

LOCAL LAW 11 OF 2015

**AMENDING THE MULTIFAMILY RESIDENCE DISTRICT
(MF) REGULATIONS OF THE ZONING CODE WITH RESPECT
TO ATTACHED ONE-FAMILY DWELLING DEVELOPMENTS**

(November 16, 2015)

Be it enacted by the Board of Trustees of the Village of Irvington as follows:

Section 1: The following definitions are hereby added to section 224-3, Definitions:

ATTACHED ONE-FAMILY DWELLING DEVELOPMENT – A grouping of attached one-family dwellings, along with related improvements, such as accessory buildings, walkways, and parking areas.

DWELLING, ATTACHED ONE-FAMILY – A building containing two to six dwelling units in which each unit shares a common wall and/or floor/ceiling with another unit.

DWELLING, THREE-OR-MORE-FAMILY – A building containing three or more dwelling units.

Section 2: The definition of “Dwelling, One-Family” in section 224-3 is hereby amended to read as follows (new language in *italics*):

DWELLING, *DETACHED* ONE-FAMILY – A detached building containing one dwelling unit only.

Section 3: Subsection A of section 224-8, Use regulations for One-Family Residence Districts, is hereby amended to read as follows (new language in *italics*):

A. *Detached* one-family dwelling not to exceed one such dwelling on each lot, including the renting out of not more than one room.

Section 4: A new subsection D is hereby added to section 224-17, Use regulations for the Multifamily Residence District MF, to read as follows:

D. *Attached one-family dwellings.*

Section 5: Subsections D through F of section 224-17 are hereby redesignated subsections E through G respectively.

Section 6: Section 224-18, Lot requirements, is hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

Lot requirements for uses permitted in one-family residence districts shall be the same as those provided for the 1F-10 District. For ~~two-or-more-family dwellings~~ *two-family, three-or-more-family, and attached one-family dwellings*, there shall be provided a *total* land area of not less than 5,000 square feet ~~for each~~ *per* dwelling unit on the ~~lot~~ *subject property*; provided, however, that in no event shall the ~~lot~~ *total land* area and street frontage for three-or-more-family dwellings, *attached one-family dwelling developments*, and for any use subject to the issuance of a special permit by the Planning Board be less than four acres and 250 feet respectively.

Section 7: Subsection A of section 224-19, Yard requirements; projections, is hereby amended to read as follows (new language in *italics*):

Except as specified below and except as provided in § 224-8 hereof, the following yards shall be provided on each lot for each type of permitted use:

Any use permitted in 1- and 2-family residence districts	In accordance with requirements of the 1F-10 District
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	Front	Side	Rear
Three- or more-family dwellings <i>and attached one-family dwellings</i>	100	50	30
Any use subject to the issuance of a special permit by the Planning Board	100	100	100

Section 8: Section 224-19 is hereby amended by adding a new subsection B to read as follows:

B. For attached one-family dwelling developments, the setback requirements of subsection A shall be applied to the development as a whole rather than to the individual buildings.

Section 9: Subsection B of section 224-19 is hereby redesignated subsection C.

Section 10: Section 224-20, Building coverage, is hereby amended by adding a new subsection D to read as follows:

D. For attached one-family dwelling developments: 18% of the area of the lot on which the development is located, except that the building coverage associated with the adaptive reuse of any existing building determined by the Architectural Review Board to be of local historic significance shall not be included in the calculation of building coverage hereunder, provided that in no event shall the total building coverage of any attached one-family dwelling development exceed 20% inclusive of the building coverage associated with such building of local historic significance.

Section 11: A new subsection 224-20.1 is hereby added to read as follows:

§224-20.1. Adaptive reuse.

- A. For any building that the Architectural Review Board determines to be of local historical significance for purposes of § 224-20.D, the ARB must determine that any changes made to such building in achieving adaptive reuse do not compromise the local historical significance of the building.*
- B. Notwithstanding § 224-51, the Planning Board may permit modifications to such building being adaptively reused, so long as: (1) such modifications do not expand the footprint of the building, (2) the modifications do not increase the height of the building, and (3) the Architectural Review Board has determined that the modifications will not compromise the local historical significance of the building.*

Section 12: Section 224-21, Distance between buildings, is hereby amended to read as follows (new language in *italics*):

Except as specified below, a minimum distance of 60 feet between any two buildings, whether principal or accessory, shall be observed.

- A. In the case of uses subject to the issuance of a special permit by the Planning Board, the required minimum distance between buildings shall be as follows:*
- 1. Between a principal building and a one-story accessory building: 20 feet.*
 - 2. Between any two other buildings:*

- (a) Between two walls the length of either or both of which does not exceed 25 feet: a distance equal to the average height of such walls at the points where such walls are nearest one to the other.
- (b) Between two walls the length of both of which is in excess of 25 feet: a distance equal to two times such average height.

B. *Attached one-family dwellings shall be separated from any other building by no less than 15 feet.*

C. The limitations of this section shall not apply to driveways.

Section 13: Section 224-24, Off-street parking, is hereby amended by adding a new subsection C to read as follows:

C. *For attached one-family dwellings, there shall be provided paved off-street parking spaces sufficient for the parking at one time of not less than two times as many passenger vehicles as there are dwellings. Such parking spaces may be provided inside a garage or on the driveway of the dwelling.*

Section 14. Paragraph C of section 224-24 is hereby redesignated paragraph D.

Section 15: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 16: This local law shall take effect immediately upon filing in the office of the New York Secretary of State.