



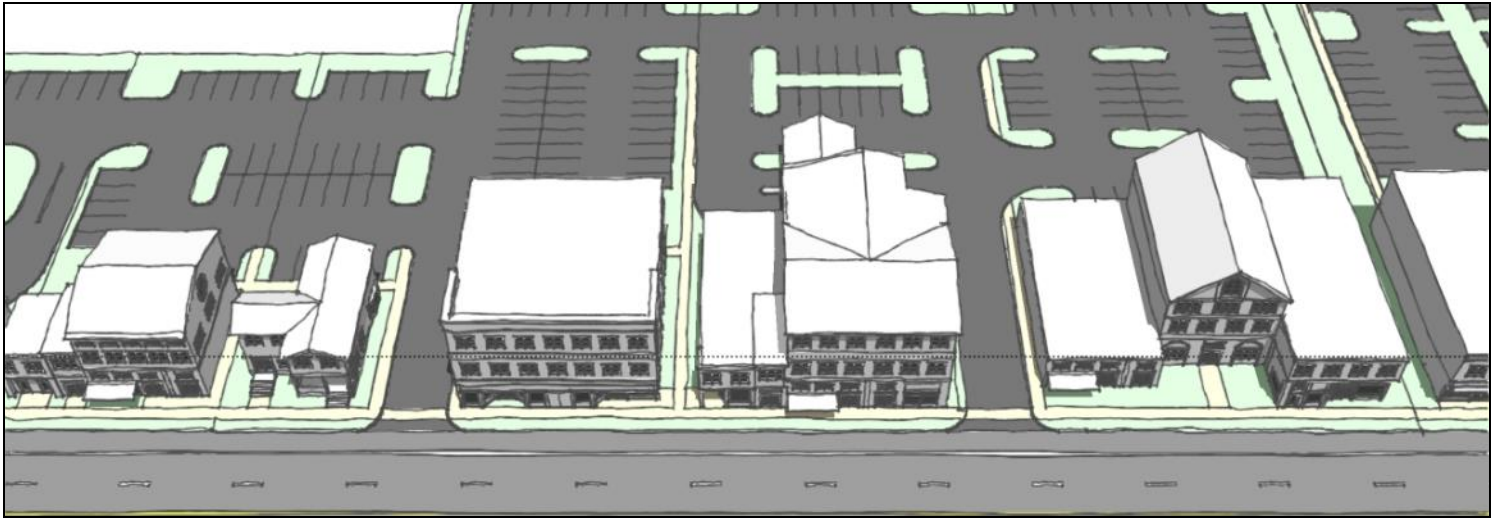
VILLAGE OF WILLIAMSVILLE

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**MIXED USE DISTRICT DESIGN STANDARDS**

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**§ 112-16**  
**(ATTACHMENT 2)**



**PREPARED BY:**



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# § 112-16

## MIXED USE DISTRICT DESIGN STANDARDS

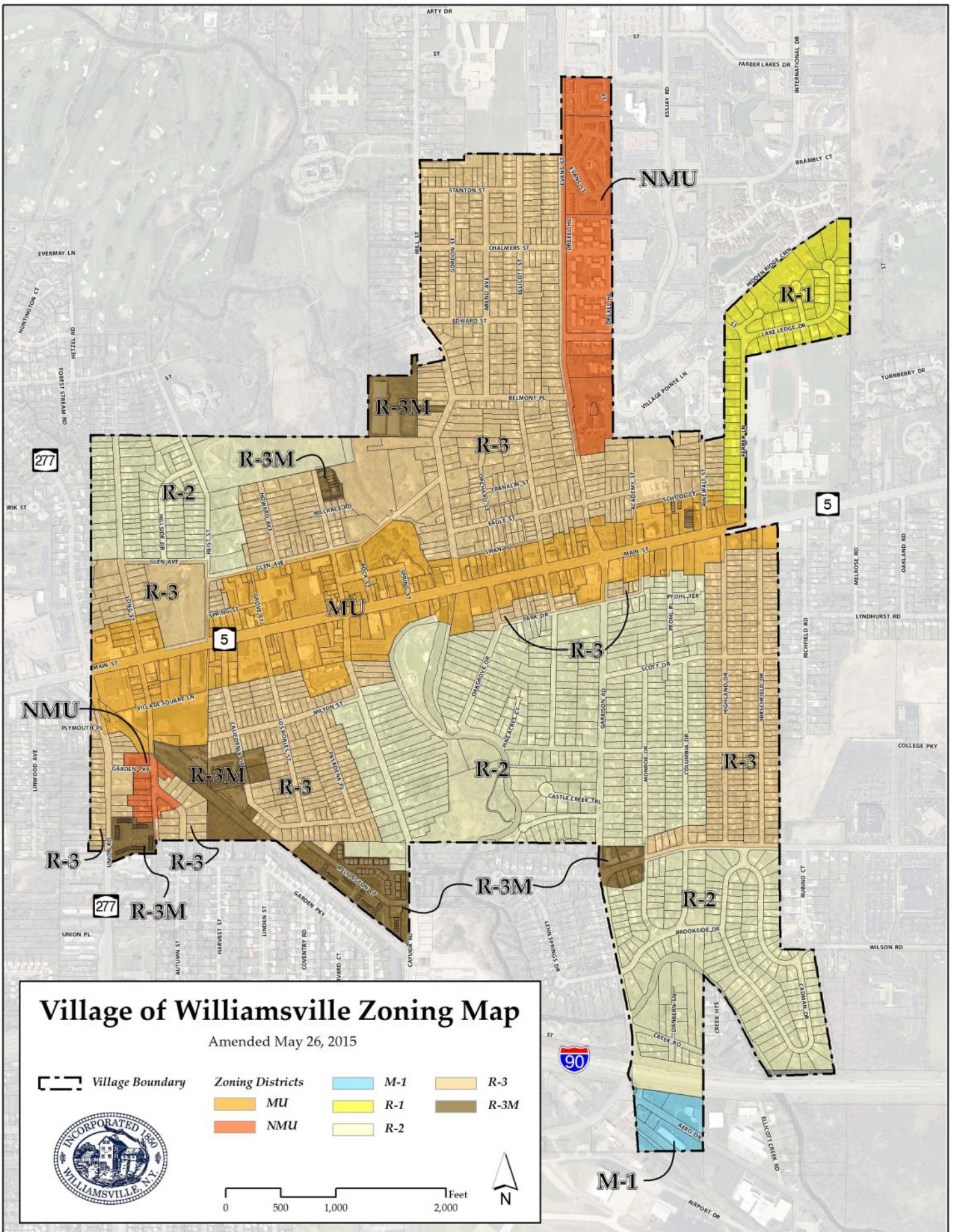
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# § 112-16A

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## INTRODUCTION

### § 112-16A(1) PURPOSE OF THE MIXED USE DISTRICT

**THE VILLAGE OF WILLIAMSVILLE'S 2010 COMMUNITY PLAN** recognizes the community's desire to maintain its historic character, provide for enhanced walkability, and support a vibrant economic and neighborhood environment. The traditional community character presented within the Village is of paramount importance to the provision of these elements. Furthermore, the Village recognizes the Main Street corridor as a major gateway, a retail and service destination of local and regional significance, and the driving force of the Village's identity. The Mixed Use District provides specific regulations and guidance for new development and rehabilitation projects within the Village's Main Street corridor. The Main Street Characterization described in §112-16A(5) provides the desired state for the corridor and relate directly to those elements discussed in the 2010 Community Plan.

The Village of Williamsville 2010 Community Plan characterizes the Main Street corridor accordingly:

*"The Village of Williamsville is an attractive community consisting of traditionally scaled, walkable neighborhoods in close proximity to an historic and vibrant Main Street core... Main Street should be a pedestrian friendly, mixed-use destination that draws both residents and visitors to its unique stores and services, nearby parks and historic mill district."*

The design and implementation of development within the Main Street corridor should ensure commercial areas remain viable and economically relevant into the future through the preservation, enhancement and leveraging of the Village's historic and architecturally significant character. The form, massing, proportion and composition of architecture should complement the historic character of this area. However, quality of design and material takes precedence over disingenuous attempts to mimic historic styles through the application of superficial details. Walkability and the pedestrian experience are critical to the success of the Main Street corridor as a shopping and service destination distinct from its suburban counterparts. The most prominent character area on Main Street is the Village Core, which sustains the community's vital civic activities. The surrounding mixed-use components link the Village Core and adjacent neighborhoods to commercial and service opportunities. The objectives presented below outline how this vibrant, pedestrian-scaled environment can be achieved. The use of traditional urban form and the equal accommodation of non-vehicular users will help offset the transportation system's dominance over the Main Street corridor, and provide a pleasant, unique and inviting atmosphere for residents and visitors.

**§ 112-16A(2)**  
**MIXED USE ZONING DISTRICT ESTABLISHED**

**THE VILLAGE OF WILLIAMSVILLE MIXED USE (MU) ZONING DISTRICT** is hereby established as depicted on the Village's zoning map (see attached map on Page iii). The regulations described herein establish the desired development pattern, form, massing, density, site layout and architectural detailing for the MU District. Given the varied context of the surrounding neighborhoods, there is a need for clear standards that meet the goals and objectives of the community while allowing for flexibility and creativity. These regulations provide the necessary framework for high-quality development and flexible design alternatives.

**§ 112-16A(3)**  
**CONFLICTS AND COMPLIANCE WITH OTHER REGULATIONS**

**ALL DEVELOPMENT MUST CONTINUE TO MAINTAIN** compliance with all applicable codes and regulations, including, but not limited to, the Building Code of New York State which shall supersede where conflicts exist with the MU District. These regulations shall supersede where conflicts exist with the remaining chapters of the Code of the Village of Williamsville .

**§ 112-16A(4)**  
**APPLICABILITY, REVIEW, APPROVAL AND PERMIT PROCESS**

**THE MU DISTRICT REGULATIONS SHALL APPLY, IN WHOLE OR IN RELEVANT PART** to all applications commenced from the date of adoption by the Village of Williamsville Board of Trustees.

- (a) These regulations shall apply to all proposed actions within the MU District which include one or more of the following activities:
- [1] New building construction;
  - [2] Installation of new curb cuts on any public street;
  - [3] An increase of the gross building square footage of the lesser of 30 percent or 500 square feet;
  - [4] A change or addition of façade materials and/or design greater than 200 square feet, not including routine maintenance or repainting existing façade materials (unless architectural review is otherwise triggered hereunder).
  - [5] Installation of new signage (only §112-16H shall be applicable);
  - [6] Any expansion, substantial modification or substantial reconstruction of parking lot or driveway footprint (only §112-16D shall be applicable);
  - [7] Changes to parking, loading and service arrangements or access management such as entry/exit, cross access, or circulation (only §112-16B and §112-16D shall be applicable);
  - [8] Installation of landscaping features (only §112-16E shall be applicable);
  - [9] Installation of above-grade utilities (only §112-16 C(4) shall be applicable); and
  - [10]The conversion of one or more floors of a residential structure to a commercial use.
- (b) Existing single-family structures within the MU District are not required to adhere to these Design Standards.
- (c) The operation of a home occupation within the MU district (see §112-16A(6)) shall conform to § 112-12A(2) (b).
- (d) The review and approval of applications under these Design Standards shall conform to § 112-23.



**§ 112-16A(5)**  
**DESIGN OBJECTIVES**

**THE DESIGN OBJECTIVES PRESENTED BELOW WERE** derived from the Village’s Community Plan, and are included to assist with the interpretation and administration of the regulations described in § 112-16 B through I.

- (a) Devote street level facades to retail, service and office uses.
- (b) Maximize transparency between the sidewalk and building interior.
- (c) Design attractive and engaging buildings that address the public realm on all visible sides.
- (d) Provide urban-appropriate landscape and hardscape areas designed as integral features of the land use.
- (e) Improve pedestrian experience and safety through the provision of public amenities such as ample sidewalks, buffer landscaping, seating, public art and crossing aids.
- (f) Promote multi-story buildings to improve the corridor’s urban form and street presence.
- (g) Locate parking behind, beneath or within structures to retain a pedestrian level ‘streetwall.’
- (h) Encourage shared parking facilities and cross access between privately owned parking facilities.
- (i) Provide pedestrian-scaled lighting proportional to the site and building served.
- (j) Design the scale and style of architecture to complement the valued historic forms of the corridor.
- (k) Promote a ‘build-to’ line that strengthens the streetwall, yet permits flexibility to expand the pedestrian realm and provide outdoor seating, as needed.
- (l) Favor pedestrian safety and experience while balancing the needs of the automobile.

**§ 112-16A(6)**  
**LIST OF PERMITTED USES**

**THE FOLLOWING IS A LISTING OF PERMITTED USES FOR THE MIXED USE (MU) DISTRICT IN THE VILLAGE OF WILLIAMSVILLE.**

(a) Permitted Uses.

- [1] Artist Studio
- [2] Bar, Tavern, or Pub
- [3] Bed and Breakfast
- [4] Building, Accessory; including residential garages\*
- [5] Building, Mixed-Use
- [6] Building, Office
- [7] Building, Public
- [8] Cemetery
- [9] Cultural Use Facility or Museum
- [10] Daycare Center
- [11] Dry-Cleaning Facility
- [12] Dry-Cleaning Outlet
- [13] Dwelling, Single-Family
- [14] Dwelling, Two-Family
- [15] Dwelling Unit, Accessory\*
- [16] Dwelling, Multi-Family

Permitted Uses, Continued.

- [17] Funeral Home
- [18] Hotel or Motel
- [19] Inn
- [20] Motor Vehicle Service or Sales
- [21] Nightclub
- [22] Parking Garage
- [23] Place of Worship
- [24] Recreation, Indoor Commercial
- [25] Restaurant
- [26] Retail
- [27] School
- [28] Self-Service Laundry

(b) Uses Requiring a Special Use Permit.

- [1] Club, Membership
- [2] Club, Private
- [3] Home Occupation\*
- [4] Manufacturing or Industrial, Mixed-Use
- [5] Private Parking Lot (as exclusive or primary use)
- [6] Townhouse or Townhome

(c) Uses not listed as permitted in this district are prohibited.

(d) Uses not listed as permitted in this district, but in existence prior to the date of adoption of § 112-16 will be considered non-conforming uses subject to the regulations of § 112-10 of the Village of Williamsville Municipal Code.

*\*Not the principal use of the property*

§ 112-16A(7)

TABLE 1: SUMMARY OF BUILDING AND AREA REQUIREMENTS

Building or Area Requirement	Regulation	Reference Standard in § 112-16
<b>Front Yard Building Setback</b>	0 to 10 feet on Main Street; 11-20 feet with approved public open space on Main Street; 0-20 feet on other streets; 21-30 feet with approved public open space on other streets.	B(2)(c), B(2)(d), B(2)(e)
<b>Side Yard Building Setback</b>	0 to 20 feet combined width without driveways; 40 feet maximum with sideyard driveway.	B(2)(h), B(2)(i)
<b>Rear Yard Building Setback</b>	30 feet minimum where lot abuts district boundary; minimum; additional 5-foot setback for each additional 10 feet of building height above 30 feet.	B(2)(j), F(2)(i)
<b>Parking/Driveway Setback</b>	5 feet minimum sideyards; 5 feet minimum rear yards; 10 feet minimum from right-of-way in sideyards	D(2)(a)-(b)
<b>Off-Street Parking Requirement</b>	1.5 spaces per 1,000 square feet of leasable area; 1.5 spaces per residential unit; round up to nearest whole number.	D(4)(i) -(j)
<b>Building Height</b>	Minimum two usable stories; 15-foot minimum height for 1st floor, 50 feet maximum; 30 feet maximum at rear setback when abutting district boundary.	F(2)(f)-(j), B(2)(j)
<b>Building Coverage</b>	Maximum 15,000 gross square feet per story; 100 percent lot coverage permitted, unless lots abuts district boundary.	F(2)(c), B(2)(c)-(e)
<b>Building Transparency</b>	70 percent minimum between 3 feet and 10 feet above grade for first floors.	F(3)(c)

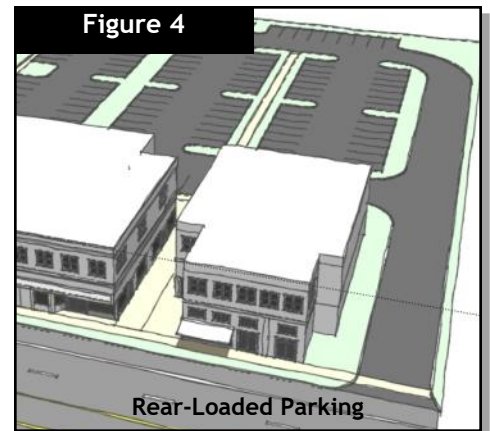
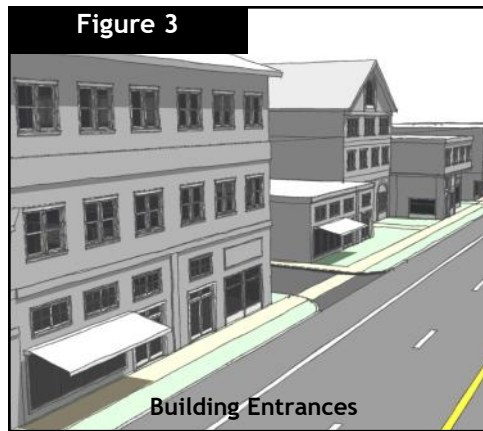
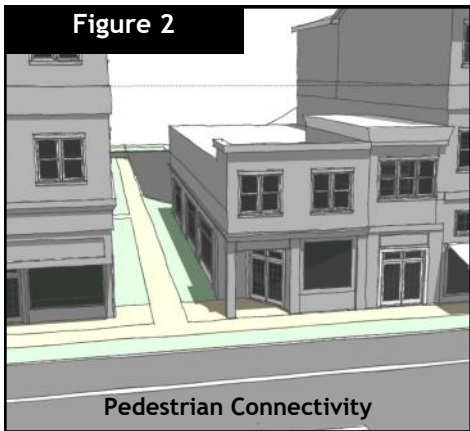
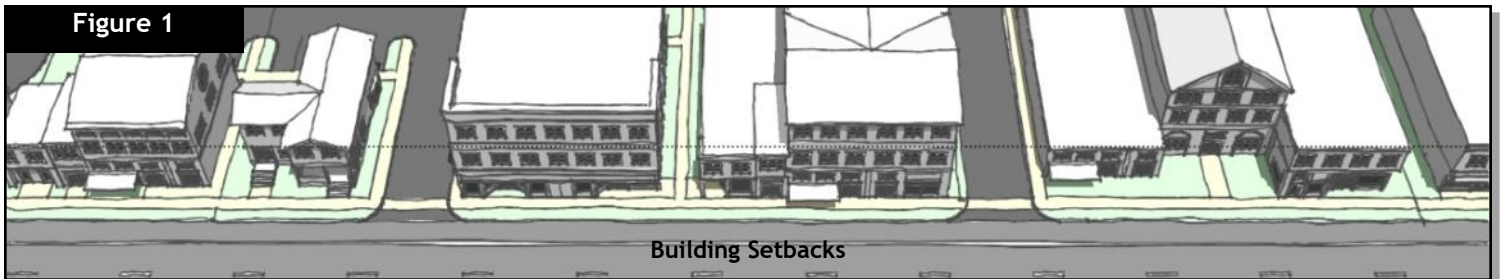
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# § 112-16B

## SITE PLANNING AND DESIGN

### § 112-16B(1) OVERVIEW

**SITE PLANNING STANDARDS PRIMARILY ADDRESS** the organization of a project's components, such as building orientation, setbacks, circulation and the relationship of site elements (Figures 1-4). The location of buildings and site features and the organization of circulation patterns for vehicles and pedestrians are critical to the design and provision of a pedestrian-friendly atmosphere that is visually appealing, safe and convenient for all users. High quality site design along the Main Street corridor places structures close to the street line and parking areas to the rear, with a focus on creating a sense of place and an environment that fosters strong interaction between pedestrians, buildings and the street.

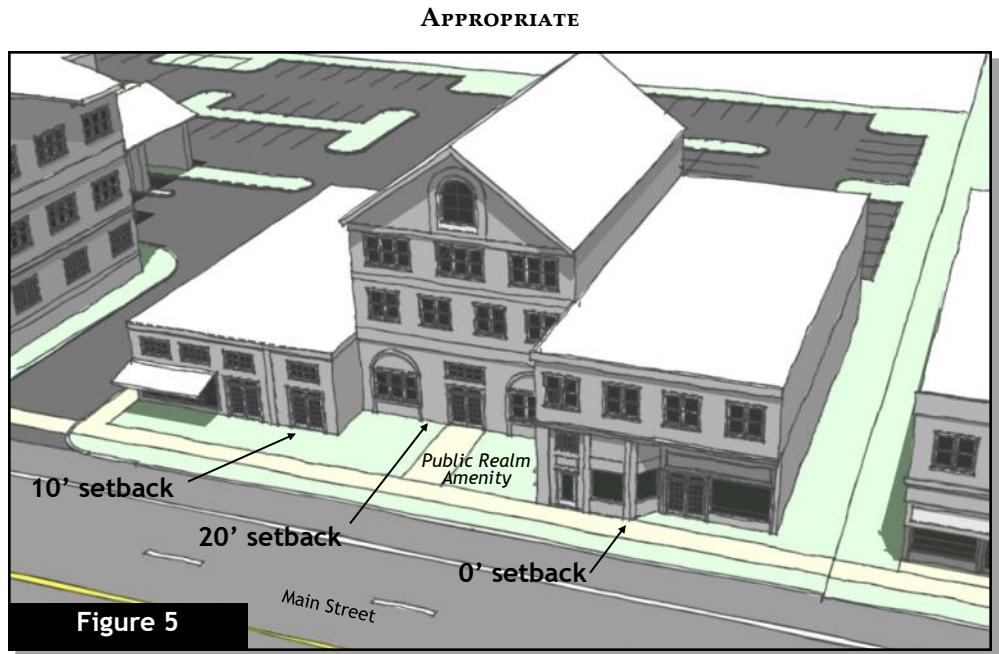


*Site planning and design standards provide guidance on several topics related to the placement and orientation of buildings, entrances, parking, pedestrian connectivity and circulation patterns. When appropriately combined, these elements foster a vibrant and pedestrian-friendly environment, as reflected in Figures 1-4.*

**§ 112-16B(2)**  
**BUILDING ORIENTATION**  
**AND SETBACK**

BUILDINGS SHOULD PRESERVE THE STREETWALL AND DEFINE BOUNDARIES OF PUBLIC, SEMI-PUBLIC, AND PRIVATE SPACE.

- (a) Buildings located on a primary street shall be oriented such that the façade facing the street be substantially parallel to said streets.
- (b) At least 75 percent of a building’s primary façades, measured in linear feet of distance parallel to the right-of-way, shall meet the required setback distance as described below.
- (c) Buildings on Main Street shall have a front setback within a range of 0 feet and 10 feet from the right-of-way line. The Planning/Architectural Review Board may allow an additional 10-foot setback to permit the construction of dedicated public realm amenities or the construction of building overhangs (Figure 5).
- (d) In no instance shall the front plane of any principal structure on Main Street, not including overhangs, be greater than 20 feet from the right of way line.
- (e) Buildings on streets other than Main Street shall have a maximum setback of 20 feet from the right of way line, or the average setback of existing principal structures on adjacent parcels within 200 feet, whichever is lesser. The Planning/Architectural Review Board may allow an additional 10-foot setback to permit the construction of dedicated public realm amenities or the construction of building overhangs.
- (f) Buildings fronting on two or more streets shall be determined to have an equal number of primary façades unless said street is classified as an alleyway (Figure 6).
- (g) Buildings on corner lots shall be setback from each street the minimum distance practical to afford adequate sight distances for motorists and pedestrians as determined by NYS DOT highway standards.
- (h) Side yards with parking and driveways shall not be more than 40 feet of total width. See Section D(2)(b) and Figure 7.
- (i) Lots without driveways shall have a maximum side setback of 20 feet of combined width for both side yards (See Figure 7). Side yard setbacks are encouraged to be zero feet where permitted by NYS Building Code.



*As depicted in Figure 5, front yard setback distances may vary between 0 feet and 10 feet, which may be extended at the discretion of the Planning/Architectural Review Board to a maximum of 20 feet where outdoor dining or other pedestrian-focused amenities are to be located.*

**§ 112-16B(2)**  
**BUILDING ORIENTATION**  
**AND SETBACK, CONTIN-**

- (j) No principal building shall be placed within 30 feet of any residential district boundary (See § 112-16F(2)(i) & F(2)(j)).
- (k) Accessory structures shall not be greater than 18 feet in height and shall be set back from any property line abutting a residential district boundary a distance at least equal to the height of the structure.

APPROPRIATE



Figure 6

*This corner building has a high quality façade displayed on both streets, adding prominence to the structure and its location within the community.*

APPROPRIATE

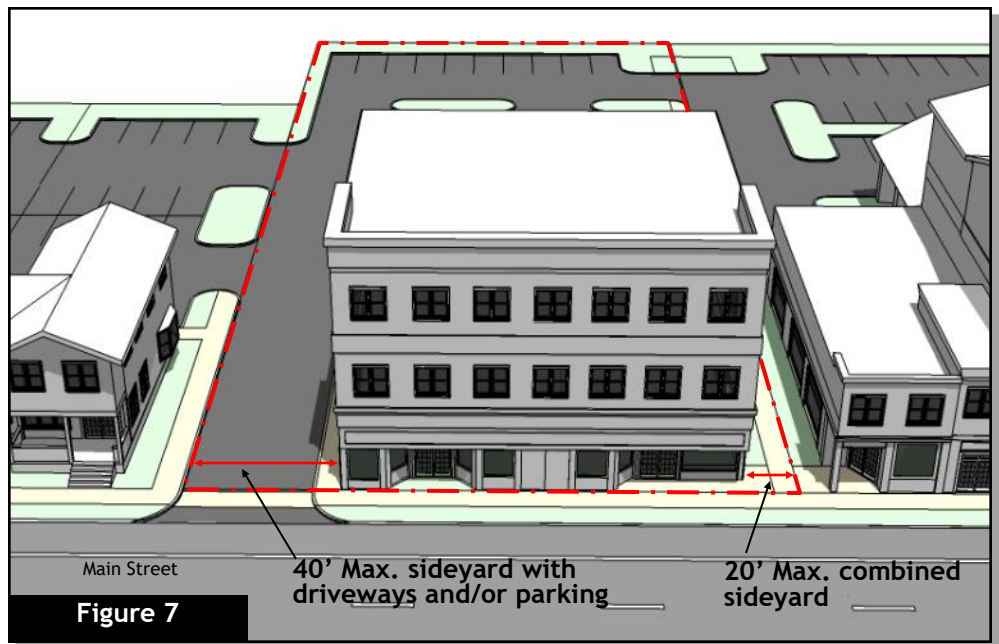


Figure 7

*The reduction of sideyard distances is critical to establishing a strong streetscape rhythm and streetwall, which enhances the overall visitor experience and improves density and vitality.*

**§ 112-16B(3)**  
**LOTS WITH MULTIPLE BUILDINGS**

---

LARGE DEVELOPMENT PROJECTS COMPRISED OF MULTIPLE STRUCTURES SHALL CREATE A UNIQUE SENSE OF PLACE WITHIN THE MAIN STREET CORRIDOR.

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- (a) Lots with multiple buildings shall include pedestrian connections between adjacent uses, structures and parking areas (Figure 8).
- (b) Multiple buildings shall create a well organized, accessible and functional site. The Site layouts should create a unique sense of place without large parking lots devoid of landscaping or pedestrian accommodations (Figure 9).
- (c) Common or shared parking facilities and access for projects with multiple buildings shall be required to the extent practical or feasible, as determined by the Planning/ Architectural Review Board, to decrease the amount of impervious surface, increase open space and reduce curb cuts onto Main Street.

APPROPRIATE

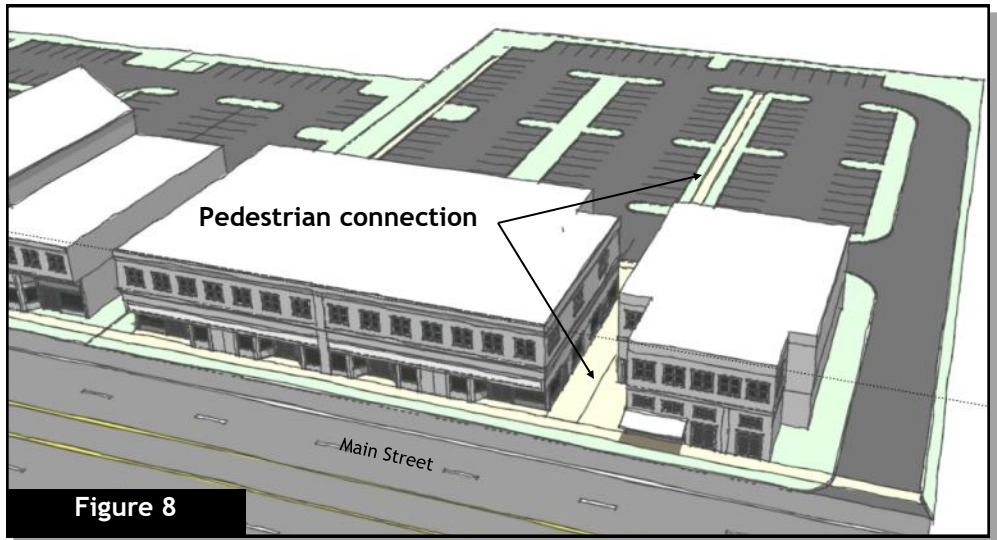


Figure 8 depicts a single, large property on which two structures are built, each sharing a parking area in the rear. This concept also provides a common pedestrian network and plaza space that connects each building entry with the common parking lot and the street.

APPROPRIATE

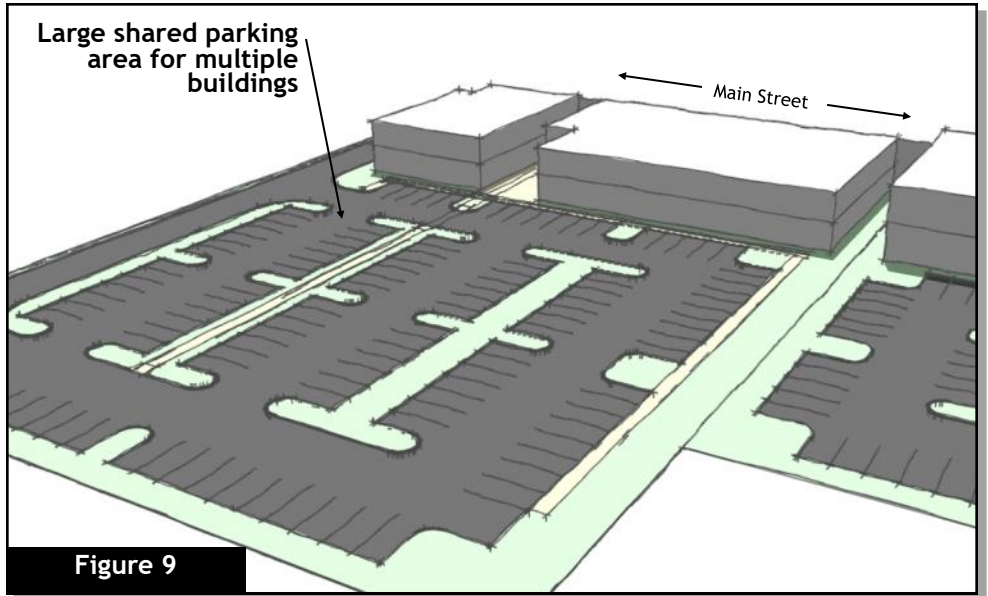


Figure 9 details a rear view of the shared parking complex as part of a larger development project with multiple buildings. The arrangement of the parking area and landscaping elements are covered in Sections D and E, respectively.



**§ 112-16B(4)  
BUILDING ENTRY**

BUILDINGS SHALL BE ACCESSIBLE FROM MAIN STREET.

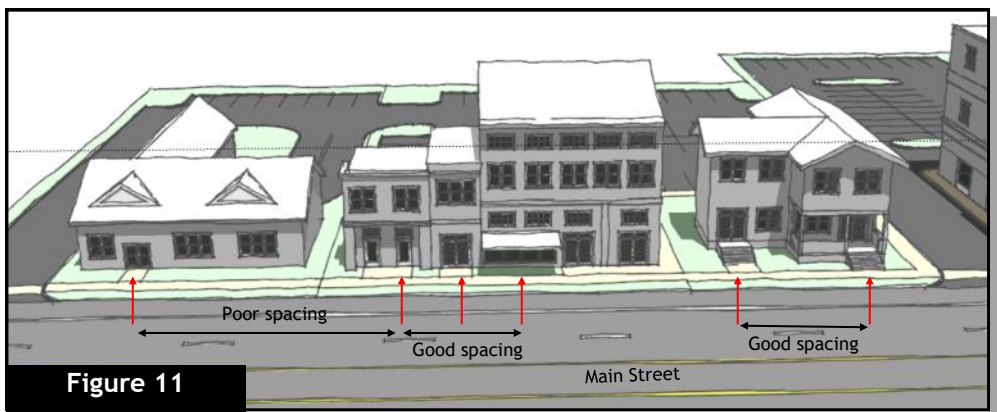
- (a) For buildings with frontage on Main Street, a primary entrance shall face Main Street (see Figures 10 & 11). A side or rear entry shall also be permitted depending on the site layout.
- (b) The placement of building entrances shall be of a similar rhythm and spacing to existing structures on the same street (see Figure 11).
- (c) Buildings fronting on streets other than Main Street shall have a primary entrance located facing such street.
- (d) Buildings fronting on Main Street and an intersecting street shall have a primary entry on Main Street or at the corner facing the intersecting streets.
- (e) Primary entries shall receive design considerations, details, and treatments consistent with primary facades, and shall meet the standards set forth in § 112-16G(5).

- (f) Primary entrances shall be prominently designed and constructed to provide visual cues to pedestrians independent of site or building signage (see Figure 10 and § 112-16G(5)).

**APPROPRIATE**



Figure 10 depicts a primary entrance along the primary street that is well-defined and provides a clear visual cue to pedestrians on where to enter the structure.



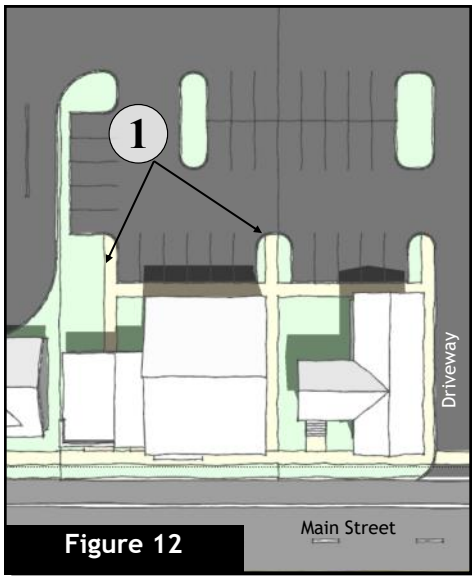
The placement of entrances along the primary street (red arrows) are important to the development of streetscape rhythm, and provide a sense of scale and comfort to pedestrians as they traverse the corridor.

**§ 112-16B(5)  
SIDEWALKS**

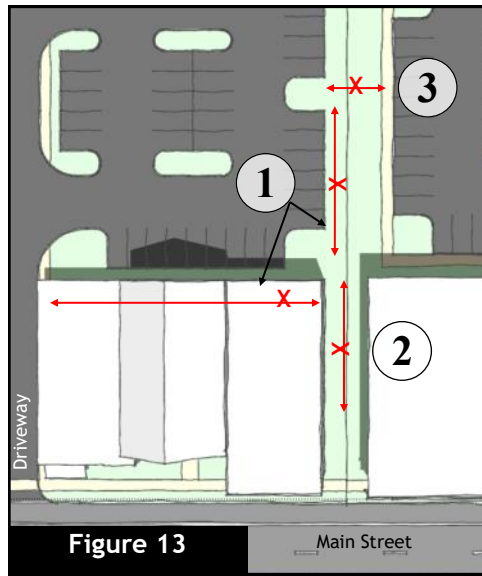
SIDEWALKS SHALL PROVIDE SAFE PEDESTRIAN MOVEMENT ALONG BUILDINGS AND WITHIN PARKING AREAS.

- (a) Sidewalks shall have a minimum width of 5 feet, 6 feet for communicating sidewalks, or wider at the discretion of the Planning Board.
- (b) Sidewalks shall be constructed to provide access from all principal building entrances to the sidewalk system and parking areas (Figures 12 & 13).

**APPROPRIATE**



**INAPPROPRIATE**



**§ 112-16B(6)  
PEDESTRIAN AND VEHICULAR CIRCULATION**

PEDESTRIANS AND MOTORISTS SHALL BE AFFORDED SAFE, CONVENIENT AND EFFICIENT CIRCULATION.

- (a) Pedestrian and vehicular circulation patterns shall be designed to minimize potential conflicts between vehicles and pedestrians and to provide enhanced separation.
- (b) Safe, convenient and efficient pedestrian circulation patterns shall be provided between structures in a multiple structure development (see § 112-16B(3) and Figure 14).
- (c) Parking and vehicle circulation patterns shall be designed to reduce speeds and increase pedestrian safety, efficiency and convenience.

**APPROPRIATE**



*Sidewalks are critical infrastructure required to establish a sense of place and a pedestrian-friendly environment. Sidewalk connections between and alongside buildings (1) are required to make rear-loaded parking feasible.*

*This example depicts: (1) a lack of sidewalks from parking stalls to a primary entry; (2) a missed opportunity for a pedestrian connection to the street; and (3) a lack of connectivity between adjacent parking lots.*

*Pedestrian zones and vehicular circulation patterns should be distinctly separated for safety.*

**§ 112-16B(7)**  
**DRIVE-IN SERVICE**  
**FACILITIES**

- (a) The operation of a Drive-In Service Facility on any portion of a property is prohibited.
- (b) A Drive-In Service Facility existing and operating at the time of the enactment of this amendment may continue to operate as a nonconforming use subject to Section 112-10 of this Chapter and Chapter 73-3H.

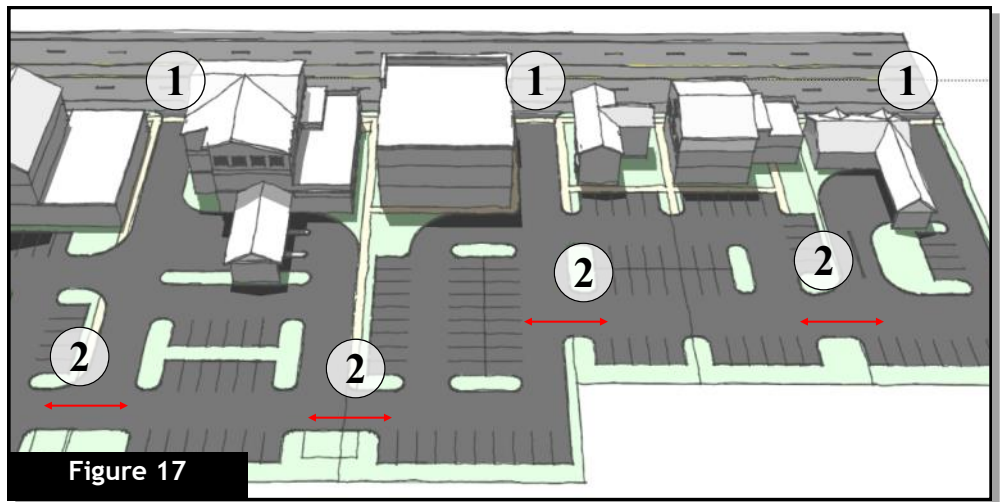
**§ 112-16B(8)  
DRIVEWAYS AND ACCESS**

THE USE OF SHARED DRIVES AND CROSS ACCESS IMPROVES CORRIDOR VITALITY, MOBILITY, AND SAFETY.

- (a) Shared entrances and exits shall be provided where determined appropriate and feasible by the Planning/ Architectural Review Board .
- (b) Absent a showing by the applicant of impracticality, the provision for cross access among adjacent properties shall be required to internalize traffic and reduce turning movements directly onto Main Street (Figures 17 & 18).
- (c) New construction or improvements shall plan for, accommodate, and/or reserve land for future connections with adjacent properties to facilitate cross access.
- (d) Driveways outside the public right-of-way shall be no more than 24 feet in width.
- (e) A designated 5-foot wide curbed sidewalk shall be provided between the edge of entry drives and the principal building.

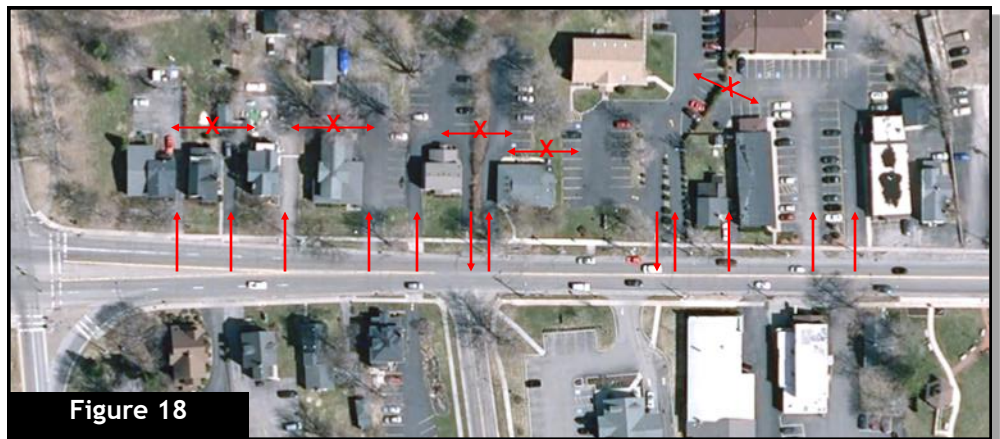
(f) Driveways shall be set back from the side lot line a distance of 5 feet, and from principal buildings a distance of no less than 5 feet, or as required for safe sight distances. Shared drives are not required to provide the 5-foot side yard setback.

**APPROPRIATE**



*The provision of shared entrances (1) rather than individual drives reduces the number of turning movements onto busy corridors, and can enhance internal circulation, especially when used in tandem with cross access between adjacent rear parking lots (2).*

**INAPPROPRIATE**



*The arrows highlight the issues associated with individual access points and a lack of cross access between properties along primary roadways such as Main Street in Williamsville. The numerous turning movements reduces transportation safety, while the constant break in the street line hinders the rhythm of the streetscape and degrades the pedestrian experience.*

# § 112-16C

## SITE INFRASTRUCTURE AND FACILITIES

### § 112-16C(1) OVERVIEW

**THE DESIGN AND LOCATION OF SITE INFRASTRUCTURE AND FACILITIES** should be complementary to and appropriate for the principal structure. Where feasible, utilities should be located in side or rear yards, buried underground, and/or screened from view. Those infrastructure elements which cannot be obscured from view should be designed as an integral and aesthetically pleasing feature of the landscape or building (Figures 19 & 20). The intent of these standards is to minimize visual, noise, and other associated negative impacts of site infrastructure and facilities.

For the purpose of §112-16, site infrastructure and facilities shall include, but is not necessarily limited to the following:

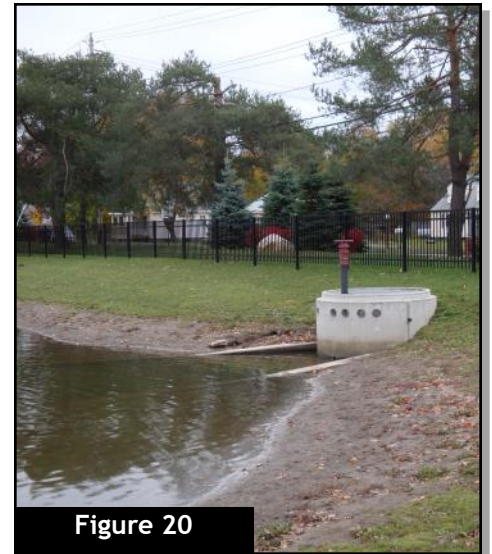
- Loading and staging areas;
- Service and maintenance areas;
- Refuse and material storage;
- Vehicle and equipment storage (except parking);
- Storm water facilities and appurtenances; and
- Above-ground utilities.

**APPROPRIATE**



*Efforts should be made to integrate storm water management into the numerous small greenspaces within the urban environment adjacent to driveways and parking lots, consistent with the most current New York State Stormwater Management Design Manual.*

**INAPPROPRIATE**



*The use of open water detention ponds are not appropriate stormwater management techniques for the urban environment of Williamsville's Mixed Use District.*

**§ 112-16C(2)  
LOADING, SERVICE,  
MAINTENANCE AND  
REFUSE FACILITIES**

VIEWS OF UTILITY, LOADING AND REFUSE AREAS SHALL BE OBSCURED FROM ADJACENT AREAS.

**APPROPRIATE**



**Figure 21**

*Figure 21 depicts a loading and refuse area positioned at the rear of the building, just out of view of primary pedestrian and circulation routes.*

(a) Loading docks, bays, and staging and service areas shall be located to the rear of the structure. Side loading areas may be approved at the discretion of the Planning/ Architectural Review Board with approved screening (Figures 21 & 22).

(b) When the rear of a structure abuts a street or residential zone, loading areas shall receive appropriate screening in accordance with 112-16E(5).

(c) Vehicle maintenance and service bays shall not be located facing a street and shall be screened from view.

(d) The staging, storage and parking of vehicles, equipment, or materials as part of a commercial enterprise such as, but not limited to, vehicle/equipment rentals, automotive repair and construction, shall not occur in front yards and shall be screened from view from all streets and surrounding properties.

**INAPPROPRIATE**



**Figure 22**

*Although this building is constructed to the street line, the loading dock (1) is facing the primary street, presenting visual disruption.*

(e) The storage and/or staging of refuse shall take place in the rear yard and shall be buffered or screened from view from parking facilities, adjacent properties and all streets.

(f) All refuse appurtenances, equipment and containers shall be located within a four-sided enclosure constructed of the same or complementary materials found in the principal structure. Such enclosure shall be constructed to a height not less than one foot above the height of all elements within the enclosure (Figure 23). See also § 39, § 73-3 and § 74 for further regulations regarding refuse.

**APPROPRIATE**



**Figure 23**

*The above detached refuse enclosure is placed at the rear of the building and is composed of like materials as found in the principal structure.*

(g) Gate access to the enclosure shall be located out of direct view from principal building entrances and adjacent residences. Gates shall remain in a closed position at all times other than during refuse pick-up or delivery.

**§ 112-16C(3)  
STORM WATER AND  
GREEN INFRASTRUCTURE  
FACILITIES**

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STORMWATER MANAGEMENT AND GREEN INFRASTRUCTURE FACILITIES SHALL ENHANCE THE AESTHETIC APPEAL OF THE MIXED USE DISTRICT.

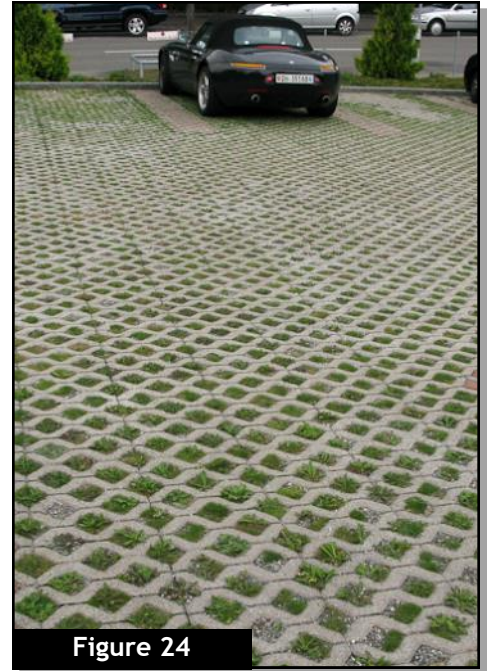
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In addition to all applicable requirements provided in § 112-28, the installation of any storm water management facility in the MU District shall be subject to the following:

- (a) Storm water detention or retention ponds are not permitted in front yards.
- (b) No storm water detention facility shall have a permanent pool, and the use of rip-rap and stone fill is not permitted.
- (c) Storm water management facilities shall be integrated into the overall site design.
- (d) The use of subterranean storage for storm water runoff is encouraged where practicable.
- (e) The provision of fencing around storm water facilities is prohibited, unless the Planning Board determines that such fencing provides a positive design element.

- (f) Where practicable, the use of green infrastructure design elements, such as, but not limited to, bioswales, rain gardens, bioretention areas, porous pavements, green roofs, and other measures which promote the infiltration, transpiration, and evaporation of storm water runoff shall be encouraged (Figures 24 & 25).
- (g) All storm water management facilities and green infrastructure facilities shall provide a pleasing aesthetic complementary to the character of the Main Street corridor.
- (h) All green infrastructure design elements, including plantings and pavements, shall be regularly maintained to promote their proper and intended function.

**APPROPRIATE**



*Porous pavements are encouraged to further facilitate infiltration and slow storm water runoff. These materials are especially useful along the periphery of parking areas and/or adjacent to bioretention areas (below).*

**APPROPRIATE**



*Where appropriate, bioretention areas and bioswales similar to the above may be used to promote the infiltration of storm water. These installations would be appropriate in parking lot medians or in linear strips along drive aisles or behind parking lots in lieu of large, unsightly retention facilities.*

**§ 112-16C(4)  
UTILITIES**

**APPROPRIATE**

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ABOVE GROUND UTILITIES SHOULD BE A POSITIVE ELEMENT WITHIN THE OVERALL DESIGN AESTHETIC.

---

- (a) Where feasible, utility service connections from rights-of-way or easements shall provide subterranean connections to site structures and appurtenances, including, but not limited to, principal structures, garages, storage buildings, and site lighting.
- (b) Above ground utility service connections, appurtenances and fuel pumps shall be located in side yards or rear yards and screened from view from the street as necessary (Figures 26 & 27). This includes, but is not limited to, generators, transformers, vaults, 'hot-boxes,' switch-gear, meters, valves, compressors, pumps, control or service panels, or any heating, ventilation and cooling equipment. See also § 112-16(E)(5).



**Figure 26**

*When required to be placed within view of the public, ground-mounted utility boxes should be screened or designed as an integral element within the site.*

**INAPPROPRIATE**



**Figure 27**

*Ground-mounted utility boxes such as that depicted in Figure 27 shall be placed in rear or side yards with appropriate screening.*



# § 112-16D

## PARKING

### § 112-16D(1) OVERVIEW & APPLICABILITY

**PARKING AREAS SHOULD BE INTEGRATED DESIGN COMPONENTS** that do not detract from the character of Main Street. Parking areas shall be located to the rear of structures and away from the street, except where the placement in side yards may be determined acceptable by the Planning Board due to site constraints. § 112-16D (2) through D(5) are intended to minimize visual, environmental, noise, safety and other associated impacts of parking facilities by regulating their placement, design, and buffering (see Figures 28, 29 & 30). These standards apply to any parking lot and associated driveways that are (i) newly constructed; (ii) expanded; (iii) substantially modified; or (iv) or substantially reconstructed. For purposes of this section, substantial modification shall mean any change in the number or configuration of parking spaces, traffic flow patterns, or manner of ingress or egress. Substantial reconstruction shall mean the removal and replacement of more than 25 percent of the existing paved surface.

**APPROPRIATE**

**INAPPROPRIATE**

**INAPPROPRIATE**



**Figure 28**

**Figure 29**

**Figure 30**

*Parking lots located in the rear of buildings connected to the primary street via dedicated walkways improve the vitality of the streetscape and preserve the appearance of the corridor.*

*Vehicular parking in front yards detracts from the overall character of the streetscape and the pedestrian experience.*

*Large, front-loaded parking lots and buildings with deep setbacks foster a development pattern out of scale with the Village.*

**§ 112-16D(2)  
PARKING LOCATION**

PARKING AREAS SHALL BE LOCATED OUTSIDE OF FRONT YARDS.

(a) Vehicular parking, standing, loading and drop-off facilities shall be located in rear yards whenever possible and not less than 5 feet from the rear property boundary or 5 feet from a side property boundary (Figures 31 & 32). Existing parking lots located in the front of a building may not be expanded.

(b) Upon demonstration of significant site limitations by the applicant, the Planning/ Architectural Review Board may allow side yard parking behind a line extending from the primary building façade parallel to the street. In no instance shall side yard parking lots be less than 10 feet from a street right-of-way or 5 feet from a side lot line (Figure 33).

(c) For corner lots, side yard parking shall be allowed subject to all other applicable regulations governing side yard parking. For corner lots fronting on Main Street, side yard parking must be located on the side yard fronting the street intersecting Main Street.

**APPROPRIATE**



**Figure 31**  
*Vehicular parking lots shall be placed in the rear of the structure. In limited instances, side yard parking will also be permitted subject to conditions and approval as determined by the Planning Board [D(2)(b)].*

**INAPPROPRIATE**



**Figure 32**  
*Front loaded parking is not permitted for structures along Main Street. Projects with multiple structures, some of which may be located in the rear of the lot, may have front loaded parking on those rear-lot structures only.*

**§ 112-16D(2)  
PARKING LOCATION,  
CONTINUED**

- (d) Side yard parking shall require the installation of appropriate screening between the parking lot and street, as determined by the Planning Board (Figures 33 & 34).
- (e) Parking lot screens shall be composed of a structural screen and vegetation. Screen materials shall be similar or complementary to those found on the primary building (Figures 33 & 34, § 112-16E(5)).
- (f) For lots with side yard parking, the linear distance of parking at the front lot line of shall not exceed 30 percent of the total lot width (Figure 33).
- (g) For sites proposed with multiple structures, parking shall be centralized and shared in parking rooms of no more than 50 cars (see Figure 35).

APPROPRIATE

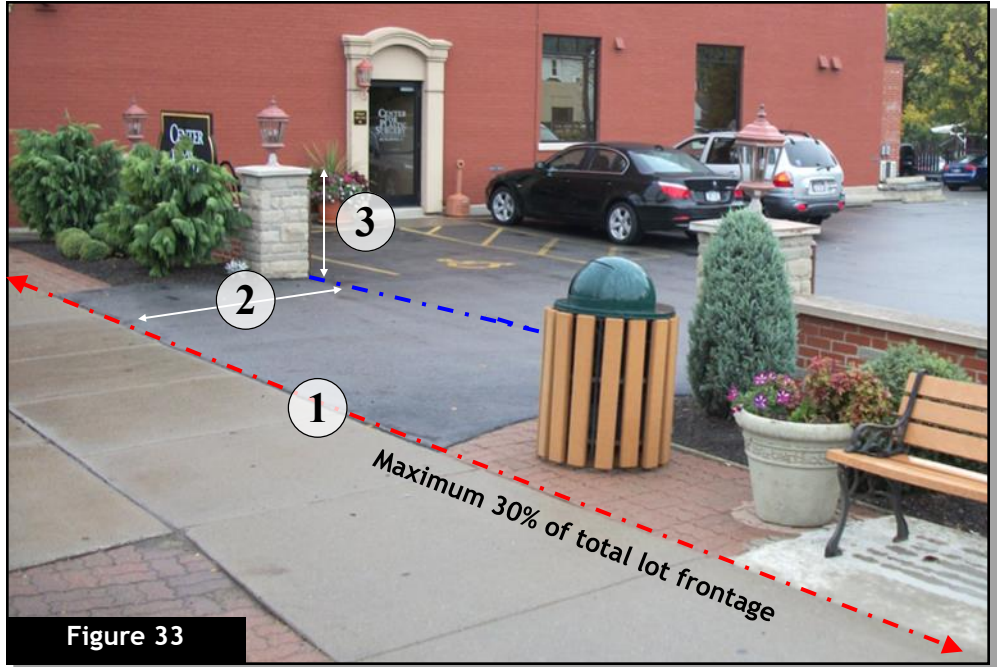


Figure 33

*When sideyard parking is permitted, parking shall not constitute more than 30 percent of the total lot frontage (1). The minimum front yard setback distance for sideyard parking is 10 feet, and the parking shall be setback further than the leading edge of the building (2). A screen composed of fencing/wall and vegetation must also be installed between the parking lot and public right-of-way (3).*

APPROPRIATE



Figure 34

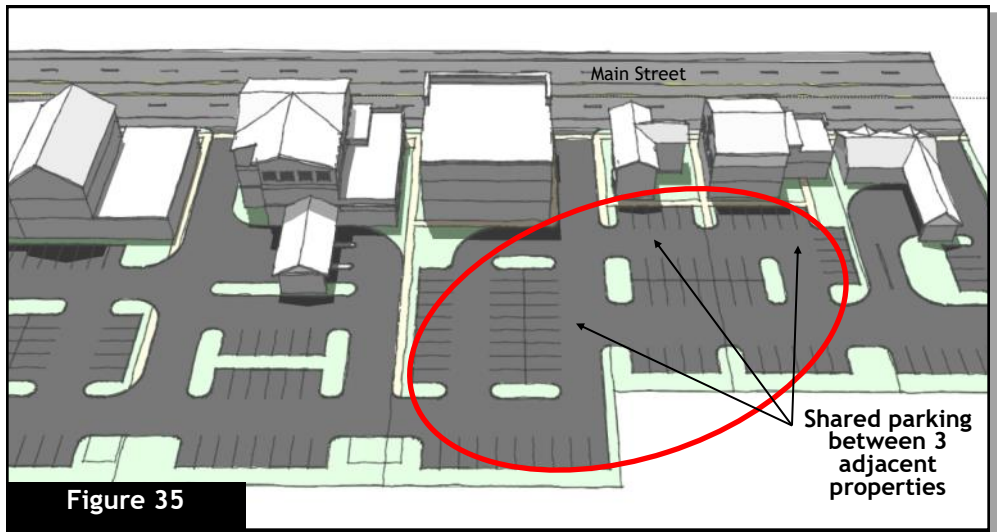
*Side yard parking screens shall include a formalized structure that matches the character and materials of the primary building, along with vegetation to buffer the negative visual impacts of parked cars on the Main Street corridor.*

**§ 112-16D(3)  
SHARED PARKING**

IMPERVIOUS AREAS SHALL BE MINIMIZED THROUGH THE USE OF SHARED PARKING.

- (a) Where feasible, the provision for shared access and parking among adjacent properties along Main Street shall be required to internalize traffic circulation and reduce turning movements onto the corridor (Figures 35 & 36).
- (b) Applicants are encouraged to investigate common or shared parking opportunities between adjacent businesses with differing peak hours.
- (c) All parking included under a shared parking agreement shall count towards the numerical requirements for off-street parking as specified in § 112-16D(4)(i) and (j).

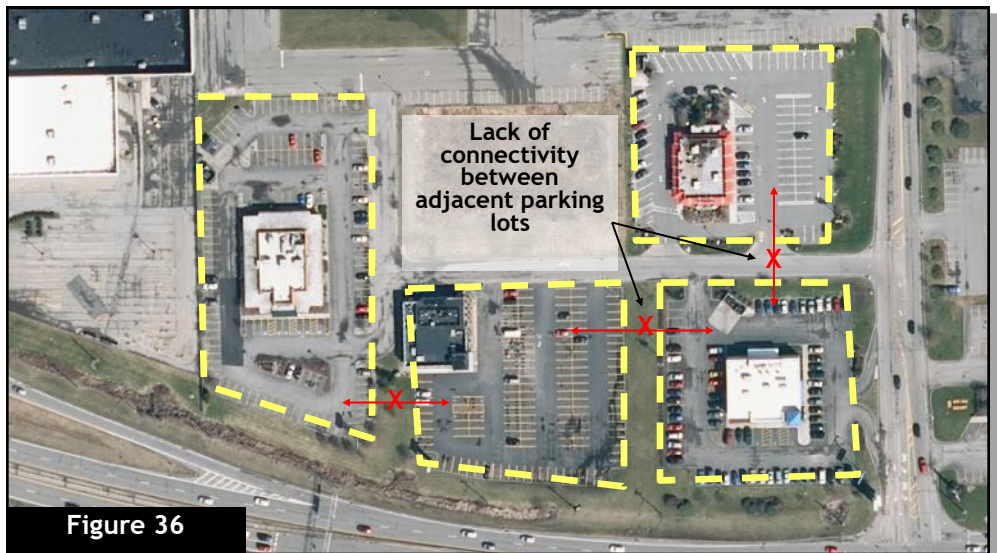
**APPROPRIATE**



**Figure 35**

*A primary characteristic of mixed-use corridors is a staggered peak demand for parking spaces. Where the proper mixture and diversity of tenant and land uses permits, shared parking should be explored to provide a more efficient and effective use of aggregated parking spaces along the corridor.*

**INAPPROPRIATE**



**Figure 36**

*The individual assignment and isolation of parking lots complicates internal circulation for both motorists and pedestrians. The sharing of parking facilities potentially reduces the amount of pavement and other infrastructure. The above development would have benefited significantly with a site layout that grouped the buildings close together to enhance the synergy and vitality of pedestrian and outdoor spaces while also sharing parking (See also §112-16B(8) and Figure 17).*

**§ 112-16D(3)**  
**SHARED PARKING,**  
**CONTINUED**

- (d) An applicant proposing to use a shared parking arrangement to satisfy off-street parking requirements shall submit a shared parking analysis as part of its application that demonstrates the feasibility of shared parking. The analysis shall address, at a minimum, the size and type of the proposed development, the anticipated use(s) of the property, the anticipated rate of parking turnover and the anticipated peak parking and traffic load, for all uses that will be sharing off-street parking spaces.
- (e) The Applicant shall furnish sufficient evidence of a viable and legally binding shared parking agreement on behalf of all involved facilities to the Planning/Architectural Review Board prior to approval of a shared parking program.
- (f) Applicants approved for the use of shared parking within combined parking lots shall not be required to provide the 5-foot side setback and buffer requirement along the shared property boundary as otherwise required pursuant to § 112-16D(2)(b).

## § 112-16D(4) MASSING AND ORIENTATION OF PARKING

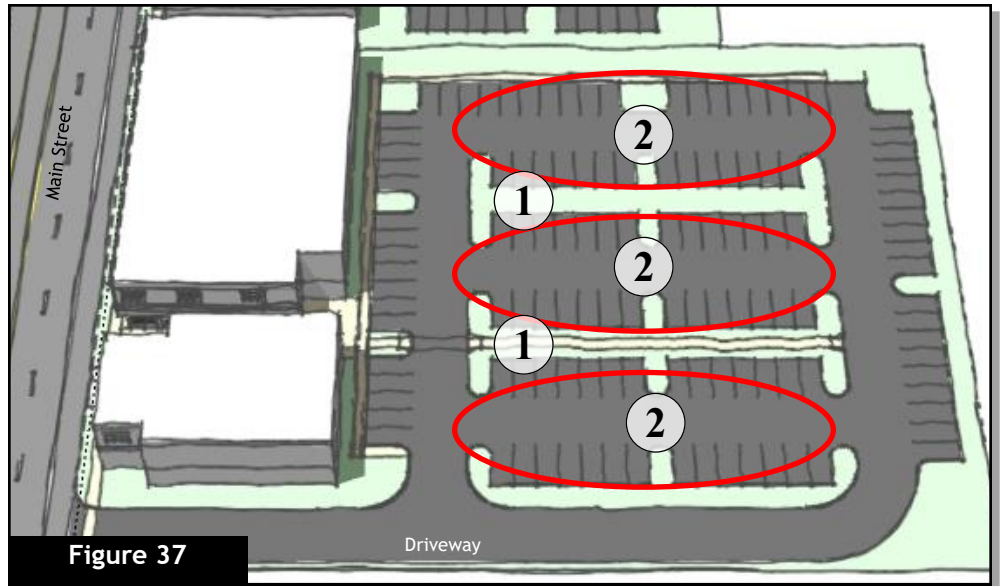
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PARKING AREAS SHALL BE VISUALLY  
APPEALING AND COMFORTABLE FOR  
PEDESTRIANS.

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- (a) Parking lots shall be arranged such that long uninterrupted views across large areas of parking are not visible from any street or adjacent properties. To achieve this, parking lots shall be designed in 'rooms' containing no more than 50 vehicles each (Figure 37).
- (b) Multiple rooms shall be broken up by vegetated medians 6 to 10 feet in width, and shall be planted to provide visual buffering between 'rooms' to a density and arrangement deemed appropriate by the Planning/Architectural Review Board.
- (c) Pedestrian walkways within the vegetative medians are encouraged (Figures 37 & 38 and § 112-16B(5)(d)).
- (d) Parking facilities shall be oriented such that drive aisles traverse perpendicular to the adjacent plane of the building.
- (e) Parking lots shall be designed and oriented to allow for cross lot access and internal access management to adjacent properties (see § 112-16B(8)(b), B(8)(c) and D(3)).

APPROPRIATE



**Figure 37**

*Parking lots shall utilize vegetated medians (1) to establish parking rooms (2) of not more than 50 cars [D(4)(a)]. The purpose of this standard is to create visual and physical breaks in larger parking areas. The concept above also places a sidewalk along the median strip to facilitate safe pedestrian access from parking areas to building entrances. These median areas can also be utilized for stormwater management and the bio-filtration of runoff.*

INAPPROPRIATE



**Figure 38**

*Parking lots without vegetation become a 'sea' of parking, with no visual interruptions or buffers to adjacent land uses. The pedestrian experience in these areas can also be confusing and uncomfortable.*

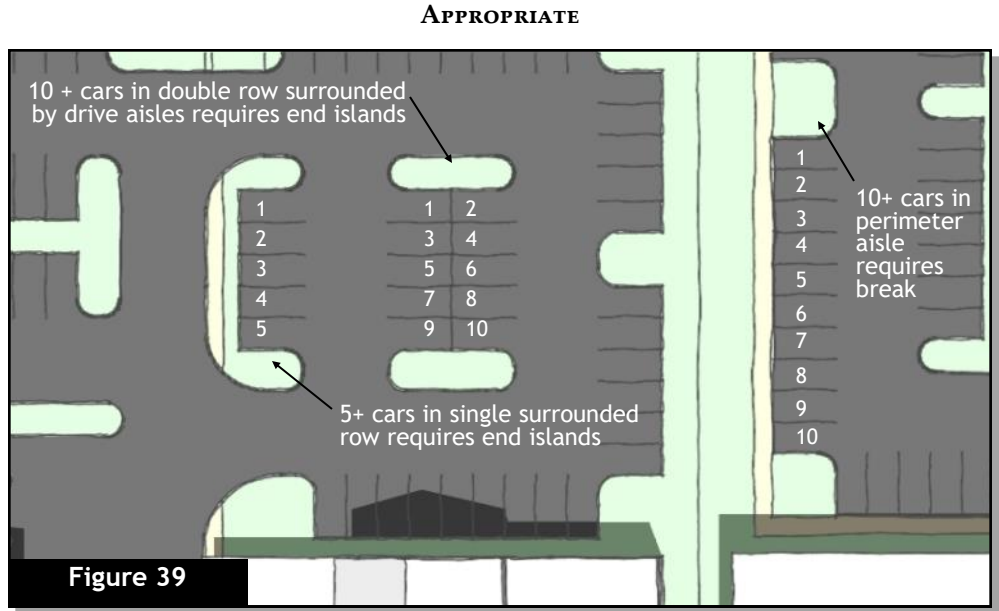
**§ 112-16D(4)  
MASSING AND  
ORIENTATION OF**

(f) Curbed end islands between 6 and 10 feet in width shall be required for all parking configurations entirely surrounded by drive aisles, provided such configurations contain more than 5 spaces in a single row and 10 spaces in a double row (Figure 39).

(g) Circulatory drive aisles, medians, and/or curbed end islands shall be installed such that no more than 10 parking stalls along the perimeter shall go uninterrupted (Figure 39).

(h) Upon the satisfactory presentation of significant site limitations by the Applicant, the Planning/Architectural Review Board may approve deviations from parking lot median and end island requirements.

(i) Off-street parking spaces shall be provided at a minimum of 1.5 spaces per 1,000 square feet for non-residential leasable area.



*The above figure illustrates Standards D(4)(f) and D(4)(g). For lots with insufficient width or depth, the Planning Board may approve deviations from these requirements upon a satisfactory presentation of site limitations.*

- (j) A minimum of 1.5 off-street parking spaces per dwelling unit shall be provided for residential uses rounded upwards to the nearest whole number.
- (k) Parking spaces shall be no smaller than 19 feet in length and 9 feet in width.
- (l) The design of parking garages shall be governed by § 112-16 A, E and F.

**§ 112-16D(5)  
OTHER PARKING  
CONSIDERATIONS**

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DESIGN CONSIDERATIONS SHOULD BE GIVEN FOR ENHANCED SAFETY AND SNOW REMOVAL WITHIN PARKING AREAS.

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- (a) Parking areas, pedestrian walks, landscaped islands and medians, and building foundations shall be bounded by concrete or stone curbing to delineate vehicular and pedestrian zones and to control drainage, as needed (Figure 40).
- (b) Asphalt curbing is not permitted.
- (c) Pedestrian and foundation areas shall be protected to prevent errant vehicles from injuring persons or property.
- (d) Adequate provisions shall be made within the project site to accommodate the removal and storage of snow. Applicants must provide a plan for the location and removal of snow during snowfall events (Figure 41).

APPROPRIATE

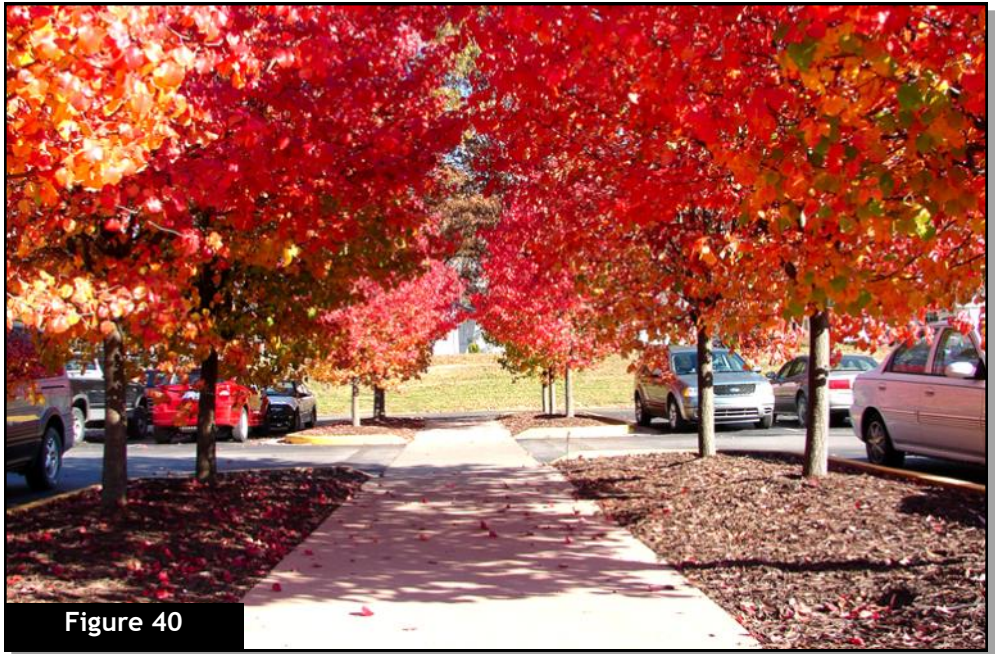


Figure 40

*Parking lot medians and islands dedicated for pedestrian movements shall provide adequate separation to ensure safe and efficient circulation.*

INAPPROPRIATE



Figure 41

*Parking lots shall not be overwhelmed by snow storage during the winter months.*



# § 112-16E

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## LANDSCAPING

### § 112-16E(1) OVERVIEW

**URBAN APPROPRIATE LANDSCAPING AND HARDSCAPING** should enhance and screen views along Main Street. The intent of § 112-16E is to maximize the visual, aesthetic, and pedestrian experience of Main Street corridor users through the use of appropriately scaled and designed landscaping (Figure 42). This section shall also cover the mitigation of visual impacts through the buffering or screening of utilitarian site and building design elements. In addition to § 112-16E of the Design Standards, Chapter 57 and Chapter 101 of the Williamsville Code shall also apply unless indicated otherwise. Standards E(1)(a) through (e) determine the overall amount of planting material to be provided for the landscaping, buffering and screening of individual sites, buildings, and parking areas in the MU District.

- (a) One planting unit equals 1 mature shade tree, 2 minor deciduous trees, 2 evergreen trees, 5 shrubs, 10 perennials, 250 square feet of groundcover or 15 linear feet of decorative planters.
- (b) A minimum of 1 planting unit shall be required for each (i) 30 linear feet, or fraction thereof, of lot frontage along a street; and (ii) for each 500 square feet, or fraction thereof, of building coverage.
- (c) At the discretion of the Planning/Architectural Review Board, the retention of existing vegetation on site may be utilized to satisfy up to 50 percent of required planting units.
- (d) Each existing mature shade tree with a trunk diameter of 6 inches or greater when measured at breast height (dbh) may satisfy the requirement for up to 2 planting units. Other existing trees on site with a trunk diameter between 2 and 6 inches dbh may satisfy requirements for up to 1 planting unit each.
- (e) Existing vegetation must be adequately protected during and after construction, and must survive a minimum of 2 years beyond the completion of construction activities to qualify as required planting units.

**APPROPRIATE**



**Figure 42**

*The effective use of plant material helps define a sense of enclosure and volume in outdoor spaces. Plant material should not overpower the surrounding landscape or buildings, and should be of a similar scale and height to structures within the Main Street corridor at maturity.*

**§ 112-16E(2)  
SITE LANDSCAPING**

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URBAN APPROPRIATE LANDSCAPING AND  
HARDSCAPING SHALL ENHANCE AND SCREEN  
VIEWS ALONG MAIN STREET.

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- (a) Site landscaping shall be required along all property boundaries, except: (i) where side yards are less than 3 feet; (ii) where front yards are less than 6 feet; or (iii), where approved shared-parking lots adjoin abutting properties (See § 112-16E(4)(a) and (b)).
- (b) Plantings shall be limited to species native, hardy, salt-tolerant, known to be non-invasive to the area, and deer-resistant. Significant deviations from this criteria must be supported by ample evidence by the applicant.
- (c) Where a tree lawn is provided, major shade trees shall be planted along the lot frontage, parallel to the street with a spacing not to exceed 50 feet or consistent with existing tree spacing.
- (d) Consideration shall be given during species selection to the mature form, habit, and size of vegetation to ensure plantings do not create safety hazards within the corridor (Figure 44).
- (e) Properties with 80 percent or greater building coverage shall be excluded from providing site landscaping.

**APPROPRIATE**



**Figure 43**

*Figure 43 depicts appropriate frontage landscaping with appropriately scaled plantings, signage and lighting.*

**INAPPROPRIATE**



**Figure 44**

*Plantings that overwhelm the location due to size or habit look unkempt, contribute to a decrease in pedestrian safety and an increase in property maintenance costs. The plantings in Figure 44 are much too large for front yards in the Main Street corridor.*

### § 112-16E(3) PARKING LOT LANDSCAPING

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LANDSCAPING WITHIN PARKING AREAS SHALL IMPROVE THE QUALITY OF THE EXPERIENCE AND VIEWSHED BOTH INTERNAL AND EXTERNAL TO THE SITE.

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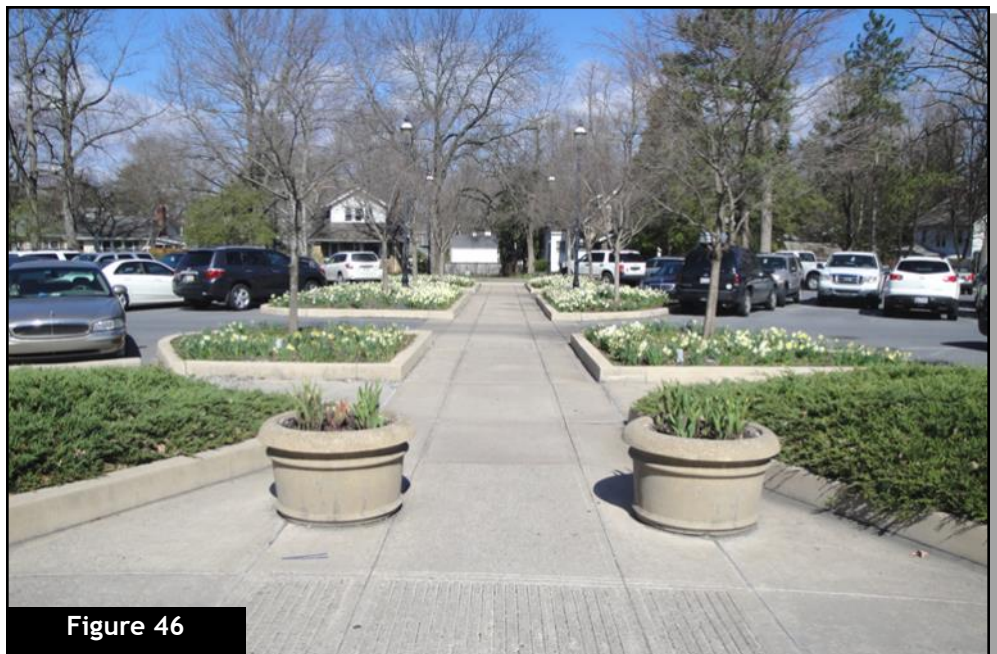
- (a) All parking lot medians, end islands and perimeters shall be attractively landscaped, and such landscaping shall count towards satisfying the planting unit requirements of § 112-16E (1).
- (b) Major and/or minor deciduous trees, the quantity of which is determined utilizing § 112-16E (1)(b), shall be utilized in all end islands, medians and parking lot perimeters to a density similar to that shown in Figures 45 and 46.
- (c) The Planning/Architectural Review Board may require additional major and/or minor tree plantings within parking areas beyond amounts determined in § 112-16E(1)(b) to ensure adequate landscaping is provided.

APPROPRIATE



*Parking lot islands and pedestrian medians shall be planted with sufficient landscape material and trees to provide an attractive design element that diminishes the negative impacts associated with parking areas.*

APPROPRIATE



*Landscaped medians and islands within parking areas should contain a variety of plantings, including trees, shrubs and grasses to provide adequate screening to adjacent land uses. Figure 46 depicts a well-landscaped pedestrian corridor linking a parking lot and primary entry.*

### § 112-16E(4) FOUNDATION LANDSCAPE TREATMENTS

FOUNDATION LANDSCAPE TREATMENTS PROVIDE A TRANSITION BETWEEN THE BUILDING AND SITE.

- (a) Front yards along Main Street with building setbacks of less than 6 feet shall be paved with hardscape materials to provide an extension of the sidewalk and pedestrian zone to the building façade. Such front yard treatments may be required of other properties along Main Street at the discretion of the Planning/ Architectural Review Board.
- (b) Durable containers and permanent landscape planters shall be used in front yards less than 6 feet in depth or in other instances where appropriate landscaping cannot otherwise be obtained given site constraints.
- (c) The design and material selection for containers and landscape planters shall be complementary to the architectural style of the principal building. The use of plastic planters is not permitted.
- (d) At the discretion of the Planning Board, plantings and mulches may be required to be installed along the foundation of the proposed structure in side or rear yards.

### § 112-16E(5) BUFFERS AND SCREENS

HIGH QUALITY AND SENSITIVE VIEWSHEDS SHALL BE PRESERVED THROUGH APPROPRIATE BUFFERING AND SCREENING.

- (a) Buffer plantings of coniferous/ deciduous trees and shrubs, with fencing where appropriate, shall be provided along property boundaries adjacent to properties zoned or exclusively use for residential purposes to a density and height deemed appropriate by the Planning Board (Figures 47 & 48).
- (b) Parking in side or rear yards (see § 112-16E(2)) shall be screened from streets or adjacent residential properties with attractive landscaping and fencing (see D(2)(d), D(2)(e)).
- (c) All side yard parking lots that abut the front yard setback shall be screened from streets or adjacent residential properties with attractive landscaping and fencing (see § 112-16D(2)(b), D(2)(d), D(2)(e) and Figure 48).
- (d) Existing parking lots along front yard setbacks shall be screened from streets or adjacent residential properties with landscaping and or attractive fencing (see Figure 47).
- (e) Fencing shall be consistent with primary building materials and no more than 4 feet in height (see Chapter 25).

- (f) The use of individual coniferous trees without associated shrub plantings is not an approved buffer strategy.
- (g) All shrub plantings shall be contained within a defined and edged planting bed with mulch no less than 3 inches in depth.

APPROPRIATE



Figure 47  
*The above structural screen utilizes masonry columns and fencing to provide a visual and physical buffer between a sidewalk and parking area.*

APPROPRIATE



Figure 48  
*Landscape screen vegetation should not be taller than the structure screen, and should provide added interest and visual buffering.*

# § 112-16F

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## ARCHITECTURAL CONSISTENCY

### § 112-16F(1) OVERVIEW

**THESE DESIGN STANDARDS SEEK TO PRESERVE AND ENHANCE** the architectural character of Main Street, and ensure that development is consistent with the surrounding landscape of the Village. New construction, building additions, rehabilitations, renovations, and/or changes in use must complement the Village traditional architecture and improve the experience for pedestrians and motorists. The Village does not seek strict uniformity amongst structures, nor the precise re-creation of historic styles. However, sufficient care and attention must be provided to building design concerning proportion, massing, style consistency, solid to void ratios, rhythm, pedestrian scale and detailing such that overall building composition is in harmony with itself, the site and its surroundings (see Figure 49).

§ 112-16F provides standards for the following:

- building form and massing;
- commercial character; and
- residential character.

Adherence to these standards will provide a comfortable, enjoyable, and aesthetically pleasing environment within the Main Street corridor. The use of familiar building forms, massing, architectural styles, and details is required to complement the Village's valued historic character.

#### APPROPRIATE



Figure 49

*The creation of a consistent streetwall is an important design element for pedestrian-friendly and comfortable environments. In addition, enhanced transparency on store frontages, and the repetitive rhythm of the entryways creates a vibrant and active streetscape.*

## § 112-16F(2) BUILDING FORM AND MASSING

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BUILDINGS MUST BE CONSISTENT IN FORM  
AND MASSING WITH ADJACENT HISTORIC  
MAIN STREET PARCELS.

---

- (a) New construction must relate to the proportion, massing, and scale of surrounding valued historic forms (Figure 50).
- (b) These standards do not require the precise re-creation of historic styles. Contemporary interpretations in correct proportion, character and style can be utilized to strengthen the identity of new buildings.
- (c) The maximum gross building area for each story of a single building shall be 15,000 square feet.
- (d) In instances where the front façade is greater than 50 feet in width, delineations and treatments, such as a recess or projection that varies the depth of the building wall, shall be used to break up its appearance (Figure 51).
- (e) Structures shall incorporate fascias, canopies, arcades, setbacks, recesses, projections or other design features to compose wall surfaces of 600 square feet or less to avoid large, undifferentiated walls (Figure 51).

**APPROPRIATE**



*This recently constructed public library relates to historical style, form, massing and materials, yet is not a precise re-creation of historic design. Its design is focused on providing an appropriate scale that reinforces the surrounding pedestrian realm.*

**APPROPRIATE**

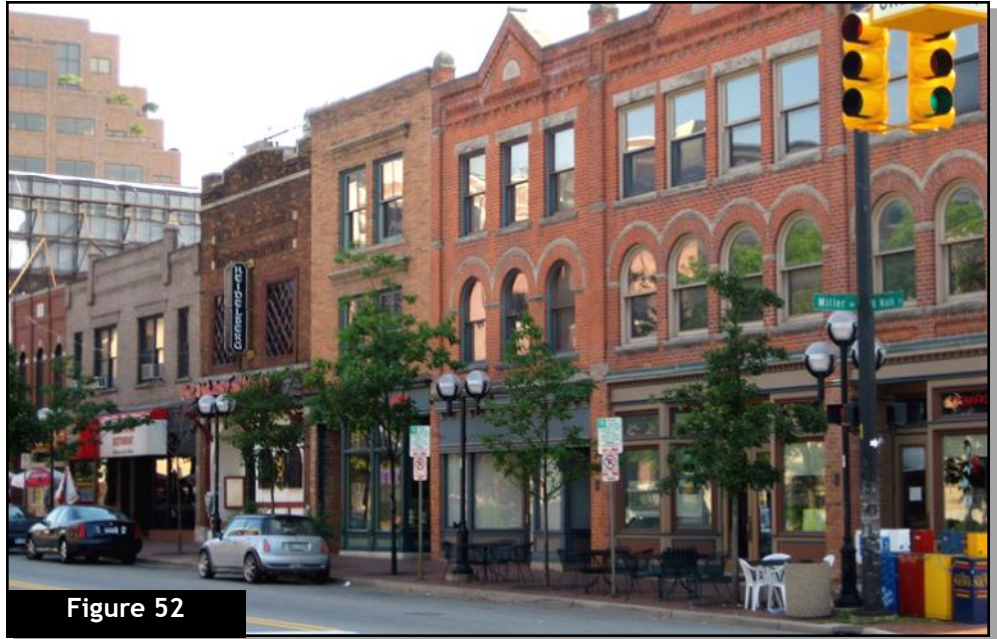


*Larger building footprints along Main Street shall break up the façade treatment to provide visual distinction, variety, and the appearance of multiple structures, as seen above in the above image.*

**§ 112-16F(2)  
BUILDING FORM AND  
MASSING, CONTINUED**

APPROPRIATE

- (f) New building construction, and additions fronting along Main Street or any intersecting street, shall be a minimum of 2 usable stories, with an overall maximum height of 50 feet (Figures 53 & 54). One story additions not fronting on Main Street or any intersecting street may be approved at the discretion of the Planning and Architectural Review Board if it finds that such addition is architecturally appropriate and consistent with the overall intent of these standards.
- (g) The height of building first floors shall not be less than 15 feet where § 112-16G(4)(h) does not apply (Figure 52).



The added height of the first floors for structures in Figure 48 provides continuity and adds a sense of prominence to the lower levels of the buildings.

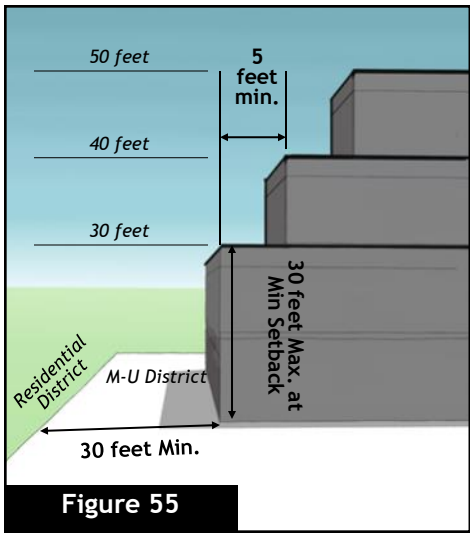
INAPPROPRIATE

INAPPROPRIATE



Figures 52 and 53 depict buildings that are inappropriate for the Main Street corridor. Although Figure 52 depicts a building at the streetline, the height and lack of window rhythm and detailing is unappealing. The structure in Figure 53 has many positive components, including a significant amount of transparency. However, its height and front yard parking are not desirable for Main Street.

**REAR LOT TRANSITION**



A building with a rear setback of 30 feet shall be no taller than 30 feet above grade at the minimum setback line.

- (h) The maximum building height at the minimum building rear yard setback abutting residential zones is 30 feet (See § 112-16B(2)(j) and Figure 55).
- (i) Buildings taller than 30 feet must include an additional setback from the minimum rear yard building setback, such that each 10-foot portion of the structure above 30 feet in height is stepped away from the rear property boundary by a minimum of 5 feet (Figure 55).
- (j) For buildings with multiple storefronts, there shall be a direct correlation between the delineations of interior tenant spaces and exterior façade treatments.

**§ 112-16F(3)  
COMMERCIAL BUILDING  
CHARACTER**

COMMERCIAL BUILDINGS MUST ALLOW FOR THE MIXING OF USES IN UPPER STORIES.

- (a) New construction, building renovations, and building additions shall complement the traditional architecture of Western New York State (Figures 56-59, 64-66).
- (b) Buildings shall have a solid to void ratio created by window openings and wall surfaces that is consistent with the valued historic forms found in the Village. A similar or complementary ratio shall be provided or maintained on existing structures upon renovations or changes in building use (Figures 56, 59, 62 & 63).
- (c) All new or renovated commercial buildings with frontage on public streets shall provide areas of transparent glazing equal to or greater than 70 percent of the wall area between the height of 3 feet and 10 feet from the ground (Figures 58, 63 & 65). Tinted glazings that reduce transparency of 1st floors shall not count towards the minimum transparency requirement (See also §112-16 G(3)). Low thermal emissivity coatings do not constitute tinting.

APPROPRIATE



Figure 56

*This recently renovated building complements its surroundings, provides historically relevant design cues, maintains an active storefront, and displays a prominent entrance [F(3)(a)].*

APPROPRIATE



Figure 57

*The new retail structure in the background draws design elements from the historic structure in the foreground. Where appropriate, new construction shall complement the traditional architecture found along Main Street [F(3)(a)].*

APPROPRIATE



Figure 58

*The contemporary development seen in the above figure provides a consistent solid to void ratio and street level transparency appropriate for Main Street in Williamsville [F(3)(b) and (c)].*

APPROPRIATE



Figure 59

*This new building borrows historic design elements and details, yet is not a strict recreation of an existing historic building. Structures such as this are appropriate in scale, massing and style for the Main Street corridor [F(3)(a)].*

- (d) Commercial buildings shall provide visual distinction between the 1st floor and upper floors through the use of appropriate architectural elements, details, materials and/or color (Figures 58, 59, 65 & 66).



§ 112-16F: ARCHITECTURAL CONSISTENCY

INAPPROPRIATE



Figure 60

APPROPRIATE



Figure 64

APPROPRIATE



Figure 65

INAPPROPRIATE



Figure 61

APPROPRIATE



Figure 66

INAPPROPRIATE



Figure 62

INAPPROPRIATE



Figure 63

Structures such as that found in Figures 60 and 61 do not relate to or complement the traditional architecture of Main Street [§ 112-16F(3)(a)].

Additions such as that depicted in Figure 62 do not relate to the existing building, and shall be avoided [F(3)(a)].

The elimination of windows (Figure 63) is not appropriate for the adaptive reuse of existing structures [F(3)(b)].

Figure 64 depicts an appropriate adaptive reuse of historic structures which retain the commercial storefronts and appropriate transparency along the primary façade [F(3)(b) & F(3)(c)].

Figure 65 depicts a subtle, yet effective, use of architectural details to provide visual distinction between the 1st floor and upper stories while maintaining transparency [F(3)(c) & F(3)(e)].

Figure 66 provides an appropriate example of new development that is in scale with its surroundings, successfully utilizes historic design cues from traditional architectural styles, and differentiates the 1st floor from upper stories [F(3)(a) & F(3)(d)].

**§ 112-16F(4)  
RESIDENTIAL BUILDING  
CHARACTER**

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RESIDENTIAL BUILDINGS SHALL HAVE A DISTINCT CHARACTER COMPARED TO THEIR COMMERCIAL COUNTERPARTS.

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- (a) The standards set forth in § 112-16F(3)(a) and (b) shall apply to residential use buildings (Figure 67).
- (b) Fire escapes shall be located on side and rear yards only.
- (c) The enclosure of existing front porches, other than through the use of transparent glazing, is not permitted. Window and door openings shall not be filled in such that the resulting façade lacks a consistent solid to void ratio.
- (d) New construction shall not create large, undifferentiated walls with few to no windows or door openings facing a street, drive or parking area (Figure 68).
- (e) Principal and shared pedestrian entrances for ground floor residential units shall face the primary street and have a direct connection to the sidewalk system (Figure 67).
- (f) Individual residential units with principal entrances at ground level shall have front porches or entryways that are covered, elevated above grade, or otherwise distinguished to provide visual separation from the street (see Figure 67).

**APPROPRIATE**



**Figure 67**

*Residential development, such as the example above, shall provide a visually distinct style from that found in adjacent commercial buildings. The placement of building entrances, fenestration and the use of materials shall complement surrounding development and the character of the corridor. Residential building entrances shall face the primary street and have a direct connection to the sidewalk system [§ 112-16F(4)(e)].*

**INAPPROPRIATE**



**Figure 65**

*The structure in Figure 68 does a poor job of addressing the street, and building entrances are not pronounced. This building does not evoke a residential appearance, and provides a stark building wall against the streetline [§ 112-16F(4)(d)]. The architectural style of this building is also not appropriate for Williamsville.*

# § 112-16G

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## ARCHITECTURAL DETAILS

### § 112-16G(1) OVERVIEW

**ARCHITECTURAL DETAILS SHALL COMPLEMENT AND ENHANCE** overall building composition, and shall be appropriate to the style and character of the building, the site, and the surroundings (Figure 69). A lack of architectural detail and ornamentation leaves the building devoid of interest (Figure 70); an over abundance of which creates a confusing and jumbled appearance. The use of details shall be kept consistent with buildings of a similar architectural style, yet should also be utilized to supply a unique identity for the structure. For example, window and door trim should call attention to and accentuate openings without dominating or confounding the building façade.

§ 112-16G provides standards for the following:

- Building base and foundations;
- Building glazing;
- Roofs, cornices and overhangs;
- Doors and entryways; and
- Building materials.

Applicants shall utilize the treatment of windows, entrances, awnings, storefronts and building bases to ensure the structure makes a prominent statement without overpowering the Main Street corridor.

APPROPRIATE



Figure 69

*Architectural details such as cornice lines, pilasters, and recessed windows finish a building façade and are extremely important in developing a sense of place and strengthening the identity of the Main Street corridor as a vibrant and active community center.*

INAPPROPRIATE



Figure 70

*A lack of architectural detail coupled with the improper utilization of building materials and design proportions can reduce the visual appeal and economic value of structures within the Main Street corridor.*

**§ 112-16G(2)  
BUILDING BASE AND  
FOUNDATIONS**

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THE BUILDING BASE SHALL VISUALLY HIGHLIGHT THE CONNECTION BETWEEN THE STRUCTURE AND THE SITE.

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- (a) A formal building base shall be distinguished from the upper portions of the structure through a change of materials, color, texture and/or projection (Figures 71, 72 & 73).
- (b) The base treatment shall be continuous along facades facing streets and parking areas (Figure 71).
- (c) The building base shall be included on all primary facades, and shall complement the architectural style and window and door fenestrations.
- (d) Foundations of masonry block or poured concrete shall not be left exposed, and shall be adorned with appropriate finishing materials in character with the structure base and vernacular to the region.

APPROPRIATE

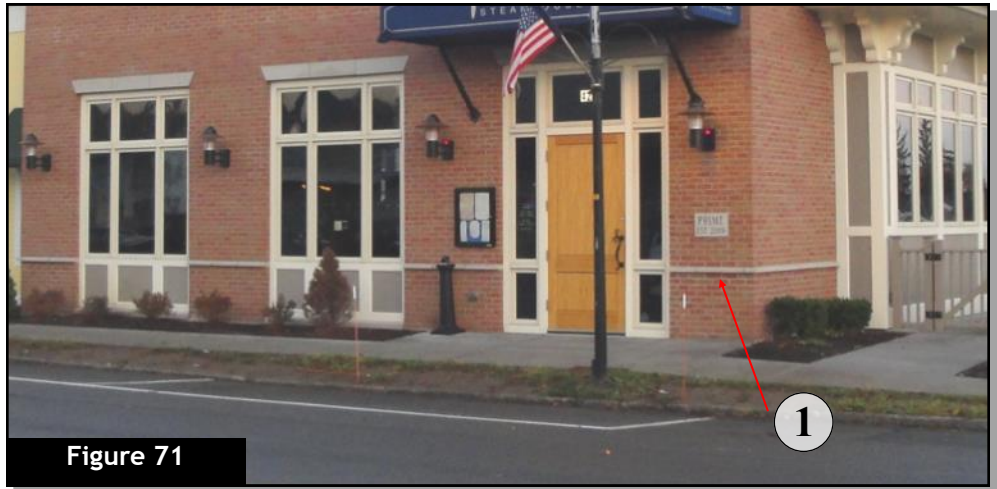


Figure 71

*Although subtle (1), the highlighting of the building base anchors the structure to the site, and provides visual distinction between the ground plane and the structure [G(2)(a)]. Material selection shall complement the architectural style of the building and those materials commonly found within the region [§ 112-16G(2)(d)].*

INAPPROPRIATE



Figure 72

*The building façade shall not abruptly end at the sidewalk (1). The building shall have a base of material that anchors the structure to the site [§ 112-16G(2)(a) and Figure 73].*

## § 112-16G(3) WINDOWS

---

WINDOWS SHALL BE USED TO ADD  
TRANSPARENCY, INTEREST, AND RHYTHM TO  
THE BUILDING FAÇADE.

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- (a) Windows shall be of a scale, proportion and extent appropriate to the overall architectural style of the building (Figure 73).
- (b) Window openings shall be trimmed with an appropriate material (brick, stone, wood, wood-like, cementitious board) to provide added definition to the overall façade.
- (c) The rhythm and ratio of solids to voids for building additions and expansions shall be similar to those of the region's valued historic forms.
- (d) At street corners, public spaces and along pedestrian walks, commercial building storefront windows shall wrap the building corner and provide enhanced transparency and added architectural interest to the 1st floor (Figure 74).

APPROPRIATE



Figure 73

*This structure provides a high quality example of building-appropriate window proportions, trim details, building base and solid-to-void ratios [§ 112-16G(3)(a), G(3)(b) & G(3)(c)].*

APPROPRIATE



Figure 74

*The wrapping of primary storefront windows around the corner of a building (1) enhances the pedestrian experience and adds a higher level of architectural character and detail to the structure [§ 112-16G(3)(d)].*

**§ 112-16G(4)  
ROOFS, CORNICES,  
EAVES, OVERHANGS AND**

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ROOFS AND CORNICES ARE CRUCIAL  
COMPONENTS OF THE BUILDING FAÇADE.

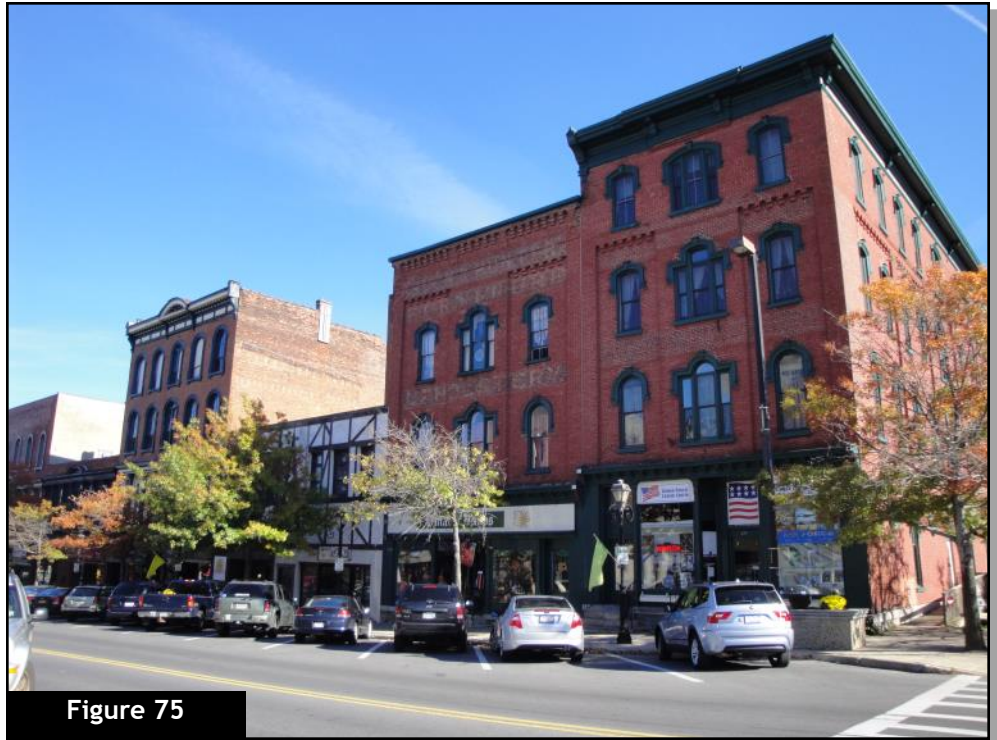
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- (a) Elements that define the roof and the upper quartile of the façade shall incorporate design details that provide an added level of detail and articulation to the architectural expression of the building (Figures 75 & 76).
- (b) The choice of design elements and their scale, height, proportion and mass should draw from design cues provided by the historical character of the Village.
- (c) Rooflines shall be in character with the overall architectural style of the building and those vernacular to Western New York State. For example, gable, gambrel, mansard, shed, and hip roofs are common within the region.
- (d) Cornices shall be used to differentiate and enhance the vertical composition of the building façade (Figure 75).
- (e) The use of awnings, canopies, recessed entries and other design elements is encouraged to define the 1st floor and provide shelter to entryways (Figure 77).

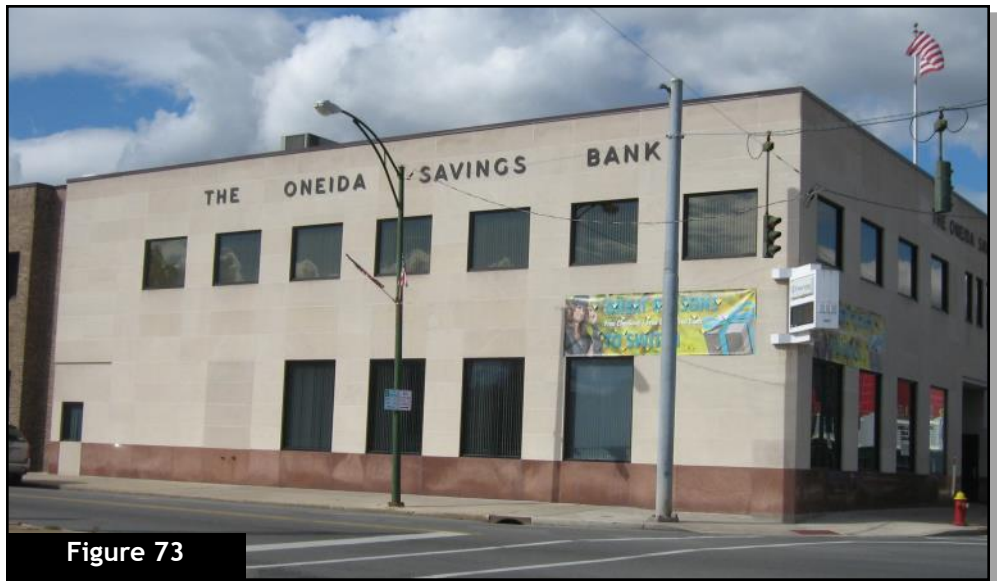
**APPROPRIATE**



**Figure 75**

*The upper quartile of each structure in Figure 72 provides a high level of detail and ornamentation which caps the structure, while the lower quartile of such structure also defines the break between the ground floor and upper stories [§ 112-16G(4)(a) & G(4)(d)].*

**INAPPROPRIATE**



**Figure 73**

*The building in Figure 73 does not provide any meaningful architectural detail at the roofline, nor does the scale and proportion of the existing design elements complement the surroundings [§ 112-16G(4)(a)].*

**§ 112-16G(4)  
ROOFS, CORNICES,  
EAVES, OVERHANGS AND  
PARAPETS  
CONTINUED**

- (f) Overhangs and canopies should be architecturally consistent with or complementary to the remainder of the building.
- (g) Parapets and false roofs shall be utilized to obscure the view of rooftop mechanical equipment when viewed at ground level from the opposite side of the Main Street corridor or adjacent districts. The use of fencing, lattice and similar materials to screen rooftop mechanical equipment is not permitted.
- (h) To the extent practicable, building stories, cornice lines and other horizontal trimlines for infill development shall have continuity with adjacent buildings (Figure 78).

APPROPRIATE



**Figure 77**  
*Awnings are a high quality design element that define the purpose and volume of outdoor spaces. They also add visual variety and distinction to building façade components [§ 112-16G(4)(h)]. The building in Figure 77 also displays a significant amount of transparency and the successful use of a cornice to differentiate the 1st floor from upper stories.*

APPROPRIATE



**Figure 78**  
*These structures have continuous cornice and trim lines, and provide a high quality rhythm to the streetscape [§ 112-16G(4)(h)].*

**§ 112-16G(5)  
BUILDING DOORS AND  
ENTRIES**

APPROPRIATE

ENTRIES SHALL PROVIDE A WELCOMING EXPERIENCE FOR BUILDING PATRONS.

- (a) All entries shall be designed as an important feature and visual cue of the building façade (Figure 79).
- (b) Doors and entryways shall be of a scale, proportion and coverage appropriate to the overall style of architecture of the building.
- (c) Commercial buildings shall have a transparent primary entry that will be considered as part of the overall transparency requirement for the building frontage (See § 112-16F(3)(c)).
- (d) Primary entries shall be detailed and highlighted through the use of trim, moldings, overhangs and/or other defining architectural features such that its purpose as the primary entrance is evident from the street. Similar treatment is encouraged for all entryways near parking locations (Figures 79 & 80).

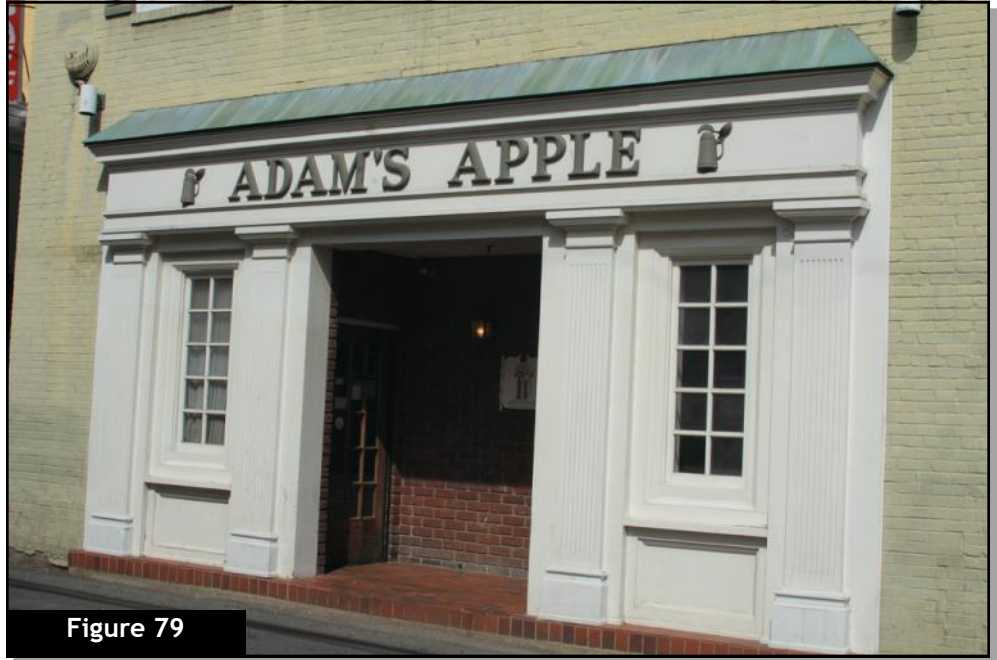


Figure 79

*Although this entrance is located on the rear of the structure, it retains a sense of importance and draws visitors from parking areas into the structure [§ 112-16G(5)(a)]. The lack of transparency into the structure is balanced by the level of architectural detail and selection of materials.*

APPROPRIATE



Figure 80

*The active and transparent storefronts seen in Figure 80 utilize a recessed entry to provide visual distinction and a visual cue on where to enter the structure [§ 112-16G(5)(d)].*



**§ 112-16G(6)  
BUILDING MATERIALS**

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BUILDING MATERIALS SHALL EVOKE THE CHARACTER, STYLE AND PURPOSE OF THE STRUCTURE.

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- (a) Along street frontages, all exterior building walls and structures shall be constructed with durable materials such as masonry, stone, metal, brick, and finishing wood.
- (b) Changes in materials shall occur at inside corners. Material or color changes at the outside corners or within a plane is not permitted.
- (c) Primary façade materials shall be wrapped onto secondary facades for a distance of no less than 10 feet or that which is architecturally consistent with building fenestration.
- (d) Standard masonry block walls are prohibited on any primary façade.
- (e) Decorative masonry materials such as split face and textured finish blocks are discouraged, but may be considered an acceptable façade material at the discretion of the Planning Board.
- (f) Exterior finishing materials for renovations, additions, and rehabilitations shall be consistent with those being retained on existing and adjacent traditional structures (Figure 81).
- (g) The following materials or systems shall not be utilized on finished building or signage exteriors:
  - Direct-Applied Finish Systems (DAFS);
  - Vertical aluminum or metal siding;
  - Vinyl siding;
  - T111 siding;
  - Glass block;
  - Spandrel glass or glass curtain walls.
- (h) Exterior Insulation Finish Systems (EIFS) shall not be utilized as a primary building material, but may be utilized, at the discretion of the Planning/Architectural Review Board, as a decorative or complementary material on upper stories only.

**INAPPROPRIATE**



**Figure 81**

*The use of inappropriate materials and finishes (1) diminishes the visual quality of the structure and adjacent buildings. In this example, although the structure has a high quality storefront, the use of vinyl siding over what was likely masonry construction reduces the overall appeal of the building.*

§ 112-16G: ARCHITECTURAL DETAILS

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# § 112-16H

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## SIGNAGE

### § 112-16H(1) OVERVIEW

**SIGNS ARE IMPORTANT COMPONENTS OF THE STREETScape.** They do more than communicate information. Through the quality of their design, signs can both contribute to (Figure 82) and diminish (Figure 83) the character or appearance of structures and urban corridors. The purpose of the standards presented in § 112-16H and Chapter 84 are to promote visual cohesiveness within the streetscape through signage that is harmonious with building architecture and the character of the surrounding area. Signs within the Main Street corridor should serve as attractive accents that inform visitors of the goods and services available, while promoting a higher standard of visual quality that protects, preserves, and enhances the economic and aesthetic value of the community.

Chapter 84 provides signage standards covering the type, style, height, size and placement of signs within the MU District. In addition, the images contained within § 112-16H(2) constitute generally acceptable signage variations. These examples are not intended to provide a limited palette of design options, but rather to establish a baseline of acceptability.

**APPROPRIATE**



**Figure 82**

*Appropriate signage is discrete, yet informative, and highlights the building architecture while complementing its surroundings.*

**INAPPROPRIATE**



**Figure 83**

*The use of tall single-pole signs detracts from the historic character of the Village and is inappropriate for Williamsville's Main Street corridor*

§ 112-16H: SIGNAGE

§ 112-16H(2)  
SIGNAGE GALLERY



Figure 84

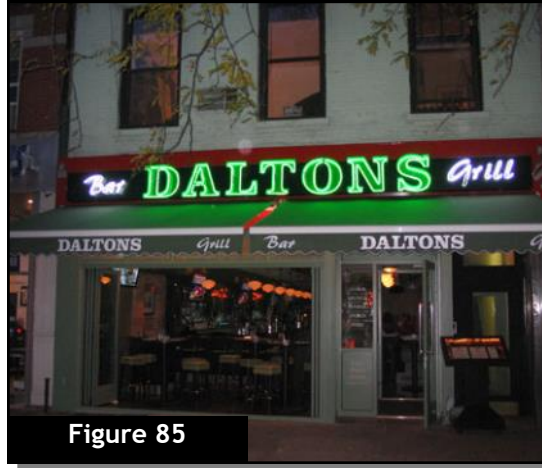


Figure 85

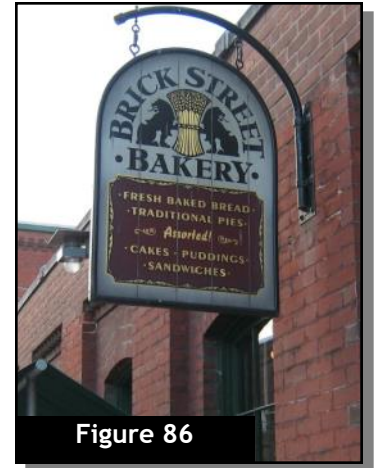


Figure 86



Figure 87



Figure 88



Figure 89

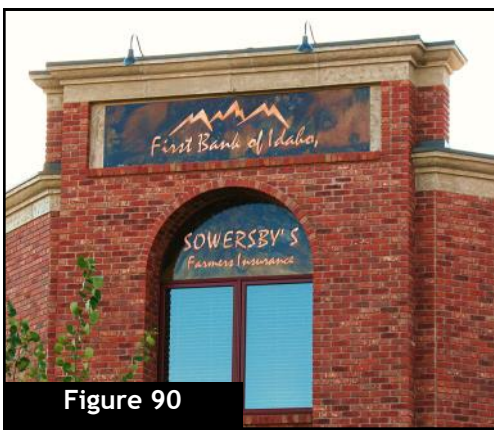


Figure 90



Figure 91



Figure 92

The above gallery of Figures 84 through 92 represents a collection of acceptable signage examples based on style and the quality of design and materials. This gallery does not represent a palette of options or a finite selection of alternatives. The standards and pictorial examples are intended to provide guidance and a range of appropriate alternatives for signage applicants. It is expected that signs shall be designed on an individual basis to complement the building architecture, the surrounding Main Street corridor, and the needs of the applicant.

## § 112-16I

# LIGHTING

## § 112-16I(1) OVERVIEW

**LIGHTING IS A CRITICAL DESIGN ELEMENT** that provides safety, visual cues, and aesthetic appeal to the building and its surroundings. Within the MU District, lighting shall be utilized to illuminate building entrances, signage, and parking areas, while also providing for subtle accents of building architecture and site landscaping. The scale and height of lighting fixtures have a significant impact upon their function and effectiveness. Within the Main Street corridor, street lighting should be pedestrian in scale and height, and appropriately spaced to provide sufficient illumination for the street and sidewalk (Figures 93 & 94). New development should follow this standard by keeping fixtures and poles in scale and character with the site and adjacent uses, while also providing the illumination to only those areas intended. The prevention of light pollution spilling beyond property boundaries is of paramount concern to mixed-use districts that support both commercial and residential uses.

§ 112-16I includes the following standards:

- site lighting;
- building lighting;
- accent lighting; and
- a gallery of fixtures.

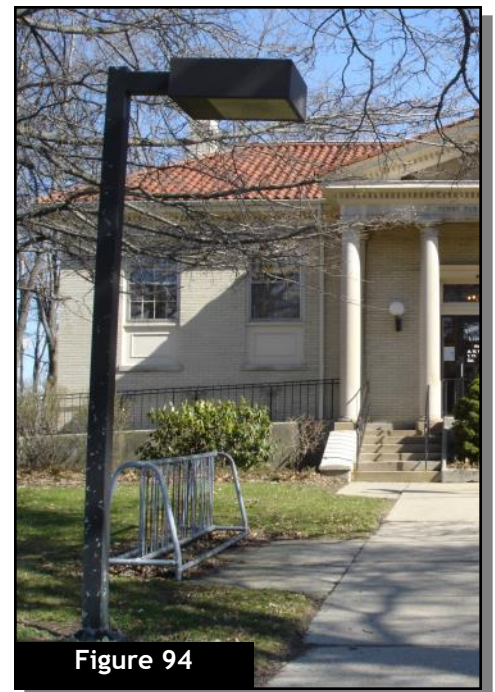
**APPROPRIATE**



**Figure 93**

*The use of period lighting fixtures with enhancements such as banners and flower hangers is appropriate for the Mixed Use district.*

**INAPPROPRIATE**



**Figure 94**

*The above light fixture is inappropriate in scale and height for this pedestrian application.*

**§ 112-16I(2)  
SITE LIGHTING**

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SITE LIGHTING SHALL IMPROVE THE SAFETY AND VISIBILITY OF PARKING LOTS AND PEDESTRIAN ZONES.

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- (a) Lighting shall be designed such that poles, fixtures, ornamentation and materials are of a pedestrian scale and height, and provide for a safe pedestrian experience.
- (b) Fixture heights shall be between 8 and 20 feet in height, with shorter poles along sidewalks and pedestrian zones, and taller poles within parking areas.
- (c) Fixtures shall be "Dark Sky" compliant. Light trespass into adjacent non-commercial areas shall not exceed 0.1 foot candles in intensity.
- (d) Amber hue lighting, such as high pressure sodium fixtures and others of equivalent performance, is not permitted.
- (e) Lighting fixtures shall be directed away from adjacent structures and property boundaries.
- (f) Fixture mounting height, direction and intensity shall be determined based on the minimum requirements necessary to efficiently and safely illuminate the area.

**§ 112-16I(3)  
BUILDING LIGHTING**

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ENHANCED BUILDING LIGHTING SHALL BE PLACED AT BUILDING ENTRANCES AND OTHER PEDESTRIAN AREAS.

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- (a) Building-mounted lighting shall be of a style complementary to the architectural character of the building and surroundings.
- (b) Building-mounted lighting shall not be utilized as area lighting in place of pole-mounted lighting along private rights-of-way, sidewalk and pedestrian zones, and parking areas.
- (c) Building-mounted lighting shall be utilized primarily for safety and security lighting at entryways, utility and loading areas, and other areas approved by the Planning Board.
- (d) Standards I(1)(c), (d) and (e) shall also apply for building-mounted lighting.
- (e) Building-mounted lighting shall not be mounted higher than 15 feet above grade.
- (f) Wall-pack style lighting fixtures shall not be placed upon primary facades facing Main Street.

**§ 112-16I(4)  
ACCENT LIGHTING**

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ACCENT LIGHTING SHOULD BE USED TO COMPLEMENT AND HIGHLIGHT UNIQUE ARCHITECTURAL FEATURES.

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- (a) Standards I(2)(d) and (e) shall also apply for accent lighting, including both ground- and building-mounted fixtures.
- (b) The use of neon accent lighting is not permitted.
- (c) Building accent lighting shall be discrete in nature and of the same color and a lesser intensity than other building mounted lighting.
- (d) Accent lighting shall focus on highlighting architectural details or elements rather than the illumination of entire facades or walls.

## § 112-16I(5) LIGHTING GALLERY

### APPROPRIATE

Full cutoff fixtures



Fully shielded wallpacks and wall-mounted fixtures



Fully shielded 'Period' style or contemporary fixtures



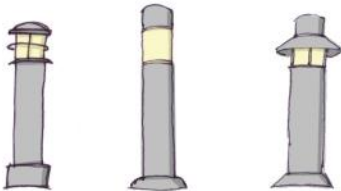
Full cutoff streetlights



Shielded/properly-aimed PAR floodlights



Lit bollards



Goose-necks, soffit, and lantern-style



### INAPPROPRIATE

Drop lens and sag lens fixtures with exposed bulb



Unshielded wallpacks and wall-mounted fixtures



Unshielded 'Period' style or contemporary fixtures



Unshielded streetlights



Unshielded or poorly shielded floodlights



Single tube fluorescent fixtures



**§ 112-16J  
SEASONAL OUTDOOR  
SEATING**

To permit Seasonal Outdoor Seating in areas where it is appropriate and to promote and protect the public health, safety and general welfare

**APPROPRIATE**



**Figure**

*Figure A safe, attractive seating area that is raised, removed from vehicles and has a rail.*

**§ 112-16(J)(1) Purpose; intent.**

This chapter is designed to permit Seasonal Outdoor Seating in areas where it is appropriate and to promote and protect the public health, safety and general welfare. The specific purposes of this legislation are:

- A. To ensure adequate space for pedestrians on right of way areas adjacent to Seasonal Outdoor Seating Areas.
- B. To ensure the safety of patrons utilizing the Seasonal Outdoor Seating.
- C. To preserve and enhance the character of the neighborhoods where such outdoor dining is permitted in the Village, and to protect the adjacent areas.
- D. To promote the most desirable use of land.

**§ 112-16(J)(2) Permit required.**

No Seasonal Outdoor Seating shall be allowed unless a permit has been first obtained from the Building Department.

**§ 112-16(J)(3) Application for permit.**

A. An application for a Seasonal Outdoor Seating permit shall be made to the Building Department in writing on a form prescribed by the Code Enforcement Officer, who shall review such application for consistency with the standards set forth herein, and either grant, grant conditionally, or deny such application; provided, however, that the Code Enforcement Officer may, upon his or her determination that such review is



**Figure**

*The outdoor seating pictured above, lacks aesthetic quality and features inappropriate barriers to vehicles.*



**Figure**

**INAPPROPRIATE**

necessary or appropriate, refer any such application to the Planning and Architectural Review Board for review and determination hereunder.

B. Such application shall contain the following information:

- (1) The name, address and telephone number of the applicant.
- (2) The name, address and telephone of the establishment to be the subject of the application.
- (3) The name and telephone number of the owner and/or operator of the establishment, or designated responsible representative.
- (4) Whether alcoholic beverages are to be served.
- (5) A survey of the subject property, indicating the location of the proposed Seasonal Outdoor Seating area.

**INAPPROPRIATE**



*The above represents seating that is removed from the parking facility by a minimum 6" elevation, but lacks the necessary railing.*

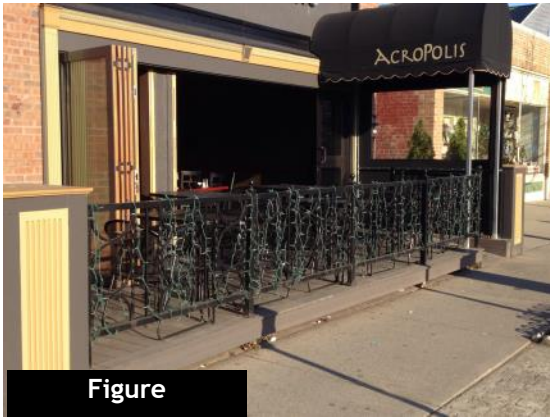
(6) A plan showing the complete sidewalk and/or dining area, the location of all furniture and fixtures to be used, including a seating plan, and the location of any entrances and/or exits.

(7) Descriptive material showing all furniture and fixtures to be used, and how such furniture and fixtures shall be stored or secured during nonoperational hours.



## § 112-16J: SEASONAL OUTDOOR SEATING

### APPROPRIATE



Figure



Figure

*Images above show seating areas both, raised and ground level, with appropriate railings and /or DOT anti-ram barriers.*

(8) Whether live or mechanically reproduced music is to be played, and a description of the site of the facilities, equipment or other devices needed for amplification of sound.

(9) Proof of insurance if required by § 112-16(J)(7) of this chapter.

(10) Any other information that the Code Enforcement Officer may find reasonably necessary to determine whether a permit should be issued.

#### **§ 112-16(J)(4)                    Standards for issuance of permit.**

In reviewing an application, the Code Enforcement Officer (or, if referred to it, the Planning and Architectural Review Board) shall apply the following standards:

A. The Seasonal Outdoor Seating area must be either (i) separated from any public or private area used for the parking or movement of automobiles by a buffer of at least 10 feet in width or an appropriate DOT approved anti-ram vehicle barrier; or (ii) located on an elevated platform, constructed of concrete, wood or other sturdy material, at least 6 inches in height and equipped with an appropriate barrier.

B. To the greatest extent practicable, the Seasonal Outdoor Seating shall be contained wholly within the property lines of the establishment, and if these activities do extend to the sidewalk, a minimum sidewalk clearance of five feet shall be maintained to provide adequate and unobstructed pedestrian movement. The minimum sidewalk width requirements shall be measured from the outer edge of the curb to the outermost point of the Seasonal Outdoor Seating area.

C. Tables, chairs, umbrellas, awnings, barriers and any other structures or object associated with Seasonal Outdoor Seating ("Outdoor Seating Elements") shall be of quality design, materials, workmanship and construction, both to ensure the safety and convenience of users and to enhance the visual and aesthetic quality of the urban environment. In reviewing Outdoor Seating Elements, the Code Enforcement Officer (or, if referred to it, the Planning and Architectural Review Board) shall consider their character and appropriateness of design, including but not limited to scale, texture, materials, color and the relation of the Outdoor Seating Elements to the adjacent establishments, to features of structures in the immediate surroundings, as well as to the streetscape and adjacent neighborhood(s), if applicable. Any permanent structural elements shall conform to § 112-16(G)(6) with respect to appropriate building materials.

D. The applicant is in compliance with, and has met, all other applicable provisions of this chapter, all building codes, health codes and any other codes applicable to the premises.

E. At the discretion of the Code Enforcement Officer (or, if referred to it, the Planning and Architectural Review Board) such application may be referred to the Traffic and Safety Committee for its recommendation concerning such application.

INAPPROPRIATE



Figure

*The image above features tables in direct conflict with parking, no rise or barriers.*

**§ 112-16(J)(5)            Effect of permit.**

- A. Establishments issued a permit hereunder may maintain Seasonal Outdoor Seating as set forth in this chapter and in the permit. The permit is not transferable.
- B. The consumption of alcoholic beverages, any and all types and kinds, in such Seasonal Outdoor Seating area is prohibited unless served by the licensed premises. It is the responsibility of the owner and/or operator of the premises who has obtained a permit hereunder to ensure compliance with this provision.
- C. A permit holder shall be bound by all applicable rules, regulations, ordinances, local laws and statutes.
- D. No other activities of any nature conducted now or hereafter by any commercial establishment, enterprise, business, venture or shop in the Village, otherwise prohibited by all applicable rules, regulations, ordinances, local laws or statutes are changed, amended, suspended or altered in any respect because of this chapter.
- E. Seasonal Outdoor Seating activities shall be limited to the areas granted in the permit.
- F. "Any areas used exclusively for Seasonal Outdoor Seating shall not be counted for the purposes of calculating minimum off-street parking requirements provided for in Section 112-16(D)(4)(i)."

**§ 112-16(J)(6)            Liability of permit holder.**

The person or persons to whom a permit for Seasonal Outdoor Seating has been issued shall be liable, and shall indemnify the Village, for any loss, damage, injury or expense sustained by the Village arising out of any claim or cause of action instituted or commenced by any person or persons arising out of the issue of such permit, or as a direct or indirect result of the operation of such Seasonal Outdoor Seating area.

**§ 112-16(J)(7)            Insurance.**

If any portion of the Seasonal Outdoor seating is on public property and/or in the public right-of-way, the applicant for a permit shall present, prior to the issuance of the permit, a certificate of insurance for comprehensive general liability, naming the Village of Williamsville as an additional insured, for the combined single limit of no less than \$1,000,000 per occurrence and \$2,000,000 general aggregate.

§ 112-16J: SEASONAL OUTDOOR SEATING

§ 112-16(J)(8) **Revocation or suspension of permit.**

The Code Enforcement Officer shall have the authority to revoke or suspend a permit when, in the Officer's sole discretion, the Officer finds a violation of any applicable rule, regulation, ordinance, local law or statute, or that a continuation of said permit would constitute a hazard or nuisance, or upon good cause shown.

§ 112-16(J)(9) **Maintenance of the premises.**

A. The Seasonal Outdoor Seating area and adjacent areas shall be periodically cleaned and kept refuse-free. Such areas shall be swept and washed down daily and at all other times as needed. Sufficient containers for trash shall be placed in the areas.

B. No furniture or other removable fixtures shall be stored in the Seasonal Outdoor Seating area between the last Monday in November and March 15<sup>th</sup>.

§ 112-16(J)(10) **Hours of operation.**

Outdoor dining activities and food and/or beverage service shall take place during the hours of operation of the establishment. All outdoor activities shall be subject to other applicable rules and regulations of this Code.

§ 112-16(J)(11) **Music.**

Subject to § 73-4(A)(10), music may be provided so long as it is not of a type or a volume as to violate any applicable law or ordinance, or create a nuisance to surrounding residences and/or property owners.

§ 112-16(J)(12) **Furniture; fixtures; signage.**

All furniture and fixtures used in conjunction with the outdoor dining and sidewalk cafe must be of a temporary nature, and must be brought in at closing time or otherwise secured during nonoperational hours. No signage shall be permitted to be affixed to any temporary structures.

§ 112-16(J)(13) **Permit term and renewals.**

A. Permits shall be issued on or after March 15 of each year. All permits, regardless of when issued, shall expire on the last Sunday in November.

B. Applications for renewal of permits shall be made to the Code Enforcement Officer. If the applicant proposes to construct, configure and operate the Outdoor Seasonal Seating area in a manner substantially identical to that previously approved and not previously revoked pursuant to Section 112-16(J)(8), the Code Enforcement Officer shall issue a renewal upon the payment of the required permit fee. If the applicant proposes any substantial change with respect to the construction, configuration or manner of operation of the Seasonal Outdoor Seating area, the code Enforcement Officer may treat such request as a new application and process and review accordingly.

§ 112-16(J)(14) **Penalties for offenses.**

Any person or establishment committing an offense against any of the provisions of this chapter, including failure to obtain a permit, or who operate a sidewalk cafe and/or outdoor dining when their permit has been revoked or suspended, shall be guilty of a violation and, upon conviction thereof, shall be punishable by a maximum fine of \$250 per day of violation, or by a term of imprisonment by not more than 15 days, or both.