

PROPOSED LOCAL LAW A-2015

To amend Chapter 342 (Zoning) of the Code of the Village of Mamaroneck,
To amend provisions relating to the Transit Oriented Development Overlay District

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:
[Additions are indicated in **bold** and deletions by ~~strikethrough~~]

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

SUPERMARKET

A store occupying at least 25,000 square feet of gross floor area and offering a full line of groceries, meat, fruits and produce including general merchandise and health and beauty aids, and which may offer a service deli, baked goods, frozen and prepared foods, a specialty food shop and/or a pharmacy.

Section II. Section 342-56.A. Schedule of Off-Street Parking Requirements to add a new requirement for a Supermarket as follows:

USE	MINIMUM NUMBER OF SPACES
Supermarket	1 space for each 235 square feet of gross floor area

Section III. Section 342-30.1 Transit-Oriented Development Overlay District, subsection 342-30.1.D(1)(c)[3][a] is hereby amended to read as follows:

§342-30.1.D(1)(c)[3][a] Payment into a Neighborhood Stabilization Fund. The developer or property owner shall pay an amount equal to ~~40~~**15**% 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.

Section IV. Section 342-30.1A Transit-Oriented Development Overlay District is amended to read as follows:

§342-30.1.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. **It is recognized that the TOD Overlay District has historically been prone to flooding and it is therefore important that future development in this area not exacerbate the problem, and where possible improve the existing conditions with respect to flooding and storm water runoff. To this end, in addition to ensuring compliance with current storm water and floodplain regulations, the Planning Board shall maximize the use of**

pervious materials for walkways, driveways and open parking areas, and the use of Green Infrastructure, all where practicable.

Section V. Section 342-30.1 Transit-Oriented Development Overlay District, subsection 342-30.1.D(1)(c)[2] is hereby amended to read as follows:

§342-30.1D(1)(c)[2] The Planning Board may further increase the FAR by an additional 0.3 for mixed-use development that includes a **Supermarket** ~~full-service-grocery store of up to 25,000 square feet of gross floor area.~~

Section VI. Section 342-30.1 Transit-Oriented Development Overlay District, subsection 342-30.1.D(2) is hereby amended to read as follows:

§342-30.1D(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 ¼ space per bedroom, if **parking spaces are unassigned, provided without charge, and transferable between residential units, or 10% more if such conditions are not met.** 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 ¼ 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 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 rear portion of Section 8, Block 82, Lot 1 so that the portion of the property within 100 feet of its frontage along Mamaroneck Avenue shall remain in the C-1 Zoning District and within the TOD Overlay Zoning District, but the remainder of the parcel shall be rezoned RM-3 and removed from the OTD Overlay Zoning District.

Section VIII. 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 IX. 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.