

**APPENDIX A – DEFINITION OF TERMS**

Unless the context of this Chapter otherwise requires, the following definitions of words and phrases shall be used in the interpretation and construction of this Chapter:

100-YEAR FLOODPLAIN: Land subject to a one-percent or greater chance of flooding in any given year as specified in the City Code Chapter 120 Flood Damage Prevention.

ABANDONMENT: An intent to relinquish by some overt act, or some failure to act, which implies that the owner neither claims nor retains any interest in the use or activity.

Access Drive: A roadway, other than a street, which provides vehicular access from a street or private road to or within a lot.

ACCESSORY STRUCTURE (RESIDENTIAL): An unfinished and uninhabitable space in a detached structure. Includes private garages, storage sheds, non-commercial greenhouses, swimming pools, pool houses, antennas & satellite dishes and solar/heating/ventilation/utility equipment.

ADMINISTRATIVE OFFICE: An establishment primarily engaged in management and general administrative functions such as executive, personnel, finance and sales activities performed centrally for other establishments of the same company.

ADULT BOOK STORE: An establishment having as a substantial or significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activity or specific anatomical areas," (as defined below).

- A. SUBSTANTIAL OR SIGNIFICANT PORTION  
A "substantial or significant portion of its stock in trade, books, magazines or other publications shall be determined to exist if either more than 20 percent of its gross sales receipts comprise items described in (B) or (C) hereof or that more than 20 percent of the net square footage of the establishment is dedicated to the display or advertising of items described below in (B) and/or (C) hereof."
- B. SPECIFIED SEXUAL ACTIVITIES:
  - (1) Human genitals in a state of sexual stimulation or arousal;
  - (2) Acts of human masturbation, sexual intercourse or sodomy;
  - (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

C. SPECIFIED ANATOMICAL AREAS:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks or female breast below a point immediately above the top of the areola;
- (2) Human male genitals in a discernibly turgid state, whether or not covered.

ADULT ENTERTAINMENT: Any business enterprise or adult entertainment establishment having operations depicting or relating to "specified sexual activity or specific anatomical areas" (as defined below) for observation by patrons therein.

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- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts of human masturbation, sexual intercourse or sodomy;
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B. SPECIFIED ANATOMICAL AREAS:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks or female breast below a point immediately above the top of the areola;
- (2) Human male genitals in a discernibly turgid state, whether or not covered.

AGRICULTURE: The raising of crops, horticulture and the keeping or raising of domestic animals, fowl and livestock.

ALLEY: A narrow public right-of-way used primarily as a secondary means of access to the rear of abutting properties for service and/or parking access.

ALTERATION: As applied to a structure, any change or rearrangement in the structural parts or in the exit facilities or any enlargement, either by extending a side or by increasing in height.

ANIMAL CLINIC: A facility where animals receive medical care or surgical treatment, and may include post-treatment boarding.

ANIMAL KENNEL: A facility providing boarding and care for animals.

ANTENNA AND SATELLITE DISH: A device utilized for the personal receipt and/or transmitting of radio signals and any form of satellite receiving dishes. It shall specifically exclude customary VHF and UHF TV antennae and TV/Radio transmission towers licensed for public broadcast by the FCC.

AREA VARIANCE: An area variance provides relief from the dimensional or physical

requirements imposed by the applicable zoning regulations.

ART GALLERY: An establishment engaged in the sale, loan, or display of paintings, sculpture, or other original works of art to the public.

ARTIST STUDIO: A workspace for the creation and instruction of fine arts and crafts such as painting, sculpture, photography, music, and the like.

ATTIC: An unfinished space immediately below the roof framing of a building.

AUTO JUNK YARD: An area used for the storage of 2 or more unlicensed, inoperable motor vehicles not housed by a permanent structure.

AUTOMOBILE GARAGE: A building on a lot designed and/or used primarily for mechanical and/or body repairs, storage, rental or servicing of automobiles, trucks or similar motor vehicles. Servicing shall include lubrication, changing the oil and replacing filters, but shall not include the dispensing of gasoline or diesel fuel. The definition includes the term "motor vehicle repair establishment".

AUTOMOTIVE SALES: A facility for the sale and rental of motor vehicles and which may include incidental servicing and retail.

BAKERY, RETAIL: An establishment primarily engaged in the retail sale of baked goods.

BAKERY, WHOLESALE: An establishment utilized for the production of baked goods for sale off the premises.

BARN AND STABLES: A structure used for the keeping of domestic livestock, such as, horses, cattle, goats, sheep, pigs and associated storage.

BATHHOUSE / HEALTH SPA: An establishment providing baths or other treatment to the public in association with mineral waters.

BLOCK: The aggregate of lots and alleys circumscribed by streets.

BLOCK FACE: All the building facades on one side of a block. The block face provides the context for establishing streetscape continuity and architectural harmony.

BOWLING ALLEY: An establishment utilized primarily for the sport of bowling. Incidental activities may include the sale of food and drink and other entertainment.

BREW PUBS: An eating and drinking establishment where certain beverages are prepared on the premise for on-site consumption. The brewing and retail sale of such beverages is accessory to the eating and drinking establishment.

**BUFFER:** A vegetated portion of land intended to provide a continuous visual screen and noise attenuation.

**BUILD-TO LINE:** A line parallel to or coinciding with the frontage line, along which building facades are aligned.

**BUILDING CONFIGURATION:** The three dimensional form of a building and its relation to its lot.

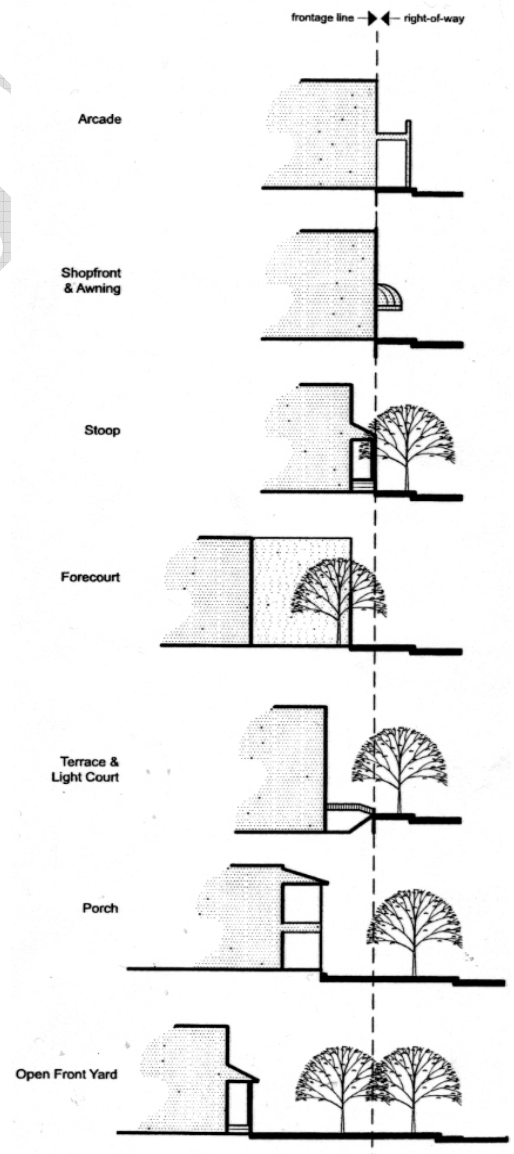
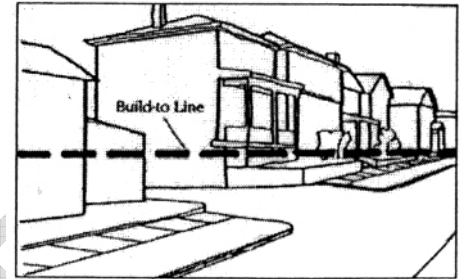
**BUILDING COVERAGE:** The percentage of the lot that is covered by the maximum horizontal cross section of all structures, including those structures below the finished lot grade.

**BUILDING ENVELOPE:** That portion of a lot excluding required setbacks.

**BUILDING FAÇADE TYPE:** The type of façade that lies along the frontage line. The following are façade types:

- A. **ARCADE:** A facade aligned on the frontage line with an attached colonnade, or the second story of the building extends over the sidewalk, while the ground story remains set back at the frontage line. This type is indicated for retail use, but only when the sidewalk is fully absorbed within the arcade so that a pedestrian cannot bypass it. An easement for private use of the right-of-way is usually required. To be useful, the arcade should be no less than 12 ft. wide.
- B. **SHOPFRONT AND AWNING:** A facade aligned close to the frontage line with the entrance at sidewalk grade. This type is conventional for retail frontage. It is commonly equipped with cantilevered shed roof or an awning.
- C. **STOOP:** A facade aligned close to the frontage line with the ground story elevated from the sidewalk, securing privacy for the windows. This type is suitable for ground-floor residential uses at shallow setbacks with rowhouses and apartment buildings. An easement may be necessary to accommodate the encroaching stoop.
- D. **FORECOURT:** A facade aligned close to the frontage line with a portion of it set back. The forecourt created is suitable for gardens, vehicular drop-offs,

**Build-to Line**



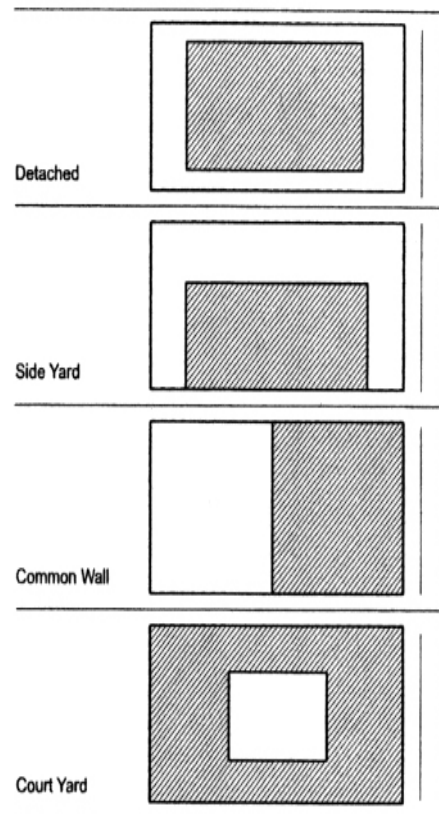
and utility off loading. This type should be used sparingly to prevent a continuous excessive setback.

- E. TERRACE AND LIGHT COURT: A facade set back from the frontage line with an elevated garden or terrace, or a sunken light court. This type can effectively buffer residential quarters from the sidewalk, while removing the private yard from public encroachment. The terrace is suitable for restaurants and cafes as the eye of the sitter is level with that of the standing passerby. The light court can give light and access to a basement.
- F. PORCH: A covered but unenclosed structure projecting from the outside wall of a building. A great variety of porches are possible, but to be useful, none should be less than 8 ft. wide.
- G. OPEN FRONT YARD: A facade set back substantially from the frontage line. The front yard thus created should remain unfenced and be visually continuous with adjacent yards.

**BUILDING TYPE:** The type of building allowed on a lot, defined by its configuration and disposition on the lot. The following are building types:

- A. DETACHED BUILDING: A building with setbacks on all sides. The front yard is intended to be semipublic and visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed outbuilding.
- B. SIDE YARD BUILDING: A building that occupies one side of the lot with the primary open space to the other side. The visual opening of the side yard on the street frontage causes this building type to appear freestanding.
- C. COMMON WALL BUILDING: A building that occupies the full frontage of its lot, using shared walls, eliminating side yards, and leaving the rear portion as a large yard. The building facade defines the edge of the public space while the rear area can accommodate private space or substantial parking.
- D. COURT YARD BUILDING: A building that extends to the Boundaries of its lot while internally defining one or more private courtyards. This building type is able to shield the private realm from all sides and accommodate potentially incompatible

**Building Type**



activities in close proximity, such as workshops, lodging, and schools.

BUILDING FOOTPRINT: The outline of the total area covered by a building's perimeter including any projecting surfaces with the exception of uncovered front steps that only service the basement and/or first floor level of the building.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat and mansard roofs and to the average height between eaves and ridge for gable, hip and gambrel roofs. Height limitations shall not apply to architectural features not used for human occupancy or mechanical equipment. Such features shall not exceed 25% in aggregate coverage of the roof area.

BUILDING MATERIALS STORAGE AND SALES: An establishment for the storage and sale of building materials and equipment.

BUILDING PERMIT: A permit authorizing the erection, demolition, relocation, enlargement or alteration of a structure in conformance with this chapter.

CAR RENTAL AGENCY: An establishment for the rental and storage of motor vehicles to the public, not including on-site servicing or repair of the vehicles.

CAR WASH: A facility designed for the cleaning of motor vehicles.

CENTER LINE: The midpoint of the travel way of the roadway.

CENTRAL WATER SUPPLY SYSTEM: The system for the collection, treatment, storage and distribution of potable water from the source of supply to the consumer.

CERTIFICATE OF OCCUPANCY: A certificate issued upon completion of construction, alteration or change in occupancy or use of a building. Said certificate shall acknowledge compliance with all the requirements of this Chapter and such adjustments thereto granted by the Zoning Board of Appeals.

CIVIC OR PRIVATE CLUB: A social, fraternal, religious, or service organization or club not primarily operated for profit nor rendering a service that is customarily carried on as a business.

CIVIC SPACE: An area designated for public use or enjoyment such as a park, green, square, or plaza.

CLUSTER: A development design technique that concentrates (per permitted density) buildings in specific areas within the site allowing remaining land to be permanently protected open space.

CO-LOCATION/TELECOMMUNICATION FACILITIES: The use of a wireless telecommunication support facilities by more than one wireless telecommunication carrier, or several wireless telecommunication support facilities on an existing building

COMMERCIAL DISTRICTS: Collectively refers to the following zoning districts contained in this Chapter: Office/Medical Business 1 and 2 (OMB-1, OMB-2); Tourist Related Business (TRB); Water Related Business (WRB); Highway/General Business (HGB); Transect-5 Neighborhood Center (T-5); and Transect-6 Urban Core (T-6).

COMMON WALL: See BUILDING TYPE

CONCESSION STAND: A structure utilized for the sale of food and drink and providing no inside seating.

CONDOMINIUM: A multifamily dwelling containing individually owned dwelling units, wherein the real property title and ownership are vested in an owner, who has an undivided interest with others in the common usage areas and facilities which serve the development.

CONSERVATION EASEMENT: A perpetual restriction on the use of land, created in accordance with the provisions of Section 49, Title 3 of the Environmental Conservation Law or Section 247 of the General Municipal Law, for the purposes of conservation of open space, agricultural land, and natural, cultural, historic, and scenic resources.

CONSERVATION SUBDIVISION: A pattern of development that places housing units on those portions of a property most suitable for development, while leaving substantial portions as undeveloped open space.

CONSTRAINED LAND: Lands classified as wetlands, watercourses, 100-year floodplains, and slopes over 25% (2,000 square feet or more of contiguous sloped area).

CONVENIENCE SALES: A small retail establishment providing a limited line of groceries and household items, and catering primarily to nearby residential areas. The use may have up to twenty seats for customers consuming food sold or prepared on-premise. Gasoline pumps shall not be permitted **[unless separately authorized]**.

CORRIDOR BED AND BREAKFAST: A supplementary use in a single or two-family residential structure having a resident host which six to ten rooms are offered for rent and one or more meals are furnished to guests. Regularly scheduled commercial indoor or outdoor activities such as weddings/receptions/showers, business meetings, catered events, etc., and the like may be permitted. See Corridor Lodging District, Section 3.4.

CORRIDOR ROOMING HOUSE: A single or two-family residential structure, owner-occupied or under the supervision of a resident manager, in which five to ten rooms are made available to lodgers for compensation for a rental period of no less than twenty-eight

consecutive days. A common kitchen facility may be available to lodgers but shall have no kitchen facilities in any guestroom. See Corridor Lodging District, Section 3.4.

COURT YARD: SEE BUILDING TYPE

COVERAGE: See "building coverage." or "permeable surface coverage"

CULTURAL FACILITY/CENTER: An establishment for display, performance, or enjoyment of heritage, history or the arts. This use includes but is not limited to museums, libraries and arts performance venues by a public or private entity.

DAY CARE CENTER: Group care for persons away from their own homes for periods of less than 24 hours per day. Day care centers that enroll three or more persons for more than three hours a day must be licensed by the State.

DAY CARE - FAMILY: Care provided to children in a caregiver's home for periods of less than 24 hours per day. No more than six children can be cared for at any one time, including provider's own children.

DAY CARE - GROUP FAMILY: Care provided to children in a caregiver's home for periods of less than 24 hours per day for 7 to 12 children.

DENSITY: The number of dwelling units on an area of land.

DETACHED BUILDING: See BUILDING TYPE

DINING FACILITY: Food services provided predominantly for the occupants of an institution.

DOCK, PRIVATE: A fixed or floating structure, including moorings, used for the purpose of berthing buoyant vessels and which does not produce income.

DORMITORY: A building operated by an educational or public institution and containing a room or rooms forming one or more habitable units which are used by residents of the institution.

DRIVE-IN ESTABLISHMENT: An establishment designed or operated by providing the sale of goods and services to patrons who are seated in a motor vehicle.

DWELLING UNIT: A residence having direct-access from the outside of the building or through a common hall and a complete kitchen facility for the exclusive use of the occupants.

EATING AND DRINKING ESTABLISHMENTS: An establishment where food and beverages are prepared, served and consumed primarily within the principal building or on the site.

ELEVATION: The exterior walls of a building not along a frontage.

EMPLOYEE RECREATION AREAS: Indoor and outdoor recreational facilities principally for the use by employees, for recreational facilities, including but not limited to: picnic areas, shelter buildings with or without restroom facilities, ball fields, and similar park-like uses.

ENTRANCE – PRINCIPAL: The principal place of pedestrian entry to a building. The entrance door should generally be along the frontage rather than a parking area.

EQUIPMENT REPAIR SHOP: An establishment for the repair of small equipment, watches, clocks, lawn mowers, small engines, small appliances, and the like.

FAÇADE: The exterior walls of a building along a frontage line.

FARM: Land greater than five acres used for the commercial cultivation of agricultural products and/or raising of livestock.

FARM STAND: A temporary structure, not to exceed a gross floor area of 500 square feet, from which agricultural products produced on the premises are sold.

FENCE: An unroofed barrier or enclosing structure, including retaining walls.

FINANCIAL INSTITUTIONS: An establishment providing financial and banking services to consumers and clients. Typical uses include banks, savings and loans, credit unions, brokerage firms and lending institutions.

FINISHED GRADE: The elevation at which the finished surface of the surrounding lot intersects the structure.

FLOOR AREA: The sum of the gross horizontal areas of the several floor(s) of a building, measured at the perimeter. All horizontal dimensions of each "floor area" shall be measured by the exterior face of walls of each such floor, including the walls of roofed porches having more than 1 wall.

The following shall be included in computing gross floor area:

- (1) Any floor area devoted to mechanical equipment serving building with structural headroom of 7 feet, 6 inches or more
- (2) Elevator shafts and stairwells at each floor
- (3) Penthouses
- (4) Interior balconies and mezzanines
- (5) Enclosed porches
- (6) Basements and cellar space

The following shall not be included:

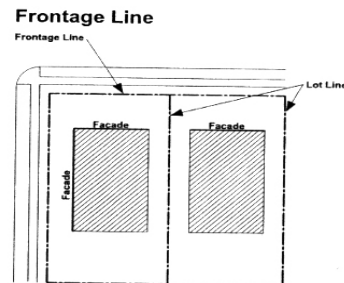
- (1) Uncovered steps, exterior fire escapes
- (2) Terraces, stairways, open porches, outside balconies
- (3) Accessory outside water tanks and cooling towers or equipment.

FORECOURT: See BUILDING FAÇADE TYPE

FOREST MANAGEMENT: Activities relating to the growing, managing, harvesting, and interim storage of timber for commercial sale.

FRONTAGE BUILD-OUT: The minimum percentage of the length of a build-to line along which a building façade must be constructed in order to properly define the public space of the street.

FRONTAGE LINE: The lot line coincident with a street. For corner lots, the frontage line shall be along the higher capacity street. Building front facades should be oriented toward the frontage line.



FUNERAL HOME: An establishment used and occupied by a professional licensed mortician for burial preparation and funeral services.

GARAGE: An accessory building or portion of a principal building used for the storage of motor vehicles of the occupants of the premises.

GOLF COURSE: A tract of land for playing golf, and which may include clubhouses and shelters.

GROUP ENTERTAINMENT: Includes performances, events, ceremonies, and the like.

HABITABLE/LIVING SPACE: A space in a building suitable for living, sleeping, cooking, bathing, washing and sanitation purposes.

HEAVY EQUIPMENT: Large vehicles and/or equipment customarily used for transportation, distribution, construction activities, and the like.

HELIPORT: An area either at ground level or elevated on a structure licensed or approved for the landing and take off of helicopters and including auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

HIGH DENSITY RESIDENTIAL: Development that occurs at a density of 10 or more dwelling units to the acre.

HOME OCCUPATION: An activity conducted entirely within a dwelling and carried on by the inhabitants thereof, which is clearly incidental and secondary to the use of the residence and does not change the character thereof. See Section 6.4.3.

HOSPITAL: An institution providing physical and mental health services primarily for inpatients, and medical or surgical care of the sick or injured; may include such related facilities as laboratories, offices, outpatient or, training facilities, and the like.

HOTEL / MOTEL: An establishment in which more than six rooms are made available to lodgers for compensation for any rental period, and that may offer food service to lodgers and the public.

INDUSTRIAL DISTRICTS: Collectively refers to the following zoning districts contained in this chapter: Warehouse District (WD), Light Industrial (IND-L), GENERAL INDUSTRIAL (IND-G), Industrial Extraction (IND-EX).

INDUSTRY OR INDUSTRIAL: The storage, manufacture, preparation, processing or repair of any item for off premises distribution and/or sale.

INN: A residential building with a resident manager in which eleven to twenty-five rooms are made available to not more than fifty lodgers. An inn may offer food service for compensation to lodgers or to both lodgers and the public. An inn may have regularly scheduled commercial indoor or outdoor activities such as weddings/receptions/showers, business meetings, catered events, and the like. See Corridor Lodging District, Section 3.4.

INSTITUTION/INSTITUTIONAL: A facility that provides a public service such as a religious institution, library, public or private school or college, hospital, or public agency.

INSTITUTIONAL DISTRICTS: Collectively refers to the following zoning districts contained in this Chapter: Institutional Educational (INST-ED), Institutional Horse Track Related (INST-HTR), Institutional Municipal Purpose (INST-MP), Institutional Parkland/Recreation (INST-PR).

LABORATORY: A facility for research, investigation, testing, experimentation or related educational activities.

LAND DISTURBANCE ACTIVITY: Activity including clearing, grading, excavating, filling, demolishing or stock piling activities that result in soil disturbance. Includes land development activity and construction activity.

LAYER: The depth of the lot within which certain activities or structures are permitted. The first layer is the area between the frontage line and the facade. The second layer starts at the building facade to a depth of 20 ft. The third layer starts 20 ft. behind the front facade to the rear lot line. Layers on corner lots only apply to the primary frontage.

Buildings set at the frontage line have no first layer.

LIGHT COURT: See FRONTAGE TYPE

LINER BUILDING: A shallow building designed to mask a parking lot, parking structure, or blank wall.

LOADING, OFF-STREET: A space provided for the loading and unloading of trucks and not general vehicular circulation.

LOT: A parcel of land occupied, or designed to be occupied, by principal and accessory use(s) and/or building(s) together with such open spaces as may be required.

LOT - CORNER: A lot abutting upon 2 or more streets at their intersection or upon 2 parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees. Such lot lines shall be considered front lot lines.

LOT - INTERIOR: A lot other than a corner lot.

LOT LINES: Any line dividing one lot from another lot or from a public right-of-way.

LOT OF RECORD: A lot that is part of a properly filed subdivision plat or in a legally recorded deed as filed in the Saratoga County Clerk's Office.

LOT SIZE: The total horizontal area within the lot lines.

LOT WIDTH: The average width of the lot as measured across the frontage, approximate midsection, and rear boundary of the lot.

MACHINE SHOP: An establishment utilized for the repair, servicing, assembly and/or modification of small motors and/or equipment and/or small parts used in connection with others to comprise large equipment.

MANUFACTURING: Heavy manufacturing is primarily engaged in the processing of raw materials. Light manufacturing is predominately manufacturing of previously processed materials or parts and includes assembly.

MARINAS AND DOCKS: A facility located within 500 feet of a navigable waterway for boat storage and servicing, and which may include retail and eating and drinking facilities.

MASS: The size, volume, area, and shape of a structure, and its relationship to lot lines, other structures, and all open spaces.

MIXED USE DEVELOPMENT: A lot or structure with a variety of complementary and integrated uses, such as residential, office, manufacturing, retail, public, or

entertainment.

MOBILE HOME: A vehicle constructed so as to permit its being used, as a conveyance upon the public streets and duly titled as such, and constructed in a manner as to permit occupancy as a residence. A travel trailer is not considered a mobile home.

MOBILE HOME LOT: A designated site portion of land within a mobile home park for the exclusive use by the occupants of a single mobile home.

MOBILE HOME PARK: A designated site in which two or more residential mobile homes are located, regardless of whether or not a charge is made for such accommodation.

MOTOR VEHICLE REPAIR: An establishment for the repair and servicing of motor vehicles; includes collision service, painting, detailing and incidental retail sale. Shall not include fuel dispensing to the public.

MOVIE THEATER: A place where motion pictures are shown to the public for a fee.

NEIGHBORHOOD BED AND BREAKFAST: A supplementary use in a single or two-family residential structure having a resident host which one to five rooms are offered for rent and one or more meals are furnished to guests. Regularly scheduled commercial indoor or outdoor activities such as weddings/receptions/showers, business meetings, catered events, and the like, are not permitted.

NEIGHBORHOOD ROOMING HOUSE: A single-family or two-family residential structure, owner-occupied or under the supervision of a resident manager, in which one to four rooms are made available to lodgers for compensation for a rental period of no less than twenty-eight consecutive days. A common kitchen facility may be available to lodgers but shall have no kitchen facilities in any guestroom.

NON-CONFORMING LOT (LEGAL): Any lot which was lawfully on record on the effective date of this Chapter, or any applicable amendment, but which does not meet the regulations of this Chapter.

NON-CONFORMING STRUCTURE (LEGAL): Any structure which was lawfully in existence on the effective date of this Chapter, or any applicable amendment, but which is not situated in conformance with the regulations of this Chapter.

NON-CONFORMING USE (LEGAL): Any use which was lawfully in existence on the effective date of this Chapter, or any applicable amendment, but which is not in conformance with the regulations of this Chapter.

NUISANCE: Any activity or use that endangers health and safety, or unreasonably offends the senses or has a detrimental effect on the property of another person or to the community.

NURSERIES: Any place where trees, bushes or plants are raised for wholesale and/or retail sale; includes greenhouses.

NURSING OR CONVALESCENT HOME: A facility used for residential occupancy and providing limited medical or nursing care on the premises for occupants, but not including a hospital or medical clinic.

OFFICE: A business and/or professional establishment providing direct services to consumers, but not engaged in the manufacture or retail sale of goods. Includes attorneys, architects, engineers, accountants, and the like, but which does not include [Administrative Office, Office-Medical/Clinics, or Real Estate Office].

OFFICE - MEDICAL/CLINICS: An establishment where one or more licensed ~~medical practitioners furnish medical care to~~ [health care professionals provide health care services for] persons on an outpatient basis. A clinic may include laboratory facilities.

OPEN AIR MARKETS: An area utilized on a temporary or seasonal basis for the sale of crops or other merchandise, which is not enclosed. Open air markets include, but are not limited to, farmers' markets, bazaars, flea markets, craft shows, and the like.

OPEN FRONT YARD: See BUILDING FAÇADE TYPE

OUTBUILDING: An ancillary building, usually located towards the rear of the lot, on the same lot as the Principal Building.

OUTDOOR ATHLETIC FIELD AND COURT FACILITY: An area designed and constructed to be utilized in connection with athletic endeavors such as football, baseball, softball, rugby, soccer, lacrosse, basketball or tennis courts, and the like.

OUTDOOR EATING AND DRINKING FACILITY: A facility where food or beverages are served or consumed in an area that may, or may not, have a roof, canopy, awning or tent over it, but for at least half its perimeter, has 75% of its sides uncovered by any building material, including screening or netting. See Outdoor Eating and Drinking Facilities, Section 6.4.2.

OUTDOOR STORAGE: Display or storage, in an unroofed area, of any goods, materials, or vehicles (other than in an approved parking space under site plan review) on a lot.

PARI-MUTUEL WAGERING HOTEL: A building containing more than 15 rooms which are rented or hired out to be occupied for sleeping purposes by guests and where a general kitchen and dining room are provided within the same structure and where pari-mutuel wagering on horse racing is available in each sleeping room and in a central wagering room. Within this hotel pari-mutuel wagering shall be allowed only between the hours of noon and midnight. A pari-mutuel wagering hotel shall not have rooms for business meetings or conferences.

PARKING FACILITY: A facility, either open or enclosed, used for the parking or storage of motor vehicles.

PASSAGE: A pedestrian connection between buildings. Passages provide shortcuts through long blocks and connect rear parking areas with street frontages.

PERMEABLE AREA: A surface which allows water to infiltrate into the ground.

PERMEABLE SURFACE COVERAGE: That percentage of a lot that is not covered by all buildings, paved areas and other impermeable surfaces.

PLANNED UNIT DEVELOPMENT (PUD): An area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards than would normally apply under these regulations. See Planned Unit Development, Section 10.2.

PLAT: A map representing a subdivision of land.

PORCH: See BUILDING FAÇADE TYPE

PREMISES: Land and all buildings and structures thereon.

PRINCIPAL BUILDING: A building in which the principal use of the lot is conducted, and is located closest to the frontage line.

PUBLIC REALM: Includes all exterior places (parks, open spaces, waterfronts, natural features), linkages (sidewalks/paths, bikeways, bridges) and built form elements (plazas, landmarks, building facades) that are physically and/or visually accessible to the public regardless of ownership.

RECREATIONAL FACILITIES: Facilities, either public or private, offering recreational activities.

RELIGIOUS INSTITUTIONS: An establishment for religious worship which is used only for such purpose and those accessory activities as are customarily associated with such use. Includes churches, temples, synagogues, mosques, and the like.

RESIDENCE - MULTIFAMILY: A residential structure containing three or more dwelling units.

RESIDENCE – SINGLE-FAMILY: A residential structure containing one dwelling unit.

RESIDENCE – TWO-FAMILY: A residential structure containing two dwelling units.

RESIDENTIAL DISTRICT: Collectively refers to the following zoning districts contained in

this Chapter: Rural Residential (RR), Suburban Residential 1 and 2 (SR-1, -2), Urban Residential 1, 2, 3, 4, 4A, 5, 6 and 7 (UR-1, -2, -3, -4, -4A, -5, -6, -7), Neighborhood Complementary Use 1, 2 and 3 (NCUD-1, -2, -3), and Transect-4 Urban Neighborhood (T-4).

RESIDENTIAL RECREATIONAL FACILITIES: A place designated and equipped for the conduct of sports, leisure time activities and other customary and usual recreational facilities located or associated with a single entity containing residential housing units.

RETAIL: Establishments engaged in selling goods to the public for personal and household consumption and rendering services incidental to the sale of such goods. Includes florists, drugstores, and the like.

RIDING STABLE: An establishment providing riding instruction and boarding of horses and where horses may be hired for riding.

SALVAGE AND SCRAP PROCESSING: The utilization of waste materials and processing of discarded or rejected materials that result from manufacturing or fabricating operations.

SANITARY SEWERS: Pipes that carry only domestic or commercial sewage and into which storm, surface and ground waters are not intentionally admitted.

SCHOOL: A facility offering instruction under the supervision of the State of New York or a lawfully constituted ecclesiastical governing body meeting NYS requirements.

SELF STORAGE FACILITY: A facility consisting of individual, self-contained units leased to individuals or businesses for self-service storage of personal property.

SENIOR ASSISTED CARE FACILITY: A facility containing residential units, exclusively for persons who are at least 55 years old where long-term residential care, room, board, housekeeping, supervision, and the like are provided.

SENIOR HOUSING: A structure containing individual residential units each occupied by at least one person aged 55+. Continued medical or nursing care is not provided.

SERVICE ESTABLISHMENT: Establishments primarily engaged in providing services, such as grooming, salon services, drop-off/pick-up dry cleaning, Laundromat, and the like, and the incidental retail sale of associated products.

SETBACK: The minimum distance by which any building or structure must be separated from a lot line.

SHOPFRONT: See BUILDING FAÇADE TYPE

SIGN: Any device (including but not limited to letters, words, numerals, figures,

emblems, pictures, or any part or combination) used for visual communication intended to attract the attention of the public and visible to the public right-of-way or other properties. The term “sign” shall not include any flag, badge, or insignia of any governmental unit, nor shall it include any official traffic signs or signals. See Signage, Section 6.1.

- A. **AWNING SIGN:** A sign incorporated into an awning attached to a building.
- B. **BACKLIT SIGN:** A sign whose light source is located in the interior of the sign so that only the letters and/or message are illuminated.
- C. **CHANGEABLE COPY SIGN:** A sign designed to allow the changing of copy through manual, mechanical, or electrical means.
- D. **DIRECTIONAL SIGN:** A sign limited to directional messages such as “entrance”, “exit” and “one way”.
- E. **Directory Sign:** A sign listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings.
- F. **FREE STANDING SIGN:** Any nonmovable sign not attached to a building. Including post-mounted and pedestal signs.
- G. **ILLUMINATED SIGN:** A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
- H. **OFF-PREMISE SIGN:** A sign which directs attention to an activity, commodity or service at a location other than the premises on which the sign is located.
- I. **PORTABLE SIGN:** A sign designed or intended to be movable and not structurally attached to the ground or other permanent structure.
- J. **SANDWICH BOARD SIGN:** A temporary ground sign advertising an adjacent business.
- K. **WALL SIGN:** A sign which is painted on or attached to the outside wall of a building with the sign face parallel to and not extending more than 6 inches from such wall.
- L. **WINDOW SIGN:** A sign attached to or painted on the interior of a window.

**SIGN AREA:** The entire area within a continuous perimeter enclosing the extreme limits of sign display, including any frame or border. The sign structure shall be included if designed as integral to the sign display. The calculation for a double-faced sign shall be the area of one face only.

**SIGN STRUCTURE:** The supports, bracing, or framework for any structure exhibiting a sign.

**SITE PLAN:** A plan to scale showing topography, location of all structures, roads, rights-of-ways, lot boundaries, all essential dimensions and bearings and any other information as required.

SOLID WASTE LANDFILL: A site for the disposal of unwanted or discarded material, including garbage.

SPECIAL USE: A use, which because of its unique characteristics requires individual consideration by the Planning Board, before it may be permitted.

STOOP: See BUILDING FAÇADE TYPE

STORY: That portion of a building designed for human occupancy between the surface of any floor and the surface of the next floor or roof above.

STREET: An existing public or private way open to general public use which affords principal means of access to abutting properties and is suitably improved.

STREETWALL: An opaque wall built along the frontage line, or in the same plane as the facade, for the purpose of masking the interior of a lot from the street.

STRUCTURE: Any constructed or placed material in or upon the ground, including buildings, towers, sheds, pools, signs and the like, but excluding sidewalks, paving, grading, patios, and the like.

SUBDIVISION: An area of land divided or re-divided into two or more lots, plots, sites or other divisions of land for sale or for building development.

SWIMMING POOL: Any structure containing water having a depth at any point greater than 2 feet, intended to be used for swimming, and constructed, installed, or maintained in or above the ground.

TELECOMMUNICATION FACILITY: A commercial] facility consisting of equipment and towers structures involved in transmitting and receiving telecommunication signals. See Telecommunication Facilities and Towers, Section 6.3.2.

TELECOMMUNICATION TOWER: A structure intended to support equipment to transmit and/or receive telecommunication signals. See Telecommunication Facilities and Towers, Section 6.3.2.

TEMPORARY ACCESSORY DWELLING: A temporary accessory residential unit within an existing legal single-family residence. See Temporary Accessory Dwellings, Section 6.4.4.

TERRACE: See BUILDING FAÇADE TYPE

TRUCKING AND FREIGHT TERMINAL: An area where cargo is stored and where trucks load

and unload cargo on a regular basis.

USABLE LAND: Class A Type refers to developable land generally devoid of wetlands, drainage courses, steep slopes, etc. Class B Type refers to land not suitable generally for development except for passive open space.

USE: The specific use for which land or a building is designed, occupied or maintained.

USE – ACCESSORY: A use customarily intended to be incidental and clearly subordinate to the principal uses or buildings on a lot.

USE - PERMITTED: Any use which is or may be lawfully established in a particular district provided it conforms with all the requirements applicable to that district.

USE - PRINCIPAL: The primary or predominant use for which a building, or lot is designed, occupied or maintained.

USE - PROHIBITED: A use that is not permitted in a particular district.

USE VARIANCE: Authorization by the Zoning Board of Appeals for the use of land or buildings for a use that is not otherwise permitted in a particular district.

UTILITY ESTABLISHMENTS: Establishments engaged in the generation, transmission and/or distribution of electricity, gas or steam, including water and irrigation systems and sanitary systems; substations carrying more than 34.5 kilovolts; administration offices for such use; maintenance facilities; accessory buildings and outdoor storage. Also included are above ground electrical transmission lines carrying greater than 115 kilovolts. Telecommunication facilities and telecommunication towers are not utility establishments.

UTILITY EQUIPMENT: Telephone, electric and cable TV lines, poles, appurtenances and structures; electrical substations carrying 34.5 kilovolts or less; water or gas pipes, regulators, mains, valves or structures; sewer pipes, valves or structures, pumping stations; telephone exchanges equipment, and other facilities, appurtenances and structures necessary to house and maintain utility equipment. Above ground electrical transmission lines carrying more than 115 kilovolts, telecommunication facilities and telecommunication towers are not utility equipment.

VEHICLE FUELING STATION: A facility that is used for the sale of motor vehicle fuel and accessories, and shall not include a car wash or motor vehicle repair.

WAREHOUSE: A building used primarily for the storage of goods and materials.

WASTE RECYCLING CENTER: A facility where waste products may be reduced to raw materials and/or processed into new products.

WATERCOURSE: Any stream, pond, lake, drainage channel, or similar features that is normally filled with water. Boundaries of a watercourse shall be measured at the mean high-water mark.

WETLAND: An area of land that is characterized by hydrophytic vegetation, saturated soils, or periodic inundation which is classified as a wetland by either the New York State Department of Environmental Conservation or the U.S. Army Corps of Engineers.

WHOLESALE (ESTABLISHMENT): An establishment engaged in selling to retailers rather than directly to consumers.

YARD – FRONT: The area between the lot line that is parallel, or nearly parallel, to a street and the building setback line. Where a lot has frontage on more than one public or private street, the lot shall have more than one front yard. If a lot has frontage on a street and an alley, the alley side shall not be considered a front yard. In the case of a lot that has no street frontage, the front yard line shall be considered the lot line that is closest and most parallel to the nearest street.

YARD - REAR: The area between the lot line that is opposite of the front lot line and the building setback line. In the case of a lot pointed at the rear, the rear yard area shall be the area between a point that is the furthest from the front lot line and parallel to the front lot line and the building set back line.

YARD - SIDE: The area between the lot line that is perpendicular, or nearly perpendicular, to a street and the building setback line.

ZONING AMENDMENT: A change in the text of this Ordinance and/or the official zoning map.

ZONING OFFICER: The administrative officer charged with enforcing the provisions of this Chapter.