

RESOLUTION NO. 375 MAY 13, 2026
ADOPTING LOCAL LAW 10 OF 2026
AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 213
(ZONING), ARTICLE XI (M.R. MULTIPLE RESIDENCE DISTRICTS)

The following resolution was offered by Councilman Manetta
and seconded by Councilman Martinez

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 11th day of March, 2026 upon the question of the enactment of Local Law No. 10 of 2026 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.6 and 617.7(b), State Environmental Quality Review (SEQR), the adoption of Local Law No. 10 of 2026 revising Chapter 213, Article XI (M.R. Multiple Residence Districts) of the Code of the Town of Babylon to amend certain bulk zoning regulations to current development standards has been classified as a Type I action and has been determined to have no significant effect on the environment pursuant to the Negative Declaration adopted by the Town Board as lead agency under SEQR on May 13, 2026;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law 10 of 2026 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows:

LOCAL LAW 10 OF 2026
AMENDING THE CODE OF THE TOWN OF BABYLON

Be it hereby enacted by the Town Board of the Town of Babylon as follows:

Section 1. Legislative intent.

The Town Board hereby finds that it is necessary to revise Chapter 213, Article XI M.R. Multiple Residence Districts, in order to amend certain bulk zoning regulations to current development standards.

Section 2. Amendments.

Chapter 213, Article XI, specifically §213-110, §213-112, §213-115, §213-117, §213-118, §213-120, §213-122 & §213-128 of the Code of the Town of Babylon shall be amended to read as follows (additions/changes to the Code are indicated by **Bolded Underline**; deletions are indicated by ~~Strikethrough~~):

§213-110 Building height.

In an M.R. Residence District, no building or structure hereafter erected or altered shall be more than **35 feet or** 2 ½ stories above ground level. No basic flat roof shall be permitted.

[SECTION OMITTED]

§213-112 Front yards.

In an M.R. Multiple Residence District, the front setback in any building unit shall not be less than **30 feet**. Balconies, porticos or like open areas may extend not more than 10 feet into the front yard.

[SECTIONS OMITTED]

§213-115 Side yards.

In an M.R. Multiple Residence District, there shall be two side yards, one on each side of the plot. The total of the width of both side yards shall not be less than 60 feet, and neither side yard shall be less than 30 feet.

[SECTION OMITTED]

§213-117 Density of dwelling units on lot.

In an M.R. Multiple Residence District, a maximum of 20 dwelling units per acre shall be permitted.

§213-118 Off-street parking areas.

In an M.R. Multiple Residence District, two paved, off-street parking spaces shall be provided for each dwelling unit, plus ½ a paved, off-street parking space for each bedroom in excess of two bedrooms per unit. Where garages are provided, they may be substituted for such off-street parking areas and shall conform architecturally to the principal buildings. Parking area shall not be permitted between the street and the front building line. Parking spaces may be provided by widening streets and roads on the premises. Said off-street parking area may be adjacent to and part of any unobstructed on-site driveways, provided that the traveled area is not reduced below a width of 24 feet. Said parking area must be curbed, lined off and the direction of travel lane shall be painted over blacktop. Minimum paving specifications shall be designated by the Town of Babylon-Engineering Division.

[SECTION OMITTED]

§213-120 Habitable floor area.

In an M.R. Multiple Residence District, the minimum habitable floor area for each dwelling unit shall not be less than 500 square feet. No portion of any building below the first story ~~or above the second story~~ shall be used for dwelling purposes or in computing habitable floor area.

[SECTION OMITTED]

§213-122 Distance between buildings.

In an M.R. Multiple Residence District, there shall be a minimum of 25 feet between all buildings erected upon the same lot or plot under the provisions of this article.

[SECTIONS OMITTED]

§213-128 Buffer strips.

Wherever an M.R. Residential zoned parcel shall abut upon a residential zoned parcel (except for cemeteries)-or any parcel used for residential purposes (~~except for another M.R. parcel or cemeteries~~), there shall be a buffer strip 15 feet wide erected, planted and thereafter maintained

on the plot pursuant to Planning Board requirements, unless the Planning Board shall require a greater or larger buffer strip. **Wherever an M.R. Residential zoned parcel shall abut upon a commercially or industrial zoned or utilized parcel, there shall be a buffer strip 10 feet wide erected, planted and thereafter maintained on the plot pursuant to Planning Board requirements, unless the Planning Board shall require a greater or larger buffer strip.**

Section 3. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 4. Effective date.

This local law shall take effect immediately upon filing with the New York Secretary of State.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.