

PROPOSED LEGISLATION
SENIOR RESIDENCE DISTRICT
VILLAGE OF EAST HILLS

ARTICLE XXVII - Senior Residence District.

§ 271-300 Legislative Intent.

It is in the public interest of the Village of East Hills to utilize its zoning authority to create housing to retain the senior population of the Village which will encourage community stability and promote aging in place. Furthermore, senior housing will incentivize local qualifying residents within the community to downsize and will, in turn, create an available housing stock for new and younger residents who wish to come to and remain in the Village.

§ 271-301 Applicability.

This Senior Residence District (SRD) shall be a floating zone/overlay district (SRD Overlay). Upon application to the Board of Trustees, an aggregation of parcels, a single parcel, or portion thereof may be considered for application of the SRD Overlay if the property and the proposed construction meet the bulk area requirements of this article, and where the Board of Trustees determines that said parcel of land is located in an area that is conducive to higher density housing. The SRD overlay shall be limited to land in the following zoning districts: Residence R District. Where in conflict, the establishment of an SRD in any zoning district shall pre-empt the applicability of any height or other area requirements of the underlying district.

§ 271-302 Permitted uses.

Upon application of the SRD Overlay, no building, structure or premises shall be used or occupied, and no building or part thereof shall be erected or altered, except for residential rental apartments especially designed for senior residents and their spouses or significant others. A "senior resident" is considered any person 55 years of age or older. In the case of spouses or significant others, only one of the two occupants of any SRD unit needs to be a senior resident as herein defined. For any SRD unit having two or more bedrooms, the unit may also be occupied by no more than one additional person, defined as a child or a grandchild of the senior resident, or a "support person." "Support persons" shall be defined as persons 18 years of age or older who are providing physical care and/or economic support to the senior resident, or who are professionals qualified by training and/or experience to provide physical care to senior residents and are hired to provide support to the senior resident who resides in the SRD unit.

§ 271-303 Height of buildings and structures.

No building or structure hereafter erected or altered in an SRD shall be more than 50 feet in height or four stories above finished grade. Height is the vertical distance measured from the lowest elevation of the proposed finished grade immediately adjacent to the front entrance of the building, excluding any partial below-grade parking, to the highest point in the building. Mechanical equipment, elevator equipment and stairway bulkheads are permitted structures on a roof and may exceed the permitted height by 8 feet.

§ 271-304 Lot area.

The minimum lot area for application of the SRD Overlay shall be 3 acres. No building shall be erected or altered on a lot having an area of less than 3 acres.

§ 271-305 Lot coverage.

All buildings, including accessory buildings, shall cover not more than 40 percent of the lot area that comprises an SRD Overlay parcel.

§ 271-306 Front yards.

- a. The required front yard depth shall be 25'-0".
- b. In the case of a subdivided lot with no public street frontage, the front yard line shall be the private right-of-way, access easement, or internal roadway giving access to the property.

§ 271-307 Side yards.

The required side yard depth shall be a minimum width of 20 feet on each side. In the case of a subdivided lot with no public street frontage, the side yards shall be the yards which are perpendicular to the front yard line established in section 271-306(b) of this Article.

§ 271-308 Rear yards.

There shall be a rear yard depth of which shall be at least 30 feet. In the case of a subdivided lot with multiple buildings and no public street frontage, the rear yard shall be the yard which is opposite the front yard line established in 271-306(b), above.

§ 271-309 Encroachment into yard areas.

Chimneys, cornices, eaves, gutters, bay windows projecting not more than 24 inches and one-story open porches and/or terraces not exceeding three feet in height are permitted encroachments into yard areas.

§ 271-310 Accessory buildings, structures and uses.

The following accessory buildings, structures and uses shall be permitted:

- (1) Communal Swimming pools
- (2) Pergolas
- (3) Trellises
- (4) Gazebos up to 12 feet high
- (5) Awnings – retractable or permanent
- (6) Terraces
- (7) Terraced stepping walls – Each wall may be up to 6 feet in height before stepping back 5 feet and may continue as such for a maximum of 18 feet horizontally and vertically in configuration. Each wall shall be faced with decorative block brick or stone veneer. Each horizontal portion of each step shall be landscaped with evergreen plantings as approved by the Architectural Review Board
- (8) Other such structures as in the view of the Planning Board are consistent with the character and nature of the structures identified herein.

§ 271-311 Dwelling unit intensity.

In an SRD Overlay, no building or buildings shall be erected or altered to accommodate or make provision for more than 35 dwelling units to the acre. For the purpose of this Article, the terms “dwelling”, “unit”, or “dwelling unit” shall mean a combination of rooms with provisions for living, cooking, sanitary and sleeping facilities arranged for the use of one family.

§ 271-312 Minimum floor area per unit.

The minimum habitable floor area for each dwelling unit in a Senior Residence District shall not be less than 700 square feet.

§ 271-313 Landscaping.

There shall be suitable landscaping, shrubbery, trees and screening as determined by the Planning Board.

§ 271-314 Off-street parking.

An off-street parking area conforming to the requirements of this chapter shall be provided for each dwelling unit at a ratio of 1.50 spaces for each unit.

§ 271-315 Common recreation areas.

Common recreation areas shall be provided with a minimum size calculated at 10 square feet of usable area per dwelling unit for indoor recreation and 40 square feet of usable area per dwelling unit for outdoor recreation, exclusive of sidewalks, driveways and parking areas.

§ 271-316 Refuse containers.

Fully enclosed commercial-type refuse containers must be provided, placed on concrete pads and kept clean at all times. All refuse containers shall be suitably screened from view of any public roadway or right of way. The type of screening required shall be at the direction of the Planning Board.

§ 271-317 Lighting.

All parking areas, entries, corridors, passages, utility areas, and front landscaping shall be provided with adequate lighting for safety purposes. Lights shall be adjusted so as not to shine into adjacent properties. Lighting shall be, to the extent practicable, "dark skies" compliant.

§ 271-318 Buffer strips.

Whenever a proposed SRD Overlay parcel shall abut a residential zoned parcel or any parcel zoned for residential purposes a buffer strip 40 feet wide along the lot line between the parcels shall be erected and/or planted, and thereafter maintained. The Planning Board are authorized to require a greater or larger buffer strip as they see fit.

§ 271-319 Septic systems.

All structures within a Senior Residence District development shall be connected to a communal sewage collection and treatment system approved by the Nassau County Department of Health. No onsite collection, storage, or treatment of septic waste shall be authorized.

§ 271-320 Emergency power.

Senior Residence District developments shall include generator backup systems to ensure that all dwelling units shall be supplied with emergency electric power.