

LOCAL LAW NO. 1 OF 2020

A LOCAL LAW amending Chapter 330 (Zoning) of the Southampton Town Code, amending the Zoning Map and adding a new Article XXXII, §§330-421 through 330-439, entitled the "Hampton Bays Downtown Overlay District (HBDOD)" to implement form-based zoning for the purpose of revitalizing the Central Business District of Hampton Bays.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The hamlet of Hampton Bays is one of seventeen un-incorporated hamlets within the Town of Southampton. Hampton Bays encompasses approximately 18 square miles, of which 13 square miles is land and 5 square miles, or 28%, is water. The hamlet enjoys the greatest amount of shoreline of all the Town's hamlets and is surrounded by three bays, the Great Peconic Bay to the north, and Shinnecock and Tiana bays to the south.

Hampton Bays' hamlet center or centralized area for commercial, retail and community services is a traditional Main Street setting located along Montauk Highway (CR 80). Good Ground Park, which includes an amphitheater, comfort station, walking / bicycle trails and playgrounds is a central feature of the Hampton Bays Corridor Strategic Plan and its ongoing development and is a major strategy for promoting the downtown area and reinvigorating the local economy. With the park under phased construction with the first phases completed, the Town Board continues to move forward with the implementation of the next steps in the Strategic Plan. Substantial Town funding and State grants have been devoted to the construction of phase of the park, with a recent TAP grant awarded for the construction of multi-use paths throughout the Park to connect Good Ground Park to Red Creek Park. The train station at Good Ground Road is within the Overlay District boundary and creates a unique opportunity for people to access concerts and events at Good Ground Park and uses within the Business District that are within walking distance. In addition, the Chamber of Commerce and other tourist advocates would like to connect the Ocean beaches and other recreational amenities within the Hamlet to the train via the Downtown Overlay District. Therefore the forms and placement for redeveloped buildings and parking and the establishment of unique and desirable uses are intended to create a walkable, accessible hamlet center that is expected to serve as a 'place-based' destination.

Over more than a decade and continuing to the present, major investments of public resources have been made to prepare Hampton Bays for redevelopment. The Town is now seeking to build upon existing planning efforts in a manner that is consistent with the needs and desires of a vibrant year-round community. This includes the encouragement of a mix of retail stores, service-related businesses, restaurants, workforce and senior housing options, along with improved transportation infrastructure, pedestrian pathways and public green spaces throughout the downtown area. The strategy to create a Hampton Bays Downtown Overlay District represents a comprehensive response to community needs and objectives defined in many planning and policy documents adopted by the Town Board as follows:

- The Comprehensive Plan Update, prepared by the Town of Southampton Department of Land Management and Land Ethics Inc. and adopted in 1999. This Town-wide plan examined a number of priority issues and proposed implementation strategies for the Town as a whole and for detailed sub-areas. The Comprehensive Plan Update included the following Action Items for Hampton Bays:

1. Overall concept is a “town center” theme development, featuring a new train station with town green, streetscape and physical improvements at the Ponquogue/Montauk Highway crossroads, and stronger anchors in the historic center.
 - o The area’s varied visual quality and lack of cohesion need to be addressed to attract a regular clientele for other than convenience shopping.
 - o Channel pressure for retail development to the traditional center at and near Ponquogue Avenue.
 - o Discourage strip development.
 - o Link the hamlet center with nearby shopping centers and highway business development.
 - o Create a town-wide shopping and transportation center, with a civic identity as well.
 - o Allow mixed-use development of a variety of scales, in connection with either preservation of the existing residential and historic scale of development, and/or the provision of access and design improvements.
- Explore a business improvement district (BID) to provide a revenue stream for landscape improvements and especially its maintenance.

The 1999 Update recommends that the *“Town should promote small, one-of-a-kind stores that contribute to Southampton’s resort image, as well as the homegrown businesses that are a staple of the local economy. The objective is to provide “carrots and sticks” to channel market demand to meet the Comprehensive Plan’s overall goal of preserving Southampton’s open spaces, handsome views, resort qualities, and compact patterns of home and village centers should be made with regard to enhancing convenience (circulation and parking), appearance (streetscape and historic qualities), and identity (civic uses and public places). Each and every hamlet and village center should be looked at independently with the participation of that center’s business, resident and civic communities. The objective is to make all of these centers places people want to go to and feel proud of”.*

- The Hampton Bays Hamlet Center Strategy completed by Hutton Associates in 1999 and approved that year. Building on the Comprehensive Plan Update, the Hamlet Center Strategy focused on the following elements:
 - o An improved pedestrian-scaled environment for the existing eastern portion of the hamlet center, including design criteria for a new supermarket and associated shops and for associated streetscape opportunities;
 - o Integrated transportation planning and design improvements for Montauk Highway, Good Ground Road, and associated linkage roadways, including cross-access agreements through adjacent commercial properties;
- The Hampton Bays Hamlet Mixed Use Planned Development District Study was prepared by Town staff in 2002. It focused on the 38 acre Rosko property located north of the commercial uses on the north side of Montauk Highway and the commercial properties located between the Rosko property and Montauk Highway. The Rosko property was subsequently purchased through a CPF acquisition and is now being developed as Good Ground Park. Goals and objectives identified included:
 - o Circumferential hamlet loop road north of Montauk Highway.

- o Construction of municipal parking areas to the north of the businesses fronting on Montauk Highway.
 - o Encourage mixed use infill on the north side of Montauk Highway.
 - o Maintain and enhance the distinctive density and mixed use character of the hamlet core on the north side of Montauk Highway.
- The Hampton Bays Generic Environmental Impact Statement (GEIS) prepared by the Town of Southampton Department of Land Management and Cashin Associates P.C., and accepted in 2013:
- o The DGEIS evaluates the impacts of implementing the Hampton Bays *Corridor Strategic Plan* and considers the cumulative impacts of build-out within the project study area and greater Hampton Bays community.
- The Hampton Bays Corridor Strategic Plan prepared by Hutton Associates in 2008 (revised in 2010) and adopted in 2013. The Strategic Plan provides zoning, planning, and capital improvements recommendations to guide development along a portion of the Montauk Highway/East/West Main Street corridor from Jones Road in West Tiana to Peconic Road in Shinnecock Hills and includes several environmental protection, parks and open space recommendations including:
- o In the east central hamlet center, use the planned Good Ground Park as the incentive to create ‘themed development’ in an historic landscaped setting “Good Ground Green” on the adjacent commercial parcels. Create a “New North Main Street” to provide access to both into the new park and to the “Good Ground Green” commercial uses.
 - o Propose improvements to sites in central hamlet center and new development along Good Ground Road. Encourage redevelopment and façade improvements, with adherence to Town and hamlet design guidelines. Improve area “walkability” by improving the street grid with new paths and connections between Montauk Highway and the New North Main Street to the north and Good Ground Road to the south.
- The Pattern Book for the Hampton Bays Downtown Overlay District prepared by Historical Concepts in 2017 re-affirmed the findings and recommendations of the past planning efforts, used data gathering and precedent images/voting to build community consensus and translated the planning concepts into a specific blueprint that informs the standards and requirements outlined in the proposed overlay district.

Residents, local civic groups and many other individuals over the last decade have identified the need for a cohesive hamlet center. The enactment of the Hampton Bays Downtown Overlay District will serve to revitalize and strengthen the long-desired needs of a population that seeks a vibrant and family friendly Hamlet center that is sustainable; where economic, social, and environmental systems are in balance, and where residents feel that they are part of a definable, understandable community. The Town Board is now geared toward an implementation phase where building the forms of such an ideal begins with the codification of these principles into an Overlay District.

SECTION 2. Amendment

Chapter 330 (Zoning) is hereby amended by adding a new Article XXXII, Sections 330-421 through 330-439, entitled the "Hampton Bays Downtown Overlay District (HBDOD)", underlined and graphically represented as follows:

**Chapter 330, Article XXXII
(Hampton Bays Downtown Overlay District (HBDOD))**

Hampton Bay Downtown Overlay District

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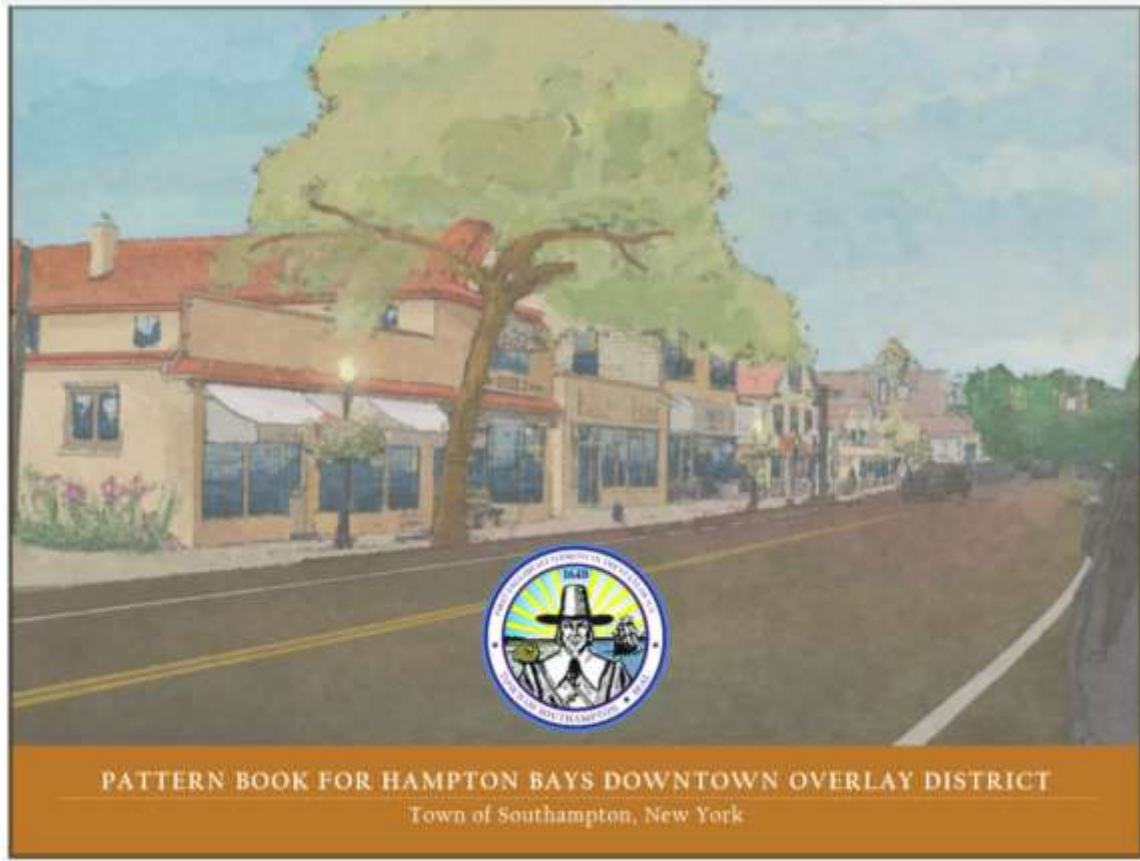
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Article XXXII

Hampton Bay Downtown Overlay District

§330-421 Introduction.

A. The Pattern Book for Hampton Bays Downtown Overlay District.



- (1) In 2016, the Town of Southampton sought to develop a consensus vision for the look, feel and function of the future development of the Hampton Bays Central Business District, the preparation of the Pattern Book for Hampton Bays Downtown Overlay District.
 - (2) Town officials, with the assistance of planning consultants, worked to imagine how this neighborhood could evolve over time with redevelopment into a more-attractive mixed-use commercial center of activity. The goal was to create a rich atmosphere which was pedestrian and bicycle friendly and the "heart" of the community.
 - (3) Through a community outreach campaign consisting of multiple public workshops with local residents, business owners and landowners, online surveys and interviews with various community groups, the goals and vision for Downtown Hampton Bays was created. The result of this community planning process was used to shape a guidance document titled "Pattern Book for Hampton Bays Downtown Overlay District" dated May 11, 2017
- B. How and why this code was created.
- (1) It was understood that in order to realize the ideas and visions outlined in the Pattern Book for Hampton Bays Downtown Overlay District, the existing zoning for this area of town would need to be reconstructed and consensus built among

- local residents and property owners about how it should work. A form-based zoning approach was chosen because it utilizes graphics to explain what the desired form and appearance of development should be with an eye toward creating beautiful places and a streamlined development review process which encourages revitalization.
- (2) Two additional public workshops were held to discuss the specific ideas and approaches to this form-based zoning. The input received from the public, Town officials, landowners and business owners was used to shape this new zoning code.
 - (3) It is our hope that this work will, over time, help the Hampton Bays Downtown Overlay to evolve into a vibrant, attractive, mixed-use shopping destination for all to enjoy.
- C. How to use this code
- (1) Locate the subject site on the Regulating Plan to determine the applicable overlay district in §330-422. The Hampton Bays Downtown Overlay districts can also be found on the Town's Zoning Map.
 - (a) Review the future street layout, and determine if and what type of future street is proposed for your property, or adjacent to it. Lots where connectivity is deemed essential will likely need to include a street, right-of-way, or access easement (whether public or private) in order to align with these recommendations. See §330-433.
 - (2) Review to the Form Standards in §330-424 for the applicable overlay district.
 - (a) Review the Setback and Façade Zone Diagram and the Frontage Buildout Diagram to determine how your building should meet the street. Review the Building Height Diagram and guidelines to determine permitted height of a building.
 - (b) Review permitted Building types and Frontage types permitted in the applicable overlay district.
 - (3) Review Parking Standards in §330-427.
 - (a) Parking for all new development can be located on any new streets or behind the building in order to maintain a sidewalk and public realm that is pleasant and walkable.
 - (b) If there is a new street adjacent or on your property that will be utilized for parking, refer to §330-433.
 - (c) If you will be utilizing off-street parking for your project, refer to §330-427.
 - (4) Review the Architectural Standards contain in §330-425.
 - (5) Review the Landscaping Standards contain in §330-429
 - (6) Review the Sustainable development standards, Outdoor Lighting Standards, and Sign Standards as maybe applicable to the proposed action.

§330-422 Regulating Plan.

A. Regulating Plan interpretation.

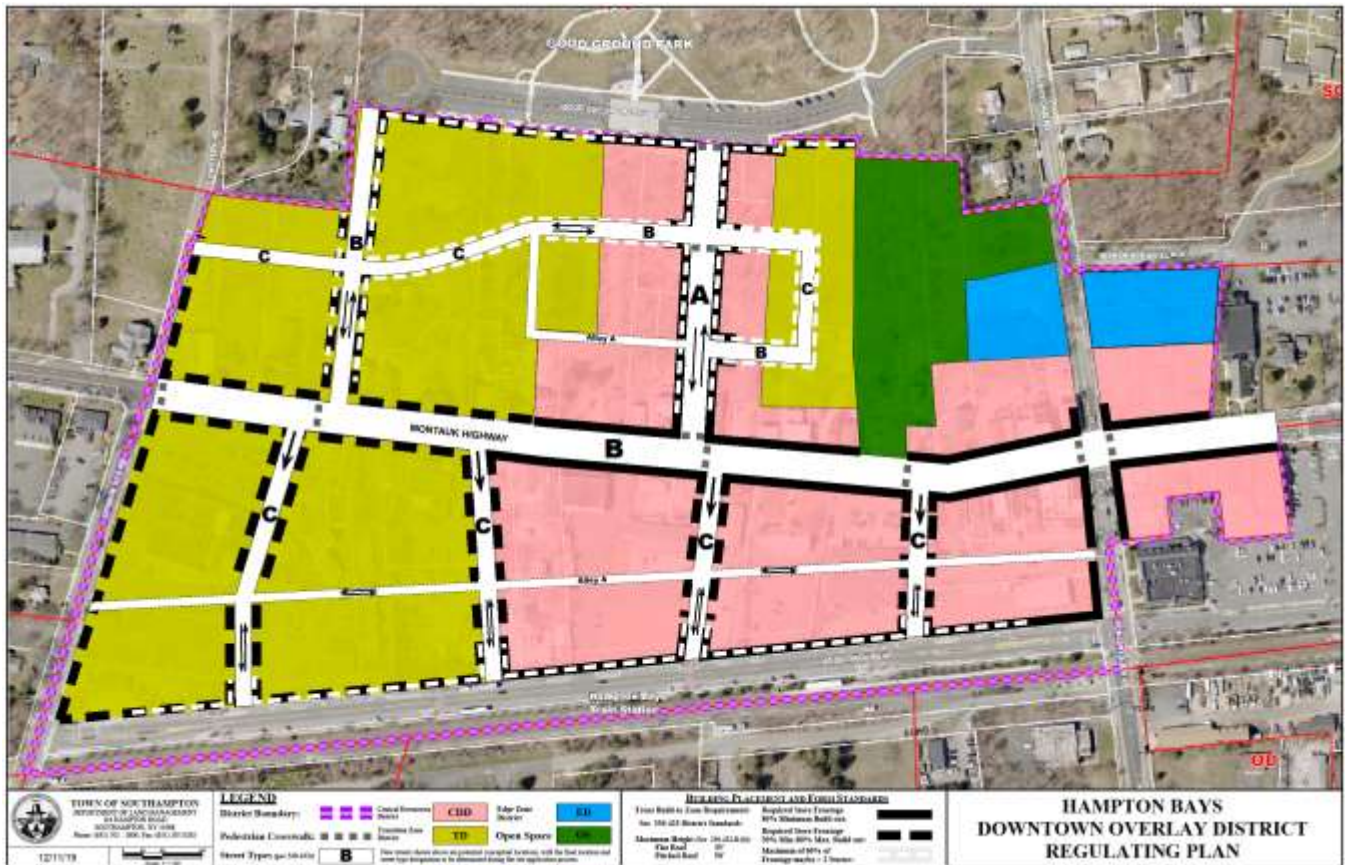
The Regulating Plan is intended as a general guide to the desired future development patterns within the Downtown Overlay District. To provide for design creativity and flexibility, some elements of the plan are intended only as a suggested outcome and should not be interpreted literally or strictly required, while others are required.

(1) Required Elements:

- (a) The location and boundaries of each district.
- (b) The location or orientation of required storefronts, where they provide direct facade frontage along a public or private street¹, and

(2) Suggested Elements:

- (a) The location and extent of public/open space.
- (b) The location of future new roads, and service alleys.



(See appendix § 330-439 C. for a larger scale version of the Regulating Plan)

¹ For the purposes of applying the requirements of this code Good Ground Access Road shall be treated as a street.

B. Districts Overview.

The Hampton Bays Downtown Overlay District hereby establishes the following districts, as shown on the Regulating Plan and the Town of Southampton Zoning Map, as amended herein:

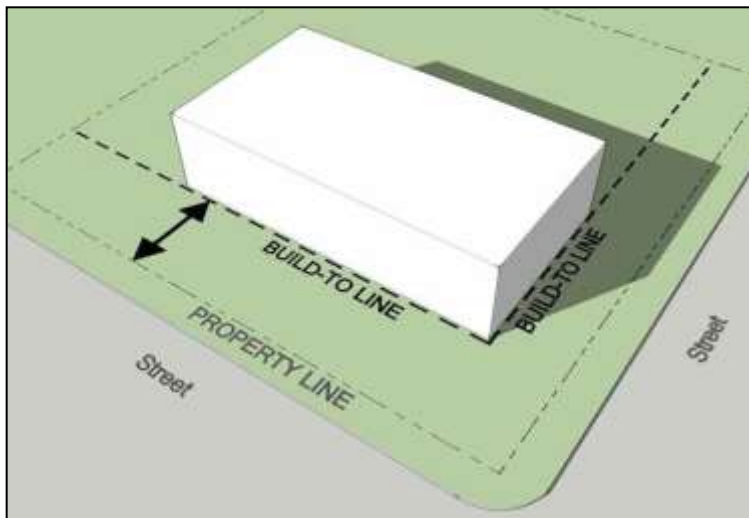
- (1) Central Downtown District (CDD) The Central Downtown District is intended to be the core pedestrian shopping and mixed-use area of the Hampton Bay central business district. A network of side streets with wide sidewalks, street trees and commercial shopfronts served by on-street parking, hidden parking lots and garages tucked within the center of the blocks. Multi-story mixed-use buildings, with residential dwelling units only permitted above commercial space.
- (2) Transition District (TD) The Transition District is intended to create a transitional zone to outlying areas of the Hampton Bays central business district and neighboring residential areas. Multi-story buildings with primarily commercial office uses, with some limited retail and residential uses.
- (3) Edge District (ED) The Edge District is intended to create a transitional zone between the central commercial districts and the outlying residential areas with lower-intensity development and shorter building heights. Two Story buildings, primarily residential in nature, but does allow for some limited supporting commercial uses as part of the development.

C. Table of Use Regulations.

The Hampton Bay Business Overlay District Table of Use Regulations is included at the end of this chapter.

D. Regulating Plan Standards.

- (1) **Build-to line** The specific location on the property where the facade of the building must be placed, measured as a distance from the property line / street right-of-way (ROW). The amount of facade which must be placed along this line is explained as the frontage width percentage.

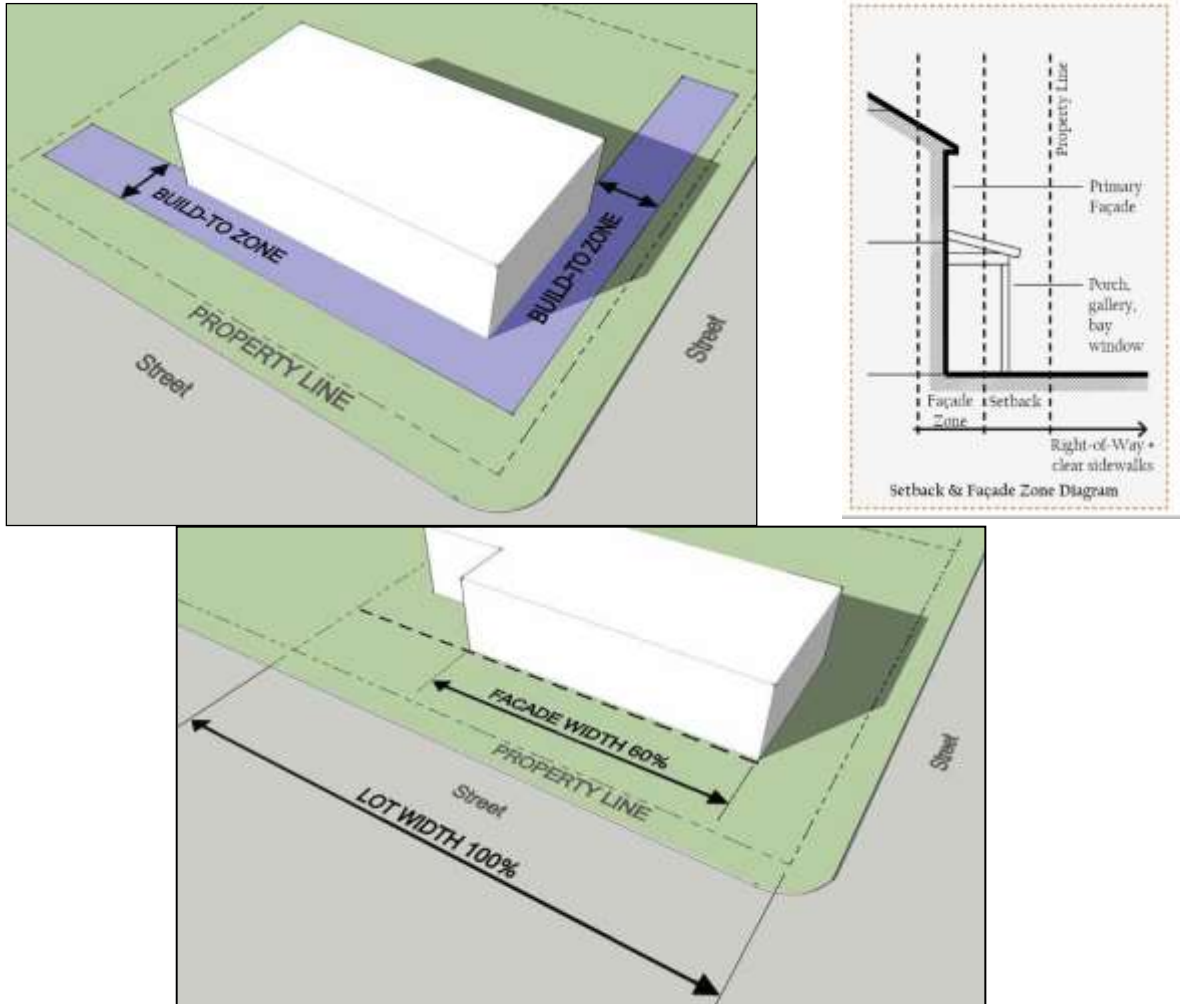


Build-To Line. Both road frontage facades shall be placed at the required build-to line.

- (2) **Build-to zone.** . Also referenced as the Façade Zone in the Hampton Bays Pattern Book. Similar to the build-to line, this is a flexible area where the facade of a building must be located, measured as both a minimum and maximum

setback distance from the property line / street right-of-way. The amount of facade which must be placed inside this zone is explained by the frontage width percentage.

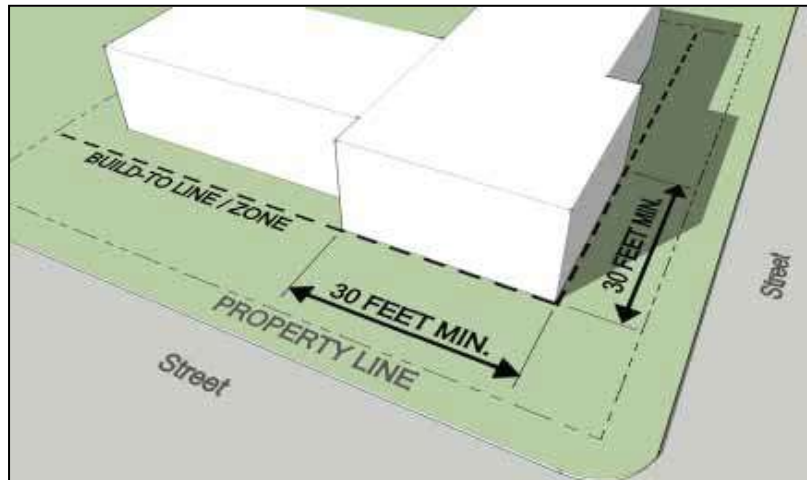
Build-To Zone. Both road frontage facades shall be placed within the build-to zone, which has a minimum and maximum distance from the property line.



(3) **Frontage width percentage.** The minimum percentage of the lot width which shall be occupied by building facade along the build-to line or within the build-to zone. For example, a property which is 100 feet wide with a frontage width percentage of 80% should try to provide at least 80 feet of facade length in the build-to zone, where possible. Any additional length of front facade would be allowed to step back further from the street, if desired. The intent of this guideline is to encourage development to maximize the front facade exposure along the street where possible.

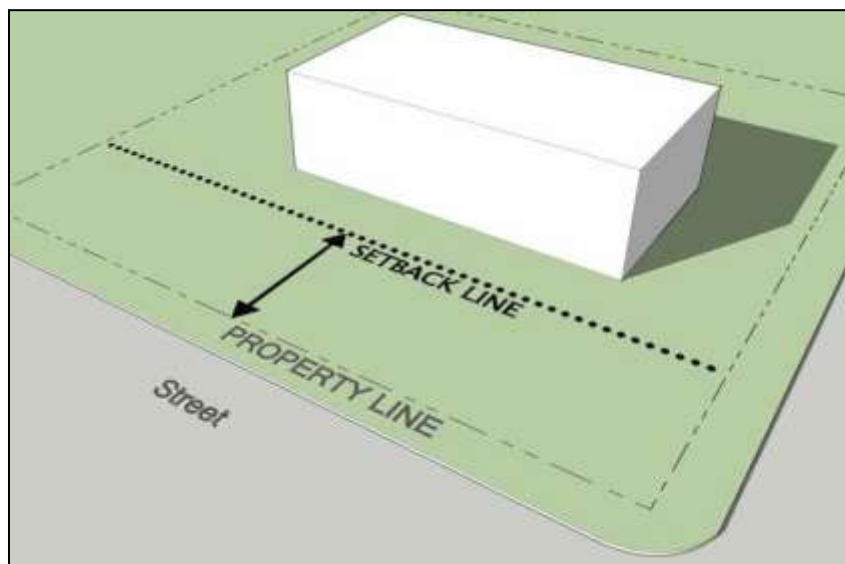
Frontage Width Percentage. The facade at the required build-to location is encouraged to meet the minimum width where possible, expressed as a percentage of the total lot width.

- (4) **Corner lots.** The purpose of this provision is to anchor the corners of the blocks with strong building elements. Buildings on corner lots defined by a build-to line or zone must locate both facades within the line or zone, extending a minimum of 30 feet in each direction from that corner of the building.



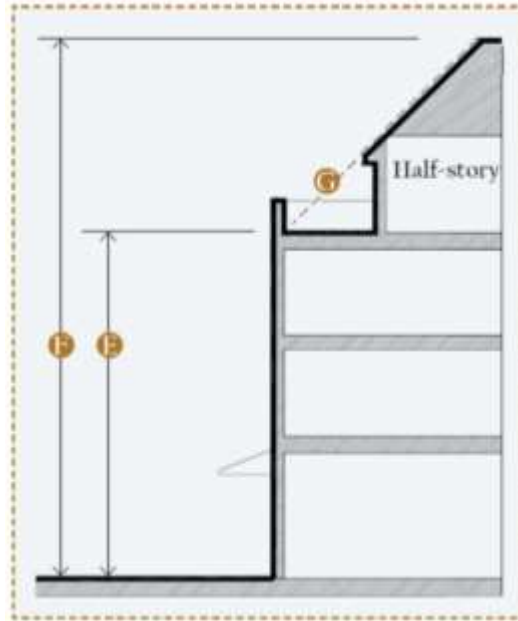
Corner Lots. Buildings located at corner intersections must locate at least the first 30 feet of each facade frontage at the build-to line or zone. The purpose of this provision is to anchor the corners of the blocks with strong building elements.

- (5) **Setbacks.** The minimum distance a building facade or parking area must be located from a property line or street right-of-way; similar to a build-to line or build to zone, except the building or parking can be located anywhere behind that line. However, a one story secondary element such as porches (either open or enclosed) and storefronts; and bay windows, balconies, cornices, and signage, may encroach into the setback up to 5'-0" pursuant to §330-424 C. The area between the property line and the setback line shall be developed as an extension of the sidewalk, so as to enhance pedestrian environment of the streetscape. This area may be utilized for outdoor dining associated with a restaurant, or other compatible purpose associated with the principle ground use of the building.



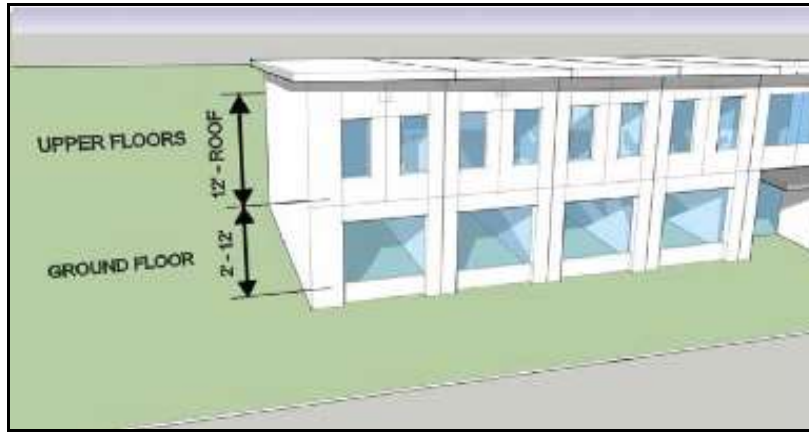
Setbacks. The building facade must be placed behind a noted setback line. Similar setback lines may apply specifically to parking areas.

- (6) **Building height.** Building height is measured from the average elevation of the existing natural grade along the side of the building fronting on the nearest street front to the highest point of the roof for flat-roof structures not to exceed 35 feet; for sloped-roof structures to the eaves (**E**) (not to exceed 35 feet), continuing on 45° angle (**G**) not to exceed 50 feet (**F**).
- (a) Sloped-roofed Structures: Dormers, cupolas, and chimneys may encroach into the 45 degree setback line. The total linear feet of dormers shall not more than 1/2 the total linear feet of the façade.
- (b) Flat-roofed Structures: Parapet walls may encroach into the maximum height up to a maximum of 42 inches.



Building Height

- (c) Number of Stories. Maximum number of stories is as follow:
- [1] Along Montauk Highway, Springville Road, Ponquogue Avenue, and Squiretown Road: 2 ½ stories
 - [2] Along Good Ground Road, Good Ground Park Access Road, and New Streets as indicated on the Regulating Plan: 3 ½ stories
 - a. On each street edge of each block, no more than 60% of the street frontage may contain up to 3 ½ stories.
 - b. On lots greater than 60 ft. wide along the primary frontage, no more than 72 ft. of continuous street frontage may be 3 ½ stories. After which, there must be 40 ft. minimum between another three story building.
- (7) **Facade transparency.** The amount of window glass or other openings in the facade of a building, relative to the overall surface area of the facade. Ground-level pedestrian areas - particularly required shopfront areas - are required to have the highest levels of facade transparency, typically around 70% or more.
- (a) Facade transparency is measured separately for the ground-floor levels and upper-floor levels. The ground-floor area is measured between two feet above the ground to 12 feet above the ground. Upper-floor areas are measured between 12 feet above the ground and the roof.



Facade Transparency. Facade transparency is a measure of the relative percentage of transparent window area compared to the amount of overall opaque facade area.

- (8) **Required storefront.** Areas indicated on the Regulating Plan for required storefront must meet minimum facade transparency requirements as well as include ground-floor shopfront windows to create an active and inviting pedestrian environment.



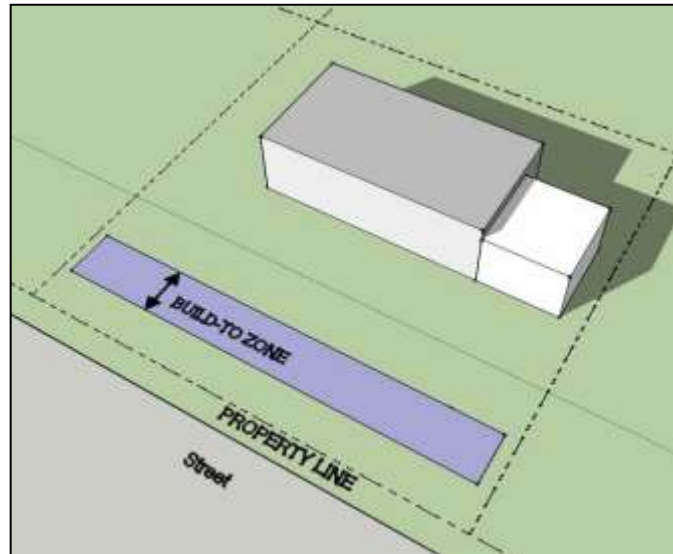
Required Storefront. Mixed-Use Buildings located in the areas on the Regulating Plan, which are shown with a heavy black solid and dotted lines are required to have ground-floor storefront windows that meet certain facade transparency requirements.

E. Preferred incremental change.

Understanding that much of the Hampton Bays Downtown Overlay has already been developed, much of the future change will be occurring on properties which already have nonconforming structures on them. As they expand or renovate, it may not always be economically feasible or practical for them to fully meet the specific build-to requirements of this code. In such cases where small additions or expansion plans would otherwise fall short of full compliance of the minimum setback requirements, the Planning Board is authorized to limit or waive the dimensional requirements, provided that it is in keeping with the overall goals and intent of this code. (See description in section 330-430 D.) To illustrate how this is intended to work, the following examples are provided as a guide toward the intent and desire of this code to deal with such incremental change as the Downtown Overlay evolves over time.

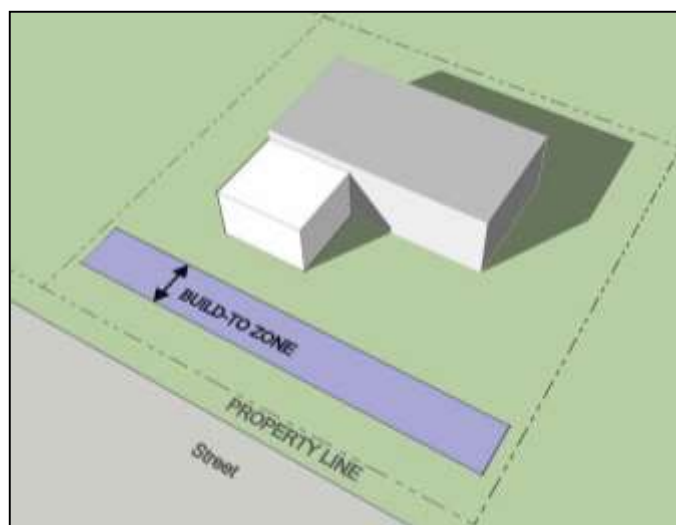
(1) Example. An existing building is located near the rear of the property, far away from the build-to zone (or build-to line) required for the property. The building owner seeks to build a small addition to this building; however the addition he/she/it seeks to build would not be large enough to reach all the way up to the required build-to zone near the front of the lot.

(a) Option One. The new addition is built off the side of the existing building. Even though the addition does not comply with the zoning by placing its front facade within the required build-to zone, this solution is an acceptable compromise because it does not increase the nonconformity of the original structure.



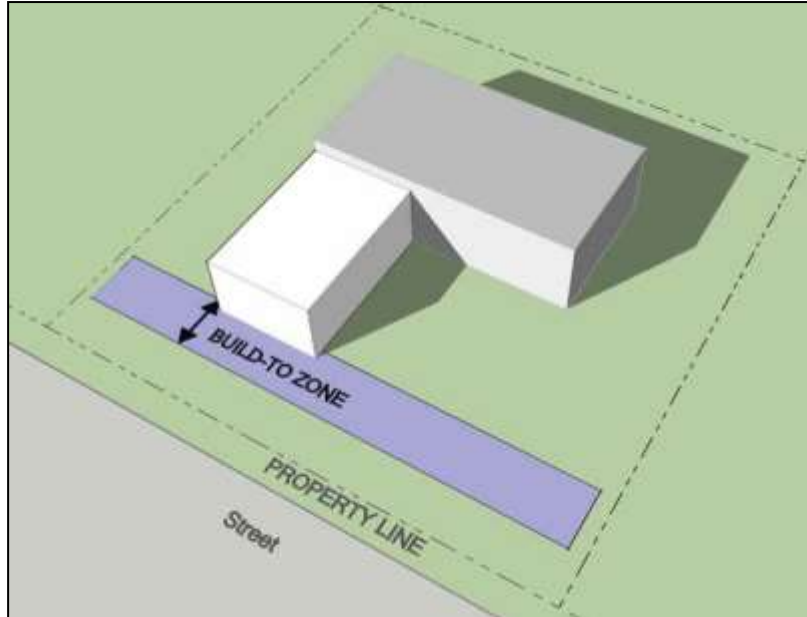
OPTION ONE - ACCEPTABLE.

(b) Option Two. The new addition is built off the front of the existing building, extending the front facade closer to the required build-to zone to the extent possible and practical. Even though the addition does not comply with the zoning by placing its front facade within the required build-to zone, this solution is acceptable because it decreases the nonconformity of the original structure. This solution is preferable to the previous one.



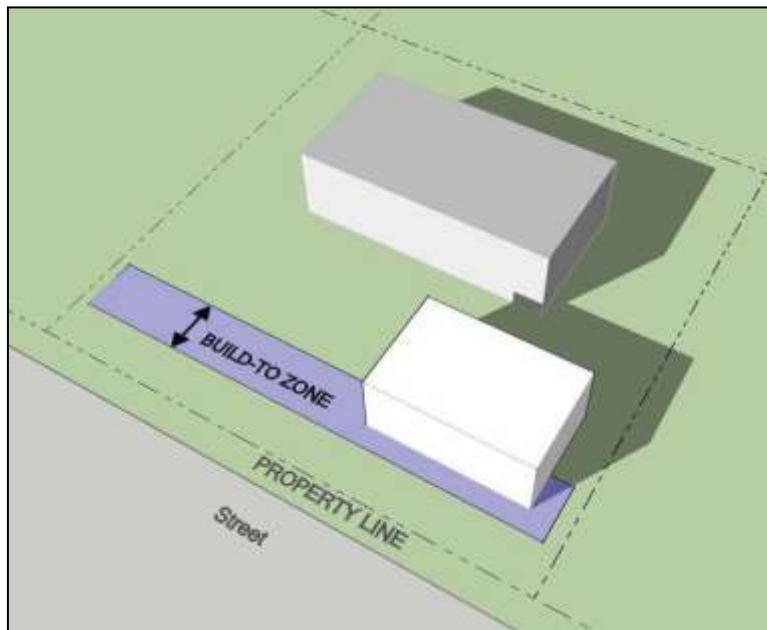
OPTION TWO, ACCEPTABLE (BETTER).

- (c) Option Three. The new addition is built off the front of the existing building, extending all the way up to the required build-to zone (Figure 3.11). This solution is preferable to the previous two because it reduces the nonconformity of the original structure and provides storefront facade up near the street and public sidewalk.



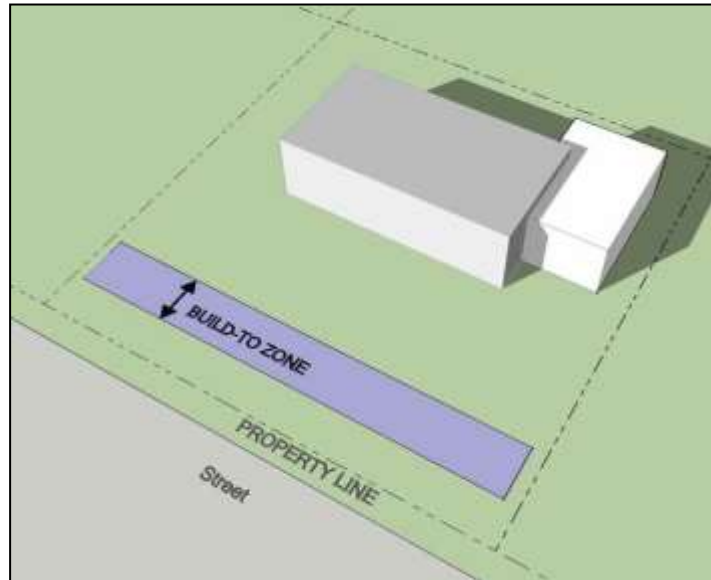
OPTION THREE (PREFERRED).

- (d) Option Four. A new building is constructed on the lot with the front facade within the build-to zone. This alternative is also preferred over the previous two options because the new building conforms to the zoning and it provides even more new storefront up close to the street and sidewalk.



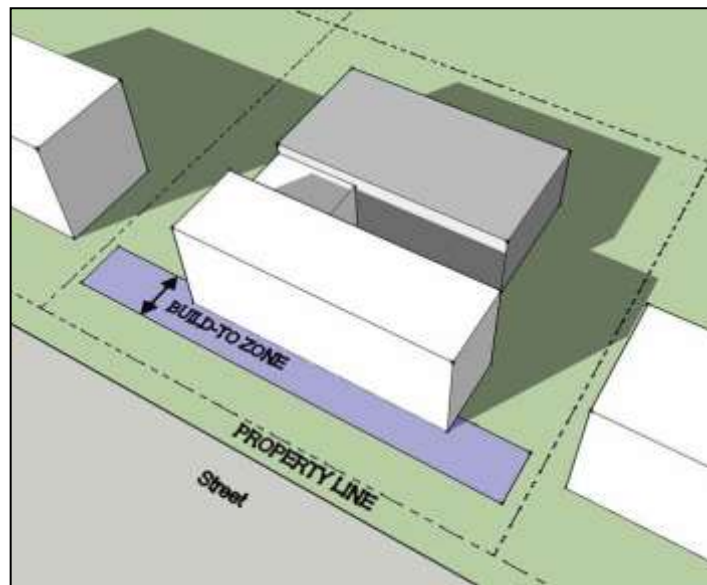
OPTION FOUR, PREFERRED.

- (e) Option Five. The new addition is constructed in the rear of the existing building. This solution is not acceptable because it increases the nonconformity of the original building and does not attempt to advance the concepts of the code.



OPTION FIVE (NOT ACCEPTABLE).

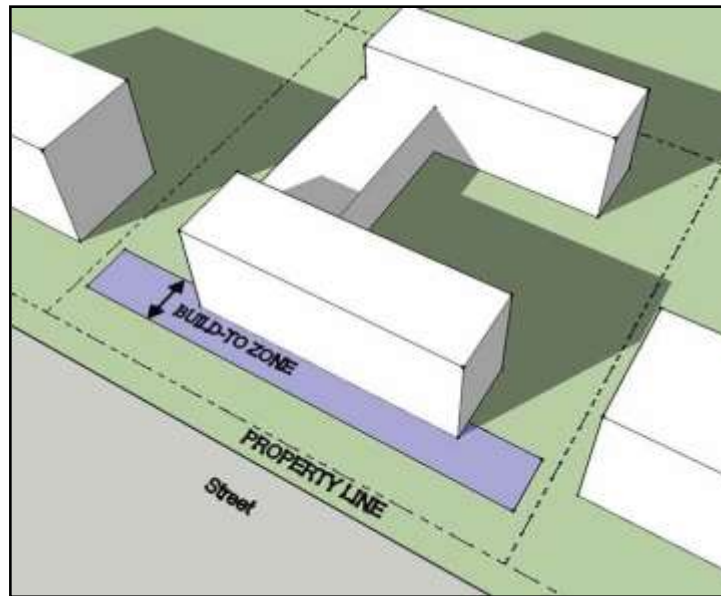
- (f) Option Two - Future Expansion. Over time, as the Downtown Overlay slowly evolves with incremental changes, the small addition could be further expanded to provide more commercial space with additional facade frontage within the build-to zone. The new building would be in keeping with the original design intent and would be consistent with new development on the neighboring properties, creating the desired effect of the Downtown Overlay design.



OPTION TWO (FUTURE EXPANSION).

- (g) Option Two - Future Build-Out. Eventually, the original building on the property could be removed and replaced with new facilities which provide even more

commercial space (Figure 3.15). All structures on the property would then be in



conformance with the code.

Figure 3.15. OPTION TWO (FUTURE BUILDOUT).

§330-423 District Standards.

A. Central Downtown District (CDD)

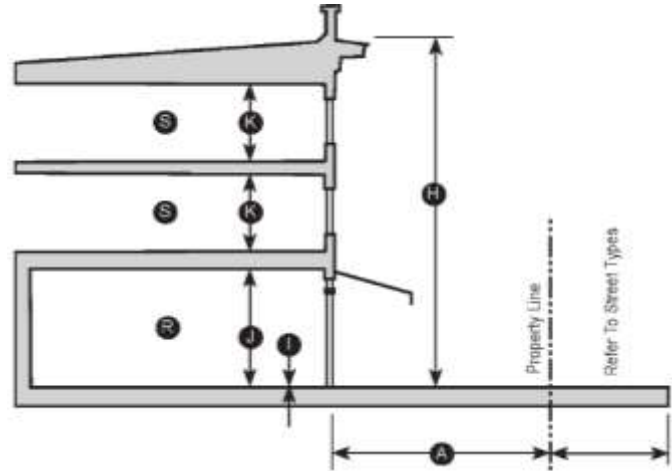
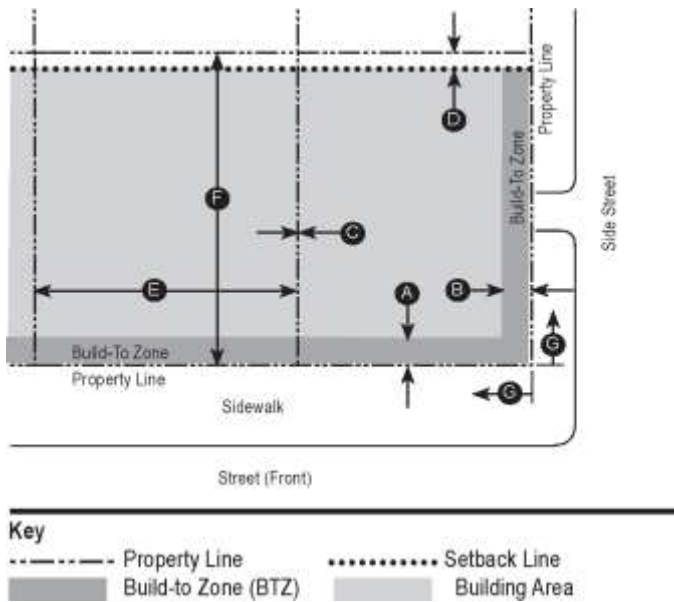
The primary intent of this district is to service as the core pedestrian shopping and mixed-use area of the Hampton Bay central business district. Priority is placed here on optimizing the physical characteristics of the built environment for increased walkability. While much of the land encompassed by this district was originally built in an automobile-dominant format, the intent is to facilitate a transition of individual parcels over time, each adding up to a vibrant, walkable downtown.

Characterized by a network of side streets and service alleys, providing wide sidewalks, street trees and commercial shopfronts served by on-street parking, with parking lots and garages hidden within the center of the blocks where possible. To maximize vibrancy and walkability, this district features buildings located close to the sidewalk, plentiful shade for pedestrians, and parking lots screened from view. Mixed-use buildings are permitted, with residential dwelling units only allowed above commercial spaces, and shop fronts are required along the ground-floor level.



Illustrative example of buildings and site arrangements in the Central Downtown District (CDD).

(1) Form Standards – Central Downtown District (CDD)



Building Placement and Front Yard Design (CDD)		
Build-to zone (Distance from Property Line)		
Front	5' min., 15' max.	A
Side Street	5' min., 15' max.	B
Building Facade at Built to line		
Front	80% min	
Side Street	30% min. preferred	
Corner Properties: Both street facades must be built in the build-to zone for the first 30' from the corner of the building.		
Setback (Minimum Distance from Property Line)		
Side	0' min. or 15' if provided	C
Rear	35' min.	D
Lot Configuration		
Width	20' min.	E
Depth	N.A.	F
Greenspace	10% min.	
Footprint		
Depth, ground-floor commercial space	Main Building, 30' min.	

Building Form (CDD)		
Height (See § 330-422.D.(6))		
Main Building	35' max. ¹	H
	2.5 Stories max. ²	H
Ground-Floor Finish Level	6" max. above sidewalk	I
Ground-Floor Commercial Ceiling	10' min. clear; 12'+ preferred.	J
Upper-Floor(s) Ceiling	8' min. clear	K
<ol style="list-style-type: none"> 1. Different standards for flat roofs vs. sloped roofs (See § 330-422.D.(6)) 2. 3.5 story heights may be permitted for a maximum of 60% of the street frontage, only along those street frontages indicated on the Regulating Plan. (see § 330-422 D.(6).) 		
Allowed Building Types (See § 330-424.D)		
<ul style="list-style-type: none"> • Commercial Block • Liner Building • Live-Work Unit (Good Ground Road Only) 		
Allowed Frontage Types (See § 330-424.E)		
<ul style="list-style-type: none"> • Shopfront • Forecourt 		
Allowed Use Types (See § 330-422.C)		
Ground Floor ¹	Office, Personal Services, Retail, or Recreation,	R

Where a lot is bound by three (3) streets, the

applicable front build-to and parking location requirements shall apply to all street frontages, and the remaining interior lot line(s) shall be treated as side lot lines.

Education and Public Assembly

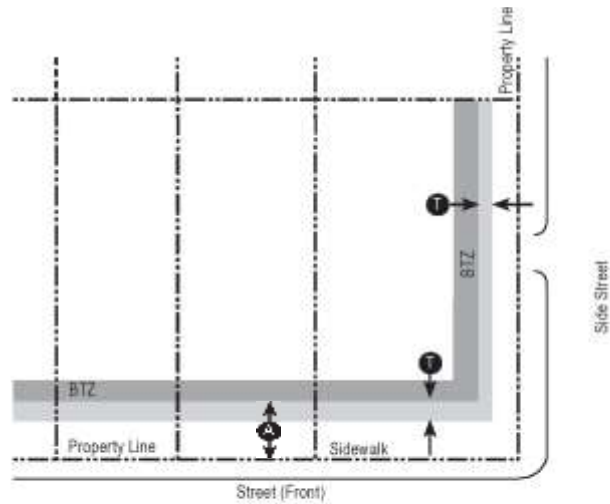
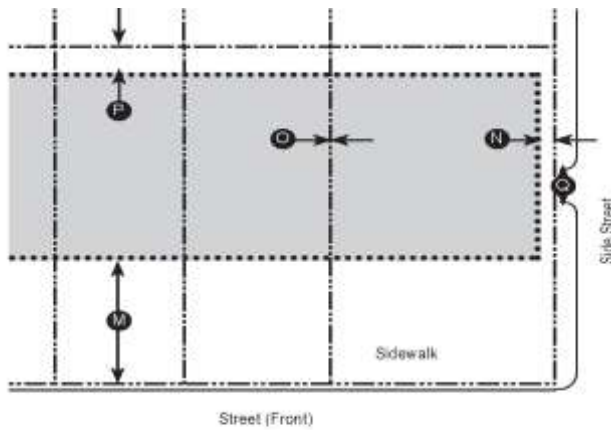
Upper Floor(s)

Residential, Office, or Personal Services.

S

1. Ground Floor Uses along Good Ground Park Access Road shall only be Park-Enhanced Uses, as defined in §330-434.

(2) Parking and Encroachments Standards - CDD



Key
 - - - - - Property Line ··········· Setback Line
 [Shaded] Parking Area

Key
 - - - - - Property Line ··········· Setback Line
 [Grey] Build-to Zone (BTZ) [Shaded] Encroachment Area

Parking (See § 330-427 for general standards)

Parking Location (Distance from Property Line)

Front Setback	30' min.	M
Side Street Setback ²	20' min.	N
Side Setback	10' min. ¹	O
Rear Setback	10' min. ¹	P

1. Setback reduced if associated with a coordinated joint access driveway and/or joint parking areas with adjacent property.
2. All off street parking shall be setback a minimum 30' from Montauk Highway.

District Specific Parking Req. (See § 330-427 for general standards)

Parking Drive Lane Width	24' max. (2-way), 15' max. (1-way)	Q
--------------------------	---------------------------------------	----------

Parking must be provided on-site, off-site within 500', or as part of a district-wide parking management strategy.

Allowed Encroachments (See § 330-424.C.)

One story porches and storefronts; and Balconies, Bay Windows, Awnings, and Cornices.

Front	5' max. ¹	I
-------	----------------------	----------

1. No more than 70% of the width of a facade may encroach into the required front yard setback (BTZ) with a one story enclosed porch or storefront.

Miscellaneous

Where a building facade steps back or is absent from the BTZ, the BTZ line should be maintained and defined by fence, landscape wall or hedge 30"-54" high.

All buildings must have a primary entrance along the front facade accessible and unlock when the establishment is open.

Loading docks, overhead doors and other service entries shall not be located on street-facing facades.

B. Transition District (TD)

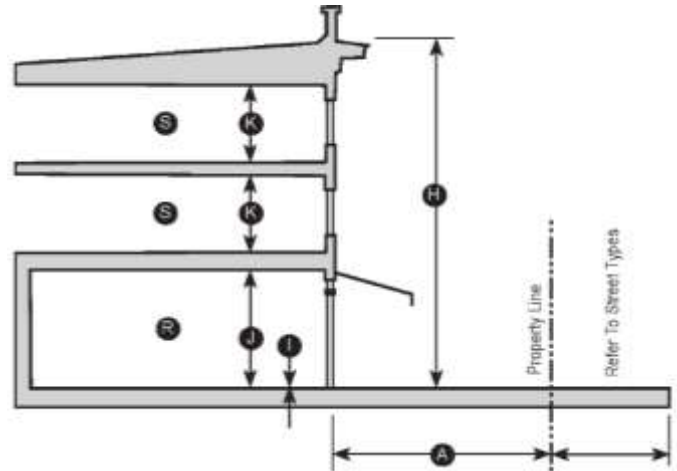
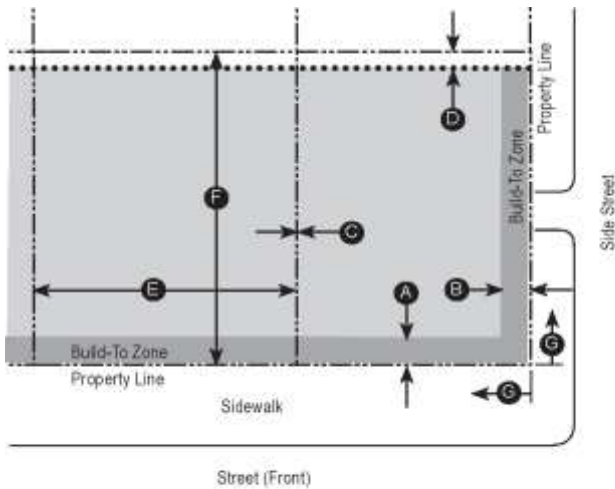
The primary intent of this district is to provide a commercial area which acts as a transition to the surrounding residential neighborhoods around the Downtown Overlay District.

Characterized by primarily by two-story buildings, this district primarily allows office uses, with some mixed-use residential and limited retail uses, in order to limit the potential impact on the nearby residences. Among other adjusted details, the required frontage build out is less than in the CDD Neighborhood District.



Illustrative example of buildings and site arrangements in the Transition District (TD).

(1) Form Standards - Transition District (TD)



Key

----- Property Line Setback Line
Build-to Zone (BTZ)	Building Area

Building Placement and Front Yard Design (TD)		
Build-to zone (Distance from Property Line)		
Front ¹	10' min., 15' max.	A
Side Street	10' min., 15' max.	B
Building Facade at BTZ		
Front	50% min., 80% max.	
Side Street	30% min. preferred	
Corner Properties: Both street facades must be built in the build-to zone for the first 30' from the corner of the building.		
1. Except along the Good Ground Park access road where the minimum shall be 5 feet.		
Setback (Minimum Distance from Property Line)		
Side	0' min. or 15' if provided	C
Rear	35' min.	D
Lot Configuration		
Width	20' min.	E
Depth	N.A.	F
Greenspace	10% min.	
Footprint		
Depth, ground-floor commercial space	Main Building, 30' min.	

Building Form (TD)		
Height (See § 330-422 D.(6))		
Main Building	35' max. ¹	H
	2.5 Stories max. ²	H
Ground-Floor Finish Level	6" max. above sidewalk (nonres.) 18" min. above sidewalk (residential.)	I
Ground-Floor Commercial Ceiling	10' min. clear; 12'+ preferred.	J
Upper-Floor(s) Ceiling	8' min. clear	K
1. Different standards for flat roofs vs. sloped roofs (See § 330-422 D(6))		
2. 3.5 story heights may be permitted for a maximum of 60% of the street frontage, only along those street frontages indicated on the Regulating Plan. (see § 330-422 D.(6).)		
Allowed Building Types (See § 330-424.A)		
• Commercial Block	• Liner Building	
• Live-Work Unit (Good Ground Road Only)		
• Townhouse/Rowhouse; Duplex/Triplex/Fourplex/Multiple Dwelling (Not Permitted on Montauk Highway or Springville Road)		
Allowed Frontage Types (See § 330-424.E.)		
• Shopfront	• Porch	

Where a lot is bound by three (3) streets, the applicable front build-to and parking location requirements shall apply to all street frontages, and the remaining interior lot line(s) shall be treated as side lot lines.

• Forecourt

• Stoop

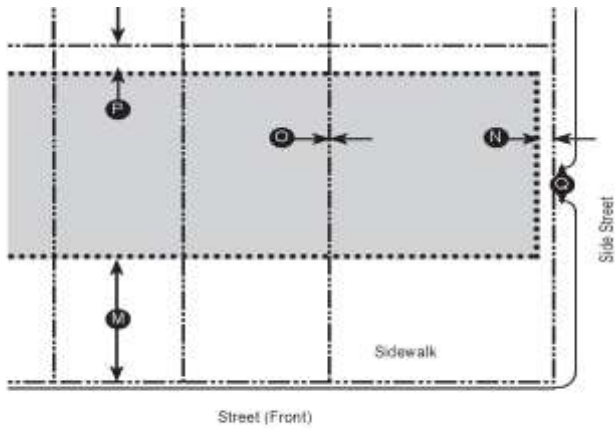
Allowed Use Types (See § 330-422.C)

<u>Ground Floor</u> ^{1, 2}	<u>Service, Retail, or Recreation, Education and Public Assembly</u>	<u>R</u>
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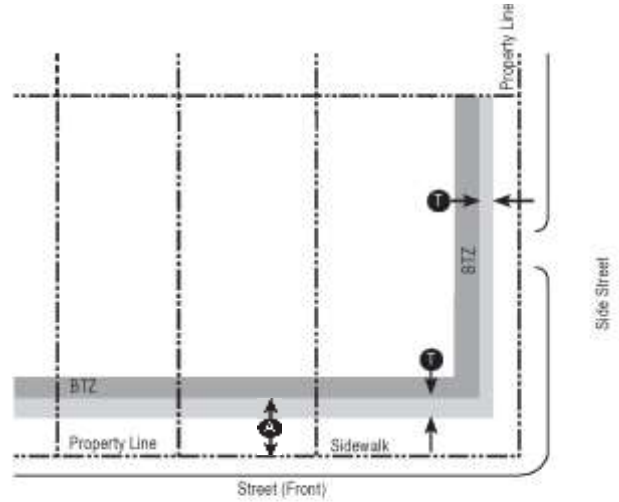
<u>Upper Floor(s)</u>	<u>Residential or Service</u>	<u>S</u>
-----------------------	-------------------------------	-----------------

1. Mixed Use Buildings; Residential permitted on first floor of Multifamily Residence Buildings, where permitted.
2. 50% of Ground Floor Uses along Good Ground Park Access Road shall be Park-Enhanced Uses, as defined in §330-434.

(2) Parking and Encroachments Standards - TD



Key
 - - - - - Property Line ·········· Setback Line
 [Shaded] Parking Area



Key
 - - - - - Property Line ·········· Setback Line
 [Shaded] Build-to Zone (BTZ) [Shaded] Encroachment Area

Parking (See § 330-427 for general standards)

Parking Location (Distance from Property Line)

Front Setback	30' min.	M
Side Street Setback ²	20' min.	N
Side Setback	10' min. ¹	O
Rear Setback	10' min. ¹	P

1. Setback reduced if associated with a coordinated joint access driveway and/or joint parking areas with adjacent property.
2. All off street parking shall be setback a minimum 30' from Montauk Highway.

District Specific Parking Req. (See § 330-427 for general standards)

Parking Drive Lane Width	24' max.(2-way), 15' max. (1-way)	Q
--------------------------	--------------------------------------	----------

Parking must be provided on-site, off-site within 500', or as part of a district-wide parking management strategy.

Allowed Encroachments (See § 330-424.C.)

One story porches and storefronts; and Balconies, Bay Windows, Awnings, and Cornices.

Front	5' max. ¹	I
-------	----------------------	----------

1. No more than 70% of the width of a facade may encroach into the required front yard setback (BTZ) with a one story enclosed porch or storefront.

Miscellaneous

Where a building facade steps back or is absent from the BTZ, the BTZ line should be maintained and defined by fence, landscape wall or hedge 30"-54" high.

All buildings must have a primary entrance along the front facade accessible and unlock when the establishment is open.

Loading docks, overhead doors and other service entries shall not be located on street-facing facades.

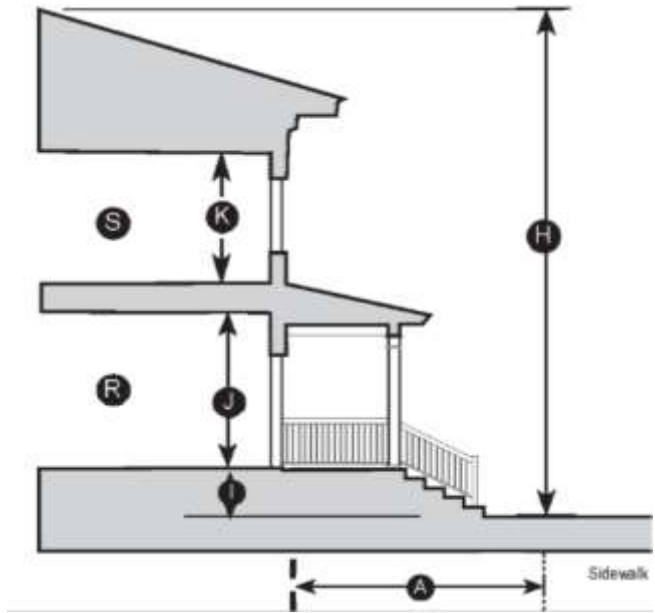
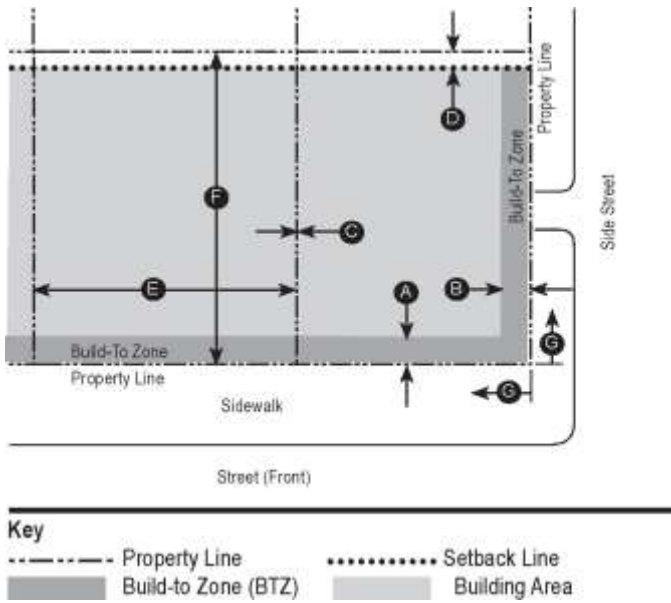
C. Edge District (ED)

The primary intent of this zone is to provide a buffer to the residential neighborhoods on the outskirts of the Downtown Overlay District. This zone allows two-story buildings, primarily residential in nature, but does permit some limited supporting commercial uses as part of the development



Illustrative example of buildings and site arrangements in the ED Edge District (ED).

(1) Form Standards - Edge District



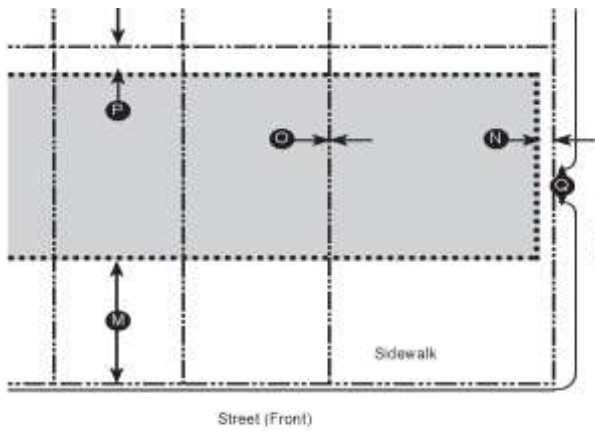
Building Placement and Front Yard Design (ED)		
Build-to zone (Distance from Property Line)		
Front	30' min., 40' max.	A
Side Street	30' min.	B
Building Facade at BTZ		
Front	50% min	
Side Street	30% min. preferred	
Corner Properties: Both street facades must be built in the build-to zone for the first 30' from the corner of the building.		G
Setback (Minimum Distance from Property Line)		
Side	15' min.	C
Rear	30' min.	D
Lot Configuration		
Width	75' min.	E
Lot Area	10,000 sqft. min.	F
Greenspace	10% min.	
Footprint		
Depth, ground-floor commercial space	Main Building, 30' min.	

Where a lot is bound by three (3) streets, the applicable front build-to and parking location requirements shall apply to all street frontages, and the remaining interior lot line(s) shall be

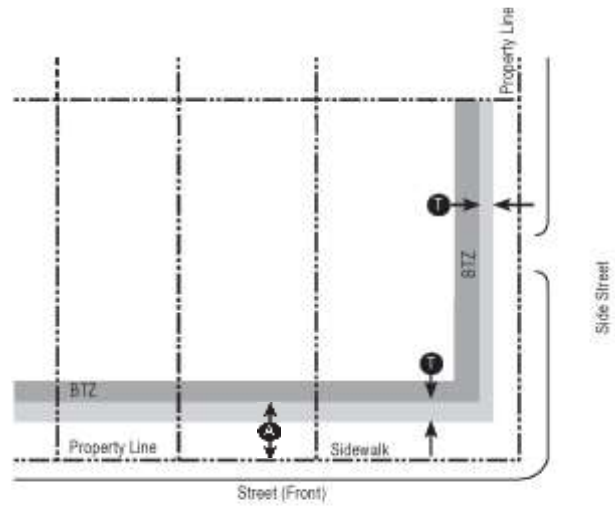
Building Form (ED)		
Height (See § 330-422.D.(6))		
Main Building	32' max. ¹	H
	2 Stories max. ²	H
Ground-Floor Finish Level above sidewalk	18" min.	I
Ground-Floor Commercial Ceiling	9' min. clear; 10' preferred.	J
Upper-Floor(s) Ceiling	8' min. clear	K
Allowed Building Types (See § 330-424.A)		
<ul style="list-style-type: none"> ▪ Single Family ▪ Duplex/Triplex/Fourplex 		
Allowed Frontage Types (See § 330-424.E.)		
<ul style="list-style-type: none"> ▪ Porch ▪ Stoop ▪ Shopfront 		
Allowed Use Types (See § 330-422.C)		
Ground Floor	Residential, Service, Retail, or Recreation, Education and Public Assembly	R
Upper Floor(s)	Residential or Service	S

treated as side lot lines.

(2) Parking and Encroachments Standards - Edge District



Key
 - - - - - Property Line ·········· Setback Line
 █ Parking Area



Key
 - - - - - Property Line ·········· Setback Line
 █ Build-to Zone (BTZ) █ Encroachment Area

Parking (See § 330-427 for general standards)

Parking Location (Distance from Property Line)

Front Setback	30' min.	M
Side Street Setback	30' min.	N
Side Setback	10' min. ¹	O
Rear Setback	10' min. ¹	P

1. Setback reduced if associated with a coordinated joint access driveway and/or joint parking areas with adjacent property.

District Specific Parking Req. (See § 330-427 for general standards)

Parking Drive Lane Width	20' max.(2-way), 15' max. (1-way)	Q
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Parking must be provided on-site, off-site within 500', or as part of a district-wide parking management strategy.

Allowed Encroachments (See § 330-424.C.)

Balconies, Bay Windows, Awnings, and Covered Porches

Front	5' max.	I
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Miscellaneous

Where a building facade steps back or is absent from the BTZ, the BTZ line should be maintained and defined by fence, landscape wall or hedge 30"-54" high.

All buildings must have a primary entrance along the front facade accessible and unlock when the establishment is open.

Loading docks, overhead doors and other service entries shall not be located on street-facing facades.

§330-424 Form standards.

A. Building types

Buildings in new construction shall generally conform with the basic building types set forth in this section and illustrated on the following pages.

- (1) The building types defined in this section should be used as a general guide to the desired form and function of new buildings within the Hampton Bays Downtown Overlay District. The illustrations and photographs provided are for illustrative purposes only and should not be interpreted literally, especially with regard to architectural styles.
- (2) Building types set forth in this section include: Commercial Block, Liner Building, Civic Building, Townhouse/Rowhouse, Duplex/Triplex/Fourplex/Multiple Dwelling, Live-Work Units, and Accessory Buildings.

B. Frontage types

Building frontages in new construction shall generally conform with the basic frontage types set forth in this section and illustrated on the following pages.

- (1) The frontage types defined in this section should be used as a general guide to the desired public spaces within the Hampton Bays Downtown Overlay District. The illustrations and photographs provided are for illustrative purposes only and should not be interpreted literally, especially with regard to architectural styles.
- (2) Frontage types set forth in this section include: Shopfront, Gallery, Forecourt, Stoop, and Porch.

C. Appurtenances

Building appurtenances, such as one story porches and storefronts; awnings or balconies, may encroach into setback area as follows, except as may be limited by district-specific maximums for front-, side- or rear-facing facades:

- (1) Awnings. Awnings may extend into a required setback. Awnings may extend into a public right-of-way, provided they extend no closer than three feet from the edge of the street or road.
 - (a) All awnings shall provide a minimum clearance underneath of at least eight feet and shall be a minimum depth of four feet.
- (2) Balconies. Balconies may extend 5 feet into a required setback..
 - (a) All balconies shall provide a minimum clearance above the sidewalk of at least 10 feet and shall be a minimum depth of four feet.
- (3) Porches. Porches on a front facade shall be a minimum of six feet in depth clear from the face of the facade to the railing, and no less than 50% of the width of the facade encroach in the required setback (BTZ).
 - (a) Porches may extend up to five feet into a required setback.
 - (b) Porches shall not extend any closer than three feet from any lot line or public right-of-way.

- (4) One story enclosed porch or storefront
 - (a) May extend up to five feet into a required setback (BTZ).
 - (b) No more than 70% of the width of a facade shall encroach into the required front yard setback (BTZ).
- (5) Stoops. Stoops may extend into a required setback, provided they extend no closer than four feet from a lot line. Stoops may not extend into a public right-of-way.
 - (a) Stoops shall be no more than six feet deep, not including steps.
 - (b) Stoops may include an overhead awning above but shall not be enclosed on the sides.
- (5) Building eaves, cornices, roof overhangs and light shelves may encroach up to two feet into setback areas, provided they are no closer than five feet from any property line.
- (6) Bay windows, chimneys and entry vestibules or columns may encroach up to three feet into setback areas, provided the area is no wider than eight feet and no closer than five feet from any property line.
- (7) Outdoor dining and patio areas may encroach into setback areas, provided they are no more than two feet above grade level.

D. Building Type Descriptions

(1) Commercial Block

The Commercial Block building type is a small to large-sized structure, typically attached, that provides a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses. Smaller versions of this type make up the primary component of a neighborhood main street, while larger versions make up the primary component of downtown, therefore being a key component to providing walkability.



Large shopfront windows and seating areas in front of the building help to provide for an active streetscape.



A street of commercial buildings of varying heights and widths

<u>Allowed Frontage Types</u>	
▪ <u>Shopfront</u>	
▪ <u>Forecourt</u>	
<u>Allowed Appurtenances</u>	
▪ <u>Awnings</u>	▪ <u>Courtyards</u>
▪ <u>Balconies</u>	▪ <u>Galleries</u>



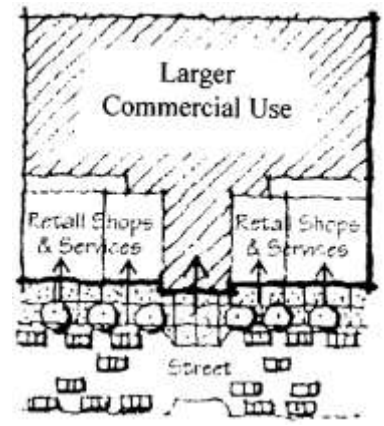
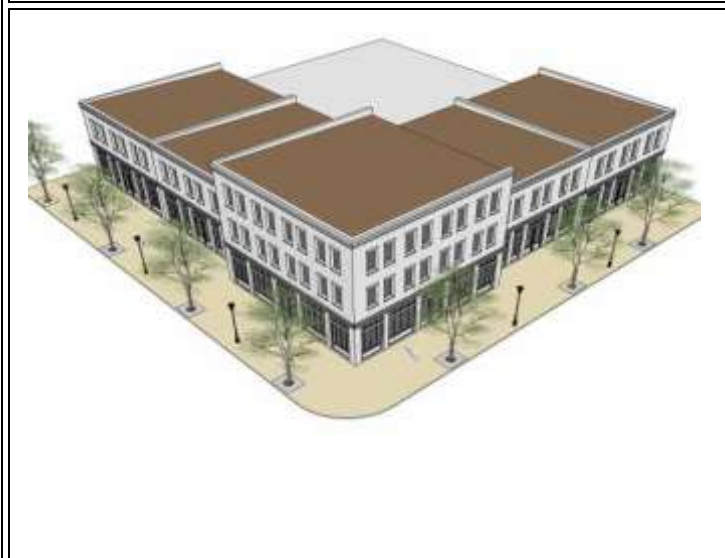
Typical commercial block building with simple massing, regular spacing of doors and windows, and a tall ground floor.

(2) Liner Building

The Liner Building provides a relatively shallow depth of retail and office storefronts around the perimeter of a block while screening a central interior courtyard for use as a public space, parking lot, parking garage or "large-box" retail structure. The purpose of the Liner Building is to provide a smaller-scale pedestrian atmosphere along the sidewalk while screening less visually attractive or utilitarian uses behind it.



The liner buildings along the primary street frontage screen a parking garage podium and create a street edge that engages the pedestrian realm



Liner buildings screen views of the large-format retail and parking behind.

<u>Allowed Frontage Types</u>
▪ <u>Shopfront</u> ▪ <u>Stoop</u>
▪ <u>Forecourt</u>
<u>Allowed Appurtenances</u>
▪ <u>Awnings</u> ▪ <u>Courtyards</u>
▪ <u>Balconies</u>



A liner building provides doors and windows along the street frontage

(3) Live-Work Unit

The Live-Work Unit is an attached or detached single-family type that includes a commercial component, usually in the form of a ground-floor shopfront space. The Live-Work Unit provides an opportunity to integrate commercial uses in very small increments



Attached live-work units are a unique building type that can introduce a mix of commercial and residential uses in small increments.



Live-work units establish a commercial presence in an otherwise residential area.

Allowed Frontage Types

- | | |
|--------------------|------------------|
| ▪ <u>Shopfront</u> | ▪ <u>Gallery</u> |
| ▪ <u>Forecourt</u> | ▪ <u>Stoop</u> |
| ▪ <u>Porch</u> | |

Allowed Appurtenances

- | | |
|--------------------|---------------------|
| ▪ <u>Awnings</u> | ▪ <u>Porches</u> |
| ▪ <u>Balconies</u> | ▪ <u>Stoops</u> |
| ▪ <u>Galleries</u> | ▪ <u>Courtyards</u> |

General Note: The drawings and photos on this page are illustrative, not regulatory.



(4) Townhouse/Rowhouse

The Townhouse, alternately known as the Rowhouse, is a single-family type that is attached to its neighbors on either side.



Townhouses are attached to neighboring units, forming a well-defined street edge.



Townhouses are often accessed by using a front stoop.

Allowed Frontage Types

- Stoop
- Porch

Allowed Appurtenances

- Awnings
- Porches
- Balconies
- Stoops
- Courtyards

General Note:

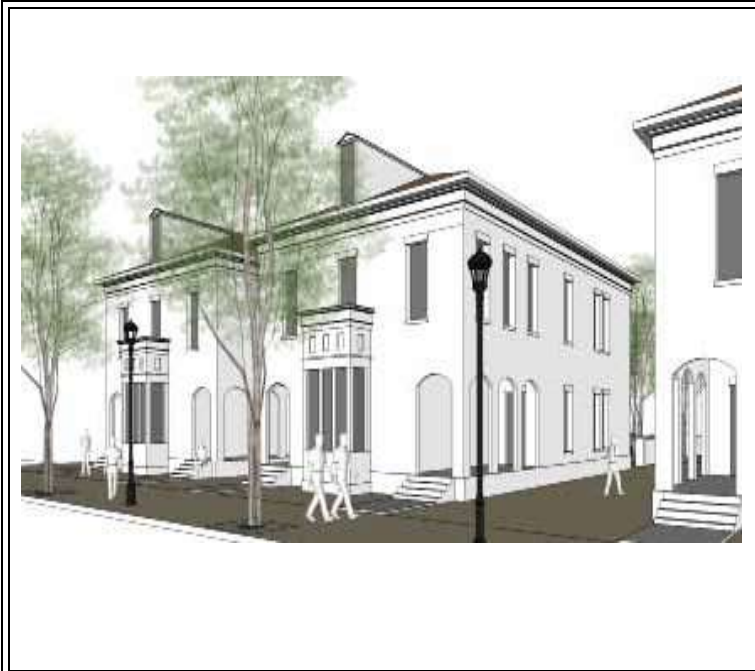
The drawings and photos on this page are illustrative, not regulatory.



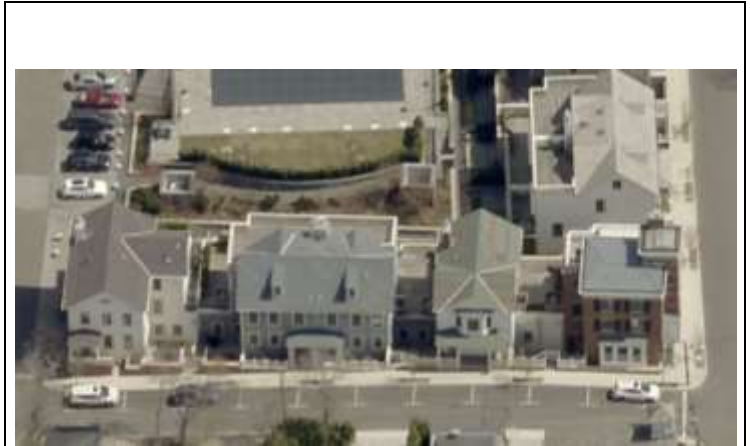
Townhouses define the street edge.

(5) Duplex/Triplex/Fourplex/Multiple Dwelling

This is a multifamily residential type. Units may have individual entrances from the sidewalk or may be accessed through a common building entry



This fourplex building type has individual unit entrances, marked by stoops, that are accessible from the sidewalk..



A group of Multiple Dwellings constructed to resemble multiple traditional downtown residential building

Allowed Frontage Types

- Shopfront
- Gallery
- Forecourt
- Stoop
- Porch

Allowed Appurtenances

- Awnings
- Porches
- Balconies
- Stoops
- Galleries
- Courtyards

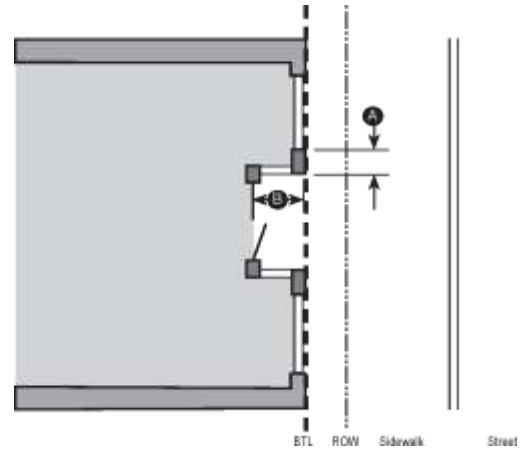
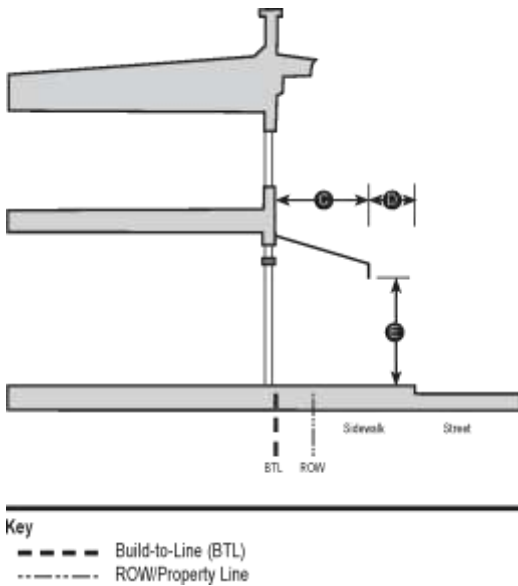
General Note: The drawings and photos on this page are illustrative, not regulatory.



A duplex with a divided central porch.

E. Frontage Type Descriptions

(1) Shopfront



Description

The main facade of the building is at or near the frontage line and shall include a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable.

Size

Distance between Glazing 2' max. **A**

Ground-Floor Transparency 50% min.

Door Recess 5' max. **B**

Canopy or Awning

Depth 4' min. **C**

Width, Cumulative 70% of facade width min.

Setback from Curb 2' min. **D**

Height, Clear 8' min. **E**

Miscellaneous

Doors may be recessed as long as main facade is at BTL.

Open-ended awnings are encouraged.

Rounded and hooped awnings are discouraged



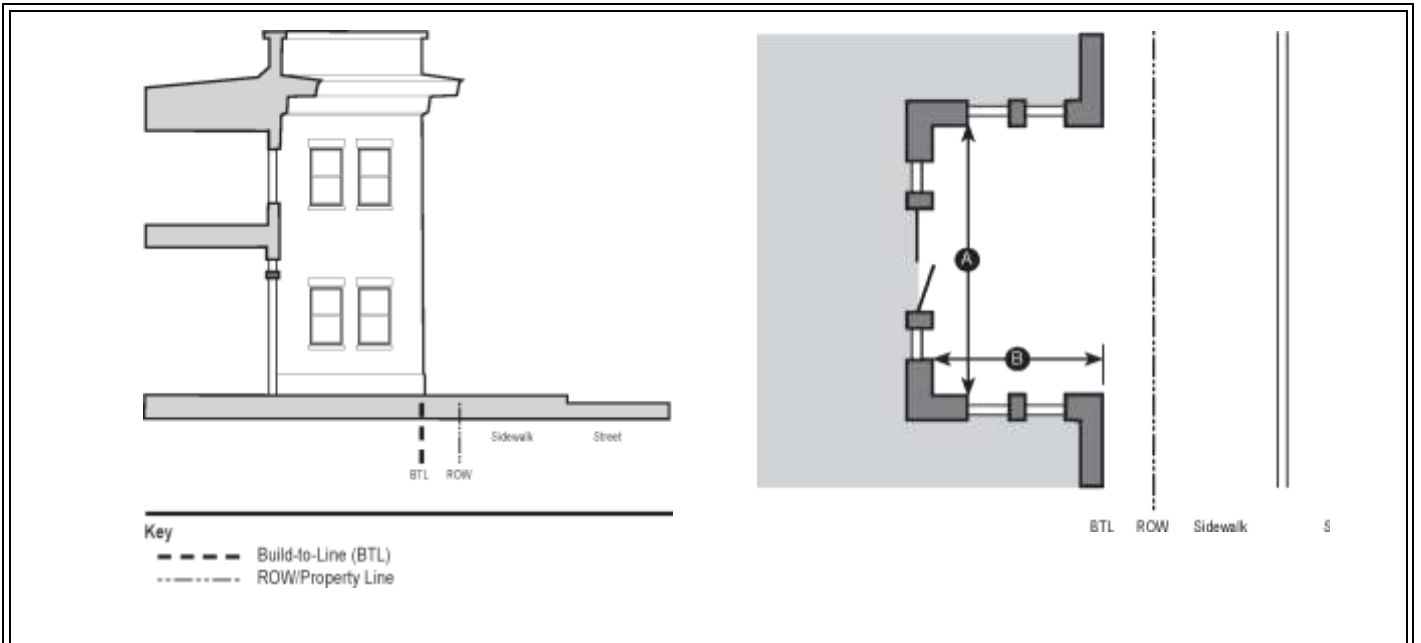
An example of a shopfront with a recessed doorway.



An example of a shopfront with an apartment

above.

(2) Forecourt



Description

The primary portion of the building's main facade is at the build-to line while a smaller percentage is set back, creating a court space. This space can be used as an apartment entry court, garden space, or for restaurant outdoor dining.

Size

Width, Clear	12' min.	A
Depth, Clear	12' min.	B

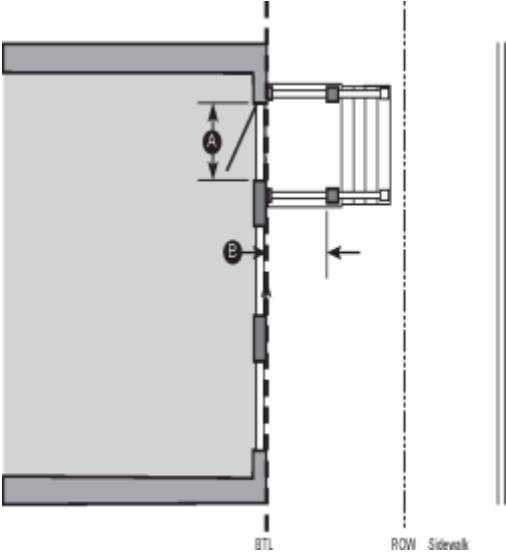
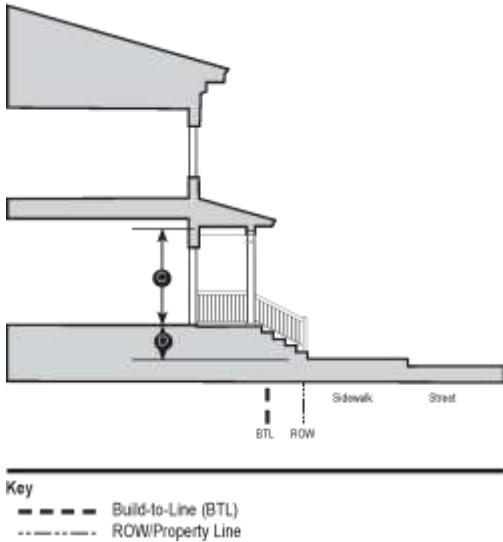
Miscellaneous

Forecourts are especially useful along larger, more auto-dominant thoroughfares in order to provide well-shaped, intimately sized public outdoor spaces.



An forecourt forming a dining area.

(3) Stoop



Description

The main facade of the building is at the build-to line, and the elevated stoop projects forward. The stoop is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may descend forward or to the side..

Size

Width, Clear 5' min., 8' max. **A**



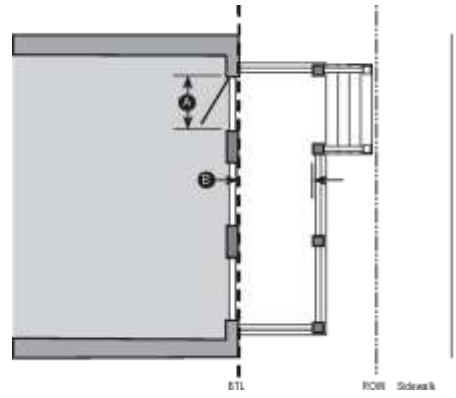
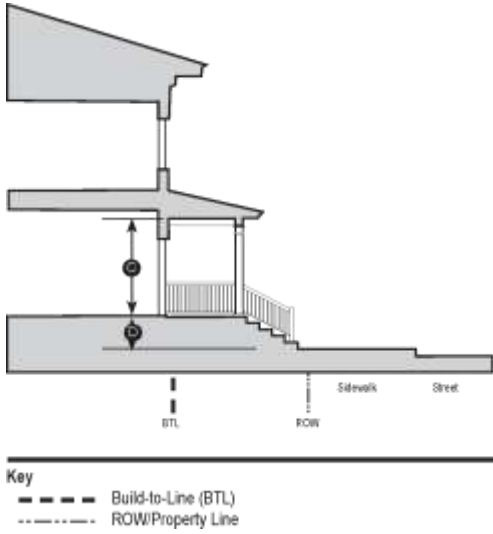
Covered stoop.

<u>Depth, Clear</u>	<u>5' min., 8' max.</u>	<u>B</u>
<u>Height, Clear</u>	<u>8' min.</u>	<u>C</u>
<u>Height</u>	<u>1 story max.</u>	<u>D</u>
<u>Finish Level Above Sidewalk</u>	<u>18" min.</u>	<u>E</u>
Miscellaneous		
<u>Stairs may be perpendicular or parallel to the building facade.</u>		



Unroofed stoop

(4) Porch



Description

The main facade of the building is at or near the frontage line and shall include a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable.

Size

Width, Clear	10' min.	A
Depth, Clear	8' min.	B
Height, Clear	8' min.	C
Height	3 stories max.	D
Finish Level Above Sidewalk	18" min.	E

Miscellaneous

Stairs may be perpendicular or parallel to the building facade.



A two-story porch over a restaurant.



A porch located close to the side walk.

§330-425 Architectural standards.

A. General principles.

Key to the continued viability of the Hamlet of Hampton Bays are the pedestrian scale and unique character of the existing buildings. The architectural styles described in the Pattern Book and illustrated herein are intended to maintain the scale and character of Main Street while allowing for differences in height, massing, scale and materials that are critical to reinforcing the sense that the entire Downtown Overlay District is an extension of the existing Hamlet center as it evolves over time. As material and massing decisions are made, each building's relationship to public streets, open spaces and surrounding architecture shall be taken into consideration to ensure a sympathetic design to neighboring structures and spaces. The architectural rules of thumb and additional guidelines of the Pattern Book shall be followed for all architecture proposed within the Overlay District, even if the underlying Village Business (VB) zoning is being utilized. To this end, the following shall also be part of any site plan/architectural review:

- (1) All facades shall be designed with a distinct base, middle and top using an arrangement of openings, material changes, and ornamental or special features to delineate each.
- (2) Design with the pedestrian in mind. Create attractive and safe routes for people to walk and relax which link to other areas. Limit the visibility of parking areas.
- (3) Create a local identity. The architecture of the Downtown Overlay shall be custom designed. Corporate chain/franchise architectural styles shall not be permitted.

B. Architectural Styles

An architectural style is a set of features that makes a building identifiably unique from other buildings. Each architectural style has a distinct appearance which makes it historically or regionally identifiable. Elements such as building materials, ornamental details, overall form, and construction methods all contribute to an architectural style.

- (1) Four distinct architectural styles have been identified in the Pattern Book which are in keeping with the historic character and regional context of Hampton Bays and therefore, when designed correctly, are found to be appropriate for development proposals within the Downtown Overlay District:
 - (a) South Shore Shingle. South Shore Shingle buildings are typically constructed of wood, and clad in wood finish materials for exterior siding, trim, and roofing. This style is appropriate for all uses, including, but not limited to residential, commercial, and hospitality. South Shore Shingle buildings are characterized by expressive massing that includes swooping eaves lines, bay windows, turrets, and towers. These elements are not typically applied symmetrically across the building, but are used for emphasis. Balance of composition is more important than true symmetry.
 - (b) East End Colonial. Common East End Colonial buildings are generally constructed of wood and clad in clapboard or shingles with wood trim. Brick cladding or stucco may also be appropriate. Civic buildings, or commercial buildings such as banks, may be constructed of masonry with some of the "higher" details appropriate for the style, such as pedimented porticos. This style is appropriate for all uses, including, but not limited to residential, commercial, and hospitality. East End Colonial buildings are characterized by symmetry and windows that have small, vertical panes of glass. This style may have simple Federal or Georgian detailing at openings, cornices and porches all the way up to more elaborate classical detailing and columns
 - (c) Good Ground Revival. Good Ground Revival buildings are constructed of masonry. Wall finish should be brick, stone, or stucco with stone or stucco

trim. Offset or corbelled brick or stone may also be used to articulate details such as cornices. Good Ground Revival style is appropriate for storefront buildings, whether they be retail, restaurant, or office. Geometry of façade, roof, openings, and details should be simple and straightforward. The building façades are generally flat and simple, with detailing focused at shaped parapets. Roofs behind the parapet may be flat or pitched.

(d) Maritime Mercantile. Maritime Mercantile buildings are appropriate for commercial and retail applications, largely as storefronts. Primarily one to two stories, the more horizontal massing of Mercantile buildings lend themselves to larger, horizontal openings. Roofs are generally low-pitched. Mercantile buildings are typically masonry or wood siding, but simpler wood siding (such as board and batten) may also be appropriate. Maritime Mercantile buildings are more industrial and functional and therefore not highly detailed. This style offers flexibility to bring in more "modern" design elements such as steel and glass.

(2) Each building or façade within the Hampton Bays Downtown Overlay district shall be designed in accordance with one of the styles described in B(1)(a-d) above. The individual style will govern proportions, massing and major elements giving the overall "look" of a building, while the 'Rules of Thumb' section shall be referenced for specific details.

C. Facades.

In addition to the Architectural Rules of Thumb outlined in the Pattern Book, New or substantially renovated building facades shall comply with the following:

- (1) **Ground-floor areas.** The ground-floor areas of a facade, especially in pedestrian areas, should exhibit the highest levels of articulation, with larger openings and changes in depth, especially around entry points.
- (2) **Blank wall areas.** Blank wall areas, except as noted below for required shopfront facades, shall not exceed the size of a rectangle measuring 30 feet in width and eight feet in height. (Blank wall area limitations do not apply to facades facing an alley, service drive or nonpublic street.)
- (3) **Shopfront facades.** Ground-floor shopfront store windows, where required by the Regulating Plan, shall provide a minimum of 50% facade transparency [i.e., square footage of glazed window and door openings (including trim) over square footage of entire facade area on that floor] at the ground-floor facade area, allowing a view at least eight feet into the interior space within.
 - (a) Blank wall areas in required shopfront facade areas shall not exceed the size of a rectangle measuring 10 feet wide by five feet high.
 - (b) Upper-floor areas of the facade above required shopfronts shall be designed to provide a minimum of 20% facade transparency.
 - (c) Blank wall areas in floors above required shopfronts shall not exceed the size of a rectangle measuring 15 feet wide by eight feet high.



Facade Transparency.

- (4) **Multifamily Residence facades.** Both the Ground-floor and Upper-floor shall provide a minimum of 20% facade transparency [i.e., square footage of glazed window and door openings (including trim) over square footage of entire facade area on that floor].
- (5) **Entry/exit doors.** Public entry and exit doors which swing outward shall be recessed into the facade a minimum of three feet where the sidewalk abuts the building.
- (6) **Window and door openings.** Window and door openings in masonry facades should express a structural lintel above to express how it is carrying the weight. A similar method using wood trim can be used on wood-clad facades.

Openings in masonry facades should visually show a structural lintel above the opening to express how it is holding the weight above it.

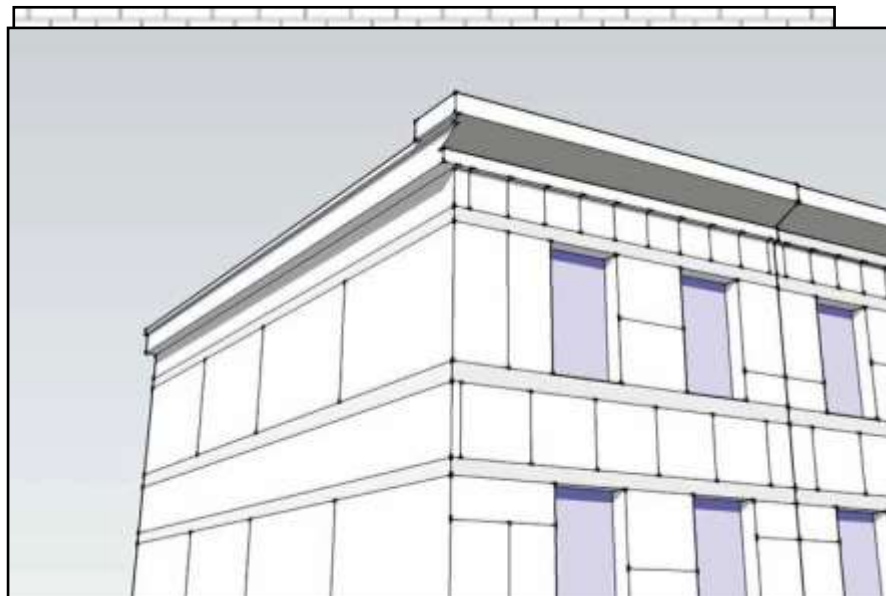
- (7) **Columns/posts.** The proportion of structural elements such as columns or posts should be appropriate to the weight they appear to be carrying.

D. Roofs.

- (1) **Flat roofs.** Flat-roof structures shall be capped by an articulated parapet design which provides a noticeable "cap" to the building.
 - (a) The parapet on a single-story facade should express at least six inches in overhang depth and be at least 18 inches tall. Parapet overhang depth and height for taller facades should be increasingly larger.

Flat roof parapet design.

- (2) **Sloped roofs.** Sloped roof structures are encouraged to maintain a pitch



between 6:12 minimum and 12:12 maximum for all primary roof areas (not including dormers, entry canopies or similar accessory elements).

- (a) Roof overhangs are encouraged to be at least six inches deep.
- (b) Dormers and gables are encouraged along front facades to help maintain a prominent facade, reduce the scale of long runs of roof and divert rainwater and snow from entry areas.

E. Building massing.

- (1) **Shapes help break up the scale.** The overall massing of buildings should have areas of noticeable 3-D relief or be broken down into smaller shapes to reduce the scale and avoid the appearance of a "large box."
 - (a) Avoid trying to break up the scale and massing of a large facade by making it look like many different building facades stuck together. This often results in a fake "Disneyland" appearance.
- (2) **Larger building massing.** Very large or long buildings should attempt to break up their massing along public frontages by providing articulations along the facade generally as follows:
 - (a) "Courtyard breaks" (courtyard areas) should be provided no less than every 300 feet of facade length. These should create a change in facade depth at least 20 feet deep by 40 feet wide and a change in facade height of at least eight feet. The courtyard space provided shall be designed to be accessible to pedestrians with attractive amenities such as seating, landscaping, storefront displays and/or entranceways.
 - (b) "Major articulations" should be provided no less than every 150 feet of facade length. These should create a change in facade depth at least four feet deep by eight feet wide and a change in facade height of at least four feet.
 - (c) "Medium articulations" should be provided no less than every 75 feet of facade length. These should create a change in facade depth at least two feet deep by four feet wide.
 - (d) "Minor articulations" should be provided approximately every 20 to 30 feet along a facade. These should create a change in facade depth at least eight inches deep by 12 inches wide.
 - (e) Note that the recommended articulation placements listed above are not additive you would not need a major, medium and minor articulation all at the same location. The largest articulation required would override all lesser ones.



Large Building Massing. The public frontage of long buildings should be designed with a variety of minor, medium and major articulations and courtyard breaks to avoid the appearance of one long, uninterrupted facade.

F. Exterior materials and details.

The exterior materials and architectural details shall be consistent with those prescribed in Chapter 3 of the Pattern Book.

§330-426 Utilities and Equipment.

A. Utilities.

Local electric power, telephone and cable television lines shall be placed underground. Utility companies shall place special emphasis on preserving the vitality and appearance of trees.

B. Mechanical equipment.

Mechanical equipment, including roof-mounted, facade-mounted or ground-level-mounted, shall be screened from view from adjacent public rights-of-way, properties and pedestrian walkways (does not include service alleys), and must be indicated on the site plan.

- (1) Screening shall be achieved with non-deciduous landscape plantings, architectural building elements which match the exterior building materials, or parapet walls.

§330-427 Parking standards.

A. Applicability.

The parking requirements of this section apply to all commercial and residential properties applying for a permit for construction, renovation, addition, site plan alteration or change of use. This section does not apply to on-street parking provided in the public right-of-way.

B. Exemptions.

Changes in use and additions to existing buildings and uses are exempt as follows:

(1) The provisions of this section shall not apply to any buildings or structure or lot lawfully in use at the effective date of this chapter, whether continued as a legal nonconforming use or thereafter converted or changed without enlargement to a different lawful use having the same parking and truck loading requirements.

(2) However, no building or structure or lot lawfully in use at the effective date of this chapter shall be enlarged or change to a more-intensive parking use unless the off-street parking and truck loading space requirements of this section are complied with respect to the increase in parking required for proposed enlargement or change of use, but no additional spaces shall be required with respect to the preexisting portions. It is intended by this provision that credit shall be given for the off-street parking and truck loading spaces that would have been required for the existing buildings, structures and uses if the spaces did not have preexisting status. However, conforming spaces that can actually be provided at the time of the application, even if voluntary or informal and unpaved, shall be charged to the preexisting portions and shall be formalized and paved incident to construction of the addition, as maybe required by the Planning Board.

C. Parking Requirements.

The minimum on-site parking requirements for each use shall be as listed below, unless parking reductions through the use of staggered-hours or shared parking arrangements are approved as detailed below. Fractional results shall be rounded up. Values shown are for net usable square feet (not including mechanical, storage, etc.), unless otherwise noted.

HB DOD Parking Standards		
	<u>Use</u>	<u>Minimum Parking Requirements</u>
<u>Residential</u>	<u>Single family</u>	<u>2 spaces per unit plus 1 space for each bedroom in excess of 4 bedrooms</u>
	<u>Multifamily</u>	<u>1 spaces per unit plus .5 space for each bedroom in excess of 1 bedroom.</u>
<u>Commercial</u>	<u>Retail/Personal Services</u>	<u>3 spaces per 1,000 square feet</u>
	<u>Restaurant</u>	<u>1 space per 3 seats</u>
	<u>Office/Professional service/business incubator, including medical offices</u>	<u>3 spaces per 1,000 square feet</u>
	<u>Hotel / Bed-and-breakfast</u>	<u>1 space per unit</u>
	<u>Cultural Center</u>	<u>2.5 spaces per 1,000 square feet</u>
	<u>Theater or place of public assembly</u>	<u>1 space per 4 seats</u>

HB DOD Parking Standards

	<u>Use</u>	<u>Minimum Parking Requirements</u>
	<u>School/educational use</u>	<u>2.5 space per 1,000 square feet</u>
	<u>Recreational business</u>	<u>3 space per 1,000 square feet</u>
	<u>Artisan production</u>	<u>2 spaces per 1,000 square feet</u>

D. General provisions.

- (1) Off-street parking areas may be located in required side or rear yards, provided they are set back at least 10 feet from all property lines. The Planning Board may allow off-street parking areas to be set back less than the above-required 10 feet, so long as the Planning Board finds that the location of such off-street parking areas facilitates the coordination of joint access and/or shared parking areas with neighboring commercial properties.
- (2) All properties are required to provide cross-access connections to adjacent parking lots and to provide unreserved or shared parking arrangements with neighboring properties.
- (3) All off-street parking areas should be consolidated within the center of street blocks where possible, behind buildings.
- (4) A clear, designated pedestrian way(s) shall be provided from parking areas to the building entrances. Building entrances from parking areas, including rear (opposite front/side facades) entries, shall provide attractive, welcoming, architectural entry treatment.
- (5) On-street parking spaces associated with a new street, whether to be public or private, shall count toward the off-street parking requirement.
- (6) Required off-street parking, including employee parking, may be provided on a different lot than the subject property, provided it is counted as part of an approved shared parking agreement.
- (7) Seasonal outdoor dining or bar areas shall be calculated at the reduced rate of 50% of the normal parking requirements.

E. Staggered-hours parking.

A reduction in the minimum number of required parking spaces may be approved for combinations of uses which have a staggered demand schedules over time, such as daytime office with residential. Staggered-hours parking may be utilized by single properties with multiple uses, and by multiple adjacent property owners who physically merge or connect their parking lots into a common shared lot, based on the following table:

Adjustments for Staggered Hours Parking

Use Type	Weekdays			Weekends		
	8 a.m. - 6 p.m.	6 p.m. - 12 a.m.	12 a.m. - 8 a.m.	8 a.m. - 6 p.m.	6 p.m. - 12 a.m.	12 a.m. - 8 a.m.
Residential	50%	100%	100%	80%	100%	100%
Office	100%	20%	5%	5%	5%	5%
Retail/ Commercial	90%	80%	5%	100%	70%	5%
Restaurant	70%	100%	10%	70%	100%	20%
Civic Institution	100%	20%	5%	10%	10%	5%
Religious Institution	10%	5%	5%	100%	50%	5%
Bar/ Entertainment	40%	100%	10%	80%	100%	50%
Movie Theater	40%	80%	10%	80%	100%	10%
Hotel	70%	100%	100%	70%	100%	100%

(1) An example for utilizing this table to calculate staggered parking demand between multiple uses is provided in the appendix for reference.

F. Shared Parking.

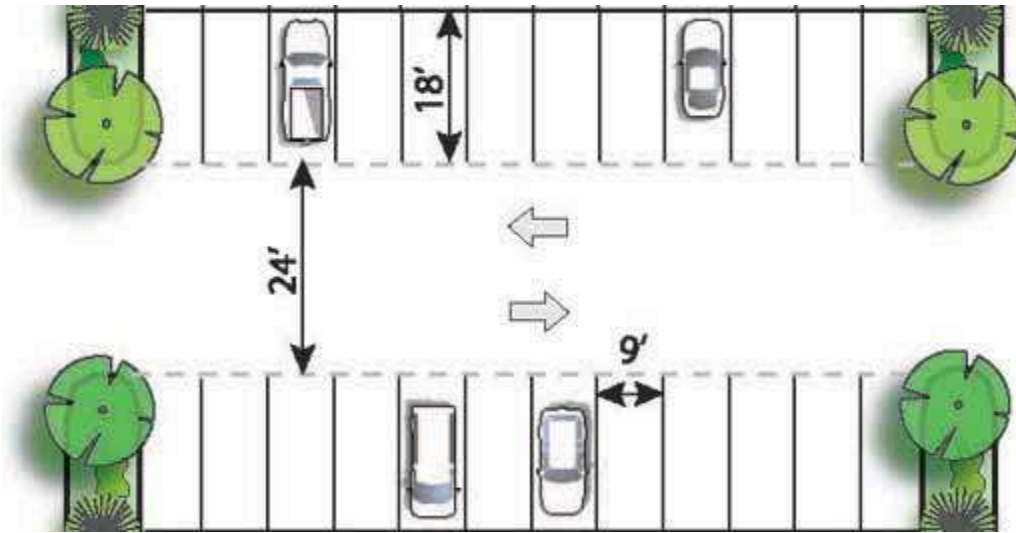
(1) The total number of parking spaces which may be deducted from the shared lot shall be as in the below Table, Allowable Shared Parking Reduction.

(2) The majority of the parking provided in the shared lot must remain unreserved.

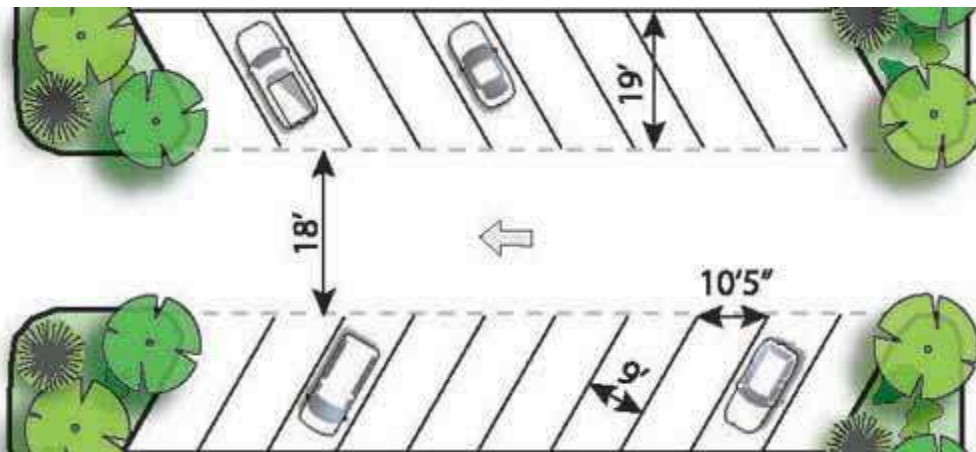
(3) Shared parking reductions may be combined with staggered-hours parking reductions.

Total Number of Shared Parking Spaces	Number of Businesses Sharing					
	2	3	4	5	6	7+
<20	0	1	1	1	1	1
20-29	1	2	3	4	4	4
30-39	2	3	4	5	6	6
40-49	3	4	5	6	7	8
50-59	4	5	6	7	8	9
60-69	5	6	7	8	9	10
70 or more	6	7	8	9	10	11

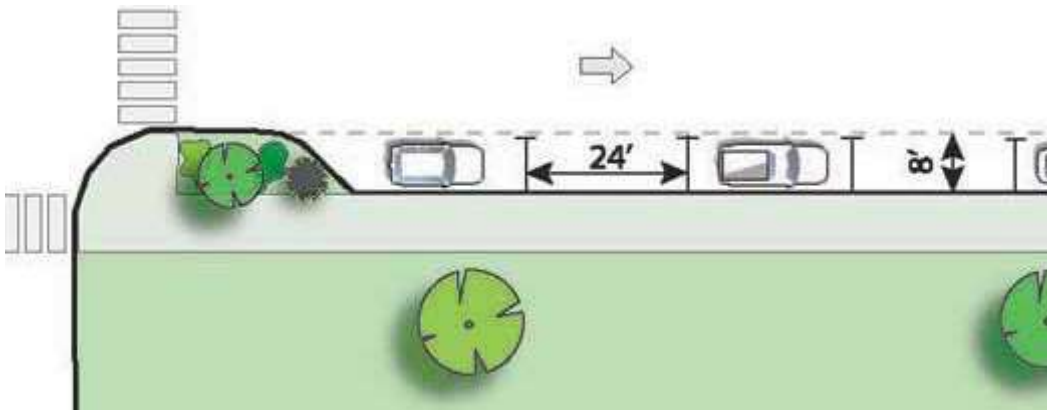
Notes: Numbers shown are the total spaces which may be deducted below the minimum parking requirements for all combined businesses using the shared lot. Shared parking configurations of 70 or more spaces may be prorated with one additional space for each 10 additional spaces shared but may not be additionally prorated by the number of businesses beyond seven. See appendix for Sample Adjustments for Staggered Hours Parking.



90-Degree parking.



60-Degree parking.



Parallel parking.

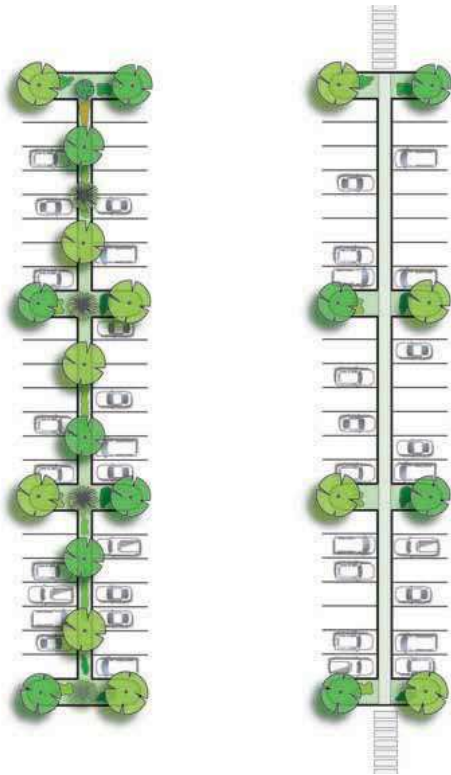
G. Parking lot landscaping.

New or reconfigured parking lot areas shall provide the following landscaped elements, as illustrated on the figure on the following pages:

- (1) Front yard buffer (A). All parking areas abutting a public right-of-way or future street shall provide a front yard buffer at least 20 feet deep from the sidewalk, consisting of shrubbery, hedges, trees, decorative walls or fences, which creates a visual screen at least three feet high; does not apply to internal driveways, alleys or access roads.
- (2) Front yard perimeter bulb-out (B). All parking areas abutting a public right-of-way or future street shall provide bulb-outs so that there are not more than 15 continuous parking spaces in a row uninterrupted along that frontage. The bulb-out should be equal in depth to the parking spaces, a minimum of nine feet wide, which includes flowers, shrubs, grass and/or trees where not more than 50% of the ground cover is mulch or gravel.
- (3) End-of-row bulb-out (C). A landscaped bulb-out should be located at the end of any perimeter parking row abutting a traveled lane. The bulb-out should be equal in depth to the parking space, a minimum of nine feet wide, which includes flowers, shrubs, grass and/or trees where not more than 50% of the ground cover is mulch or gravel.
- (4) Internal landscaped island (D). Internal parking rows should provide landscaped islands at either end of the rows. The islands shall be equal in length to the rows and at least nine feet wide, or of equivalent size if an irregular shape is necessary. Islands shall include at least two trees with shrubs, flowers, grass or other plantings so that not more than 50% of the ground cover is mulch or gravel.
- (5) Intermediate landscaped island (E). Internal parking rows should provide intermediate landscaped islands so that there are not more than 12 continuous parking spaces in a row uninterrupted. Islands shall be landscaped the same as internal landscaped islands.
- (6) Enhanced parking median (F). Larger parking lots which contain multiple rows of parking should provide an enhanced parking median so that there are not more than six rows of parking uninterrupted. Enhanced landscaped medians may be of two different types landscaped or pedestrian.
- (7) Landscaped medians shall separate the rows of parking on either side with a continuous six-foot-wide landscaped band which includes additional landscaping and trees no less than every 30 feet.
- (8) Pedestrian medians shall separate the rows of parking on either side with a continuous six-foot-wide pedestrian sidewalk - flush to grade - which leads toward building entry areas and connects to perimeter sidewalks with crosswalks.



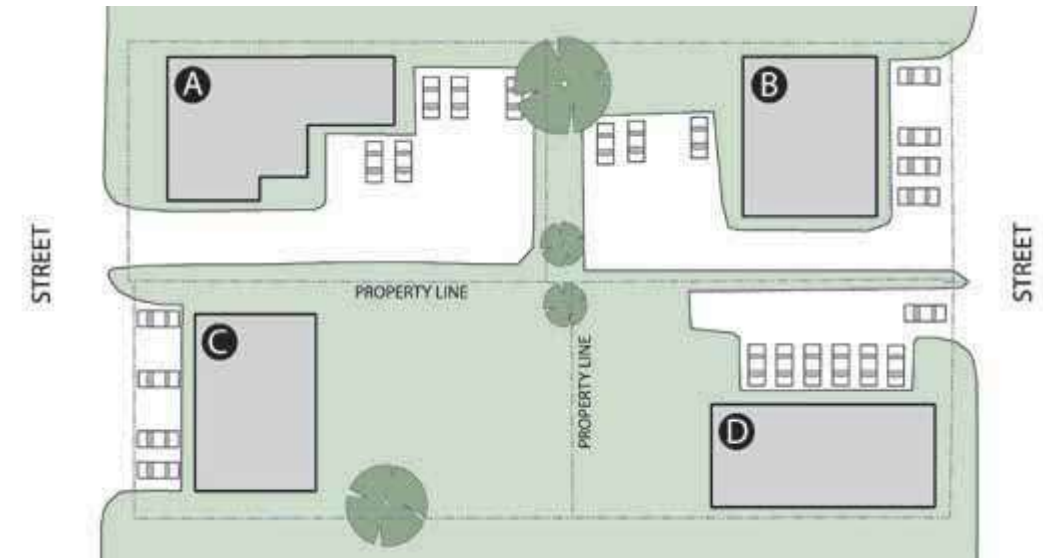
General Parking Concepts. Parking lots should strive to create shared parking areas within the center of blocks which can be utilized by all surrounding properties to maximize efficiency and put the visual focus on the buildings.



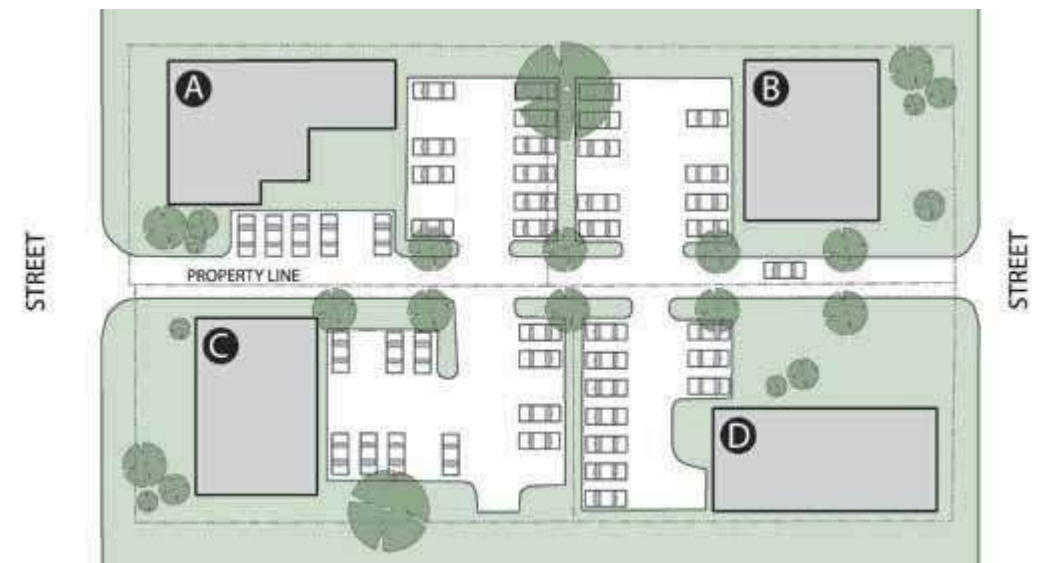
Enhanced Parking Medians. Enhanced parking medians, where required to break up larger parking lots, can be provided as one of two types: Landscaped (left) or Pedestrian (right).



Example of an enhanced parking median design which provides a clear path of travel through the parking lot for pedestrians.



Shared Parking Concept (Existing/Before). Each property (A, B, C and D) has its own separate parking lot and driveway access. During the peak business hours for Property D, a new customer arrives but finds there are no parking spaces.



Shared Parking Concept (After). Properties A, B, C and D agree to connect their parking lots and have a shared parking agreement. During peak hours, a new customer comes to Property D and finds there are plenty of available parking spaces because not all businesses are experiencing their peak demand at the same time. This parking redesign also eliminates a curb cut and the parking in the front and side yards, allowing these areas to be reclaimed as attractive front-yard landscaping or patios instead.

H. Bicycle parking requirements.

(1) Applicants shall provide bicycle parking and storage capacity according to the following minimum requirements:

- (a) Residential: At least 0.1 secure bicycle rack space per unit; provide secure visitor bicycle racks on-site, with at least one bicycle space per 20 dwelling units but no fewer than four spaces per project site.

- (b) Retail: At least one secure, bicycle storage space per retail worker for 10% of retail worker planned occupancy; provide visitor/customer bicycle racks on-site, with at least one bicycle space per 10,000 square feet of retail space, but no fewer than one bicycle space per business.
- (c) Nonresidential other than retail: Provide at least one secure, bicycle storage space per occupant for 10% of planned occupancy; provide visitor bicycle racks on-site with at least one bicycle space per 10,000 square feet of commercial nonretail space but not fewer than four bicycle spaces per building.

I. Transit.

Provision for transit facilities, including bus pull-offs shall be coordinated with regional and local transit agencies, and such facilities shall be incorporated into site plans as directed by the Planning Board.

J. Service areas and loading docks.

- (1) Trash and recycling dumpsters or similar collection areas shall be located in the rear or to the side of buildings and screened from view from adjacent public rights-of-way, properties and pedestrian walkways (not including service alleys).
- (2) Screening shall be achieved with building enclosures on three sides which match or complement the exterior building materials.

§330-428 Civic space and private open space standards.

A. Limitation on applicability.

This section only applies within the Central Downtown District (CDD) and the Transition District (TD).

B. General civic space and private open space requirement.

Each site shall provide a minimum of 10% of its site area in the form of civic space and a minimum of 5% as private open space or demonstrate alternate compliance as defined in §330-409C below.

C. Provision of civic space.

All sites shall provide civic space by one or a combination of the following methods:

- (1) Where a site is 15,000 square feet or more in area, an applicant may provide the civic space on-site in the form of one or more of the permitted civic space types listed in §330-411D(2).
- (2) Where a site is less than 15,000 square feet in area, an applicant may contract and/or bond for placing such civic space on another site located within 1,000 feet of the site, or as otherwise approved by the Planning Board.
- (3) On any site, an applicant may elect to pay a fee-in-lieu for civic space calculated by a formula to be determined by the Fee Schedule, §330-413C. Where the new streets or pedestrian corridors with required streetscape areas are designed and constructed, those areas shall be included in the calculation to satisfy the requirement of provision of civic space.

D. Maintenance.

- (1) Privately owned civic space shall be maintained by its owner or a private entity such as a property owners' association, municipal improvement district or business improvement district.
- (2) Publicly owned civic space shall be maintained by its public owner or a contracted entity such as a property owners' association, municipal

improvement district or business improvement district.

E. Civic space standards.

To qualify for designation by the Planning Board as a civic space, the space shall:

- (1) Be in a form of ownership acceptable to the Town of Southampton.
- (2) Provide public access at least 16 hours per day.
- (3) Adhere to the standards established for civic spaces in this section.
- (4) With the exception of a civic space approved as a piazza, only those spaces directly contiguous to a public frontage and visible from the sidewalks on Street Type A, Street Type B, Street Type C and Alley Type A shall qualify as land eligible for credit as civic spaces.
- (5) A minimum of 15% of the civic space shall be provided with landscaping in the form of fountains, benches, open-air covered pavilions, gardens, planting areas, tree canopy areas, or similar civic or natural features, in accordance with provisions of sustainability requirements in § 330-410, and § 330-411, Design Manual.
- (6) All civic spaces shall establish build-to-lines, at the perimeter of the area designated as civic space, and the build-to-zone for the chosen private frontage shall be designated on the site plan. All civic spaces shall fulfill the frontage requirements of the private frontage; however exceptions may be granted by the Planning Board for pedestrian ways and walkways of less than 16 feet in width to permit mid-block connectivity.
- (7) Approved civic spaces fronting on streets with required street frontage occupancy requirements shall be treated as 100% occupied.

F. Design standards for civic space.

Provisions with standards and guidance on the design of civic space are provided in §330-411D, Civic space design standards.

G. Private open space.

Private open space can be located on the ground floor, upper floors or the rooftop of the building.

§330-429 Landscaping.

Coordinated landscape treatments along the streetscape edges and internal parking lots promotes an identity for the Downtown Overlay District. Each individual landscape will complement the overall character of the environment, ultimately supporting the creation of a harmonious and orderly streetscape and pedestrian experience. See chapter 4 for further guidance on the intent of these requirements

A. Applicability and approvals.

The following minimum landscaping requirements apply to all new or redeveloped commercial and residential projects within the Downtown Overlay which require site plan review and approval, as follows:

- (1) Applications for building improvements or renovations which do not increase the gross floor area of the property shall not be required to meet the landscaping requirements of this section.
- (2) Applications for a change of use shall not be required to meet the landscaping requirements, except where additional screening or buffers may be required.
- (3) Applications for site improvements such as parking lot or driveway reconfigurations shall only be required to meet the landscaping requirements for the areas affected.
- (4) Applications for building expansions which increase the gross floor area by less than 50% or 5,000 square feet shall only be required to meet the landscaping requirements for the portions of the site affected, as determined by the Planning Director.
- (5) Applications for building expansions which increase the gross floor area by more than 50% or 5,000 square feet shall be required to meet the landscaping requirements.
- (6) See 330-426.G. for specific landscaping requirements pertaining to parking lots.

B. General requirements.

- (1) These requirements pertain to the minimum area of greenspace and the types of landscaping required for the site. All greenspace areas shall be covered by the following:
 - (a) Native vegetation; or
 - (b) Trees, shrubbery, or nursery plants with appropriate mulch; or
 - (c) Any combination of the above;
 - (d) Sod, lawn, or other variety of ground cover in combination with any of the above.
- (2) All landscaping shall be installed in accordance with the landscaping plan as approved by the Planning Board prior to issuance of a certificate of occupancy and shall be installed in accordance with accepted landscape practices within this region. In instances where conditions do not permit immediate planting, the applicant may be required to post a performance bond or, in lieu thereof, sufficient moneys to ensure later compliance.

- (3) All landscaping shown on an approved site plan or landscaping plan shall be maintained in a vigorous growing condition throughout the duration of the use, and plants not so maintained shall be replaced with new plants at the beginning of the next growing season.
- (4) Landscaping and buffer requirements in this section may be met by utilizing existing vegetation where possible, with approval from the Planning Board.
- (5) The use of invasive plant species, as defined by the most-recent DEC Advisory Invasive Plant List, is not permitted.
- (6) Species diversity is encouraged in order to prevent extensive vegetation loss should certain species become vulnerable to diseases. In cases where there are more than eight required new trees to be planted, no more than 40% of them can be of one species. Where more than 24 new trees are required to be planted, no more than 24% of them can be of one species.

C. Front yard landscaping requirements.

Front yard landscaping should be provided and arranged as illustrated in the Building Placement and Front Yard Design requirements for each District and in the corresponding Street Type.

- (1) Required landscaped terrace areas shall provide a mix of lawn areas in combination with deciduous trees, shrubs or perennial/annual beds.
- (2) Required tree lawns shall be provided with sod or lawn, except for mulch areas directly around each tree.
- (3) Street trees within required tree lawns or planters shall be shade trees (not ornamental) with a minimum caliper of three inches and a minimum height of eight feet. For appropriate street trees see Hampton Bay Plant List found in the page 90 of the Pattern Book For Hampton Bays Downtown Overlay District.
- (4) Required tree planters shall be covered with cast-iron tree grates flush with adjacent sidewalk surfaces meeting ADA requirements for minimum opening sizes.

§330-430 Sustainable development standards.

The following minimum sustainable development requirements shall be satisfied.

A. Table of Sustainability Requirements.

Objective	Sustainable Requirement
<p><u>Reduce Impacts to Water Resources</u></p>	<p><u>All new development utilizing the HBDOD standards must connect to an approved wastewater treatment facility that provides advanced nitrogen treatment reduction capabilities.</u></p> <p><u>Maximum 15% of the site may be planted with fertilizer dependent vegetation; limiting landscaped areas that will require irrigation, fertilization and pesticide applications by retaining natural vegetation to the maximum extent possible and revegetating areas that have been disturbed during the construction process but will remain undeveloped with native or well-adapted noninvasive species.</u></p>
<p><u>Reduce Water Use [See § 330-410.I.(2)]</u></p>	<p><u>Reduce indoor water use 20% below baseline (use of low flow fixtures, fittings and appliances).</u></p>
<p><u>Outdoor Potable Water Consumption [See § 330-410I(3)]</u></p>	<p><u>Reduce potable water consumption for outdoor landscape irrigation by 50% from a calculated midsummer baseline case (use of plant species, density and microclimate; irrigation efficiency; water reuse).</u></p>
<p><u>Heat Island Reduction [See § 330-410I(4)]</u></p>	<p><u>Heat island reduction for 50% of the non-roof site hardscape providing increased shade and permeable coverage.</u></p> <p><u>Install "green" roofs for at least 50% of roof area or use roofing materials with low solar reflectance index for 75% of roof.</u></p>
<p><u>Provision of Open Space Requirement (See § 330-409B)</u></p>	<p><u>Provide 10% of development site area as public open space.</u></p> <p><u>Provide 5% of development site area requirement as private open space.</u></p>
<p><u>Stormwater Management and Grading</u></p>	<p><u>Use of pretreatment of stormwater runoff prior to infiltration using "green infrastructure" practices such as vegetated swales, bio-swales, road verges, filter strips, rain gardens, green roofs, other Best Management Practices (BMPs) in accordance with the New York State Stormwater Management Design Manual and the Suffolk County Planning Commission Managing Stormwater Guide.</u></p> <p><u>Sustainable Streets shall have slopes of 5% or less, utilize stormwater management techniques, thus enabling the street to function ecologically as well as being a place maker. (See diagram and photos of sustainable streets in Hampton Bays Pattern Book Pg. 82 - 83).</u></p>

Objective	Sustainable Requirement
	<p><u>Swales shall typically occur next to roads, and be designed, shaped, and graded to specific dimensions to promote quick passing and infiltration of certain amounts of stormwater, and shall be designed to accommodate standing water during and immediately after a storm. Swales shall incorporate plant materials to slow water down and “take up” or remove certain pollutants and where possible use existing natural drainage ways (naturally present swales) and vegetation to absorb and filter runoff.</u></p> <hr/> <p><u>Grading shall be minimized, unless approved by the Planning Board for the purpose of creating inviting outdoor spaces. Grading shall appear natural and blend with surrounding topography when possible. Retaining walls may be used where necessary to create the spaces outside of buildings located along the street frontage. As part of stormwater BMPs, when the grade is modified, it must occur in such a way as to avoid the following features:</u></p> <ul style="list-style-type: none"> <u>(1) Retaining walls greater than 4 ft. height within required setbacks or retaining walls on rear or side property lines.</u> <u>(2) Mass grading of the site which results in buildings that do not reflect the topography of the site.</u> <u>(3) Grading that slopes towards a building.</u> <u>(4) The direction of water onto adjacent sites or the sidewalk/streetscape area</u>
<p><u>Reduce Greenhouse Gas (GHG) Emissions</u></p>	<p><u>New construction and substantial renovation shall seek to reduce GHG Emissions through the following mitigation strategies:</u></p> <ul style="list-style-type: none"> <u>(1) Produce up to 50% of their energy consumption needs through a combination of Passive Solar Design elements and renewable energy production (Solar, Wind, Geothermal, etc.).</u> <u>(2) Must be constructed to be solar ready.</u> <u>(3) Where appropriate the Planning Board shall require new structures to incorporate Passive Solar Designs including but not limited to building orientation and window location. Interior layouts shall allow for the natural flow of heat during winter months and ventilation during the summer season.</u> <hr/> <p><u>Provide public frontages to encourage pedestrian activity.</u></p> <hr/> <p><u>Provide bicycle parking racks for residents, visitors and employees (See § 330-427.H.)</u></p> <hr/> <p><u>Landscape practices shall seek to preserve the health and appearance of all landscaped areas through the strategies identified in the Pattern Book. (page 84)</u></p>
<p><u>Landscape Design and Maintenance</u></p>	<p><u>Landscape designs shall be informed by the Hampton Bays Plant lists and supplemental references noted in the Hampton Bays Pattern Book.</u></p>

§330-431 Outdoor lighting.

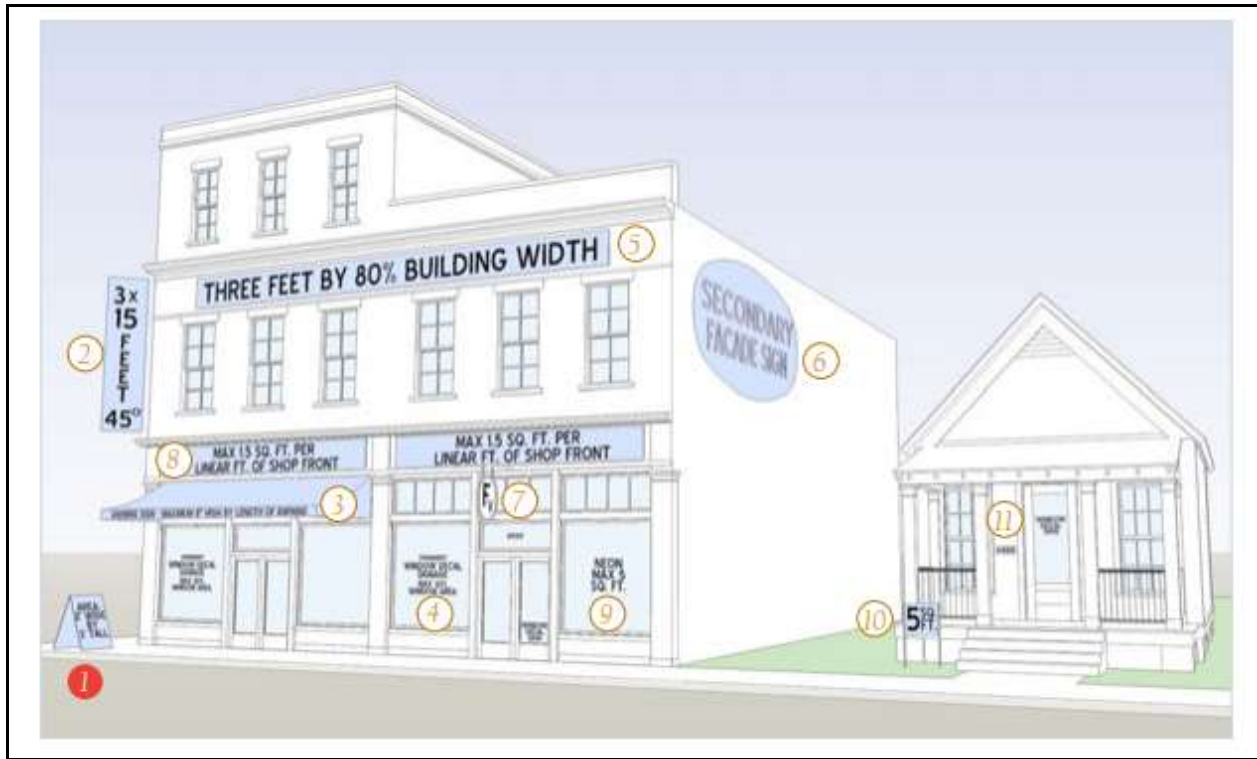
All outdoor lighting within the Downtown Overlay Districts shall comply with the standards in Article XXIX of the Town Code.

§330-432 Signs.

A. Sign Standards.

All signs within the Hampton Bays Downtown Overlay District shall conform to the standards in Article XXII **Signs** of the Zoning Code, except as provided below. The number following each standard corresponds to the graphic below.

- (1) Prohibited composition and materials include sandwich board sign (side walk sign) and inflatable signage **(1)**.
- (2) Diagonal Corner Sign: 1 per building at corners only, attached at a 45 degree angle. Maximum 3 ft. wide and 15 ft. tall. Signage projecting forward from building walls exceeding 1 ft. in depth shall maintain a minimum 8 ft. clearance above adjacent grade
- (3) Awning & Canopy Signs: 1 sign per awning or canopy. Maximum 8 inches tall by awning length along face of awning **(3)**.
- (4) Window Decal Sign: 1 per window (not including temporary signage within window). Maximum 30% of window area. Must be located entirely within the interior of a structure. Letters, numbers, or pictorial content allowed **(4)**.
- (5) Upper Façade/Wall Sign: 1 per building located along top of building façade. Maximum 80% of the width of the building. Maximum 3 ft. font size. Maximum logo or emblem size 4 ft. in any dimension. Sign cannot extend above highest horizontal line of wall. Text limited to identification of building or name of 1 tenant. Individual letter, numbers, or figures on the wall permitted **(5)**.
- (6) Secondary Façade/Wall Sign: 1 per building located on a secondary frontage or internal to a property. Maximum 200 sq. ft. or 15% of the wall surface, whichever is lesser. Maximum 4 ft. font size. Maximum logo or emblem size 5 ft. in any dimension. Sign cannot extend above highest horizontal line of wall. Paint applied to façade **(6)**.
- (7) Hanging Blade Sign: 1 per business. Maximum 2 sq. ft. blade dimension (both faces of blade may be 2 sq. ft. max.). The sign shall not project from the structure more than 4 ft. including the required structural support. The minimum height between the sidewalk or ground level and the bottom of the sign shall be 7 1/2 feet **(7)**.
- (8) Individual Shopfront Sign: 1 per business. Maximum 1.5 sq. ft. per linear foot of building (or individual business) frontage but shall not exceed 75% of the width of such wall **(8)**.
- (9) Neon Sign: 1 per window (located inside only). Maximum 5 sq. ft. Accenting window frames are prohibited. Non-animated neon or LED text permitted within window **(9)**.
- (10) Yard Blade Sign: 1 per property with home business or in non-residential use. Upright supports or ground sign style acceptable. 5 sq. ft. maximum. 5 ft. height maximum **(10)**.
- (11) Address Number Sign: 1 address number, no larger than 1 sq. ft. Attached to building in proximity to primary entrance **(11)**.



Composition:	1
Prohibited: Sandwich Board Sign (Side Walk Sign)	
Diagonal Corner Sign	2
1 per building at corners only, attached at a 45 degree angle.	
Maximum 3 ft. wide and 15 ft. tall. Signage projecting forward from building walls exceeding 1 ft. in depth shall maintain a minimum 8 ft. clearance above adjacent grade.	
Awning & Canopy Signs	3
1 sign per awning or canopy.	
Maximum 8 inches tall by awning length along face of awning, or Maximum 40% of the sloping surface of awning.	
Window Decal Sign	4
1 per window (not including temporary signage within window).	
Maximum 30% of window area. Must be located entirely within the interior of a structure.	
Letters, numbers, or pictorial content allowed.	
Upper Façade Sign	5
1 per building located along top of building façade.	
Maximum 80% of the width of the building. Maximum 3 ft. font size. Maximum logo or emblem size 4 ft. in any dimension. Sign cannot extend above highest horizontal line of wall.	
Text limited to identification of building or name of 1 tenant. Individual letter, numbers, or figures on the wall permitted.	

<u>Secondary Façade Sign</u>	<u>6</u>
<u>1 per building located on a secondary frontage or internal to a property.</u>	
<u>Maximum 200 sq. ft. or 15% of the wall surface, which ever is lesser. Maximum 4 ft. font size. Maximum logo or emblem size 5 ft. in any dimension. Sign cannot extend above highest horizontal line of wall.</u>	
<u>Paint applied to façade.</u>	
<u>Hanging Blade Sign</u>	<u>7</u>
<u>1 per business.</u>	
<u>Maximum 10 sq. ft. blade dimension (both faces of blade may be 10 sq. ft. max.) & 19" depth.</u>	
<u>Individual Shopfront Sign</u>	<u>8</u>
<u>1 per business.</u>	
<u>Maximum 1.5 sq. ft. per linear foot of building (or individual business) frontage.</u>	
<u>Neon Sign</u>	<u>9</u>
<u>1 per window (located inside only).</u>	
<u>Maximum 5 sq. ft. Accenting window frames is prohibited.</u>	
<u>Non animated neon or LED text permitted within window.</u>	
<u>Yard Blade Sign</u>	<u>10</u>
<u>1 per property with home business or in non residential use. Upright supports or ground sign style acceptable. 5 sq. ft. maximum.</u>	
<u>5 ft height maximum.</u>	
<u>Address Number Sign</u>	<u>11</u>
<u>1 address number, no larger than 1 sq. ft. Attached to building in proximity to primary entrance.</u>	
<u>Materials:</u>	
<u>Painted wood, metal, or metal composite materials.</u>	
<u>External illumination only, except non animated neon.</u>	
<u>Prohibited: inflatable</u>	

B. Sign Materials.

All materials used for signage shall include: Painted wood, metal, or metal composite materials. External illumination only, except non-animated neon.

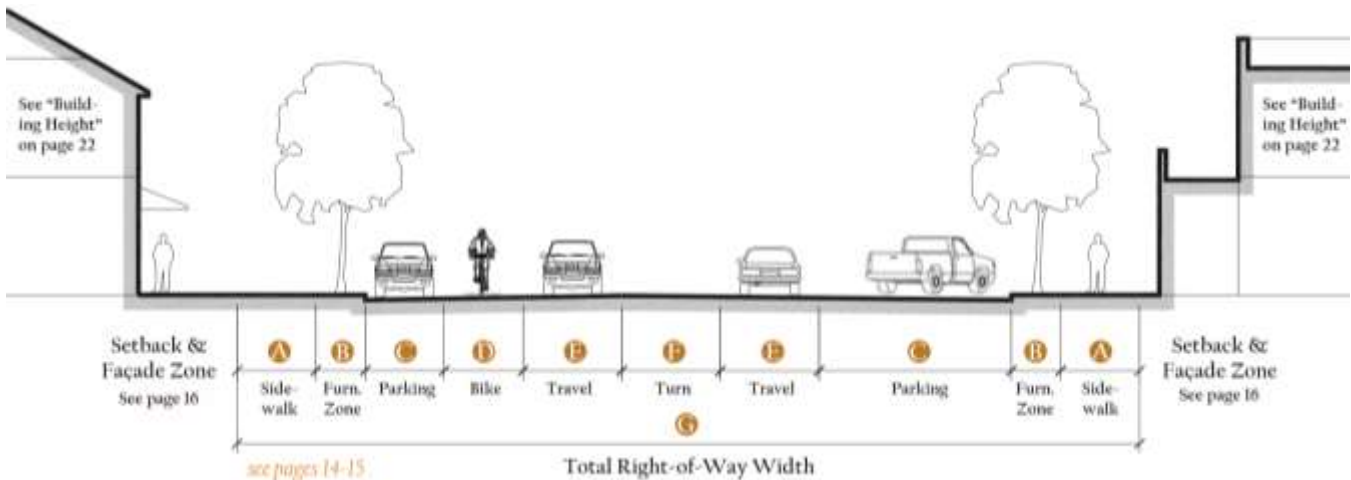
§330-433 Streets.

A. Intent.

This section provides standards for improved connectivity and walkability within the HBDOD by defining street types and associated minimum standards. The

combination and character of the traveled way, public frontage, and private frontage define the character of the public realm.

- (1) The street type is a classification assigned to a street that determines the width of the public frontage as distance of a build-to-line from the face of curb, regulates the width of the pedestrian clearway and the type of the associated permitted private frontages.
- (2) Dimensional flexibility is permitted for street types to account for varying ROW widths; however, they should be designed to have all the basic functional characteristics, including roadway width, on-street parking, sidewalks, multi-use paths, street trees, landscaped areas shown for their type and they should generally meet the Street Section Components referenced in the graphic and table below.
- (3) The street design standards shall apply to all new streets whether a separate street right of way is created or not. For those new streets where a right of way is not created, ie. the new street is to constructed on private lands, which would typically have an associated public access easement; the Built To and Parking Location requirements shall be measured from the edge of the sidewalk, not the property line. The side and rear yard setbacks requirements shall apply to the applicable property lines, but the Build-To and Parking Location requirements take precedence over setback requirements.



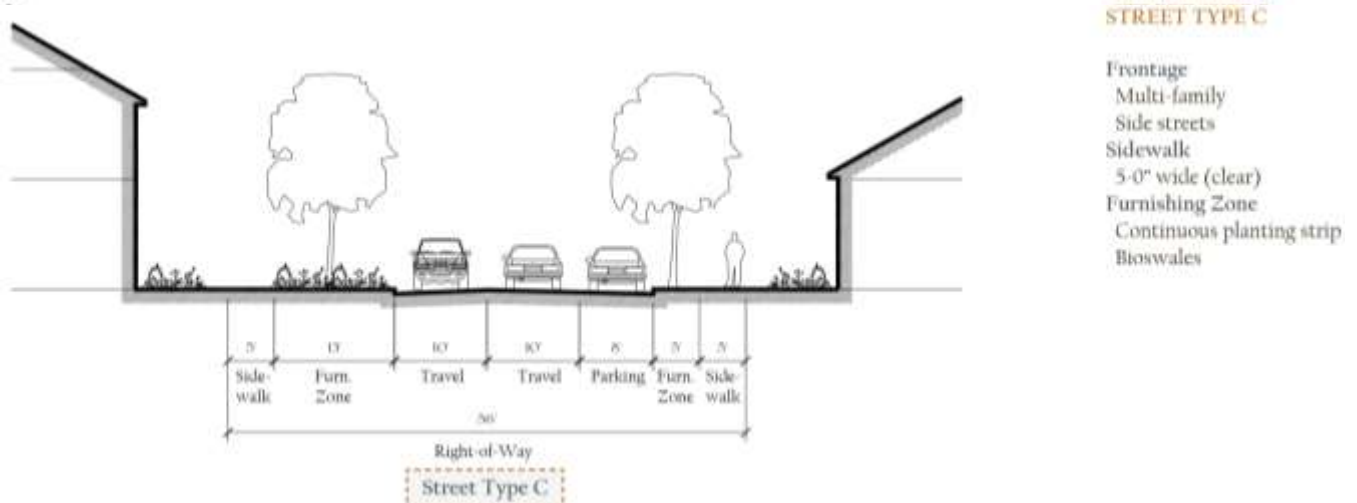
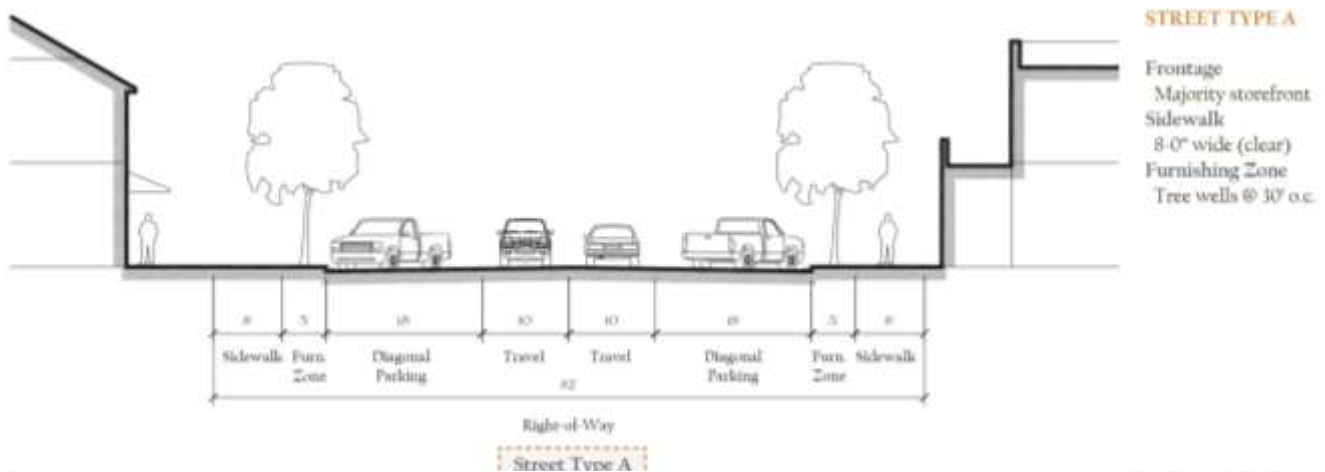
<u>STREET COMPONENTS</u>	<u>SECTION</u>
Sidewalk	A
Width (Clear)	5'-0" min.
Furnishing Zone	B
Allowed	Yes
Required	Yes
Use	Trees and Bioswales, Furnishings, Lighting
Width	5'-0" min.
On-Street Parking	C
Allowed	Yes
Required	Yes (at least one side)
Type	Parallel or Angled
Parallel	8'-0" x 22'-0"
Angled (45 deg.)	8'-6" (width of spot) x 18'-0" (from curb face)
Bicycle Lanes	D

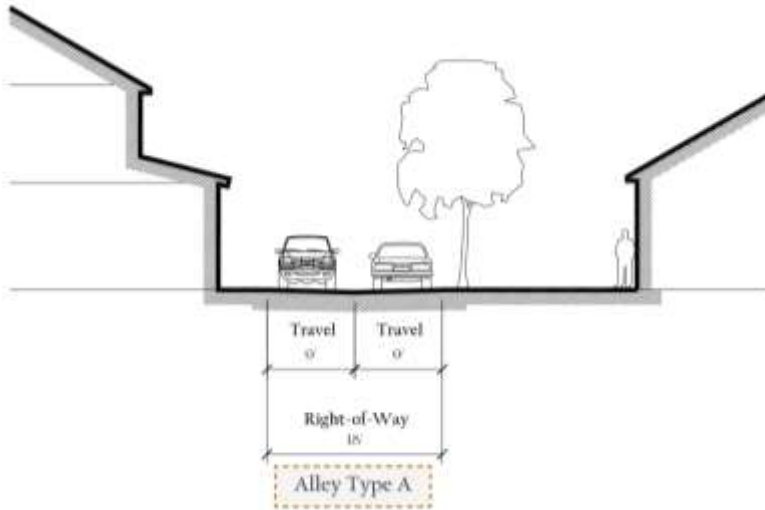
<u>Allowed</u>	<u>Yes (parallel parking)</u> <u>No (angled parking)</u>
<u>Required</u>	<u>No</u>
<u>Width</u>	<u>6'-0" to 8'-0"</u>
Vehicle Travel Lanes	E
<u>Number</u>	<u>2 max.</u>
<u>Direction</u>	<u>Two-way</u>
<u>Width</u>	<u>10'-0" max.</u>
Vehicle Turn Lanes	F
<u>Allowed</u>	<u>Yes (left turn only)</u>
<u>Required</u>	<u>No</u>
<u>Width</u>	<u>10'-0" max.</u>
Right-of-Way	G
<u>Width</u>	<u>100'-0" max.</u>
Curb Radius	
<u>Required</u>	<u>5'-0" max. without curb extension</u>

B. Street types.

Street types defined in this section include: Street Type A, Street Type B, Street Type C, and Alley Type A. Individual descriptions and form requirements of each street type are detailed in the graphics listed below.

- (1) Specific design considerations. Notwithstanding the illustrated layout of the street types in this section, the final approved design for all new or reconstructed streets shall consider location-specific design considerations, including but not limited to crosswalk locations, signalization needs, accommodation of delivery trucks, loading zones, bicycles, pedestrians and the Americans with Disabilities Act (ADA), as directed by the Planning Board.





ALLEY TYPE A

- Frontage
- Rear yard
- Midblock parking access
- Sidewalk
- N/A
- Furnishing Zone
- N/A

NOTES
 These street types are not exhaustive. Streets could be a combination of angled and parallel parking, in addition to one-way travel.
 Cross access infrastructure may be designed with components of street types depending on site conditions and connectivity objectives.

C. New Streets and Block Size.

The Regulating Plan layout displays the suggested number of streets with their conceptual locations and connections. These are shown only to communicate the intention; the Town of Southampton is not specifying their exact locations or number. Instead, the Town is seeking to work with individual property owners to determine the locations on a parcel-by-parcel basis while still meeting the following block size standards.

Ideal Minimum Block Side Dimension:	200 feet ¹
Ideal Maximum Block Side Dimension:	600 feet ^{1,2}
Ideal Maximum Perimeter:	1,800 feet

1. Block dimension is measured from right-of-way to right-of-way; not the centerlines of streets.
2. In general, a 600-foot block is a good maximum. The average walking-rate of a pedestrian is 4.9 ft/s; it would take the average pedestrian two minutes to walk the length of a 600-foot block.

These new future street connections shown are intended to illustrate vehicular and pedestrian connections which are desired by the Town to increase connectivity, provide more retail storefront and provide multiple travel options which will reduce traffic congestion on collector roads. At minimum, it is recommended that a North-South connection is made from the Long Island Railroad station to Montauk Highway and from Montauk Highway to Good Ground Park.

(1) New streets designation. The regulating plan indicates specific street types; however, through the process of block development, as described by this article, the applicant shall propose, the Planning Board shall designate all new streets to reflect the importance of pedestrian and commercial activity, the intended form of development, and the need for traffic management along each.

(2) New future streets, where indicated on private land, may be held in private ownership or transferred to public ownership as agreed to by the developer and the Town.

D. Existing streets.

An existing street may not be substantially rebuilt, as determined by the Planning Board, without being brought into conformity with the standards of its associated street type shown in the regulating plan.

- (1) Where an existing street is not planned to be substantially redeveloped, the sidewalk and street trees shall be installed according to the standards of its associated street types.

E. Required streetscape improvements.

Property owners are required to provide the associated streetscape improvements along the road frontage of all new building development, or building additions in excess of 3,000 square feet in size.

- (1) The linear extents of streetscape improvements should be along the entire width of the property frontage so as to provide a continuous pedestrian sidewalk link from one side of the property to another, as outlined in the Hampton Bays Downtown Overlay District Pattern Book (pg. 72 -77), except as noted below.
- (2) In cases where the width of the property frontage may be substantially larger than the width of the building frontage, the Planning Board may limit the extents of the required streetscape improvements to the immediate area of actual building frontage, as reasonably determined by the Planning Board in consideration of the relative development costs to the size of the overall project.
 - (a) In making this determination, the Planning Board may require the full scope of streetscape improvements to be provided only along the immediate building frontage, while only requiring that a basic sidewalk or multi-use path connection be made to the adjacent property lines to help complete long-term pedestrian connections.
- (3) As part of the required streetscape improvements, applicants may be required to provide funds into the Downtown Overlay Improvement District to fund associated crosswalks and other public roadway elements that would serve the property.

§330-434 Definitions.

The definitions below describe terms as they appear in this article that are technical in nature or that otherwise may not reflect common usage. Unless otherwise specified, if a term is defined in this § 330-434, and if it is defined in § 330-5 of this chapter, the definition in this § 330-434 shall apply. Additionally, if a term is not defined in this § 330-434, and if it is defined in § 330-5 of this chapter, the definition in § 330-5 shall apply.

APPURTENANCES

Porches, balconies, patios, seating areas, canopies, awnings, etc., which extend outward from the facade of a building and which do not typically count as an extension of the facade itself for the purposes of measuring setbacks.

ASSEMBLY OR AUDITORIUM, INDOOR

Commercial or nonprofit movie theaters, stage theaters, music performances social halls, meeting rooms, convention or catering halls and similar places; does not include religious facilities or outdoor performance space; separate and distinct from "Bar, Tavern, or Nightclub"

AUTOMOTIVE, FUEL SALES

A building or land area intended to be used for the retail sale of automotive fuels; separate and distinct from "automotive, service or wash."

AUTOMOTIVE, SALES

An establishment for the retail sale or leasing of new or used motorized vehicles, including cars, trucks, boats, motorcycles, snowmobiles, campers, RVs, tractors, lawn tractors, construction equipment and similar vehicles.

AUTOMOTIVE, SERVICE OR WASH

General automotive vehicle services, including oil, brake, muffler or tire replacement, engine or body work, inspections, automated and self-service car washing, detailing or similar services; does not include automotive salvage or junkyard operations.

AWNING

A wall-mounted, cantilevered structure providing shade and cover from the elements for pedestrians; similar to "canopy."

BALCONY

A projection of an upper-level floor slab which extends out from a facade, designed for people to stand on, with railings and an access door into the interior.

BANK

A financial institution licensed for receiving, lending, or safeguarding money, including public commercial, retail banks and credit unions.

BANK, WITH DRIVE THRU

A bank which includes a drive-up teller, ATM machine or freestanding ATM kiosks.

BAR or TAVERN

A business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises; may include food service as secondary to the amount of floor area

and sales generated by the drink sales; separate and distinct from "restaurants."

BLANK WALL AREA

An area on the exterior facade of a building which does not include any windows or door openings; substantial change in materials; or columns, pilasters, archways or other form of articulation or relief greater than eight inches in depth.

BUILDING FACADE

See "facade."

BUILDING HEIGHT

Building height is measured from the average elevation of the existing natural grade along the side of the building fronting on the nearest street front to the highest point of the roof for flat-roof structures, and to the eaves for sloped-roof structures, continuing on 45° not to exceed 50 feet.

CANOPY

A wall- and/or post-mounted structure providing shade and cover from the elements for pedestrians; similar to "awning," except that cantilevered portions are supported by posts instead.

COMMERCIAL AMUSEMENT, INDOOR

An indoor facility primarily designed to provide recreational sports activities, including but not limited to billiard tables, bowling alleys, paintball courses, video arcades, batting cages or similar gaming activities and amusements; does not include outdoor games.

CULTURAL CENTER

A building and land used for the purposes of public education or entertainment, including museums, libraries, art galleries, community centers, institutional philanthropic uses and similar facilities; does not include theatrical performances, performing arts, dance and music programs, concerts or similar large public gathering events.

EDUCATIONAL USE

Provision of educational services, public or private, including but not limited to primary and secondary schools, nursery schools, colleges and universities, music schools, dance schools, vocational schools, apprenticeship programs, and facilities designed to provide instruction in any other recognized skill or vocation.

FACADE

The exterior vertical wall of a building.

FACADE TRANSPARENCY

The percentage of the facade wall area which includes openings for transparent glass windows and doors. Facade transparency at the first-floor/ ground-floor level is measured between two feet above grade to 12 feet above grade. Facade transparency for upper floors is measured from second-finished-floor level to the ceiling of the topmost floor. Glass is considered transparent when it has a visible light transmission (VLT) rating of 70% or higher.

GREENSPACE

Exterior land areas covered by vegetation meeting the landscape requirements of this code which are free from impervious surfaces such as built structures, driveways, parking lots, paved areas or walkways.

HOME OCCUPATION

Any occupation, business or professional activity which results in a product or service and which is conducted in whole or in part in a residential dwelling or on a residentially zoned property and is clearly subordinate in space utilization and intensity to the residential use.

HOTEL

An establishment where overnight lodging is provided in guest units rented to the public on a daily or weekly basis and in which ingress and egress to and from all guest units are made through an enclosed corridor; does not include "boardinghouses."

LOT

A piece, parcel or plot of land occupied or to be occupied by a principal building and its accessory building or buildings, including the yards and other open spaces required by this chapter.

LOT AREA

The total horizontal surface area included within the property lines of a parcel.

LOT DEPTH

The horizontal distance between the midpoints of the front and rear lot lines measured in the general direction of the side lot lines.

LOT FRONTAGE

The property line along the front of a parcel which directly abuts a public or private street, accessed by that street.

LOT WIDTH

The distance between the side lot lines measured across the required front yard minimum setback line parallel with the street.

MEDICAL SERVICES, OUTPATIENT

A facility or clinic for the treatment and medical care of minor human ailments without any overnight inpatient bed facilities; includes eye doctors, dentists, medical clinics, emergent care facilities, physical therapy, integrative medicine, and similar treatments.

MUNICIPAL OFFICE or PUBLIC SAFETY FACILITY

A building or lands used for common civic institutions, such as state, county and municipal government offices, post offices, police stations, fire stations and emergency ambulance service providers under contract to serve the municipality.

NURSING HOME

A licensed facility, other than a hospital, where elderly or infirm persons who are unable to care for themselves are provided with twenty-four-hour care consisting of lodging, meals, personal grooming and cleaning, supervision for medication and other therapeutic needs, recreation and companionship by trained and licensed staff.

OFFICE

Offices for the practice of licensed professionals and general business, such as lawyer, accountant, banking, travel agencies, insurance or real estate sales, engineer, architect, doctor, marketing, consulting, not-for-profit organizations and similar professions.

PARK-ENHANCED USE

A commercial, recreational or not-for-profit activity, facility and/or establishment that contributes to, is compatible with, and enhances the adjacent Good Ground Park, or which increases the public's enjoyment of the park. Park-enhanced uses shall be construed to include Assembly or auditorium, indoor; Bar, tavern, or night club; Commercial amusement, indoor; Hotel; Restaurants, with or without outdoor seating; Retail shops/outdoor markets; Bed-and-breakfasts; Cultural Center; Educational use; and Public open space or parks.

PERSONAL CARE

Personal services for the improvement of mind and body, including nail or hair salons, musical and dance instruction, yoga, karate, licensed massage therapy, physical therapy, fitness center and similar activities.

PORCH

An covered but unenclosed exterior entryway to a structure which is raised above ground level and accessed by stairs or a ramp.

PRIMARY FACADE MATERIAL

The exterior building facade material which comprises or covers the majority of the facade. See also: "secondary facade material."

PRIMARY STREET

A street, public or private, which has frontage along the front yard of a corner property. See also: "secondary street."

PROFESSIONAL SERVICES

Services rendered by an attorney, a licensed or other professional, including but not limited to accountant, engineer, architect, landscape architect, physician, dentist, speech pathologist, audiologist, chiropractor, podiatrist, physical therapist or psychologist, actuary, appraiser, consultant, financial institution and financial advisor, information technology professional, certified planner, public relations professional, recruiter, researcher, real estate professional, surveyor, translator, or similar.

PUBLIC OPEN SPACE or PARK

A natural or landscaped outdoor area provided for the purpose of active or passive public recreation or enjoyment; may include publicly accessible outdoor amenities, such as a playground, seating area, picnic area, multi-use path and temporary or permanent small outdoor performance space or similar outdoor recreational functions.

RELIGIOUS FACILITY

Churches, synagogues and similar places of worship, Sunday school buildings, parish houses and rectories.

REPAIR AND MAINTENANCE, LIGHT

On-site repair or maintenance of personal property, such as household electronics, computers, appliances, watches, jewelry or shoe repair, tailoring, upholsterers and similar light work stored and conducted within an enclosed building; does not include repair of heavy machinery.

RESIDENCE, MIXED-USE MULTIFAMILY

A structure containing both allowable commercial uses on the ground-floor level as well as residential dwelling units on upper floors for two or more families.

RESIDENCE, MULTIFAMILY

A structure containing residential dwelling units for two or more families, including apartments, condominiums, townhouses, rowhouses or other combinations.

RESTAURANT, OUTDOOR SEATING

Any restaurant, bar or tavern where some, or all, of the customer seating is provided outside of the building on a porch, patio, deck or balcony.

RETAIL

Retail sales of goods to private consumers, including food and groceries, clothing, dry goods and miscellaneous retail services such as reproduction, printing and faxing services; Separate and distinct from "retail with drive-thru."

RETAIL, DRIVE-THRU

Retail sales of goods or services to private consumers with a vehicle drive-thru area, including pharmacies, banks, dry-cleaning, photo processing, coffee or similar businesses.

RETAIL, OUTDOOR DISPLAY

Retail sales of items stored or displayed outdoors, including but not limited to trees, plants, flowers, landscaping structures, fences, gazebos, cemetery headstones, playground equipment, lumber or similar items; does not include motorized equipment or vehicles.

SECONDARY STREET

A street, public or private, which has frontage along the side yard of a corner property. See also: "primary street."

SHOPFRONT

The ground-floor portion of a commercial building which is constructed primarily from glass so as to showcase merchandise or services being offered within.

STOOP

A small exterior staircase which leads from a public sidewalk up to a landing outside the entrance of a private dwelling, office or other space, typically not higher than five or eight feet above the ground.

UTILITY, GENERAL PUBLIC SERVICE

Structures or uses required as part of providing basic local public services, including but not limited to electrical substations, telephone exchanges, water pumping stations, power and communication lines and their necessary right-of-way; does not include telecommunication towers.

WIRELESS COMMUNICATIONS FACILITY or TELECOMMUNICATIONS FACILITY

Antenna or transmission support structure and base station, either individually or together, used for the provision of any wireless service.

§330-435 Administration.

A. Intent and Purpose.

The purpose of this form-based zoning code is to enable, guide and implement many of the ideas and visions outlined in the Pattern Book for the Hampton Bays Downtown Overlay District, specifically:

- (1) Enable and encourage property reinvestment through renovations, redevelopment, and new construction to position the Hamlet of Hampton Bays for an appropriate scale of investment and reinvestment supported by market trends that will strengthen the economy and tax base;
- (2) Create a more vibrant center of activity with a reasonable mix of commercial and residential uses supporting one another;
- (3) Provide an attractive mix of green lawns, park space, shade trees, multi-use paths, activity areas and civic uses for the public enjoyment;
- (4) Increase the local economy through diversification of jobs and business opportunities;
- (5) Diversify mobility options to make the downtown district accessible to persons of all ages and abilities;
- (6) Maximize the benefits of public infrastructure investments;
- (7) Replace the visual prominence of large parking lots with attractive architecture, public spaces and sidewalks to create a more bicycle and pedestrian friendly commercial center with connections to adjacent residential neighborhoods;
- (8) Encourage more-efficient use of land area with buildings that utilize shared parking and structured parking where appropriate;
- (9) Encourage improved stormwater management with reduced impervious surface, raingardens, shared stormwater retention areas and other advanced best management practices; and
- (10) Provide an easy-to-understand and predictable code through the use of illustrated building form standards and architectural guidelines which will create the desired types of development and streamline the review and approval process.

B. Applicability

This code applies to all new development/redevelopment, renovations, change of use applications and site plan approvals within any of the established Downtown Overlay Zoning Districts, as identified on the Town of Southampton Zoning Map. Participation in the Overlay Zoning is optional, and the underlying Village Business (VB) zone remains in full force and effect if a property owner does not wish to opt-in to the Overlay. Once a development plan is approved as per the Overlay District standards, all Overlay district regulations shall apply and prevail as provided herein.

C. Standards vs. guidelines.

This code includes both standards which are required to be met, as well as guidelines which are encouraged, but there is flexibility toward meeting the intent. As such, provisions designated as "shall" or "will" are required, while provisions designated as "should" are encouraged. In any case the Town will require development plans and architectural designs that are substantially consistent with the Pattern Book and intent of the Downtown Overlay District.

D. Uses and Development Standards.

Recognizing that this form-based code is being applied to a highly developed area, it is anticipated that strict compliance with every dimensional standard may not always be practical or necessary to meet the purposes of this chapter. (See § 330-422.G. Preferred incremental change.) In such cases, the Planning Board is authorized to modify the dimensional standards set forth to the extent necessary and appropriate to accommodate existing limitations with a super-majority vote (majority plus one), provided all of the following findings are made by the Planning Board in rendering its decision that such modification:

- (1) Is necessary to reasonably accommodate existing site constraints or development limitations; and
- (2) Does not create an undue adverse effect on abutting properties or uses; and
- (3) Does not increase the number of stories of a building;
- (4) Does not conflict with the intent of the standard being modified or set a precedent that would erode or undermine the intent of the Overlay District;
- (5) Allows for an improvement that will add to the overall vitality of the Downtown Overlay area and advances the purposes of this chapter of the Town Code.

E. Conflicts and severability.

In the event of a conflict with this article and other sections of the Town Zoning Code the provisions of this article shall apply. In the event of a conflict between diagrams or illustrations and the written text of this chapter, the written text shall apply. Should any provision of this chapter be declared illegal or unconstitutional by a court of competent jurisdiction to the extent that the other provisions of this chapter can be implemented without such illegal or unconstitutional provision, such other provisions shall remain in effect.

F. Application review procedure.

To achieve the above-referenced goals and objectives, all development opting into the Hampton Bays Downtown Overlay District (HBDOD) shall comply with the following procedures rather than the procedures prescribed elsewhere in this chapter:

- (1) A pre-submission conference with the Project Development Council is mandatory for all applicants for development within the HBDOD. The purpose of the pre-submission conference is to review and discuss the applicant's development proposal and to advise the applicant as to the planning standards and recommendations under the HBDOD and its specific overlay zones; what must be shown on a site plan, wetland and/or special exception application, including all submission requirements, required improvements, required parking and civic spaces and/or fees in lieu thereof, required affordable housing, SEQRA requirements, wetland and/or special exception requirements (if any) and required compliance with the community benefits policies..
- (2) The pre-submission conference shall be held by appointment made through the office of the Department of Land Management by completing an application specified by instruction sheets prepared by the Department of Land Management. Such application will typically include a conceptual site plan that shows proposed uses, location, footprint, and height of proposed buildings and accessory buildings, a sketch of the floor plans, elevations and facades of all buildings that face streets and public civic spaces, as well as civic space areas, setback areas, and parking areas, as well as a vicinity map with sufficient detail to show the immediate context of the proposed

development and all surrounding properties within a radius of 200 feet. Any fee for the pre-submission conference may be set by the Town Board in a fee schedule.

- (3) The Project Development Council shall schedule and hold the pre-submission conference within 20 days of receipt the application. Upon completion of the pre-submission conference, the Project Development Council shall, within 20 days, prepare and forward to the applicant an advisory report with its recommendations for the development of the property, including the form of the next submission, whether it be an application for a building permit; an application for a commercial compliance certificate; administrative site plan and/or wetland review with the Department of Land Management; or site plan, wetland and/or special exception review with the Planning Board. In the event the proposed development involves the subdivision of land, the Project Development Council shall advise as to its recommendations related to the proposed layout and design of the subdivision and the procedures necessary to file such subdivision.
- (4) The Planning Board, upon receipt of a referral from the Board of Appeals, shall consider and provide an advisory opinion on the effect of a proposed appeal, interpretation or variance on the HBDOD and the objectives of this article, as well as on the statutory standards upon which the Board of Appeals may grant relief.

G. Site plan review by the Planning Board.

All applications for development within the HBDOD, not eligible for administrative site plan review under § 330-183.1, shall be required to submit a site plan, wetland and/or special exception application to the Planning Board in accordance with the procedures set forth in §§ 330-182 through 330-184.1 and any other applicable section. Notwithstanding any provisions to the contrary, the Planning Board may waive the pre-submission conference procedures under § 330-184A if the applicant for the proposed development has elected to proceed under the provisions of this article rather than development under the underlying zoning and/or the Project Development Council has recommended that the applicant proceed directly to final site plan application:

(1) Planning Board authority to modify dimensional standards.

Recognizing that this form-based code is being applied to a highly developed area, it is anticipated that strict compliance with every dimensional standard may not always be practical or necessary to meet the purposes of this chapter. (See §330-422. E., Preferred incremental change.) In such cases, the Planning Board is therefore authorized to modify the dimensional standards set forth to the extent necessary and appropriate to accommodate existing limitations with a super-majority vote (majority plus one), provided all of the following findings are made by the Planning Board in rendering it's decision that such modification:

- (a) Is necessary to reasonably accommodate existing site constraints or development limitations; and
- (b) Does not create an undue adverse effect on abutting properties or uses; and
- (c) Does not increase the number of stories of a building; and
- (d) Does not conflict with the intent of the standard being waived or modified; and
- (e) Allows for an improvement that will add to the overall vitality of the HBDOD and advances the purposes of this chapter of the Town Code.

H. Subdivision review by the Planning Board.

All applications for development within the HBDOD that involve the subdivision of the property shall be required to make application to the Planning Board in accordance with the procedures set forth in Chapter 292, Subdivision of Land. Notwithstanding any provisions to the contrary, the Planning Board may waive the pre-application procedures under Chapter 292 if the applicant for the proposed subdivision has elected to proceed under the provisions of this article rather than development under the underlying zoning and/or the Project Development Council has recommended that the applicant proceed directly to preliminary or final application. The standards for streets, highways and common access shall be pursuant to § 292-36, except as otherwise provided by § 330-433. The Planning Board may review a subdivision application concurrently with the review of a site plan application, pursuant to § 330-435.G.

I. Appeals, interpretations and variances.

Appeals, interpretations, variances or other form of relief from the provisions of this article may be granted by the Board of Appeals pursuant to the statutory requirements of Article XVIII of this chapter and §§ 267, 267-a, 267-b and 267-c of the New York State Town Law. Notwithstanding any provisions to the contrary, applications to the Board of Appeals may be accepted and granted without the need for a denial by the Building Inspector as provided in the aforesaid statutes. All applications to the Board of Appeals for development within the HBDOD shall be referred to the Planning Board for an advisory opinion on the effect of a proposed appeals, interpretation or variance on the HBDOD and the objectives of this article, as well as on the statutory standards upon which the Board of Appeals may grant relief. The Planning Board shall have 30 days after receipt of the referral from the Board of Appeals to provide written comments to the Board of Appeals. Upon the expiration of the thirty-day time period, the Board of Appeals may proceed with consideration of the application; however, the failure of the Planning Board to comment within said thirty-day time period shall not be construed as an endorsement of the application. When an application is referred to the Planning Board by the Board of Appeals, the Planning Board shall specifically address whether or not the proposed relief, if granted, will produce an undesirable change to the desired walkable and pedestrian-friendly neighborhood character to be created by this article. The Board of Appeals shall incorporate specific findings explaining the planning and design rationale for its decision.

J. Fees.

Fees associated with development under the HBDOD shall be charged according to a fee schedule adopted by resolution of the Town Board, as amended from time to time by resolution of the Town Board. Such fees shall be paid to the Town of Southampton for deposit in Town HBDOD special accounts, which shall be segregated from other Town funds and shall be used exclusively in connection with its identified purpose. The Planning Board may deem the provision of on-site or off-site civic spaces, private open spaces, and recreational indoor amenity spaces, to satisfy §330-428B if such open space is available for public recreational purposes. Applicants also may be responsible for additional expenses pursuant to 330-183B(4). The Town shall establish a SGEIS fee, pursuant to section 617.13 State Environmental Quality Review Act, to recover the cost associated with the preparation of the SGEIS, and Fair share mitigation fees.

§330-436 Residential Dwelling Units.

- A. Minimum floor area. The development shall meet the minimum floor area requirement provided in § 330-105 of the Town Code.
- B. Bedroom mix. The average number of bedrooms per unit per project shall not exceed two.
- C. Twenty percent (20%) of the total number of new housing units within the HBDOD area, approved under this article shall be designated as community benefit units (CBU), which shall satisfy the requirements of the Long Island Workforce Housing Act and Chapter 216 of the Town Code. The distribution of CBU's shall be evenly distributed between moderate, and middle-income households, i.e., 50% of the units for moderate income, and 50% of the units for middle income, with the first unit being reserved for a middle-income household. The distribution of affordable units may be amended, subject to Planning Board approval, after the housing needs of income eligible participants are formally determined, pursuant to Chapter 216. The location, number, size and type of community benefit units shall be determined and distributed in accordance with the accompanying final generic environmental impact statement (FGEIS) and findings statement.

§330-437 Compliance with State Environmental Quality Review Act (SEQRA).

- A. In accordance with the requirements of Chapter 157 (Environmental Quality Review) of the Town Code and the New York State Environmental Quality Review Act (SEQRA) and the regulations issued thereunder, the Town Board has accepted and approved a draft and final generic environmental impact statement (GEIS) on the Hampton Bays Corridor Study, as well as, a Supplemental Generic Environmental Impact Statement, and a findings statement which analyze the potential environmental impacts of adoption of this Hampton Bays Downtown Overlay District (HBDOD) Form Based Code. The findings statement summarizes the potential impacts and establishes conditions and thresholds for development under this article and the extent to which further SEQRA review may be required for site-specific impacts of projects to be built under the terms of this article. The findings statement includes conditions and thresholds for the entire HBDOD. All development within the HBDOD that is subject to SEQRA shall comply with the conditions and thresholds in the findings statement. The Town shall establish a SGEIS fee, pursuant to section 617.13 State Environmental Quality Review Act, to recover the cost associated with the preparation of the SGEIS, and Fair share mitigation fees.
- B. After the approval of the initial 147 units, any project qualifying as an Unlisted or Type I action pursuant to Chapter 157 shall be evaluated against existing conditions to ensure that there is no significant change to assumptions made in the Supplemental GEIS or area conditions that would warrant additional SEQRA review. To assist in this, the Planning Board shall coordinate with any involved agency to determine if further assessments must be undertaken.

§330-438 Implementation of community benefits policies.

To ensure the fulfillment of the community benefit goals of the Town, all development within the HBDOD that is approved under this article shall comply with the requirements of any adopted community benefits policies in effect as of the date such policies have been adopted or modified by resolution of the Town Board. These policies include: a community benefit program as described in Section 2 of the SFGEIS associated with this article, a construction jobs policy, an operations jobs policy, and a local contracting policy (collectively, the community benefits policies). No building permit may be issued under this

article until the community benefits policies have been adopted and are in effect. Compliance with the terms of these policies shall be made a condition of any site plan approval within the HBDOD after adoption of such policies, and such compliance shall be monitored and enforced as set forth in the community benefits policies and as conditions of approval of a site plan under this article. Where such conditions have been imposed on site plan approvals, no building permit, certificate of occupancy, or business license or business license renewal shall be issued unless the applicant has demonstrated compliance with these policies. In furtherance of the objectives of this section, applicants who receive site plan approval under this Article **XXXII** shall pay fees, determined by the Town Board.

A. Staggered hours parking.

Sample Adjustments for Staggered Hours Parking

Use Type	Weekdays			Weekends		
	8 a.m. - 6 p.m.	6 p.m. - 12 a.m.	12 a.m. - 8 a.m.	8 a.m. - 6 p.m.	6 p.m. - 12 a.m.	12 a.m. - 8 a.m.
Residential	50%	100%	100%	80%	100%	100%
Office	100%	20%	5%	5%	5%	5%
Retail/ Commercial	90%	80%	5%	100%	70%	5%
Restaurant	70%	100%	10%	70%	100%	20%
Civic Institution	100%	20%	5%	10%	10%	5%
Religious Institution	10%	5%	5%	100%	50%	5%
Bar/ Entertainment	40%	100%	10%	80%	100%	50%
Movie Theater	40%	80%	10%	80%	100%	10%
Hotel	70%	100%	100%	70%	100%	100%

EXAMPLE: Two adjacent property owners (or a single property owner with multiple uses) wish to share a parking lot which takes advantage of staggered hours parking demands. One use is an office building which normally requires 30 parking spaces. The other use is residential apartments which also normally would require 30 spaces. Normally, these two uses would require a total of 60 spaces. However, since the parking demand for these two uses isn't always experiencing peak demand at the same time of day, a reduction can be applied.

During weekday business hours (8:00 a.m. to 6:00 p.m.) the office use needs 100% of its parking, so it would need all 30 of its parking spaces. During that same period, however, the residential use only needs 50% of its total parking, so it would only need 15 of its 30 spaces. The remainder of the time slots for each use are also filled out as follows:

Use Type	Weekdays			Weekends		
	8 a.m. - 6 p.m.	6 p.m. - 12 a.m.	12 a.m. - 8 a.m.	8 a.m. - 6 p.m.	6 p.m. - 12 a.m.	12 a.m. - 8 a.m.
Residential	15 (50%)	30 (100%)	30 (100%)	24 (80%)	30 (100%)	30 (100%)
Office	30 (100%)	6 (20%)	2 (5%)	2 (5%)	2 (5%)	2 (5%)
Total Spaces Needed:	45	36	32	26	32	32

Adjusting for the fluctuations, this shared parking area would experience its highest combined peak demand during the 8:00 a.m. to 6:00 p.m. weekday time slot, when 45 parking spaces would be needed. The remaining time slots are each less than that, so this parking lot would only be required to provide 45 spaces instead of the original 60.

B. Use Table

ZONING
330 Attachment 14
Town of Southampton
§ 330-423. D. Hampton Bay Business Overlay District
Table of Use Regulations

P = Permitted use SE = Special exception use X = Prohibited use

ALL UNLISTED USES ARE PROHIBITED IN ALL DISTRICTS

<u>Use Type(See Definitions)</u>	<u>Central Downtown District (CDD)²</u>	<u>Transition District (TD)³</u>	<u>Edge District (ED)</u>
<u>Assembly or auditorium, indoor</u>	P	X	X
<u>Automotive, fuel sales</u>	X	X	X
<u>Automotive, service or wash</u>	X	X	X
<u>Automotive, sales</u>	X	X	X
<u>Bank</u>	P	P	P
<u>Bank, drive-thru</u>	X	X	X
<u>Bar, tavern or night club</u>	SE	SE	X
<u>Commercial amusement, indoor</u>	SE	SE	SE
<u>Dry cleaning (Neighborhood Service Facility)</u>	SE	SE	X
<u>Home occupation other than home professional offices.</u>	P	P	P
<u>Hotel</u>	P	P	X
<u>Laundry, Dry Cleaning, and Garment Services (Drop off center only)</u>	P	P	SE
<u>Medical services, outpatient</u>	P	P	P
<u>Offices</u>	P	P	P
<u>Personal/Professional Services</u>	P	P	P
<u>Repair and maintenance, light</u>	P	P	P
<u>Restaurant</u>	P	P	P
<u>Restaurant, drive-thru</u>	X	XX	X
<u>Restaurant, outdoor seating</u>	P	P	P

ZONING
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Table of Use Regulations

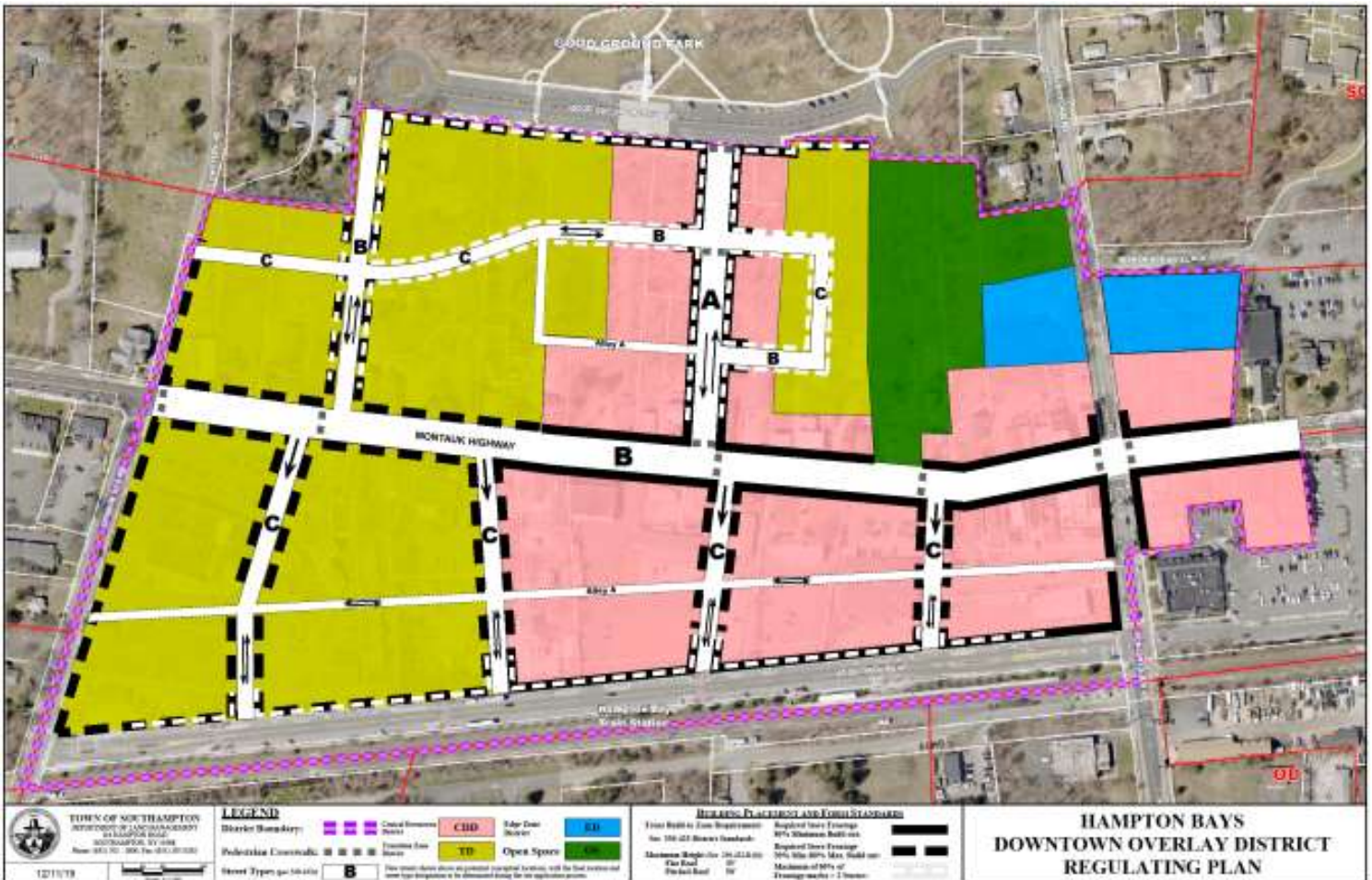
P = Permitted use SE = Special exception use X = Prohibited use

ALL UNLISTED USES ARE PROHIBITED IN ALL DISTRICTS

Use Type(See Definitions)		Central Downtown District (CDD)²	Transition District (TD)³	Edge District (ED)
	<u>Retail</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Retail, drive-thru</u>	<u>X</u>	<u>X</u>	<u>X</u>
	<u>Retail, outdoor display</u>	<u>SE</u>	<u>SE</u>	<u>X</u>
<u>Residential</u>	<u>Nursing home</u>	<u>X</u>	<u>X</u>	<u>X</u>
	<u>Residence, multifamily</u>	<u>X</u>	<u>P¹</u>	<u>SE</u>
	<u>Residence, mixed-use multifamily</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Bed and Breakfast</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Senior housing</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Civic/Public</u>	<u>Cultural center</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Educational Use</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Municipal office or public safety facility</u>	<u>P</u>	<u>XP</u>	<u>P</u>
	<u>Public open space or park</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Religious facility</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Wireless communication facilities</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
	<u>Utility, general public service</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>

1. Not Permitted on Montauk Highway or Springville Road
2. Ground Floor Uses along Good Ground Park Access Road shall only be Park-Enhanced Uses, as defined in §330-434.
3. 50% of Ground Floor Uses along Good Ground Park Access Road shall be Park-Enhanced Uses, as defined in §330-434.

C. Regulating Plan



SECTION 3. Map Amendment

The Zoning Map of the Town of Southampton is hereby amended to indicate the existence of the opt-in Hampton Bays Downtown Overlay District (HBDOD) and regulating plan districts, as discussed and depicted herein.

SECTION 4. Authority / Supersession

This Article XXXI (hereinafter the "Article") is adopted pursuant to, *inter alia*, the New York State Constitution, Article 9, §2(B)(3); the Statute of Local Governments §10(6); Municipal Home Rule Law §§10(1)(ii)(a)(11) and (12), and §10(1)(ii)(d)(3), and Article 16 of the New York State Town Law, including but not limited to, §§261, 261-a and 261-b. It shall amend and, to the extent necessary, supersede the provisions of Article 16 of the New York Town Law, as well as any other sections of the Town Law with which it may be inconsistent.

SECTION 5. Severability

If any section or subsection, paragraph, clause, phrase, or provision of this law shall be

adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 6. Effective Date

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE that, after a public hearings were held by the Town Board of the Town of Southampton on June 11, 2019, June 25, 2019, and July 23, 2019, the Town Board, at its meeting of February 25, 2020 adopted LOCAL LAW NO. OF 2020, as follows: "amending the Zoning Map and adding a new Article XXXII, §§330-421 through 330-439, entitled the "Hampton Bays Downtown Overlay District (HBDOD)" to implement form-based zoning for the purpose of revitalizing the Central Business District of Hampton Bays.

Copies of the proposed law, sponsored by Supervisor Jay Schneiderman, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK