

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Mamaroneck

FILED
STATE RECORDS

DEC 07 2016

DEPARTMENT OF STATE

Local Law No. 22 of the year 2016

A local law TO AMEND THE ZONING CODE CHAPTER 342 WITH REGARD TO FLOOR
(Insert Title)
AREA RATIO FOR RESIDENTIAL LOTS.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Mamaroneck as follows:

See Attached:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 22 of 2016 of the ~~(County)(City)(Town)~~ (Village) of Mamaroneck was duly passed by the Board of Trustees on November 28, 2016, in accordance with the applicable *(Name of Legislative Body)* provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, 1 above.

[Handwritten Signature]

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 12/2/16

(Seal)

[Faint, illegible stamp or text]

LOCAL LAW W-2016

TO AMEND THE ZONING CODE CHAPTER 342 WITH REGARD TO FLOOR AREA RATIO FOR RESIDENTIAL LOTS.

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

Section I §342-3B. (Terms defined) definition of Floor Area, Gross is amended to read as follows:

FLOOR AREA, GROSS

The sum of gross horizontal areas of the several floors of the building or buildings on a lot, measured from the exterior faces of exterior walls or from the center line of party walls separating two buildings. Any interior space with a floor-to-ceiling height in excess of 12 feet shall be counted 1.5 times, except in the M-1 Zone. The following are excluded:

- (1) Any attic space with a floor-to-ceiling height of less than seven feet.
- (2) Cellar and basement areas where the average height of all exposed exterior wall or walls is less than three feet measured from both the existing grade prior to construction and from the proposed finish grade after construction as indicated on the approved plans.
- (3) In connection with uses other than single family and two family homes, any areas or structures devoted only to off-street parking or loading.

Section II Chapter 342 of the Code, Attachment 2 is amended to delete the floor area ratio in column 14 for the R-20, R-15, R-10, R-7.5, R-6, R-5 and RF-2 Zoning Districts and replace same with "See §342-27.1" so that Attachment 2 will read as follows:

ZONING

342 Attachment 2

Village of Mamaroneck SCHEDULE OF MINIMUM REQUIREMENTS FOR RESIDENTIAL DISTRICTS

| 1 | 2 | 3 | 4 | 5 | 6 | | 9 10 | | | 12 | 13 | 14 |
|-------------------------------------|--|---------------------------------------|--------------------------|--|---------------------------|------|---|--------------------|------------------|-------------|---|-------------------|
| | | | | | Maximum Height of | | Minimum Required Yards | | | | | |
| District | Minimum Lot Area (square feet) | Minimum Lot Width and Frontage (feet) | Minimum Lot Depth (feet) | Minimum Habitable Floor Area (square feet) | Stories | Feet | Front (feet) | Lesser Side (feet) | 2 Sides Combined | Rear (feet) | Requirements | |
| R-20 One-Family | 20,000 | 100 | 100 | 2-story: 1,800; 1-story: 1,650 | 2 1/2 | 35 | 25 | 20 | 45 | 30 | Notes 4, 6, 11 | See §342-27.10-30 |
| R-15 One-Family | 15,000 | 100 | 100 | 2-story: 1,800; 1-story: 1,650 | 2 1/2 | 35 | 25 | 15 | 35 | 30 | Notes 4, 6, 11 | See §342-27.10-35 |
| R-10 One-Family | 10,000 | 100 | 100 | 2-story: 1,600; 1-story: 1,400 | 2 1/2 | 35 | 25 | 10 | 25 | 30 | Notes 6, 11 | See §342-27.10-40 |
| R-7.5 One-Family | 7,500 | 75 | 100 | 2-story: 1,600; 1-story: 1,400 | 2 1/2 | 35 | 25 | 8 | 20 | 30 | Notes 4, 6, 11 | See §342-27.10-45 |
| R-6 One-Family | 6,000 | 60 | 100 | 2-story: 1,500; 1-story: 1,300 | 2 1/2 | 35 | 20 | 8 | 18 | 25 | Notes 4, 6, 11 | See §342-27.10-50 |
| R-5 One-Family | 5,000 | 50 | 100 | 2-story: 1,400; 1-story: 1,100 | 2 1/2 | 35 | 20 | 6 | 14 | 25 | Notes 4, 6, 11 | See §342-27.10-55 |
| R-2F One- and | 3,750 per | 75 | 100 | Each dwelling unit: 900 | 2 1/2 | 35 | 20 | 6 | 16 | 25 | Notes 6, 11 | See §342-27.10-65 |
| R-4F One-to | 2,500 per | 50 | 100 | Each dwelling unit: 900 | 2 1/2 | 35 | 20 | 6 | 16 | 25 | Notes 6, 11 | 0.70 |
| RM-1 Multiple Residence | 40,000 but not less than | 150 | 150 | -- | 2 1/2 | 35 | 40 | 30 | 60 | 25 | Notes 2, 3, 4, 5, 6, 7, 11 | 0.50 |
| RM-2 Multiple Residence | 20,000, but not less than 1,500 per | 150 | 150 | -- | 3 (3 1/2 on wide streets) | 40 | 25 | 25 | 50 | 25 | Notes 1, 2, 3, 4, 5, 6, 7, 8, 11 | 0.80 |
| RM-3 Multiple Residence | 7,500, but not less than | 100 | 100 | -- | 4 (4 1/2 on wide streets) | 50 | 5 | 8 | 20 | 25 | Notes 1, 2, 3, 4, 5, 6, 7, 8, 11 | 1.2 |
| RM/SC Multiple Residence/ P Parking | 20,000, but not less than 300 per dwelling | 100 | 100 | 415 | 8 (4 1/2 on wide streets) | 75 | 10 | 5 | 10 | 30 | Notes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 | 4.0 |
| | 5,000 | 50 | -- | -- | 2 | 35 | Minimum of 3 feet and maximum of 20 feet, as determined by the Planning Board | | | 10% | Notes 4, 6 and § 342-16. (Preceding) | -- |

Section III. Add new Section 342-27.1 Floor Area Ratio in One Family and One and Two Family Residential Districts as follows:

§342-27.1 Floor Area Ratio in One Family and One and Two Family Residential Districts
The maximum allowable FAR for lots in the R-20, R-15, R-10, R-7.5, R-6 and R-5 One Family Districts and the RF-2 One and Two Family District shall be determined by the following Residential FAR (Floor Area Ratio) Schedule set forth below. To determine the maximum gross floor area permitted for an individual one- or two-family house, the actual lot size shall be multiplied by the FAR listed in, or computed in accordance with, the schedule for the appropriate lot size category.

Residential FAR (Floor Area Ratio)
Schedule

| Lot Size (sq. ft.) | Floor Area Ratio (FAR) | |
|--------------------|------------------------|------------------------------------|
| | Maximum FAR | Maximum Gross Floor Area (sq. ft.) |
| Less than 5,000 | 0.530 | |
| 5,000 | 0.530 | 2,650 |
| 6,000 | 0.480 | 2,880 |
| 7,000 | 0.430 | 3,010 |
| 8,000 | 0.410 | 3,280 |
| 9,000 | 0.390 | 3,510 |
| 10,000 | 0.370 | 3,700 |
| 11,000 | 0.360 | 3,960 |
| 12,000 | 0.350 | 4,200 |
| 13,000 | 0.340 | 4,420 |
| 14,000 | 0.330 | 4,620 |
| 15,000 | 0.320 | 4,800 |
| 16,000 | 0.310 | 4,960 |
| 17,000 | 0.300 | 5,100 |
| 18,000 | 0.290 | 5,220 |
| 19,000 | 0.280 | 5,320 |
| 20,000 or more | 0.270 | 5,400 |

Each lot size range represents 1 to 999 square feet. FAR must be interpolated for any values that fall between the lot sizes indicated. For example a lot of 12,500 square feet would have a FAR of 0.345.

Section IV. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section V. Effective Date

This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.