

Town of Riverhead, NY
Friday, May 3, 2024

Chapter 301. Zoning and Land Development

Part 2. Districts

Article XIV. Multifamily Residential Professional (MRP) Office Zone District

[Added 4-4-1989]

§ 301-71. Purpose.

The purposes of this article are to provide for multifamily residences and professional office activities adjacent to neighborhood commercial areas; to respect and preserve the existing rural and woodland character of hamlets; and to provide for coordinated site design which unifies individual developments, thereby allowing convenient and safe vehicular circulation and promoting high-quality design of developments which complements the scale and hamlet character of these areas.^[1]

[1] *Editor's Note: Original § 108-168 of the 1976 Code, Zoning use classification, as amended, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 101, General Provisions, Art. I).*

§ 301-72. Uses.

[Amended 4-20-2010 by L.L. No. 7-2010; 10-2-2012 by L.L. No. 26-2012]

In the Multifamily Residential Professional Office Zone District, no building, structure or premises shall be used, arranged or designed to be used and no building or structure shall hereafter be erected, reconstructed or altered, unless otherwise provided in this chapter, except for one of the following permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Multifamily residential condominiums served by a community water system of Suffolk County Department of Health Services.
- (2) Day-care centers or nursery schools, as defined by the Social Services Law.
- (3) Professional offices of:
 - (a) Accountants.
 - (b) Architects.
 - (c) Artists.
 - (d) Attorneys.
 - (e) Audiologists.

- (f) Bookkeepers.
- (g) Chiropractors.
- (h) Dentists.
- (i) Engineers.
- (j) Income tax preparers.
- (k) Insurance agents or brokers.
- (l) Interior designers.
- (m) Journalists.
- (n) Medical doctors.
- (o) Optometrists.
- (p) Osteopaths.
- (q) Podiatrists.
- (r) Person or persons determined by the Town Board to be engaged in a profession similar to those set forth above.

(4) One-family townhomes or multifamily units.

(5) Agricultural production, including but not limited to the following:

- (a) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, and dry beans.
- (b) Fruits, including apples, peaches, grapes, cherries and berries.
- (c) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
- (d) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
- (e) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, farmed deer, farmed buffalo, fur-bearing animals, milk, eggs and furs.
- (f) Christmas trees grown in a managed Christmas tree operation, whether dug for transplanting or cut from the stump.
- (g) Commercial horse-boarding operations.

(6) Professional studios and performing arts studios.

B. Special permit uses:

- (1) Public libraries/museums.
- (2) Public facilities, including firehouses and police stations.
- (3) Institutions, including schools, places of worship, and community centers.

C. Accessory uses:

- (1) Those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot and not involving the conduct of a business unless as otherwise specified below.
- (2) The sale at retail of homegrown or homemade products, provided that all retail uses shall be subject to site plan approval pursuant to Article **LVI**, Site Plan Review, and the other provisions

of this chapter. The farmer may sell supporting farm products and farm products not grown by the farmer, provided that the area devoted to the sale of said products at no time exceeds 40% of the total merchandising area.

§ 301-73. Development standards.

[Amended 4-20-2010 by L.L. No. 7-2010; 10-2-2012 by L.L. No. 26-2012]

- A. Lot area. The minimum lot area shall be 160,000 square feet.
- B. Lot width. The minimum width (frontage) shall be 400 feet.
- C. Yards.
 - (1) Front. The minimum front yard shall be 50 feet. No building, structure, storage, tennis court, swimming pool, parking or other similar accessory uses shall be located in the front yard so provided. Sidewalks, walkways, and access driveways shall be exempt from this requirement.
 - (2) Side. The minimum side yard shall be 25 feet.
 - (3) Rear. The minimum rear yard shall be 50 feet, except that the minimum rear yard shall be 25 feet when adjacent to a property within a Multifamily Residential Professional Office Zone District.
- D. Building area.
 - (1) The maximum building area shall be 15%.
 - (2) The number of dwelling units permitted for residential uses shall be based on the number of bedrooms per dwelling unit and the type of community water and sewage system provided, which number shall be incorporated as a filed restriction in all deeds and titles related to the condominium site as follows:
 - (a) One-bedroom dwelling units: 4.0 per acre.
 - (b) Two-bedroom dwelling units: 3.0 per acre.
- E. Floor area ratio. The maximum floor area ratio shall be 0.20.
- F. Impervious surface coverage. The maximum impervious surface coverage for all uses shall be 75%.
- G. Height. The maximum height of buildings and structures shall be 35 feet, and the maximum stories shall be 2 1/2.
- H. Unit size. The maximum size of dwelling units, exclusive of up to 400 square feet for attached or detached garages, shall be as follows:
 - (1) One-bedroom dwelling units: 1,400 square feet.
 - (2) Two-bedroom dwelling units: 1,800 square feet.

§ 301-74. Landscaping, screening and buffering.

[Amended 4-20-2010 by L.L. No. 7-2010; 10-2-2012 by L.L. No. 26-2012; 5-22-2013 by L.L. No. 8-2013]

- A. A front yard landscape buffer plan shall be reviewed and approved by the Planning Board for property zoned Multifamily Residential Professional Office (MRP) Zone for residential uses. Said plan shall include a minimum thirty-five-foot front yard landscaped buffer along the entire property line with the exception of the required site and emergency access locations and/or bus shelter, as

required by the Planning Board. Proposed landscaping shall not impede sight distances from any street intersections and/or driveways.

- B. Proposed landscaping shall be staggered and of sufficient height to fully diffuse and screen the mass and scale of the development from the street view year round. The term "sufficient height" shall mean deciduous trees no less than a caliper of 3 1/2 inches and a variety of evergreen trees a minimum of six feet in height. Said buffer yard may be designed to include the installation and planting of an earthen berm and/or fence not to exceed six feet in height. Said fence shall be placed behind any required berm or buffer vegetation.
- C. Yard landscaping. Within all the required yards, the existing vegetation shall be retained. Any proposals for disturbance shall be subject to site plan approval and Architectural Review Board recommendation.
- D. Preservation of existing vegetation. Site plans for the development of property located in a Multifamily Residential Professional Office Zone District shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation or other natural features so as to ensure their preservation and thereby retain an open space environment which enhances the character of the Town.
- E. Parking areas.
 - (1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting and by creating planted canopies over parking areas.
 - (2) Any open parking areas of 15 spaces or more shall be provided with internal landscaping covering not less than 10% of the total area of the parking area.
 - (3) Landscaping shall be reasonably dispersed throughout the parking area. Primary landscape materials shall be shade trees. Secondary materials shall complement the tree planting and the surrounding natural environment.

§ 301-75. Access and parking requirements.

A. Parking.

[Amended 10-2-2012 by L.L. No. 26-2012^[1]]

- (1) Parking shall be provided in conformity with the Parking Schedule **included as an attachment to this chapter** and § 301-231 below.
- (2) If a mix of uses is proposed, the Planning Board may entertain a proposal for shared parking from the applicant. If the applicant requests less parking because of the sharing of spaces between uses, the applicant shall submit a shared parking study to justify the reduced number of parking spaces. However, in no case shall the parking requirement be reduced by more than 15%.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 101, General Provisions, Art. I).*

B. Access. No more than one access shall be provided per lot.

§ 301-76. Signage.

Signage shall meet the requirements of Article **XLVIII**, Signs, of this chapter.

§ 301-77. Additional requirements.

A. Cluster development application. The application for a proposed condominium will be combined with an application for a cluster development pursuant to the provisions of Article **LIV**, Cluster

Development, of this chapter, and both will be considered under this provision.

B. Additional information. The Planning Board, under these provisions and the procedures set forth in the subdivision regulations of the Town of Riverhead, may require the following additional information as a basis for approving the condominium map of such condominium subdivisions:

- (1) A complete site plan showing the location of all landscaping and other improvements, including dwelling units (with floor plans, elevation of all buildings and structures).
- (2) The text of all filed restrictions on the use of the land and buildings, including the condominium agreement ads approved by the New York State Attorney General.
- (3) Any other information deemed by the Board to be necessary to a reasonable determination of the application.