New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
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Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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** ☐ **City** ☐ **Town** ☒ **Village**
(Select one:)

of Roslyn

Local Law No. 6 **of the year 20**23

A local law AMENDING SECTION 470-22 OF THE MUNICIPAL CODE OF THE INCORPORATED
(Insert Title)
VILLAGE OF ROSLYN ENTITLED "OFF-STREET PARKING", TO UPDATE
SUBSECTION 'A' AND 'B' FOR OFF STREET PARKING REQUIREMENTS AND
THE PARKING TRUST FUND CONTRIBUTION

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

☐ **County** ☐ **City** ☐ **Town** ☒ **Village**
(Select one:)

of Roslyn **as follows:**

§ 470-22. Off-street parking.

A. General regulations. In any district the following regulations with respect to off-street parking shall apply. No application shall be made for a building permit for the construction, alteration or use of any building, structure or premises for any purposes, and no building permit for such purposes shall be issued, unless the parking spaces shall be provided as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Use	Minimum Number of Off-Street Parking Spaces
Building supply or lumberyards and garden centers	1 per 200 square feet of indoor sales area and 1 per 500 square feet of outdoor sales area
Clubs, dance studios, martial arts schools or commercial recreation facilities	1 per 100 square feet of gross floor area plus 1 space per employee
Health care and assisted living facilities	1 per 2 beds
Hotel or motel	1 per guest room plus 1 space per employee
Medical offices	1 per 150 square feet of gross floor area plus 1 space per employee
Multifamily dwellings, including row houses	
0 bedroom units	1 per dwelling unit
1 bedroom unit	1 1/2 per dwelling unit
2 bedroom units	2 per dwelling unit
3+ bedroom units	2 1/2 per dwelling unit
Age-restricted senior citizen housing	1 per dwelling unit
Museums or libraries	1 per 200 square feet of gross floor area plus 1 space per employee
Offices, except medical offices	1 per 250 square feet of gross floor area plus 1 space per employee
Places of assembly, such as movie theaters, places of worship, community centers, etc.	1 per 3 seats plus 1 space per employee
Restaurants and food and drink establishments	Either i) 1 per 200 square feet of gross floor area or ii) 1 per 3 seats in a dining area and 1 per 2 seats in a lounge or bar area, whichever shall be greater; in addition, there shall be 1 space per employee and, if take-out service is provided, an additional 5 spaces
Retail stores, personal service establishments (except barbershops and hair and nail salons), banks and other commercial establishments	1 per 200 square feet of gross floor area plus 1 space per employee
Retail uses with outdoor sales areas, such as automotive sales	1 per 200 square feet of indoor sales area plus 1 per 1,000 square feet of outdoor sales area and 1 per employee
Single-family house	2, but in no event more than 4 per house
Storage establishment	1 per 1,000 square feet of gross floor area
Two-family house	2 per dwelling unit

Use	Minimum Number of Off-Street Parking Spaces
Galleries, interior design showrooms and artisan manufacturing	1 per 500 square feet of gross floor area
Barbershops and hair and nail salons	1 per 150 square feet of gross floor area plus 1 space per chair or service position
Warehousing, wholesale or manufacturing establishment	1 per 750 square feet of gross floor area
Uses not listed above	According to that which most nearly approximates the use category

B. Alternate parking relief; Parking Trust Fund.

(1) Legislative intent. The Board of Trustees hereby finds that a shortage of municipal and private off-street parking exists within the Village, thus creating congestion and also causing a negative impact upon the viability of the Village's business community. The Board also finds that an alternate method of obtaining a parking variance other than that set forth in § 470-114B(2)(b) will be in the best interests of the Village and will promote the health, safety and welfare of the community. Accordingly, in order to further the goal of creating future municipal and private off-street parking in the Village, the Board hereby seeks to establish a Parking Trust Fund.

(2) Creation of Parking Trust Fund. There is hereby created a Parking Trust Fund in the Incorporated Village of Roslyn for the purpose of receiving funds upon the granting of alternate parking variances and for the further purpose of providing a source of funds for the provision of future municipal off-street parking, including the acquisition of land for said purpose.

(3) Alternate parking variance procedure. In addition to the granting of parking variances pursuant to § 470-114B(2)(b) of this chapter, the Zoning Board of Appeals shall be authorized to grant an alternate form of variance as set forth herein. The Zoning Board of Appeals may vary the parking requirements established in this section by reducing the number of parking spaces required for a specific use or structure at the property under consideration, provided that any such variance shall only be granted subject to a condition requiring a payment to the Village of the sum of $2,500 per parking space so waived, varied or modified for deposit by the Village into the Parking Trust Fund.

(4) Dedicated trust fund. Any moneys deposited into the Parking Trust Fund shall constitute a trust fund to be used by the Board of Trustees exclusively for municipal off-street parking, including the acquisition, improvement and maintenance of land, facilities or parking equipment for said purpose.

(5) Payment required. Payment of the required fee to the Parking Trust Fund pursuant to an alternate parking variance grant of the Zoning Board of Appeals shall be a prerequisite to the issuance of a building permit or other municipal certificate.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2023 of the ~~(County)(City)(Town)~~(Village) of Roslyn was duly passed by the Board of Trustees on September 19 2023, in accordance with the applicable
(Name of Legislative Body)
provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~
~~I hereby certify that the local law annexed hereto, designated as local law No. of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)~~
~~*(Name of Legislative Body)*~~
~~(repassed after disapproval) by the _____ and was deemed duly adopted~~
~~*(Elective Chief Executive Officer*)*~~
~~on _____ 20[ ][ ], in accordance w ith the applicable provisions of law.~~

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, ~~in accordance with the applicable provisions of law.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Annemarie Stutt
~~Clerk of the county legislative body, City, Town~~ or Village Clerk or officer designated by local legislative body

(Seal)

Date: September 27, 2023