

PROPOSED LOCAL LAW E OF 2021

A LOCAL LAW Amending Chapter 295 Zoning to amend provisions for the Multifamily Residence/Office (MR-O Zoning) District

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:
(deleted language in ~~strikeout~~, added language in **bold**)

SECTION 1. Section 295-72.1 Multifamily Residence/Office (MR-O) Districts, Subsection A, Principal uses, is amended to read as follows:

A. Principal uses. The following uses are permitted principal uses in a MR-O District:

- (1) Any principal use permitted in a 2R-3.5 District as set forth in § 295-70.1A above.
- (2) Three-family detached dwellings.
- (3) Business and professional offices.
- (4) Artist studios.
- (5) Mixed-use **residential** buildings ~~containing no more than eight dwellings~~, provided that any residential dwelling unit contained therein has a minimum floor area of 500 square feet, and further provided that suitably improved and usable recreation area and open space shall be provided in accordance with the following requirements:
 - (a) One hundred square feet for each studio (efficiency) dwelling unit; and
 - (b) Two hundred square feet for each bedroom for all other dwelling units.
- (6) **Dwellings for four or more families, provided that any residential dwelling unit contained therein has a minimum floor area of 500 square feet, and further provided that suitably improved and usable recreation area and open space shall be provided in accordance with the following requirements:**
 - (a) **One hundred square feet for each studio (efficiency) dwelling unit; and**
 - (b) **Two hundred square feet for each bedroom for all other dwelling units.**

SECTION 2. Section 295-72.1 Multifamily Residence/Office (MR-O) Districts, Subsection B, Principal uses requiring a special permit, subsection (2) is deleted in its entirety.

SECTION 3. Section 295-72.1 Multifamily Residence/Office (MR-O) Districts, Subsection D, Minimum lot size and width is amended to read as follows:

D. Minimum lot size and width. ~~Subject to the provisions of Subsections A through C, a~~ All lots in an MR-O District shall be subject to the following requirements: ~~(1) A two-family dwelling shall require a lot area of at least 5,000~~ **3,500** square feet and a lot width of at least 25 feet.

~~(2) A residential use with three or more dwelling units shall require 5,000 square feet for the first two dwellings, and 1,500 square feet for each additional dwelling thereafter and a lot width of at least 50 feet.~~

~~(3) Any other use shall require a lot area of at least 3,500 square feet and a lot width of at least 25 feet.~~

SECTION 4. Section 295-72.1 Multifamily Residence/Office (MR-O) Districts, Subsection E, Required yards; maximum building height and coverage, is amended to read as follows:

E. Required yards; maximum building height, **FAR** and coverage.

(1) Subject to the provisions of Subsections A through C and § 295-82C, each **building** ~~residential use with three or more dwellings~~ in an MR-O District shall have:

(a) A front yard at least 10 feet deep;

(b) A rear yard at least ~~30~~ **20** feet deep **except in the case of a non-residential use on the first floor which shall have a rear yard at least 15 feet deep** (eight feet in the case of accessory buildings and structures, provided that the ~~roof of the building or structure is used as open space and the wall of the accessory building or structure does not exceed six feet in height~~);

(c) ~~Two side yards, each of which is at least 12 feet or 1/2 of the height of the building wall nearest the side lot line, whichever is greater~~ **Side yard requirements shall be based upon the Lot Width as follows:**

i. Lot Width 25 feet to 29 feet shall require minimum side yards of 3 feet one side, and a minimum total of both side yards of 6 feet

ii. Lot Width 30 feet to 39 feet shall require minimum side yards of 3 feet one side, and a minimum total of both side yards of 9 feet

iii. Lot Width 40 feet to 49 feet shall require minimum side yards of 3 feet one side, and a minimum total of both sides of 12 feet

iv. Lot Width 50 feet to 59 feet shall require minimum side yards of 3 feet one side, and a minimum total of both sides of 16 feet

v. Lot Width 60 feet to 69 feet shall require minimum side yards of 3 feet one side, and a minimum total of both sides of 20 feet

vi. Lot Width 70 feet to 79 feet shall require minimum side yards of 3 feet one side, and a minimum total of both sides of 24 feet

vii. Lot Width 80 feet or more shall require minimum side yards of 3 feet one side, and a minimum total of both sides of 30'

~~[eight feet in the case of accessory buildings and structures, with the same proviso as that contained in Subsection E(1)(b) above]; and~~

(d) A maximum height of: ~~[1] 40~~ **35** feet (15 feet in the case of accessory buildings and structures with sloped roofs and 12 feet in the case of accessory buildings and structures with flat roofs) and no more than three stories.

~~(2) Subject to the provisions of Subsections A through C and § 295-82C, every other building and structure, including each two-family dwelling, in an MR-O District shall have:~~

~~(a) A front yard at least 10 feet deep;~~

~~(b) A rear yard at least 15 feet deep (five feet in the case of accessory buildings and structures);~~

~~(c) Two side yards, each of which yard is at least eight feet (also five feet in the case of accessory buildings and structures);~~

~~(d) A maximum height of 35 feet (15 feet in the case of accessory buildings and structures with sloped roofs and 12 feet in the case of accessory buildings and structures with flat roofs) and no more than 2 1/2 stories.~~

~~(3) All buildings and structures on the lot shall together cover not more than 50% of the area of the lot.~~

(2) Building Coverage shall not exceed 55%.

(3) Development Coverage shall not exceed 70%.

(4) Floor Area Ratio shall not exceed 1.37.

SECTION 5. Section 295-72.1 Multifamily Residence/Office (MR-O) Districts, is amended to add new Subsection F, Parking requirements, to read as follows:

F. Parking requirements. Notwithstanding the requirements set forth in §295-36 or elsewhere in this Chapter, in the MR-O Zoning District no off-street parking shall be required for any use on a lot with a lot width of less than 40 feet. On lots 40 feet wide or greater, parking for residential uses shall be provided at a ratio of 0.8 spaces per unit.

SECTION 6. 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 7. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.