

ARTICLE LVII Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by L.L. No. 46-2004]

§ 108-301. Purpose and intent.

The intent of the Downtown Center 2: Waterfront (DC-2) Zoning Use District is to create a downtown waterfront area that meets the combined goals of continuous pathways and public waterfront access, generous open space and landscaping, and watershed protection through limits on impervious surfaces.

§ 108-302. Uses.

In the DC-2 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- A. Permitted uses:
 - (1) Marina, resort.
 - (2) Retail stores.
- B. Special permit uses:
 - (1) Hotels, inns, and bed-and-breakfast establishments.
 - (2) Indoor recreation facilities.
- C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:
 - (1) Restaurants, cafes, cafeterias.
 - (2) Outdoor storage of boats and other watercraft as an accessory use to a marina.
- D. Prohibited uses:
 - (1) Offices.
 - (2) Gas stations, car washes, and other automobile-oriented uses.
 - (3) Drive-through windows for restaurants and banks.

§ 108-303. 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 *Editor's Note: The Zoning Schedule is included at the end of this chapter.* 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.
- B. In order to foster environmental conservation as well as preservation of the Town's scenic and rural quality, properties shall provide a contiguous open space area equal to at least 30% of the lot area. Such open space areas shall use native plant species to enhance the appearance and function of the riverfront as ecological habitat. In order to protect the health of the river, the use of lawns and other plantings which rely on fertilizers and herbicides is strongly discouraged at the rear of lots facing the river.

§ 108-304. Supplementary requirements.

The following design and parking requirements shall apply.

A. Design standards.

- (1) All properties shall provide a pedestrian easement for a walking trail that connects to existing trails or provides the ability to connect to future trails on adjacent properties. Trails shall be at least four feet wide and constructed of a permeable surface.
- (2) New buildings and all other elements of the site plan, including access, parking areas and landscaped open space, shall be sited to preserve and enhance pedestrian pathways to, and view corridors of, the Peconic River.
- (3) All buildings in the DC-2 Zoning Use District shall provide entries to both a public street and the Peconic River walkway or trail.
- (4) For building facades facing West or East Main Street, at least 50% of the linear width of the facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 10% by opaque banners, or either permanent or temporary advertisements or signs.
- (5) Signage in the DC-2 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or 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 businesses and adjoining residential uses.
 - (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 DC-2 Zoning Use District shall be provided in accordance with § 108-60, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to a twenty-percent 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) The parking requirement may be reduced with payment of a fee 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 the 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) Parking may also be located fully below buildings, partially below grade in a building, or at-grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens.
- (6) 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.
- (7) 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.
- (8) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses or low shrubs for at least 15% of their land area. This landscaping requirement is in addition to the thirty-percent parcelwide landscaping mentioned above.
- (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 and 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) 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.
 - (b) 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.