

A photograph of a white picket fence with a central green sign. The sign features a sun icon and the text 'WELCOME TO Bayville Incorporated 1919'. The fence is set against a backdrop of green trees. In the foreground, there are some plants and a stone path.

Village of Bayville, Nassau Co., NY

Proposed Revisions to Chapter 80, Zoning, of the Village of Bayville Code

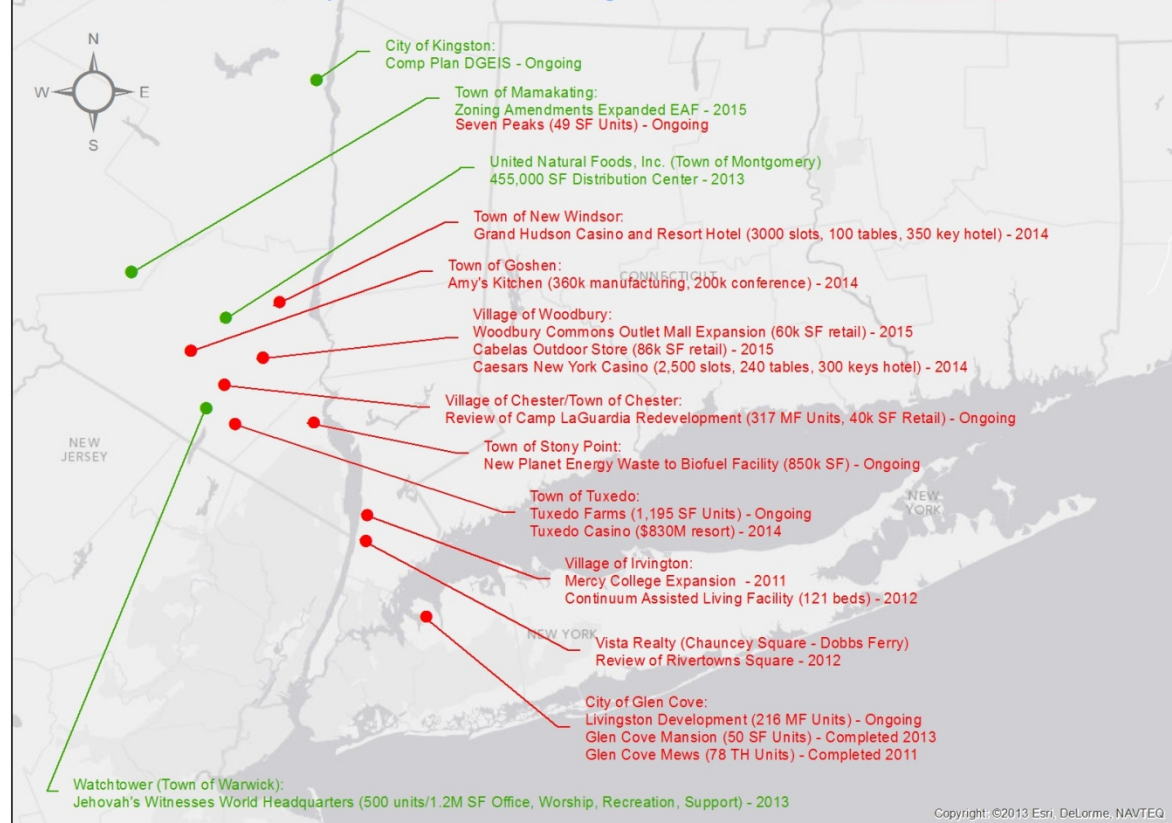
Introduction



- Maximilian A. Stach, AICP – Vice-President of Turner Miller Group a firm that has provided planning services throughout the tri-state area for the last 29 years
- Member of American Institute of Certified Planners
- 18 Years Experience in Providing Planning and SEQR advice on Long Island and the Lower Hudson Valley

H2M - Turner Miller Group Notable SEQRA Assignments 2010-2015

Green indicates preparation
Red indicates review



Overview of Chapter 80



- What is Zoning?
- What are Zoning Districts?
- Only Business District impacted, not residential.

INC. VILLAGE OF BAYVILLE
TOWN OF OYSTER BAY
NASSAU COUNTY
NEW YORK

SECTION 29 / SECTION 28
BLOCK NUMBERS CIRCLED ①

ZONING MAP

IN ACCORDANCE WITH COMPREHENSIVE PLAN ENACTED BY INC. VILLAGE OF BAYVILLE, LOCAL LAW 11 - 1985

MAP DISTRICT	SQUARE FEET AREA (sq. ft.)	MINIMUM FRONTAGE	MINIMUM LOT WIDTH AT CITY BACK	MINIMUM LOT DEPTH	MINIMUM LOT AREA	MINIMUM LOT COVER	MAX. BUILDING HEIGHT	MAX. PLANT COVER	MIN. DRIVEWAY WIDTH	MAX. SIDEWALK SETBACK	ACCESSORY BUILDING
B RESIDENCE "B"	6,000	30'	50'	60'	60' ON SITE TOWARD STREET	25%	25'	25%	900	272 stories max. 35'	1st floor min. 10' x 10'
C RESIDENCE "C"	6,000 #2	30'	50'	60'	60' ON SITE TOWARD STREET	25%	25'	25%	900	272 stories max. 35'	1st floor min. 10' x 10'
D RESIDENCE "D"	7,500	30'	50'	60'	60' ON SITE TOWARD STREET	25%	25'	25%	900	272 stories max. 35'	1st floor min. 10' x 10'
E RESIDENCE "E"	15,000	100'	100'	100'	100' ON SITE TOWARD STREET	25%	25'	25%	1,500	272 stories max. 35'	1st floor min. 10' x 10'
F RESIDENCE "F"	20,000	100'	100'	100'	100' ON SITE TOWARD STREET	25%	25'	25%	1,500	272 stories max. 35'	1st floor min. 10' x 10'
G RESIDENCE "G"	40,000	100'	100'	100'	100' ON SITE TOWARD STREET	25%	25'	25%	1,500	272 stories max. 35'	1st floor min. 10' x 10'
H BUSINESS	40,000	100'	100'	100'	100' ON SITE TOWARD STREET	25%	25'	25%	1,500	272 stories max. 35'	1st floor min. 10' x 10'
I INDUSTRIAL	40,000	100'	100'	100'	100' ON SITE TOWARD STREET	25%	25'	25%	1,500	272 stories max. 35'	1st floor min. 10' x 10'

2. Plot may have been less frontage and area if in existence prior to 12/27/37 - ART. VI - Sec. 6 & ART. VII - Sec. 3.
3. Includes accessory buildings - ART. VI - Sec. 7 & ART. VII - Sec. 13.
4. Not permitted in Residential "A" and Residential "B" Districts permitted in business. ART. VII - Sec. 1.
5. Churches shall be erected on individual corner plots.
6. Churches and accessory buildings limited to 12ft. max. height in Residential A.B.C.D.E.F.G.H.I.J.K.L.M.N.O.P.Q.R.S.T.U.V.W.X.Y.Z Districts.
7. No live-in apartments in business buildings - ART. VI - Sec. 10(b)(3).

VILLAGE STREETS: MOUNTAIN AVE., GODFREY AVE., CREEK RD., PERRY AVE., SCHOOL ST., MERRITT LANE
TOWN ROADS: WEST HARBOR DRIVE
COUNTY ROADS: BAYVILLE AVENUE, LUDLAM AVENUE

Overview of Chapter 80



- **Intent of Laws** – Provide for a “Seaside Inn” use , to revitalize vacant properties and enliven the Village’s Business Zoning District.
- **Existing Regulations** – No overnight accommodations are Permitted Anywhere in the Village of Bayville
- **Proposed Local Laws**
 - Local Law 1 of 2016
 - Amend Section 80-3 ‘Definitions’
 - Define “Seaside Inn”
 - Local Law 2 of 2016
 - Amend Section 80-45A ‘Permitted Uses’
 - Allow “Seaside Inn” as a Permitted Use within the Business Zoning District

Overview of Chapter 80



Proposed Local Laws

Local Law 1 of 2016: Adding “Seaside Inn” Definition

- SEASIDE INN — A commercial establishment, managed by the property owner, where overnight lodging is provided to temporary lodgers in one or more guest units, for compensation, for no more than thirty (30) consecutive calendar days. Seaside Inns have common sitting and dining areas and may have a restaurant in the principal building which may be open to the general public. Seaside Inns may have limited accessory recreation facilities, such as a swimming pool. Seaside Inns may also be used for social events or gatherings, such as weddings. Seaside Inns must have a minimum of four (4) units but cannot exceed thirty (30) units;
- Underlined phrases in definition distinguish a Seaside Inn from other types of overnight stays, which would continue to be prohibited in Village of Bayville;

Overview of Chapter 80

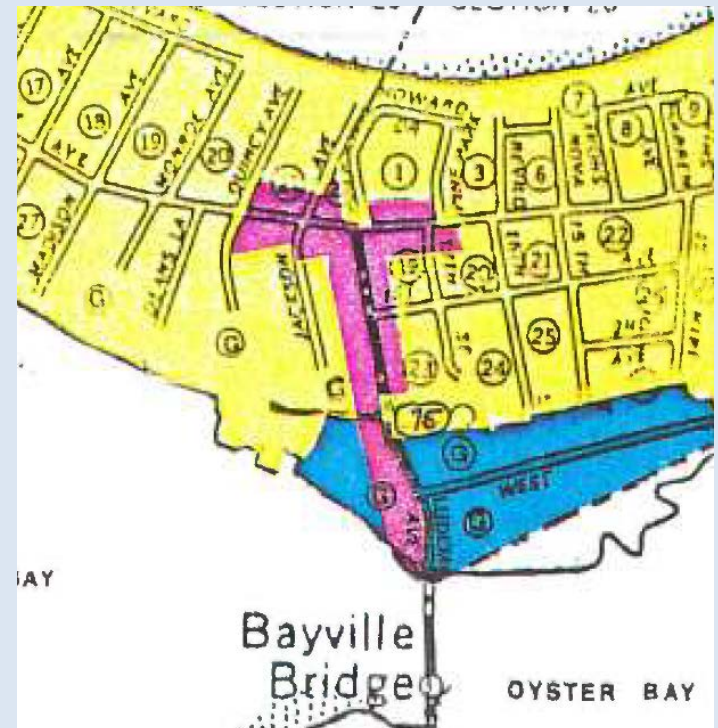


– Further Review Even After Adoption of Laws:

- Land use application must be submitted – must still obtain site plan approval, and any other applicable approvals.
- Determination is made as to whether a parcel could accommodate the “Seaside Inn” use:
 - Must be located within a Business Zoning District;
 - Must be large enough to accommodate the minimum bulk/parking requirements in the Business Zoning District;
 - Property owner must desire to manage Inn;
- As a permitted use requiring site plan approval:
 - Requires public hearing;
 - Requires site-specific SEQRA (environmental quality review);
 - » Nassau County Department of Health review required;

Business Zoning Districts

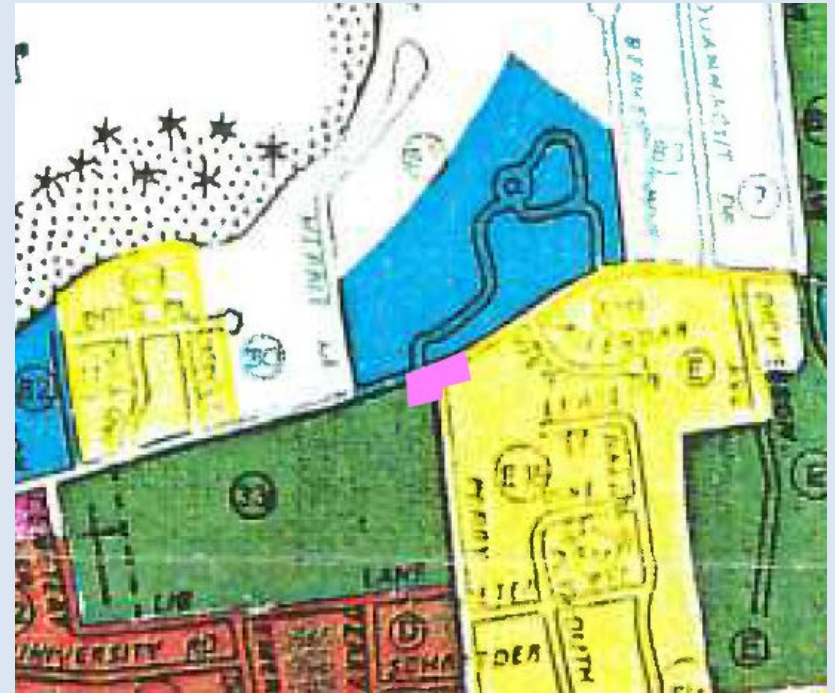
Ludlam Avenue Business Zoning District



Effect of Zone Amendments



Perry Avenue Business Zoning District



Effect of Zone Amendments



"The Stands" Business Zoning District



Steps Taken



- Lead Agency Coordination above and beyond SEQR requirements to announce project to:
 - Nassau County Planning
 - NYS Department of Environmental Conservation
 - Nassau County Health Department
 - Nassau County DPW
 - Nassau County Police
 - Locust Valley Central School District
 - Bayville Fire Company #1
 - Bayville Planning Board
 - Bayville Zoning Board
 - Bayville Building Inspector

Additional Steps Taken



- Environmental Assessment Form Part 1 Completed and Mailed with Lead Agency Notice to provide information on the Zoning Amendments;
- Coastal Assessment Form received and reviewed;
- Proposed Local laws referred to Nassau County Planning for GML 239 review;

State Environmental Quality Review



- All zoning amendments are subject to SEQR;
- SEQR requires assessment of the “reasonable worse-case scenario.”

State Environmental Quality Review



- Part 2 Considered against other uses already permitted in the Business District, proposed Seaside Inn could result in traffic impact;
- Part 3 prepared, as it affects traffic.
- Considers any and all parcels where a Seaside Inn could locate regardless of likelihood:
- Overall, **nine (9)** tax parcels were identified as having development potential for the “Seaside Inn” use within the Business Zoning District. Per SEQR requirements analysis of traffic impact is based on what would happen if all were utilized for Seaside Inn. **Such a scenario is unlikely.**

Potentially Affected Parcels



Table 1: Parcels within Business Zoning District with Development Potential Under SEQR

Parcel SBL	Current Land Use	Lot Size (Acres)	Lot Size (ft ²)	Usable Lot Size (ft ²)
29-D-118	Vacant/Swimming Pool	0.16	6,969.6	5,575.7
29-D-114, 817	Restaurant	0.34	14,997.7	11,998.2
29-D-116	Vacant/Parking	0.1	4,356.0	3,484.8
29-D-917	Vacant/Parking	0.25	10,890.0	8,712.0
29-D-10	Vacant/Foundation	0.44	19,358.1	15,486.5
29-D-123	Vacant/Parking	0.42	18,295.2	14,636.2
29-082-2	Vacant	0.68	29,620.8	23,696.6
29-033-25	Single-Family Residential	0.5	21,780.0	17,424.0
29-D-1067	Vehicle Service/Repair Shop	0.2	8,712.0	6,969.6
9 Tax Parcels	comprised of	3.09 Acres	134,979 ft²	(107,983 ft²)

The Stands Business Zoning District



- Eight (8) Properties Are Considered Under SEQR to Have Development Potential in this District



“The Stands”: Vacant Site



“The Stands”: Vacant Site



Build-Out Evaluation Criteria & Assumptions



Scenario 1: Only a Seaside Inn

Scenario 2: Seaside Inn with accessory quality restaurant

- Assumed 80% of parcel area as buildable (environmental constraints, lot inefficiencies, required yards)
- Room count: 4 minimum, 30 maximum based on number of parking spaces that could be accommodated and maximum size of building
- Bulk & Parking Requirements in Business District:
 - Maximum Building Height: 2 Stories
 - 1 Off-Street Parking Space required per 200 ft² of floor area for any use
- Assumptions:
 - 1 Seaside Inn Room = 400 ft² – 1 Seat in “Quality Restaurant” = 30 ft²
 - 0.37 parking spaces required per seat - Institute of Transportation Engineers (ITE)
 - Some on-street parking in the Stands

Table 2: Potential Build-Out for Seaside Inn Use & Seaside Inn with Accessory Quality Restaurant



Parcel SBL	Maximum Allowable Building Footprint (ft²)	2-Story Seaside Inn Only	2-Story Seaside Inn & Accessory Quality Restaurant	
		Maximum Potential Inn Rooms (If no Accessory Quality Restaurant)	Maximum Potential Inn Rooms (with Accessory Quality Restaurant)	Possible Quality Restaurant Seats Accessory to Seaside Inn
29-D-118	1,239.0	6	5	15
29-D-114, 817	2,666.3	13	11	31
29-D-116	774.4	3*	3	11
29-D-917	1,936.0	9	8	22
29-D-10	3,441.4	17	15	29
29-D-123	3,252.5	16	14	30
29-082-2	5,265.9	26	23	44
29-033-25	3,872.0	19	17	31
29-D-1067	1,548.8	7	6	23
Total:	23,996	116 Rooms	102 Rooms	236 Seats

Build-Out Evaluation Criteria & Assumptions:



Other Uses within Business Zoning District

- Assumptions:

Retail Space = one parking space per 200 ft² and one-story buildings

Office Space = one parking space per 200 ft² and two-story buildings

Restaurant = 0.37 parking spaces per seat and one-story buildings

Table 3: Total Build-Out Potential for Evaluated Land Use Types



Parcel SBL	Maximum Retail Space (ft ²)	Maximum Office Space (ft ²)	Maximum Standalone Restaurant Seats
29-D-118	2,028	2,478	67
29-D-114, 817	4,363	5,333	145
29-D-116	1,267	1,549	42
29-D-917	3,168	3,872	105
29-D-10	5,631	6,883	187
29-D-123	5,322	6,505	177
29-082-2	8,617	10,532	287
29-033-25	6,336	7,744	211
29-D-1067	2,534	3,098	84
Total:	39,267	47,993	1,305

Evaluation of Traffic Impacts



Data based on ITE Trip Generation Rates

Scenario	Peak Hour Trip Ends		
	AM	PM	Weekday
Proposed Zoning: Seaside Inn Alone	69.6	75.4	81.2
Proposed Zoning: Seaside Inn w Restaurant	133.1	128.6	150.5
Existing Zoning: Retail	37.7	145.7	189.3
Existing Zoning: Office	74.9	71.5	20.6
Existing Zoning: Standalone Restaurant	249.6	217.7	281.4

Potential traffic impacts are less than other uses currently permitted by zoning and are principally related to accessory restaurants that will be permitted;

Conclusions



- No significant impacts;
- No permanent increase in the population;
- No significant increase in traffic;
- While SEQR requires a worst-case scenario analysis, based on market demand it is highly unlikely that more than one Inn would be constructed in Bayville;

Next Steps

- Adopt Negative Declaration
- Open Public Hearing

