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**TO:** TOWN OF PLEASANT VALLEY TOWN BOARD  
**FROM:** TOWN OF PLEASANT VALLEY CLIMATE SMART TASK FORCE  
**SUBJECT:** SHADE POLICY  
**DATE:** 10/1/2021  
**CC:** TOWN OF PLEASANT VALLEY TOWN CLERK

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In addition to the resolution on Shade Policy, the Climate Smart Task Force believes that a shade structure inventory should take place so the town knows exactly what has been done so far to comply with the policy and what may need to be done.

Although most shade structures are obvious such as the Gazebo at Mill Park, the Pavilion at Cady Field and numerous trees including the trees in front of the current Town Hall; an inventory would be beneficial in systematically keeping track of compliance with the policy

The Climate Smart Task Force will perform this task and submit the results and recommendations where there may be shortfalls.

**Town of Pleasant Valley Town Board  
Town Board Resolution No:**

**Re: Municipal Shade Policy**

WHEREAS, the Town of Pleasant Valley is concerned with the well-being of its residents, the importance of managing stormwater and creating greenspace; and

WHEREAS, the Town will make every effort to provide relief from the heat and shelter from the damaging rays of the sun at all public spaces owned by the municipality; and

WHEREAS, the Town will follow guidelines for shade trees already outlined in the Code of Pleasant Valley in Chapter 98 Zoning Article IV Supplementary Regulations 98-42 and 98-47, for future public municipality owned properties and

WHEREAS, when feasible the Town will review existing shade structures and include shade structures in future planning of municipal facilities. Shade structures are defined in addition to trees; as gazebos, covered outdoor structures, fabric shades or roof overhangs; and

Now therefore be it

RESOLVED; that the Town of Pleasant Valley will continue to recognize the importance of offering shade areas in all municipal public spaces by maintaining existing structures and including shade structures in future planning.

Adopted \_\_\_\_\_ [date]

Motioned by \_\_\_\_\_

Seconded by \_\_\_\_\_

<b>Roll Call:</b>	<b>AYE</b>	<b>NAY</b>
Supervisor Susczynski	_____	_____
Councilman Mazzella	_____	_____
Councilman DelVecchio	_____	_____
Councilman O'Hanlon	_____	_____
Councilwoman Albrecht	_____	_____

SHADE

RESOLUION NO.

DATE:

*Town of Pleasant Valley, NY  
Monday, September 20, 2021*

## Chapter 98. Zoning

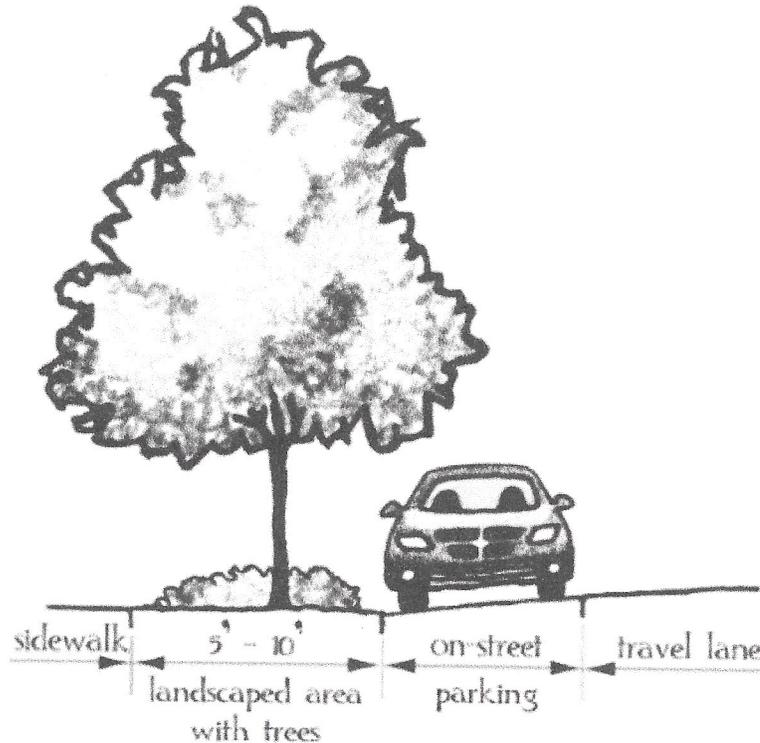
### Article IV. Supplementary Regulations

#### § 98-47. Site design and architectural standards for nonresidential development.

Nonresidential development in the Hamlet Districts (H-PV, H-SP, H-WH), the Mixed Use Commercial District (MC), and areas of the Office/Industrial District (OI) that are immediately adjacent to a Hamlet District or the Mixed Use Commercial District, is subject to the following site design and architectural standards, as shall be required by the Planning Board.

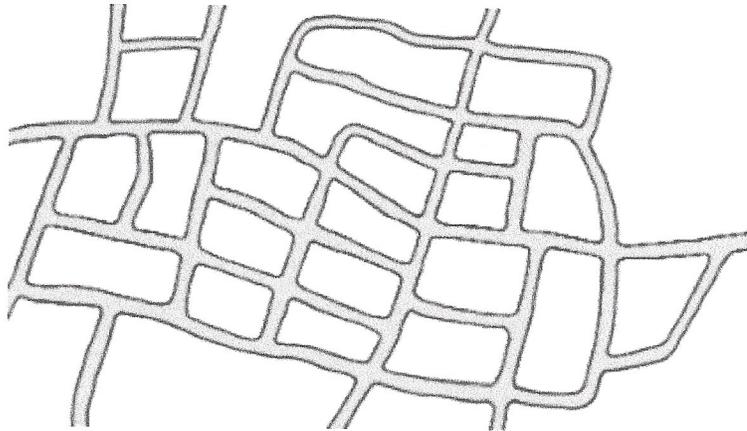
- A. Purpose. The purpose of these standards is to support and enhance a healthy and vibrant pedestrian-oriented environment that respects the historic fabric of Pleasant Valley, and to provide convenient shops, services, jobs and economic opportunities near population centers.
- B. Design principles.
  - (1) Promote pedestrian activity by providing a safe and walkable environment.
  - (2) Support the prominent positioning of civic buildings, particularly in the Hamlet of Pleasant Valley, in order to strengthen community identity and enhance public interaction.
  - (3) Minimize the visual impact of vehicles by managing the placement and screening/landscaping of parking areas.
  - (4) Promote access management strategies to reduce traffic congestion while supporting walkability.
  - (5) Create an interconnected street system, including rear lot connections and secondary streets.
  - (6) Bring new/infill buildings up toward the sidewalk and street edge to strengthen Pleasant Valley's historic patterns of development.
  - (7) Promote a mix of commercial and residential uses in multistory buildings.
  - (8) Encourage the enhancement of on-street parking and development of shared parking areas.
  - (9) Protect and highlight important natural and historic features, in particular the Wappinger Creek and any remaining historic buildings that contribute to the identity of Pleasant Valley.
- C. General. A mix of uses including ground-floor retail, upper-floor residential, services, businesses, civic, and offices shall be focused in the Hamlet Districts.
- D. Sidewalks. Sidewalks are required throughout the districts, and shall be designed as follows: [Amended 10-12-2011 by L.L. No. 5-2011]
  - (1) Sidewalks shall be a minimum of five feet wide but preferably eight feet to 12 feet wide when adjacent to commercial uses.

- (2) Sidewalks shall be buffered from vehicular travel lanes by on-street parking and a minimum of five feet of landscaping that includes street trees between the curb and the sidewalk, whenever possible.

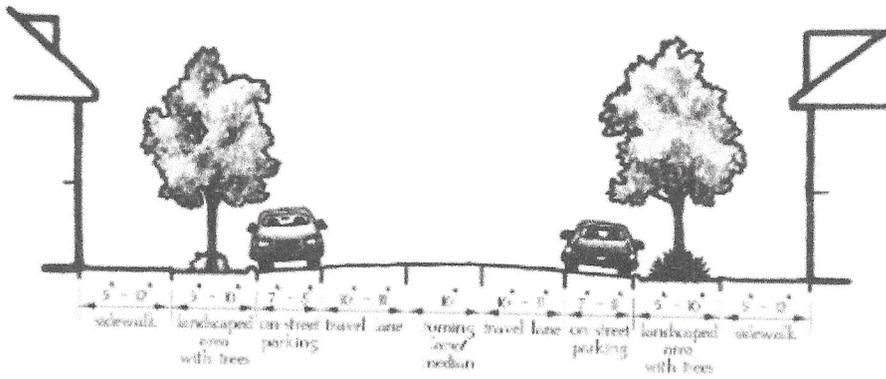


#### E. Streets and circulation.

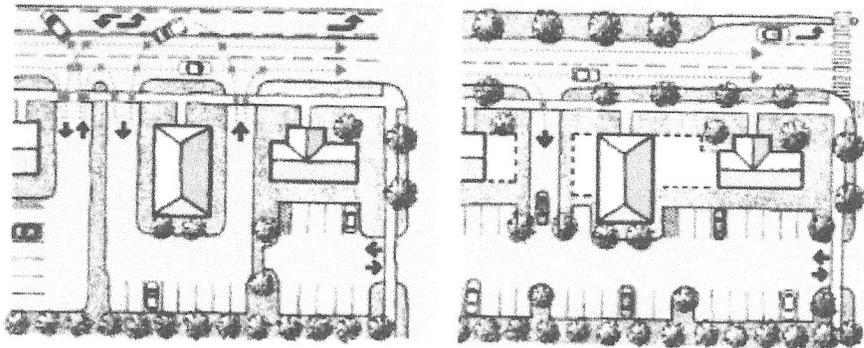
- (1) Any new streets shall be connected and organized in an interconnected street pattern to the greatest extent possible;



- (2) The street system shall, upon a determination of need by the Planning Board, be augmented with rear-lot connections laid out as narrower, hamlet-scale streets and rear lanes. This allows for a more even disbursement of both vehicular and pedestrian traffic, and creates opportunities for shared interior parking lots;
- (3) Cul-de-sacs are appropriate only in response to challenging topography, and are otherwise prohibited.
- (4) Streets shall be narrow enough to act as a traffic-calming device and promote pedestrian activity, while also allowing for the accommodation of emergency vehicles.



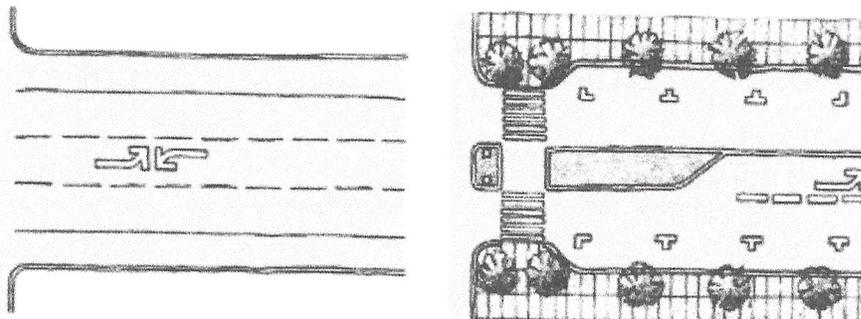
- F. Access and curb cuts. The number of curb cuts throughout the districts shall be kept to a minimum.
- (1) To help minimize the number of curb cuts, all opportunities for shared access and rear-lot connections shall be pursued, both with new projects as well as redevelopment of existing sites.



- (2) The removal of excessive or unnecessary existing curb cuts is strongly encouraged in order to reduce the number of vehicular/pedestrian conflict points and to enhance the walkability of the districts.
- (3) No curb cut should be placed within 50 feet of an intersection.

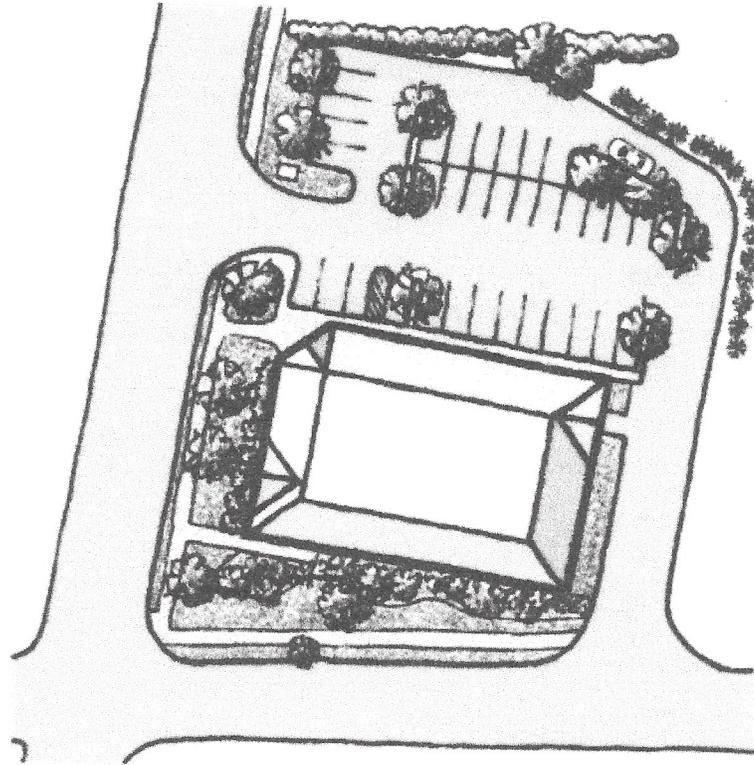
G. Parking and loading.

- (1) On-street parallel parking is encouraged.
- (2) On-street parallel parking shall begin no less than 25 feet from any intersection.
- (3) On-street parallel parking should be designed to include curb extensions at intersections to shelter the on-street parking and shorten crosswalk distances.



- (4) Front yard parking is prohibited in the districts. Parking shall be accommodated as follows: [Amended 10-12-2011 by L.L. No. 5-2011]

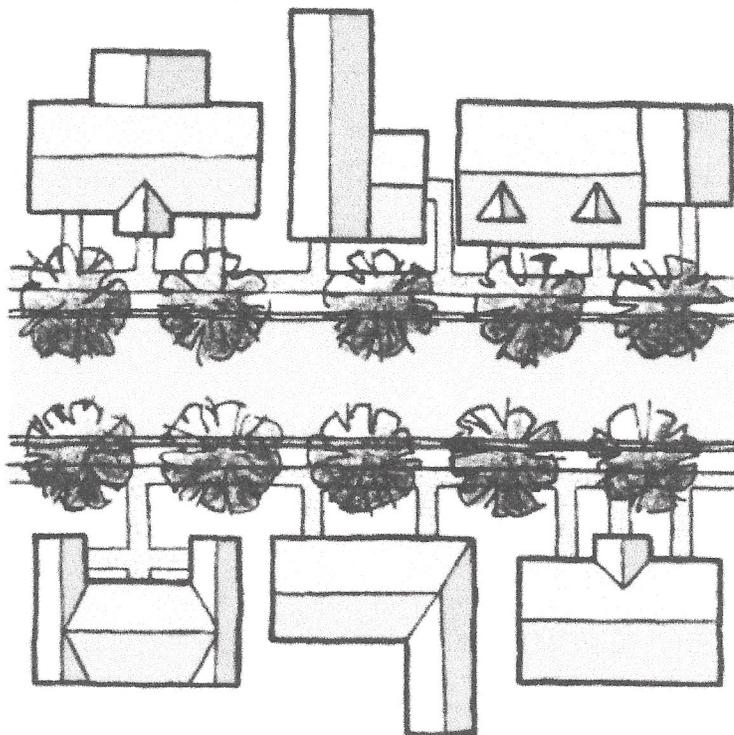
- (a) Parking lots shall be located to the rear of buildings whenever possible, or to the side, but at no point shall they be located in front of the building line.



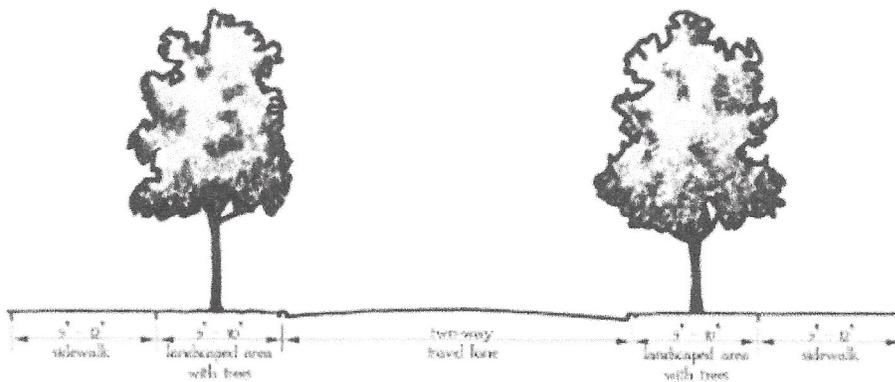
- (b) Shared parking strategies shall be pursued by the Planning Board wherever possible.
- (c) The minimum number of parking spaces for a project is determined by the Planning Board and should take into account reductions possible via available shared parking and on-street parking.
- (d) Parking lots shall be connected by rear lanes whenever possible.
- (e) Corner parking lots are prohibited, but where they already exist, trees, landscaping, stone walls, fences, sidewalks and structures shall be used to define the street corner and screen views of the parking, and where feasible, structures should be inserted between the roadway and parking lot to enhance the historic hamlet fabric.

#### H. Landscaping.

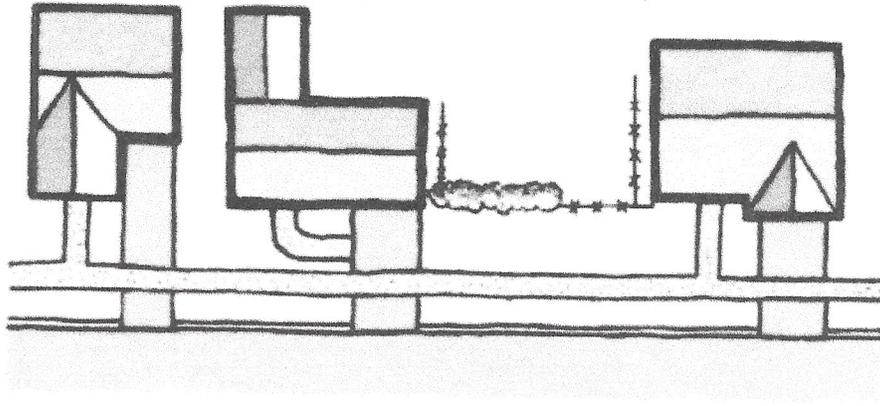
- (1) Street trees shall be planted along all roadways at regularly spaced twenty-foot to thirty-foot intervals;



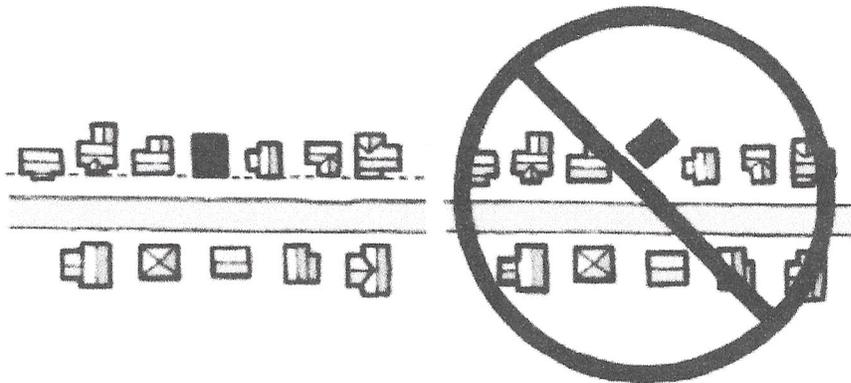
- (2) Street trees shall be placed in the lawn area between the sidewalk and road, or within the first 10 feet from the road if there are no sidewalks.



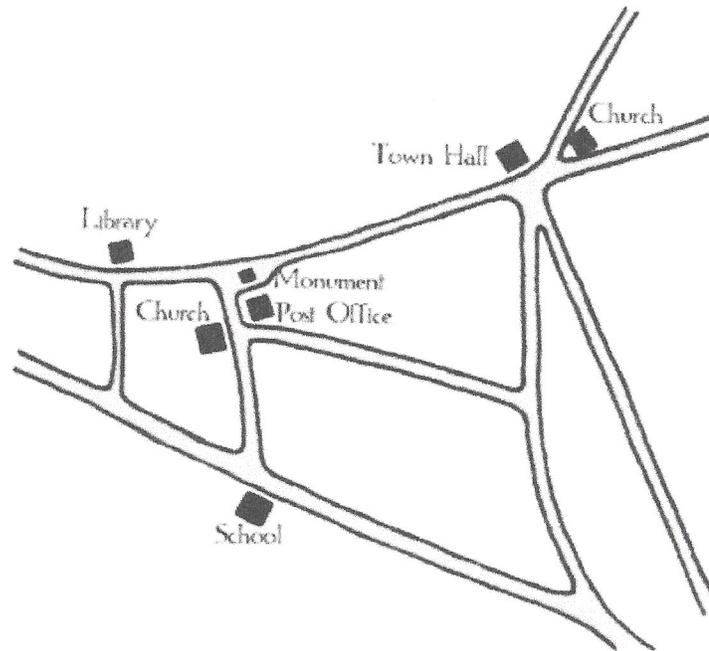
- (3) Existing healthy trees should be preserved.
- (4) New trees shall have a minimum caliper of 3 1/2 inches.
- (5) Street trees should be native species or native hybrids with a broad canopy, and should be tolerant of urban conditions, especially salt deposits, snow removal, and compacted soils.
- (6) Screening or street landscaping is encouraged along front property lines in areas where buildings are separated by vacant lots, parking lots, or preexisting large front setbacks. Appropriate materials include:
- Fences or low walls with a maximum height of four feet.
  - Landscaped screens with plant materials set back just far enough from the sidewalk to avoid encroachment when plants are fully grown.



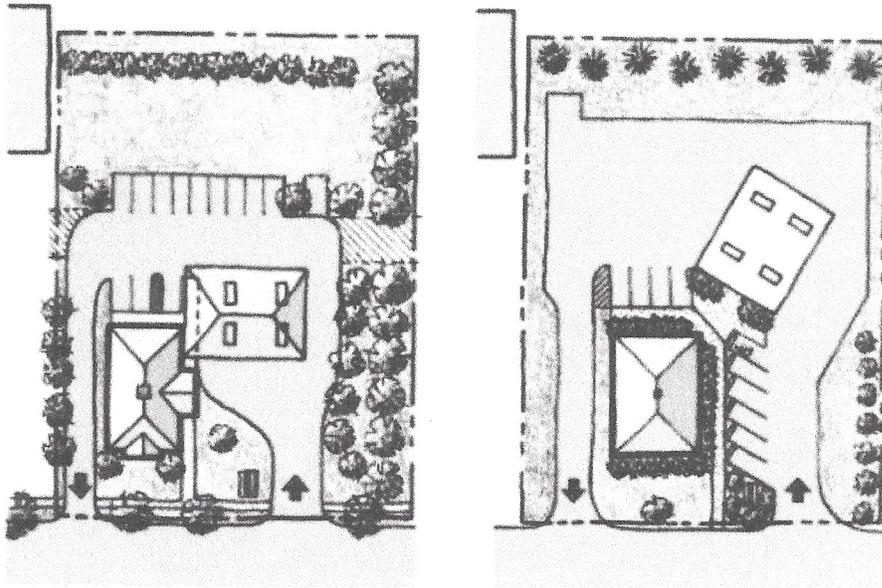
- I. Lighting. The Planning Board should take all measures to reduce light pollution.
- (1) Streetlights and other lighting shall be 10 feet to 15 feet in height.
  - (2) Lighting should be metal halide or other full-spectrum fixtures.
  - (3) Lighting ranges should be as follows:
    - (a) One-tenth to one footcandle in public areas other than parking lots.
    - (b) Approximately one footcandle in parking lots.
    - (c) Two footcandles to five footcandles are only allowed in high security areas.
  - (4) All lighting should be focused downward, with no light projecting above the horizontal plane into the night sky, except for architectural and landscape accent lighting that will not cause excess light pollution or a safety hazard.
- J. Buildings and structures.
- (1) Buildings in the districts shall be located at the front of the lot along the street and within zero to 20 feet of the sidewalk.  
[Amended 10-12-2011 by L.L. No. 5-2011]
  - (2) Building alignment shall be parallel or perpendicular to the street unless the Planning Board determines an alternate alignment is necessary.



- (3) Public buildings, wherever possible, shall be located on prominent sites at street intersections or at the terminus of a street.



- (4) Where allowed as per the Schedule of Permitted Uses,<sup>[1]</sup> § 98-11, drive-through windows and gas station pumps/canopies shall be placed to the rear or side of the building, with the queuing lane located to the rear of the building.



[1] *Editor's Note: The Schedule of Permitted Uses is included at the end of this chapter.*

- K. Architecture for nonresidential construction. These architectural standards are provided to assist in the preservation and enhancement of Pleasant Valley's architectural history of the late 19th and early 20th centuries. Traditional architectural styles found in Pleasant Valley include, but are not limited to, Colonial, Victorian, Craftsman, American Foursquare, Federal and Greek Revival. These standards shall serve as a resource for the Town's municipal review boards, as well as for developers of projects in Pleasant Valley. Architectural variation is encouraged with consideration of the surrounding historic context, but the Town has set these basic standards to promote an aesthetic continuity that builds off of Pleasant Valley's history. Useful information on basic form can be found in the Building Form Guidelines booklet published by the Dutchess County Department of Planning and Development and available through the Town of Pleasant Valley.

- (1) Green building and energy-efficient design.

- (a) Whenever possible, design an energy-efficient building using high levels of insulation, high-performance windows, and tight construction.
  - (b) Passive solar design is encouraged through the use of window ventilation, shade structures, southern light exposure, and landscape buffers where appropriate.
  - (c) Where solar panels are used, locate them parallel to the roof slope (if roof slope is between 30° and 43°) and integrated into the roof design. Screen and enclose support equipment.
  - (d) Use permeable surfaces and drainage design to capture rainfall and prevent stormwater runoff.
  - (e) Use water-efficient, low-maintenance landscaping.
  - (f) Pleasant Valley encourages LEED certification (Leadership in Energy and Environmental Design) and ENERGY STAR compliance (international standard for energy-efficient consumer products).
- (2) Foundations.
- (a) Maximum foundation reveal shall be 30 inches to finished floor.
  - (b) All exposed concrete block or poured concrete foundations and site retaining walls should be covered with one of the following approved materials, or a similar material as approved by the Planning Board:
    - [1] Full-sized brick (no faux brick).
    - [2] Wood clapboard, cedar shingles, or fiber cement siding (e.g., HardiePlank®).
    - [3] Natural stone or brick facing.
    - [4] Genuine stucco or integrally colored stucco may be used in conjunction with corners and sills of stone, brick, or period wood designs.
- (3) Building materials and siding.
- (a) Primary building materials shall be approved brick, stone, stucco, cedar shakes, wood clapboard, or fiber cement siding. Metal siding is permitted only when it represents board-and-batten construction.
  - (b) Neon or alarming colors are prohibited.
  - (c) Vinyl and aluminum siding are prohibited.
- (4) Roofs.
- (a) Roofs and roof pitches shall be in proportion to the overall size and shape of the building.
  - (b) On pitched roofs, only natural and synthetic slate, asphalt shingles and cedar shakes, tiles, standing-seamed tin, zinc or copper, and textures that complement the architectural theme and colors are permitted.
  - (c) A flat roof shall only be approved on commercial buildings. This type of traditional construction with parapets and raised cornices was typical of the architecturally significant buildings built in town centers in the late 19th and early 20th centuries. No other detached buildings shall be permitted with flat roof designs.
  - (d) With the exception of copper, all sheet metal and PVC work such as roof caps, flashing, plumbing vents and chimney caps or any other roof protrusion should be painted flat black or painted to match roof colors. Roof stacks and plumbing vents must be placed on the rear slopes of roofs if at all possible.

- (e) Soffits shall extend 12 inches or more from the face of the building and must be constructed of wood or concrete board or an alternative state-of-the-art, architecturally appropriate material as approved by the Planning Board.
- (5) Windows.
- (a) Wood windows are encouraged; however, vinyl or aluminum-clad wood windows will be considered, provided the style and profile are similar to wood windows.
  - (b) Window grids are recommended for all elevations visible to the public.
  - (c) No glass may be mirrored or coated with a reflective coating of any type. Smoked or reflective glass is not permitted.
  - (d) Skylights should not be visible from the road.
- (6) Details. Consistency of detailing on all elevations shall be maintained. Windows and doors shall reflect restraint in the variety of types, styles and sizes.

*Town of Pleasant Valley, NY  
Monday, September 20, 2021*

## Chapter 98. Zoning

### Article IV. Supplementary Regulations

#### § 98-42. Off-street parking.

- A. Off-street automobile parking spaces and truck loading areas for the various permitted uses shall be required at the time any of the main buildings or structures of such uses are constructed, moved, enlarged, or altered, in accordance with the requirements set forth in the Off-Street Parking and Loading Schedule. Each automobile parking space shall be nine feet by 18 feet to accommodate an automobile 18 feet in length or as follows:

<b>Angle</b>	<b>Stall Length (feet)</b>	<b>Minimum Stall Width (feet)</b>	<b>Aisle Width (feet)</b>
90°	18	9	24
60°	19	9	16
45°	18	9	13
On-street	22	7 to 8	10 to 12 travel lane

Note: Handicapped parking spaces shall be provided in accordance with all state and federal ADA regulations (ICC/ANSI A117.1).

- B. Parking lots in new commercial and industrial development shall be placed to the rear or side of the structure. The use of shared driveways and internally linked circulation or service roads between adjacent parcels shall be encouraged. The Board shall require written assurance and/or deed restrictions, satisfactory to the Town's attorney, binding the owner and all heirs and assignees to permit and maintain such internal access and circulation and interuse of parking facilities.
- C. Combination of uses.
- (1) In the case of a combination of uses, the total number of off-street parking spaces shall be determined by the Planning Board and shall take into account shared parking strategies.
  - (2) Applicants are required to investigate shared parking strategies to reduce the total number of parking spaces. The applicant must provide information about the peak parking demand of the uses on the lot to determine an appropriate reduction in the total number of parking spaces. Such information must take into account the parking demand of residents, employees, customers, visitors, and any other users of the site in question. It must also take into account parking demand on both weekends and weekdays, and both during the daytime and overnight. The Planning Board may require interconnected parking areas if deemed appropriate.
- D. Fractional space. Whenever a fraction of a space is required for the sum of requirements, a full space shall be provided.
- E. Location of required spaces.

- (1) Required off-street automobile parking spaces shall be provided on a buildable portion of the same lot.
  - (2) There shall be provision within the parking area for snow storage.
- F. Construction of nonresidential parking areas.
- (1) Nonagricultural. Parking areas shall be paved with a year-round dustless surface. Use of appropriate pervious materials is encouraged. Such parking areas shall be kept free of obstructions and unsightly objects. Intersections of parking areas with sidewalks or street pavements must be made in an approved manner. Provision must be made for the adequate drainage of parking areas.
  - (2) Agricultural and agricultural related uses. Parking shall be sufficient to accommodate the use and shall be adequate for the health, safety and welfare of the public. Paving and lighting requirements shall be waived by the Planning Board unless such requirements are deemed necessary by the Code Enforcement Officer.
- G. No off-street automobile parking or storage space shall be designed, arranged or constructed to be used in a manner that will obstruct or interfere with the free use of any street, alley or adjoining property, or (except in connection with a one-family dwelling) where it is necessary to use any part of a street right-of-way for approach, turning and exit of an automobile.
- H. Unobstructed access to and from a street, designed so as to not require the backing of any vehicle across a sidewalk or a traffic lane, shall be provided for all parking and loading spaces. Such access driveway width shall be consistent with the aisle width of the required parking. In general, such driveways shall be at least 26 feet in width, except where the Planning Board determines that a lesser width is sufficient.
- I. Drive-through businesses. The drive-through aisle(s) shall be sufficient to accommodate stacking of vehicles without causing obstructions or interference to emergency access, sidewalks, driveways, parking spaces, and/or traffic lanes. Drive-through accommodations shall be located so as to cause the least visual intrusion to public view. The applicant shall provide data as to the maximum expected vehicle stacking, and an illustrative plan showing the capability of providing such vehicle stacking safely.
- J. Parking area grades. The maximum slope within a parking area shall be 5%.
- K. Heavy equipment. The parking of trucks (except pickup trucks), moving vans, school buses, heavy construction equipment and similar commercial vehicles is prohibited in all residential districts except during deliveries and actual operations and except for one vehicle used principally as a personal conveyance, which shall not be parked in the required front yard or within the required side yard.
- L. Driveways.
- (1) No driveway or other means of access for vehicles, other than a public street, shall be maintained or used in any residential district for the servicing of any use located in a business or industrial district.
  - (2) No driveways shall be located or designed such that they interfere with the normal traffic movements of any intersection.
  - (3) Driveway center lines shall intersect a street line at no less than the minimum standard of the appropriate reviewing agency (local, county, or state).
- M. Driveway grades. Requirements for new driveways shall conform to Chapter 46, Driveways and Highway Work Permits, § 46-3, Standard requirements for new driveways, in addition to the following:
- (1) The maximum grade for any new driveway accessory to a single-family dwelling, and connecting its off-street parking area to a street, shall be 10%, except where it can be

demonstrated to the satisfaction of the approving authority that, because of unreasonable hardship affecting a particular property, the construction of a driveway shall be permitted, provided that the increase in driveway grade is the minimum increase required, and further provided that in no case shall such driveway grade be permitted to exceed 15%.

- (2) The maximum grade for new driveways accessory to uses other than single-family dwellings and connecting the required off-street parking area to the street shall not exceed 7%, except that the approving authority shall have the same power to permit increased grades here as above, provided that such grades shall in no case exceed 15%.
  - (3) Notwithstanding the maximum permitted grades specified above, no driveway serving a use other than a single-family dwelling shall have a grade in excess of 3% within 30 feet of the edge of pavement, or within 25 feet of the property line of the street, whichever distance is greater. The Planning Board may require increased platform areas of this type in situations where, because of the nature of the proposed use, substantial traffic volumes are anticipated.
  - (4) Clear visibility shall be provided in both directions at all exit points so that the driver of an automobile stopped on the platform portion of any new driveway will have an unobstructed view of the highway for a reasonable distance (commensurate with the speed and volume of traffic on such highway) and so that there is a similar view of the automobile in the driveway. All sight easement areas are to remain free of any man-made or natural objects that would prohibit a free line of sight of 300 feet to 400 feet, to be determined by posted speed limits, measured along the center line of the road.
  - (5) Pavement materials shall conform to specifications as outlined in the "Specifications" section of Town of Pleasant Valley Highway Specifications.
- N. Landscaping. Parking lots shall be screened from the road, and the landscaping plan shall be subject to Planning Board review. The following are minimum requirements:
- (1) A continuous area of a lot consisting of 10 or more parking spaces shall be provided with not less than one shade tree for each 10 cars or fraction thereof, which trees shall not be less than three inches in diameter at breast height.
  - (2) In all off-street parking areas containing 25 or more parking spaces, at least 15% of the area between the inside perimeter of the parking surface of the parking area shall be curbed and landscaped with appropriate trees, shrubs, and other plant materials as determined necessary by the Planning Board to assure the establishment of a safe, convenient and attractive parking facility.
  - (3) All such landscaped areas shall be properly maintained thereafter in a sightly and well-kept condition.
  - (4) A letter of credit, its amount to be approved by the Town Board with the recommendation of the Planning Board, may be required to ensure maintenance of required landscaping for a minimum of one year.
  - (5) Whenever a parking area abuts a residential district, a wooden privacy or stockade fence, or compact evergreen hedge, shall be established and maintained along the district boundary lines.
  - (6) Where the Planning Board finds it appropriate to use pervious paving material(s), such as grass pavers, in order to provide groundwater recharge and reduce stormwater runoff volume, the applicant may be required to provide such pavement in parking areas, driveways, and/or pedestrian areas.
  - (7) All parking lot design shall take into consideration Article XXI, Greenway Guide E3, Parking Lots.
- O. Schedule of off-street parking requirements.

- (1) The following table sets forth the required number of off-street parking spaces to be provided with respect to each of the uses specified. The required number shall be the maximum allowed. The Planning Board may reduce the number of off-street parking spaces required for any use specified if, after consideration of all factors which may affect the parking needs of a particular use, the Planning Board determines that the required number of parking spaces would be excessive and may result in an unwarranted increase in impervious surfaces and/or stormwater run-off or other SEQRA-related issues.
- (2) For structures and land uses that do not fall within the categories listed, requirements shall be determined in each case by the Planning Board, which shall consider all factors entering into the parking needs of each use [At the time of site plan submittal, the latest edition of the Institute of Transportation Engineers (ITE) Parking Generation Report and the American Planning Association (APA) Parking Standards should be consulted.].

<b>Use</b>	<b>Required Off-Street Parking Spaces</b>
<b>RESIDENTIAL</b>	
Dwellings	2 per dwelling unit
Dwelling, accessory	2 per accessory dwelling unit
<b>AGRICULTURAL</b>	
For all agricultural uses	See § 98-42F(2)
<b>NONRESIDENTIAL</b>	
Business, general	1 per 250 square feet of gross floor area
Business, recreational	1 per 5 customers/users based on maximum capacity, plus 1 per 2 employees
Club	2 for each 1,000 square feet of gross floor area
Day-care center/home	0.35 per person (licensed capacity)
Educational institution (private)	1 per classroom, plus 1 for every 50 students for elementary and middle schools, and plus 1 for every 10 students for high school, based on enrollment capacity
Group home	1 per every 2 employees
Home occupation	1 in addition to spaces required for residential dwelling, plus 1 for the nonresident employee, if any
Hospital	0.4 per employee, plus 1 per 3 beds, plus 1 per 5 average daily outpatient, plus 1 per 4 medical staff
Light industry	1 per 400 square feet of gross floor area
Lodging facility	1 per guest room, plus 1 per every 2 employees
Motor vehicle fueling facility/repair shop	2 spaces per service bay, plus 3 for every 1,000 square feet of gross floor area; spaces within service areas of building and at pumps and access lanes shall not be counted
Motor vehicle wash facility	2, plus 1 per each 2 peak shift employees, plus 5 stacking spaces per wash bay
Motor vehicle sales	1 per 500 square feet of salesroom and/or office; these spaces shall not be used to park for-sale or for-rent cars
Nursing home	1 per 4 beds, plus 1 per employee
Office (including medical)	3 per 1,000 square feet of gross floor area, excluding storage areas
Restaurant or bar	1 for every 3 seats, or 1 per 100 square feet of gross floor area, whichever is greater

Use	Required Off-Street Parking Spaces
Restaurant, fast-food	1 for every 2 seats, or 1 per 75 square feet of gross floor area, whichever is greater, plus 3 stacking spaces for drive-through window
Theater or religious institution	1 space for every 5 fixed seats; 1 per 100 square feet in places without fixed seats; plus spaces for any associated residential use
Veterinary Clinic (MC, OI, H-PV, H-SP, H-WH Districts)	4 per doctor in usual attendance, plus 1 per employee
Veterinary clinic (CONS, RA, RR Districts)	See § 98-52
Warehouse, self-service storage	1 per 1,000 square feet of gross floor area, but not less than 4 spaces