



Redevelopment Fact Sheet

Facilitator: Jennifer Rimmer, Executive Director, Residents for a More Beautiful Port Washington

Relevant Governmental Entities:

New York State Department of Environmental Conservation
Nassau County
Town of North Hempstead
Village of Baxter Estates
Village of Flower Hill
Village of Manorhaven
Village of Plandome Manor
Village of Port Washington North
Village of Sands Point

Reports Reviewed

Sustainable Long Island. Smart Growth Codes Assessment of Port Washington. December 2004.

Redevelopment/Land Use

- A **greenfield** is undeveloped land that does not have an environmental barrier to development. There are very few greenfields left on Long Island. Any development likely on the Port Washington Peninsula will be redevelopment of existing properties.
- A **grayfield** redevelopment is the process of reclaiming existing developed sites that are economically nonviable and transforming them into new uses that can revitalize a local economy.
 - Often grayfields are under utilized regional shopping malls and strip shopping centers that can be transformed into mixed-use town centers.
 - Additionally, grayfields redevelopment can include transforming downtown and commercial corridors to meet the needs of a mature community.
- A **brownfield** site is defined, by the Small Business Liability Relief and Brownfields Revitalization Act, as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”¹
- The United States Environmental Protection Agency (EPA) estimates that there are over 450,000 brownfield sites in the United States. The EPA offers grants to local governments to assist in remediating and redeveloping brownfield sites.
 - The Town of North Hempstead received a \$200,000 grant from the EPA for site assessment in New Cassel.
 - This EPA Pilot Demonstration Grant was used to facilitate redevelopment along Prospect Avenue.
- As commercial and industrial uses on the Port Washington Peninsula change, properties can be remediated, if necessary, and **redeveloped to meet new needs** or converted to open space.
- With the limited space available on the Port Washington Peninsula for new development or open space, it is vital to take an **inventory of existing parcels** that might be redeveloped or converted to open space.
- Redeveloping existing properties can **increase the local tax base, create jobs, and reduce pressure to develop the remaining open space** on the Port Washington Peninsula.²

¹ United States Environmental Protection Agency website.

² USEPA Brownfield and Redevelopment <http://www.epa.gov/brownfields>.

Zoning

- The **power to set or change a zone** lies with the Village Board of Trustees or Town Board (Legislative Body) of each municipality.
- Each municipality has a **Zoning Board of Appeals** (Zoning Board) to which any property owner can apply for relief from the restrictions established by the zoning legislation. The Zoning Board is an independent body, not governed by the Legislative Body.
- **Building applications** are made through the municipality's Building Department.
 - If they are denied for not conforming to zone requirements, then an **appeal** can be filed.
- An application for a **change of zone** is made to the Legislative Body.
- Some of the present land uses that define certain areas of the Port Washington Peninsula are **grandfathered uses** and no longer permitted.
 - For example, Main Street is zoned under the Town of North Hempstead for commercial use only, but has many mixed-use buildings (shops with apartments) that are grandfathered uses.
- **Spot zoning**, which is illegal, is a change of zone for a limited area that typically does not conform to surrounding uses.
- The majority of the peninsula is zoned for some type of **residential**.
 - Zoning rules that govern development on the Peninsula are complex and diverse.
 - Overall, there are a number of land uses within the Port Washington Peninsula and subsequently a variety of zoning categories within each village and the Town.
 - In addition, zoning regulations vary from village to village to Town.

The following table is provided as a reference tool for this evening's discussion. It is not a complete summary of all zoning regulations in effect on the Port Washington Peninsula.

Table 1
Summary of Zoning Regulations on the Port Washington Peninsula³

Community	Designation	Building Height	Lot Size	Use
Town of North Hempstead	Resident Open Space (R-O-S)	2 ½ stories, max 30'	2.5 acres	Single family dwelling, professional offices, religious buildings, outdoor pool, non-profit/ charitable/ educational
	Planned Waterfront Residential District (PWRD)	Varies; 2 ½ stories, max 26'	PWRC: 7 acres Res: 8,500 sq ft Multi: 7,500 sq ft	Single family dwelling, professional offices, religious buildings, outdoor pool, non-profit/ charitable/ educational, multiple unit development, cluster development
	R-AAA	Res: 2 ½ stories, max 30' other: 45'	20,000 sq ft	Detached single family dwelling, religious structure, agricultural (restrictions), professional office
	R-AA	Res: 2 ½ stories, max 30' other: 45'	14,000 sq ft	Detached single family dwelling, religious structure, agricultural (with restrictions), professional office, State Board of Regents institution, public library, art gallery and museum, municipal/volunteer firehouse, park, railroad station, parish house or school
	R-A	Res: 2 ½ stories, max 30' other: 45'	8,500 sq ft	Detached single family dwelling, religious structure, agricultural (with restrictions), professional office, State Board of Regents institution, public library, art gallery and museum, municipal/volunteer firehouse, park, railroad station, parish house or school
	R-B	Res: 2 ½ stories, max 30' other: 45'	6,000 sq ft	Detached single family dwelling, religious structure, agricultural (with restrictions), professional office, State Board of Regents institution, public library, art gallery and museum, municipal/volunteer firehouse, park, railroad station, parish house or school
	R-C	Res: 2 ½ stories, max 30' other: 45'	6,000 sq ft	Detached single family dwelling, detached two family dwelling, religious structure, agricultural (with restrictions), professional office, State Board of Regents institution, public library, art gallery and museum, municipal/volunteer firehouse, park, railroad station, parish house or school
	R-D	Res: 2 ½ stories, max 30' other: 45'	Two family: 2,000 sq ft per family Townhouse: 5,000 sq ft per development	Detached single family dwelling, single family town homes, detached and attached two family dwelling, religious structure, detached garages, agricultural (with restrictions), professional office, State Board of Regents institution, public library, art gallery and museum, municipal/volunteer firehouse, park, railroad station, parish house or school

³Sustainable Long Island. *Smart Growth Codes Assessment of Port Washington*. 2004.

Community	Designation	Building Height	Lot Size	Use
	RM	3 stories, max 45'	One acre per multiple dwelling; Min lot: 1,500 sq ft per family; Senior living: 20,000 sq ft; Senior Day Care: 40,000 sq ft; Nursing Home: 1 acre	Detached single family dwelling, single family town homes, detached and attached two family dwelling, multiple dwelling, religious structure, detached garages, agricultural (with restrictions), professional office, State Board of Regents institution, public library, art gallery and museum, municipal/volunteer firehouse, park, railroad station, parish house or school
	Golden Age Residence District	3 stories, max 42'	One acre per 40 units Min lot: 20,000 sq ft	Multiple dwelling for seniors
	R-S	3 stories, max 45'	5 acres	Senior independent living facilities, senior congregated living facilities, senior assisted living facilities, nursing homes, senior day care centers, must be 2 types of uses
	Hospital District	6 stories, max 72'	40 acres	Hospitals
	Open Space Recreation District	35' Exception: netting for golf driving range	4 acres	Golf course, golf driving range, miniature golf course, unenclosed skating rink, unenclosed tennis court
	Parking District			Open-air, ground-level parking, railroad structure
	CFD	3 stories, max 45'	2.5 acres	Multiple-residence dwelling, senior dwellings, mixed use
	Transportation District	3 stories, max 40'		Station, depot
	B-AA	35'	Varies	Bank, hotel, theater, studio, offices, showrooms, galleries, personal use shops, retail
	B-A	3 stories, max 40'	2,000 sq ft	Offices, retail, shops, public library, art gallery, railway passenger station, religious structure
	Business-B	3 stories, max 40'	2,000 sq ft	Offices, retail, shops, public library, art gallery, railway passenger station, religious structure, barber shop, medical/dental laboratories
	Planned Industrial Park District	2 stories, max 50'	20 gross acres	Light industrial, banks, research/design laboratories, warehouses, distribution plants, single purpose offices
	Industrial A District	2 stories, max 30'	5 acres	Laboratories, office buildings, banking institutions, warehouse, distribution, light industrial, manufacturing
	Modified Planned Industrial Park District	3 stories, max 50'	20 gross acres	Light industrial, research/design laboratories, warehousing/distribution plants, headquarters, office buildings, financial institutions

Community	Designation	Building Height	Lot Size	Use
	Service Commercial District	2 stories, max 40'	40,000 sq ft	Scientific/industrial research laboratories, office buildings, financial institutions, warehousing/distribution plants, light industrial, commercial, municipal/town
	Industrial B	Max 40'	10,000 sq ft	Any use other than trade that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise
Baxter Estates	Residents A	Res: 2 ½ stories, max 35'	8,500 sq ft	Single family dwelling, public library, religious structures, professional offices, open air parking, State of Regents use
		Other: 3 stories, max 45'		
	Residents F	Multi: 3 stories, max 33'	Multi: 10,000 sq ft	Multiple dwelling, two family detached, single family,
		1 Res: 2 ½ stories, max 35'	1 Res: 8,000 sq ft	
		Other: 3 stories, max 30'	Other: 8,000 sq ft	
	Business A	Commercial: 4 stories, max 60' Other: 2 ½ stories, max 35'	NA	Hotels, offices, financial institution, theater, restaurants, retail, personal shops, office, single family, two family
Flower Hill	R-1	2 ½ stories, max 30'	1 acre	Single family dwelling w/ 2-4 car garage, professional office in dwelling
	R-2	2 ½ stories, max 30'	22,000 sq ft	Single family dwelling w/ 1-3 car garage
	R-3	2 ½ stories, max 30'	18000 sq ft	Single family dwelling w/ 1-3 car garage
	R-4	2 ½ stories, max 30'	15000 sq ft	Single family dwelling w/ 1-3 car garage
	R-5	2 ½ stories, max 30'	12,500 sq ft	Single family dwelling w/ 1- 3 car garage
	R-6	2 ½ stories, max 30'	10,000 sq ft	Single family dwelling w/ 1-2 car garage
	R-7	2 ½ stories, max 30'	7,500 sq ft	Single family dwelling w/ 1-2 car garage
	R-8			Cluster residential
	Business District	2-3 stories, max 35'	10,000 – 15,000 sq ft	Public uses operated and maintained by a governmental agency; semipublic uses operated and maintained by a nonprofit organization; retail shops; service establishments; commercial-recreational uses, industrial uses; retail repair shops; uses by special exception of the Board of Trustees when authorized after a public hearing; all commercial applications shall be subject to site plan review by the Board of Trustees.

Community	Designation	Building Height	Lot Size	Use
	Municipal and Public District	2½ stories, max 35'	7,500 sq ft	Any dwelling allowed in an R-1 district or a church or other building used exclusively as a house of worship; a school building owned, operated and maintained by a duly constituted school district; a public library or public, nonprofit art gallery or museum; a public firehouse; a recreational area for village municipal purposes or for the purposes of any membership corporation to which all owners of property in the residence districts are eligible for membership; a water tower, storage tank, pumping station, well or other auxiliary water district purposes; village municipal purposes and uses.
	Hospital District			A hospital or sanitarium, other than those for infectious or contagious diseases or insanity or mental diseases or liquor or drug addiction.
Manorhaven	R-1 & R-2	2 stories, max 26'	4,000 sq ft	One family detached; two family attached
	R-3	2 stories, max 26'	5,000 sq ft	One dwelling unit per 5000 sf, minimum site area is one acre
	R-4			Multiple dwellings for existing use only
	Multiple A			All existing is permitted as is
	Multiple B	2 stories, max 28'	Min: 1,500 sq ft per family	Apartment house
	C-1			Commercial Marine
	C-2			Commercial Office
	C-3			Commercial Retail
	I-2 & I-3			Industrial
	G-1 & G-2			Governmental
Plandome Manor	R-22	2½ stories, max 35'	22,000 sq ft	Single family dwelling, home professional office, village owned parking lots, parks, playgrounds, public museums
	R-15	2½ stories, max 35'	15,000 sq ft	Single family dwelling, home professional office, village owned parking lots, parks
Port Washington North	Residence A-1	2½ stories, max 31'	6,000 sq ft	Detached single family dwelling, houses of worship, professional office
	Residence B	2½ stories, max 31'	5,000 sq ft	Detached single family dwelling, houses of worship, professional office
	Residence C	2½ stories, max 31'	4,000 sq ft	Detached single family dwelling, houses of worship, professional office, detached two family dwelling, hospital or sanitarium
	Apartment	2½ stories, max 31'	Min: 1,500 sq ft per unit	Detached single family dwelling, houses of worship, professional office, multiple dwelling, community garage

Community	Designation	Building Height	Lot Size	Use
	Senior Citizen Housing	2½ stories, max 31'	15 acres continuous	Housing for elderly
	Business District	2½ stories, max 31'		Governmental and municipal purposes; banks and financial institutions; stores and shops for retail and service businesses.
	Waterfront District			Yards and marinas; fishing stations; gas filling station for boats; bathing or swimming facilities; yacht and boat clubs; parks, playgrounds, and docks; launching ramps; party boat charger enterprises; house of worship.
	Economic Development A District			Offices for executive, administrative or professional purposes; scientific and/or research laboratories; assembly, fabrication, and finishing of articles of small compass and high value; storage facilities; telephone exchanges or similar public utility facilities; establishments for printing, bookbinding; libraries, educational and cultural centers; restaurants; food service facilities incidental to other uses permitted within the an ED-A District.; house of worship;
	Industrial A			Any lawful industrial purpose except uses such as acid manufacture, arsenal, crematory dry cleaning; plating works, etc. ⁴
Sands Point	Residential A	2 stories and an attic, max 35', 40' on restricted lot	2 acres	Detached single family dwelling; public primary and secondary schools; churches
	Residential B	2 stories and an attic, max 35', 40' on restricted lot	1 acre	Detached single family dwelling; public primary and secondary schools
	Residential C	Max 30'	5 acres	Detached single family dwelling; public primary and secondary schools; churches

⁴ The Village of Port Washington North has a long list of exceptions in their village code. This is just a sample of that list.