

## Part 1

# Section §75-26.1 Design Standards and Guidelines

### TOWN REVIEW COPY

The following pages include proposed new section §75-26.1 of the zoning code.

#### The purpose of these proposed edits is:

- To modify the existing Route 32 Corridor Commercial/Industrial Design Guidelines to instead apply to any commercial, industrial or multifamily development within the town.
- To officially codify these standards and guidelines into the town zoning code for review and approval of new construction and redevelopment projects.

Note: All proposed zoning text shown is new, unless otherwise noted.

Note: The Standards and Guidelines document this section refers to has been attached for reference purposes, although it would not appear inserted within the code itself. These proposed edits within that are highlighted for convenience as follows:

Text shown as regular black is existing code.  
Text highlighted as green underline is proposed to be added as new.  
Text highlighted as ~~red-strikeout~~ is proposed to be deleted.

## § 75-26.1. Design Standards and Guidelines

**A. Intent.** The Town of Rosendale has adopted Design Standards and Guidelines to serve as minimum standards and guidance for the development of future commercial, industrial and multi-family properties within the town. They are intended to provide a framework by which the Town Board, Planning Board, other town agencies and organizations as well as developers and private land owners can promote attractive, economically viable development within Rosendale. The standards and guidelines provide specific guidance that can be taken to assure that each individual development will be part of a larger effort that strengthens both Rosendale's quality of life and its long term economic and fiscal viability. They should be used to help interpret the application of a standard in a specific situation. At the most basic level, these Design Standards and Guidelines are intended to shape commercial and industrial development so that, to the greatest extent possible:

- (1) The design of the buildings, landscaping and other features reflect the historic character of the Town of Rosendale, particularly the architectural styles found in the business district of the hamlets;
- (2) Development is able to be reached by multiple transportation modes, including automobiles, transit, sidewalks and bike lanes;
- (3) Development takes place in a manner that protects that natural resources and reflects scenic beauty of Rosendale; and,
- (4) In cases in which special conditions exist that are not specifically addressed by the standards, the intent statements should serve as the basis for determining the appropriateness of the proposed design.

**B. Applicability.** All new commercial, industrial or multifamily development proposed within the Town of Rosendale that involves either a rezoning request; a site plan approval; a revised preliminary plan where a public hearing is necessary; a special use approval; or a major rehabilitation of an existing commercial structure shall comply with the Town of Rosendale Design Standards and Guidelines.

- (1) A copy of the Town of Rosendale Design Standards and Guidelines are on file and certified by the Town Clerk as adopted. Said document, together with all amendments thereto, is hereby adopted and is declared to be an appurtenant part of this chapter.
- (2) Major rehabilitation shall mean any renovation, restoration, modification, addition, or retrofit of a structure or site that exceeds fifty percent (50%) of the current appraised value of any structure or site as established by the Town Assessor. Rehabilitation costs shall be aggregated over a five-year period to determine whether the development is subject to these rules. Major rehabilitation shall not include routine maintenance and repair of a structure or other feature on the surrounding site, such as roof replacement or general repairs to a parking area or other site feature.
- (3) Determination of Guidelines versus Standards. The text within the Design Standards and Guidelines indicates whether the provisions are a guideline or a standard. Guidelines ("should") are advisory, but strongly recommended; and standards ("shall") are mandatory.

### C. Review Process.

- (1) General. The Town of Rosendale Design Standards and Guidelines shall be applied, as applicable, in the normal review processes for re-zonings, site plans, and development plans as set forth in the Town of Rosendale Zoning Regulations.

(2) Review Criteria. Each rezoning, site plan, subdivision, application for a special use or development plan application for applicable development shall evidence compliance with the Town of Rosendale Design Standards and Guidelines.

(3) Subdivision proposals shall also comply with the specific provisions of §60-27, Design Standards.

**D. Variances and Modifications Allowed.**

(1) Variances. The Zoning Board of Appeals may grant variances from the standards contained in the Design Standards and Guidelines according to provisions for variances as outlined in the Town regulations and consistent with state law.

(2) Modifications to Allow Alternative Compliance. In addition, the Town Planning Board may waive or modify any design standard contained in the Design Standards and Guidelines to encourage the implementation of alternative or innovative practices that implement the intent of the modified standard(s) and provide equivalent public benefits without significant adverse impacts on surrounding development. Modifications and waivers may also be granted on a case by case basis that is site specific recognizing pre existing conditions and constraints.

(3) Conditions of Approval. In granting a variance, deviation, or modification, the Zoning Board of Appeals and/or the Town Board or Planning Board may require conditions that will substantially secure the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties, including but not limited to additional landscaping or buffering.

**F. Conflicting Provisions.** If the provisions of the Design Standards and Guidelines are inconsistent with one another, or if they conflict with provisions found in other adopted codes, ordinances, or regulations of the Town of Rosendale, the more restrictive provision will control unless otherwise expressly provided.

# I. INTRODUCTION

This document is intended to be used in conjunction with the Town of Rosendale code §75-26.1 Design Standards and Guidelines.

## A. INTENT

The Design Standards and Guidelines are intended to **serve as a** guide **for** the development of commercial, industrial or multi-family housing projects within the Town of Rosendale. They are intended to provide a framework by which the Town Board, Planning Board, other town agencies and organizations as well as developers and private land owners can promote attractive, economically viable development for the corridor. The guidelines provide specific guidance about steps that can be taken to assure that each individual development will be part of a larger effort that strengthens both Rosendale's quality of life and its long-term economic and fiscal viability. They should be used to help interpret the application of a standard in a specific situation.

At the most basic level, these design guidelines and standards are intended to shape commercial and industrial development so that, to the greatest extent possible:

- The design of the buildings, landscaping and other features reflect the historic character of the Town of Rosendale, particularly the architectural styles found in the central business district **of the and of each** hamlet;
- Development is able to be reached by multiple transportation modes, including automobiles, transit, walking and cycling;
- Development takes place in a manner that protects that natural resources and reflects scenic beauty of Rosendale.

In cases in which special conditions exist that are not specifically addressed by the standards, the intent statements should serve as the basis for determining the appropriateness of the proposed design.

## B. HOW TO USE THIS DOCUMENT

Set forth below are the key steps in the development process and points at which the design standards should be consulted and applied:

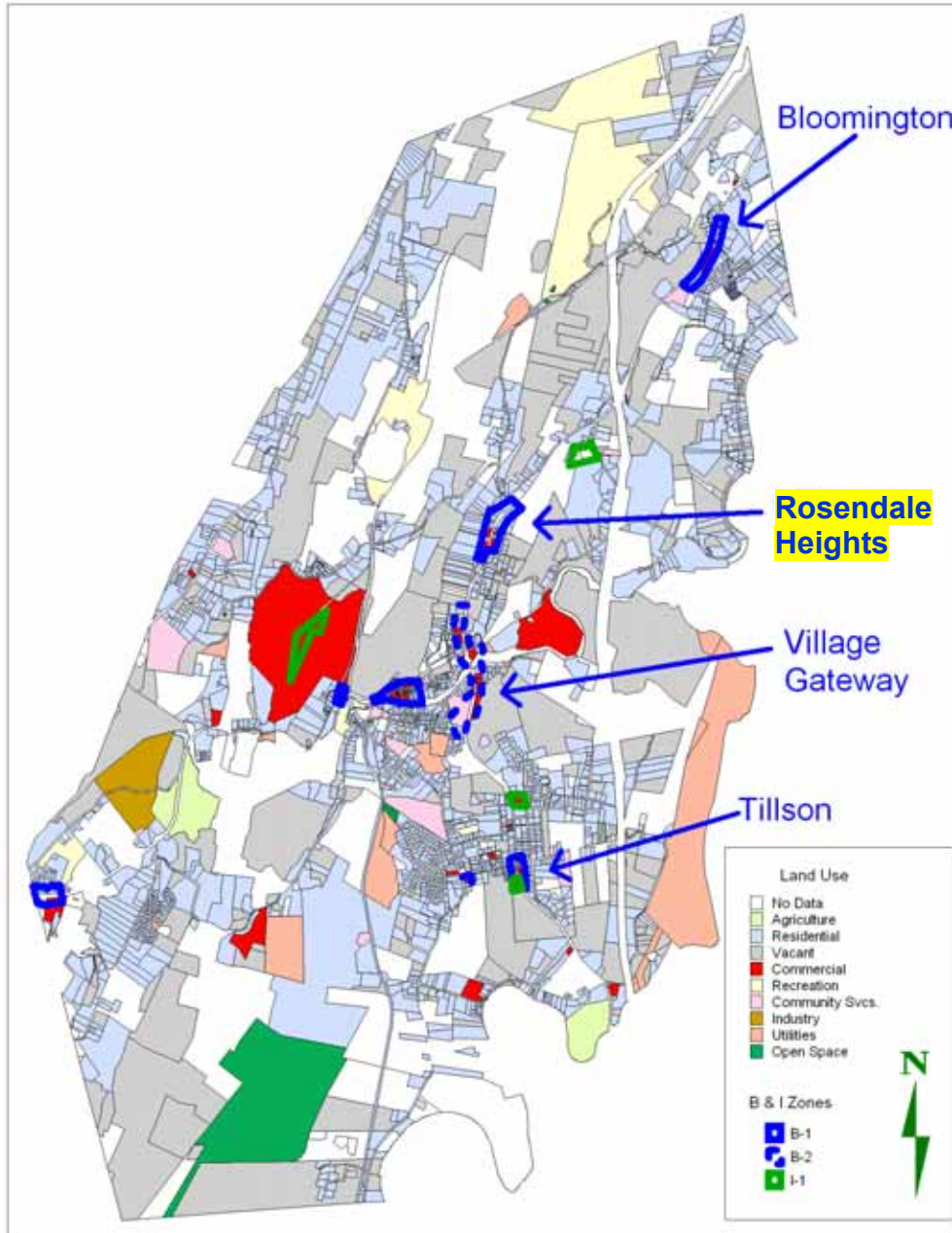
- Locate the property and identify the applicable zoning district.
- Discuss the proposed project with town staff (informal discussion only--typically pre-design).
- Review the design standards.
- Understand and document the context of the building site; inventory adjacent land uses.
- Develop the site plan and building design using these standards in conjunction with Town of Rosendale zoning laws and applicable development regulations and policies.
- Contact staff regarding a pre-application meeting.
- Complete the **developer's developers'** checklist to ensure conformance with the design standards.
- Submit the project for formal review per relevant procedures as set forth in the laws and regulation of the Town of Rosendale.

Section IV of this document sets forth specific design standards that are organized in a format that contains design principles, guidelines, and regulatory language. Each subsection contains the following components, which should be applied as discussed.

*Design Guidelines versus Standards.* The text indicates whether the proposed criteria are a guideline or a standard. Guidelines (“should”) are advisory, but strongly recommended; and standards (“shall”) are mandatory.

## II. BACKGROUND CONDITIONS & ANALYSIS

### The Location of the Business Zones **Along the Route 32 Corridor**

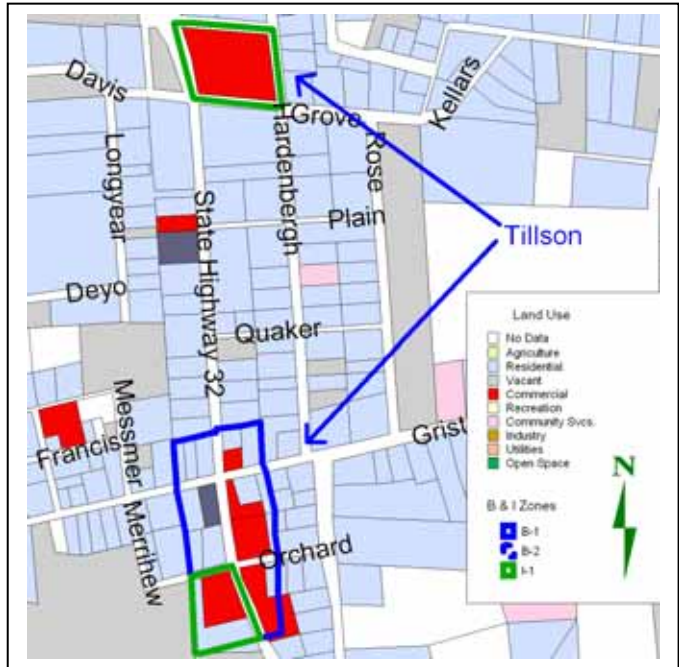


This section reviews existing conditions **along the Route 32 corridor** to identify issues to be addressed by these design guidelines and standards. For purposes of this analysis, the business zones **along the corridor** have been identified as “Tillson,” “Hamlet Gateway,” “Highway” and “Bloomington.” (See the map above.)

The existing conditions of each of these areas is briefly described below.

Tillson is one of the older settled areas of Rosendale. Its **portion of the Route 32 corridor** contains **such many** well-established enterprises as **well as newer development**. ~~the Postage Inn and Rowley’s Lumber as well as relative newcomers such as Masee Landscaping and All Motor Cars.~~

Much of the development that has taken place in Tillson is already consistent with the intent of these design guidelines. The buildings generally reflect Rosendale’s historic character. Site landscaping has improved greatly over the past few years, although there are opportunities to upgrade the landscaping even further. At the same time, the area could be made much more pedestrian and cyclist friendly, with sidewalks and bike paths added along **the Route 32 corridor and linking** the corridor to the nearby residential areas.

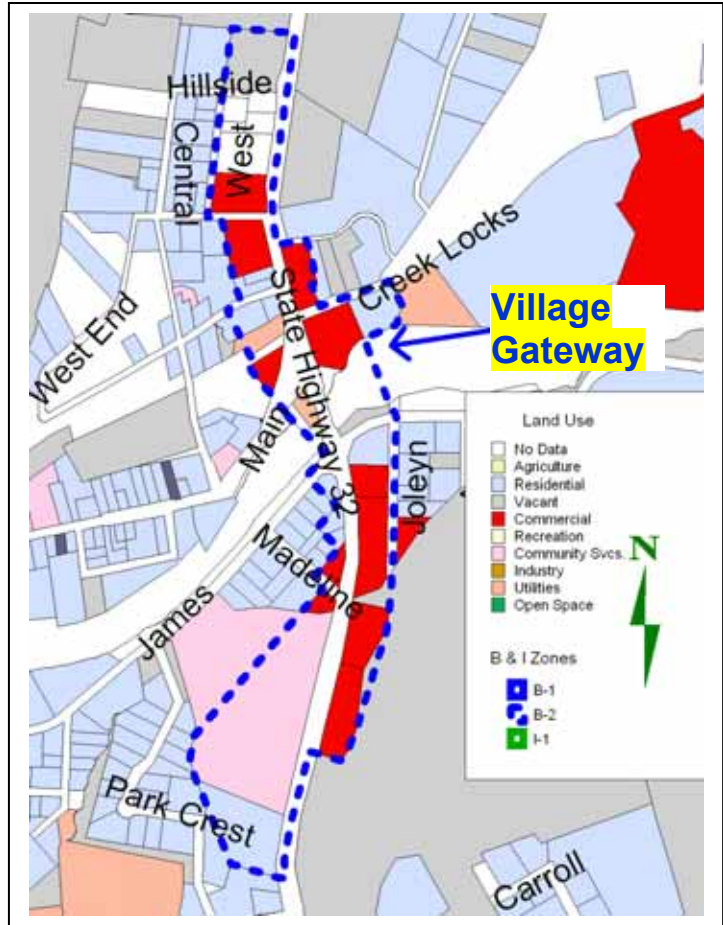


Note how even modest landscaping improves the visual appearance of the parking areas.



The small planted strip between the parking area and road helps define the parking areas.

The **Hamlet Village Gateway** encompasses the business zones adjacent to the intersection of Routes 32 and 213. It contains the most significant redevelopment site in the corridor: the former Fann's building. The area has several examples of successful redevelopment. However, it still lacks a strong visual connection to the hamlet's central business district. In addition, the area has significant opportunities for strong pedestrian connections to the hamlet that have yet to be realized.



The peaked roof on this gas station reflects the built environment of Rosendale.

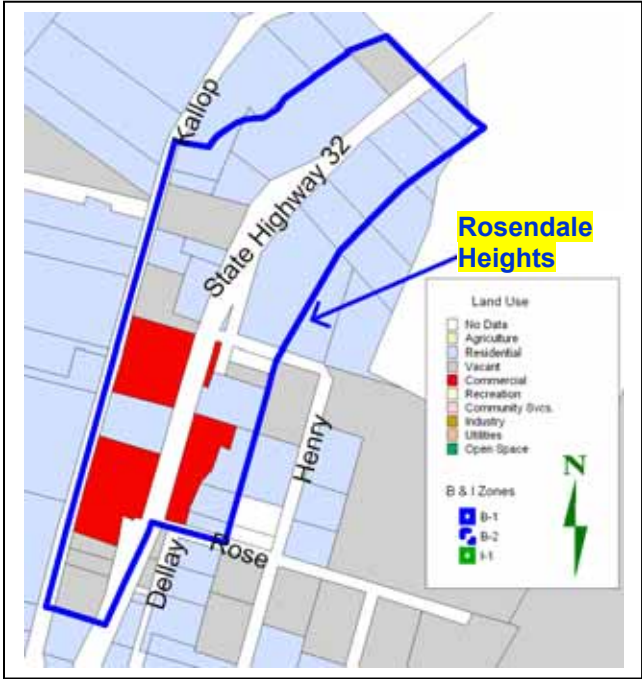


The former Fann's Plaza would benefit from improved landscaping and building designs that reflect Rosendale's character.



Improved landscaping and enhanced façade design would help tie this shopping area to Rosendale's central business district.

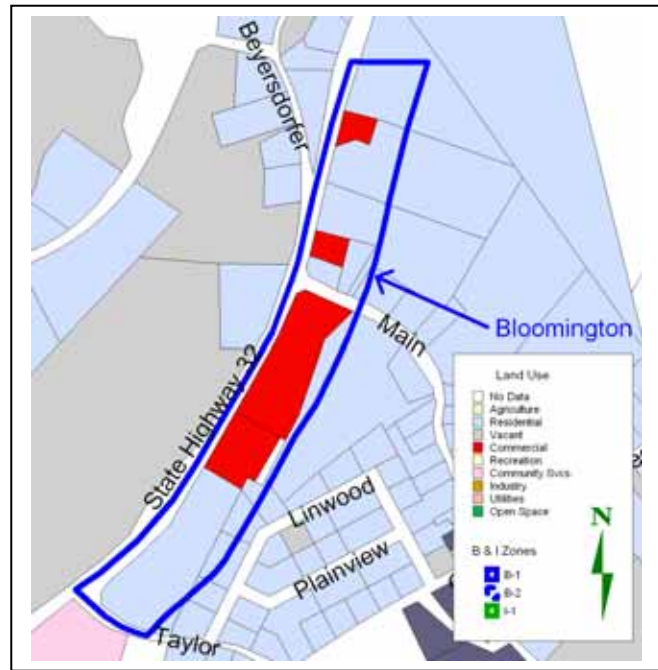
The **Highway Rosendale Heights** area is found along Route 32 north of the intersection with Route 213 and south of Bloomington. The buildings tend to be of high quality materials and generally well-maintained. However, as with much of the **Route-32 highway** corridor, building designs could more strongly reflect the historic character of Rosendale. In addition, this portion of the corridor is most in need of improvements in landscaping.



Note how even a modest amount of landscaping enhances the appearance of this distinctive building.



Bloomington is the northern-most business district along the Route 32 corridor. Most of the district is in residential use. The commercial buildings in the district reflect the fact that they were once residences or neighborhood commercial uses. As with the other districts along the main travelled routes, Route 32, most properties would benefit from improved landscaping and better quality signage.



Note the “temporary” sign to the left and the empty pole sign at the center of the site.

**General Conclusions:** The commercial areas along the Route 32 corridor within the town have many examples of quality development, good landscaping and effective signage. However, there is no consistency in any of these throughout the corridors. In addition, there is no consistent attempt to establish pedestrian connections between these commercial areas and nearby neighborhoods.



This neighborhood store turned storage facility has the beginnings of landscaping on the site. Enhanced fencing and signage would significantly improve appearances.

It is the lack of consistency that gives the Route 32 corridor its nondescript overall image. Modest improvement in landscaping and signage would have a dramatic impact on the visual appearance of the overall corridor and help position it more favorably in the eyes of visitors and residents alike. While the buildings are generally of good quality design, the implementation of a consistent approach to design while sites are redeveloped would build upon the improvements that have already taken place throughout the corridor. The guidelines and standards provided below are intended to create such a consistent approach so that each individual investment in improvements in one property will provide even greater returns to that property and to the corridor as a whole.

## III. GENERAL PROVISIONS

### A. APPLICABILITY

These Design Standards and Guidelines shall apply to all new commercial, industrial or multifamily development within the Town of Rosendale, as specified in §75-26.1 of the town zoning code. Modifications and waivers may also be granted on a case by case basis that is site specific recognizing pre-existing conditions and constraints



*Figure 1—This fast food restaurant illustrates a significant departure from "off-the-shelf" standardized building design.*

## IV. DESIGN STANDARDS AND GUIDELINES

### A. SITE PLANNING

#### 1. Intent

These guidelines and standards are intended to encourage an orderly and logical pattern of commercial development that is easily recognized by local residents, and that enhances the convenience and attractiveness of the **Route 32 Corridor town while minimizing its environmental impacts**. It is also the intent that these guidelines and standards encourage forethought and consideration of both a development's external relationships as well as its internal organization.

#### 2. Required Scope of Development Plans

##### a. Intent

The design issues inherent in commercial **and multifamily** development are generally easier to resolve if the full extent of commercial development at a particular location is dealt with as one unified project, rather than split into a number of isolated projects. Although ownership patterns and the geography of the **Route 32 corridor town** may limit the degree to which large parcels can be assembled, preliminary development plans should contain all contiguous land under the **developer's developers'** control, including land that is zoned for uses other than commercial. Cooperative planning between adjacent property owners is encouraged and may, in some cases, be required.

##### b. Design Standards and Guidelines

Preliminary development or site plans for new commercial **and multifamily** development subject to these Design Standards and Guidelines shall include the full development of the site, even where final development will be phased. The preliminary development plan or site plan shall show all contiguous land under the applicant's control, including land that is zoned for uses other than commercial.

#### 3. Land Disturbance (Grading and Retaining Walls)

##### a. Intent

The natural rolling and vegetated topography is a key element in distinguishing the **Route 32 Corridor town** and defining its character. **Wherever possible**, New development should respect and maintain the natural topography on a site through sensitive site organization and minimizing land disturbance. Extensive grading or unusual site improvements (e.g., large retaining walls) to force a preconceived design onto a particular piece of property is strongly discouraged. Modifying the design of a commercial development to fit the site generally results in a reduced potential for environmental problems and an improved level of visual interest and variety.

##### b. Design Guidelines and Standards

- i. Prior Approval of Land Disturbance. Where significant topographical issues are identified at a pre-application conference (for example, substantial differences in grade on site), the Planning Board **may will** require the applicant to submit a preliminary grading plan. As applicable, no grading, excavation, or tree/vegetation removal shall occur on a site, whether to provide for a building site, for on-site utilities or services, or for any roads or driveways, before the Town's approval of such preliminary grading plan.

ii. Respect the Natural Topography. To the maximum extent feasible, the layout of commercial developments shall follow and respect the natural topography of the site. Berms, channels, swales, and similar man-made changes to the landscape shall be designed and graded to be an integral part of the natural landscape and to provide a smooth transition in changes of slope. Development sites should be located to avoid sensitive or constrained land such as steep slopes, wetlands and critical habitats as outlined in §75-26.3 Constrained Lands.

iii. Limits on Graded or Filled Man-Made Slopes. The maximum slope of any man-made slope shall be 3:1. Retaining walls shall comply with the requirements for retaining walls set forth in this subsection.

iv. Site Drainage Patterns. Site drainage patterns shall be designed to prevent concentrated surface drainage from collecting on, and flowing across pedestrian paths, walks, and sidewalks. Site drainage design shall maximize on-site ground filtration as opposed to removal of water from the site via culverts or ditches (see Sect. IV.E.c., "Stormwater Management" and Chapter 74 of the Town Code for design options). In addition to its environmental benefits, this approach will prevent the flow of water across, or pooling of water on, pedestrian paths, walks and sidewalks.

v. Retaining Walls.

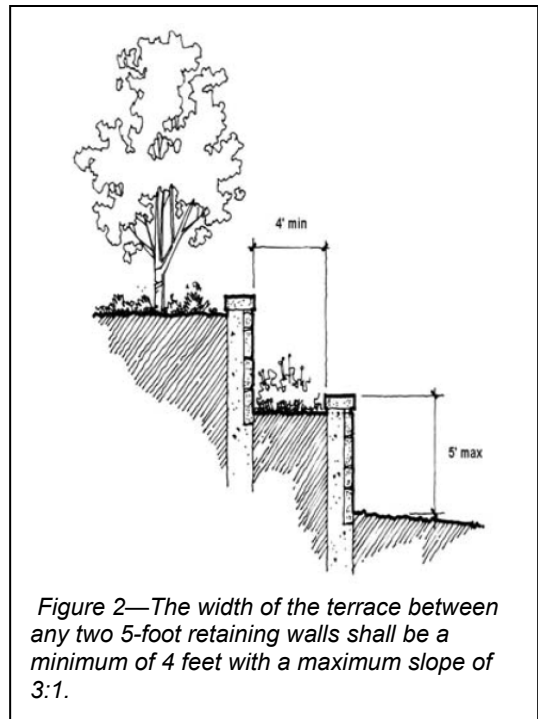
(a) Use of retaining walls is encouraged to reduce the steepness of man-made slopes and to provide planting pockets or terraces for re-vegetation and landscaping.

(b) Retaining walls may be permitted to support steep slopes but shall not exceed five feet (5') in height from the finished grade.

(c) Terracing shall be limited to four tiers, as illustrated in Figure 2. The width of the terrace between any two 5-foot retaining walls shall be a minimum of four feet (4') with a maximum slope of 3:1. Terraces created between retaining walls shall be permanently landscaped or re-vegetated.

(d) Retaining walls shall be stacked natural stone or faced with stone or earth-colored materials, or a material compatible with the primary building materials. Railroad ties, timber, and gabion-type retaining walls are prohibited.

(e) All retaining walls shall comply with the building code currently adopted by the Town, except that when any provision of this subsection conflicts with any provision set forth in the building code, the more restrictive provision shall apply.



## B. SITE LAYOUT/DEVELOPMENT PATTERN (INCLUDING BUILDING ORIENTATION)

### 1. Intent

Site layout and building orientation often define the focus of activity that occurs at the front door or along the street. These standards are intended to use site planning and building orientation in order to:

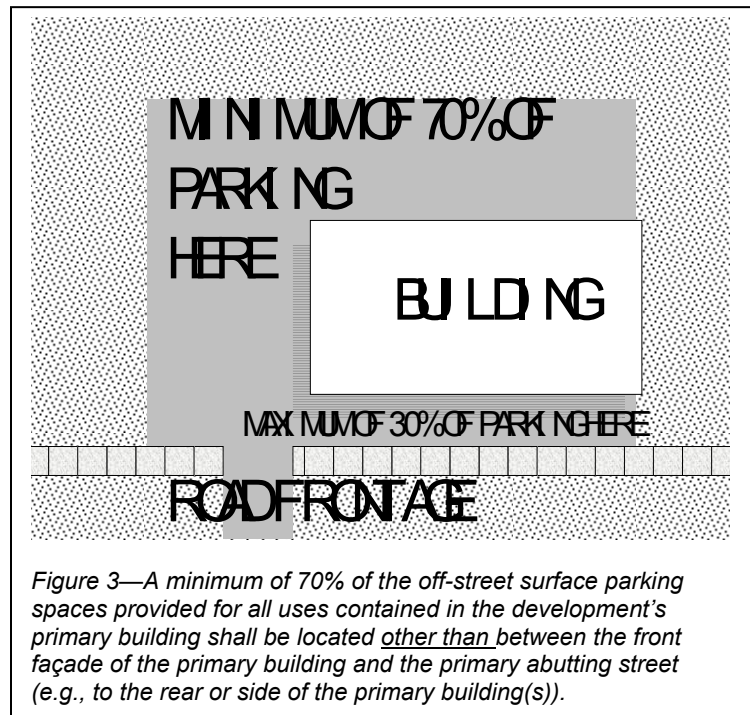
- a. Create a sense of place for users and passers-by;
- b. Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene;
- c. Ensure that site circulation promotes contiguous pedestrian and vehicle circulation patterns;
- d. Ensure that parking areas provide safe and efficient access to buildings; and
- e. Create a unique and identifiable image for development in the town. **Route 32 Corridor.**

### 2. Location of Parking

In order to reduce the scale of the paved surfaces and to shorten the walking distance between the parked car and the building, off-street parking for all commercial developments shall be located according to one of the following options:

- a. A minimum of seventy percent (70%) of the off-street surface parking spaces provided for all uses contained in the development's primary building shall be located other than between the front façade of the primary building and the primary abutting street (e.g., to the rear or side of the primary building(s)); or
- b. More than thirty percent (30%) of the off-street surface parking spaces provided for all uses contained in the development's primary building may be located between the front façade of the primary building(s) and the primary abutting street, provided the amount of interior and perimeter parking lot landscaping required by section IV.G.4. (*Parking Lot Landscaping*) below is increased by fifty percent (50%).

**c. Entrance and egress per applicable local, county and state standards.**



### 3. Multiple-Building Developments

#### a. Applicability

When there is more than one (1) building in a **commercial** development, the development shall comply with the following standards.

## b. Site Layout and Building Orientation

All primary and outlying buildings shall be arranged and grouped so that their primary orientation complements adjacent, existing development and either:

- i. Frames the corner of an adjacent street intersection;
- ii. Frames and encloses on at least three sides parking areas, public spaces, or other site amenities.
- iii. Alternatives. An applicant may submit an alternative development pattern, provided such pattern achieves the intent of the above standards and this section. To the maximum extent feasible, strictly linear or "strip commercial" development patterns shall be avoided.

## 4. Single-Building Developments

### a. Applicability

Unless part of a larger planned development or commercial center, when there is only one (1) building in a proposed commercial development, the development shall comply with the following standards.

### b. Single-Tenant Building

Unless part of a larger planned development or commercial center, when there is only one (1) building in a proposed commercial development that will be occupied by a single tenant, such building shall be oriented toward the primary abutting street and shall otherwise comply with standard B.2.a. (*Location of Parking*) above. Deep setbacks behind large expanses of parking areas or vacant land shall be avoided.

### c. Multi-Tenant Building

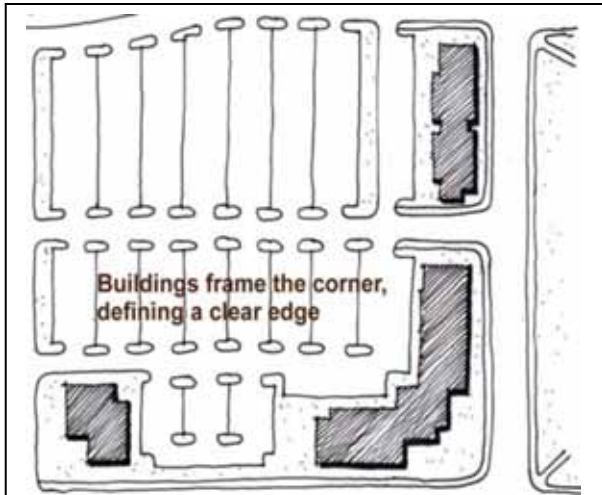
Unless part of a larger planned development or commercial center, when there is only one (1) building in a proposed commercial development that will be occupied by multiple tenants, at least fifty percent (50%) of the building's "active" wall shall be oriented toward the primary abutting street and shall otherwise comply with standard B.2.a. (*Location of Parking*) above. Deep setbacks behind large expanses of parking areas or vacant land shall be avoided. For purposes of this standard, the "active" wall shall be the side of the building containing the majority of storefronts, customer entrances, and windows.

### d. Design Guidelines and Standards

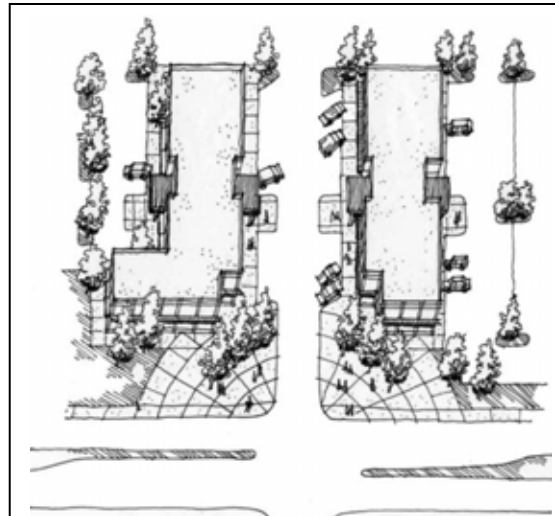
The layout of buildings shall relate coherently to the public street and surroundings and specific siting decisions shall further the general intent of creating a "sense of place," focal points, site amenities, and arrival into the area. Route 32 Corridor:

- i. General Guideline. The number, location, and design of independent sites shall reinforce, rather than obscure, the identity and function of the main commercial business areas Route 32 Corridor and their its relationship to the historic character of downtown and hamlets. Rosendale's downtown business district.
- ii. Clustering of Buildings. To the maximum extent practicable, sites shall be clustered together to define street edges and entry points or to enclose and create interesting places between buildings. Even dispersal of buildings in a widely-spaced pattern within the development, even if along the street edge(s), is discouraged. Placement of buildings shall be consistent with the requirements for overall development pattern and site layout set forth in section IV.B. (*Site Layout/Development Pattern*) above.

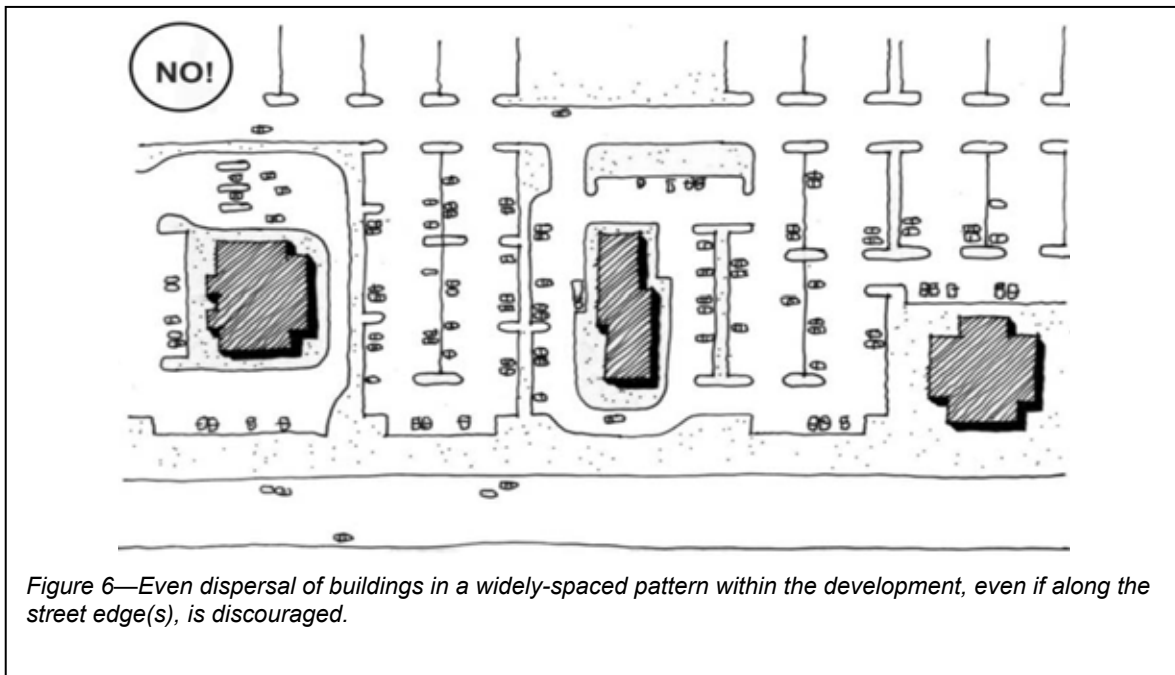
**Figure 5**—In this development pattern, a side "main street" off the primary abutting street is the core and focus of the center. Buildings are closely spaced and front directly on this "main street." The majority of parking is typically on the interior of the block behind the buildings, although parallel or angled parking could be allowed along the "main street." The "main street" could be intersected by smaller side streets providing access to other uses on the parcel.



**Figure 4**—In this development pattern, most buildings front directly on the street and define a clear edge. The building on the corner makes a strong architectural statement and announces the center. Parking is typically on the interior of the block.



**Figure 5**— To the maximum extent practicable, buildings shall be clustered together to define street edges and entry points to enclose and create interesting places between buildings.



**Figure 6**—Even dispersal of buildings in a widely-spaced pattern within the development, even if along the street edge(s), is discouraged.

iii. Spaces Between Adjacent Buildings. Wherever practicable, spaces between adjacent buildings should be improved to provide small pockets (preferably heavily-landscaped) of

customer parking, pedestrian connections, small-scale project amenities, or focal points. Examples include, without limitation:

- (a) A landscaped pedestrian walkway linking customer entrances between two or more buildings;
- (b) A public seating or outdoor eating area;
- (c) An area landscaped with a variety of living materials emphasizing four-season colors, textures, and varieties; or
- (d) Sculptures or fountains.

iv. Pedestrian Connections. See section IV.D.3. (*Pedestrian Access and Circulation*) below.

## 5. Free-Standing Kiosks/ ATM Structures

### a. Intent

Ensure that free-standing kiosk structures are compatible with the appearance and function of the overall commercial development.

### b. Design Guidelines and Standards

i. General Guideline. All kiosk-type buildings and structures shall be integrated with the overall commercial or center development, and shall be subject to the same guidelines as all other buildings with the development.

All ATMs must comply with the NYS ATM Safety Act of 1995.

ii. Location. Free-standing kiosks and drive-up ATM structures shall not be located along the primary access street frontage.

iii. Access. Access to a free-standing kiosk or drive-up ATM structure shall not be from the adjacent public streets. Access shall be from drives and streets internal to the development.

iv. Structure Design. Free-standing kiosks and drive-up ATM structures shall comply with the building design standards



Figure 7—Ensure that free-standing kiosk structures are compatible with the appearance and function of the overall commercial development.

## 6. Site Amenities

### a. Intent

Site amenities and pedestrian-scale features (e.g., outdoor plazas, street furniture, playgrounds, statuary, sidewalk cafes) in **commercial** developments offer attractive spaces for customer and visitor interaction and create an inviting image for both customers and employees. The use of site amenities can also provide pedestrian spaces at the entry to buildings, can break up expanses of parking, enhance the overall development quality, and contribute to the character of an area.

### b. Design Standards and Guidelines

i. General Guideline. Site amenities and gathering places can vary widely in size, in type, and in degree of amenity. Buildings, trees, walls, topography, and other site features within a commercial development should be oriented and arranged to enclose such gathering places and lend a human scale.

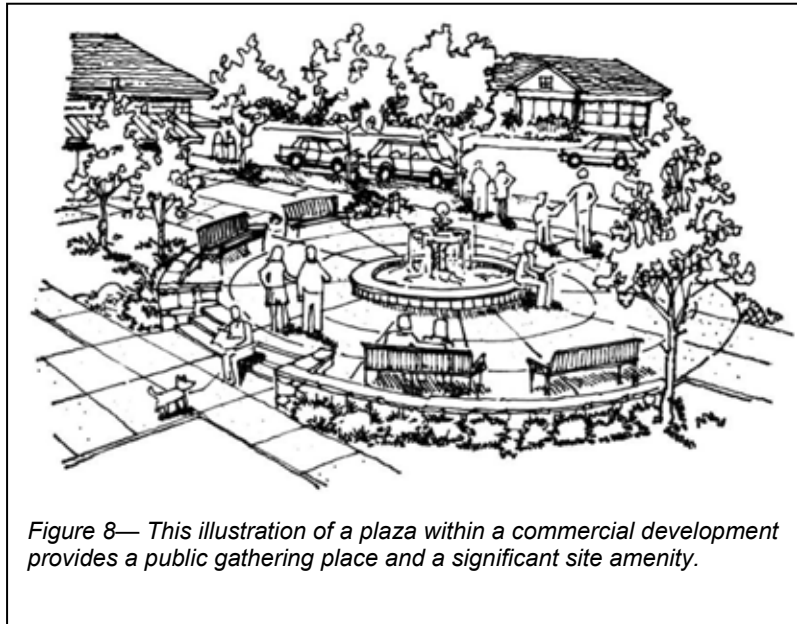


Figure 8— This illustration of a plaza within a commercial development provides a public gathering place and a significant site amenity.

ii. Standards for Site Amenities.

(a) Minimum Area Devoted to Site Amenities.

(1) New **commercial** developments with a parking ratio of less than 5 spaces per 1000 square feet of gross floor areas shall provide a minimum of 10 square feet of site amenities, open areas, and public gathering places for each 10 parking spaces.

(2) New **commercial** developments with a parking ratio of 5 per 1000 square feet of gross floor area or greater shall provide the minimum of 15 square feet of site amenities, open areas, and public gathering places for each 10 parking spaces.

(b) Allowed Site Amenities. Site amenities may consist of any of the following:

- (1) Patio or plaza with seating area;
- (2) Mini-parks, squares, or greens;
- (3) Bus stops in coordination with Ulster County Transit **and bicycle racks;**
- (4) Customer walkways or pass-throughs containing window displays;
- (5) Water feature;
- (6) Clock tower; and/or
- (7) Public art;
- (8) Any other similar, deliberately shaped area and/or focal feature that, in the Town's judgment, adequately enhances such development and serves as a gathering place.

iii. Aggregation Allowed. In **commercial** developments containing more than one building, the required area may be aggregated into one larger space, provided such space is within easy walking distance of the major tenant(s) in the development.

iv. Design Requirements.

(a) All site amenities within a **commercial** development shall be an integral part of the overall design and within easy walking distance of major buildings, major tenants, and any transit stops.

(b) Any such amenity/area shall have direct access to the public sidewalk network.

(c) The amenity/area shall be constructed of materials that are similar in quality to the principal materials of the primary buildings and landscape.

v. Site Amenities as Transitions. A site amenity may qualify as a “green/open space transition” required under section C.3. (*Transitions Between Land Uses*) below, provided the site amenity meets all applicable requirements for transitions stated in section C.3. below.

## C. RELATIONSHIP TO SURROUNDING DEVELOPMENT & ENVIRONMENT

### 1. Intent

Typical tools for making the transition between commercial, industrial or multi-family development and other, less intensive land uses have included back-to-back building orientation, large distances between uses, and heavily-landscaped buffer areas, often with fences and walls. However, some of the unintended results of this include excessive land consumption and lack of pedestrian and vehicle connections.

Accordingly, the following design standards and guidelines ensure that new commercial development, where practicable, provides convenient pedestrian and vehicle access and connections to adjacent uses. In addition, they urge the use of alternative transitions, including architectural transitions such as reducing the scale of commercial building mass next to smaller residential uses homes and at least some front-to-front building orientations, and development of less intense land uses between commercial and single-family residential areas, such as neighborhood-scale retail (with residences on the upper floors), lower-intensity office and civic/open space, or multi-family land uses.

Limited operational compatibility standards are offered as a tool to further ease transitions from more intense to less intense land uses. Landscaped buffers, walls, and fences are used only when these other alternative transitions are not effective, not possible, or not desirable given prevailing development patterns in a specific area.

### 2. Connectivity Between Land Uses

See Section IV.D. (Vehicular and Pedestrian Access and Circulation) below for applicable guidelines and standards.)

### 3. Transitions Between Land Uses

#### a. When Required

Transitions may be required in the following situations:

- i. Changes in use between adjoining properties, especially from commercial or industrial to any residential;
- ii. Changes in intensity of use between adjoining properties, such as from large commercial centers to multi-family residential; and
- iii. Views, uses, or activities on the commercial development site that could be a nuisance for neighbors, such as commercial loading and service areas.

#### b. Transition Techniques

- i. General Guideline/Standard. An applicant shall incorporate Architectural Transitions and Green/Open Space Transitions and Community-Serving Uses lesser intensive uses as transitions to the maximum extent practicable before employing more traditional Landscaping and Screening Transitions. Operational compatibility standards (section C.3.c. below) shall apply to all commercial, industrial or multi-family development, regardless of type of transition

technique used; however, the combination of Architectural Transitions, Green/Open Space Transitions, and operational compatibility standards should work to reduce the need for more intensive Landscaping and Screening Transitions.

ii. Preferred Techniques. When a transition is required, an applicant shall incorporate, to the maximum extent practicable, the architectural and green/open space transition techniques tools in subsections b.ii.(a) and b.ii.(b) below:

(a) Architectural Transitions. To the maximum extent practicable, commercial, **industrial or multi-family** development shall employ a minimum of three (3) of the following techniques to ensure compatibility with surrounding development, including adjacent residential development:

- (1) Use similar building setback.
- (2) Use similar building height.
- (3) Use similar roof form.
- (4) Mitigate the larger mass of **commercial** buildings with façade articulation (see section IV.F.2., Building Massing and Façade Treatment, below).
- (5) Use front-to-front building orientations, especially with commercial uses that are pedestrian-intensive (e.g., restaurants, banks). Other building-to-building orientations may be utilized except that a back-to-front building orientation is not an acceptable transition tool.

(b) Green/Open Space Transitions. Commercial, **industrial or multi-family** development may employ the following technique to provide transitions and ensure compatibility between the **commercial** development and surrounding development:

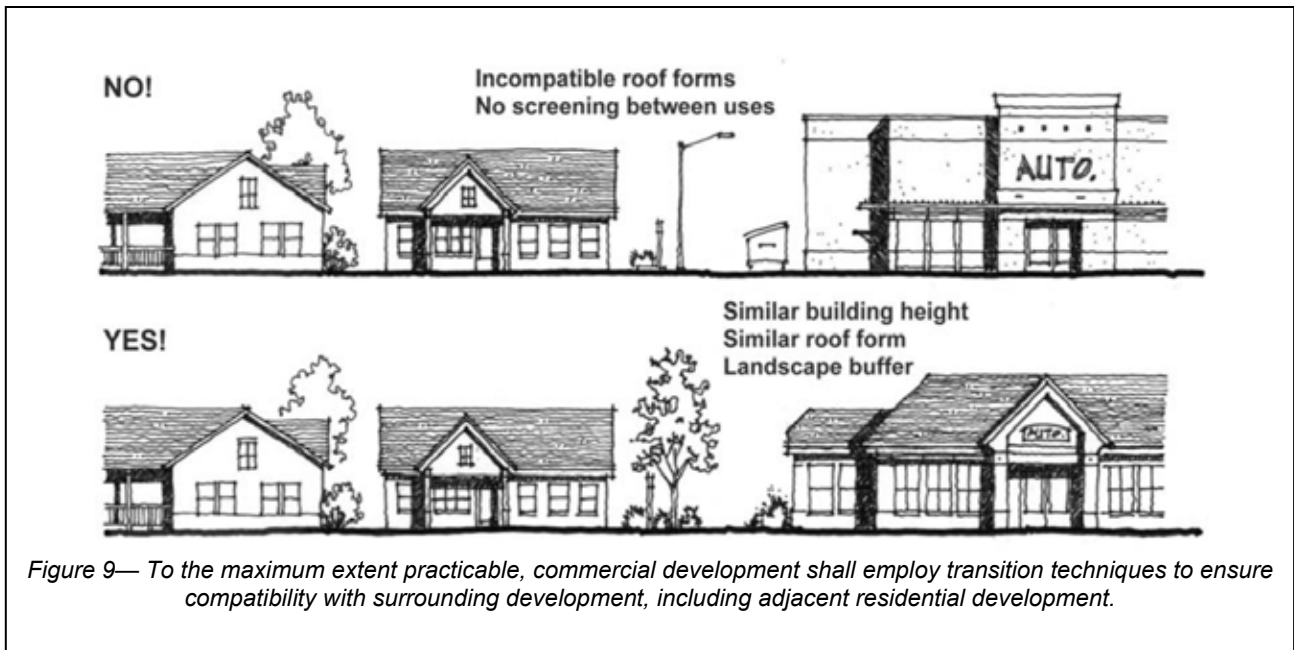
- (1) Use small green spaces, courts, squares, parks, plazas, and similar spaces that can also function as community gathering places.
- (2) Use existing natural features as transitions, including natural differences in topography (not retaining walls), streams, existing stands of trees, and similar features. When existing natural features are used as transitions, the Town may still require that adequate pedestrian connections to adjacent land uses be accommodated (see section IV.D. below).

(c) Community-Serving Uses as Transitions. When office, small-scale retail, pedestrian-intensive retail, civic, or public uses are planned as part of the same development containing more intensive **commercial** uses, the applicant may site the lesser-intensive uses or more community-serving uses as transitions to lower-intensity, adjacent uses. For example, post offices, banks, and restaurants--all of which are pedestrian-intensive, community-serving uses--can be sited next to adjacent medium-density residential uses.

(d) Orient potentially bothersome or nuisance features or uses away from neighboring uses. For example, avoid placing garages, parking lots, or service areas facing the fronts of neighboring buildings.

**(e) Exterior Lighting. All exterior lighting should be arranged and designed so as to minimize, screen or eliminate glare and light spillover into adjacent properties.**

(f) Landscaping and Screening Transitions. Where other transitions tools are not possible, or where the Town determines other transition tools by themselves do not create an adequate transition to, or buffer for, less intensive land uses, the following landscaping and screening requirements shall apply:



(1) Amount of Landscaping Required. Each boundary to be screened between the proposed commercial development and the adjacent use shall be landscaped with at least four (4) trees and twenty (20) shrubs per one-hundred linear feet (100') of edge, non-invasive and native, with fractional requirements rounded up. Conifers may be substituted for shrubs at a ratio of one (1) conifer for every four (4) shrubs.

(2) Supplemental Fences and Walls. When necessary to further assure an adequate buffer between the proposed commercial development and adjacent use, fences and walls meeting the requirements of section IV.G.9 (*Fencing and Walls*) below may be used in combination with the landscaping provided in subsections (e).(1) above.

#### c. Operational Compatibility Standards

i. The Town may impose conditions upon the approval of development applications to ensure that new commercial or multifamily development will be compatible with existing neighborhoods and uses, including, but not limited to, conditions on the following:

- (a) Placement of trash receptacles;
- (b) Location of delivery and loading zones; and
- (c) Placement and illumination of outdoor vending machines.

### **4. Relationship to Surrounding Environment**

#### **a. Intent**

Rosendale's unique topography and natural wealth are defining features of the town's character and beauty as well as a main tourist attraction. Some of the same features that make Rosendale visually appealing—its steep slopes, forested areas, streams and wetlands—have direct bearing on protecting the town's water quality and biological diversity. As a general principle, it is preferable to rehabilitate existing commercial and industrial sites in order to minimize disturbance of the landscape. For new development, the following standards and guidelines will help ensure that such development is low impact, environmentally sound and respectful of the natural landscape. Several of the practices specified below are drawn from "Better Site Design" (April, 2008), a guidance document prepared by the NYS Department of Conservation, Division of Water, for developers and designers. This document is recommended as a supplementary resource to those guidelines.

#### **b. Protecting Environmentally Sensitive Areas**

Buildings, roadways and parking areas should be located to avoid disturbing environmentally sensitive areas on the site, including steep slopes, wetlands, streams, mature forests and any critical habitats designated by local, state and/or federal authorities. All proposed site disturbances shall comply with §75-26.3 Constrained Lands in addition to applicable local, state, county and federal regulations.

#### **c. Reduction of Clearing and Grading**

Clearing and grading should be limited to the minimum area required for building footprints and adjacent parking and pedestrian walkways, as well as for construction access and safety setbacks, with the goal of preserving more undisturbed natural areas and the natural hydrology of the site.

Development of slopes of fifteen percent (10%) or greater should be avoided, if possible, to limit soil erosion, stormwater runoff and degradation of water quality. There should be no development on slopes greater than twenty-five percent (25%) or removal of vegetation to the extent that it destabilizes the soil. All proposed site disturbances shall comply with §75-26.3 Constrained Lands in addition to applicable local, state, county and federal regulations.

**d. Stream and Wetland Buffers**

It is recommended that adequate natural buffers be maintained along small streams to provide stormwater filtration, bank stabilization and sediment control. It is also recommended that natural buffers be maintained around all wetlands, appropriate to their size, to protect and maintain wetland functions and thus help preserve the quality of the town's water resources. All proposed site disturbances shall comply with §75-26.3 Constrained Lands in addition to applicable local, state, county and federal regulations.

**e. Tree Conservation and Planting**

Conserving existing trees during construction as well as adding trees to landscaping of development and redevelopment sites help to reduce stormwater runoff, prevent erosion and provide shading and wildlife habitat. An inventory of existing trees on the site should be performed to identify trees for protection and tree conservation should be integrated into the design. When planting new trees, the following NYS DEC-recommended resource is suggested as a guide: "Tree Planting Standards" (November 2007), New York City Parks and Recreation Commission.

**D. VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION**

**1. Intent**

Provide safe, efficient, and convenient vehicular and pedestrian access and circulation patterns within and between developments. By creating a safe, continuous network of pedestrian walkways within and between developments, pedestrians will feel more inclined to safely walk (rather than drive) between stores. A pedestrian network that offers clear circulation paths from the parking areas to building entries creates a friendlier, more inviting image.



**2. Vehicle Access and Circulation**

**a. Primary Vehicle Entrances**

i. The number and location of vehicle entrances to a commercial development shall be consistent with the existing or anticipated design of adjacent streets. The specific locations of primary vehicle entrances are subject to the approval of the Planning Board and will be largely dependent on the following factors:

- (a) The location of existing or planned median breaks;
- (b) Separation requirements between the entrance and major intersections;
- (c) Separation requirements between adjacent entrances (or minor intersections);
- (d) The need to provide shared access to adjacent parcels of land;

(e) The need to align with previously-approved or constructed access points on the opposite side of the street; and

(f) The minimum number of entrances needed to move traffic onto and off the site safely and efficiently.

b. Entry Driveway Configuration

i. The specific design or geometrics of **commercial** development entry driveways shall comply with the intent of these Design Standards and Guidelines and shall conform to the standards of Town, County and New York State transportation and road regulations.

(a) **Commercial** Driveway configuration and design shall be appropriate given the size of the development and the capacity of the street.

(b) Driveway geometrics shall be dependent on a variety of factors, including traffic volume, speed, and distribution. The following design issues should be addressed in each case and the resulting driveway design should provide an efficient ingress and egress to the development without causing undue congestion or accidents on the public street system:

(1) The number of in-bound and out-bound lanes;

(2) Lane width (minimum width curb-to-curb is twenty-eight feet 28'););

(3) Throat length (i.e., the distance between the street and the first point at which cross traffic or left turns are permitted);

(4) Curb radii;

(5) The need or desirability of a raised median;

(6) The need for a deceleration lane; and

(7) Accommodation for pedestrian crossings.

c. Internal Vehicle Circulation

i. Internal vehicle circulation patterns shall provide a clear and direct path to the principal customer entrance of the primary building, to outlying buildings and to each parking area.

ii. In Large Commercial Centers, a clear system of main circulation drives (containing few or no parking spaces that directly access the main drives) shall be established to carry the highest volumes of traffic within the site.

(a) In order to reduce pedestrian and vehicular conflicts, to the maximum extent feasible, those main circulation drives shall not be located along the façades of buildings that contain primary customer entrances. In areas where the location of access points and the configuration of the main circulation drives indicate that traffic volumes will not be excessive, drives may contain directly-accessing parking spaces and may be located along façades containing primary customer entrances.

(1) To the maximum extent feasible, the intersection of two main circulation drives shall be designed as a "t" intersection, rather than a four-legged intersection, to minimize vehicular conflicts.

iii. In Small Commercial Centers where traffic volumes are lower and, consequently, pedestrian-vehicular and vehicular-vehicular conflicts are less likely, more flexibility is available in the location and design of internal drives.

(a) Because of the lower traffic volumes, entry drive throat lengths can be shorter.

(b) The use of four-legged intersections can be utilized more extensively.

(c) Depending on the size of the shopping center and the number and location of access points, fewer restrictions may be placed on the extent to which traffic entering the site is directed to the drives along the building façades.

iv. Main drive aisles shall be continuous and connect to the main entrance to the development site.

v. Internal intersections shall have adequate sight lines, design geometrics, and/or traffic controls to minimize accident potential.

d. On-Site Truck Traffic/Loading and Circulation

i. Every shopping center will be required to provide loading and delivery facilities separate from customer parking and pedestrian areas.

ii. Due to their greater size and lower maneuverability, truck circulation paths should be designed with larger curve radii and more maneuvering room.

iii. As the size of the development and the volume of trucks increase, internal circulation patterns should reflect an increasing separation between automobile and truck traffic in order to minimize accidents and congestion.

e. Vehicle Connections with Adjacent Properties

i. Adjacent Non-Residential Uses.

(b) To the maximum extent feasible, common or shared service and delivery access shall be provided between adjacent parcels and/or buildings.

(c) The Town may require access easements to ensure that buildings or adjacent parcels have adequate access if ownership patterns change.

ii. Adjacent Residential Uses. **Commercial** Driveways or on-site streets shall not align with access to adjacent residential developments. Exceptions may be made in cases where physical constraints dictate that no other option is possible.

iii. Emergency Access. All **commercial** developments shall comply with the currently-adopted building code provisions regarding emergency vehicle access and fire lanes.

### 3. Pedestrian Access and Circulation

Applicants shall submit a detailed pedestrian circulation plan with all development applications that shows compliance with the following guidelines and standards:

a. Required Pedestrian Connections

i. An on-site system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:

(a) The primary entrance or entrances to each **commercial** building, including outlying buildings;

(b) Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the **commercial** development;

(c) Any public sidewalk system along the perimeter streets adjacent to the **commercial** development (see subsection 3.c., *Pedestrian Connections to Perimeter Public Sidewalks*, below);

(d) Where practicable and appropriate, adjacent land uses and developments, including but not limited to adjacent residential developments, retail shopping centers, office buildings, or restaurants; and

(e) Where practicable and appropriate, any adjacent public park, greenway, or other public or civic use including but not limited to schools, places of worship, public recreational facilities, or government offices.

b. Pedestrian Connections from Buildings to Parking Areas, and Site Amenities

i. In addition to the connections required in subsection 3.a. (*Required Pedestrian Connections*) above, on-site pedestrian walkways shall connect each primary entrance of a commercial building to a pedestrian network serving:

(a) All parking areas or parking structures that serve such primary building; and

(b) Site amenities or gathering places provided pursuant to section B.6 above.

c. Pedestrian Connections to Perimeter Public Sidewalks

i. Connections between the on-site (internal) pedestrian walkway network and any public sidewalk system located along adjacent perimeter streets shall be provided at regular intervals along the perimeter street as appropriate to provide easy access from the public sidewalk to the interior walkway network.

d. Minimum Walkway Width

i. All site walkways connecting parking areas to buildings shall include a 5-foot minimum walkway with planting areas. This area shall be a minimum of fifteen feet (15') wide to accommodate car overhangs.

e. Walkways Along Buildings

i. Walkways Along Primary Buildings. Continuous pedestrian walkways no less than eight



Figure 13—On-site pedestrian walkways shall connect each primary entrance of a commercial building to the adjacent parking blocks, structures, or site amenities.



Figure 14— Continuous pedestrian walkways no less than 8 feet wide shall be provided along the full-length of a primary building along any façade featuring a customer entrance and along any façade-abutting customer parking areas.

feet (8') wide shall be provided along the full length of a primary building along any façade featuring a customer entrance and along any façade abutting customer parking areas. Such walkways shall be located at least six feet (6') from the façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade.

f. Walkways Through Vehicle Areas

i. At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials distinguished by their color, texture, or height.

E. PARKING LAYOUT AND DESIGN

a. General Guideline

i. Parking areas should be designed for a safe and orderly flow of traffic throughout the site as well **as for on-site stormwater management**. Major circulation patterns within parking areas should be well-defined with curbs and landscaped islands (see section IV.G.4, *Parking Lot Landscaping*, below for parking lot landscaping requirements), and parking spaces along main circulation drives should be avoided. To the maximum extent practicable, dead-end parking lots shall be avoided.

b. Parking Blocks Required

i. In order to reduce the scale of parking areas, the total amount of parking provided shall be broken up into parking blocks containing no more than 40 spaces.

(a) Parking blocks shall be separated from each other by landscaping, access drives or public streets, pedestrian walkways, or buildings.

(b) Each parking block or pod shall have consistent design angles for all parking within the block.

(c) Parking blocks should be oriented to buildings to allow pedestrian movement down and not across rows (typically with parking drive aisles perpendicular to customer entrances).

ii. Where parking blocks are not easily defined, there shall be no more than (10) parking spaces without an intervening landscape island at least nine (9) feet wide.

**iii. Existing parking lots which are paved or repaved should include new landscaping in accordance with these Design Guidelines and Standards, or as directed by the Planning Board.**

c. Stormwater Management

**Parking areas shall be designed to maximize on-site ground filtration of stormwater and may include two or more of the following practices and techniques or other Best Management Practices:**

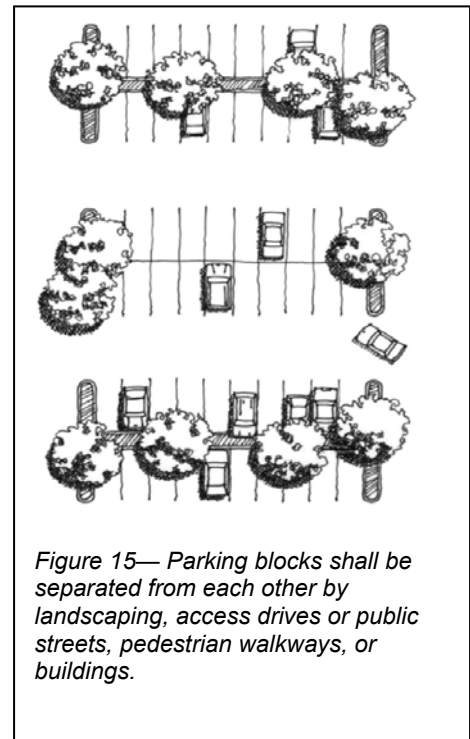


Figure 15— Parking blocks shall be separated from each other by landscaping, access drives or public streets, pedestrian walkways, or buildings.

- i. Use of underground stormwater chambers to divert stormwater through impervious parking surfaces;
- ii. Integration of stormwater practices in landscape islands to help treat stormwater runoff on site (see Sect. IV.G.4);
- iii. Use of pervious paving blocks and/or pervious composite surfaces;
- iv. Incorporation of compact car spaces to reduce impervious surface cover;
- v. Integration of green swale areas on the perimeter of parking lots to reduce stormwater flow.
- vi. Use of shared parking with adjacent businesses to reduce impervious surface cover.

**d. Parking Lot Landscaping**

See section IV.G.4 (*Parking Lot Landscaping*) below.

**e. Parking Lot Rehabilitation**

Because of the proximity of much of the commercial corridor to the Rondout Creek and Wallkill River and associated tributaries and wetlands, zero-discharge of stormwater run-off in these areas is essential to maintaining water quality. Therefore, any rehabilitation of parking areas other than minor patching of potholes shall employ landscaping guidelines and stormwater management practices and technologies referred to in sections IV.E and IV.G.4.a.ii.

**f. Shopping Cart Return Areas**

As applicable, shopping cart return stations shall be evenly distributed within and between separate parking blocks. Shopping cart return stations shall be identified on the final plan.



*Figure 16— No wall that faces a street or connecting pedestrian walkway shall have a blank, uninterrupted length exceeding thirty (30) feet without including architectural features such as columns, ribs, pilasters or piers, changes in plane, changes in texture or masonry pattern, or an equivalent element that subdivides the wall into human scale proportions.*

**F. BUILDING DESIGN**

**1. Intent**

Create **commercial** developments with a recognizable image as a distinct place; vary massing to provide visual interest; as applicable, ensure compatibility with surrounding developments; and use building height and massing to emphasize important corners, designate points of entry, and create a built environment that reflects the existing scale and character of Rosendale.

**2. Building Massing and Façade Treatment**

Except where noted, all new commercial development shall comply with the following standards:

**a. Variation in Massing**

- i. A single, large, dominant building mass shall be avoided.

b. Building Façade Treatment.

All building walls shall have architectural interest and variety to avoid the effect of a single, long or massive wall with no relation to human scale. The building design shall be consistent with the following standards:

i. Minimum Wall Articulation. There shall be no blank, unarticulated building walls exceeding 30 feet in length. All building walls shall be designed to meet all the following standards:

(a) All buildings walls shall consist of a building bay or structural building system that is a maximum of thirty feet (30') in width. Bays shall be visually established by architectural features such as columns, ribs or pilasters, piers, changes in wall planes, changes in texture or materials, and fenestration pattern no less than twelve inches (12") in width.

(b) Any wall exceeding 30 feet in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least three percent (3%) of the entire length of the façade and extending at least twenty percent (20%) of the entire length of the façade.

(c) All building walls shall include materials and design characteristics consistent with those on the front.



*Figure 17—Facades that face public streets or adjacent development shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, trellises with vines, along no less than 60% of the façade.*

ii. Building walls facing public areas. In addition to 2.b.i above, building walls that face public streets, connecting walkways, or adjacent development shall meet the following standards:

(a) Facades shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or alternate architectural detail that defines human scale, along no less than sixty percent (60%) of the façade.

iii. Customer Entrances. See subsection F.4 (*Customer Entrances*) below.

iv. Awnings.

(a) Awnings shall be no longer than a single storefront.

(b) Fabric awnings are encouraged; canvas awnings with a matte finish are preferred. Awnings with high gloss finish are discouraged. Illuminated, plastic awnings are prohibited.

(c) Rigid frame awnings are allowed, but shall stop at the top section and shall not be included in the valence.

(d) Awning colors shall be compatible with the overall color scheme of the façade from which it projects. Solid colors or subtle striped patterns are preferred.

(e) Awnings for rectangular openings shall be simple, shed shapes.

v. Downspouts. All downspouts shall be concealed. No exposed downspouts shall be used. The view through scuppers shall be screened.

c. Multi-Story Buildings: Base and Top Treatments

The following standards shall apply to all commercial buildings, including hotels and motels, with more than two stories:

- i. The composition of the building shall present a clearly-recognizable base, middle, and top, or a clearly-defined alternative building composition.
- ii. A recognizable "base" may consist of, but is not limited to:
  - (a) Thicker walls, ledges, or sills;
  - (b) Integrally-textured materials such as stone or other masonry;
  - (c) Integrally-colored and patterned materials such as smooth-finished stone or tile;
  - (d) Lighter or darker colored materials, mullions, or panels; or
  - (e) Planters.
- iii. A recognizable "top" may consist of, but is not limited to:
  - (a) Cornice treatments, other than just colored "stripes" or "bands," with integrally-textured materials such as stone or other masonry or differently colored materials;
  - (b) Sloping roof with overhangs and brackets;
  - (c) Stepped parapets; or
  - (d) Horizontal rhythms, such as openings and articulations, shall logically align between levels.

### 3. Building Materials/Colors

All commercial **and multifamily** development shall comply with the following design guidelines and standards. Achieve unity of design through compatible materials and colors throughout commercial developments; select building materials that are durable, attractive, and have low maintenance requirements; and utilize colors that reflect natural and historic tones found in Rosendale.

### 4. Customer Entrances

All commercial development shall comply with the following design guidelines and standards:

#### a. Prominent Entrances Required

Each primary building on a site, regardless of size, shall have clearly-defined, highly-visible customer entrances featuring no less than three (3) of the following:

- i. Canopies or porticos;
- ii. Overhangs;
- iii. Recesses/projections;
- iv. Arcades;
- v. Raised corniced parapets over the door;
- vi. Peaked roof forms;
- vii. Arches;



*Figure 18— Each primary building on a site, regardless of size, shall have clearly-defined, highly-visible customer entrances.*

- viii. Outdoor patios;
- ix. Display windows;
- x. Architectural detail such as tile work and moldings integrated into the building structure and design; or
- xi. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

**5. Multiple Buildings in Commercial Centers**

All Large and Small Commercial Centers, as defined in Section V. (*Definitions*) below that contain multiple buildings shall comply with the following design guidelines and standards:

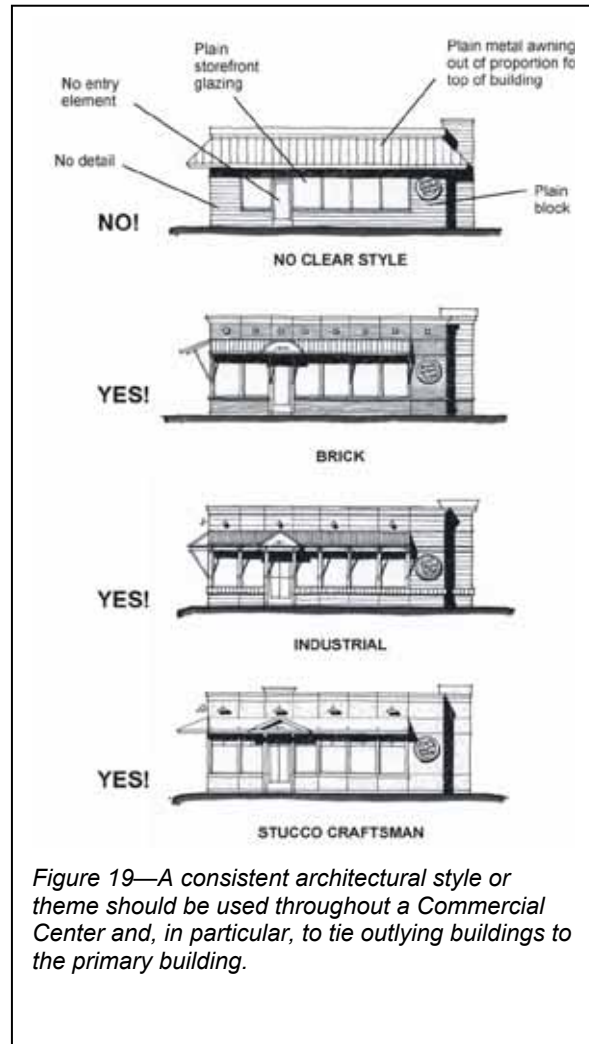
**a. Use of Similar Building Materials in a Commercial Center**

- i. In order to achieve unity between all buildings in a Commercial Center, all buildings in the center shall be constructed of building materials from the color and materials palette approved for the center.

**b. Use of Similar Architectural Styles or Theme in a Commercial Center**

- i. A consistent architectural style or theme should be used throughout a Commercial Center, and in particular to tie outlying buildings to the primary building.

- ii. Building entrances are appropriate locations to express individual building character or identity.



*Figure 19—A consistent architectural style or theme should be used throughout a Commercial Center and, in particular, to tie outlying buildings to the primary building.*

**G. LANDSCAPING AND SCREENING**

**1. Intent**

Landscaping is a visible indicator of quality development and must be an integral part of every commercial project, and not merely located in leftover portions of the site. Landscaping is intended to visually tie the entire development together, define major entryways and circulation (both vehicular and pedestrian) and parking patterns, and, where appropriate, help buffer less intensive adjacent land uses.

**2. Plant Materials**

**a. Intent**

Use natural and landscaped areas to visually soften paved areas and buildings as well as to mitigate stormwater runoff. Incorporate existing trees and shrubs into landscape design to the extent possible by beginning landscape design planning prior to clearing and grading of site.

When incorporating new plantings into landscape design, use non-invasive and preferably native plant species.

b. Design Guidelines and Standards

i. Refer to the Town of Rosendale requirements regarding the submission of landscaping plans and minimum plant sizes.

ii. Preferred live material include trees and non-invasive shrubs, plants and ground cover. Grass or sod alone are less desirable from both environmental and economic perspectives because they provide no shade, minimal habitat and are resource intensive to maintain. Areas between plantings may be covered by woody mulch, other organic mulch, rock mulch or other natural materials other than exposed gravel.

iii. All landscaping shall be maintained in good and healthy condition after installation.

**3. Entryway Landscaping**

a. Intent

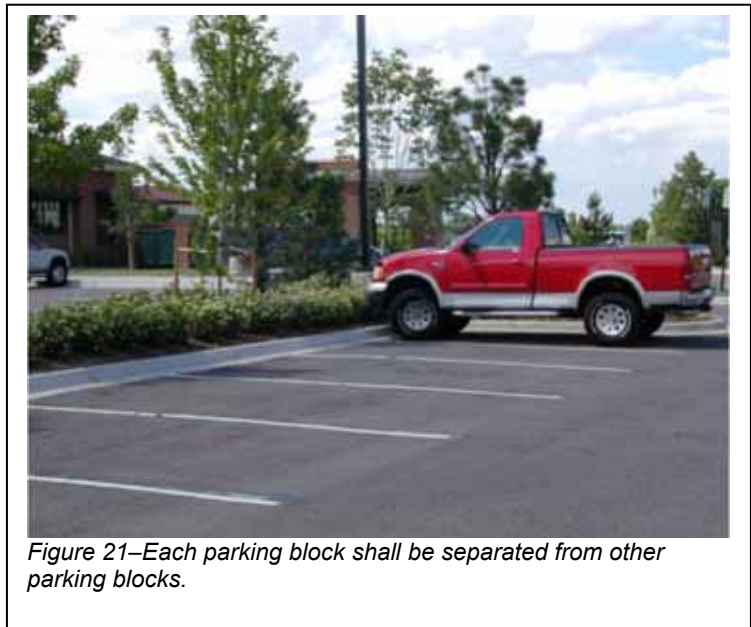
Entryway landscaping announces and highlights entries into the development for the visiting public.

b. Design Guidelines and Standards

i. Development entryways shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs and perennials, and ground covers.

ii. Landscaping should break down in scale and increase in detail, color, and variety to mark entryways into developments.

iii. Planting shall be massed and scaled as appropriate for the entryway size and space.



**4. Parking Lot Landscaping**

a. Interior Parking Lot Landscaping:

i. Intent

(a) Use parking lot landscaping to minimize the expansive appearance of parking lots, provide shaded parking areas, mitigate negative noise impacts of motor vehicles and reduce stormwater runoff. The interior of all uncovered parking blocks containing ten (10) or more spaces shall be landscaped according to this subsection. These requirements for interior parking area landscaping are in addition to the requirements set forth below for perimeter parking area landscaping.

ii. Design Guidelines and Standards

(a) Separation of Parking Blocks. Each parking block (see section IV.E. (Parking Layout and Design) shall be separated from other parking blocks by a landscaped median or berm that is at least ten feet (10') wide, or by a pedestrian walkway or sidewalk within a landscaped median (minimum width of ten feet (10')), or by a low decorative fence or wall (maximum height three feet (3')) bordered by landscaping on at least one side.

(b) The primary landscaping materials used in parking lots shall be trees, which provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping, but shall not be the sole means of landscaping. Effective use of earth berms and existing topography is also encouraged as a component of the landscaping plan. Where site conditions permit, rain gardens may be integrated into landscaped islands at grade level or at a slightly depressed level to provide on-site stormwater treatment.

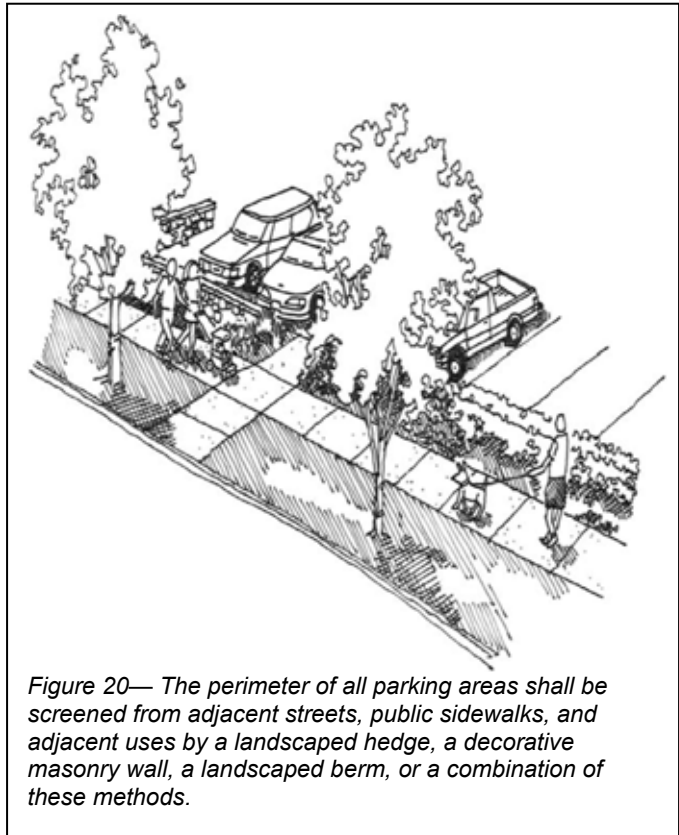


Figure 20— The perimeter of all parking areas shall be screened from adjacent streets, public sidewalks, and adjacent uses by a landscaped hedge, a decorative masonry wall, a landscaped berm, or a combination of these methods.

b. Perimeter Parking Area Landscaping

i. Intent

Provide an attractive, shaded environment along street edges that gives visual relief from continuous hard street edges, provides a visual cohesion along streets, helps buffer automobile traffic, focuses views for both pedestrians and motorists, and increases the sense of neighborhood scale and character.

ii. Design Guidelines and Standards

(a) Parking area edges shall be screened from public streets and sidewalks, public open space, and adjacent properties. Perimeter parking lot landscaping may be satisfied by required landscaped buffers where the locational requirements for the buffer overlap with these perimeter landscaping requirements.

(b) The perimeter of all parking areas shall be screened from adjacent streets, public sidewalks, and adjacent uses by either of the following methods:

- (1) A berm three feet (3') high with a maximum slope of 3:1 in combination with coniferous and deciduous trees and shrubs, or



Figure 21— Building setback areas along thoroughfare, collector, or residential streets, or along private drives, shall be landscaped with a minimum of 1 tree per 20-30 feet of linear frontage.

- (2) A low continuous landscaped hedge at least three feet (3') high, planted in a triangular pattern so as to achieve full screening at maturity; or
- (3) A low decorative masonry wall at least three feet (3') high in combination with landscaping; or
- (4) A combination of any of these methods.

## 5. Building Setback Landscaping

### a. Design Guidelines and Standards

- i. Building setback areas along thoroughfare, collector, or residential streets, or along private drives, shall be landscaped **with a minimum of one (1) tree per twenty feet (20') to thirty feet (30') of linear frontage, depending upon tree species and other local conditions.**

## 6. Building Foundation Landscaping

### a. Intent

Articulate building façades with landscaped seating areas to provide visual interest and pedestrian-friendly places.

### b. Design Guidelines and Standards

- i. Building foundations shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs and perennials, and ground covers.
- ii. Planting shall be massed and scaled as appropriate for the entryway size and space.
- iii. Landscaping should break down in scale and increase in detail, color, and variety to mark entryways into developments.

## 7. Service Area Screening

### a. Intent

Service areas create visual and noise impacts on surrounding uses and neighborhoods. These standards visually screen on-site service areas, including loading docks, trash collection areas, outdoor storage, and similar service uses, from public rights-of-way and adjacent uses.

### b. Design Guidelines and Standards

- i. To the maximum extent feasible, areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such service areas shall not be visible from abutting streets and shall be oriented toward on-site service corridors.

**ii. All dumpsters and trash collection areas shall be screened from view from public ways with fences or walls of materials compatible with the architecture of the building, as directed by the Planning Board. Such screening shall be at least as tall as the dumpster or trash containers being screened.**

- ii. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within twenty feet (20') of any public street, public sidewalk, or internal pedestrian walkway.

- iii. Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscaping so that the visual and acoustic impacts of these functions are fully contained and

out of view from adjacent properties and public streets. Screening materials shall be the same as, or of equal quality to, the materials used for the primary building and landscaping.

iv. Non-enclosed areas for the storage and sale of seasonal inventory and/or vending machines shall be permanently defined and screened with landscaping, walls and/or fences. Materials, colors, and design of screening walls and/or fences, and of any covering for such area, shall be compatible with those used as predominant materials and colors on the primary building(s). The height of stored or displayed inventory shall not exceed the height of the screening wall or fence. In addition, all fences/walls shall comply with the standards set forth in section IV.G.9. (*Fencing and Walls*) below.

**8. Mechanical/Utility Equipment Screening**

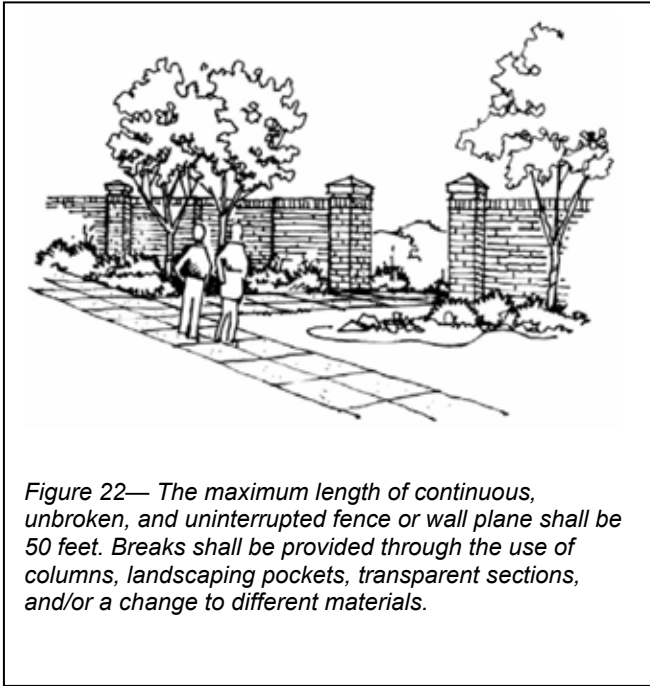
a. Intent

Mechanical and utility equipment can detracts from the quality of a development and the character of an area. These standards mitigate the negative visual and acoustic impacts of mechanical and utility equipment systems located in a commercial development.

b. Design Guidelines and Standards

i. Mechanical/utility screening shall be an integral part of the building structure and architecture and not give the appearance of being “tacked on” to the exterior surfaces. The building parapet shall be the primary means of screening roof top equipment.

ii. All mechanical equipment and utilities shall be screened.



*Figure 22— The maximum length of continuous, unbroken, and uninterrupted fence or wall plane shall be 50 feet. Breaks shall be provided through the use of columns, landscaping pockets, transparent sections, and/or a change to different materials.*

**9. Fencing and Walls**

a. Intent

While fences and walls are often necessary to buffer uses, they can create a visually-monotonous streetscape. These standards provide fencing and walls that are visually-appealing, complement the design of the overall development and surrounding properties, and provide visual interest to pedestrians and motorists.

b. Design Guidelines and Standards

When a commercial development includes a fence or wall, the following guidelines and standards apply:

- i. The maximum height of a fence or wall shall be eight feet (8’).
- ii. Walls and fences shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, and wrought iron.
- iii. Breaks in the length of a fence shall be made to provide for required pedestrian connections to the perimeter of a site or to adjacent development (see section IV.D.3. (*Pedestrian Access and Circulation*) above).

- iv. The maximum length of continuous, unbroken, and uninterrupted fence or wall plane shall be fifty feet (50'). Breaks shall be provided through the use of columns, landscaping pockets, transparent sections, and/or a change to different materials.
- v. Fences and walls shall be set back from the property line to allow a landscape setback area. Such setback area shall be landscaped with a turf, shrubs, and/or trees, using a variety of species to provide seasonal color and plant variety.
- vi. Use of landscaping beyond the minimum required in these standards is strongly encouraged to soften the visual impact of fences and walls.

## H. LIGHTING

### 1. Intent

Eliminate adverse impacts of light through spillover; provide attractive lighting fixtures and layout patterns that contribute to unified exterior lighting design of non-residential developments; and provide exterior lighting that promotes safe vehicular and pedestrian access to and within a development, while minimizing impacts on adjacent properties.

### 2. Design Guidelines and Standards

#### a. Plan Required

- i. Applicants shall submit a unified lighting plan with final plan applications for all commercial developments subject to these lighting standards. A point-by-point calculation to show compliance with the lighting standards is required. The calculations shall be measured at grade for lighting levels within the development site. A cut sheet of proposed fixtures, including a candlepower distribution curve, shall also be submitted. A vertical plan footcandle calculation shall be submitted for property lines abutting residential properties.

#### b. General Lighting Standards

- i. Pedestrian Walkway Lighting. Pedestrian-level, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on building or landscape walls shall be used to light pedestrian walkways.

- ii. Lighting Height. Bollard-type lighting shall be no more than four feet (4') high. See subsection 2.d. below for lighting standards specific to parking areas.

- iii. Lighting for Security.

- (a) Accent lighting on buildings is encouraged as a security feature.

- (b) Interior and exterior lighting shall be uniform to allow for surveillance and avoid isolated areas.

- (c) Security lighting is encouraged to utilize motion-sensors to reduce the duration



Figure 23— Walls and fences shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, and wrought iron.

exterior lights must remain on.

iv. Illumination Levels. Pedestrian areas shall be illuminated to a minimum of one (1) footcandle.

v. Design of Fixtures/Prevention of Spillover Glare. Light fixtures shall use cut-off lenses or hoods to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways. Outdoor lights should be directed downward (rather than outward or upward) to minimize the light pollution to offsite and overhead areas and reduce deterrent effects of light on wildlife species.

vi. Color of Light Source. Lighting fixtures should be color-correct types such as halogen or metal halide to ensure true-color at night and ensure visual comfort for pedestrians.

c. Architectural Building-Mounted Lighting

i. Building-mounted lighting may be used only to highlight specific architectural features or primary customer or building entrances. General floodlighting of building façades is not permitted.

ii. Building-mounted neon lighting is allowed only when recessed, or contained in a cap or architectural reveal.

d. Parking Lot Lighting

i. Luminaire Fixture Height. The mounting height for luminaire fixtures shall not exceed ~~thirty-three feet (33')~~ twenty-five feet (25') as measured to the top of the fixture from grade.

ii. Average Maintained Footcandles:

(a) The maximum average maintained footcandles for all parking lot lighting shall be ~~three (3)~~ two and a half (2.5) footcandles, the minimum average maintained footcandles shall be ~~one (1) footcandle~~ one and a half (1.5) footcandles. For the purpose of this standard, the average maintained footcandle shall be calculated at 0.8 of initial footcandles.

(b) The maximum maintained vertical footcandle at an adjoining residential property line shall be 0.5 footcandles, measured at five feet (5') above grade.

iii. Uniformity Ratios. Luminaire fixtures shall be arranged in order to provide uniform illumination throughout the parking lot of not more than a 6:1 ratio of average to minimum illumination, and not more than 20:1 ratio of maximum to minimum illumination.

e. Canopy Lighting

i. Average Maintained Footcandles. The maximum average maintained footcandles under a canopy shall be 35 footcandles. Areas outside the canopy shall be regulated by the standards in 2.d. above.

ii. Fixtures. Acceptable fixtures and methods of illumination include:

(a) Recessed fixtures incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy.

(b) Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the canopy.

## I. SIGNAGE

### 1. Intent

Promote attractive signs which clearly present their visual messages in a manner that is compatible with their surroundings; to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents.

## 2. Design Guidelines and Standards

### a. Supplement to existing regulations.

This design guidelines and standards are intended as a supplement to Section 75-22 "Signs" of the zoning regulations of the Town of Rosendale. These guidelines and standards should be considered "in addition to" rather than "in place of" Section 75-22.

### b. Prohibited signs.

i. ~~Neon signs, free-standing internally lit signs.~~ **are prohibited from this district.**

ii. **Portable sign trailers, unless used as a temporary announcement sign for no more than a one week duration in a 6 month period.**

iii. **Signs mounted on parked vehicles, except for commercial identification typically found on vehicles owned by the advertised business and permanently affixed for road-legal vehicle operation.**

iv. **Neon signs exceeding six square feet in area.**

v. **Laser-light, pulsing, flashing or LED (light emitting diode), changing or moving signs.**

vi. **Commercial billboards, "off-site", "non-accessory" or similar commercial signs in excess of 150 square feet in area within the Town of Rosendale are prohibited. Any pre-existing commercial billboard is hereby given an amortization period of 15 years from the date of adoption of this section before it must be removed. The date of amortization period shall begin upon the date of receipt of notice of non-conforming signage to the property owner issued by the Code Enforcement Officer.**

**(a) The removal through amortization shall not apply to pre-existing billboards located in an industrial zoning district, or existing billboards along primary, National Highway System and Interstate Highways controlled by the NYS Department of Transportation with a valid New York State Outdoor Advertising Permit issued prior to June 1, 2010.**

**(b) Within one year from the receipt of notice, the owner may file an appeal regarding the length of the amortization period with the Zoning Board of Appeals. The Zoning Board of Appeals may adjust the amortization period so as to provide the owner a reasonable period to recoup their investment in the structure. The Board shall consider the unique circumstances, including value of the structure and its expected useful life. In no case shall the amortization period exceed 30 years.**

### c. Illumination.

i. The area, brilliance, character, color, degree, density, intensity, location and type of illumination shall be the minimum necessary for the intended purpose of such illumination, consistent with public safety and welfare.

ii. All sources of illumination shall be shielded or directed in such a manner that the direct rays therefrom are not cast upon any property other than the lot on which such illumination is situated.

iii. Illumination shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity.

iv. The period of time of illumination shall be the minimum necessary for the intended purpose of such illumination, consistent with public safety and welfare. Illuminated signs must be turned off and extinguished at or before 12:00 midnight of each day, except that such signs as are maintained in connection with a business which is normally open past 12:00 midnight may continue to be illuminated or lighted until closing time, provided that the lighting intensity is reduced by 50% after 12:00 midnight and that such sign is extinguished at closing time. All illuminated signs extinguished as above provided shall remain extinguished until the next regular posted opening hour of the business in connection with which such sign is maintained.

v. Signs shall be illuminated indirectly or internally with white light. Exposed neon tubing and signs containing words or symbols shaped or formed directly from neon tubes or similar illuminating devices shall not be permitted.

vi. Illumination and illuminated signs shall not interfere with the normal enjoyment of residential uses in adjacent residential districts.

d. Master Sign Plan.

A Master Sign Plan is required of establishments that share a lot, parcel or are part of a shopping center. The Plan is a sign system to create visual unity among the signs within the Plan area and to ensure compatibility with surrounding establishments and structures. The Plan shall include specifications to which all signs within the Plan area shall conform, including: sign size, height, shape, materials, lighting, and location on the establishment.

i. Aside from individual establishments, the shopping center shall be allowed one free standing monument-style of no more than 5 feet in height above the existing finished grade level that contains the name of the center and/or its principal tenant. In addition, as part of the Master Sign Plan, the center may erect a directory sign of no more than 20 square feet within 20 feet of the main building to guide shoppers walking from the parking areas and/or sidewalks to individual stores.

e. Sign maintenance.

i. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in a neat and orderly condition and good working order at all times and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.

ii. Unsafe signs or unsightly, damaged, or deteriorated signs or signs in danger of falling shall be put in order or removed upon written notice from the Code Enforcement Officer. Immediate compliance is expected for the repair or removal of unsafe signs. If compliance is not achieved within the time period specified in such notice, the sign shall be repaired or removed by the Town and the costs assessed to the property owner.

iii. Unsafe temporary signs or unsightly, damaged, or deteriorated signs or signs in danger of falling shall be put in order or removed upon written notice. Immediate compliance is expected for the repair or removal of unsafe temporary signs.

## V. DEFINITIONS

As used in this document, the following terms shall mean:

*Adjacent or Abutting*—To physically touch or border upon, or to share a common property line or border. "Adjacent" or "abutting" shall include properties or uses that are separated by a drive, street, or other public-dedicated right-of-way.

*Arcade*—A series of arches supported on piers or columns.

*Berm*—An earthen mound designed to provide visual interest, screen undesirable views, decrease noise, and/or control or manage surface drainage.

*Block Face*—The properties abutting one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse or town boundary.

*Buffer*—Open spaces, landscaped areas, fences, walls, berms, or any combination thereof, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

*Building Form*—The shape and structure of a building as distinguished from its substance or material.

*Building Mass*—The three-dimensional bulk of a building height, width, and depth.

*Building Scale*—The size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.

*Commercial Center, Large*—A "large commercial center" contains one or more commercial buildings or establishments with 50,000 square feet or more (gross floor area).

*Commercial Center, Small*—A "small commercial center" contains one or more commercial buildings or establishments and all the buildings in the center contain less than 50,000 square feet (gross floor area).

*Commercial Development*—All retail, restaurant, service, hotels, motels, and similar businesses, but shall not include office or industrial uses. However, any office or industrial development or building that includes more than a twenty percent (20%) retail component by square footage shall be subject to these Design Standards and Guidelines.

*Community-Serving Uses* -- Community or civic uses used by the local community such as post offices, banks or government buildings.

*Façade*—Front or principal face of a building, and any side of a building that faces a street or other open space.

*Fence*—An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

**Floor Area Ratio**—The relationship of the total gross floor area of a building to the land area of its site, as defined in a ratio in which the numerator is the gross floor area, and the denominator is the site area.

**Guidelines**—Shall mean advisory regulations. Guidelines are indicated by use of the terms “may” and “should.”

**Thoroughfare Street**—“Thoroughfare street” shall mean streets designated by the town's Master Plan as thoroughfares (arterials).

**Major Tenant**—Within a commercial center that does not fit the definition of “Large Commercial Center,” any user or tenant containing 15,000 square feet or more of gross floor area. Where more than one user or tenant in such a center contains more than 15,000 square feet, the user or tenant with the largest amount of gross floor area shall be considered the center's “major tenant.”

**Maximum Extent Feasible**—No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining “maximum extent feasible.”

**Maximum Extent Practicable**—Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.

**Mixed-Use Development**—A single building containing more than one principal permitted land use or a single development of more than one building containing more than one principal permitted land use. Such land uses may include office, retail, residential, or service uses such as hotels and motels. In a mixed-used development, the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of vehicular and pedestrian access and parking areas.

**Natural Features**—“Natural features” include but are not limited to flood plains and surface drainage channels, **wetlands**, stream corridors and other bodies of water, steep slopes, prominent ridges, bluffs, or valleys, and existing trees and vegetation.

**Orient**—To bring in relation to, or adjust to, the surroundings, situation, or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position: as in ‘to orient a building.’

**Primary Abutting or Access Street**—The street abutting a commercial development that carries the most traffic volume. If a commercial development abuts two streets that have traffic volumes within twenty percent (20%) of each other, the applicant shall designate which street is the “primary abutting or access street.”

**Primary or Principal Building**—The building or structure on a commercial development site used to accommodate the majority of the principal permitted use(s). When there are multiple buildings on a commercial development site, such as in a shopping center, the primary or principal building shall be the one containing the greatest amount of gross floor area. Outlying buildings or free-standing kiosk/ATM machines cannot be “primary” or “principal” buildings.

*Setback Line*—A line, parallel to the respective lot line and internal to the lot, that defines the required building setback.

*Sign*—Any object, device, display or structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

*Sign, Directory*—A sign listing the tenants or occupants of a building or group of buildings and that may also indicate their respective professions or business activities.

*Standards*—Shall mean mandatory regulations. Standards are indicated by use of the terms “shall” and “must.”

*Steep Slopes*—Any portion of a development site where the natural grade of the land has a slope of **ten percent (10%)** or greater.

*Transitions*—Generally, an array of tools and techniques designed to ensure compatibility between adjoining land uses that may differ by type and in intensity, including the following techniques:

1. Architectural Transitions—Designing and adapting the form of a building to take into consideration neighboring buildings and land uses.
2. Landscape Buffer and Screening Transitions—The use of landscaping, berms, fences, walls, or any combination of these, to buffer and screen a more intense land use from an adjacent, less intense land use.