

Now that the Comprehensive Plan has been adopted, implementation of the goals and policies in the Plan will occur over next several years. The formal adoption of the Comprehensive Plan is only the first step in an incremental process that will involve revising the Town's zoning ordinance and subdivision regulations and implementing policies that protect Riverhead's natural, historic, and scenic resources.

The following is a list of frequently asked questions about the implementation of the Comprehensive Plan. The purpose of these questions is to provide a better understanding of how the Comprehensive Plan will affect landowners, business interests, and community residents in general and how it will be implemented.

www.riverheadli.com

The Town of Riverhead website has all of the material on the Comprehensive Plan.

The material is also available for viewing at the Town Clerk's office in Town Hall.

All questions on the Comprehensive Plan can be answered at the Planning Department.

Please call (631) 727-3200 ext. 267 or ext. 206 for more information.

Town of Riverhead Comprehensive Plan

What's Next?

Frequently Asked Questions



Town of Riverhead Planning Department

200 Howell Avenue
Riverhead, NY 11901
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Town of Riverhead Planning Department

www.riverheadli.com

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How will the Comprehensive Plan be implemented?

Although the Comprehensive Plan has been adopted, it will remain as a land use policy statement until it is legally implemented and codified. The first step of implementation will involve creating an "action plan" that identifies short-term (1 year), mid-term (2-3 years), and long-term (4-10 years) priorities for implementation. This will require the participation of many different parties, including community residents, civic groups, as well as Town, County and State agencies and will be coordinated by the Comprehensive Plan Implementation Committee and the Riverhead Planning Department.

Revisions to the zoning ordinance and subdivision regulations are the most important short-term priorities. The Town Board will hold public hearings on each of the new use districts proposed in the Land Use Element and codify them into law. Zoning is the primary tool used to implement the land use policies of the Comprehensive Plan.

Is the Proposed Land Use Plan (Figure 2-1) the Town's new zoning map?

The Proposed Land Use Plan will become the basis and implementing authority for the Town's new Zoning Use District Map. It essentially sets the stage for the codification of the revised zoning ordinance and district map and establishes a precedent for all future development. Since the State zoning enabling laws require that zoning regulations "be made in accordance with a comprehensive plan," individuals and parties should consult the Comprehensive Plan and the Planning Department when subdividing or developing property.

When will the moratorium on major subdivisions expire?

The new "moratorium on residential development" will expire on February 5, 2004. The Town Board adopted the three month moratorium on November 5, 2003. The moratorium prohibits major subdivisions (i.e. those with five lots or more) that are inconsistent with the land use policies in the Comprehensive Plan.

Must the Town's zoning ordinance conform to the land use goals and policies in the Comprehensive Plan?

Yes. Section 272-a of the Town Law requires that all Town land use regulations must be in accordance with an adopted Comprehensive Plan. This means that all future subdivisions and site plans will have to conform to the land use policies and provisions in the Comprehensive Plan. As such, the land use map (Figure 2-1) and zoning use districts on the map will directly influence future development patterns and development standards.

How will the Comprehensive Plan affect my property?

The land use policies will have more significant implications on undeveloped property that is in play for development than on pre-existing uses or improved property. Landowners with pre-existing uses will be "grandfathered" into the revised zoning ordinance because they have the right to enjoy their property in the manner previously permitted. However, all future extensions or expansions of a non-conforming use are subject to special use permit approval of the Town Board.

The land use policies will affect the yields (minimum lot sizes) and permitted uses of all real property throughout Riverhead. The purpose of upzoning, which would reduce the future density of residential and agricultural areas, is to preserve the community character and general welfare of Riverhead. However, this means that if landowners choose to subdivide, the yield and amount of lots will be, in most cases, one-half what is currently permitted under the zoning ordinance. In addition, certain areas of the Town will be rezoned, such as areas that are currently industrially zoned but are proposed to be residentially zoned in the Comprehensive Plan.

Will new development applications be reviewed for consistency with the Comprehensive Plan?

Yes. As stated above, State zoning enabling laws require that zoning regulations be made in accordance with the Comprehensive Plan. The current moratorium on residential development further requires conformance with the Comprehensive Plan.

What type of relief will be granted to landowners who cannot meet the development standards in the Comprehensive Plan?

The Zoning Board of Appeals may grant variances that provide relief for unnecessary hardships imposed by the revised development standards. A variance would waive conformance with the land use policies in the Comprehensive Plan and allow an exception to the revised zoning ordinance. For instance, dimensional variances would include relief from lot coverage or bulk restrictions, setback, height, parking and vehicular access regulations, and buffering restrictions.

Has the Town Board adopted a moratorium on commercial site plans?

No. However, the Town Board recognized that until the new zoning is adopted, there may be development plans that are inconsistent with the Comprehensive Plan. As a result, the Town Board adopted a resolution stating that it shall accept applications for non-residential development provided that they are accompanied by a Long Environmental Assessment Form, and that a public hearing may be required at the discretion of the Town Board.

What are vested projects?

Vested projects are exempt from the aforementioned non-residential site plan review procedure. Vested projects are projects that have received some kind of government approval, such as a building permit, prior to the adoption of the Comprehensive Plan. Vested rights status prevents enforcement of proposed zoning standards referenced in the Comprehensive Plan. ❖