

RESOLUTION: 2005-1353
CATEGORY: Local Laws
SPONSORED BY: Supervisor Patrick Heaney
DEPARTMENT: Planning

**Notice of Adoption to Amend Zoning Map
 (Chapter 330 Zoning) and to Change the Zoning Classification of Certain Parcels
 From Highway Business District (HB) to Hamlet Office/Residential (HO), From
 Village Business District (VB) to (HO) and Hamlet Commercial/Residential (HC),
 and From (HB) and (VB) to Residential (R-20) In East Quogue**

BE IT RESOLVED, the Town Clerk is hereby authorized to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE, that after public hearings were held by the Town Board of the Town of Southampton on April 26, 2005, June 28, 2005, July 26, 2005, August 23, 2005 at the Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against and closed September 27, 2005, the Town Board at their meeting on October 11, 2005 shall consider for adoption LOCAL LAW NO.52 OF 2005 as follows:

“A LOCAL LAW to amend §330, Zoning, of the Town Code of the Town of Southampton in order to re-classify zoning districts from Highway Business District (HB) to Hamlet Office/Residential (HO); from Village Business District (VB) to Hamlet Office/Residential (HO) and to Hamlet Commercial/Residential (HC); from Highway Business (HB) to Residential (R-20) and Village Business (VB) to Residential (R-20) located in the Hamlet of East Quogue pursuant to Section 330-185 of the Town Code”.

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

BY ORDER OF THE TOWN BOARD
 TOWN OF SOUTHAMPTON, NEW YORK
 MARIETTA M. SEAMAN, TOWN CLERK

LOCAL LAW NO. 52 OF 2005

LOCAL LAW amending Chapter 330 of the Code of the Town of Southampton.

SECTION 1. Legislative Intent

The 1999 Comprehensive Plan Update (“Plan”) recommends a ‘civic’ hamlet center theme for East Quogue that features a walkable and sociable center, a new park and community center and possibly a library.

To accomplish the objectives of maintaining the East Quogue’s historic quality, discouraging strip development and providing an orderly transition in uses, density and bulk between the existing residential, retail and office development along the central business corridor, Hamlet Office/Residential (HO) would replace the current Highway Business (HB) zoning along Montauk Highway east of the hamlet center in East Quogue. The HB zoning in this location is at odds with the small lot sizes and residential uses that prevail there. Therefore it is anticipated that the change to HO will achieve the objective to promote tax ratable development within a compact and well-balanced center to eliminate potential commercial sprawl, as indicated in the 1999 Comprehensive Plan Update. Both Hamlet Office/Residential (HO) and Hamlet Commercial/Residential would replace the Village Business (VB) zoning to the west of Central Avenue, as the permitted uses, scale of development and project design would render development that is more compatible with the surrounding community character.

These areas should maintain their current residential scale as a transition to adjacent commercial (retail/office), open space or residential development. HO would generally allow offices, housing, and low-traffic generating retail and service uses such as those now allowed in office districts, i.e. antique stores, galleries, restaurants but without liquor licenses). High traffic/impact uses would not be allowed, i.e. video stores, liquor stores, fast food establishments, laundromats, dry cleaners, and gas stations. In addition, HO zoning would entail performance standards, requiring that buildings appear to be residential (no front parking, ear or side parking), use residential style setbacks, reduced lot coverage, i.e. 20% - 25%, small building footprints, i.e. up - to 3,000 square feet, residential style windows and entries, pitched roofs, and discrete signage.

The proposed Hamlet Commercial/Residential (HC) zoning would replace properties to the east of West Side Avenue in transition areas that frame hamlet centers zoned Village Business. The HC zone would involve much the same design and performance standards as HO zoning, but would allow by special exception some of the commercial and retail uses allowed in the Village Business districts, in addition to housing, offices and other HO uses.

The intent of the Comprehensive Plan is to keep commercial development along major arterial roads (i.e. Montauk Hwy.). Therefore the specific commercial to residential changes (i.e. HB to R-20, VB to R-20) are related to those properties that cannot be accessed directly from main thoroughfares (have frontage on local streets/minor arterials) and are either vacant or currently developed with single-family homes.

SECTION 2. Amend the Zoning Map of the Town Code as follows:

The subject parcels are being re-zoned as follows: HB to HO, VB to HO, VB to HC, HB to R-20, VB to R-20 as shown on the maps entitled “Proposed Hamlet Office/Residential (HO) and Hamlet Commercial/ Residential (HC) Zoning Districts- East Quogue”, prepared by the Town of Southampton, Department of Land Management - Planning Division, dated July 8, 2004 and last revised September 28, 2005, and specifically indicated on the table below:

TAX MAP #	EXISTING ZONING	PROPOSED ZONING
900 - 340 - 3 - 19	VB	HC

900 - 340 - 3 - 20	VB	HC
900 - 340 - 3 - 22	VB	HC
900 - 340 - 3 - 21	VB	HC
900 - 341 - 2 - 7.1	VB	HC
900 - 340 - 3 - 23	VB	HC
900 - 360 - 1 - 1	VB	HC
900 - 340 - 3 - 24	VB	HC
900 - 360 - 1 - 2	VB	HC
900 - 360 - 1 - 3	VB	HC
900 - 341 - 2 - 8.2	VB	HC
900 - 315 - 2 - 7.1	R40	HO
900 - 315 - 2 - 7.2	R40	HO
900 - 342 - 1 - 17	RWB	HO
900 - 342 - 1 - 18	RWB	HO
900 - 342 - 1 - 19.1	RWB	HO
900 - 315 - 2 - 12.1	HB	HO
900 - 315 - 2 - 13.1	HB	HO
900 - 342 - 1 - 21	HB	HO
900 - 315 - 2 - 14.1	HB	HO
900 - 315 - 2 - 15.1	HB	HO
900 - 342 - 1 - 31	HB	HO
900 - 315 - 3 - 1	HB	HO
TAX MAP #	EXISTING ZONING	PROPOSED ZONING
900 - 342 - 1 - 32	HB	HO
900 - 315 - 3 - 2	HB	HO
900 - 315 - 3 - 9.2	HB	HO
900 - 342 - 1 - 34	HB	HO
900 - 315 - 3 - 10	HB	HO
900 - 340 - 1 - 49.2	VB	HO
900 - 341 - 1 - 48	VB	HO
900 - 341 - 1 - 49	VB	HO
900 - 340 - 1 - 53.3	VB	HO
900 - 341 - 1 - 50	VB	HO
900 - 340 - 1 - 53.1	VB	HO
900 - 340 - 3 - 18.2	VB	HO
900 - 341 - 1 - 51	VB	HO
900 - 341 - 1 - 52	VB	HO
900 - 341 - 2 - 2	VB	HO
900 - 341 - 2 - 3	VB	HO
900 - 341 - 2 - 4	VB	HO
900 - 341 - 2 - 5	VB	HO
900 - 341 - 2 - 6	VB	HO
900 - 340 - 1 - 52.1	VB	HO
900 - 342 - 1 - 35	HB/R20	HO/R20
900 - 315 - 3 - 9.1	HB/R20	HO/R20
900 - 315 - 2 - 16.1	HB	R20
900 - 342 - 1 - 30	HB	R20
900 - 315 - 3 - 4.1	HB	R20
900 - 315 - 3 - 56	VB	R20
900 - 340 - 1 - 47	VB	R20
900 - 340 - 1 - 53.2	VB	R20

900 - 341 - 2 - 1	VB	R20
900 - 340 - 3 - 25	VB	R20
900 - 360 - 1 - 6.3	VB/R20	R20
900 - 315 - 2 - 8	HB/R20	HO

SECTION 3. Severability.

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

SECTION 4. Effective Date

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

✓ Vote Record - Resolution 2005-1353						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Patrick Heaney	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Nancy Graboski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dennis Suskind	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Steven Kenny	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Linda Kabot	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>