

# RIVERHEAD Comprehensive Plan Update



## **Chapter 13: Future Land Use** *Working Draft*

This document is presented in its current form as a preliminary draft for public review. We encourage all stakeholders to provide comments as your input will play a vital role in shaping the final version of the Comprehensive Plan. Please email comments to [compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov).

Please note that the document will be further refined once comments are received from the community. Since it is an interim document, it is in a raw formatted form. The revised draft will be arranged in a more graphic format with photos, figures, and other visual elements to enhance clarity and understanding. Thank you for your time and participation in this important planning process.

***Submitted by BFJ Planning***

***February 9, 2024***

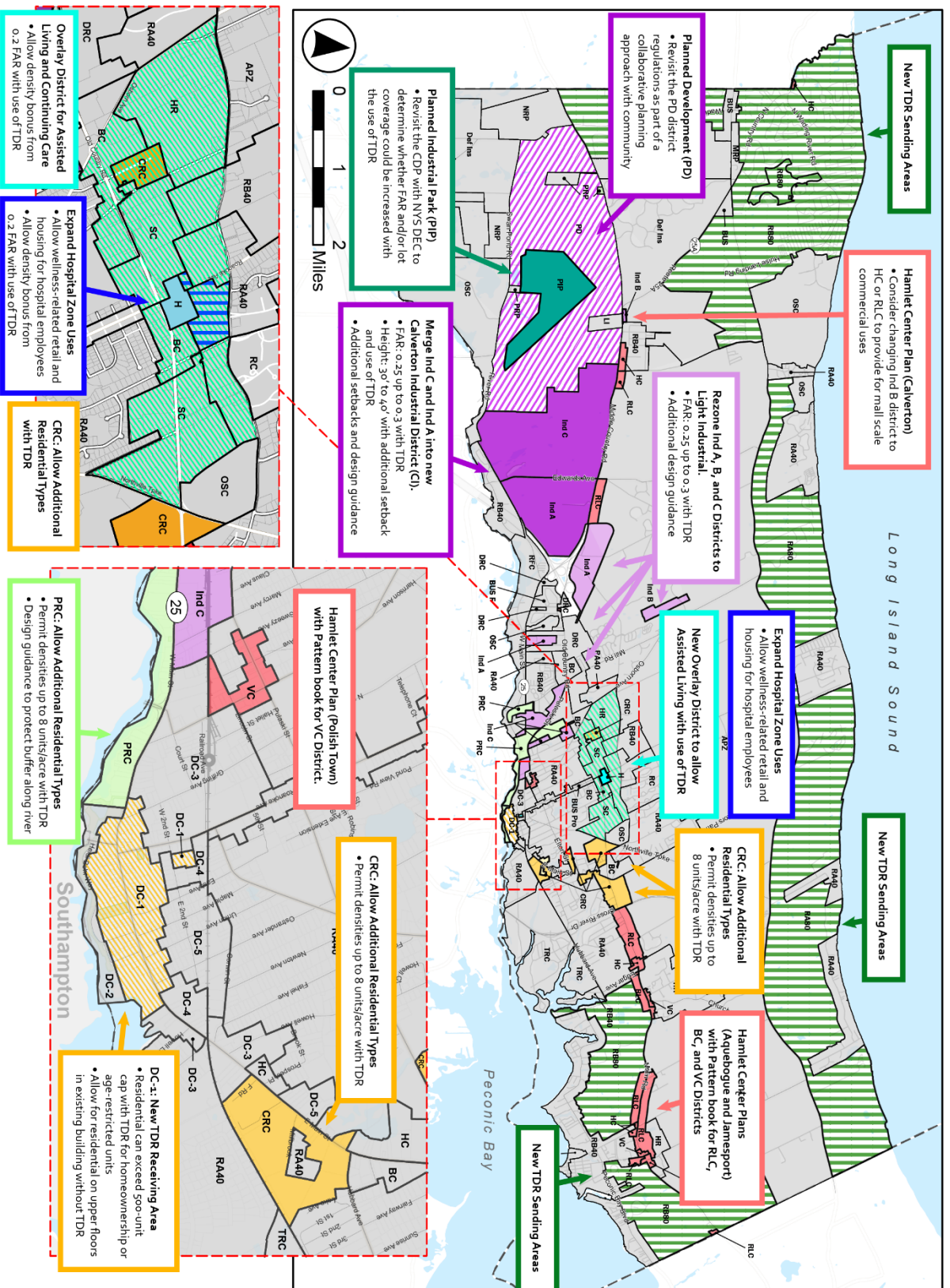
## 13. FUTURE LAND USE

The Future Land Use Chapter is a critical component of the Comprehensive Plan in that it provides guidance for how the land use and zoning policies and strategies will be put into action. Land use and zoning recommendations are interspersed throughout this plan, as they can relate to many different topic areas. This chapter consolidates those recommendations into one place, with an emphasis on specific action steps and responsible parties, ensuring a systematic approach to achieving the plan's objectives and translating the outlined strategies into tangible results.

The key tool to implement changes is the zoning code. Zoning is a set of regulations that control land use within specific areas. In many cases, proposed changes would include changes to the zoning code. It could also include other regulatory changes, policies, and capital expenditures. While some recommendations could be enacted relatively easily, others would require further study to determine a specific course of action. The Implementation Action Agenda chapter will list the specific action steps, responsible parties, to help the Town to monitor progress to ensure the plan's objectives are being met.

### Zoning Approach

The zoning approach map shown on the following page provides a high-level overview of the land use approach and potential zoning designations for different parts of the Town. Each of the identified areas is described in this section below. The recommendations include administrative changes, revisions to existing regulations, or potential changes to the zoning map. Some recommendations will require further study to determine a specific course of action. Many of the zoning concepts are interwoven with TDR recommendations, which are also discussed within in this chapter.



**New TDR Sending Areas**

**Hamlet Center Plan (Calverton)**

- Consider changing Ind B district to HC or RLC to provide for small scale commercial uses

**Planned Development (PD)**

- Revisit the PD district regulations as part of a collaborative planning approach with community

**Rezzone Ind A, B, and C Districts to Light Industrial**

- FAR: 0.25 up to 0.3 with TDR
- Additional design guidance

**Planned Industrial Park (PIP)**

- Revisit the GDP with NYS DEC to determine whether FAR and/or lot coverage could be increased with the use of TDR

**Merge Ind C and Ind A into new Calverton Industrial District (CI)**

- FAR: 0.25 up to 0.3 with TDR
- Height: 30' to 40' with additional setback and use of TDR
- Additional setbacks and design guidance

**Expand Hospital Zone Uses**

- Allow wellness-related retail and housing for hospital employees

**New Overlay District to allow Assisted Living with use of TDR**

**Hamlet Center Plan (Polish Town) with Pattern book for VC District**

**CRC: Allow Additional Residential Types**

- Permit densities up to 8 units/acre with TDR

**Hamlet Center Plans (Aquabogue and Jamesport) with Pattern book for RLC, BC, and VC Districts**

**New TDR Sending Area**

**CRC: Allow Additional Residential Types**

- Permit densities up to 8 units/acre with TDR

**DC-1: New TDR Receiving Area**

- Residential can exceed 500-unit cap with TDR for homeownership or age-restricted units
- Allow for residential on upper floors in existing building without TDR

**Overlay District for Assisted Living and Continuing Care**

- Allow density bonus from 0.2 FAR with use of TDR

**Expand Hospital Zone Uses**

- Allow wellness-related retail and housing for hospital employees
- Allow density bonus from 0.2 FAR with use of TDR

**CRC: Allow Additional Residential Types with TDR**

**PRC: Allow Additional Residential Types**

- Permit densities up to 8 units/acre with TDR
- Design guidance to protect buffer along river

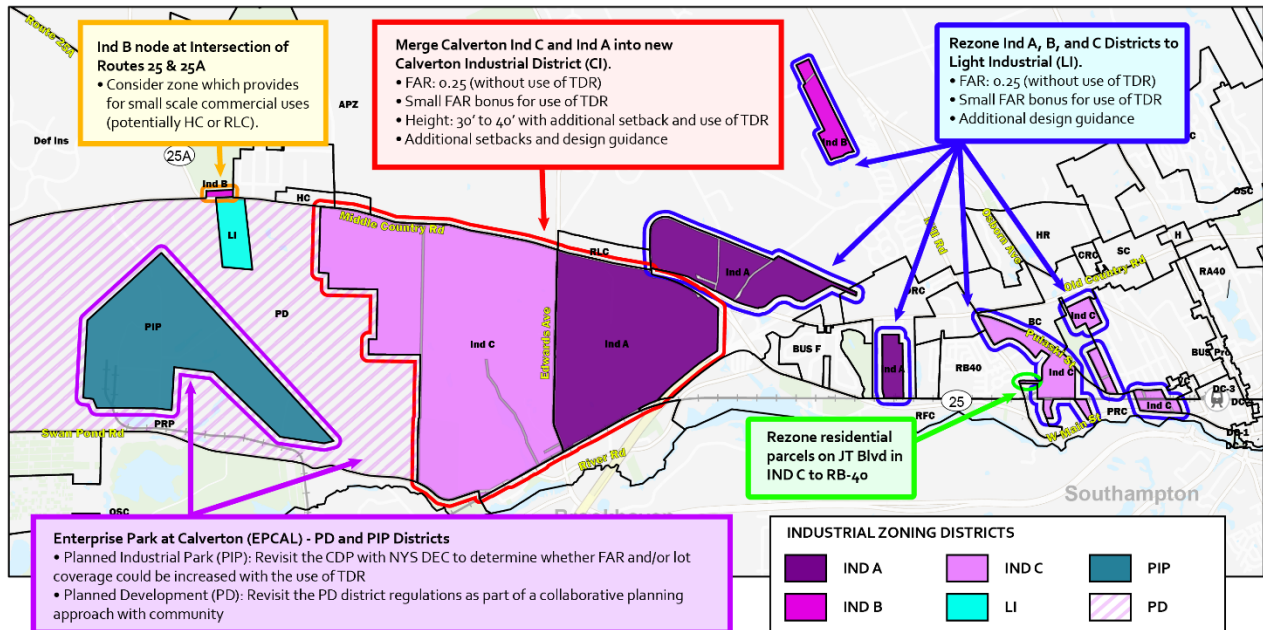
**RIVERHEAD COMPREHENSIVE MASTER PLAN UPDATE**

**Zoning Approach**

## Zoning Recommendations

### Industrial Areas

Industrially zoned areas are primarily situated within the southwest quadrant of Riverhead. The following recommendations have been crafted to optimize land use, promote sustainable growth, and enhance the overall quality of life for residents and businesses alike. The accompanying figure below provides an overview of proposed zoning changes, offering a clear roadmap for informed decision-making and strategic implementation.



### Enterprise Park at Calverton (EPCAL)

In light of several prior unfulfilled development proposals at the Enterprise Park at Calverton (EPCAL), it is recommended that the Town revisit zoning regulations for the Planned Development (PD) district. The existing district is fairly liberal with regard to land uses and it may be appropriate to limit some activities which the community did not support such as a cargo airport. Recognizing the community's desire for a collaborative planning approach, a comprehensive study involving residents, NYSDEC, and other stakeholders should be initiated. This study would formulate a collective vision, identify desirable economically viable uses, explore subdivision plans, and address environmental considerations. This approach would also enhance eligibility for grant funding. Since potential zoning changes are unknown, and any potential future development is speculative, the GEIS cannot assess potential changes at this site.

### Planned Industrial Park (PIP):

This district provides for industrial and office development within a thoughtfully planned environment to attract private investment, boost the town's tax base, and create employment opportunities. PIP encourages single campus-like development in adherence to a comprehensive



development plan (CDP). This district has been a victim of its own success in that development has been maximized under the CDP, however, there is high demand from existing tenants to expand their activities. It is recommended that the Town revisit the CDP with NYS DEC to determine whether FAR and/or lot coverage of existing buildings could be increased from the baseline with the use of TDR. To amend the CDP, the Town would also have to revisit the filed subdivision map, covenants, and restrictions. Preservation credits may be used to increase lot coverage and/or floor area ratio for existing privately. This change would require further study and conversations with DEC.

**Create a new Calverton Industrial District (CI) for IND A and IND C areas in Calverton.**

Many residents expressed concern about the impacts from industrial development in the Industrially zoned areas of Calverton (IND A and IND C) generally south of Middle Country Road, north of the Long Island Expressway, and bound on the west by the PD district. It is also important to recognize that Riverhead’s industrially zoned areas provide job opportunities and a source of tax revue which supports public services, infrastructure development, and quality-of-life amenities that benefit both industrial and residential residents.

The zoning approach for this area is to create a new zoning district which is essentially a combination of the IND A and IND C districts. Alternatively, the Town could use IND C and modify it to achieve the same goal. The new district would be based off of allowable uses in IND C but not heavy industrial uses allowed in IND A. It would require the larger front yard setback of 100 feet to help protect the rural appearance and to minimize views of development from adjacent roads. Proposed dimensional regulations are provided in the table below:

**Proposed Dimensional Regulations in CI**

	IND A	IND C	CI (Proposed)
<b>Min Lot Area (sf)</b>	80,000	80,000	80,000
<b>Min Lot Width</b>	200	300	300
<b>Max Building Coverage</b>	40%	40%	30%
<b>Max FAR</b>	0.4	0.4	0.25 (0.3 with TDR)*
<b>Impervious Coverage</b>	70%	60%	60%
<b>Yards (Front/Side/Rear)</b>	100/50/75	30/30/50	100/30/50
<b>Max Height</b>	30 feet	30 feet	30 feet (40' with TDR*)

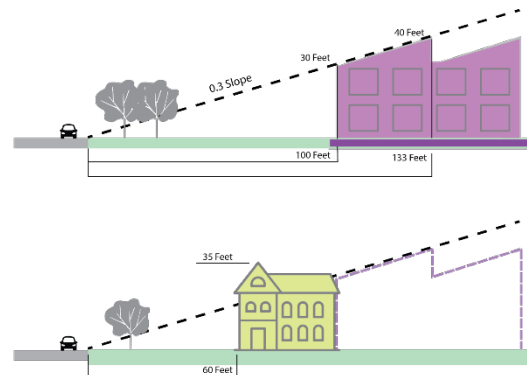
\* - Additional setbacks would apply

The new zoning district would have a reduced FAR from 0.4 which is currently permitted. FAR is anticipated to be reduced to 0.25 with the potential to increase to 0.3 with the use of TDR credits. Reducing the FAR would help to encourage more efficient and compact developments with more land utilized for setbacks and open space. It would also help to mitigate negative impacts such as traffic, noise, and pollution.

**Building height**

Many industrial uses require building heights that are larger than 30 feet, which is what is currently permitted. This height is less than the 35 feet that is permitted in residential areas. Many modern industries are evolving and require innovative spaces. Allowing for slightly taller buildings can

attract a wider range of businesses, including those that require more vertical space for advanced manufacturing, research and development, or storage facilities. Permitting taller buildings also encourages a more efficient use of available space, accommodating a greater number of businesses and activities without expanding the footprint of the area. The Town may consider increasing building heights to 40 feet with the use of TDR. Each TDR credit would provide for 5,000 SF of the area which exceeds 30 feet.<sup>1</sup> TDR bonuses for height or density should not be permitted if a user is not identified in the land use approval process (i.e. a spec building).



In order to address the potential for visual impacts, this district should include a pyramid height law, which limits the scale of a building as it approaches property lines. The figure below shows a pyramid slope of 0.3. In this scenario, a 40-foot-tall building would need to be set back 133 feet.

Regarding the utilization of Transfer of Development Rights (TDRs) to achieve additional height, a solution could involve establishing a uniform floor height for all structures within the receiving district. For instance, a standardized floor measurement of 30 feet could be applied, particularly for single-story buildings. Any floor area exceeding this 30-foot threshold would necessitate additional TDR credits. This approach ensures clarity, fairness, and a consistent method for computing and transferring development rights to the receiving district. Alternatively, the town could adopt a volumetric calculation to ascertain the TDR credits needed for space above 30 feet. For example, one metric might entail assigning one credit for every 100,000 cubic feet extending beyond 30 feet in height. However, implementing this metric poses challenges, particularly in accurately determining the cubic space of a building.

### Non-disturbance buffer

It is recommended that this district include a non-disturbance buffer on road fronting properties. This would be a 50-foot transition yard from the property line that is landscaped with the exception of signs, lighting, a driveway, and sidewalks. Parking areas should not be located within this transition yard.

### Outdoor storage

Outdoor storage is not currently permitted in Industrial C areas. It would be reasonable to allow these as accessory uses in CI provided that proper screening is provided to mitigate visual impacts and ensure storage areas are visually appealing. The Town should develop clear and specific zoning regulations that outline the types of outdoor storage allowed, the dimensions of storage areas (including height), the type of materials that can be stored, and the requirements for screening. Regulations can define the conditions under which outdoor storage is permitted to prevent misuse

<sup>1</sup> The amount of extra developable space you could achieve with TDR would be based on the TDR transfer formula which is discussed later in this chapter.

or excessive clutter. The area of outdoor storage could also be limited to a percentage of the land area.

**Summary of zoning recommendation**

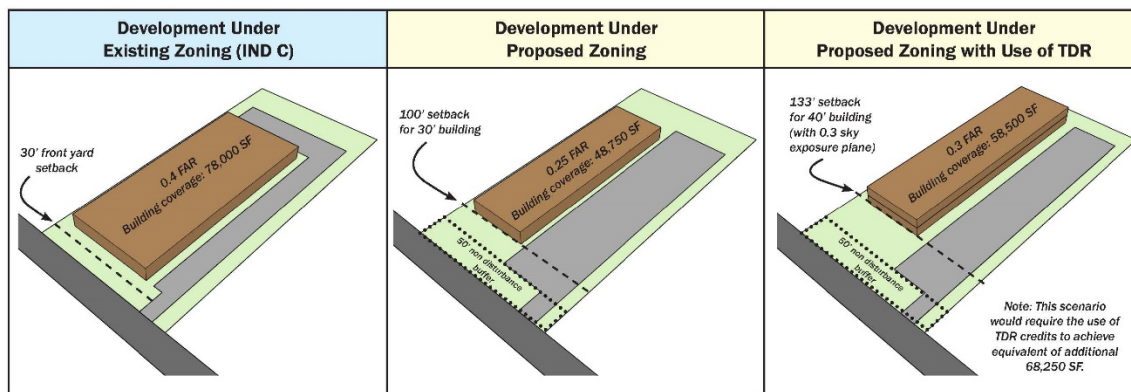
The figure below shows an example of the proposed zoning change. In the example of a 4.5 acre parcel, the permitted size of a building would decrease significantly and the front yard setback has increased to 100 feet. With the use of TDR credits, a building could achieve more vertical space, provided the building is set back even further from the street. In the scenario shown, TDR credits would be required to achieve the equivalent of an additional 68,250 square feet, which equates to 14 TDR credits at 5,000 SF per credit.

**Development Scenario with Proposed Zoning Changes**



4.5 acre parcel in IND C (300' x 650')

Dimensional Regulations	Existing Zoning		Proposed Zoning	
	IND A	IND C	As of Right	With Use of TDR
Min Lot Area (sf)	80,000	80,000	80,000	
Min Lot Width	200	300	300	
Max Building Coverage	40%	40%	25%	30%
Max FAR	0.4	0.4	0.25	0.6
Impervious Coverage	70%	60%	60%	
Yards (Front/Side/Rear)	100/50/75	30/30/50	100/30/50 + 50' non disturbance buffer + 0.3 slope sky exposure plane	
Max Height	30 feet	30 feet	30 feet	40 feet/ 2 stories



**Ind B properties at intersection of Routes 25 and 25A**

There are two Industrial B properties at this location. One of the parcels is currently a gas station. It may be reasonable to rezone both parcels to HC or RLC, recognizing that a small-scaled commercial use serving Calverton may be more appropriate and locally supported than industrial uses. This small commercial node would be especially important if EPCAL were to be redeveloped. Zoning for this area could be further analyzed as part of a hamlet study for the Calverton area.

**Scattered IND A, IND B, and IND C sites not in Calverton**

In response to the evolving urban landscape and the need to balance industrial activities with the character of urbanized areas, it is proposed to rezone industrial parcels in more urbanized areas as Light Industrial (LI). This existing district allows for indoor industrial or office operations and encourages harmonious building design within previously zoned industrial areas. LI Guidelines should be strengthened to provide design guidance on elements that harmonize with the urban environment, such as facades, materials, and landscaping to limit visual impact from roads.

The zoning change to LI would reduce the baseline zoning from 0.4 to 0.25 – the same reduction as what is proposed in the Calverton core area. With the use of TDR credits and a 30% building coverage maximum, a 1-story building could achieve 0.3 FAR or a 2-story building could achieve 0.6 FAR. A 2-story building would still be less bulky and would cover less land than what is currently permitted in IND A and IND C. Allowing for 2-story buildings with TDR promotes more efficient and compact developments with more land utilized for setbacks and open space. Proposed dimensional regulations are provided in the table below:

**Dimensional Regulations in IND A, IND C, and LI (Proposed)**

	IND A	IND C	LI
<b>Min Lot Area (sf)</b>	80,000	80,000	80,000
<b>Min Lot Width</b>	200	300	100
<b>Max Building Coverage</b>	40%	40%	25% (30% with TDR)
<b>Max FAR</b>	0.4	0.4	0.25 (0.6 with TDR)
<b>Impervious Coverage</b>	70%	60%	60%
<b>Yards (Front/Side/Rear)</b>	100/50/75	30/30/50	50/20/50
<b>Max Height</b>	30 feet	30 feet	35/2 stories

**Performance Standards in LI**

Performance standards in LI could be strengthened to ensure that industrial activities are conducted in a manner that is safe, environmentally responsible, and compatible with surrounding land uses. This could provide specific guidance for topics such as noise control, buffers from sensitive areas, odors and emission control, waste management, traffic management, site design, site maintenance, safety measures, energy efficiency, stormwater management. There are also other elements in the LI district’s provisions that seem to apply to specific areas in Town. The zoning text should be reviewed to ensure it isn’t unnecessarily restrictive with regard to where LI can be placed.





### **Downtown: DC-1 District**

#### **Development Cap and TDR**

The greatest density and housing growth has been focused, appropriately, in the Downtown. In the next 5 years, a wave of new development is anticipated in the Downtown area which is anticipated to exhaust the 500-unit cap on residential in the DC-1 district, which was implemented to maintain controlled growth. It is recommended that the Town reassess the 500-unit cap which could be done in several ways:

1. Provide opportunities for Homeownership and Age-restricted living  
This zoning recommendation seeks to offer a mechanism for exceeding the cap through the responsible use of TDR Credits while requiring that the additional units only be for homeownership or age-restricted opportunities. This recommendation addresses housing needs, encourages housing stability, and support controlled growth simultaneously.
2. Provide for adaptive reuse  
It is also recommended that buildings be permitted to exceed the cap when redeveloping existing upper floors of historic buildings for housing. TDRs would not be required in this instance, to promote the preservation and rehabilitation of existing historic buildings.
3. Reassess the 500-Unit Cap  
It would be reasonable for the Town to reassess this cap once development in the pipeline is complete, given the significant demand for development, and the continued need to meet other housing, economic, and community development goals. A Market Study for the Town Square by Streetsense in 2021 recommends the removal of the 500-unit cap. With a strong push for development and a federal opportunity zone in play, investors and developers need predictability in the process and to know whether they can or cannot build. This recommendation includes two actions.
  - The first would be to conduct economic and fiscal cost-benefit analysis of impacts of new development on the Downtown and the Town of Riverhead. This will provide a fiscal understanding of the benefit of any potential increases of the cap.
  - Regulations for the cap should also be cleaned up. Currently, the conditions on when the cap threshold would be reached is based on certificate of occupancy, which creates issues related to implementation and enforcement.

### **Pattern Book**

The Town has developed a pattern book for the downtown area. This tool should be adopted into the zoning code to ensure that new developments adhere the guidelines. The Pattern Book provides revised dimensional standards which help to minimize the bulk of new buildings. Current DC-1 zoning permits 5-story buildings with up to 80% lot coverage (applicants may apply for 100% lot coverage). Community surveys revealed that many residents prefer buildings to appear smaller in scale, in keeping with the historical fabric. Five-story buildings along the length of Main Street could create a canyon-like effect and cast shadows on streets, sidewalks and outdoor dining, creating an undesirable condition for pedestrians.

The pattern book recommends several changes to dimensional standards that would minimize the bulk of new buildings and address concerns that Main Street would be redeveloped with 5-story buildings. For example, the existing DC-1's existing FAR is 4.0 with a maximum height of 60 feet/5 stories. The Pattern Book recommends a FAR of 3.5 with a maximum height of 50 feet/4 stories, with a setback on the 4<sup>th</sup> story. Proposed design standards are shown below.

DC-1 Zoning Use District Objective Design Standards for Private Development

<b>Height</b>	(A) Building Height	4 stories or 50' maximum
<b>Stepbacks</b>	(B) Building Stepbacks	45° above the 3rd story, measured from the top of 3rd floor parapet (or where the 3rd story parapet would be if not included). This applies to addresses along Main Street, the Peconic River, side streets, open spaces (such as East End Arts), and freestanding-historical structures.
<b>Setbacks</b>	(C) Front Street Setback	Minimum setback is equal to adjacent building(s) setbacks on the same block frontage. 13' minimum from the face of curb encouraged to allow for outdoor dining and/or displays. Maximum 3' offset from adjacent building(s). 13' minimum setback from face of curb where there are no buildings on adjacent lots, including facing the Peconic River.
	(D) Side Street Setback	0' minimum. Accommodating a minimum 8-foot pedestrian sidewalk encouraged.
	(E) Side Yard Setback	0' minimum
	(F) Rear Yard Setback	0' minimum
<b>Lot Coverage</b>	Lot Coverage	100% maximum
<b>Floor Area Ratio</b>	Floor Area Ratio	3.5 maximum
<b>Green Roof Coverage</b>	(G) Green Roof Coverage	40% minimum of the lot area
<b>Encroachments</b>	Permitted Encroachments	Signage, lighting, awnings, canopies, bay windows, and balconies may encroach into the front yard and past rights-of-way so long as they maintain an 8' clear space above the sidewalk and extend no more than 2'.
<b>Ground Level Activation</b>	Ground Level Activation	Minimum 20' depth of the ground story facing Main Street and the lots adjacent to streets along the Peconic River shall have an active use.
<b>Parking and Vehicle Access</b>	Parking & Vehicle Access	Vehicle ingress and egress shall be taken from an alley where the condition exists. Parking is not permitted in the first 20' of the ground story facing Main Street and the first 20' adjacent to streets along the Peconic River.
<b>Zero Net Energy</b>	Zero Net Energy	Meeting ZNE standards is strongly encouraged, including the use of solar panels.



One hypothetical proposal shown above for the DC-1 Zoning Use District.

Source: Urban Design Associates

## Commercial and Mixed-use Districts

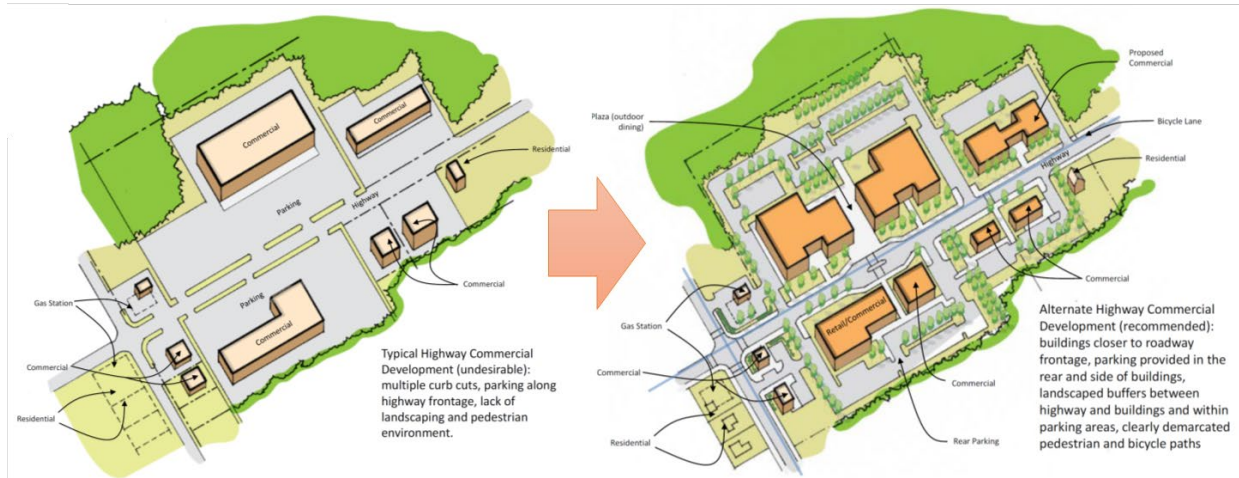
### Route 58:

#### Design guidelines

The Route 58 commercial corridor plays a crucial role in shaping Riverhead’s image and serves as a gateway for residents and visitors alike. Design guidelines will provide a clear and cohesive vision for the corridor's development, promoting a harmonious and attractive streetscape that aligns with our community's character and values. The guidelines would promote the use of landscaping to soften the built environment, enhance walkability, and contribute to a more inviting atmosphere. They would also address parking lot design to minimize the visual impact of large parking areas.

Typical Commercial Development on Route 58

Alternate Commercial Development (Recommended)



#### Parking Requirements

Several areas within the Route 58 commercial corridor have a surplus of parking spaces compared to actual demand. This results in vast expanses of underutilized asphalt, which not only disrupts the visual appeal of the corridor but also poses environmental challenges. Parking requirements appear to be high and should be revisited using empirical data rather than assumptions. Town can also allow for more flexibility in meeting parking requirements, including the ability to share parking facilities among businesses. Business should also be permitted to reduce their required amount, provided a lesser need is demonstrated with a parking study which assesses the actual parking need for their proposed use.

#### Pedestrian and Bicycle Access

It is also important to improve walkability within lots. This includes promoting safe bicycle and pedestrian cross-access between properties and parking lots. Incorporating landscaping and pedestrian-friendly features in existing parking lots can transform them into inviting spaces, contributing to a more sustainable and attractive urban environment.



## Hamlet Centers

### RLC Districts

It is recommended that these districts incorporate design guidelines to ensure that commercial uses are harmonious and contextual with the surrounding rural and single-family character. This would include guidelines that specify architectural styles, materials, and building heights that resonate with the rural setting. It may also include standards for signage, landscaping, and building/parking placement.

### HC and VC Districts

The Comprehensive Plan recommends in HC and VC, the implementation of square footage limits for individual commercial uses as well as limits on the number of commercial uses that can be located on one lot. The purpose of these changes is to limit strip commercial uses and ensure that the scale of any new development is compatible with the surrounding rural context. Banquet facilities and/or catering facilities are an example of principal uses which could be removed from these districts.<sup>2</sup> These measures would ensure that future development contributes to the overall quality of life in hamlet centers. Design guidance should be provided to ensure that new development is compatible with the surrounding residential context. This could include vegetated buffers (at least 25 feet) where HC and VC districts abut residential districts.

### Hamlet Studies

It is recommended that the Town work with residents in several hamlet areas such as Aquebogue, Jamesport, Calverton, and Polish Town, to develop a hamlet study with design guidelines or a pattern book for new development. These guidelines will serve as a valuable tool to guide and regulate development, ensuring that it aligns with our community's unique character, vision, and values. By providing clear and specific guidance for architectural design, landscaping, and urban planning, these resources will promote aesthetically pleasing, sustainable, and context-sensitive development that enhances the overall quality of life for our residents and visitors.

## BUS F - Destination Retail

The BUS F district includes Tanger Outlets at Riverhead, and another adjacent property. Tanger Outlets is a popular shopping destination for the wider region and is an important economic driver for the Town. It is understood that the retail industry is subject to changing market trends, first and foremost being competition from online retail. Retailers often need to innovate and diversify their offerings to stay competitive. It is important to provide some flexibility in the zoning code to enable businesses to experiment with new concepts, such as pop-up shops, restaurants, experiential retail, or mixed-use developments that include office spaces. This flexibility should be extended to the vacant parcel between Tanger I and Tanger II campuses, to reduce barriers to the creation of a more unified shopping center with complementary adjacent uses. The Town may also consider rezoning the non Tanger-owned parcel as BC or DRC.

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<sup>2</sup> The Town's code does not currently have a definition for banquet facility, only a catering facility.

In providing zoning flexibility in BUS F, Riverhead should strike a balance between supporting adaptation and ensuring that any changes align with broader land use goals and do not compromise public health, safety, or welfare. This typically involves engaging with property owners, businesses, and the community to create zoning regulations that encourage innovation and revitalization while maintaining a well-planned and cohesive urban environment.

### ***Hospital zone, Assisted Living, and Community Benefit Districts:***

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#### **Hospital District**

It is recommended that the existing hospital zone be expanded to encompass adjacent properties owned by the Peconic Bay Medical Center. The Hospital District should also be amended to permit a wider variety of wellness related uses such as fitness centers, wellness related retail, health foods, physician offices, childcare, etc. The district should also provide for housing for hospital staff. The H District's 1.5 FAR would not be appropriate for these expanded areas. However, the expanded campus could provide for a slight increase in permitted density (FAR) from current zoning with the use of TDR. This could include a mix of 1-, 2-, and 3-story buildings in a campus like environment that are built close together, so they are easier to access for pedestrians. These recommendations align with Peconic Bay Medical Center's expressed long-term plans and the Town's desire to support this essential institution and promote accessibility to quality healthcare services. However, specific plans for Peconic Bay Medical Center have not been presented to the Town. It is anticipated that any zoning changes would be developed at a later point once plans are proposed for the Town to review.

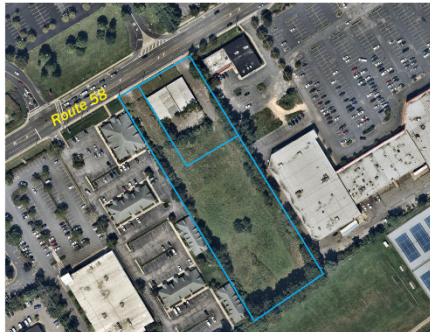
#### **Assisted Living and Continuing Care**

Riverhead has an aging population and needs to address the evolving needs of seniors. Assisted living facilities and continuing care retirement communities (CCRCs) provide specialized care and support services for seniors, allowing them to age in place with dignity and comfort. As discussed in the TDR Recommendations, these uses are proposed to be allowed in parts of Route 58 near the Peconic Bay Medical Center. The existing FAR of 0.2 in this area is not sufficient to provide for this development type. A slight increase in FAR with use of TDR may be appropriate in areas that are sewered, however building coverage should be capped at 30%. This zoning change would provide for a mix of 1-, 2-, and 3-story buildings in a compact campus like environment that are built close together, so they are easier to access for pedestrians. Residential density for these facilities should be capped, potentially at 30 beds per acre, provided sewer infrastructure is in place.

Senior housing generates a greater need for emergency response services than non-age restricted housing. Thus, it makes sense to located senior housing in places where emergency response services and medical facilities are more concentrated. Ideal locations for senior housing are in downtown and hamlet centers and near the hospital. There may be other locations in the Town where assisted living and CCRCs should be allowed by special permit. For example, it may be appropriate to allow these uses by special permit within HC or RLC districts. Lower densities would be appropriate in areas without sewer infrastructure. Assisted living and CCRC facilities should also be a defined use in the zoning code.

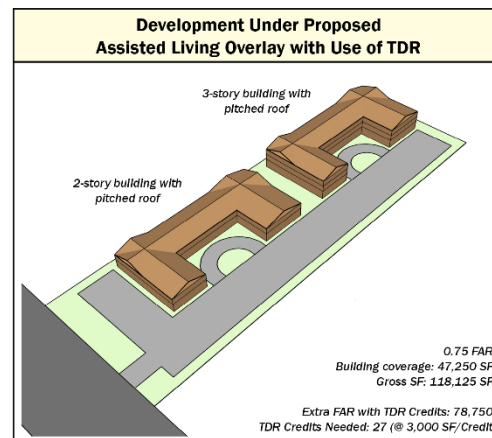
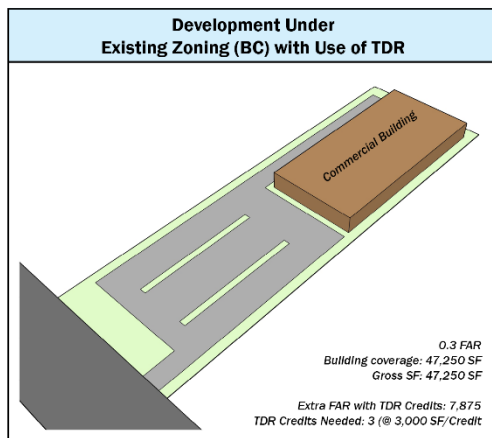
The Figure below provides a development scenario where assisted living uses, with the use of TDR credits, could achieve a 0.75 FAR at 30% building coverage. In the scenario shown, on a 3.6 acre lot, a developer could build a mix of 2- and 3- story buildings, capped at 108 units. The extra square footage required would require the use of 27 TDR credits.

**Assisted Living Overlay - Development Scenario with Proposed Zoning Changes**



3.6 acre area (2 parcels) in BC (225' x 700')

Dimensional Regulations	Existing BC Zoning		Proposed Assisted Living Overlay + TDR
	BC	With Use of TDR	
Min Lot Area (sf)	20,000		
Min Lot Width	100'		
Max Building Coverage	25%	30%	
Max FAR (with sewer)	0.2	0.3	0.75
Impervious Coverage	75%		
Yards (Front/Side/Rear)	50' / 15' / 25'		
Max Height	35feet	35 feet	50 feet with TDR credits
Max Residential Density	N/A	30 units/acre	



**Community Benefit District**

CBD is in effect a floating zone which would permit clustered multifamily dwelling units tailored to address the housing needs of underserved demographics, such as young professionals, families, and seniors. Permission for use of this district requires the concurrent construction of on-site community center and nonresidential use(s). The Town may reconsider the existing residential density cap of 10 units per acre, with the possibility of a higher density limit determined by the Town Board on a case-by-case basis. Factors influencing this decision include existing infrastructure, amenities offered, the quality of housing, and the overall site plan. The primary purpose of this change would be to facilitate projects that would bring substantial community benefits.

**Residential Districts**

**Minimum Home Size in Residential Districts**

Some residential zones have a 1,200 square foot minimum size. Building code standards already ensure the safety, structural integrity, and habitability of residential structures, making additional

minimum size requirements redundant. Eliminating such restrictions allows for greater flexibility in housing design, promotes innovation, and facilitates the development of diverse and affordable housing options that better meet the evolving needs of our community.

### **Short term rentals**

The Town currently has a minimum rental period of 28 days in order to limit the impact of short-term rentals (i.e. AirBnB) on the housing market and the associated noise and neighborhood impacts that can occur with these rentals. However, the Town may consider allowing shorter-term rentals in more popular areas such as near the downtown and beaches. Allowing shorter-term rentals in these areas can boost and sustain local businesses, such as restaurants, shops, and attractions.

Balancing the economic benefits of tourism with the needs and concerns of permanent residents requires careful consideration and community engagement. Regulations related to short-term rentals should also be regularly reviewed and adjusted as necessary to address changing market conditions and community priorities.

## **Farm Operations and Agritourism**

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### **Vertical Farming In Industrial zones:**

Vertical farming should be a permitted use in all industrial districts. Vertical farming allows for the cultivation of crops in a vertically stacked system, reducing the footprint needed for agriculture. Allowing vertical farming in industrial zones can diversify land use, promoting mixed-use development that combines industrial, agricultural, and commercial activities. This can contribute to more vibrant and resilient urban areas.

Industrial zones often have vacant or underutilized buildings and spaces. Permitting vertical farming can encourage the adaptive reuse of these structures, revitalizing blighted areas and putting vacant industrial properties to productive use.

### **Vertical Farming In APZ Districts**

Allowing vertical farming on a farm can offer several advantages and align with modern agricultural practices and the need to support the agriculture industry. Vertical farming can complement traditional farming methods by allowing for year-round cultivation of crops and also crop diversification. This can significantly increase a farm's overall productivity, providing a consistent supply of fresh produce. Diversifying a farm's production through vertical farming can open up new revenue streams and income opportunities for farmers, potentially increasing their economic stability.

Traditional horizontal farming requires large expanses of land. Vertical farming allows farmers to produce more on a smaller footprint, making more efficient use of their available land resources. One of the biggest concerns about vertical farming is the visual impact of these structures. The Town should consider clear guidance for the total size, setbacks, landscaping, etc. that would be required. For example, a vertical farm would have to conform to bulk standards (i.e. height and



setbacks). Additional standards could apply, potentially within revised design standards. Flexibility should be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure.

### **Renewable Energy**

Solar facilities for commercial energy production are currently only allowed in industrial zoning districts. For agricultural properties in other districts, New York State's current agricultural policies allow solar but limited to 110% of the anticipated annual electricity needs of the farm. It may be reasonable to provide some flexibility in allowing farmers to incorporate renewable energy facilities (i.e. solar or wind) beyond the 110% threshold provide solar is an accessory use to the primary agricultural use. This dual-purpose utilization not only supports the financial stability of farmers but also fosters the integration of renewable energy.

This recommendation could be addressed with the creation of a special permit by the Town Board for solar or wind as an accessory use to the principal agricultural use. This mechanism would provide the Town Board with discretion to ensure that visual and other impacts are addressed. The Town Board may also consider whether development rights have been previously extinguished (i.e. through the TDR program). The Town Board could also provide flexibility for agrivoltaic projects, which provide for a dual use with the production of vegetables or other crops. This approach allows for the prioritization of a site's continued agriculture use, as the project may be designed to maximize both renewable energy production and crop yields.

### **Farm Activities**

The RA-80 district and APZ district are very similar with regard to permitted farming operations. However, there is one difference. APZ allows for "Farm Operations" as an accessory use, however, this use is not provided for in RA-80. It is recommended that farms on both sides of Sound Avenue be treated the same with regard to the regulation of farm operations. Therefore, the Town may consider allowing farm operations as an accessory use only on parcels with frontage on Sound Avenue.

### **Agritourism**

It is important for the Town to address and balance the benefits of agritourism with the potential impacts on agricultural operations, public safety, and the surrounding community. The challenge lies in striking a balance between supporting local farmers while minimizing impacts from larger commercial enterprises, particularly events like weddings and tasting rooms which may lack the same regulatory framework as other commercial areas. This could include limiting agritourism events with a permitting process or imposing size restrictions. The permitting process can help to identify traffic and safety concerns and provide a funding mechanism for traffic control when needed.

In addition to permitting for events, the Town should develop more transparent regulations that address event space. Limiting the capacity of these spaces can help manage traffic and mitigate safety risks. When developing such regulations, it's important to engage with stakeholders, including farmers, residents, and event organizers, to strike a balance that allows agritourism to

thrive while addressing local concerns and maintaining the integrity of agricultural operations and rural communities.

### **Conditional Use Permits**

To accommodate the evolving nature of the agricultural industry, zoning codes should offer flexibility to adapt to changing demands and technologies. The Town may consider allowing for conditional use permits, which would be evaluated by the Town Board on a case-by-case basis, considering impacts like traffic and noise, with conditions imposed for mitigation. These permits, inclusive of definitions provided in NYS Dept. of Ag & Markets Law Section 301, should be collaboratively developed with the Town's Agricultural Advisory Committee, ensuring alignment with accepted agricultural definitions and practices.

### **Sound Avenue**

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In line with preserving the scenic and historic character of hamlet center areas, Chapter X: Scenic and Historic Resources recommends the development of pattern books for specific corridors including Sound Avenue. These pattern books will establish design standards, defining criteria for massing, size, roof slope, and subjective terms like 'rural appearance.' Additionally, the extension of design standards to subdivisions and site plans aims to provide clarity and predictability for applicants while safeguarding scenic views and historic resources. The design standards could be incorporated into an overlay zone for the corridor.

### **Non-conforming Uses**

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It is important to recognize that zoning regulations do not always perfectly align with existing land uses. Sometimes the existing uses are non-conforming, which means that the use was legally established and in compliance with zoning regulations at the time it was established but no longer conforms to the current zoning ordinance. This situation typically arises when zoning laws are updated, revised, or changed over time, leading certain existing uses to become non-conforming.

It is important to recognize that there are occasions when zoning changes may be needed to recognize and accommodate existing land uses that contribute positively to the community fabric. Several areas are identified below where existing uses should continue, with reasonable limitations on expansion. The following areas have been identified for special consideration:

#### **Marinas**

Some marinas along the Peconic Bay are in residentially zoned areas which do not list marinas as a permitted use. It is important to support these non-conforming uses, which are important stakeholders in the local economy. It is recommended that the Town work with property owners to

help them establish conformity should they wish to do so. This could be an overlay zone or a floating zone which property owners would have to opt-in to.

### Residential Area on JT Boulevard

The south side of JT Boulevard has four single-family homes but is zoned Ind C. Residential use appears to be more appropriate than industrial or business given the surrounding built context – there are single family homes on both sides of the street. This area could be rezoned to RB40 to match the residential parcels directly across the street.



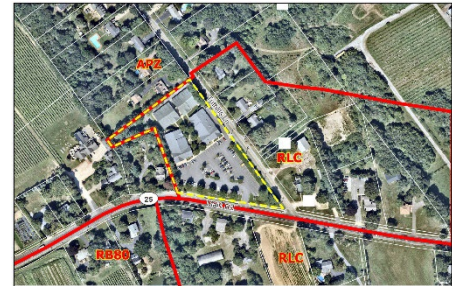
### Commercial Node on Edgar Avenue in Jamesport

There is currently a small node of properties on the northwest corner of Edgar Avenue and Hubbard Avenue which contain light industrial uses. This area has become a locally serving commercial node and should remain, even though the underlying zoning is residential. The Town should determine the most appropriate designation which could be light industrial or one of the smaller scale commercial districts. Additionally, the Meetinghouse Creek Deli property just south of the railroad tracks is another historical use which should remain, even if the property were to be redeveloped. The Village Center (VC) district could be considered for this parcel.



### Commercial Node on Tuthills Lane

Another commercial node which should be supported is the Vinland Commons property on the northwest corner of the intersection of Main Road and Tuthills Lane. The property is currently developed with a commercial shopping center, but the existing RLC zoning makes this use non-conforming. Rezoning the area as Hamlet Center (HC) would permit low-intensity commercial uses comparable in size with the existing shopping center.



## Transfer of Development Right (TDR) Recommendations:

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Transfer of Development Rights (TDR) is a valuable tool used to manage land use and promote sustainable development in both urban and rural areas. In a rural town like Riverhead, TDR can be particularly useful for preserving farmland, natural resources, and open spaces while allowing for controlled growth in designated areas. While use of this tool has widespread support within the community, the market dynamics are not in place to support a successful program.

Recommendations below seek to make this program more successful by improving the value of TDR credits through revisions of the transfer formula and by opening new receiving areas where some increased development can be accommodated.

### **Adjust transfer formula**

The transfer formula quantifies how development units in the sending district are realized in the receiving district. The current transfer formula is a one-to-one basis, meaning that 1 TDR credit is equal to one residential unit in a receiving district regardless of unit size or type. The TDR Toolbox developed by NYSERDA recommends a more dynamic approach. If the transfer occurs from a low-density area to a higher-density area, there may be a need to establish a transfer formula that equates the development right from one single-family home to more than one multifamily unit because the proportional infrastructure cost impacts of a multifamily unit are lower than for a single-family dwelling in a low-density area.

Market conditions play a significant role in the success of TDR programs. If there is not enough demand for TDR credits, the existing TDR ratio may need to be adjusted to maintain to make the TDR financially feasible and to adequately compensate the property owner in the sending district for selling their development rights. The TDR Toolbox suggests that the transfer formula could be based on the average sizes of single-family homes compared with the average sizes of apartment units or comparative traffic generation rates. Sanitary sewer demand is also another metric to consider.

The Comprehensive Plan has proposed a transfer formula that considers both wastewater flow and traffic generation. The ratios incorporate feedback from the development community about the overall market for TDR's and what ratios would be reasonable from a financial perspective. It is acknowledged that potential projects may also require the purchase of Pine Barrens sanitary credits, which impacts the overall financial viability of new development. It is recommended that the transfer formula be revisited in consultation with the TDR committee every 5 years, or as market conditions change, to ensure that they are appropriately calibrated to both maximize the use of TDR credits without overburdening potential projects.







**Proposed Transfer Formula for TDR Credits**

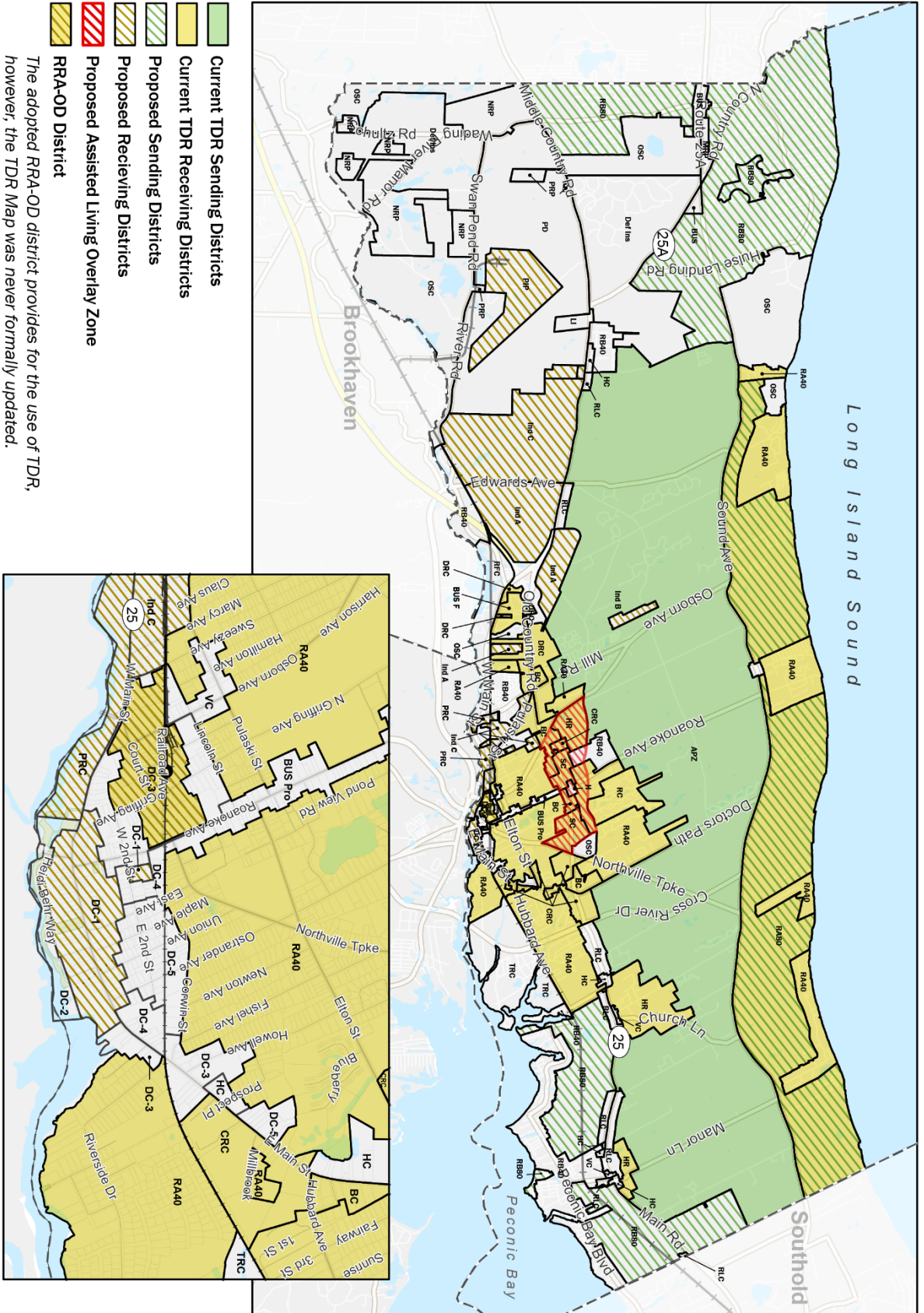
	Existing	Proposed
<b>Land Use</b>	Existing Ratio (Preservation Credit/DU)	Potential Ratio (based on estimated wastewater flow and traffic generation)
Single Family	1/1	1:1 Unit
Attached (< 600 GFA)	1/1	1:3 Unit
Attached (600-1,200 GFA)		1:2 Units
DC-1 Multifamily		1:4 bedrooms
Age restricted Living (<600 GFA)	1/1	1:4 Units
Age restricted Living (600-1,200 GFA)	1/1	1:3 Units
Assisted Living, Nursing Home, and Continuing Care	1/1	3,000 SF/ credit
Commercial	1,500 SF/1 Credit	<ul style="list-style-type: none"> <li>• Commercial – 3,000 SF/credit</li> <li>• Hotel – 3 keys/credit</li> <li>• Office – 4,000 SF/credit</li> <li>• Industrial – 5,000 SF/credit</li> </ul>
Planned Recreational Park	1,500 SF/1 Credit	

**Proposed Sending and Receiving Districts**

Meetings were held with the TDR Committee to identify changes to the TDR sending and receiving areas. The map below shows the proposed changes, which aim to direct growth away from areas with unique natural value to areas that can better manage urban growth and density. By designating specific zones for more intense development, Riverhead can ensure that growth occurs in a planned and controlled manner, preventing urban sprawl and preserving open space. The new receiving districts, along with the proposed zoning changes would help to concentrate new development and jobs in the receiving areas while creating a more robust market for TDR credits.



-  Current TDR Sending Districts
  -  Current TDR Receiving Districts
  -  Proposed Sending Districts
  -  Proposed Receiving Districts
  -  Proposed Assisted Living Overlay Zone
  -  RRA-OD District
- The adopted RRA-OD district provides for the use of TDR, however, the TDR Map was never formally updated.



Proposed TDR

### Single Family Districts

Consider sending areas in all RB-80 and RA-80 districts (includes Laurel and Jamesport south of Main Road, north of Sound Avenue, and in Wading River) as these areas have some large tracts of agricultural lands that should be considered for preservation. Areas in RA-80 north of Sound Ave are currently a receiving district, therefore, they are proposed to be both sending and receiving districts. This would provide flexibility for property owners and developers. It means that a property owner in a sending district can sell their development rights to a developer in a receiving district or vice versa, depending on their needs and the market demand.

### Industrial areas in Calverton (IND A, IND C)

This Plan contemplates a slight reduction in Floor Area Ratio (FAR for these areas with an allowance for a slight increase with TDR credits). While the precise FAR is still to be determined, it could potentially be a reduction to 0.25 FAR as a base density with an increase to 0.3 with TDR. TDR credits would also be required to achieve heights over 30 feet to a maximum of 40 feet (either for single story or 2+ story buildings that exceed 30 feet). Buildings over 30 feet would need to be set back further from the property line.

### Industrial areas in other parts of Riverhead

This Plan contemplates a slight reduction in allowable density. While the precise FAR is still to be determined, it could potentially be a reduction to 0.25 FAR as a base density with an increase to 0.3 with TDR. TDR credits would also be required to achieve heights over 30 feet to a maximum of 40 feet (for both single story and 2+ story buildings that exceed 30 feet).

### DC-1 (Core Downtown Area)

Consider allowing buildings to exceed the 500-unit cap only if TDR credits are provided for additional housing units. The housing units achieved with TDR must be for homeownership opportunities or for age-restricted living.

### Railroad Avenue Urban Renewal Area Overlay District

In 2021, the Town adopted the Railroad Avenue Urban Renewal Area Overlay District ("RRA-OD"), to revitalize blighted areas documented in the 1990 Urban Renewal Plan, the 2003 Comprehensive Plan, and the 2015 Brownfield Opportunity Area Step II Nomination Study. The district provides for a higher-intensity mix of uses, with ground-floor offices and retail and residential on upper floors for larger sites within the area. It also provides for various bonuses with the provision of community benefits, such as a density increase or parking reduction. One community benefit is the use of TDR, where each credit allows for an additional 3,000 SF of floor area – up to a maximum determined by the property size. However, the TDR Map was never formally updated to be consistent with the adoption of RRA-OD. Therefore, it is recommended that the TDR map be updated to recognize the inclusion of TDR in this area.

### Assisted Living Overlay Zone

Consider a new assisted living overlay zone within the boundaries of CR58, Middle Road, Northville Turnpike, and Osborn Avenue. A slight FAR increase may be reasonable for assisted living, given the 0.2 FAR in BC and SC districts, potentially insufficient for a reasonably sized facility. The overlay

district could allow assisted living facilities at the underlying district's as-of-right base density, with the ability to increase FAR with the use of TDR. The proposed area, equipped with sewer infrastructure, supports higher density and building intensity. The overlay district's standards would promote compact development with diverse building heights and ample open space. Assisted living facilities, having lower parking demands, contribute to a sustainable, walkable urban environment.

### Hospital District

This plan supports Peconic Bay Medical Center's long-term plans to expand its existing campus with wellness related retail and supportive housing on adjacent sites. The H District's 1.5 FAR would not be appropriate for these expanded areas. However, the expanded campus could provide for a slight increase in permitted density (FAR) from current zoning with the use of TDR. The allowable FAR increase could be similar to what would be permitted in the Assisted Living Overlay Zone. However, any potential zoning changes would need to consider specific plans by Peconic Bay Medical Center once they are developed. Potential impacts would therefore be determined at a later point when specific zoning changes are proposed.

### CRC Zone

The CRC Zone is intended to allow for a variety of housing types; however, the existing zoning standards only permit one dwelling unit per acre (single-family). It would be reasonable to accommodate slightly higher densities in this area – given their proximity to the urban core. While the precise density is still to be determined, it is reasonable to allow for a base density of 4 units per acre, bonusable to 8 units per acre with the use of TDR, provided infrastructure is in place. This would allow for the development of townhouses or garden apartments. The MFP district could be looked at as a comp for recommended development types and densities. It is acknowledged that sanitary requirements set by SCDHS may limit the development potential on sites without supporting infrastructure.

### Peconic River Community (PRC) Districts:

The PRC Zone is intended to allow for "an array of residential, commercial and recreational uses." However, no residential uses are specifically provided for in the zoning. This Plan recommends allowing for residential uses with the use of TDR, up to a maximum density of 4 units per acre provided that infrastructure is in place. This would allow for the development of "missing" middle-housing typologies such as townhouses and garden apartments. The MFP district could be looked at as a comp for recommended development types and densities. It is recommended that design guidance be put in place to push buildings away from the Peconic River and ensure that riparian areas are maintained. It is acknowledged that development in this district is further controlled by DEC.

### Golf Cottages

Consider allowing for "Golf Cottages" as an accessory use on golf courses (in any zoning district) with the use of TDR credits. This would be an accessory use on or adjacent to a golf course. Golf cottages would be used intended to provide convenient lodging for golfers or visitors who want to stay close to the golf course for a short stay. It is not intended to be used for long term housing. Each golf cottage would require 1 TDR credit and would be limited to one bedroom per unit with kitchenette, not to exceed 600 sq. ft. (SCDHS Standards equate this to 150 gallons per day of

sanitary flow). It is acknowledged that sanitary requirements set by SCDHS may limit the development potential on sites without supporting infrastructure. Cottages would need to be suitably screened from surrounding areas.

### **Agritourism Resort**

The demand for hotel space continues to be high on the North Fork as the tourism market continues to expand, which presents a unique opportunity for the Town to support the burgeoning tourism industry, a key economic engine of the Town. Policy 7.7C of the Town's 2003 Comprehensive Plan recommended encouraging cottage accommodations, bed-and-breakfast accommodations, motels, country clubs, resorts, spas, and banquet facilities in picturesque settings throughout Town, such as adjacent to waterfront areas, open space preserves, or popular recreational attractions like beaches, marinas, hiking trails, and equestrian facilities.

Agritourism resort uses are one use that could be supported in appropriate locations, subject to design, development, and environmental standards. Providing for this use helps to strike a balance between supporting agritourism, conservation, and the active preservation of agricultural lands. An agritourism resort is a type of destination that combines elements of agriculture with tourism activities. It typically offers accommodations, recreational activities, and educational opportunities centered around agricultural experiences. Additionally, they may offer amenities such as farm-to-table dining, nature trails, agricultural workshops, and accommodations ranging from rustic cabins to upscale lodges, catering to a wide range of preferences and interests.

The Town should leverage demand for these facilities to preserve farmland and/or capture TDR credits. For example, an agritourism hotel should only be allowed where a substantial portion of land (70 percent minimum) is preserved for agricultural production in perpetuity. Any provisions to allow for an agritourism resort should require a substantial redemption of TDR credits, for example, utilizing TDR to achieve floor area or number of rooms.

### **Planned Industrial Park (PIP):**

Many property owners in the PIP district have expressed interest in expanding their businesses within the existing district. During the public outreach process, there was a discernible level of community support for permitting the expansion of current industrial activities "inside the fence," aligning with the designated economic development purpose of this district. The Town should study the possibility of changing the PIP district to allow a small FAR increase with the use of TDR credits. However, it is important to recognize that the PIP district is regulated by a comprehensive development plan (CDP) which was established with NYSDEC. Therefore, the Town would need to work with NYSDEC to determine whether they are open to revisiting the CDP and the filed subdivision map (Burman subdivision).

### **Review the Cap on Use of TDR for Residential**

The Town may also consider reviewing Part D of Town Code §301-209, which sets a 500-unit limit redemption of preservation credits at residential properties. It is recognized that this cap needs to be balanced with land use, environmental, and infrastructure considerations, and it is therefore being evaluated in this GEIS.

## Other Townwide Zoning Recommendations

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### **Provide a Use Schedule**

It is recommended that the zoning code incorporate clear and comprehensive list of permissible land uses for each zoning district. This table would provide clarity and consistency, helping property owners, developers, and the public understand what types of activities are allowed in different areas, promoting predictability in land use decisions. The zoning use table could include groups based in use intensity to categorize and regulate different types of land uses according to their impact on the environment, infrastructure, and surrounding areas. These use groups help ensure that land uses are appropriately situated within different zoning districts, promoting compatibility and efficient land use.

### **Define Land Uses which are not addressed**

It is recognized that there are some uses which are not specifically defined in the zoning code. This can lead to issues having to do with clarity and consistency of the zoning code. Having specific definitions provides land use boards and Town staff a reference point which to measure compliance and to establish consistency. The Town can refer the Standard Industrial Code (SIC) classifications for guidance. Some examples of terms which could be better defined include:

- Agritourism
- Non-nuisance industry
- Wholesale business
- Winery (however, there is a definition of “micro-winery”
- Banquet facility
- Convenience Store – definition exists but needs more clarity
- Shopping center – definition exists but needs more clarity. There should also be a different definition for a neighborhood-oriented shopping center and a large shopping center. For example, neighborhood-oriented shopping centers might limit the number of uses that can exist on one lot. This limit may not be needed for larger shopping centers (i.e. in districts along Route 58). Split-zoned Lots

There are lots throughout the town which are within more than one district. This can create interpretation issues if the code isn't explicit. The Town should clarify which regulations would prevail in split-zoned lots or it should look to eliminate those parcels.

### **Review Dimensional Regulations**

The Town should periodically review and amend zoning regulations where necessary to ensure that the dimensional requirements support and are not a barrier to the types of development intended to be provided for in each district. An example of the misalignment between dimensional regulations and the overarching intent of zoning districts can be observed in the CRC, PRC, and DC-3 zones. While these zoning districts are intended to support a variety of housing types, current dimensional restrictions hinder the development of townhouses. This incongruity not only undermines the intended purpose of the zones but also restrains the fulfillment of broader community goals to provide more "missing" middle-housing typologies.



### **Accessory Dwelling Units**

The current requirement within the Accessory Apartment code mandates applicants to possess a certificate of occupancy (CO) for an accessory building for a duration of 3 years before the approval of an accessory unit. Originally intended to permit accessory units in existing buildings while discouraging new developments, this provision poses a burden on applicants. A potential remedy could involve modifying the requirement to apply the 3-year CO period to the principal building rather than the accessory building.

### **Childcare Facilities**

As discussed in the Community Facilities chapter, access to affordable childcare continues to be an issue. The Town should review the zoning code for opportunities to reduce barriers for childcare facilities while ensuring that operation is safe and compatible with surrounding neighborhoods. One option is to allow in-home daycare as a home occupation use in single-family districts. The code could be better clarified to ensure that daycare is a permitted accessory use to religious facilities. Lastly, there are several residential districts, such as CRC, RLC, and PRC, which could include childcare facilities as a permitted use.

### **Cluster Regulations**

In Chapter 6, it was emphasized that the Town should comprehensively review subdivision and cluster regulations to enhance open space requirements. While the Town currently mandates developers to allocate open space for subdivisions, it is suggested that flexibility be maintained, allowing developers to make in-lieu payments into a parks fund for unsuitable preserved lands. To further address the preservation of natural features and encourage interconnected open spaces like wildlife corridors, the Town should permit subdivisions to contribute a portion of required park space as a linear greenway, meeting established standards and fitting into the adopted greenway plan. Additionally, developers could utilize in-lieu fees to acquire or enhance greenway easements near subdivisions, thereby reinforcing the greenway system and providing access for subdivisions lacking neighborhood parks.

The zoning code is currently vague with regard to when cluster development is required. It is currently encouraged in APZ, RA80, RB80, and HR. The Town should consider using this tool for larger projects which have sufficient land for a set-aside. It would be reasonable to require cluster subdivisions for major subdivisions and have it be at the discretion of the Planning Board for minor subdivisions. The Planning Board should also be allowed to request a cluster development alternative in RA40 and RB40 to protect unique natural features and open space. Whereas cluster development is mandatory in APZ, RA80, and RB80, the planning board should be allowed to require a cluster development alternative in RA40 and RB40 to protect unique natural features and open space.

### **Accessible Design Standards**

Update and establish comprehensive Accessible Design Standards to integrate into the Town Code, providing a framework to foster an inclusive environment catering to the requirements of individuals with disabilities. These standards, seamlessly incorporated into the Town Code, aim to guarantee equal access and participation for all. Encompassing various aspects such as physical

infrastructure, signage, public transportation, and technology, the code will also delineate the application of these standards across diverse uses and building types.

### **Revisit housing standards**

The Town seeks to amend Chapters 217 and 263 of the Town Code for housing standards alignment with the NYS building code. Revisions are anticipated to include stronger permitting requirements for rentals and enhanced inspection protocols. The proposed code includes a saturation limit for sober homes in the downtown area. Opportunities also exist to strengthen construction quality and sustainability standards, ensuring compliance with current codes and aligning with sustainability goals, detailed in the Sustainability and Resilience section.

### **Solar Facilities**

There has been some discussion about how much solar should be allowed on any given property (where allowed). Existing zoning regulations are designed to accommodate a range of land uses while considering factors like land use compatibility, aesthetics, setbacks, and environmental impact. Limiting solar facilities to established setbacks and coverage areas (defined as the maximum impervious coverage area), can provide a level of predictability and conformity with established development patterns. It also ensures that solar projects are subject to the same zoning standards as other land uses, promoting uniformity and clarity in the regulatory framework. Solar should also be limited to previously disturbed/cleared lands rather than on existing wooded areas.

As discussed earlier in this section, the Town may consider allowing for some commercial solar production on existing farms to provide farmers with an additional revenue source. This could be achieved with a special permit for solar as an accessory use, which would provide the Town Board with some discretion to address visual and other impacts. Regulations would need safeguards in place such as the maximum amount of solar that could be provided to ensure that agricultural production remains the principal use of the site. The Town Board could also provide flexibility for agrivoltaic projects, which provide for a dual use with the production of vegetables or other crops. The Town may consider ways to encourage solar facilities on rooftop locations. For example, for projects of a certain size, there could be a requirement that developments must consider available rooftop space for solar generation. A similar policy has been implemented within New York City. This could result in less demand for ground-based installations, and de-centralize installations outside of a single hamlet.

### **Battery Storage Facilities.**

Riverhead must persist in efforts to guarantee the compatibility of proposed battery storage facilities with the surrounding land uses, minimizing visual and groundwater impacts, and addressing emergency and fire safety concerns. Adherence to State guidelines for safety protocols and emergency procedures, as they evolve, is crucial. Ongoing monitoring of this technology is essential to evaluate its efficacy in aligning with renewable energy goals.

### **Green Building**

Enhance the Town's Building Code by incorporating green building standards and heightened energy requirements, implementing a green building permitting process, and introducing

incentives to foster energy efficiency, waste reduction, and other sustainable practices. The code should establish project-specific thresholds, such as requiring energy-efficient materials for small commercial uses and mandating U.S. Green Building Council LEED certification or equivalent for significant applications. Consideration of the NYStretch-Energy model code is encouraged, as it offers enforceable language to expedite energy improvements beyond current state requirements, aligning with the Clean Energy Community program's high-impact actions.

### **Strengthen Enforcement of Tree Clearing**

The Town has guidelines for permissible tree clearing, however, the regulations are sometimes ignored when properties are redeveloped. Improved monitoring and enforcement is needed to ensure compliance, promote sustainable development practices, and to maintain Riverhead's urban forest. Wetlands Inventory

The Town's wetland inventory was last updated in the 1970s and needs to be redone. Wetland inventories provide accurate and up-to-date information about the location, extent, and type of wetlands in a given area. This inventory is important for several reasons as it contributes to effective wetland management, conservation, and land use planning. It also allows for the assessment of changes in wetland conditions over time. This information is valuable for understanding trends related to wetland loss, degradation, or restoration efforts. Regularly revisiting and maintaining this inventory ensures that it remains a valuable resource for both conservation efforts and responsible development practices.