

LOCAL LAW 18-2014

A Local Law to amend Chapter 342 (Zoning) of the Code of the Village of Mamaroneck,
To add provisions to implement the 2013 Transit-Oriented Development (TOD) Zoning Study

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

Section I. Section 342-3 Definitions is amended to add the following definitions:

GREEN BUILDING ELEMENTS: Measures incorporated into building design and construction that are intended to minimize impacts to the environment through conservation of natural resources, increased energy and efficiency and improved indoor air quality.

GREEN INFRASTRUCTURE: Measures that utilize best management practices for stormwater management that infiltrate or otherwise reuse stormwater. Such techniques may include green roofs, landscaping, rain gardens, bioretention areas, vegetated swales, pocket wetlands, infiltration planters and vegetated median strips. Individual green infrastructure practices shall be defined according to the current New York State Stormwater Management Design Manual.

GREEN ROOF: The roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

NEIGHBORHOOD STABILIZATION FUND: A fund to be managed by the Village Manager or his designee and administered by the Village Manager or his designee. Funds administered may be used by the Village for public improvements within the TOD Overlay District or the Washingtonville neighborhood as defined in the Village of Mamaroneck Comprehensive Plan.

Section II. New Section 342-30.1 Transit-Oriented Development Overlay District is hereby added to read as follows:

Section 342-30.1 Transit-Oriented Development Overlay District

- A. Purpose and intent. The Transit-Oriented Development (TOD) Overlay District is based upon recommendations in the Transit-Oriented Development (TOD) Zoning Study of the Village of Mamaroneck dated February 2013. The TOD Zoning Study recommends the creation of a TOD Overlay District to capitalize on development and redevelopment potential resulting from proximity to the Mamaroneck train station and Central Business District, while creating tangible benefits for existing residents and property owners within and adjacent to the TOD Overlay District.
- B. Mapping of TOD Overlay District. The area comprising the Transit-Oriented Development Overlay District is indicated on the Zoning Map of the Village of Mamaroneck.

C. Permitted principal and accessory uses. Any principal or accessory use allowed in the underlying C-1 General Commercial District shall be allowed in the TOD Overlay District, as may be modified by the provisions hereof.

D. Notwithstanding the requirements of the underlying C-1 District, the following provisions shall apply to the TOD Overlay District:

(1) Residence uses in the TOD Overlay District. Residence uses in the TOD Overlay District shall meet the standards for residence uses in C-1 Districts, as specified in § 342-50, except as follows:

(a) Such residential uses shall not require a special permit from the Planning Board.

(b) Site size. For residential uses within the TOD Overlay District, there shall be no minimum or maximum site size requirement.

(c) Floor area ratio. The permitted FAR for the entire building, including residential and non-residential uses, shall not exceed 0.60, except that the FAR may be increased to a maximum of 1.5, as provided in the following provisions:

[1] The Planning Board may increase the FAR to 0.80 in accordance with the provisions of Article XV of this chapter for below-market-rate housing.

[2] The Planning Board may further increase the FAR by an additional 0.3 for mixed-use development that includes a full-service grocery store of up to 25,000 square feet of gross floor area.

[3] The Planning Board may further increase the FAR by an additional 0.4, provided that both of the following requirements are met to the satisfaction of the Planning Board:

[a] Payment into a Neighborhood Stabilization Fund. The developer or property owner shall pay an amount equal to 10% of the market value of the additional gross floor area allowable by the 0.4 FAR bonus, as estimated by the Town of Mamaroneck Assessor. Payment shall be made prior to the issuance of a Certificate of Occupancy.

[b] Provision of Green Building Elements and/or Green Infrastructure as defined in this Chapter to the satisfaction of the Planning Board and as reviewed by the Building Inspector and/or the Village Engineer.

[4] If ground-level retail stores, restaurants, personal service stores, clubs, dancing studios, dancing schools, or other similar uses are provided that, in the opinion of the Planning Board will encourage an active street environment for pedestrians, the Planning Board may exempt up to 3,000 square feet of gross

floor area, of such use, or one-third of the ground floor area, whichever is greater, from the calculation of maximum FAR.

(d) Maximum coverage: 50%

(e) Minimum required yards:

[1] Front: 5 feet

[2] 2 Sides Combined: 20 feet

[3] Lesser side: 8 feet

[4] Rear: 25 feet

(f) Usable open space requirement: 150 square feet per unit. "Usable open space" shall be defined as active recreation, sitting or landscaped areas open to the sky. Parking shall not be considered usable open space. On any lot containing more than 15 dwelling units, the design, layout and equipment of such open space shall be subject to Planning Board approval. For purposes of open space calculations, an "atrium" is defined as a continuous area open to a sidewalk and street which is open and unobstructed, except for sitting and landscaped areas, to a height of at least 25 feet and whose roof and wall configuration allows natural sunlight as the main light source. Rooftop and atrium open spaces that are open to all the residents of the building may account for up to 10% of the open space requirements.

(2) Parking for any permitted principal or accessory use shall meet the parking requirements of § 342-56, except that for multifamily housing, the requirement shall be 1 space per dwelling unit, plus $\frac{1}{4}$ space per bedroom. For a building containing a mix of multifamily residential and non-residential uses, the required parking for the residential use may be reduced to 1 space per dwelling unit, plus $\frac{1}{4}$ space per bedroom in excess of one bedroom. Such parking for mixed uses must be shared among the uses on the site and not assigned to any one user, as acceptable to the Planning Board.

Section III. Section 342-50.A.(3) Residence Uses in Commercial Districts subsections (f) and (i) are amended to delete references to Van Ranst Place and to read as follows:

A. Residence uses in C-1 Districts shall meet the following standards:

(3) Height, setback and yard controls. Zoning envelope controls shall be as follows:

(f) Maximum coverage: 30%; 35% in the C-1 Zone on Mamaroneck Avenue; and Boston Post Road or for a development that consists of all below-market-rate housing as defined in Article XV.

- (j) Open space requirement: 300 square feet per unit: 150 square feet in the Village Center. (NOTE: The Village Center shall include the C-1 Zone on Mamaroneck Avenue and Old White Plains Road.

Section IV. Section 342-56.A. Schedule of Off-Street Parking Requirements; joint parking, provision for Multifamily dwelling is hereby amended to read as follows:

- A. Schedule of Off-Street Parking Requirements. Off-street parking spaces shall be provided as follows:

Multifamily dwelling	1 space per dwelling unit, plus $\frac{1}{2}$ space per bedroom; except that, in the C-2 District, it shall be 1 space per dwelling unit, plus $\frac{1}{2}$ space per bedroom in excess of 1, and in the RM-3 District, it shall be 1 space per dwelling unit, plus $\frac{1}{4}$ space per bedroom.
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Section V. Chapter 342 Attachment 2, SCHEDULE OF MINIMUM REQUIREMENTS FOR RESIDENTIAL DISTRICTS for the RM-3 Multiple Residence Districts and footnote 2 are hereby amended to read as set forth below:

342 Attachment 2
Village of Mamaroneck
SCHEDULE OF MINIMUM REQUIREMENTS FOR RESIDENTIAL DISTRICTS

1	2	3	4	5	6	7	8	9	10	11	12	13	14
District	Minimum Lot Area (square feet)	Minimum Lot Width and Frontage (feet)	Minimum Lot Depth (feet)	Minimum Habitable Floor Area (square feet)	Maximum Height of Principal Building		Minimum Required Yards				Maximum Coverage of All Buildings (as percentage of lot area)	Other Requirements	Maximum Floor Area Ratio ¹²
					Stories	Feet	Front (feet)	Lesser Side (feet)	2 Sides Combined (feet)	Rear (feet)			
RM-3 Multiple Residence	7,500, but not less than 800 per dwelling unit	100	100	--	4 (4 ½ on wide streets)	50	5	8	20	25	50%	Notes 1, 2, 3, 4, 5, 6, 7, 8, 11	1.2

NOTES:

² There shall be provided a minimum of 400 square feet of usable open space per dwelling unit in the RM-1 District, 300 square feet per dwelling unit in the RM-2 District, 150 square feet per dwelling unit in the RM-3 District and, in the RM/SC District, the amount of usable open space shall be determined by the Planning Board during site plan approval. "Usable open space" shall be defined as active recreation sitting or landscaped areas open to the sky. Parking shall not be considered usable open space. On any lot containing more than 15 dwelling units, the design, layout and equipment of such open space shall be subject to Planning Board approval. Rooftop and atrium open spaces that are open to all the residents of the building may account for up to 10% of the open space requirements if the Planning Board finds that they provide usable open space. For purposes of open space calculations, an "atrium" is defined as a continuous area open to a sidewalk and street which is open and unobstructed, except for sitting and landscaped areas, to a height of at least 25 feet and whose roof and wall configuration allows natural sunlight as the main light source.

Section VI. Chapter 342 Attachment 3, SCHEDULE OF MINIMUM REQUIREMENTS FOR NONRESIDENTIAL DISTRICTS is hereby amended to add new footnote 16 referenced in Column 1 for the C-1 General Commercial District row, to read as follows:

¹⁶ See § 342-30.1 for regulations pertaining to the TOD Overlay District on portions of the C-1 District along Mamaroneck Avenue and Old White Plains Road.

Section VII. The Zoning Map of the Village of Mamaroneck, as referred to in Section 342-6 of the Code of the Village of Mamaroneck, is hereby amended to rezone the following properties from RM-3/O-1/C-1 to the C-1 Zoning District, eliminating the RM-3 and O-1 from said parcels:

Section 8, Block 80, Lot 3
Section 8, Block 83, Lots 1B, 4, 6, 10, 11, 12, 14, and 15
Section 8, Block 88, Lots 1, 4, 5B, 7, 8, 9, 10, and 21

Section VIII. The Zoning Map of the Village of Mamaroneck, as referred to in Section 342-6 of the Code of the Village of Mamaroneck, is hereby amended to rezone the following properties from RM-3/O-1/C-1 to the RM-3 Zoning District, eliminating the O-1 and C-1 from said parcels:

Section 8, Block 83, Lot 25
Section 8, Block 88, Lot 11.13 and 15B

Section IX. The Zoning Map of the Village of Mamaroneck, as referred to in Section 342-6 of the Code of the Village of Mamaroneck, is amended to rezone the following properties from R-2F to the C-1 Zoning District:

Section 4, Block 1, Lot 5C
Section 8, Block 50, Lots 21, 59B and 60B
Section 8, Block 69, Lots 3, 6 and 11

Section X. The Zoning Map of the Village of Mamaroneck, as referred to in Section 342-6 of the Code of the Village of Mamaroneck, is amended to rezone the following properties from RM-3 to the C-1 Zoning District:

Section 8, Block 82, Lots 1, 12B, 20, 22, 24, 27, 29A and 29C

Section XI. The Zoning Map of the Village of Mamaroneck, as referred to in Section 342-6 of the Code of the Village of Mamaroneck, is amended to rezone the following properties from M-1 to the C-1 Zoning District:

Section 8, Block 103, Lots 47 and 55
Section 8, Block 112, Lots 46B-55, 56B and 56C2

Section XII. The Zoning Map of the Village of Mamaroneck, as referred to in Section 342-6 of the Code of the Village of Mamaroneck, is hereby amended to indicate the following properties as within the TOD Overlay District:

Section 4, Block 1, Lot 5C
Section 8, Block 50, Lots 21, 52A, 54, 59B and 60B
Section 8, Block 69, Lots 1, 2, 3, 5, 6 and 11
Section 8, Block 72, Lot 1
Section 8, Block 80, Lot 2A and 3
Section 8, Block 82, Lots 1, 12B, 20, 22, 24, 27, 29A and 29C
Section 8, Block 83, Lots 1B, 4, 6, 10, 11, 12, 14 and 15
Section 8, Block 88, Lots 1, 4, 5B, 7, 8, 9, 10, and 21
Section 8, Block 95, Lots 1, 2A, 2B, 3A, 3B, and 4
Section 8, Block 103, Lots 47, 53A1, 54A1 and 55
Section 8, Block 112, Lots 46B-55, 56A, 56B and 56C2

Section XIII. 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 XIV. 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.