

# 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.)

FILED  
STATE RECORDS

of

JUL 05 2016

Local Law No. 6 of the year 20 16

DEPARTMENT OF STATE

A local law To amend Chapter 342 (Zoning) of the Code of the Village of Mamaroneck,  
(Insert Title)  
to add provisions for adaptive reuse of religious or educational buildings.

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

☐ County ☐ City ☐ Town ☒ Village  
(Select one.)

of Mamaroneck as follows:

(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. 6 of 2016 of the ~~(County)(City)(Town)~~(Village) of Mamaroneck was duly passed by the Board of Trustees on May 23, 2016, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**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 \_\_\_\_\_ 2016, 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.)**

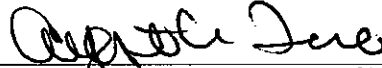
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 \_\_\_\_\_ above.



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

(Seal)

Date:

5-23-16

## LOCAL LAW 6-2016

To amend Chapter 342 (Zoning) of the Code of the Village of Mamaroneck,  
to add provisions for adaptive reuse of religious or educational buildings

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

**Section I.** Chapter 342, Zoning, of the Code of the Village of Mamaroneck is amended to add new Section 342-52.2 Adaptive Reuse of Religious or Educational Buildings to Article VII, Standards for Uses Subject to Special Permit Procedures as follows:

### §342-52.2 Adaptive Reuse of Religious or Educational Buildings

The purpose of this section is to foster the renovation and reuse of structures originally constructed for religious or educational uses, which have historic, architectural, economic, cultural or other value to the Village and are at risk of becoming under-utilized, vacant or demolished. This section encourages the adaptive and flexible reuse of such buildings to allow more economic and efficient use of the property. Special regulations are appropriate to this type of reuse because of the difficulty present in adapting these structures to allow economic and efficient use of the property.

A. **Special Permit Authority.** The Planning Board may grant a special permit subject to the additional provisions set forth below to allow the use of an eligible building for uses which may not otherwise be allowed and such adaptive reuse of an existing building may occur within its existing footprint even if dimensionally non-conforming. The Planning Board may modify minimum lot area, height, stories, minimum lot frontage, maximum coverage, maximum habitable floor area, minimum lot width, and front, side and rear yard setback requirements if the Planning Board determines that the modification is necessary to preserve the building and allow its adaptive reuse. The granting of a special permit will require compliance with site plan review requirements. The special permit authority granted to the Planning Board would be in lieu of, rather than in addition to, the Zoning Board of Appeals' special permit authority generally for private schools, places of worship, and places of religious instruction in residential zones.

B. **Eligible Buildings.** Any building originally constructed for religious or educational purposes including buildings previously occupied as a primary or secondary school, place of worship, accessory building to a place of worship (such as a rectory, convent, school gym or similar use) on properties less than 5 acres in size.

C. **Parking.** The Planning Board may modify off-street parking requirements based on applicant's information regarding the parking impacts of the proposed adaptive reuse. Parking may also be provided on lot(s) in private ownership within 500 feet of the building entrance as part of the Planning Board approval of the special permit.

D. **Restrictions on Uses in Particular Districts.**

(1) For eligible buildings on a lot zoned partially residential and partially commercial the Planning Board may permit an adaptive reuse for any use permitted in either of the applicable zoning districts.

(2) For eligible buildings on a lot zoned entirely for single family or two family residential use, only uses permitted in such zone shall be allowed, except for an eligible building located on or with direct access to an arterial or collector road as defined by the NYSDOT, the Planning Board may permit multi-family housing for senior citizens 62 years of age or older subject to the open space and maximum FAR requirements in the RM-2 District.

E. Additional Conditions. The Planning Board may attach such additional conditions to a Special Permit granted under this section as may be necessary to protect the neighborhood surrounding the property and to encourage the most appropriate adaptive reuse of the buildings and property.

**Section II.** Section 324-21A is amended to add new subsection (11) as follows:

(11) Adaptive reuse of educational and religious buildings by Special Permit from the Planning Board as permitted by Section 342-52.2.

**Section III.** Section 324-30A(1) is amended to add new subsection (q) as follows:

(q) Adaptive reuse of educational and religious buildings by Special Permit from the Planning Board as permitted by Section 342-52.2.

**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.