

## LOCAL LAW NO. 1- 2019

### TITLE: "A Local Law to Amend Chapter 128 - ZONING "

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INC. VILLAGE OF BRIGHTWATERS AS FOLLOWS:

Preamble: This section of the Code shall be applicable to Single Family Residential Dwellings, Residential Apartments and Commercial Establishments.

Legislative Intent: The Board of Trustees of the Village of Brightwaters hereby finds that it is in the best interest of the Village to promulgate parking requirements to help control overcrowding and development, but also to foster a vibrant economic downtown.

#### FIRST: Amends the current law §128-18. – OFF-STREET PARKING:

This new section replaces the current paragraph 128-18, as follows:

- A. All plans for a new building, expansion of an existing building or change of use for an existing building shall include provisions for off-street parking in accordance with the table found in section 128 Attachment 5 of this Code, annexed herewith.
- B. Modifications to off-street parking requirements may be granted by the Board of Zoning Appeals upon application and public hearing.

#### SECOND: Separability.

If any section, sub-section, sentence, clause or phrase of this local law is for any reason held invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this local law.

#### THIRD: Effective Date.

This act shall take effect immediately upon filing with the Secretary of State as provided by law.

**Table of Minimum Required Parking Spaces**

	<b>Use or Use Category</b>	<b>Unit or Measurement</b>	<b>Additional Requirement</b>
1	One Family Dwelling	2	
2	Apartment Houses or Garden apartments	1.75 per dwelling unit	Plus 1 additional for each bedroom above 2 in each unit
3	Professional Office in a dwelling unit	1 per 200 square feet of UFA	Not less than 4 spaces
4	Doctor, Dentist or Chiropractor in a dwelling unit	4 for each practitioner	Plus 1 for each employee
5	Home Occupations (except as noted in #3 and 4)	1 per 200 square feet of UFA	Not less than 2 spaces
6	Professional Offices and Office Buildings	1 per 200 square feet of GFA	Not less than 6 spaces
7	Medical Office Buildings	1 per 150 square feet of GFA	Not less than 6 spaces
8	Churches, Temples, Auditoriums, Gymnasiums, Arenas, Theaters or Places of Assembly	1 per 4 seats or 1 per 4 persons legally accomodated	Plus one for each employee
9	Retail Establishments, unattached	1 per 150 square feet of GFA	Not less than 5 spaces
10	Shopping Centers Not more than 25,000 square feet	1 per 150 square feet of GFA	
11	Shopping Centers more than 25,000 square feet	1 per 175 square feet of GFA	
12	Manufacturing, Industrial, Warehouse or Wholesale Distribution Establishment	1 per 600 square feet of GFA	15% of GFA must be computed as office space at 1 per 200 square feet
13	Mortuaries or Funeral Homes	1 per 200 square feet of GFA or 11 spaces per viewing room, whichever is greater	Not less than 20 spaces
14	Indoor Tennis, Basketball, Badminton, Volleyball or similar uses not classified	1 per 500 square feet of GFA	

15	Bowling Allies	4 per alley	Plus 1 for each employee on the maximum shift
16	Libraries, Art Galleries, Museums, Community Centers	1 per 300 square feet of GFA over 2,000 square feet	Not less than 20 spaces
17	Carry-out Restaurants	3.5 per 100 square feet of GFA	
18	Restaurants, Taverns, Bars or Nightclubs which serve food and drink for on-premises consumption	1 per 2 permanent seats or 1 per 100 square feet of GFA or 1 per 4 persons legally accommodated (whichever is greater)	Plus 1 for each 12 square feet of standing room at bar area
19	Filling Stations, Repair Garages	1 per 200 square feet of GFA	Plus 5 spaces
20	Private Clubs, Fraternity Lodges	1 per individual member	
21	Banks, Savings and Loan Establishments	1 per 100 square feet of GFA	Plus reservoir space within the site to store a queue of 12 cars lined up at the drive-in window(s)
22	Nonretail General Service or Repair Establishments	3 per 4 employees	
23	Nursery Schools or Day Camps	1 per classroom	Not less than 10 spaces
24	Day Care Centers	1 per 200 square feet of GFA	
25	Gyms, Fitness Centers or Health Clubs	1 per 200 square feet of GFA	
26	Convenience Markets	1 per 100 square feet of GFA	
27	ANY PERMITTED USE NOT LISTED ABOVE	AS THE PLANNING BOARD SHALL DEEM ADEQUATE	