

Appendix C – New and Revised Local Laws and Regulations

VILLAGE OF CLAYTON RIVERWALK DISTRICT C DESIGN GUIDELINES

March 26, 2010

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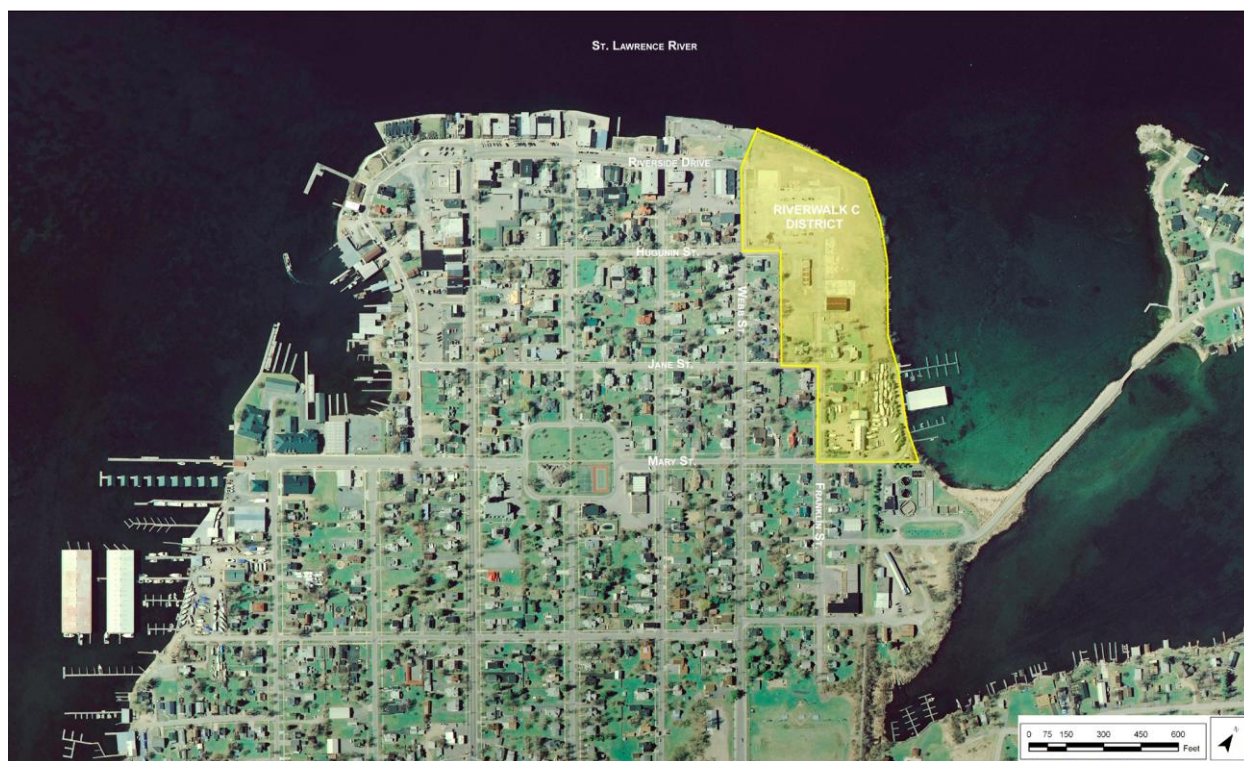
8.0 Landscaping

1.0 PURPOSE

The goal of this document is to provide an established set of clear and usable design guidelines and criteria for creating an energetic waterfront Village experience in the Riverwalk C District. These guidelines should assist the designer in developing an acceptable site and building design based on the existing scale and pedestrian character of the Village. These guidelines are intended to be flexible and allow creativity and variation in the design of buildings and to encourage an overall pedestrian oriented streetscape.

2.0 APPLICABILITY

The provisions of this section shall apply to all development within the Riverwalk C District (see Figure 1). Any addition, remodeling, relocation, or construction requiring a building permit within the Riverwalk C District shall adhere to these guidelines. The design elements of each project, such as site layout, architecture, landscaping, and parking design, will be reviewed on a comprehensive basis. The Village of Clayton may interpret these design guidelines with some flexibility in their application to specific projects. The guidelines will be utilized during the Village's site plan review process to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the project designers. The overall objective is to ensure that the intent and spirit of the guidelines are followed. Unless there is a compelling reason, these guidelines shall be followed. Generally, the Village will not waive a guideline unless the project designer can demonstrate that such a waiver will facilitate an innovative or otherwise preferable design concept.

Figure 1: Riverwalk C District boundary within the Village of Clayton

3.0 SITE PLANNING

Site planning refers to the arrangement of buildings and parking areas, the size and location of pedestrian spaces and landscaping, and how these features relate to one another. Site design addresses the scale and size of outdoor spaces, spaces between buildings and parking areas and the relationship of site elements that create a comfortable pedestrian environment.

- 1) Pedestrian linkages to nearby neighborhoods and properties should be provided whenever appropriate and feasible.
- 2) On larger sites, focal points should be developed to create a definite sense of identification. Plazas, landscape, artwork, textured pavement, universally accessible changes in pavement levels, and vertical building features may be combined to create focal points and identity.
- 3) Site plans should balance the need to provide adequate vehicular access, with the need to eliminate unnecessary driveway entrances and provide access points that are coordinated with other properties.
- 4) Each project is encouraged to have its own identity, yet any site development should integrate with adjacent properties to provide functional and aesthetically designed vehicular and pedestrian circulation. (See Figure 2).

- 5) Buildings should be sited and designed so that there are no barriers or other elements emphasizing property boundaries. Care should be taken when addressing the interface between two or more properties. Property lines should not be treated as walls and barriers.
- 6) Buildings should be oriented to maximize views of the waterfront and create and define usable outdoor spaces.
- 7) Due to the high visibility of corner properties, extra care should be given to building orientation and articulation (see section 5.2 Corner Buildings). Significant buildings with prominent architectural features should be located near corners and intersections whenever possible.
- 8) Buildings should be sited close to the street with their front facades facing the street similar to existing traditional village buildings.
- 9) Plazas and open spaces should be designed to be welcoming and inviting to visitors.
- 10) Site furniture and light fixtures should reflect the same design concepts as the public right-of-way street furniture.

Figure 2: Example build-out plan for the Frink America Property within the Riverwalk C District. Note the plan's integration of the existing street grid pattern and building masses that relate to adjacent properties



4.0 PARKING AND CIRCULATION

This section is intended to ensure that parking lot designs are attractive and functional while at the same time meeting parking regulations.

- 1) Whenever possible new construction should accommodate inside the block surface parking lots with adequate directional signage at the street edge.
- 2) Rear entrances to buildings should be provided where inner-block parking is provided.
- 3) Parking lots should provide areas for bicycle and motorcycle parking.
- 4) Driveways to parking lots should be located as far from street intersections as possible so that adequate stacking room along the street is maintained. A minimum distance of 100 feet is recommended.
- 5) Where possible, the entrance to parking lots should be located on side streets to maintain the pedestrian flow and avoid conflicts between vehicles and pedestrians on the main frontage.
- 6) Limit the number of curb cuts on public streets. Common driveways that provide access to more than one site are encouraged.
- 7) Shared parking between adjacent businesses and/or developments is encouraged so long as parking for businesses does not adversely impact adjacent residential areas.
- 8) When walls are used to screen parking, breaks should be provided to allow pedestrian circulation, and the walls should be low enough for safety and security purposes. Walls need to be finished and designed to compliment surrounding development.

4.1 Parking Lot Area Planting

Landscaping within parking lots should be given special consideration. These areas are typically located out of the public right-of-way and may contain different planting materials than a neighboring street. To this end, these guidelines should provide a parking lot designer with the direction needed to create a functional environment that will blend with the Village areas.

- 1) Appropriate lighting and landscaping should be provided as per Village standards, including shade trees and lamp posts based on the existing Village style (see section 7.0 Lighting).
- 2) Landscaping should be provided at the rear of buildings next to parking areas.
- 3) A 5-foot minimum landscaping buffer should be provided between parking areas and public rights-of-way.
- 4) Trees should be located throughout a parking lot and not merely at the ends of parking rows.
- 5) Landscaping within parking areas should be protected from encroaching vehicles by granite curbing.

- 6) Trash enclosures and loading areas provided in the parking areas should be screened with landscaping or wall materials.
- 7) The height of landscaping adjacent to parking stalls is important to allow the opening of side doors and to allow for vehicle overhang.
- 8) Landscape islands should be a minimum of 9' in width to allow for tree growth and to avoid tree trunks from being hit.

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PUBLIC NOTICE AMENDMENTS TO TOWN OF CLAYTON ZONING ORDINANCE (LWRP)

I. PREAMBLE - The Preamble to the Town of Clayton Zoning Ordinance shall be amended to read as follows:

PREAMBLE:

A. The Town of Clayton encourages development that is compatible with the existing Development character of the municipality. To that end, the Town Board hereby adopts as advisory guidelines the illustrated design features as proffered by the New York Planning Federation in the publications entitled "Hamlet Design Guidelines" and "Rural Guidelines" (hereafter "the Guidelines").

B. Subject to the foregoing, and for the purpose of promoting the public health, safety and general welfare and encouraging the most desirable use for which the land in each District may be adapted, with a view to conserving the value of buildings and of enhancing the unique scenic and aesthetic values of the Thousand Islands areas of the Town, as well as promoting the highest and best use of land throughout the Town, pursuant to the authority conferred by Article XVI of the Town Law of the State of New York, and in accordance with a comprehensive plan with reasonable consideration for, among other things, the character of each District and its peculiar suitability for particular use, the Town Board of the Town of Clayton and the County of Jefferson, State of New York, hereby ordains and enacts this Ordinance as follows:

II. ARTICLE II (B) - Definitions shall be amended by adding the following definition:

Public Accessible Place: Any land or structure that is open to the general public, such as a public road, park, public school, recreation area, conservation area, or place of public accommodation such as a restaurant or hotel, excluding private retail and service businesses, offices, and other private property which is open to the public.

Place of Public Accommodation: Public accommodation shall be defined as "an establishment either affecting interstate commerce or supported by state action, and falling

"Trucking Terminals"
"Shopping Centers"

VII. ARTICLE VII (NN) - Off-Premises Sign shall be amended by adding the following provision thereto:

9. In the SPO District no off-premises signs shall be permitted except that signs not exceeding four (4) square feet directing the public to specific establishments may be permitted with Site Plan Approval by the Planning Board.

VIII. The following Article shall be added immediately following Article VII:

ARTICLE VII - A. SPO - Scenic Protection Overlay District Regulations:

A. In each Zoning District which has the SPO District overlayed, the underlying District regulations as outlined in ARTICLE V remain applicable except as they are specifically modified by the provisions of this Article for all land lying within the SPO District.

B. Single wide mobile homes are prohibited within the SPO District.

C. Site Plan Approval Requirement: Within the SPO District, Site Plan approval shall be required for the following uses and activities (including multi-family residential uses that are otherwise allowed without site plan review by Schedule A-Use Restrictions):

1. Construction of any structure greater than 700 square feet in footprint, including residential structures, on an existing undeveloped property (an area that lacks infrastructure, services and buildings) [AS OF ADOPTION].

2. In any location that is visible from a Publicly Accessible Place: (any land or structure that is open to the general public, such as a public road, park, public school, recreation area, conservation area, or place of public accommodation such as a restaurant or hotel, excluding private retail and service businesses, offices, and other private property which is open to the public). Grading or other alteration of more than one (1) acre of natural landscape, including the construction of roads and driveways shall require Site-Plan approval.

D. Site Plan Approval Exemptions: Within the SPO District, the Site-Plan approval requirement shall not apply to the following:

1. Agricultural uses, except for agriculture structures with a footprint exceeding 10,000 square

features are screened from public roads or trails.

F. Landscape

1. A continuous green buffer, at least 90 feet, to be measured from the edge of the blacktop or pavement, along Routes 12 and 12E and 50 feet deep along the other roads and trails, shall be retained. This buffer shall consist of native tree and shrubs, as well as fields, meadows and lawn areas. Bike paths and/or sidewalks may be constructed within this landscape buffer. This buffer requirement shall not apply in the immediate area around existing residences located within the buffer area.

2. To the maximum extent practical existing trees, lawns and shrubs shall be preserved, unless they are proposed to be replaced by native trees or other native vegetation deemed appropriate by the Planning Board.

3. Trees or appropriate screening shall be planted as deemed necessary by the Planning Board to reduce visibility of new structures from public roads or trails.

4. Clear-cutting of trees shall be prohibited in any location where such clear-cutting would alter the crest line of a ridge when that crest line is viewed from any publicly accessible place.

G. Architecture

1. Existing structures with historic or architectural significance, including barns shall be retained to the extent practical. Alterations to such structures shall be compatible with the architecture of the existing structure. New structures shall not negatively impact historic structures in their vicinity.

2. The Planning Board shall consult the Building Form Guidelines referred to in the Preamble considering any applications under this section.

H. Maximum Footprint.

A maximum footprint of 30,000 square feet is recommended for nonresidential structures. Note: This maximum footprint would exclude agricultural structures, structures used in connection with educational, religious, or charitable uses, mobile home parks, campgrounds and all structures legally completed or granted a building permit, Special Permit, Site Plan approval, or variance prior to the adoption of this update. The purpose of this requirement is

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(1) a lodging for transient guests located within a building with more than five rooms for rent; (2) a facility principally engaged in selling food for consumption on the premises, including such facilities located within retail establishments and gasoline stations; (3) any place of exhibition or entertainment; (4) any establishment located within an establishment falling into one of the first three categories, and which holds itself out as serving patrons of that establishment; or (5) any establishment that contains a covered establishment, and which holds itself out as serving patrons of that covered establishment."

III. ARTICLE III - Establishment of Zoning Districts. (A) District Designations shall be amended by adding the following thereto.

SPO - Scenic Protection Overlay District

Findings and Purpose: Special protection of scenic road corridors is necessary to preserve the attractive rural and historic quality of the Town. The purpose of this section is to regulate land uses within designated scenic corridors to protect the Town's scenic beauty and rural character. This section is intended to apply to those road corridors that are visible to the public and that substantially retain their scenic character.

Boundaries: The SPO District includes land lying within 800 feet of the center line of NY State Routes 12 and 12E within the Waterfront Revitalization Area boundary.

IV. ARTICLE III B shall be amended to reflect the boundaries of the SPO District on the Town Zoning Map.

V. ARTICLE V - District Regulations Schedule A - Use Regulations shall be amended to add the following thereto:

SPO Scenic Protection Overlay District - All applicable District regulations of the underlying Zoning District remain in effect except as they are specifically modified by the provisions of Article VII-A.

VI. ARTICLE V - District Regulations Schedule A shall be amended by deleting "Race Tracks" from Uses Requiring Site Plan Approval within the AR - Agricultural and Rural Residential District, and moving the following from Uses Requiring Site Plan Approval to Uses Requiring Special Use Permit within the AR - Agricultural and Rural Residential District:

"Drive-in restaurants and food takeout facilities"

2. The repair and maintenance of existing structures.

3. Activities carried out pursuant to a Site-Plan or Special Use Permit approved prior to the enactment of this Section and still in effect.

4. Clearing and grading associated with construction of unpaved hiking trails.

5. Any other activity not included in (B) above.

6. Double wide, modular and stick built family homes are allowed without site plan, but must have a minimum of a 5/12 roof pitch and refer to "Guidelines" in planning and design of the project.

E. General Standards: Within the SPO District, Site-Plan approval may be granted with appropriate conditions attached to the proposed activity:

1. Will not significantly impair scenic character and will be aesthetically compatible with its surroundings.

2. Will minimize the removal of native vegetation, except where such removal may be necessary to open up or prevent the blockage of scenic views and panoramas from publicly accessible places.

3. Will locate and cluster buildings and other structures in a manner that minimizes their visibility from public places.

4. Will not result in clearing a building site area, including accessory structures and parking areas (excluding the area required for driveways, parking and utility access), greater than one (1) acre in area. This building site area shall be designated on the approval plan by a "building envelope" and all buildings and parking areas shall be located within the building envelope. Clearing for such disposal systems shall occur, to the maximum extent practical, where it will not detract from the visual protection purposes of this section.

5. Will consider the use of shared driveways and access to adjacent parcels. The minimum recommended spacing between driveways on the same side of the street is 400 feet. Access connections on opposite sides of the street should be aligned or offset so as to eliminate left-turn conflicts. The Planning Board, as part of Site-Plan review, should evaluate the effect of proposed driveway locations on development of abutting properties. Proposals for shared driveways may require cross access easements (see figures 1 and 2).

6. Will comply with the requirements in Section G through J below, except where site plan

to maintain the historic scale and character of development along Clayton's scenic roads. The intent of this provision shall not be evaded through the placement of multiple large buildings on the same site or otherwise in a pattern that is inconsistent with the scale and character of the Town of Clayton.

I. Fences

Chain link fences and stockade or other fence designs, that are in the front yard of the premises, that block visual access to land along the Route 12 and 12E corridors shall be prohibited, unless such fences are necessary to screen a pre-existing use that does not conform to the requirements of this section.

J. Rural Siting Principles

New development in the SPO District will consider the General Rural Development Principles contained herein and cited sources.

K. Photographic Simulations

In connection with its consideration of a site-plan review application within the SPO District, the Planning Board may require the applicant to conduct a photographic simulation in order to determine whether or not a proposed structure or activity will when viewed from a publicly accessible place adversely affect scenic quality.

L. Waivers

The Planning Board may waive one or more of the specific requirements of this section upon a written finding that such waiver will not impair the scenic preservation purposes of the SPO District. Any development which is the subject of a detailed visual assessment as part of an Environmental Impact Statement shall be eligible for such waivers if supported by SEQR findings.

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