

Local Law No. _____ of 2015

A Local Law Amending Chapter 116 (Zoning)
Of The Village Code With Respect To Off-street
Parking Regulations For One-family Dwellings

Section 1. §116-14 is hereby amended by adding subsection L to read as follows:

L. Method of determining off-street parking space requirements for one-family dwellings.

(1) Pursuant to §116-14C, the required number of off-street parking spaces for a one-family dwelling consists of 2 spaces, plus 1 additional space for each bedroom in excess of 3 bedrooms. For the purpose of determining such required number of off-street parking spaces:

(a) Rooms designed or designated as bedrooms shall be counted as bedrooms and shall be included in the overall bedroom count for the dwelling.

(b) The following rooms shall not be counted as bedrooms and shall not be included in the overall bedroom count for the dwelling:

Kitchen
1 – Living room
1 – Dining room
1 – Family room (if omitted from floor plan, another room such as a Den, Study or Office may be substituted in its place)
Bathrooms
Open Basement/Utility room
Foyer
Garage

(c) The following rooms shall be counted as bedrooms and shall be included in the overall bedroom count for the dwelling:

Studies
Offices
Play rooms
Media rooms
Any other room not listed in (b) above.

Notwithstanding the foregoing, the Building Inspector may exclude from the overall bedroom count for the dwelling any room listed in (c) above if the Building Inspector reasonably determines that future use of such room as a bedroom is not feasible or practical, provided that such determination is made in a written determination setting forth the basis for same.

(2) Notwithstanding any provision in this chapter to the contrary, in the case of reconstruction of an existing one-family dwelling in whole or in part, the provisions set forth in subsection L(1) above shall apply if the cost of the proposed reconstruction equals or exceeds 50% of the full replacement cost of the existing dwelling at the time of reconstruction. It is the intent of the foregoing that, with respect to a project involving an existing one-family dwelling, whether characterized as involving demolition of the existing dwelling and construction of a new dwelling or characterized as involving reconstruction of the existing dwelling, the provisions set forth in subsection L(1) above shall apply if the cost of the proposed project equals or exceeds 50% of the full replacement cost of the existing dwelling at the time of the project.

Section 2. §116-14 is hereby amended by adding subsection M to read as follows:

M. Design requirements for accessory off-street parking areas for one-family dwellings.

(1) Off-street parking areas shall be designed so that each required off-street parking space has a minimum width of 10 feet and a minimum length of 18 feet.

(2) Off-street parking areas shall be designed so that each required off-street parking space is provided convenient access at a time when motor vehicles are parked in all required off-street parking spaces. If at such time access from a particular required off-street parking space to the street would necessitate moving more than one other motor vehicle (more than one motor vehicle other than the motor vehicle parked in such particular required off-street parking space) parked in required off-street parking spaces, such particular off-street parking space does not meet the standard that such particular off-street parking space be provided convenient access. In other words, stacking of required off-street parking spaces in a manner which does not meet such standard of convenient access is not allowed.

(3) Where a driveway is used to provide required off-street parking spaces, use of a driveway for such purpose shall be subject to the design requirements set forth in this subsection M, and the term off-street parking area shall be deemed to include each required off-street parking space provided in a driveway.

(4) Off-street parking areas in residence districts are required to be located in accordance with the setback requirements set forth in §116-9B(1).

(5) Off-street parking areas in residence districts require a permit from the Building Inspector in accordance with the provisions set forth in §116-9B(1).

Section 3. §116-9B(1)(a) is hereby amended to read as follows:

(a) Accessory off-street parking areas may be located in required front, side or rear yards, provided that they are set back at least 5 feet from all property lines in required front and side yards and at least 10 feet from all property lines in a required rear yard.

Section 4. §116-9B(1)(b) is hereby amended by deleting the sentence “No accessory off-street parking area shall be located in a required front yard or in a required side yard without a permit therefor from the Building Inspector” and by inserting the sentence “No accessory off-street parking area shall be constructed or installed without a permit therefor from the Building Inspector” in place of said deleted sentence.

Section 5. §116-14H(6) is hereby amended by deleting the clause “if the accessory off-street parking area will be located in a required front yard or in a required side yard”.

Section 6. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.