

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

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

Town of Lloyd

Local Law No. ____ of the year 2013

A local law amending Chapter 100 entitled ZONING of the Code of the Town of Lloyd
To Create the Walkway-Gateway Zoning District and Make Other Related Changes

Be it enacted by the Town Board of the Town of Lloyd as follows:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends Chapter 100 of the Code to create the Walkway-Gateway Zoning District and makes other related changes necessitated by the creation of this District. The Walkway-Gateway District shall be comprised of two subdistricts: the Gateway Mixed-Use Subdistrict and the Gateway Commerce Subdistrict. The amendments are designed to protect the health, safety and welfare of Town residents and to bring the Town's Zoning Law into conformance with the recommendations of the Town's *Comprehensive Plan*.

SECTION 2. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 3. AMENDMENTS TO ARTICLE II OF THE
ZONING LAW ENTITLED "DEFINITIONS"

§ 3.1. *Section 100-8 of the Code is hereby amended by deleting the definition of "Apartment, Upper Floor" and replacing it with the following new definition:*

Apartment, Upper Floor – A dwelling unit located on an upper floor of a shopfront building, as described in Section 100-26G, and having a minimum gross floor area of 450 square feet.

§ 3.2. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Apartment, Back-Facing – A dwelling unit located on the first floor of a shopfront building in the W-G District, with its windows facing any direction other than directly onto Route 9W, and having a minimum gross floor area of 450 square feet.

§ 3.3. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Artisanal Use – A trade or handicraft process by artists, food or craft workers using traditional manual manufacturing methods such as those of a carpenter, blacksmith, jeweler, sculptor, furniture-maker, potter, or glassblower.

§ 3.4. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Artist Studio – Working and/or teaching space for one or more painters, print makers, photographers, jewelry makers, sculptors or artisans working with paper, ceramics, clay and/or other fine art or craft materials, persons working in the graphic or computer arts, or performing artists such as musicians, dancers or theater artists. Tattoo applicators and body piercers shall not be considered artists for the purpose of this definition.

§ 3.5. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Cultural Center – A facility that includes the display, performance, or enjoyment of heritage, history, or the arts owned and operated by a public or private non-profit entity. This use includes but is not limited to one or more of the following: museums, art galleries, artists studios, performance venues, or interpretive sites.

§ 3.6. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Drive-in or Drive-through Facility – A facility where patrons are served in automobiles, typically through means of a window, which allows patrons to purchase products or make transactions directly from a vehicle.

§ 3.7. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Entertainment, Commercial Indoor – A spectator use conducted within an enclosed building, such as a motion picture theater or commercial performing arts venue.

§ 3.8. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Farmers' Market – An establishment used by two or more producers devoted exclusively to the direct retail sale of local farm and food products, including locally processed products, directly from producers or processors to customers. A farmers' market may be conducted as either a principal or accessory use and may or may not involve the installation and use of permanent structures.

§ 3.9. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Frontage Occupancy – The percentage of the lot width which must be occupied by either a building façade or structures that screen parking, located within the area between the minimum and maximum front setback, as illustrated herein. The purpose of this requirement is to maintain a sense of enclosure of the street. In the case of a shopfront building with a recessed door or front courtyard, the recessed area shall be deemed to be frontage for the purpose of determining frontage occupancy.



§ 3.10. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Furnishing Zone – The portion of the streetscape within the public right-of-way and located between the Tree Lawn and the sidewalk, as illustrated on Figure 12 in subsection 100-26H(2) of this Chapter.

§ 3.11. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Lodging – Premises available for transient renting of bedrooms such as a hotel or inn, but excluding bed-and-breakfast establishment and boardinghouse or rooming house as defined in § 100-8 of this Chapter.

§ 3.12. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Medical or Dental Clinic or Group Offices – A building or complex of buildings planned as a whole with shared access, signage and other facilities, operated and/or occupied by one or more physicians, dentists, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

§ 3.13. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

NA – Abbreviation for “not applicable.”

§ 3.14. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Parking Structure – A structure available to be used by the public or by tenants to temporarily park registered and operable motor vehicles.

§ 3.15. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Park, Pocket – A small park less than 2,500 square feet in area and accessible to the general public, that is located in close proximity to a public sidewalk, and that provides green space, landscaping, benches and other pedestrian amenities and which may include art.

§ 3.16. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Road, Secondary – Any road in the W-G District, either existing or proposed, except for Route 9W.

§ 3.17. Section 100-8 of the Code is hereby amended by the addition of the following new definition:

Tree Lawn – The off-street area within the public right-of-way immediately adjacent to the street curb that accommodates street trees and which serves to protect pedestrians on the sidewalk from vehicular traffic.

SECTION 4. AMENDMENTS TO ARTICLE III OF THE ZONING LAW ENTITLED “ESTABLISHMENT OF DISTRICTS”

§ 4.1. Section 100-9 of the Code is hereby amended by the addition of the following District to the list of District Classifications in subsection A:

District Label	Zoning District
WG	Walkway-Gateway District**

§ 4.2. Section 100-9 of the Code is hereby amended by the addition of the following Note to appear as the second note under the heading “Note” in subsection A:

Note:

** The Walkway-Gateway District is divided into two (2) subdistricts, the Gateway Mixed-Use Subdistrict and the Gateway Commerce Subdistrict.

SECTION 5. AMENDMENTS TO ARTICLE IV OF THE ZONING LAW ENTITLED “DISTRICT REGULATIONS”

§ 5.1. Section 100-12 of the Code is hereby amended by replacing 100 Attachment 1 Town of Lloyd Use Table, with the revised Town of Lloyd Use Table, a copy of which is attached hereto as Attachment A.

§ 5.2. Section 100-12 of the Code is hereby amended by inserting the following new § 100-12C(3) into the Code to read as follows:

C(3) In the W-G District, the display or storage of goods, wares, merchandise or supplies outside of any building or structure shall be prohibited with the exception of a retail business, which may be permitted to have a display of store merchandise on its sidewalk frontage or in a front courtyard during business hours as long as such display does not interfere with pedestrian circulation.

§ 5.3. Section 100-13 of the Code is hereby amended by adding the following row to the bottom of 100 Attachment 2 Town of Lloyd Dimensional Table:

W-G	See Chapter 100-26 of this chapter.
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SECTION 6. AMENDMENTS TO ARTICLE V OF THE ZONING LAW ENTITLED “OVERLAY AND OTHER DISTRICT REGULATIONS”

§ 6.1. The following new § 100-26 is inserted into the Code to read as follows:

§ 100-26. Walkway-Gateway District

A. Purpose. The purpose of the Walkway-Gateway (W-G) District is to change the character of an area that has developed as an auto-oriented commercial strip so that it becomes a walkable mixed-use neighborhood where people will want to live, shop and invest. In addition, this District is intended to attract visitors to the Walkway over the Hudson State Historic Park to spend time in conjunction with their visit. Specifically, the intent of the District is to:

- (1) Enhance the quality of the built environment and promote site layout and architectural design compatible with the historic character of the community and the national prominence of the Walkway over the Hudson State Historic Park to which this neighborhood serves as a gateway.
- (2) Provide compatible and harmonious economic development between the Hudson Valley Rail Trail and the Hamlet of Highland to encourage people to walk into the Hamlet.
- (3) Provide for the safety and comfort of pedestrians, cyclists, transit users and motorists alike.
- (4) Implement the goals and recommendations of the Town’s Comprehensive Plan and the vision of the Hudson River Valley Greenway Compact.

B. Subdistricts:

- (1) The W-G District consists of two subdistricts as shown on the Zoning Map: the Gateway Mixed-Use (GM) Subdistrict and the Gateway Commerce (GC) Subdistrict.
 - (a) The GM Subdistrict is intended to encourage compact, walkable, mixed-used development that emulates the neighborhood character of the Hamlet of Highland, within walking distance of the Hamlet and the Walkway/Rail Trail. This character includes:
 - Ample sidewalks and street trees, with building frontages whose windows, doors and awnings are oriented toward the sidewalk, forming a consistent street wall that is hospitable and inviting to pedestrians.

- Buildings located close to the sidewalk and to each other with a diversity of uses.
- First floor uses in shopfront buildings that generate and serve pedestrian traffic, such as retail, personal services and restaurants.
- Streets designed to integrate pedestrians, bicycles and cars.
- Pedestrian-scale neighborhood amenities such as pocket parks, lighting, benches, and planters.
- Figure 1: GM Subdistrict Illustrative Sketch Plan shows an artist's rendering of the desired neighborhood character. The Sketch Plan can be found on the following page. It is illustrative of a desired result but has no regulatory effect.

(b) The GC Subdistrict is intended to serve as a scenic gateway to Highland with attractive architecture and generous landscaping that creates an appealing first impression of Highland for visitors who approach the Town from the Walkway over the Hudson and the Mid-Hudson Bridge. Here, the emphasis is on commercial uses appropriate for visitors and residents.

C. Applicability.

- (1) The provisions of this section shall apply to the W-G District and shall be in addition to other requirements of the Town Code. In the event of any conflict, the provisions of this section shall control.
- (2) This section uses the terms "shall" when a standard is required and "should" when the standard is to be applied unless the Planning Board finds strong justification for an alternative solution in an unusual and specific circumstance. The term "encouraged" means preferred but not required.
- (3) In order to encourage mixed uses, more than one permitted use shall be allowed on any lot or parcel, subject to all approval criteria contained herein.
- (4) To promote optimum use of the parcel in the future, applicants may be required to prepare a conceptual master plan for their entire parcel whenever an application to subdivide or develop a portion of a larger parcel is submitted. The development of a master plan is intended to ensure that partial development or subdivision of a parcel will not preclude future development consistent with the purposes of the W-G District. Master plans may be developed at various levels of detail. Generally, the more specific the master plan, the less review will be required as the future permitted uses are built. In reviewing and approving a conceptual master plan, the Planning Board shall indicate the extent to which the plan will be binding upon future decisions with respect to other portions of the parcel.



Figure 1: GM Subdistrict Illustrative Sketch Plan

D. Permitted Uses.

- (1) Uses permitted in each of the subdistricts are identified in § 100-12.
- (2) In shopfront buildings that front on Route 9W in the GM Subdistrict, the first floor facing Route 9W shall be limited to retail and service businesses, restaurants, lodging, artisanal use, entertainment, cultural center, library and museum. The first floor facing away from Route 9W and upper stories may be occupied by any of the uses permitted in the GM Subdistrict. First floor apartments facing away from Route 9W are subject to issuance of a special use permit.
- (3) Residential uses shall not have first floor frontage on Route 9W.

E. Prohibited Uses. In the W-G District, drive-in or drive-through facilities, self-storage units, banks, motor vehicle sales, rentals and repair, gas stations, car washes, and other uses not explicitly listed in § 100-12 are prohibited, except as provided in Section 100-38B.

F. Dimensional Standards. In the W-G District, all new construction or any enlargement of an existing structure greater than ten (10) percent of the structure's gross floor area shall be subject to the following minimum and maximum dimensional standards:

TABLE 1: DIMENSIONAL STANDARDS, GM SUBDISTRICT

LOT STANDARDS				
		MIN.	MAX.	NOTE:
	LOT AREA	NA	NA	(a) <i>The minimum frontage occupancy requirement may be reduced by the Planning Board: (a) to the extent necessary to allow light and air into an adjacent building that has side windows, or (b) if the applicant provides a suitably surfaced and lighted pedestrian passageway between Route 9W and parking areas, public open spaces, outdoor dining area, or other streets, located behind the building.</i>
	LOT WIDTH	NA	NA	
a.	LOT DEPTH	75'	NA	
b.	LOT COVERAGE	NA	85%	(b) <i>If underground parking is provided, then the maximum building coverage may be increased from 65% to 85%. Maximum lot coverage shall remain 85%.</i>
c.	BUILDING COVERAGE	NA	65% ^(b)	
d.	LANDSCAPED AREA	10%	NA	
	MINIMUM FRONTAGE OCCUPANCY ^(a)	Buildings that Front on 9W: with a shared sidewall: 90% detached buildings: 75% Buildings that Do Not Front on 9W: 70%		

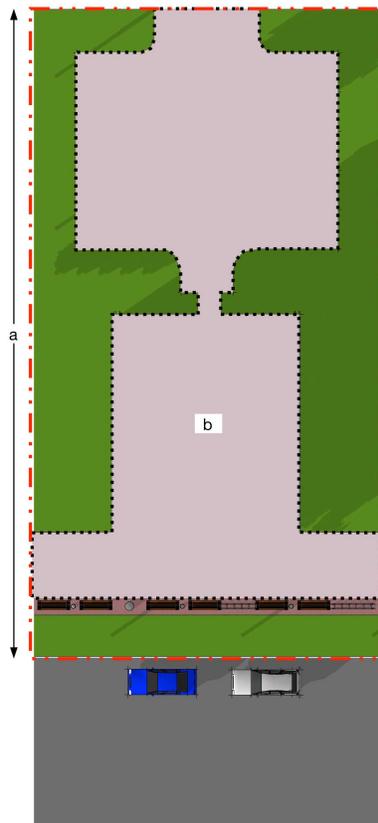


Figure 2: Minimum Lot Depth and Maximum Lot Coverage

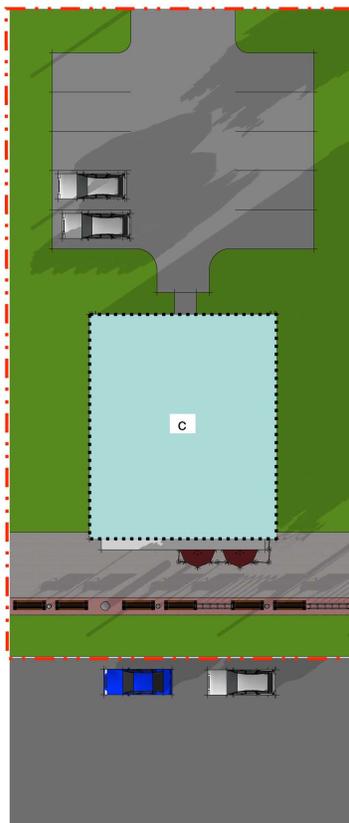


Figure 3: Maximum Building Coverage

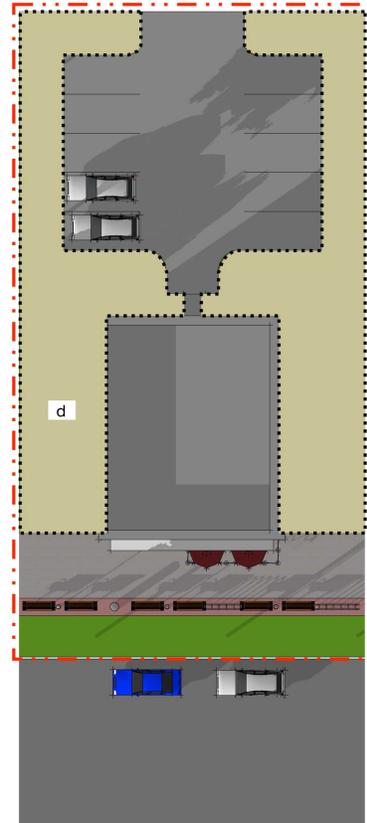


Figure 4: Minimum Landscaped Area

TABLE 1: DIMENSIONAL STANDARDS, GM SUBDISTRICT

BUILDING STANDARDS

Buildings that Front on Route 9W:			
		Min.	Max.
e.	BUILDING HEIGHT ^(a)	2 stories	3 stories
f.	FRONT SETBACK ^(b)	20'	25'
g.	SIDE SETBACK	0'	NA
h.	REAR SETBACK	30' ^(c)	NA
Buildings that Do Not Front on Route 9W:			
	BUILDING HEIGHT ^(d)	NA	3 stories ^(e)
	FRONT SETBACK	10'	20'
	SIDE SETBACK (TOTAL OF TWO)	^(f)	NA
	REAR SETBACK	10'	NA

NOTES:

- ^(a) For buildings that front on Route 9W, building height shall be measured from the ground elevation of Route 9W and stories built below the grade of Route 9W shall not be counted towards building height, as shown in Figure 6.
- ^(b) Front yard setback shall be measured from the Route 9W curb.
- ^(c) Unless adjacent to a residential district, in which case the rear setback shall be 100' and screening shall be provided pursuant to § 100-15B(12) of this chapter.
- ^(d) Building height for buildings that do not front on Route 9W shall be measured as defined in § 100-8.
- ^(e) Except for buildings located along Roberto Ave., which shall have a maximum allowable height of two (2) stories, as shown in Figure 7
- ^(f) Buildings may be sited as close to the side property line as permitted by the NYS Uniform Fire Prevention and Building Code.

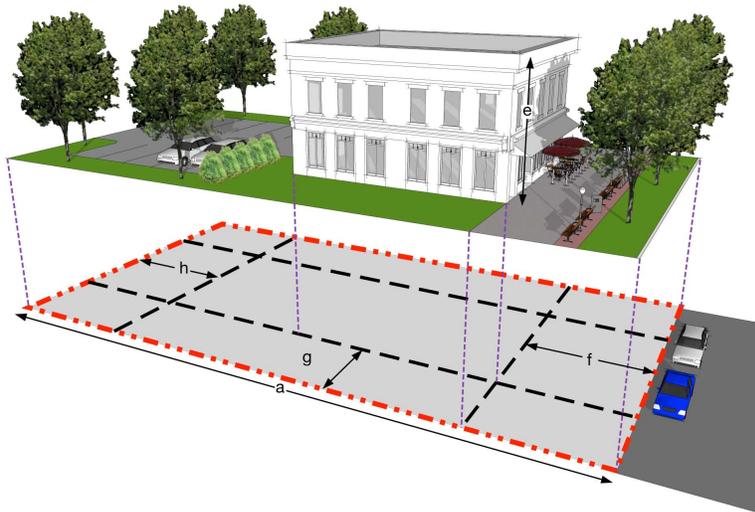


Figure 5: GM Subdistrict Building Standards, Keyed to Table 1

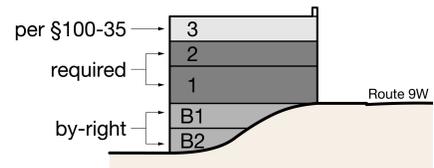


Figure 6: Building Height for Buildings that Front on Route 9W

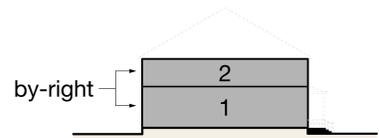


Figure 7: Building Height for Buildings located on Roberto Ave.

TABLE 2: DIMENSIONAL STANDARDS, GC SUBDISTRICT

LOT STANDARDS

	MIN.	MAX.
LOT AREA	NA	NA
LOT WIDTH	NA	NA
a. LOT DEPTH	75'	NA
b. LOT COVERAGE	NA	60%
BUILDING COVERAGE	NA	NA
c. LANDSCAPED AREA	30%	NA

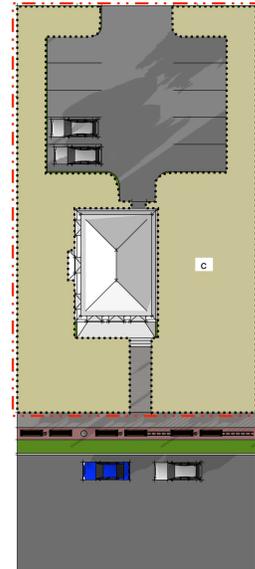
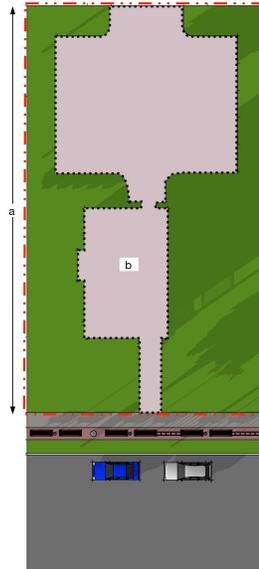


Figure 8: Minimum Lot Depth and Maximum Lot Coverage **Figure 9: Minimum Lot Depth and Maximum Landscaped Area Lot Coverage**

BUILDING STANDARDS

	MIN.	MAX.
d. BUILDING HEIGHT	24'	35'
e. FRONT SETBACK	25'	NA
f. SIDE SETBACK (EACH)	20'	NA
g. REAR SETBACK	30' ^(a)	NA

NOTES:

(a) Unless adjacent to a residential district, in which case the rear setback shall be 50' and screening shall be provided pursuant to § 100-15B(12) of this chapter.

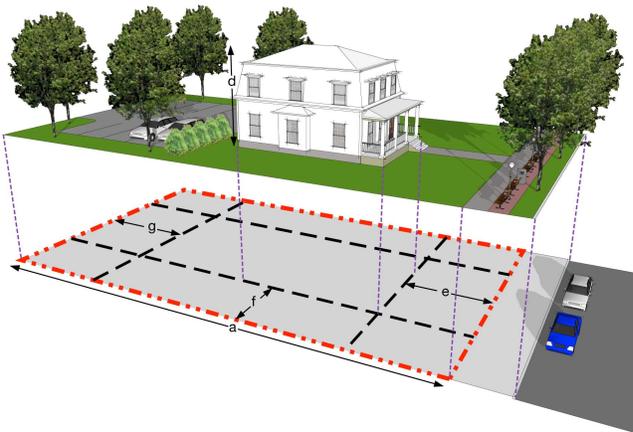


Figure 10: GC Subdistrict Building Standards, Keyed to Table 2

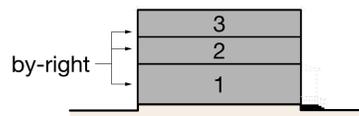


Figure 11: Maximum Building Height

G. Building Frontages.

- (1) For new buildings in the GM Subdistrict that front on Route 9W, the only frontage type permitted shall be shopfront.
- (2) In all other cases, all of the frontage types illustrated in Table 3 shall be permitted.

TABLE 3: BUILDING FRONTAGE TYPES



Shopfront: A frontage type where the building façade is placed close to the road with the entrance directly from the sidewalk. Pedestrian-oriented uses such as retail, restaurants, and services, are located on the sidewalk-level story. This building frontage is characterized by substantial glazing on the sidewalk level, a prominent entrance, and often an awning. Recessed doors and front courtyards on shopfronts are acceptable. The courtyard is suitable for pocket parks, gardens and outdoor dining.



Stoop: A frontage type where the building facade is aligned close to the road and a stoop provides access to the building from the sidewalk or front walkway. A stoop is comprised of a platform and may include stairs if the first story is elevated to provide some privacy for occupants. A small porch or roof may cover a stoop.



Porch: A frontage type where the building facade is aligned close to the road. A porch is a covered but not enclosed space that provides shelter from the weather and serves as a transition between the public and private realms. Porches should be a minimum of 6 feet deep and are typically elevated above the surrounding grade to provide some privacy for occupants.

TABLE 3: BUILDING FRONTAGE TYPES



Urban: A frontage type where the building facade is placed close to the sidewalk, but with less glazing on the first floor than a shopfront. This frontage type is especially appropriate for lodging and office uses.

H. Streetscape Standards.

The streetscape standards in this Section H apply to areas that are in the public right-of-way and not directly subject to zoning regulation. However, when an applicant seeks an approval involving substantial new construction under this Section 100-26, the Planning Board shall require that the applicant make improvements to the public right-of-way consistent with the standards in this Section H. Such improvements shall not be required where the approval the applicant seeks does not involve new construction, does not alter the front façade of the building, or where the cost of any improvements represents less than ten percent (10%) of the assessed value of the property. Any required public right-of-way improvements shall be reasonable in proportion to the scope of the development project approved. In addition, the standards in this section are intended to guide those entities that own the public right-of-way, including Town, County, and State governments, in the construction of any improvements to the right-of-way. Such entities are strongly encouraged to comply with these standards when undertaking construction or making improvements.

- (1) Streets shall be designed as public spaces that encourage social interaction and that balance the needs of all users, including pedestrians, bicyclists and vehicular traffic, while providing access to lots.
- (2) The elements of the streetscape, including sidewalks, tree lawns, street trees, and (where required) furnishing zones, shall be arranged as illustrated in Figure 12.

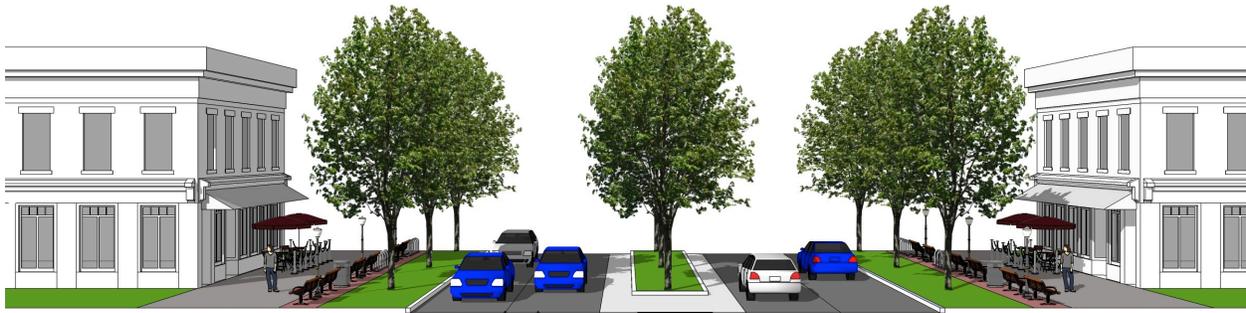


Figure 12: Streetscape Design for Route 9W

- (3) Sidewalks shall be located on both sides of Route 9W and shall be a minimum of eight (8) feet wide, unless site conditions require a narrower sidewalk. Secondary roads shall have sidewalks at least five (5) feet wide on both sides of the road.
- (4) To provide a buffer between pedestrians on the sidewalk and traffic on the road, a tree lawn shall be located between the sidewalk and the street curb. Tree lawns shall be a minimum of eight (8) feet wide along Route 9W unless site conditions require a narrower tree lawn, and a minimum of five (5) feet wide on secondary roads. To provide shade and to buffer pedestrians from vehicles on the road, street trees shall be planted in the tree lawn in accordance with subsection L(5) herein.
- (5) A furnishing zone shall be provided on both sides of Route 9W and shall be a minimum of four (4) feet wide, unless site conditions prevent the location of a furnishing zone. Within the furnishing zone the Planning Board may require installation of benches, bicycle racks, lighting, and trash receptacles. A bicycle rack holding two bicycles shall reduce the minimum required parking by one parking space. A furnishing zone shall not be required on secondary roads.
- (6) Streets shall have raised curbs to prevent parking on tree lawns and associated damage. On secondary roads, breaks in the curb line directing natural drainage to swales or rain gardens shall be permitted, as shown in Figure 13.
- (7) Sidewalks and trails, if provided, shall connect to existing trails wherever feasible.
- (8) The street network should be designed to define blocks whose perimeter does not exceed 2,400 linear feet, measured as the sum of lot frontage lines. Longer blocks should have mid-block pedestrian passages.



Figure 13: Curb breaks

(9) Streets shall connect wherever possible to other streets or shall provide for potential connections through adjacent sites to future developments. Cul-de-sacs shall be permitted only when deemed to be unavoidable due to natural site conditions. Where cul-de-sacs are deemed to be unavoidable, continuous pedestrian circulation shall be provided by connecting sidewalks that link the end of the cul-de-sac with the next street through the use of pedestrian passages, stairways, ramps, or paths, where feasible.

(10) Where rear alleys are provided, they shall meet the following standards:

(a) Alleys, if not dedicated to the Town, shall be dedicated to a Homeowners Association or held as reciprocal easements across the rear portions of the lots subject to establishment of a Common Use and Maintenance Agreement.

(b) Alleys should be built and paved to street construction standards, with drainage by inverted crown at the center or with roll curbs at the edges. Pavement width shall be a minimum of 12 feet and a maximum of 14 feet.

I. Building Design Standards. The following design standards shall apply to all buildings which require site plan approval in the W-G District:

(1) Facades of shopfront buildings shall be built parallel to the street frontage and shall define the public realm of the sidewalk through the use of consistent setbacks along the street.

(2) Shopfronts shall be glazed no less than 70 percent of the sidewalk-level story, allowing views into and out of the interior to create visual interest at street level. Shopfront design should be consistent with historic examples in the Hamlet of Highland and other Hudson River Valley villages as illustrated on Figure 14. Windows should be distributed in a more or less even manner consistent with the rhythm of voids and solids of historic buildings, and should have low sills and high lintels consistent with the window proportions of historic buildings.

(3) Traditional canvas or canvas-like awnings are encouraged along street frontages, and may encroach up to 6 feet into the front setback and over the sidewalk above 7 feet. Interior illumination under an awning is permitted provided it is directed downward.

(4) The principal pedestrian entrances for shopfront buildings with Route 9W frontage shall be from Route 9W and shall be connected to the sidewalk. Principal entries to shopfronts shall be highlighted through the use of architectural features such as roofs, recessions into the façade or other details that express the importance of the entrance.

(5) New construction and rehabilitation should be consistent with the scale and patterns of historic architecture in Hudson River Valley villages with respect to building and roof forms, window proportions, materials, colors and details.

(6) Architectural features and windows shall be continued on all sides of a building that are clearly visible from a street or public parking area to avoid visible blank walls.

(7) Architecture should employ high quality building design, blend building design and layout with other site features, avoid bland and monotonous prototype designs commonly employed by a fast food or other retail franchise that serves to enhance or promote brand identity through visual recognition, and should contribute to the community character of the Hamlet and Town.

(8) Buildings of 40 feet or more in width along a lot frontage shall be articulated to create the appearance of distinct buildings, reducing their apparent size and contributing to a human-scale development, as shown in Figure 14. The mass of these buildings shall be broken up using varied architectural details such as divisions or breaks in materials, window bays, separate entrances and entry treatments, variation in roof lines, awnings, and sections that project or are recessed up to 10 feet.



Figure 14: Articulated Shopfronts

(9) The exterior finish materials on all façades should be limited to natural building materials such as brick, stone, stucco, and wood. Smooth finish fiber cement siding is also permitted if it faithfully simulates a natural material. Other materials may be used upon a finding by the Planning Board that they are durable and not harmful to the structural components of the building.

(10) Buildings shall have sloped roofs, mansard roofs, or flat roofs with articulated parapets and cornices. Parapets shall be a minimum of 42 inches high or higher if necessary to conceal mechanical equipment to the satisfaction of the Planning Board. The Planning Board may require that larger buildings have a combination of roof types and pitches to add visual interest without appearing randomly varied and overly complicated.

(11) All windows, with the exception of shopfront windows shall be vertical in proportion. Horizontal windows may be allowed if they better serve the aesthetics of the building, upon a finding to that effect by the Planning Board. Mirrored, reflective, or all-glass walls, and exterior roll-down security gates shall not be permitted.

(12) All mechanical equipment, whether roof-mounted or ground-mounted, shall be completely screened from adjacent properties and streets in a manner that is compatible with the architectural treatment of the principal building.

(13) Refuse containers should be located to the rear of the site. The Planning Board may approve other locations provided such location is concealed from public view.

(14) Walls and fences shall be constructed of natural materials, vinyl or solid fencing. Chain link fences shall be prohibited.

J. Pedestrian and Vehicular Circulation:

- (1) Driveways shall be shared with adjacent parcels whenever possible. Driveways should be placed at the edge of parcels to facilitate shared access points and minimize curb cuts. Curb cuts should be limited to one per parcel.
- (2) A connected secondary road or alleyway to the rear of parcels is encouraged, with consolidated connecting drives to Route 9W. Where feasible, retail deliveries should be in the rear of buildings.
- (3) Wherever feasible and legally permissible, pedestrian and bicycle connections, such as paths and sidewalks, shall be required to connect the Hudson Valley Rail Trail to secondary roads and pathways leading into the Hamlet of Highland.
- (4) To facilitate pedestrian and bicycle movement, sidewalks and/or bike paths shall be provided within the site and to adjacent parcels if deemed appropriate by the Planning Board.
- (5) Bicycle racks shall be provided if deemed appropriate by the Planning Board.

K. Off-Street Parking. Off-street parking shall comply with § 100-29 of this chapter and the following additional standards:

- (1) In the GM Subdistrict, all off-street parking for buildings that front on Route 9W shall be located behind, underneath or above the first floor of a building. Parking structures shall be designed in accordance with the provisions of subsection K(5) below. All off-street parking for buildings that do not front on Route 9W shall be set back at least 100 feet from the Route 9W property line and shall be screened from Route 9W by buildings and/or landscaping.
- (2) In the GC Subdistrict, all off-street parking should be located behind or to the side of the building. The Planning Board may approve off-street parking in front of or to the side of the building provided it is appropriately landscaped along Route 9W to enhance its appearance from the highway. Landscaping shall also screen parking areas from the Rail Trail.

- (3) Parking available for two dissimilar uses within the W-G District may be shared. Shared parking is calculated by adding the total number of spaces required by each separate use and dividing the total by the appropriate Shared Parking Factor from Figure 15. For example, if a residential use requires 10 parking spaces, and an office use requires 12 spaces, independently they would require 22 spaces. But when divided by the sharing factor of 1.4, they would require only 16 parking spaces. For the purpose of determining the shared parking factor, the retail function shall include all uses that are not listed separately in Figure 15.

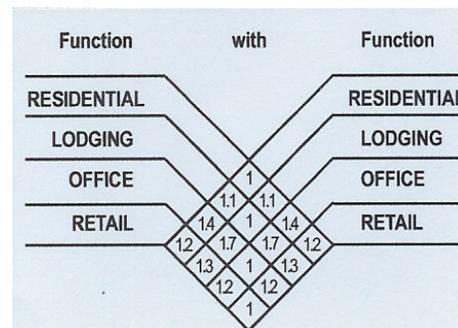


Figure 15: Shared Parking Factors

(4) In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking lots via access drives within and between adjacent lots. The Planning Board shall require written assurances and/or deed restrictions, satisfactory to the Town Attorney, binding the owner and his/her heirs and assignees to permit and maintain such internal access and circulation and joint use of parking facilities. Access drives may be dedicated to the Town subject to Town Board approval.

(5) Parking structures, whether freestanding or integrated into a larger building, shall be designed in accordance with the following:

(a) The first floor of a parking structure adjacent to Route 9W shall have a shopfront frontage, as shown in Figure 16. No portion of the first floor adjacent to Route 9W shall be used for parking. Ingress and egress ramps to the parking structure shall be prohibited from directly accessing Route 9W.



Figure 16: Shopfront with upper floor parking

(b) Vehicular access to the structure shall have minimal impact on pedestrian circulation.

(c) To the maximum extent practicable, ramping (sloping) floors, unfinished structural elements, lights and mechanical appurtenances shall not be visible from public streets or public places.

L. Landscaping.

(1) Existing vegetation is encouraged to be preserved as much as possible by minimizing clearing and grading in new developments where practicable. Existing large trees and other natural features should be incorporated into the proposed site design to the maximum extent practicable.

(2) Buffer landscaping to screen and protect adjacent residential districts from commercial uses shall be provided in accordance with § 100-15B(12) of this chapter.

(3) All portions of improved properties which are not used for buildings, structures, off-street parking and loading, permitted outdoor storage, driveways, walkways or similar purposes shall be appropriately landscaped with grass, shrubs, trees and other ground cover in such manner as to minimize erosion and stormwater runoff and to maintain or improve the aesthetics of such development.

(4) Parking areas shall be landscaped in accordance with § 100-29 of this chapter.

(5) Shade trees shall be planted along both sides of all roadways, if determined necessary by the Planning Board, at a distance in each row no greater than 40 feet on center. All such trees shall have a caliper of at least 2½ inches at a height of three feet above finished grade.

- (6) In the GC Subdistrict, existing vegetation adjacent to Route 44/55 shall be retained to the maximum extent practicable in order to provide visual screening of development from the roadway unless, in the opinion of the Planning Board, sufficient landscaping is proposed in a new project.
 - (7) Additional landscaping to screen views of development from the Rail Trail and from public roadways shall be provided, if deemed appropriate by the Planning Board.
- M. Outdoor Lighting. Outdoor lighting shall be consistent with the provisions of § 100-27 of this chapter. Shoebox fixtures are not permitted.
- N. Signs. Signs shall be consistent with the provisions of § 100-28 of this chapter¹.
- O. Outdoor Dining. Restaurants shall be permitted to operate outdoor cafes on sidewalks and in other outdoor areas provided pedestrian circulation and access to store entrances shall not be impaired. The following standards and guidelines are applicable to outdoor dining:
- (1) All outdoor dining shall be shown on a site plan submitted with the application.
 - (2) To allow for pedestrian circulation, a minimum of 8 feet of sidewalk between the outdoor cafe and the furnishing zone shall be maintained free of tables and other encumbrances.
 - (3) Planters, posts with ropes, railings or other removable enclosures are encouraged and shall be used as a way of defining areas occupied by the cafe.
 - (4) Extended awnings, canopies, or large umbrellas shall be permitted and located to provide shade. Colors shall complement building colors where the establishment is located.
 - (5) No outdoor kitchen shall be permitted. All food shall be dispensed from the interior of the restaurant.
 - (6) All tables and chairs shall be movable. No permanent or fixed seating shall be permitted. No standing room service shall be permitted.
 - (7) Outdoor cafes shall conform with the provisions of Chapter 75 (Noise) of the Town Code.
 - (8) Outdoor cafes shall provide outdoor trash receptacles.
 - (9) Tables, chairs, planters, trash receptacles, and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.
 - (10) The operators of outdoor cafes shall be responsible for maintaining a clean, litter-free, and well-kept appearance within and immediately adjacent to the area of their activities.
- P. Waivers.
- (1) Where the Planning Board finds that because of unusual circumstances of shape, topography or other physical features of the proposed W-G project site or because of the nature of adjacent de-

¹ As proposed to be amended.

velopments, extraordinary hardship would result from strict compliance with the site design standards in §§ 100-26H through J, it may waive or modify the requirements of those subsections to mitigate the hardship so that substantial justice may be done and the public interest secured, provided that no such waiver shall be granted which will have the effect of nullifying the intent and purpose of the W-G District.

- (2) The Planning Board may, in granting waivers or modifications to these site design standards, incorporate such reasonable conditions as will, in its judgment, substantially secure the objectives of the requirements so waived.
- (3) No waiver or modification shall be deemed approved or granted by implication. Unless a specific waiver is requested by the applicant in writing and granted by the Planning Board, all proposed projects shall comply with the provisions of this section. All waivers and modifications shall be expressly set forth in the minutes of the Planning Board.
- (4) Waivers shall be considered unique and shall not set precedent for others.

SECTION 7. AMENDMENTS TO ARTICLE VI OF THE ZONING LAW ENTITLED "SUPPLEMENTARY REGULATIONS"

§ 7.1. The following new § 100-38 is inserted into the Code to read as follows:

§ 100-38. Supplementary Standards for the W-G District.

A. Farmers' Market. A farmers' market, as defined in § 100-8 of this chapter, shall be permitted in the GM Subdistrict of the W-G District, provided that:

- (1) If the farmers' market involves the construction or use of permanent structures or other improvements, including parking surfaces and signage, all applicable standards for the GM Subdistrict shall be met.
- (2) If the farmers' market involves the use of temporary structures, such as tents or similar shelters, such structures may be erected only during periods of farmers' market activity and may be in place not more than 24 hours prior to or following such sales activity. The display of signage shall be restricted by the same time requirements and limited to on-site locations.
- (3) The farmers' market shall meet all applicable Ulster County Health Department standards.
- (4) A farmers' market may be a principal or accessory use.

B. Restaurant, drive-through. A drive-through restaurant shall be permitted in the GC Subdistrict of the W-G District and in the W-G: GM District with a Special Use Permit, provided that:

- (1) The drive through is not accessed directly from Route 9W;
- (2) Pedestrian circulation is not impeded by drive-through traffic.

C. Light Industry in the W-G: GC District. Light industry shall be permitted in the GC Subdistrict of the W-G District, provided that:

- (1) All Light Industrial Use processes shall be performed within an Enclosed Structure.
- (2) All storage of raw materials used in any Light Industrial Use and any waste generated from any Light Industrial Use shall be stored in an enclosed structure or a container made from impervious materials which prevents exposure of its contents to the ambient elements.
- (3) Light Industrial uses deemed to be high impact uses are expressly prohibited. High Impact uses include Industrial or manufacturing processes engaged in the production of any products classified under the following North American Industry Classification (NAIC) 2007 system code numbers: Veneer, Plywood & Engineered Wood Product Manufacturing (3212), except for Truss Manufacturing (321214), which shall not be included as a High Impact Use; Pulp, Paper and Paperboard Manufacturing (3221); Petroleum & Coal Manufacturing (3241); Basic Chemical Manufacturing (3251); Pesticide, Fertilizer & Other Agricultural Chemical Manufacturing (3253); Other Chemical Products & Preparation Manufacturing (3259); Clay Product & Refractory Manufacturing (3271); Glass & Glass Product Manufacturing (3272); Cement & Concrete Manufacturing (3273); Lime & Gypsum Manufacturing (3274); Other Nonmetallic Mineral Product Manufacturing (3279); Iron Steel Mills & Ferroalloy Manufacturing (3311); Steel Product Manufacturing from Purchased Steel (3312); Alumina & Aluminum Production & Processing (3313); Nonferrous Metal (Not Alum) Production & Processing (3314); Foundries (3315); Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing (3252); Rubber Products Manufacturing (3262); and Leather and Allied Product Manufacturing (3161).
- (4) Notwithstanding subsection (3) above, a manufacturing or industrial process classified under NAIC system code numbers Pottery, Ceramics, and Plumbing Fixture Manufacturing (32711); Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing (327112); Other Pressed and Blown Glass and Glassware Manufacturing (327212); Glass Product Manufacturing Made of Purchase Glass (327215); and Leather and Hide Tanning and Finishing (316110) shall not be considered a High-Impact Use if it:
 - (a) Is not likely to have a significant negative impact upon the environment.
 - (b) Is not likely to cause or significantly contribute to an increase in mortality or serious irreversible, or incapacitating reversible illness.
 - (c) Is not likely to pose a substantial present or potential hazard to human health due to the nature of its operation, materials used and/or wastes generated.

- (5) Any use requiring a permit from a state or federal governmental agency, which permit would allow for the discharge, storage, transport, disposal, or release of Contamination, shall be evidence of a High-Impact Use, as determined by the type and volume of Contamination.
- (6) High-Impact Uses also include any uses which have associated therewith any detrimental or obnoxious noise, vibration, smoke, odors, dust, heavy truck traffic, toxic or hazardous raw materials or Hazardous Wastes, and/or Contamination.

D. Recreational business in the W-G: GC District. Recreational business, other than golf courses, driving ranges, go-kart tracks and similar outdoor recreational facilities that consume large amounts of land, shall be permitted in the GC Subdistrict of the W-G District.

SECTION 8. AMENDMENTS TO THE TOWN OF LLOYD ZONING MAP

The Zoning District Map prepared by _____ dated _____, attached hereto as Attachment B, is hereby adopted and declared to be the Zoning District Map of the Town of Lloyd, and an appurtenant part of the Zoning Code of the Town.

SECTION 9. EFFECTIVE DATE

This local law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

ATTACHMENT A

Attachment A to Local Law No. _____ of 2013

ZONING
 100 Attachment 1
 Town of Lloyd
 Use Table

KEY:

- P = Permitted principal use
- SP = Special permitted use
- * = Site plan approval required
- = Prohibited use

Use	District										Reference				
	A	R-2	R-1	R-1/2	R-1/4	TR-1/2; TR-1/2	W-G; GM	W-G; GC	CB	DB		GB	WBO	LB	LI
Residential Uses															
Single-family dwelling	P	P	P	P	P				SP	--	--	--	--	--	--
Two-family dwelling	SP*	SP*	SP*	SP*	SP*		P*	--	SP*	--	--	--	--	--	--
Multifamily dwelling	--	--	--	SP*	SP*		P*	--	SP*	--	--	--	--	--	§ 100-49
Townhouse dwelling	--	--	--	SP*	SP*		P*	--	SP*	--	--	--	--	--	--
Accessory apartment, existing structure	SP	SP	SP	SP	SP		--	--	SP	--	--	--	--	--	§ 100-42
Accessory apartment, new accessory structure	SP*	SP*	SP*	SP*	SP*		--	--	SP*	--	--	--	--	--	§ 100-42
Upper-floor apartment	--	--	--	--	--		P*	--	P*	P*	--	--	--	--	--
Back-facing apartment	--	--	--	--	--		SP*	--	--	--	--	--	--	--	--
Manufactured home	P ¹	--	--	--	--		--	--	--	--	--	--	--	--	§ 100-15A(6)
Manufactured home park	--	--	--	--	--		SP*	--	--	--	--	--	--	--	§ 100-47
Assisted living facility	--	--	--	SP*	SP*		--	--	--	--	--	--	--	--	--
Continuing care retirement community	--	SP*	SP*	SP*	SP*		--	SP*	--	--	--	SP*	--	--	§ 100-45
Nursing home	--	SP*	SP*	SP*	SP*		--	--	--	--	--	--	--	--	--
Business Uses															
Adult use	--	--	--	--	--		--	--	--	--	--	--	--	--	SP*

Use	District													Reference		
	A	R-2	R-1	R-1/2	R-1/4	TR-1/2; TR-1/2	W-G; GM	W-G; GC	CB	DB	GB	WBO	LB		LI	AU-O
Agriculture	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	\$ 100-15B(9)
Animal husbandry	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	\$ 100-15B(10)
Artisanal Use	--	--	--	--	--	--	P*	P*	--	--	--	--	--	--	--	
Bank	--	--	--	--	--	--	P*	P*	P*	P*	--	--	--	--	--	
Bed & Breakfast	SP	SP	SP	SP	SP	--	--	--	--	--	--	--	--	--	--	\$ 100-33
Convenience store	--	--	--	--	--	--	--	--	P*	SP*	P*	--	--	--	--	
Day care, adult	SP*	SP*	SP*	SP*	SP*	--	SP*	SP*	SP*	--	SP*	--	P*	--	--	
Day care center	SP*	SP*	SP*	SP*	SP*	--	SP*	SP*	SP*	--	SP*	--	P*	--	--	
Entertainment, commercial indoor	--	--	--	--	--	--	P*	P*	--	--	--	--	--	--	--	
Family home day care	SP*	SP*	SP*	SP*	SP*	--	--	--	--	--	--	--	--	--	--	\$ 100-33
Farmers' Market	--	--	--	--	--	--	P*	P*	--	--	--	--	--	--	--	
Funeral home	--	P*	P*	--	--	--	--	--	P*	--	--	--	P*	--	--	
Greenhouse and nursery	P	P*	P*	--	--	--	--	--	P*	P*	--	--	--	--	--	
Home occupation – Class I	P	P	P	P	P	P	--	--	--	--	--	--	--	--	--	\$ 100-33
Home occupation – Class II	SP*	SP*	SP*	SP*	SP*	--	SP*	--	--	--	--	--	--	--	--	\$ 100-33
Kennel	SP*	--	--	--	--	--	--	--	--	--	--	--	--	SP*	--	
Light industry	--	--	--	--	--	--	P*	P*	--	--	--	--	--	P*	--	\$ 100-38C
Lodging	--	--	--	--	--	--	P*	P*	P*	--	--	--	--	--	--	
Medical or dental clinic or group offices	--	--	--	--	--	--	P*	P*	--	--	--	--	--	--	--	
Mining	SP*1	--	--	--	--	--	--	--	--	--	--	--	--	--	--	\$ 100-37
Motel or hotel	--	--	--	--	--	--	P*	P*	P*	P*	P*	P*	--	--	--	
Motor vehicle repair shop	--	--	--	--	--	--	--	--	--	--	--	P*	--	SP*	--	\$ 100-48
Motor vehicle sales	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Motor vehicle service station	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	\$ 100-48
Office	--	--	--	--	--	--	P*	P*	P*	P*	P*	--	P*	P*	--	
Parking structure	--	--	--	--	--	--	P*	P*	--	--	--	--	--	--	--	
Restaurant	SP*	--	--	--	--	--	P*	P*	P*	P*	P*	P*	P*	P*	--	
Restaurant, drive-through	--	--	--	--	--	--	SP*	P*	--	--	--	--	--	--	--	\$ 100-38B

Use	District													Reference		
	A	R-2	R-1	R-1/2	R-1/4	TR-1; TR-1/2	W-G; GM	W-G; GC	CB	DB	GB	WBO	LB	LI	AU-O	
Retail business (not listed elsewhere)	--	--	--	--	--	--	P*	P*	P*	SP*	P*	P*	P*	--	--	§ 100-50
Service business (not listed elsewhere)	--	--	--	--	--	--	P*	P*	P*	SP*	P*	P*	P*	--	--	§ 100-50
Skating rink, bowling alley,	--	--	--	--	--	--	--	SP*	--	P*	P*	--	--	--	--	
Special uses for historic structures	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	§ 100-51
Telecommunications facilities, co-location	P*	--	--	--	--	--	--	--	P*	P*	--	--	--	P*	--	§ 100-39
Telecommunications facilities, new towers	SP*	--	--	--	--	--	--	--	SP*	SP*	--	--	--	SP*	--	§ 100-39
Theater	--	--	--	--	--	--	P*	P*	SP*	P*	--	--	--	--	--	
Veterinary office or animal hospital	SP*	--	--	--	--	--	--	SP*	SP*	SP*	--	--	P*	SP*	--	
Warehouse	SP*	--	--	--	--	--	--	--	P*	P*	--	--	P*	P*	--	
Waterfront-compatible	--	--	--	--	--	--	--	--	--	--	SP*	--	--	--	--	
Waterfront-dependent	--	--	--	--	--	--	--	--	--	--	SP*	--	--	--	--	
Open Space Uses																
Campground	P*	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Commercial timber harvesting	SP	SP	SP	--	--	--	--	--	--	--	--	--	--	--	--	§ 100-44
Conservation area	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Golf course or country club	P*	P*	P*	--	--	--	--	--	--	--	--	--	--	--	--	
Park, playground or other public recreation facility	P*	P*	P*	P*	P*	P*	--	--	P*	--	--	P*	P*	P*	--	
Park, pocket	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	
Recreational business	SP*	SP*	SP*	--	--	--	--	--	SP*	--	--	--	P*	--	--	§ 100-38D
Wildlife refuge	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community Uses																
Cemetery	SP*	--	SP*	--	--	--	--	--	--	--	--	--	--	--	--	§ 100-43
Church or place of worship	P*	P*	P*	P*	P*	P*	--	--	P*	P*	--	--	P*	--	--	
Civic or youth center	--	SP*	SP*	SP*	SP*	SP*	P*	P*	SP*	--	--	--	P*	--	--	
Club	--	SP*	SP*	SP*	SP*	SP*	--	--	SP*	--	--	--	P*	--	--	
Cultural Center	--	--	--	--	--	--	P*	P*	--	--	--	--	--	--	--	

Use	District												Reference				
	A	R-2	R-1	R-1/2	R-1/4	TR-1/2	TR-1/2	W-G: GM	W-G: GC	CB	DB	GB		WBO	LB	LI	AU-O
Essential services	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	
Hospital	--	SP*	SP*	SP*	SP*	--	--	P*	SP*	SP*	SP*	SP*	--	SP*	--	--	
Library or museum	--	SP*	SP*	SP*	SP*	--	P*	P*	P*	--	--	--	--	SP*	--	--	
School, private	--	SP*	SP*	SP*	SP*	--	--	SP*	SP*	--	--	--	--	P*	--	--	
School, public	P*	P*	P*	P*	P*	--	--	--	--	--	--	--	--	P*	--	--	
Small wind energy facility																	

See Section 100-32 of this Chapter

*Only as an accessory use to agriculture.

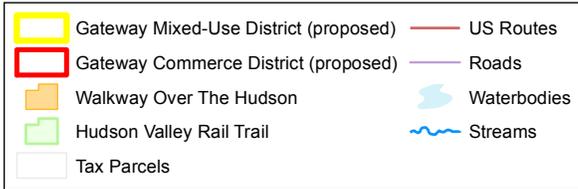
ATTACHMENT B

Walkway-Gateway Neighborhoods

Proposed Gateway Mixed-Use & Gateway Commerce Districts, Town of Lloyd



Note: All boundaries are approximate and are not intended for site specific work.



Map prepared by GREENPLAN, Inc., October 2012.