

Bill No. 2 of 2016

INCORPORATED VILLAGE OF LAWRENCE
BOARD OF TRUSTEES

Local Law No. 2 of 2016

A LOCAL LAW TO AMEND
CHAPTER 212 OF THE VILLAGE
CODE CONCERNING ZONING

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Lawrence, as follows:

Section 1. Chapter 212 of the Village Code, entitled “Zoning”, is hereby amended as follows:

§212-2 Word usage and definitions.

BASE PLANE

The mean elevation of the crown of the street along the front yard of a property on which a building is situated.

EXTERIOR WALL HEIGHT

The vertical height of an exterior wall of a building or structure measured from the base plane to the underside of the eaves.

HEIGHT OF BUILDING OR BUILDING HEIGHT

The vertical distance from the base plane to the highest point of the roof. A pitched roof is a roof with a slope of 3 to 12 or greater.

§212-12.1 Schedules of Dimensional Regulations.

- A. In addition to the district regulations contained in this article, the maximum permitted height/setback ratios and minimum required front, side and rear yard setbacks in the Residence AA, A, BB, B, C-1, C-2 and D Districts are presented on the table 212-12.1 located at the end of this chapter.
- B. In addition to the district regulations contained in this article, the maximum permitted building area and surface coverage for the Residence AA, A, BB, B, C-1, C-2 and D Districts are presented on the table 212-12.2 located at the end of this chapter. Subsurface improvements utilized for habitable, storage, or garage space shall count toward building area and surface coverage calculations.
- C. The permitted surface coverage in a front yard, expressed in a percentage, shall not exceed the total percentage of lot area that is occupied by the primary building, all accessory buildings and all rear and side surface coverage on the same lot.

§212-13 Residence AA District.

- B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 40 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.
- D. Yard regulations.
- (1) Every building hereafter erected or altered shall have a front yard of not less than 50 feet, a rear yard of not less than 60 feet and an aggregate of not less than 70 feet for both side yards, neither one of which shall be less than 30 feet.
 - (2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:
 - (a) Front yard: 0.44.
 - (b) Rear yard: 0.37.
 - (c) Side yard: 0.74.
 - (3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-14 Residence A District.

- B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 38 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.
- D. Yard regulations.
- (1) Every building hereafter erected or altered shall have a front yard of not less than 35 feet, a rear yard of not less than 50 feet and an aggregate of not less than 40 feet for both sides, neither one of which shall be less than 20 feet.
 - (2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:
 - (a) Front yard: 0.63.

(b) Rear yard: 0.44.

(c) Side yard: 1.1.

(3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-15 Residence BB District.

B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 36 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.

D. Yard regulations.

(1) Every building hereafter erected or altered shall have a front yard of not less than 30 feet, a rear yard of not less than 40 feet and an aggregate of not less than 35 feet for both side yards, neither one of which shall be less than 15 feet.

(2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:

(a) Front yard: 0.74.

(b) Rear yard: 0.55.

(c) Side yard: 1.5.

(3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-16 Residence B District.

B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 36 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.

D. Yard regulations.

(1) Every building hereafter erected or altered shall have a front yard of not less than 30 feet, a rear yard of not less than 30 feet and an aggregate of not less than 30 feet for both side yards, neither one of which shall be less than 15 feet.

- (2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:
 - (a) Front yard: 0.74.
 - (b) Rear yard: 0.74.
 - (c) Side yard: 1.5.
- (3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-17 Residence C-1 District.

- B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 36 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.
- D. Yard regulations.
 - (1) Every building hereafter erected or altered shall have a front yard of not less than 25 feet, a rear yard of not less than 30 feet and an aggregate of not less than 25 feet for both side yards, neither one of which shall be less than 10 feet.
 - (2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:
 - (a) Front yard: 0.88.
 - (b) Rear yard: 0.74.
 - (c) Side yard: 2.2.
 - (3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-18 Residence C-2 District.

- B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 36 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this

subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.

D. Yard regulations.

- (1) Every building hereafter erected or altered shall have a front yard of not less than 20 feet, a rear yard of not less than 20 feet and an aggregate of not less than 16 feet for both side yards, neither one of which shall be less than seven feet.
- (2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:
 - (a) Front yard: 1.1.
 - (b) Rear yard: 1.1.
 - (c) Side yard: 3.2.
- (3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-19 Residence D District.

B. No single-family or two-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 36 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.

D. Yard regulations.

- (1) Every building hereafter erected or altered shall have a front yard of not less than 20 feet, a rear yard of not less than 20 feet and an aggregate of not less than 13 feet for both side yards, neither one of which shall be less than five feet.
- (2) No building shall be erected or altered which shall have a height/setback ratio of more than the following:
 - (a) Front yard: 1.1.
 - (b) Rear yard: 1.1.
 - (c) Side yard: 4.4.
- (3) Notwithstanding the preceding, no such yard shall be less than required in § 212-12.1, Schedule of Dimensional Regulations.

§212-20 Residence E District.

- B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of 36 feet, except multiple dwellings, which shall have no more than three stories or exceed 43 feet in height. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs, excluding multiple dwelling buildings, shall not exceed 26 feet in height.

§212-21 Residence FF District.

- B. No single-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of 36 feet, except multiple dwellings, which shall have no more than three stories or exceed 43 feet in height. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs, excluding multiple dwelling buildings, shall not exceed 26 feet in height.

§212-22 Residence F District.

- B. No single-family or two-family dwelling shall be erected or altered to have more than two and one-half stories, or a building height of more than 36 feet, whichever is greater. All other buildings shall be limited to two stories, or 29 feet. Notwithstanding anything in this subsection to the contrary, buildings with entirely flat roofs shall not exceed 26 feet in height.

§ 212-24 Regulations for accessory buildings and uses.

The following additional provisions shall apply to accessory buildings and uses:

- A. The accessory building or use must be located on the same lot as the principal building or use to which it is accessory or on a lot immediately adjoining it. If it is located on a lot immediately adjoining the lot on which the principal building or use is located and the lots are severed, the accessory use shall cease.
- B. The accessory use shall not be carried on by any person other than the occupant of the principal building or, in case of vacant property, by the owner or lessee of the lot.
- C. The area occupied by accessory buildings shall be included in computing the maximum portion of the lot area which may be built upon in any given district. The area occupied by accessory buildings shall not exceed 8.5% of the area of the lot.
- D. Except as otherwise indicated in this chapter, the following shall be the minimum distances, by district, between any accessory structure or garage and the side and rear property lines of the lot on which the accessory structure or garage is situated:

District	Minimum Distance (feet)
Residence AA	15
Residence A	10
Residence BB	8
Residence B	8
Residence C-1	4
Residence C-2	4
Residence D	4
Residence E	4
Residence FF	4
Residence F	4

E. No accessory building shall be permitted in the Business K District.

F. Accessory buildings located within a required setback shall not contain habitable space.

§ 212-27 Required off-street parking.

C. In the case of a one-family or two-family dwelling on a lot of 20,000 square feet or less, an enclosed garage (attached, semi-attached or detached) shall be provided containing at least one parking space for each family housed or intended to be housed in said dwelling; In the case of a one-family or two-family dwelling on a lot larger than 20,000 square feet, an enclosed garage (attached, semi-attached or detached) shall be provided containing at least two parking spaces.

(1) For the purposes of this subsection, an attached garage must share a common wall with the dwelling, and a semi-attached garage is any garage connected to the dwelling via a breezeway or any other similar structure.

(2) In the case of a semiattached or detached garage, said building cannot exceed one story nor a vertical distance of 12 feet measured from the grade plane to the average height of the roof surface.

- (3) Each one-car garage shall have a clear inside dimension of not less than 10 feet in width and 20 feet in depth, and each two-car garage shall have clear inside dimensions of not less than 20 feet in width and 20 feet in depth.
- (4) Each front-facing garage located within 35 feet of the street line shall be served by a driveway of not less than 10 feet in width for a one-car garage and 20 feet in width for a two-car garage. For all other garages, a driveway area shall be provided of sufficient dimension to allow a vehicle to enter each garage space in a single driving maneuver and to exit each garage space with a single backing maneuver that will then allow the vehicle to enter upon the street in a forward direction. The driveway dimension normally required for such a maneuver shall be 30 feet perpendicular to the garage door, unless site-specific conditions require a different distance, as determined by the Village Building Department.
- (5) Residential garages may be reduced in size or relocated in compliance with § 212-27C. Notwithstanding the foregoing, all existing nonconforming residential garages in the Village must be maintained at not less than their current size as legally existing.

§ 212-28 Parking spaces in front yards.

- A. Parking courts in front yards shall be permitted with adequate vegetative screening, approved by the Building Department Superintendent, and in accordance with the following chart:

<u>Lot Size</u>	<u>Parking Allowance</u>
<u>6,000 sf</u>	<u>2 parking spaces</u>
<u>6,000-12,000 sf</u>	<u>3 parking spaces</u>
<u>12,000-20,000 sf</u>	<u>4 parking spaces</u>
<u>20,000-40,000 sf</u>	<u>5 parking spaces</u>
<u>40,000 or more sf</u>	<u>6 parking spaces</u>

- B. Except as provided in § 212-27E, the parking spaces may be either in the open or underneath the building or in one or more private garages provided for that purpose. If provided underneath the building or underneath the ground, the following general requirements for garages provided in the New York State Uniform Fire Prevention and Building Code shall apply, that is:
 - (1) Motor vehicles may be parked or stored in the open upon the premises, but no vehicle may be parked or stored nearer than 10 feet to any combustible wall of a building or any unprotected opening in a noncombustible wall.
 - (2) Garages shall be arranged and constructed so that flammable or toxic gases or vapors cannot spread to fixed sources of ignition. Floors or decks shall be constructed of noncombustible materials that will not absorb flammable liquids. Each floor or roof deck upon which vehicles are stored shall be pitched for drainage.

- (3) If ramps are used for vehicle travel from street to garage floor or from floor to floor, the slope shall not exceed 15%. Ramps leading to a street shall terminate not less than 20 feet from such street.

§ 212-35 Encroachments.

No building or part of a building shall be erected in, upon or over, nor shall they project into a required yard, with the following exceptions:

- A. Cornices, eaves, gutters, or flues projecting not more than 18 inches, or windowsills, belt courses or other ornamental features projecting not more than four inches.
- B. Chimneys projecting not more than 24 inches.
- C. One-story uncovered landings may project into the required rear yard not more than six feet.
- D. One-story uncovered landings may project into the required side yard not more than three feet.
- E. A one- or two-story extension or enlargement of a one- or two-family dwelling may encroach into a required side yard no further than any legally existing building nor nearer than 10 feet to a side lot line. Said extension or enlargement may have a maximum exterior dimension of twenty feet, measured from the existing building toward a rear or front property line, and may encroach above a required height/setback ratio, provided that such extension or enlargement complies with all of the requirements of this chapter other than the regulations as to side yard. Any extension or enlargement toward a front property line may not extend past the nearest front building line. Such extension or enlargement shall be permitted only once on existing structures.
- F. A second-story extension or enlargement of a one- or two-family dwelling may encroach into a required side yard no further than any legally existing one story upon which the second story is extended or enlarged nor nearer than 10 feet to a side lot line and may encroach above a required side yard height/setback ratio, provided that such extension or enlargement complies with all of the requirements of this chapter other than regulations as to side yard. Such extension or enlargement shall be permitted only once.
- G. Covered porches shall be allowed to encroach up to five feet into the required front yard, provided they shall not be more than 12 feet in width. Covered porches are only permitted on the condition that they never be closed off by walls, screens or any other form of enclosure.
- H. Decks and patios in rear yards and side yards may not encroach into any required setback, except that a deck or patio may encroach up to ten feet into a required setback if it is elevated less than three feet above the mean grade.

I. Reverse gables and dormers may encroach above a required height/setback ratio for up to 50% of the length of the side of a building, provided such extension or enlargement complies with all other requirements of this chapter.

§212-39 Building and wall heights; roofs.

A. Chimneys, spires, turrets, cupolas, parapets and similar architectural features shall not count toward building height, provided such features shall not extend more than 3 feet above the roof.

B. Flat roofs on one- and two-family dwellings may be used in conjunction with pitched roofs on the same building, but shall make up no more than 35% of the total roof area of the building or structure. All pitched roofs on residential buildings also utilizing a flat roof shall have a maximum slope of 1:1.

C. Notwithstanding anything in this chapter to the contrary, no single exterior wall on a building or structure in the A, AA, BB, C-1, C-2, D, E, F or FF Districts shall have an exterior wall height greater than 23.0 feet.

§ 212-39.1 Attics.

Attics in residential dwellings may be used for or converted to habitable space, provided the attic and dwelling meet all requirements under the NYS Uniform Fire Prevention and Building Code, as amended from time to time, including, but not limited to, sprinkler and emergency egress requirements. Attics in commercial buildings shall be used exclusively for storage and mechanicals and shall not contain any habitable, recreational or bathroom space.

Section 2. The columns labelled “Maximum Permitted Building Area Coverage” and “Maximum Permitted Surface Coverage” as shown on Schedule 212-12.1, the Schedule of Dimensional Regulations, are hereby deleted, and the Schedule of Dimensional Regulations shall be revised to reflect this change.

Section 3. Schedule 212-12.2, entitled “Schedule of Lot Coverage Regulations”, a copy of which is annexed hereto, is hereby adopted and shall be binding upon all one- and two-family dwellings and all uses in the AA, A, BB, B, C-1, C-2 and D Districts in the Village of Lawrence.

Section 4. This local law shall take effect immediately upon filing with the Office of the Secretary of State.