

## **ARTICLE LIV Village Center (VC) Zoning Use District [Added 10-21-2004 by L.L. No. 43-2004]**

### **§ 108-289. Purpose and intent.**

The intent of the Village Center (VC) Zoning Use District is to transform village commercial nodes into vibrant "Main Streets" with small shops, restaurants, and professional services following a traditional pattern of development and design in a compact, pedestrian-oriented setting.

### **§ 108-290. Uses.**

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

#### **A. Permitted uses: [Amended 2-7-2006 by L.L. No. 7-2006]**

- (1) Retail stores.
- (2) Antiques stores.
- (3) Art galleries.
- (4) Arts and crafts shops.
- (5) Personal services.
- (6) Restaurants, cafes, banquet facilities and ice cream parlors.
- (7) Bakeries with retail sales on premises, and specialty food stores.
- (8) Banks.
- (9) Professional offices (excluding veterinary offices).
- (10) Museums.
- (11) Libraries.
- (12) Schools.
- (13) Places of worship.
- (14) Parks and playgrounds.
- (15) Apartments on upper floors.

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

- (1) Indoor recreation facilities.
- (2) Day-care establishments and nursery schools.
- (3) Live entertainment as a principal use.
- (4) Bed-and-breakfast establishments.
- (5) One-family dwellings.

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

- (1) Home occupations.

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

- (1) Two-family dwelling units.

- (2) Townhouses.
- (3) Apartments on ground floors.
- (4) Offices, excluding professional offices, on ground floors. **[Amended 3-6-2007 by L.L. No. 4-2007]**
- (5) Drive-through windows.

**§ 108-291. Lot, yard, bulk and height requirements.**

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

**§ 108-292. Supplementary requirements.**

The following design and parking requirements shall apply.

- A. Design standards.
  - (1) The principal building entrance and front shall face the primary street frontage and sidewalk.
  - (2) Building design and landscaping should serve to reinforce and announce the main pedestrian building entrances.
  - (3) Development shall provide walkways for safe and convenient pedestrian access to storefront entries from sidewalks, and to link storefronts to any nearby public parks and residential and commercial areas.
  - (4) For ground-floor commercial space, at least 25% of linear width of the front facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 20% by opaque banners, or either permanent or temporary advertisements or signs.
  - (5) The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone or a combination of such materials. The use of synthetic, metallic, and reflective materials should be avoided.
  - (6) Building shape, proportions, massing, and design should be appropriate to the historic character of the commercial center in which the building is located. Architectural features such as porches, porticoes, shutters, decorative door and window frames, balconies, cornices, dormers, chimneys, turrets, and spires should be used to create pedestrian-scale interest and variety in the facade.
  - (7) Signs shall be provided in accordance with § 108-56, the Riverhead Sign Ordinance.
  - (8) Buffering and transitions.
    - (a) Trash/dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.
    - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be

provided between commercial uses and adjoining residential uses or zones.

- (c) Deliveries and loading activities shall to the extent possible be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

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