
4. The installation, reconstruction or replacement of a culvert, bridge, or street crossing
5. The discharge of storm water, ground water, or treated waste water
6. Grading, except for residential lawn maintenance, gardening activities, or agricultural uses.
7. Removal of live vegetation, except for reasonable upkeep or the preservation of the property.
8. The application of chemical fertilizers.

B. Activities exempt from permit. The following activities shall be exempt from these permit requirements:

1. Agricultural activities
2. Watercourse maintenance activities if carried out in accordance with applicable New York State DEC standards, requirements, and permits
3. The following activities related to the maintenance and upkeep of property:
  - a. Lawn care except for the application of chemical fertilizers
  - b. Gardening
  - c. Tree and shrub care
  - d. Removal of dead and deteriorating vegetation

4. Municipal utility crossings.
  5. Maintenance and reconstruction of municipal utilities.
- C. Prohibited activities. The following activities shall be prohibited:
1. Installation of any septic tank, leach field or other on-site sewage disposal facility
  2. Storage or dumping of any waste material, or debris that would alter the natural contours or characteristics of the watercourse
  3. New construction of principal or accessory structures over 500 square feet in ground floor area.
  4. Watercourse alteration through piping, filling, excavation or the removal of vegetation except for the reasonable upkeep or preservation of the property

#### **3.6.4 PERMIT APPLICATION PROCESS**

- A. For all activities that require a watercourse activity permit, application may be made directly to the Planning Board, or as a referral by the Zoning Officer. To the extent practicable, the Planning Board shall coordinate review of the watercourse activity permit with associated subdivision or site plan review applications.
- B. Applications for watercourse activity permits shall be on forms prescribed by the Planning Board, shall include plans and details as required, and shall be accompanied by a fee as established by the City Council.
- C. In its review, the Planning Board may approve the application if it finds:
1. That there is no reasonable alternative, and;
  2. That issuance of the permit will not violate the intent of this Section
- D. The Planning Board may require a performance guarantee to ensure that all necessary erosion and sediment control measures are completed and maintained adequately.
- E. Unless otherwise specified or extended by the Planning Board, a watercourse activity permit shall expire 18 months following the filing date of such decision if the applicant has not complied with any required conditions and has not begun actual construction, or otherwise implemented this approval.
- F. The Planning Board may grant up to two 18-month extensions for an approved watercourse activity permit provided that the application was properly submitted prior to the expiration date of either the original watercourse activity permit or the first extension. When requesting an extension, It shall be the applicant's responsibility to prove that there have been no significant changes to the site or neighborhood and that the circumstances and findings of fact by which the original approval was granted have not significantly changed.