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State:	New York
Jurisdiction Type:	Municipal
Municipality:	Town of Somers
Year (<i>adopted, written, etc.</i>):	2002
Community Type – applicable to:	Suburban; Rural
Title:	Town of Somers Planned Hamlet (PH) District
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Abstract

The Town of Somers created the Planned Hamlet (PH) District pursuant to its Comprehensive Master Plan, to provide the opportunity and encouragement for the creation of a village-like development cluster containing a combination of housing, jobs and other nonresidential uses linked to, and supportive of, neighboring retail shopping areas. This ordinance sets forth the principal and accessory uses in the district, the approvals process, and the design guidelines applied in the district.

Resource

§ 170-22. Purpose.

Pursuant to the Town of Somers Comprehensive Master Plan, it is the purpose of the PH District to provide the opportunity and encouragement for the creation of a village-like development cluster containing a combination of housing, jobs and other nonresidential uses linked to, and supportive of, neighboring retail shopping areas.

§ 170-23. Principal uses. [Amended 5-9-2002 by L.L. No. 4-2002]

In a PH District, no building, structure or premises in whole or in part, shall be used, and no building or structure, in whole or in part, shall be erected, enlarged, structurally altered or moved, except for the following purposes or as herein elsewhere specifically provided, together with the accessory uses specified in § 170-23.1:

- A. Multifamily residences (must be provided in any PH District development, either alone or in combination with other permitted uses, and at least 10% of the permitted multifamily dwelling units shall consist of affordable dwelling units).
- B. Professional and business offices.
- C. Medical and dental offices, including out-patient diagnostic and treatment centers.

- D. Veterinary offices.
- E. Research and development facilities.
- F. Storage warehouses.
- G. Light manufacturing facilities.
- H. Private and/or public recreation facilities, including swimming, racquet sports, bowling, golf, skating, soccer and similar activities.
- I. Clubs.
- J. Health and fitness centers.
- K. Child/adult day-care facilities.
- L. Skilled nursing facilities.
- M. Congregate housing and assisted-living facilities (must include at least 10% affordable dwelling units).
- N. Undertaking establishments.
- O. Places of worship.
- P. Public and private educational facilities, including institutions of higher learning.
- Q. Commercial nurseries and greenhouses.
- R. Community-scale theaters and motion-picture theaters, by special exception use permit issued by the Town Board.
- S. Restaurants, taverns, convenience stores and specialty shops not exceeding 5,000 square feet of floor area each, by special exception use permit issued by the Town Board.
- T. Municipal facilities.
- U. Any other nonresidential use as permitted and regulated in the Residence R40 District.

§ 170-23.1. Accessory uses.

No accessory uses shall be permitted in a PH District other than the following:

- A. Off-street parking and loading spaces as required in Article X.

- B. Signs, subject to the limitations in § 170-126 and as otherwise regulated herein.
- C. Necessary exterior lighting.
- D. Any other use clearly and customarily incidental and accessory to a permitted principal use and conducted in conjunction with such use.

§ 170-23.2. Uses subject to site plan approval.

All uses permitted under this Article shall be subject to site plan approval by the Planning Board as provided in § 170-114. Where the requirements contained in Chapter 144 (Site Plan Review) conflict with the dimensional standards and requirements contained in this Article, the standards set forth herein shall apply.

§ 170-23.3. Approval process.

Prior to the subdivision, use or development of any land within a PH District, the applicant shall prepare and submit to the Planning Board a site master plan for the entire parcel. Such master plan shall be subject to Planning Board approval in accordance with the same procedures applicable to detailed site plans. However, such master plan need not contain the same level of detail as required for site plans but shall present a generalized land use, access and traffic circulation plan as well as a conceptual statement describing the design and development concept, the intended manner of provision of utility services and other such relevant information, which statement may be in written and/or graphic form. The site plan required for each proposed development within a PH District shall be consistent with the approved site master plan. This site master plan may be amended only with the approval of the Planning Board.

§ 170-23.4. Dimensional standards and requirements.

The following dimensional standards and requirements shall apply only with respect to the PH District parcel as a whole. The future development of lots or sites within the overall application parcel shall only be required to conform with the approved site master plan and any detailed site plan and/or subdivision plan approved pursuant thereto:

- A. The maximum building coverage shall be 15%.
- B. The maximum floor area ratio (FAR) for all uses shall be 0.20, excluding any incentive residential density increases which may be granted by the Town Board.
- C. The maximum floor area ratio (FAR) for any individually listed category of permitted use shall be 0.04, except a maximum of 0.06 and a minimum of 0.04 shall be required for multifamily residences [plus any incentive density increases which may be granted by the Town Board pursuant to the standards and requirements of § 170-13A(3)], and a maximum of 0.01 shall be permitted for use category S.

D. The maximum site coverage (buildings, access roads and parking, but excluding walkways) shall be 60%.

E. The maximum permitted building height shall be 2 1/2 stories or 30 feet, whichever requirement is more restrictive. **[Amended 5-9-2002 by L.L. No. 4-2002]**

F. The Planning Board may permit architectural features to exceed the preceding height limitations, provided that said Board determines that such features will help to achieve the objectives of the design guidelines as set forth in § 170-24 hereof.

G. The minimum front yard shall be 40 feet, which area shall be landscaped and/or maintained in its natural state except for necessary access drives and walkways. The minimum front yard shall be measured from the existing or planned future right-of-way of the abutting street or highway, whichever is more restrictive.

H. Where abutting a nonresidential district, the minimum side yard shall be zero feet if adjacent property owners agree to provide a common wall and build to their common property line, and shall be 25 feet if they do not so agree.

I. Where abutting a residence district, the minimum side yard shall be 40 feet, all of which shall be maintained as a landscaped buffer.

J. The minimum rear yard shall be 25 feet, but shall be 60 feet where abutting a residence district, 40 feet of which shall be maintained as a landscaped buffer.

K. With respect to residential apartments, only efficiency (studio), one-bedroom and two-bedroom dwelling units shall be permitted in any building containing a principal nonresidence use.

L. Off-street parking and loading facilities, including landscaping, shall be provided as per Article X of Chapter 170 (Zoning) of the Code of the Town of Somers. All parking areas shall be divided into smaller parking courts, separated by raised, landscaped planting islands, building blocks or other architectural or landscape architectural features. The integration of pedestrian, vehicular and utility access between neighboring properties, as appropriate, shall be required by the Planning Board as a condition of site plan approval.

M. The minimum distance between adjacent buildings shall be equal to 1/2 of the height of the higher building, but in no case less than 10 feet, except that where the New York State Uniform Fire Prevention and Building Code is more restrictive, said Code shall apply.

§ 170-24. Design guidelines.

It is the objective of these guidelines to establish a general design framework for creating and/or preserving the desired architectural character and scale of buildings in Planned Hamlet Districts; to help assure that such areas will be visually attractive and will blend landscaped open space and structures in a manner which relates harmoniously to the

existing and/or planned character of the Town of Somers; and to create visual interest and variety in the treatment of architectural surfaces.

A. Overall site design shall be appropriately related to other surrounding development and topographical conditions.

B. Building and site design shall be planned to enhance the pedestrian experience.

C. Sites shall be designed with the objective of creating a village-like character and minimizing the visual impact of paved parking areas. On portions of the site which are primarily residential in use, parking lots shall generally be avoided; in areas of primarily nonresidential use, parking lots shall be divided into relatively small areas framed by buildings and landscaping.

D. Site design shall seek to create an attractive visual link to neighboring public highways and, where appropriate, to create a sense of entrance to the community.

E. Buildings shall be harmonious and compatible with neighboring structures in terms of the following exterior design elements:

(1) The nature and use of surface materials.

(2) The height of cornices, lintel and sill levels, articulated floor levels and other horizontal building features.

(3) The spacing and proportion of columns, piers and other elements of the basic structural grid.

(4) The spacing and proportion of window and door openings, bays or other aspects of building fenestration.

(5) Colors, textures and the general nature of exterior materials and treatment, including building ornament and trim.

(6) Treatment, screening and/or enclosure of all utility and mechanical installations.

F. Building facades shall present a varied appearance at street level and be designed to give individual identity to each building and/or use, as well as to help achieve the planned pedestrian scale.

G. The design of building facades shall reflect the scale of existing or planned building development through modulation of vertical and horizontal elements by features such as:

(1) Variation in roof heights.

(2) Changes in the predominant wall plane and/or in facade elements such as window openings and balconies.

(3) Use of horizontal projections or recesses in the building facade such as bay windows, cornices, balustrades, etc.

(4) Use of pitched roofs and other roof elements such as cross gables, dormer windows and turrets to provide visual interest, reduce the scale of continuous roofs and break the line where the building meets the sky.

H. Treatment of the sides and rear of proposed buildings shall be in a manner substantially consistent in appearance, amenity and quality of materials to the treatment given to their street frontage.

I. The use of covered front porches in residential units shall be encouraged in order to help achieve greater social interaction among residents as well as to add visual interest, shadow and depth to building elevations.

J. A coordinated landscape plan shall be prepared incorporating the landscape treatment of open spaces, walkways, access roads and parking areas into a cohesive and integrated design. Attractively landscaped open spaces, plazas and recreational areas, designed as gathering places and intended for maximum usability by on-site residents and workers, shall be provided in appropriate locations. All open spaces, pedestrian walkways, parking areas and access drives shall be planned as an integral part of an overall site design, properly related to existing and proposed buildings.

K. The coordinated landscape plan shall include a mix of shade trees and other plant material, such as ground cover and shrubs, with proper regard to factors such as micro-climate, function of area, existing plantings and required maintenance in determining the species, scale and planting pattern.

L. Walkways and other surface areas of paving material shall offer a variety of pigments and textures which are in harmony with nearby buildings and other paved surfaces and are safe for pedestrian traffic, including the handicapped.

M. Walkways shall be planted with regularly spaced, salt-tolerant shade trees, selected with regard to the scale of the area in which they are located as well as the height and spacing of street lighting.

N. All landscaping as shown on the approved site plan shall be maintained in a healthy growing condition throughout the duration of the use or uses being served. Any plants not so maintained shall be replaced by the property owner with healthy new plants of comparable size, type and quality at the beginning of the next immediately following growing season.

O. All signage shall be carefully integrated with other site design elements. Signage shall be designed so that it is visible and informative at the pedestrian scale. Signs shall not be mounted above the eave line of any structure or be placed in or attached to any window.

P. A freestanding project identification sign shall be permitted at each access drive connecting to the external public road system. Necessary small-scale informational and directional signs shall also be permitted, as required.

Q. All exterior lighting shall be of adequate illumination for safety and security purposes. It shall be of such type and location and shall have such shading as will prevent the source of light from being visible from any adjoining streets and properties and shall prevent glare from spilling onto other properties or streets. Lighting shall be limited in its hours of operation, as determined appropriate by the Planning Board, and shall be coordinated with building design and landscape plans. The height of lighting fixtures shall be limited so as to be consistent with the planned pedestrian scale of development.