

# Local Law Filing

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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~~

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~~Town~~ of Great Neck

~~Village~~

Bill 15K of 2013

Local Law \_\_\_\_ of the year 2014

*(Insert Title)*

A local law amending the regulations in the Residence E zoning district of the Village of Great Neck.

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

~~County~~

~~City~~

~~Town~~ of Great Neck

~~Village~~

Section 1. § 575-105, Use, of Article IX, Residence E or Apartment District, of Chapter 575, Zoning, of the Code of the Village of Great Neck are hereby amended, to read, respectively, as follows:

**“§ 575-105. Use.**

A building may be erected, altered, or used and a lot or premises may be used for any of the purposes set forth in this section and for no other.

- A. Multifamily dwellings, subject to site plan approval by the Board of Trustees.
- B. Townhomes, subject to site approval by the Board of Trustees.
- C. Single-family detached dwelling, conforming to all the provisions of Article VIII.
- D. House of worship or other building used exclusively for religious purposes, parish house, parochial and nonprofit private school when authorized by the Board of Appeals pursuant

to the provisions of § 575-190 of this chapter.

- E. Regularly organized institution of learning approved by the State Board of Regents and supported by public funds, a public library, or public art gallery.
- F. Government or municipal building, for the administration of or service rendered by the Village government.
- G. Municipal park, for recreational use.
- H. Accessory private garage, detached or attached to or within the main building, for the parking of vehicles used for the residential use of the main building.
- I. Accessory use on same lot, including, but not limited to,
  - (1) Real estate office for the management, marketing, and/or sales of the units.
  - (2) Indoor and outdoor recreation facilities, including indoor swimming pools, spas, tennis courts, clubhouses, pool houses, recreation and/or fitness centers, business centers, meeting spaces, and similar facilities, provided that such facilities are planned as an integral part of the principal use and are for the sole use of the residents of such principal use and their guests.
  - (3) Off-street parking areas and garages.”

Section 2. § 575-106, Height, of said Article IX, is hereby amended to read as follows:

**“§ 575-106. Height.**

- A. The maximum height for a townhome shall not exceed 30 feet or 22 feet at the eaves.
- B. The maximum height for a multifamily dwelling shall not exceed 31 feet.
- C. In the case of a building other than one used for dwelling purposes, the maximum height shall not exceed three stories or 31 feet, except for a spire, dome, or belfry on a house of worship.
- D. The following encroachments above said maximum heights are hereby permitted:
  - (1) Parapets, not exceeding three feet in vertical distance from base to the highest point or the minimum height required by the New York State Building Code for such parapets, whichever is greater.

- (2) Stairwell and elevator lobbies, water tanks, chimneys, heating and air-conditioning apparatus, or other mechanical equipment projections occupying less than 10% of the area of the roof and not exceeding 12 feet in vertical distance from base to the highest point.
- (3) Safety railings or walls required by the New York State Building Code to enclose outdoor living space or decks, not exceeding the minimum height required by the New York State Building Code for such railings or walls.”

Section 3. § 575-107 through § 575-115, of said Article IX, are hereby amended to read, respectively, as follows:

**“§ 575-107. Lot sizes for multifamily dwellings and townhomes.**

No multifamily dwelling or townhome shall be constructed and no existing building shall be converted for use as a multifamily dwelling or townhome on a lot containing an area of less than 20,000 square feet.”

**“§ 575-108. Street frontage for multifamily dwellings and townhomes.**

No multifamily dwelling or townhome shall be constructed and no existing building shall be converted for use as a multifamily dwelling or townhome on a lot having street frontage of less than 150 feet on one street. For clarification, for a corner lot, 70 feet on one street and 80 feet on another street would not meet the 150-foot requirement.”

**“§ 575-109. Floor area for multifamily dwellings and townhomes.**

- A. No multifamily dwelling shall provide habitable floor area of less than 600 square feet per unit.
- B. No townhome shall provide habitable floor area of less than 1,000 square feet per unit.”

**“§ 575-110. Density for multifamily dwellings and townhomes.**

- A. The maximum density for a multifamily dwelling shall be at the ratio of 43 dwelling units per acre.
- B. The maximum density for townhomes shall be at the ratio of 15 dwelling units per acre.”

**“§ 575-111. Building area.**

- A. The building area for multifamily dwellings and townhomes shall not exceed 60% of the lot area.
- B. The building area for all other uses shall not exceed 35% of the lot area.

- C. In the discretion of the Board of Trustees, as part of its site plan review, the building area of any structure used solely or primarily for parking, whether attached or detached to the principal building, may be excluded in whole or in part from the maximum building area provisions of this section.”

**“§ 575-112. Front yards.**

- A. There shall be a front yard, the depth of which shall not be less than 15 feet from the property line and 21 feet from the curb, unless otherwise approved by the Board of Trustees.
- B. On a corner lot a front yard shall be required on each street, each having a depth of not less than 15 feet from the property line and 21 feet from the curb, unless otherwise approved by the Board of Trustees.”

**“§ 575-113. Side yards.**

The minimum side yard setback for each side yard shall be 10 feet, which area shall be landscaped, except for necessary access drives, parking, and walkways, in accordance with a plan approved as part of the site plan approval.”

**“§ 575-114. Rear yards.**

There shall be a rear yard, the depth of which shall not be less than 25 feet.”

**“§ 575-115. Distance between adjacent buildings.**

- A. The minimum distance between buildings shall be 10 feet.
- B. Encroachments not exceeding 2 feet from each building shall be permitted within said 10-foot distance.
- C. In no event shall the distance between such encroachments be less than 8 feet.”

Section 4. Said Article IX, is hereby amended to add new § 575-115.1 through § 575-115.6, to read, respectively, as follows:

**“§ 575-115.1. Building length for townhomes**

- A. No townhome building shall contain more than four townhomes.
- B. The maximum length of a townhome building shall not exceed 136 feet.
- C. No horizontal plane of any façade of a townhome building shall extend more than 88 feet without a change or break in said plane of at least 10 feet.”

**“§ 575-115.2. Landscaping and buffers.**

As part of the site plan approval, the Board of Trustees shall require a landscape plan that provides adequate buffer and appropriate design treatment for the uses of the abutting properties.”

**“§ 575-115.3. Permitted encroachments.**

A. The following encroachments into required yards are hereby permitted:

- (1) Cornices, eaves, gutters, and chimneys projecting not more than 24 inches.
- (2) Bay windows not more than six feet in width and one story high, projecting not more than three feet.
- (3) One-story open porch or terrace, projecting not more than five feet into a minimum front yard.
- (4) One-story enclosed vestibule, not greater than nine feet in width, projecting not more than 5 1/2 feet into a minimum front yard.
- (5) One-story open porch or terrace, which shall project into a rear yard not more than 10 feet.
- (6) Unenclosed and unroofed platform and steps, designed to provide safe access to grade from service entrance doors, projecting not more than three feet six inches into a minimum side yard. The maximum horizontal surface of any encroaching platform shall not exceed 14 square feet.”

**“§ 575-115.4. Accessory structures.**

- A. Fences shall not exceed four feet in height, except where a lot or premises in this district is contiguous with a lot or premises in a Residence A, A-1, B, C or D District, subject to the limitations set forth in § 575-150 of this chapter.
- B. Retaining walls shall not extend above the ground that they support.
- C. Stationary outdoor fireplaces shall be located at least 10 feet from property lines and shall not exceed five feet in height.
- D. Pergolas shall not exceed 10 feet in height.”

**“§ 575-115.5. Accessory buildings.**

- A. Accessory buildings, except as otherwise provided in this article, shall not be over 15 feet in height at their highest point and shall not occupy more than 40% of the rear yard.
- B. Unless otherwise provided in this article, accessory buildings or structures shall be located in the rear yard and shall be not less than 10 feet distant from the main building and not less than three feet distant from the rear and side lot lines.

- C. Unless otherwise provided in this article, accessory buildings or structures on corner lots 100 feet or less in depth shall be located as far as possible from the front property lines.
- D. No accessory buildings or structures, except fences or retaining walls as hereinabove provided in this article, shall be erected within 20 feet of a residential building on an adjoining lot.”

**“§ 575-115.6. Design standards for multifamily dwellings and townhomes.**

- A. For any multifamily or townhome development, the site plan application shall consider any visual impacts of the proposed development on adjacent properties and the surrounding community, including, but not limited to shadowing effects and those guidelines specified in § 575-179.
- B. In addition, building frontage along a public street should be designed with principal access to the street. If driveways and indoor garages are provided in that area, there should be sufficient space for at least one vehicle to park in the driveway without blocking the sidewalk. Principal pedestrian access should be provided to the multifamily building or townhome from the street.”

Section 5. Subdivision 1, of subsection B, of § 575-155, of said Chapter 575, is hereby amended to read as follows:

- “(1) The following shall apply to all multifamily dwellings and townhomes other than in a Residence F District.
  - (a) Multifamily dwellings. There shall be provided on each lot or premises on which a multifamily dwelling is erected, altered, or used, accessory parking facilities for the use of the occupants of such buildings, which facilities shall include two parking spaces for each one-bedroom and two-bedroom unit and three parking spaces for units with three or more bedrooms.
  - (b) Townhomes. There shall be provided on each lot or premises on which a townhome is erected, altered, or used, accessory parking facilities for the use of the occupants of such buildings, which facilities shall include the following parking:
    - [1] For each one-bedroom unit: one parking space
    - [2] For each two-bedroom unit: two parking spaces
    - [3] For each three-bedroom unit: two parking spaces
    - [4] For each unit with four or more bedrooms: three parking spaces
    - [5] In addition, one guest parking space shall be provided on each lot or

premises for each two units. For clarification, as an example, a lot with five units would only require two guest parking spaces. Signage as approved by the Building Department shall clearly designate each such guest parking space as guest parking only.

- (c) Additionally, for each medical/professional office heretofore authorized or permitted in such building, there shall be at least four on-premises parking spaces provided for each practitioner or one parking space for each 150 square feet of floor area, whichever is greater. The term "practitioner" shall include all persons licensed by the State of New York to perform medical, dental or health-related services.
- (d) Tandem parking for residential units, with the condition that all parking spaces that are in tandem with each other shall be assigned to the same unit, shall be subject to the approval of the Board of Trustees.”

Section 6. § 575-212, Terms Defined, of Article XXIII, Definitions and Usage, of said Chapter 575, is hereby amended by adding the definition of “Townhome” and “Townhome building”, to read, respectively, as follows:

“TOWNHOME – One single-family dwelling unit with one or more single-family dwelling units attached at the side and/or rear and separated from each attached dwelling unit by a fire wall, with no other dwelling units above or below.”

“TOWNHOME BUILDING - Two or more attached townhomes.”

Section 7. Effective Date. This local law shall take effect immediately.