

[Added xx-xx-2021 by L.L. No. X-2021]

## **§ 307-XX Medical Oriented District**

**A. Legislative Intent.** It is the intent and purpose of this section to create a “Medical Oriented District (MOD)” along Route 202/35 in the area immediately surrounding the existing hospital facility generally bounded by the municipal boundary with the City of Peekskill to the west and Conklin Avenue to the east and as more particularly identified on the Town of Cortlandt Zoning Map. The intent of this mapped district is to encourage economic revitalization by creating an environment conducive to medical practice and operations, and to concentrate medical facilities and related uses in “complex” or “campus” settings to better accommodate the needs of the medical profession and those served by it. It is further the intent of this district to implement the goals and recommendations outlined in *Envision Cortlandt* by providing for a continuum of care and allowing residents access to a wide range of health services and other complementary uses in one central area with the look, feel and function of a future “hamlet center.”

**B. Definitions.** Unless defined herein the general definitions in Chapter 307 shall apply.

**ASSISTED LIVING RESIDENCE** a certified adult home or facility (age 62) approved by New York State Department of Health as an Assisted Living Residence (ALR), which provides housing and personal care services and/or home care services (either directly or indirectly) in a home-like setting to five or more adult residents unrelated to the assisted living provider. ALR’s must also provide daily food service, twenty-four hour on-site monitoring, case management services, and the development of an individualized service plan for each resident. ALRs shall provide each resident their own room, a small apartment, or a shared space with a suitable roommate. Residents share common areas, such as the dining room or living room, with other people who may also require assistance with meals, personal care and/or home care services. Assisted Living residence facilities may also include memory care units and independent senior housing units with services.

**INDEPENDENT SENIOR HOUSING WITH SERVICES** Apartments that include one or more of the following supportive services: meals, housekeeping, some assistance with personal care, transportation, socialization activities, laundry, resident/service coordinator who helps residents access other services and programs from community-based agencies.

**STUDIO** a studio is a single residential unit in which the bedroom, living room and kitchen are all located in the same room. For purposes of bedroom count, a studio is a one-bedroom unit.

**MEDICAL ORIENTED DISTRICT (MOD)** is a mapped district where patients can access a range of health services (in partnerships between hospitals, private practices, commercial entities and municipalities) and other complementary uses in one central area. The intent of the MOD is to

create a healthy, mixed-use, neighborhood-scale district that benefits residents and employees who reside in of the district as well as patients and families visiting the MOD.

**MEMORY CARE UNITS** Memory care units are assisted living units that offer specialized care and nursing services for seniors with memory loss, Alzheimer’s disease, and other forms of dementia.

**COVERAGE, LOT** Percentage of the lot area covered by the combined area of all impervious surfaces on a lot, including buildings or structures, paved areas (including gravel and permeable pavement), at-grade decks, patios, and swimming pools, but not including architectural landscape features or at-grade landscape features provided above underground parking deck.

**DWELLING** Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families.

**DWELLING UNIT** One or more rooms in a dwelling designed and equipped for one family to occupy separately as a housekeeping residence, reserved exclusively for the occupants of such room or rooms, with provisions for living, sleeping, eating, cooking and sanitation and having no enclosed space (other than vestibules, entrance hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit. For the purposes of this definition, microwave and convection ovens, hot plates and similar movable appliances shall be considered as constituting provisions for cooking.

Every "dwelling unit" shall contain a minimum of 400 square feet of habitable space, and every room occupied for sleeping purposes shall contain a minimum of 80 square feet per occupant.

Size of Dwelling Unit	Maximum Number of Occupants	Minimum Sq. FT
Studio / Millennial	2	400
1-bedroom	2	750
2- bedroom	4	1050

**PROFESSIONAL OFFICES** Professional services such as the offices of doctor, dentist, chiropractor, osteopath, (excluding group counseling and pain clinics) lawyer, engineer, architect, chiropractor, osteopath, insurance agent or real estate broker are provided.

**C. Permitted Uses.**

**1. Permitted Uses.**

The following uses shall be permitted in the MOD Zoning District:

- a. **Medical Uses.** medical uses, including hospitals; specialty hospitals/clinics; rehabilitation centers; primary care facilities; walk-in/urgent care facilities; medical office space; hospice; alternative and complementary medicine; laboratories; research facilities; pharmacies; cafeterias in support of medical services; medical educational uses; birthing centers; ambulatory surgery; assisted living residences (ALR); independent senior living with services; skilled nursing facilities (SNF); memory care facilities or units as part of ALR or SNF.
- b. **Residential uses.** Residential uses. Detached, semidetached or attached one-family dwellings, two-family dwellings, and multifamily dwellings.
- c. **Commercial uses (non-medical uses).** Professional office space; pharmacies; cafes; bakeries; retail; restaurants (except drive thru) and other food services; banks.
- d. **Ancillary uses.** Structured parking; farmer’s markets; drive-thrus, public open space; religious facilities; plazas and courtyards; bikeways and nature trails.

**D. Development Standards and controls.**

**1. Densities.**

- a. **Medical Uses.**
- b. **Residential Uses.** No more than 2 bedrooms per dwelling unit. No more than 15 percent of the total number of dwelling units may have more than one (1) bedroom.
- c. **Commercial Uses.** No single retail tenant space shall exceed 10,000 sf.
- d. **Assisted Living/Skilled Nursing Units/Memory Care/Senior Independent with services.**

**2. Height and Bulk Requirements**

- a. **Dimensional Requirements.** Unless otherwise specified elsewhere in this ordinance, uses permitted in the MOD Zoning District shall be required to conform to the following standards:

**MOD Dimensional Requirements**

Minimum Lot Area	10,000 square feet
Minimum Lot Width	80 feet
<b>Setbacks</b>	
Front	25 feet
Side	25 feet
Rear	25 feet

Maximum Lot Coverage	60 percent
Maximum Building Height	60 feet*
* The maximum permitted building height within the MOD shall be 60 feet including occupied roof.	

### 3. Affordable Units

- a. No less than 10% of the base number of permitted residential units (excluding assisted living facilities) in a MOD project shall meet the Town of Cortlandt requirements for an affordable unit per **§ 307-4 Definitions**.

### 4. Parking

- a. **Parking, structured above-grade.** Above-grade parking structures shall be screened from view behind primary buildings, false facades or otherwise concealed in appearance through design measures as follows:

- i. A minimum of 40% of the exterior surface area of the garage facades facing a public way or sidewalk shall be clad in materials such as brick, stone, green-wall (e.g., ivy), decorative metalwork, wood trim or other materials as approved by the Architectural Advisory Council (AAC) in lieu of bare structural concrete or masonry, to present an attractive appearance.
- ii. In addition to any other perimeter landscaping used or required, trees shall be planted at regular intervals to align with openings in the structures along facades facing a public street or highway.
- iii. All parking and security lighting shall be consistent with Town site lighting requirements and be provided with appropriately shielded, downward-facing lamps which direct the light only into the immediate parking areas as required for use.
- iv. Each application shall submit a parking management plan. If valet parking is proposed, the feasibility of valet parking must be evaluated.

- b. **Surface Parking.** When practicable, surface parking shall be located to the side and/or rear and not to the front of buildings facing Route 202. If valet parking is proposed, the feasibility of valet parking must be evaluated. The following parking standards will be applied in the MOD:

<u>Use</u>	<u>Parking Requirement</u>
<b>Assisted Living/Independent Senior Living with Services/Skilled Nursing</b>	0.5 spaces per bed
<b>Bar, tavern, and similar uses</b>	1 space for every 2 customer seats.
<b>Birthing Center</b>	1 space per bed plus 1 space for every employee

<b>General Retail</b>	1 space for every 250 square feet of gross floor area
<b>Hospital</b>	1 per bed, plus 1 per employee in largest shift or as needed
<b>Medical or dental laboratory</b>	1 per 400 square feet of gross floor area
<b>Multifamily Housing</b>	1.2 spaces/ studio, 1.3 spaces/1-bedroom 1.6 spaces/2-bedroom 1.8 spaces/3-bedroom  Plus an additional 10% of the total required parking as guest parking.
<b>Nursing home</b>	1 per 2.5 beds, plus 1 per employee on maximum shift
<b>Office, medical</b>	1 space for every 150 square feet
<b>Office, Professional</b>	1 per 300 square feet of habitable floor space
<b>Pharmacy (not accessory to hospital)</b>	1 per every 250 square feet
<b>Restaurant/Café/bakery</b>	1 space per 50 square feet of dining area and such employee parking area as determined by the Planning Board to be appropriate.
<b>Specialty Hospitals and Clinics</b>	4 per physician, plus 1 per employee
<b>Walk-In Urgent Care</b>	4 per physician, plus 1 per employee

- c. **Internal Property Subdivision.** The creation of internal property subdivisions within a mixed-use development is permitted to allow for multiple ownership of properties/uses. Any eligible site hereunder may, for purposes of dedication, the creation of rights-of-way, sale, lease, mortgage, or other disposition or financing, be subdivided or re-subdivided, converted to condominium or cooperative ownership, or otherwise divided into lots, parcels or tracts, which may be sold, leased, mortgaged, or otherwise alienated or encumbered, without regard to minimum lot area. If a site meets the eligibility requirements above, then all determinations relating to lot coverage and building coverage for any lot or lots subject to internal property subdivision hereunder shall be made treating the entire site as a single unit; provided, however, that access and infrastructure shall be shared by any lot approved under this section. The Planning Board, based on consideration of achieving superior site design

and efficiency and protecting surrounding uses, has the discretion to apply alternative bulk standards, where appropriate. Where appropriate in an internal subdivision, reciprocal easements and/or agreements that address common access, shared parking, stormwater systems, and utilities shall be developed to ensure the future operation and maintenance of the infrastructure servicing any lot or lots approved hereunder.

- d. **Screening and buffering.** A minimum buffer area of 25 feet shall be required between any MOD parcel boundary and any existing residential unit. In reviewing the development plan, the Planning Board shall consider the setback and proposed screening of all parking, buildings, and active recreation areas and may require buffer areas of up to 150 feet. Buffer and screening areas shall be landscaped or left in their natural state, where appropriate. The Planning Board may require additional landscaping or screening (e.g., fences) to conceal utility buildings, refuse-collection areas, cooling systems and other similar installations and features. The Planning Board, as part of site development plan approval, may modify the requirements of this subsection when it determines that the specific circumstances of a particular site make adherence to the requirements of this subsection unwarranted or impractical and require alternative buffering to achieve the purposes of this subsection. The reasons for any such recommended modifications must be expressed and placed into the official record of the Planning Board.
- e. **Layout design considerations.** The Planning Board shall consider walkability and connectivity within the MOD as well as streetscape and public space as integral elements of all MOD campus site plans.
- f. **Design Guidelines.**
  - i. **Architectural Design Guidelines for Buildings.** Architectural design should be compatible in nature and type to other projects approved or simultaneously under consideration for MOD campus designation and shall be subject to review by the Architectural Advisory Council.
  - ii. **Signs (including wayfinding signage).** Signs shall be designed in harmony with the building and established development.
  - iii. **Lighting.** Shall be provided per Town designated standards and shall be of a consistent design throughout the MOD. Lighting should be designed to avoid light spillover to neighboring properties and glare.
- g. **Vehicular circulation system and traffic access.** All streets and driveways within the MOD shall be designed to adequately accommodate fire and emergency apparatus as well as serve their intended traffic function and the anticipated volume of traffic from the proposed use.
- h. **Pedestrian circulation system.** Within MOD designated sites, a pedestrian circulation system shall be designed and installed in addition to the vehicular circulation system, which is sufficient for the needs of MOD residents, workers and visitors. Such a system might be composed of paved and unpaved walkways, lighting, streetscape amenities, and bikeways of appropriate width, design and location to serve their intended function.

- i. **Add to the recreational inventory of the Town.** MOD projects will be required to either propose new public recreation areas or pay a recreation fee as required under § 265-11 of the Subdivision Ordinance. The applicant may request a waiver or reduction in recreation fees from the Town Board for assisted living and/or skilled nursing units.
- j. **Utilities and services.**
  - i. **Underground lines.** All power and communication lines shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. The applicant may request a waiver if it would cause unnecessary hardship and by waiving such requirement will have not detrimental effect on the public health, safety or general welfare as determined by the Director of Technical Services.
  - ii. **Sewer and Water.** All buildings within the MOD shall be served by a public central water and sewage treatment systems as approved by the appropriate government agency or agencies having jurisdiction thereof.
  - iii. **Firematic Protection.** All buildings within the MOD shall provide adequate water for firematic protection in the form of onsite storage tanks as may be required by the Director of DOTS or their designee.
- k. **Future Utility needs.** Where facilities are provided, they shall be planned in such a way as to anticipate future utility needs, and wherever reasonably feasible, shall be sited to reduce the capital costs associated with any future central utility construction.
- l. **Refuse collection.** All MOD parcels shall provide private carting with an adequate means of collection and storing refuse, including the agreement to provide compactors and a centrally located refuse-collection site on premises. Any outside storage and garbage shall be in centrally located containers designed to prevent rodent infestations and shall provide sufficient screening as determined by the Planning Board.
- m. **HVAC Systems.** HVAC systems shall be designed so as to minimize adverse aesthetic impact and noise.
- n. **Stormwater Runoff.** A stormwater pollution prevention plan is required in accordance with all Federal, State Local rules and regulations shall be provided for both water quality and water quantity controls.
- o. **Placement of utilities.** Where possible, all utilities shall be placed within the right-of-way or utility easement.
- p. **Energy efficiency.** The plan for development of any MOD site shall consider the design, construction, and arrangement of buildings in such a way as to promote energy efficiency

and encourage the use of alternative energy sources, such as geo-thermal and active or passive solar systems. All applicants shall be required to complete an energy analysis that quantifies the estimated reduction in electric, gas, and water usage measured against a baseline scenario of standards consumption patterns that the proposed conservation measures are anticipated to achieve.

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