

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

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

~~County~~

~~City~~

Town of New Paltz

~~Village~~

Local Law No. _____ of the year 2014

A local law TO AMEND SUBDIVISION D OF SECTION 140-52, "Site Plan Review" OF THE CODE OF THE TOWN OF NEW PALTZ."

Be it enacted by the Town Board of the

~~County~~

~~City~~

Town of New Paltz as follows:

~~Village~~

Section 1.

Subdivision D of Section 140-52, "Site Plan Review" of the Code of The Town of New Paltz is hereby REPEALED and is REPLACED with a new Subdivision D to read as follows:

D. 1. Standards for site development plan approval. In acting on any site development plan application, the Planning Board shall take into consideration:

- a. the public health, safety and general welfare,
- b. the comfort and convenience of the general public,
- c. the recommendations of the Town Master Plan and the Official Map;
- d. the proposed height, bulk, location, materials and architectural features of main and accessory buildings and their appropriateness and relationship to the site and to one another, and opportunities to incorporate the use of energy conservation techniques and technologies into the design and operation of the proposed use, including the utilization of solar, wind, biomass or alternative energy systems where practicable and feasible;

e. screening of paved and surfaced outdoor areas and areas devoted to outdoor storage from abutting residence districts and from abutting streets;

f. traffic circulation within and without the site, and conformance of the proposed plan of development with access management guidelines adopted by the Planning Board, including the design and location of access to the site to provide safe and adequate access and maintain the safe and efficient flow of traffic on the road network serving the site, maintaining appropriate spacing between driveways on adjacent properties and intersections or traffic signals on the highway providing proposed access to the site, and opportunities to provide for the safe and efficient access and flow of vehicular traffic between the site and adjacent parcel;

g. the location of existing and proposed pedestrian and bicycle public accessways and their existing/proposed width on ~~or~~ and within 200 feet of the site boundaries, including clear demarcation of striping and signage designed to maintain separation of passenger and commercial vehicles, pedestrians and bicycle circulation;

h. provision of off-street parking and loading spaces, including the provision of sufficient electric vehicle charging stations and related infrastructure to meet the reasonably anticipated needs of the proposed use;

i. the nature and design of exterior lighting, signs, landscaping, benches, buffer areas and other open spaces ; and

j. the availability of supporting services and facilities, so that any development on the site will satisfactorily and harmoniously relate to the existing or permitted development of neighboring land and buildings, **and**

k. the adequacy and arrangement of pedestrian and bicycle access, bicycle parking, sidewalk widths, and circulation including separation of pedestrians with a buffer where possible from vehicular traffic will be handled safely both within the site and in relation to adjacent parcels and the adjoining street system.

2. In considering any proposed site development plan, the Planning Board may, in accordance with Chapter 31, adopt guidelines for site plan review setting forth best practices and procedures for implementing site plan review. In considering any proposed site development plan, the Planning Board may require review by appropriate professionals of the Town's choosing.
review by an appropriate professional(s) of the **Town's?** Board's choosing.

3. To assure that the access management standards above are met when the Planning Board finds that the project may generate more than 100 trips during the peak hour on the surrounding State, County and Town highways, the project sponsor shall submit :

a. The above cited data, including projection of the number and distribution by vehicle type (i.e., automobiles and light trucks, buses, heavy/commercial trucks, including tractor-trailers) of consumers using intended facilities.

b. Appropriate engineering studies or other documentation to analyze infrastructure requirements and related impacts of the proposed project, including traffic, access and parking (vehicular and bicycle) factors and related documentation as to the adequacy of intended on-site or off-site improvements.

1. In appropriate circumstances, the applicant may propose zoning incentives to the Town Board, demonstrating that such incentives are necessary to enable the applicant or property owner to provide internal road systems, shared driveways, cross access driveways, access and public roads, internal circulation systems, interconnected parking, or off-site traffic improvements that will maintain or improve the safe and efficient movement of traffic along State and county roads, and within a proposed development site or proposed subdivision abutting these roads.
2. The Town Board shall refer such request, with such supporting documentation as may be required to evaluate the desirability of such improvements, to the Town Planning Board, which shall review the consistency of the proposed improvements and the proposed incentives with the comprehensive plans of the Town, any plans or studies of the agencies **with having** jurisdiction over the roads and highways that would be affected by such improvements and incentives, and recommend such adjustments to the permissible density, area, height, or open space as may be warranted by the circumstances of the proposal, together with the proposed improvements that warrant such incentives.
3. Upon consideration of the proposal, consultation with any agency having jurisdiction of roads or highways that would be affected by the the proposal, and the report and recommendations of the Planning Board, the Town Board determine, in its sole distcretion, the adequacy of the access management amenities to be accepted and the particular bonus or incentive to be provided to an applicant or lot owner, if any.

c. The proposed site plan shall be reviewed by a qualified traffic safety engineer at the expense of the project sponsor, who shall review and report to the Planning Board with respect to the safe and efficient movement of traffic on site, the safe and efficient access to and from the site to and from the surrounding road network, compliance with required traffic regulatory and warning sign location and type, the appropriateness of any proposed traffic signals or off-site mitigation measures, and opportunities to provide for safe and efficient traffic flow and access between the site and adjacent parcels.

d. All proposed signage shall be shown on the site plan, including sufficient detail to establish that it conforms with the New York State Department of Transportation Manual of Uniform Traffic Control Devices. All signage shown on the site plan shall be furnished and installed by the project sponsor with prior approval of the agency with jurisdiction over the roadway and the Town Highway Superintendent, and maintained in good condition for the duration of the use and/or ownership by the project sponsor, if on private land, or by the agency with

jurisdiction over the highway, if located within a public right of way, unless the agency and the sponsor enter into a written agreement for the project sponsor to maintain the signage and other improvements.

D.

[Amended 2-27-2014 by L.L. No. 1-2014]