

## **ARTICLE LIII Hamlet Center (HC) Zoning Use District [Added 10-21-2004 by L.L. No. 42-2004]**

### **§ 108-285. Purpose and intent.**

The intent of the Hamlet Center (HC) Zoning Use District is to provide small clusters of shops and professional services in a rural setting, with a residential character. Development is intended to be pedestrian-friendly, small-scale, and clustered in a campus-style pattern. The HC Zoning Use District is intended to have larger front and side setbacks and more landscaping than the Village Center (VC) Zoning Use District.

### **§ 108-286. Uses.**

In the HC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

#### **A. Permitted uses:**

- (1) Retail stores.
- (2) Art galleries and arts and craft shops.
- (3) Antiques stores and home furnishing stores.
- (4) Personal services.
- (5) Specialty food stores, wine shops and bakeries with retail sales on premises.
- (6) Restaurants, cafes, banquet facilities, and ice cream parlors.
- (7) Offices.
- (8) Professional offices.
- (9) Museums.
- (10) Libraries.
- (11) Schools.
- (12) Places of worship.
- (13) Apartments on upper floors.

#### **B. Special permit uses:**

- (1) Bed-and-breakfast establishments.
- (2) Indoor recreation facilities.

#### **C. Accessory uses.** Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot.

#### **D. Prohibited uses:**

- (1) Single- and two-family dwelling units.
- (2) Townhouses.
- (3) Single retail stores with a floor area exceeding 10,000 square feet.
- (4) Convenience stores.
- (5) Gasoline service stations.
- (6) Residences on ground floors.

**§ 108-287. Lot, yard, bulk and height requirements.**

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified. *Editor's Note: This Zoning Schedule is included at the end of this chapter.*
- B. New buildings in the HC Zoning Use District shall comply with the lot, yard, bulk and height requirements of the Zoning Schedule. However, the Town Board shall have discretion during site plan approval to grant variances in front setbacks based on the contextual pattern of nearby commercial or residential properties, so as to maintain a unified street wall pattern.
- C. Exemptions. Bay windows, unenclosed porches, and other projections shall be exempt from calculation of building area, in order to provide incentives for variety in facade design. However, such projections shall be required to meet the setback requirements of the Zoning Schedule.

**§ 108-288. Supplementary requirements.**

The following design and parking standards shall apply:

- A. Design standards.
  - (1) The principal building entrance and front shall face the primary street frontage and sidewalk.
  - (2) Building design and landscaping should serve to reinforce and announce the main pedestrian building entrances.
  - (3) Walkways shall be provided for safe and convenient pedestrian access from sidewalks to storefront entries, and from storefronts to adjacent public parks and residential and commercial areas.
  - (4) Special materials, such as brick or cobblestones and picket fences, are encouraged for walkways in hamlet areas, particularly those with older or historic buildings.
  - (5) For ground-floor commercial space, at least 50% of the linear width of the front facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 20% by opaque banners, or either permanent or temporary advertisements or signs.
  - (6) The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone or a combination of such materials. The use of synthetic, metallic, and reflective materials should be avoided.
  - (7) Building shape, proportions, massing, and design should be appropriate to the historic character of the hamlet in which the building is located. Architectural features such as porches, porticoes, shutters, decorative door and window frames, balconies, cornices, dormers, chimneys, turrets, and spires should be used to reinforce a pedestrian scale and create interest and variety in the facade.
  - (8) Signs shall be provided in accordance with § 108-56, the Riverhead Sign Ordinance.
  - (9) Buffering and transitions.
    - (a) Trash/dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.
    - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial uses and adjoining residential uses or zones.
    - (c) Deliveries and loading activities shall to the extent possible be restricted to the hours

between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the HC Zoning Use District shall be provided in accordance with § 108-60, the Riverhead Parking Schedule.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to 20% reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.
- (3) Parking requirement may be reduced with payment of a fee or land dedication in lieu of providing off-street parking as provided for in § 108-60.
- (4) Off-street parking areas or garages shall be recessed at least 15 feet back from the front property line.
- (5) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than 30 feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.
- (6) Curb cuts, driveways, and garages shall meet the following dimensional regulations:
  - (a) Curb cuts and driveways at the front property line leading to parking areas of 10 or fewer spaces shall not exceed 10 feet in width along any point.
  - (b) Curb cuts and driveways at the front property line leading to parking areas of 11 or more spaces shall not exceed 14 feet in width at any point.
  - (c) The maximum width of garage entryways facing a front street shall not exceed 18 feet.
- (7) Shared parking lots with cross-access agreements are encouraged so as to allow drivers to park in one lot and walk to other businesses without moving their cars, or to drive from one lot to another without returning to the street.
- (8) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs for at least 15% of their land area.
- (9) In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot, rather than clustered only along the edges.
- (10) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:
  - (a) Entire parking areas shall be surfaced with gravel, rather than pavement.
  - (b) Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.
  - (c) Landscaped areas of the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.