

## Visual and Aesthetic Character

### **Community Goal:**

Protect the visual quality and aesthetic character of the Town.

### **Objectives:**

- Provide standards for new and renovated development to encourage development that is compatible with the Town's rural and historic character.
- Improve the existing visual character of the Town.

Lloyd residents have long been proud of the visual characteristics of the Town. Illinois Mountain, the Hudson River bluffs, and the Town's picturesque landscapes are contributing features of the Town's visual beauty. The appearance of man-made structures should also enhance the Town's visual quality. Commercial and residential development should reflect the quality of life desired by its residents. This section of the *Comprehensive Plan* recommends steps to improve existing development and ensure that new development protects and enhances the visual quality and aesthetic character of the Town.

### 10.1 PROVIDE STANDARDS FOR NEW AND RENOVATED DEVELOPMENT

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Quality of life is intimately connected to how land is developed and used. The Town's Zoning Law determines what uses are appropriate in the different areas of the Town. But how those uses are designed can be even more important and will have a lasting effect on the Town's appearance and function. Commercial and residential development can have an adverse impact on visual resources if not properly designed. This is particularly true for such features as architecture, signage, lighting, parking and landscaping. Well-designed development projects can be enjoyed by residents for 100 years or more. But when done poorly, they can diminish quality of life and damage the economic fabric of the community. The design of development projects, therefore, is a matter of public concern.

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The *Comprehensive Plan* recommends that the Planning Board's responsibilities be expanded to include architectural reviews of new projects. To assist the Planning Board in this role, the Town should adopt clear design standards for new residential subdivisions and non-residential developments in the Town. The standards would provide drawings and photographs to illustrate designs that are acceptable to the community to assist developers, design professionals, and the Planning and Zoning Boards with the review and approval of projects. By clarifying a community's preferred development design, the standards would simplify and speed the site plan and subdivision approval processes for both applicants and the Boards. When applicants are provided with clear design standards at the beginning of the approval process, before expensive engineering and design work has been conducted, they are more likely to build projects that a community considers desirable, and this can reduce public controversy and expensive delays.

Design standards are one of the most effective tools available to assist the Town in retaining its rural qualities and historic character. The Town's design standards should illustrate preferred building design and site layout for commercial projects and major subdivisions in the Town. New development should be designed to fit into the natural surroundings rather than becoming a dominant element of the landscape. Architectural standards should be used to ensure architectural quality and compatibility with local styles.

For non-residential development, the standards should additionally establish requirements for scale of activity, access, and setbacks, and should illustrate signage, lighting, pedestrian/bicycle circulation, and the preferred location of parking lots to ensure that a proposed project is in harmony with adjacent properties and enhances the visual environment. The standards should be specific to the conditions and desired look of the different commercial areas, such as Routes 9W and 299, the hamlet of Highland, and the recommended TN-O District. A number of design recommendations for new commercial centers have already been made in Chapter 8.

While the current Zoning regulates the size and height of signs, it does not encourage the types of signs that can enhance the visual character of an area. The Zoning should be amended to include more detailed requirements for signage, and these requirements should be included in a separate section of the Code to facilitate the review of sign proposals. Moreover, to enhance the Town's nighttime ambience, the Zoning should include lighting standards based on the Illumination Engineering Society and International Dark Sky Association recommendations.

Finally, while the current Zoning includes provisions for landscaping large parking lots, additional standards should be added to screen the parking lot

from adjacent residential use and to regulate the location of the lot. The *Comprehensive Plan* recommends that parking lots be placed to the side or rear of new structures to reduce their visual impact, as illustrated in the far right drawing in the illustration below. In addition, the Town’s existing parking standards should be revised based on the recommendations of the National Parking Association; this will result in less asphalt, less runoff, and more space for landscaping.



Figure 30: Alternate Parking Lot Layouts

The New York State Legislature has provided ample authority for design standards and the courts have continuously upheld private property regulation for aesthetic purposes. Generally, towns can enact aesthetic regulations pursuant to the New York State Municipal Home Rule Law §1-(1)(ii)(a)(11), which state that municipalities may adopt local laws for the “*protection and enhancement of its physical and visual environment.*” This broad grant of power provides towns with the flexibility to establish a variety of measures to control private property appearance. Towns may also enact such measures under §96-a of the New York State General Municipal Law. This provision authorizes local governments to adopt local laws regulating districts, sites and buildings having any “*aesthetic interest or value*” which “*may include appropriate and reasonable control of the use or appearance of neighboring private property within public view or both.*”

Aesthetic control is authorized by a number of other state enabling statutes. The site plan review enabling statute, Town Law §274-a, authorizes town boards to require certain elements in site plans, including “*screening, signs, landscaping, architectural features . . . as well as any additional elements . . .*” SEQOR sanctions aesthetics as a proper area of concern in its review process by stating

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that the “*maintenance of a quality environment . . . that at all times is healthful and pleasing to the senses*” is a matter of State-wide concern. Generally, aesthetics constitute an aspect of the public welfare and are proper considerations for subdivision approval, use and area variances, site plans, and special use permits.

### 10.2 IMPROVE EXISTING VISUAL CHARACTER

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To improve the Town’s existing visual character, billboards should be eliminated. Billboards, which are known as “off-premise” signs, are a separate and distinct land use or business since they are not an accessory to a building and do not advertise products sold on the site where the sign is located. These large signs are a discordant element in the landscape, and can turn a town into “Anywhere USA” because they look pretty much the same from coast to coast. Moreover, the presence of billboards often inhibits the kinds of improvements and investments that are needed to revitalize communities.

Lloyd currently prohibits new billboards, but does not address existing ones. The Zoning should be amended to amortize existing billboards by designating an amount of time, say five to ten years, at the end of which the nonconforming signs must be removed.

The upkeep of existing developed properties also has an impact on visual resources. Strong enforcement of existing regulations is necessary to ensure that Lloyd remains an attractive locality. In addition, the Economic Development Committee should actively seek to attract occupants for abandoned or underutilized properties to encourage adaptive reuse of these buildings and improve their visual appearance.