



*Town of Islip*

## TOWN CLERK

**PUBLIC HEARING**  
**Town Hall /Board Room**  
**655 Main Street**  
**Islip, NY 11751**

**October 16, 2018**  
**2:00 p.m.**

.....

**To amend the Islip Town Code, Chapter 68, entitled "Zoning".**

**Anyone wishing to address the Board at the conclusion of these hearings may do so. Please clearly print your full name and address by registering with the Aide in the lobby. Any disabled person who needs a sign language interpreter or special accommodations to attend this meeting, is asked to please contact Constituent Services at 631-224-5380 as early as possible in order for the Town to accommodate.**

**Dated at Islip, NY**  
**TOWN OF ISLIP**  
**October 16, 2018**  
**Published**  
**OHM/tb**

**TOWN BOARD,**

**By: OLGA H. MURRAY**  
**TOWN CLERK**

TOWN BOARD RESOLUTION

Date: \_\_\_\_\_

WHEREAS, an update to the Downtown Development District (DDD) has been conducted by the Department of Planning and Development; and

WHEREAS, on the basis of said review, certain modifications are deemed appropriate in order to clarify, modernize, and streamline portions of the Code that are either ambiguous, lacking clarity, or are insufficient in addressing current trends; and

WHEREAS, additionally, trends in modern medicine call for additional density for hospitals, therefore this use has been added as a Town Board Special Permit within the Downtown Development District whose boundary includes the property of Southside Hospital; and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code changes have been reviewed and approved by the Suffolk County Planning Commission, and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on \_\_\_\_\_, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, be it

RESOLVED, that the Town Board hereby adopts changes to the Town of Islip Town Code Chapter 68 entitled "ZONING" as specified herein; and

SEE ATTACHED

Additions are indicated by UNDERLINING  
Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

## Chapter 68 Zoning

### Article I: General Provisions

#### § 68-3 Word Usage and Definitions

##### B. Definitions

##### Hospital

A facility duly licensed and approved by New York State Department of Health or Federal Agency having jurisdiction that is engaged in providing health care and related activities consisting of in-patient and out-patient facilities, including but not limited to: operating rooms, emergency rooms, patient rooms, treatment areas and related medical, clinical and support facilities; clinics; nursing, educational and research facilities; offices for medical, professional and administrative staff; meeting and conference areas; laboratories; and accessory uses such as helipads, cafeterias, snack shops, gift shops, flower shops, newsstands and similar uses.

### Article XIII A: Use District Regulations: Downtown Development District

#### § 68-180.3 Applicability.

A. The Town Board may amend the zoning of a parcel or parcels of land to a Downtown Development District (DDD) only within those areas described as follows:

(1) Downtown Bay Shore. The Official Map shall contain a boundary line representing the extent of the Downtown Bay Shore District. Said line shall be contiguous with surveyed property lines or shall otherwise exist as described in § 68-12. Said boundary line shall completely encompass any such Suffolk County tax parcel listed below, except as otherwise specified, and the outer extent of these listed parcels, as joined across rights-of-way, shall comprise the extent of the Downtown Bay Shore District:

- ~~0500-36800-0200-045000~~
- ~~0500-36800-0200-047000~~
- ~~0500-36800-0200-050004~~
- 0500-36800-0200-050005
- ~~0500-36800-0200-051000~~
- ~~0500-36800-0200-095000~~
- ~~0500-39400-0100-008002~~
- 0500-39400-0100-008004

**§ 68-180.4 Permitted uses.**

[Amended 1-4-1994]

A. No use shall be permitted in this district unless a minimum of three public amenities or mitigations described in § 68-180.6 are provided. In a Downtown Development District, no building, structure or premises shall be so erected or altered, except for one or more of the following uses:

(1) Apartment house, garden apartment, attached single-family dwelling, or multistory condominium or cooperative.

~~(2) Restaurant, luncheonette or cafe, including those with dancing and entertainment or outside service on the premises, but excluding drive-in or carry-out restaurants.~~

(3) Retail establishments, except gasoline service stations, vehicle repair, new or used motor vehicle dealerships, trailer or motorcycle sales or service.

(4) Service establishment, including professional, personal and repair services other than those for automotive, marina or heavy equipment.

(5) Processing or manufacturing of goods purely incidental to retail business (es) conducted on the premises and similar to or of no more objectionable nature than the following: bakery, confectionery or ice cream store, florist, interior decorator, photographer, printer, furrier or tailor or optician.

(6) Mixed-use buildings.

(7) Office(s).

(8) Uses permitted as per §§ 68-256, 68-257, 68-257.1, and 68-257.2. These uses shall be permitted as of right. ~~only in those cases where the preexisting zoning is Business District (BD).~~

**§ 68-180.4.1 Uses permitted by special permit from Town Board after public hearing.**

A. Hospital

**§ 68-180.6 Development bonus provisions.**

**A. Intent.** This provision, allowing for the awarding of development bonuses to those applicants who provide certain specified public amenities (see § **68-180.6B**), is designed to improve the working, shopping and living environment of the Town's hamlet centers by:

- (1) Encouraging the retention and development of attractive and useful open space.
- (2) Improving pedestrian circulation.
- (3) Encouraging a mix of land uses and housing types which take advantage of nearby mass transportation facilities.
- (4) Improving traffic circulation and parking.
- (5) ~~Arranging and designing buildings to provide light and air to streets and other properties~~ and to preserve and enhance scenic views.
- (6) Encouraging the development of attractive, pedestrian-oriented retail areas.
- (7) Encouraging the provision and use of both passive and active recreation areas.
- (8) Preserving and/or increasing the quantity and quality of landscaping.
- (9) Encouraging creative and superior architectural design.

**B. Examples of amenities, subject to the approval of the Town Board, which could meet the above mitigations include but are not limited to:**

- (1) Additional off-street parking made available for public use.
- (2) Additional setback at grade ~~or above~~, allowing for sidewalk widening or plaza with landscaping and/or unique paving design.
- (3) ~~Location abutting public open space~~ Public street crosswalks.
- (4) Sidewalk canopy.
- (5) Additional open space, enhancement of existing open space, and ecological restoration.
- (6) Unique landscaping.
- (7) Private or public recreational opportunities.
- (8) Pedestrian connector.

**(9) Plaza.** Off-site improvements to parks, open space, transit facilities, and street scape within the Downtown Development District.

~~**(10)** Sidewalk widening with landscaping and/or unique paving design.~~

~~**(11)** **(10)** Off-street passenger loading (for hotels, apartment, condominium, or housing cooperative buildings, etc.).~~

~~**(12)** Public transit proximity.~~

~~**(13)** Enclosed parking.~~

~~**(14)** **(11)** Arcade (street or internal).~~

~~**(15)** Increased side and/or rear yards.~~

~~**(16)** **(12)** Interior freight loading.~~

~~**(17)** **(13)** Provision for special uses, e.g., theaters.~~

~~**(18)** **(14)** Subsurface, concourse or bridge connections to other buildings.~~

~~**(19)** **(15)** Design chosen by architectural competition.~~

~~**(20)** **(16)** Cash contribution toward the Downtown Development Fund in lieu of the above.~~

**C. Development standards.**

Building Type	Maximum Height	Minimum Lot Size (sq. ft.)	Max. FAR <sup>1</sup>	Maximum Density	Yard Requirements	Parking Requirements
Attached single-family townhome	35 feet or 3 stories	21,500 (per unit lot)	.60	17 units per acre	*	2 spaces per unit
Garden apartment	35 feet or 3 stories	40,000	.60	17 units per acre	*	2 spaces per unit
Apartment house <sup>2</sup>	65 feet or 5 stories	20,000	2.5	38 units per acre	*	2 spaces per unit
Office-commercial	65 feet or 5 stories	10,000	2.0	—	*	As per Subdivision and Land Development Regulations
Mixed-use building	65 feet or 5 stories	10,000	2.5	Mini-mum average gross floor area	*	As per Subdivision and Land Development Regulations

				per apartment 500 square feet		
<u>Hospital</u>	<u>110 feet<sup>3</sup> or 6 stories</u>	<u>600,000</u>	<u>.6<sup>4</sup></u>	=	<u>See Note 5</u>	

**Notes:**

\* As may be required by the Planning Board, based on the site plan review process.

<sup>1</sup> FAR = Floor Area Ratio.

<sup>2</sup> Also multistory condominium/cooperative having a common entrance area.

<sup>3</sup> Accessory buildings shall not exceed a height of 35 feet or 2 ½ stories, excluding parking garages. Parking garages shall have a maximum of 65 feet or 5 stories.

<sup>4</sup> FAR may be increased to a maximum of 1.5, subject to the construction of a parking garage. Parking garages shall not be included in the calculation of FAR.

<sup>5</sup> For a hospital, the minimum yard requirements for the main building shall be as follows: primary front yard of 100 feet, second front yard of 65 feet, through lot front yard of 65 feet, side yards of 100 feet each, and rear yard of 100 feet. Accessory buildings, excluding parking garages, shall be required to maintain the following setbacks: primary front of 85 feet, second front yard of 35 feet, through lot front yard of 65 feet, side yards of 65 feet each, rear yard of 65 feet. Parking garages accessory to a Hospital shall have a minimum setback of 25' from any street property line, except for those portions of the garage fronting on a street where the opposite side of the street is zoned as Downtown Development District, the setback shall then be a minimum of 5'.

§ 68-180.7 (Reserved) Permitted encroachments.

The following encroachments within the yard requirements are hereby permitted:

A. Open canopy or overhang for Hospital patient drop off or pick up areas; covered walkways