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<p>1. Article Addressed to:</p> <p>NYS Dept. of State Division of State Records One Commerce Plaza 99 Washington Ave. Albany, New York 12231</p>  <p>9590 9402 6066 0125 8388 50</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>																
<p>2. Article Number (<i>Transfer from service label</i>)</p> <p>7018 0680 0000 3834 6437</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt																

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PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

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City of Saratoga Springs
OFFICE OF COMMISSIONER OF ACCOUNTS
474 Broadway - City Hall - Suite 14
Saratoga Springs, New York 12866

Telephone 518-587-3550

DILLON C. MORAN
COMMISSIONER

STACY CONNORS
DEPUTY COMMISSIONER

April 24, 2023

NYS Department of State
Division of Corporations, State Records & Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231

To Whom It May Concern:

Enclosed please find Local Law No. 1 of 2023 to "Repeal and Replace Section 4.6(B)(1)(b) and 16.10 of the Saratoga Springs "Unified Development Ordinance". The City Council adopted this local law at its regular Council meeting on Tuesday, April 4, 2023.

Please acknowledge receipt of the filing of Local Law No. 1 of 2023.

Sincerely,

Dillon C. Moran
Commissioner of Accounts

DCM/lr

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Saratoga Springs

Local Law No. 1 of the year 2023

A local law to Repeal and Replace Sections 4.6(B)(1)(b)
(Insert Title)
and 16.10 of the Saratoga Springs "Unified
Development Ordinance"

Be it enacted by the City Council of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Saratoga Springs as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2023 of the (County)(City)(Town)(Village) of Saratoga Springs was duly passed by the City Council of the City of Saratoga Springs on April 4 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

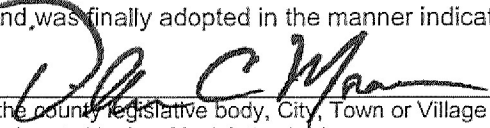
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 24, 2023

(Seal)

LOCAL LAW NO. 1 OF 2023
A LOCAL LAW TO REPEAL AND REPLACE SECTIONS 4.6(B)(1)(b) AND 16.10
OF THE SARATOGA SPRINGS “UNIFIED DEVELOPMENT ORDINANCE”

BE IT ENACTED by the City Council of the City of Saratoga Springs as follows:

SECTION 1: Section 4.6(B)(1)(b) of the Saratoga Springs “Unified Development Ordinance” adopted by Local Law 2 of 2022 is hereby repealed and replaced with the following:

b. Design standards may be exempted by the Design Review Board or Planning Board as follows:

- i. Standards within the category of Site Design may be exempted by the Planning Board.
- ii. Where the Design Review Board reviews and approves development, including but not limited to within the Historic Review Overlay District or Architectural Review Overlay District, the Design Review Board may exempt standards in categories outside of those delineated in item i above.
- iii. Where the Design Review Board does not review and approve development, the Planning Board may exempt standards in all categories and may request a recommendation from the Design Review Board.
- iv. Design standards in the GC-R District may be exempted by the Design Review Board or Planning Board with a written explanation detailing the exemption as follows:
 - a. The uses in the structure are unique and preclude meeting the rural design standards of the ordinance; or
 - b. The lot configuration is unique and precludes meeting the rural character of the ordinance; or
 - c. That there are extraordinary circumstances unique to the parcel that demonstrate that the design standards cannot meet the rural character objectives of the ordinance.

SECTION 2: Section 16.10 of the Saratoga Springs “Unified Development Ordinance” adopted by Local Law 2 of 2022 is hereby repealed and replaced with the following:

16.10 DESIGN STANDARDS

The design standards should be followed but may be exempted by the Design Review Board or Planning Board with a written explanation detailing the exemption as follows:

- a. The uses in the structure are unique and preclude meeting the rural design standards of the ordinance; or
- b. The lot configuration is unique and precludes meeting the rural character of the ordinance; or
- c. There are extraordinary circumstances unique to the parcel that demonstrate that the design standards cannot meet the rural character objectives of the ordinance; or
- d. The applicant has demonstrated a better way to achieve this rural design objective.

A. Landform

Landform is the gradient, slope form, and orientation of development in relationship to the shape of the land. Landform is the signature element that is essential for achieving an environment that has its own identity or sense of place.

1. Locally distinct natural landform features should generally be left in a natural state.
2. Natural rural landforms are typically soft and roll due to the rounding effect of wind and water over time. Geometric landforms may also be present in areas of shallow bedrock or seasonal flooding. The character and diversity of the natural landform should be reflected in grading to accommodate development.
3. Minimize cuts and fills. When grading is necessary, slopes should be graded to mimic existing slopes and blend smoothly into the surrounding landform. Graded slopes should be a maximum of 1:5 and gradually blend into surrounding slopes.

B. Vegetation

Vegetation is the review of varying plant forms and their relationship to development and its mass on the landscape. In addition to the benefits plants offer the ecological system (soil stabilization, clean air, wildlife habitat) their presence or absence, how they are configured or arranged, and their species has a significant influence on development character. In the rural environment vegetation, not structures, is the primary determinant of how far we can see and where we look. Every effort should be made to:

1. Preserve existing vegetation patterns and species mix and density.
2. Select and place new vegetation in ways that enhance the indigenous vegetation characteristics.
3. Vegetation in undeveloped rural areas is typically clustered. Rural vegetation should not be in geometric patterns that are associated with the urban environment.
4. Use existing vegetation and topography to screen new buildings if possible.

C. Structures

The height, placement, form, and pattern of building envelopes can establish an urban or rural character to any development. The intent of this section is to identify building envelopes, forms and patterns that are complementary to and reflective of rural characteristics.

1. Building envelopes in rural areas should be designed to maximize the preservation of the site's natural features (e.g., landform, vegetation), whereas, in

more urban environments, sites are more often modified to accommodate the building.

2. The placement of building envelopes in relationship to rights-of-way critically affects the character of a community. Varied setbacks provide a different experience than a street where buildings are placed uniformly along a street.
3. Rural placement is historically deeper and more varied than in urban environments and therefore recommended.
4. When building envelopes must be placed in open fields they should be oriented to and reflect the alignment and orientation of the site's natural features.
5. Site building envelopes so that treetops and crest lines of hills as seen from public places and roads will screen future buildings. Use vegetation as a backdrop to reduce the prominence of the structure. Wherever possible, open up views by selective cutting of small trees and pruning lower branches of large trees, rather than by clearing large areas or removing mature trees.
6. The dominant visual context from the rural roads should be of natural and agricultural features, with structures visually subservient. Typically, development should be interior lot development with 70% of the immediate highway viewshed preserved. Article 16. Conservation Design City of Saratoga Springs UDO 16-8 September 2021
7. The following structural guidelines apply only to structures in conservation subdivisions, which are also located in architectural review districts. The intent in these areas is to have the mass and roof forms of structures contribute to the rural character of the development. These guidelines are examples of the preferred way to design and site uses but they should not be considered the only acceptable solution.
 - a. Massing of structures or structural elements influences rural character. Historically, rural buildings were often an assemblage of additions. These additions over time created a complexity of roof forms that have become icons associated with our rural agrarian environments.
 - b. Rural roof form options include, but are not limited to, symmetrically pitched or hip roofs with or without gables and horse barn-type roof ends.

D. Circulation Systems Circulation systems are comprised of both vehicular, pedestrian, and bicycle systems. In general, rural systems are curvilinear in alignment, a pattern that evolved out of historic systems following the lines of least resistance (e.g., stream corridors) following natural landforms.

1. Whenever possible, roads (and the resultant lot layout) should be planned and designed so the site's cultural and environmental features are preserved and enhanced.
2. Vehicular and pedestrian circulation systems should retain and reuse historic farm roads, railroads, trolley lines and lanes. This guideline allows a development to build upon the site's historic context while minimizing clearing and disruption of the landscape. Care should be taken to apply this guideline only where its implementation would not destroy the historic lanes, hedgerows, and stone walls it was meant to preserve. Otherwise, vehicular and pedestrian circulation systems

should be arranged to reflect the patterns of the site landform, vegetation, water bodies and vegetation massing.

3. Minimize clearing of vegetation at the edge of the road, clearing only as much as is necessary to create a driveway entrance with adequate sight distance. Use curves in the driveway to increase the screening of buildings.
4. Rural road edges are historically unprotected (e.g., no curbs or gutters, with only a shoulder for user safety).
5. Trail systems connecting destination areas should be designed in accordance with the guidelines of the Saratoga Greenbelt Trail Plan, comprised of flexible materials (e.g., asphalt, stone dust, bark, wood chips), and connect areas of concentrated development.
6. Sidewalks should only be used to connect facilities within areas of concentrated development.

SECTION 3. Exceptions. These amendments to the UDO shall not apply to applications or projects which have already received at least one land use approval issued by a City Land Use Board on or before the Effective Date of this Local Law, regardless of whether any other land use approvals are required.

SECTION 4. Severability. The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

SECTION 5. Repealer. All Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Local Law are hereby repealed. In particular, this Local Law is specifically intended to supersede and amend provisions of the current Unified Development Ordinance of the City of Saratoga Springs.

SECTION 6. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of the State of New York, in accordance with section 27 of the Municipal Home Rule Law.