

LOCAL LAW NO. OF THE YEAR 2017

A LOCAL LAW AMENDING CHAPTER 150 OF THE GREENPORT VILLAGE CODE TO ADOPT REGULATIONS REGARDING MULTIFAMILY BUILDINGS IN THE R2 (ONE AND TWO FAMILY), CR (RETAIL COMMERCIAL), GC (GENERAL COMMERCIAL) AND THE WC (WATERFRONT COMMERCIAL) ZONING DISTRICTS.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date, Purpose and Definitions.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Creation of Section 150-9(A)(18)(e).

2.2 Deletion of Section 150-(C)(2).

2.3 Creation of Section 150-10(B)(2).

2.4 Deletion of Section 150-10(C)(2).

2.5 Creation of Section 150-11(B)(6).

2.6 Deletion of Section 150-11(F)(2).

2.7 Amendment of Section 150-18.

3.0 Severability

1.1 Title

This Local Law shall be entitled “Local Law of 2017 Amending Chapter 150 of the Greenport Village Code to Adopt Regulations Regarding Multifamily Buildings in the R2 (One and Two Family), CR (Retail Commercial), GC (General Commercial), and WC (Waterfront Commercial) Zoning Districts”.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York, the Incorporated Village of Greenport, County of Suffolk and State of New York, hereby enacts by this Local Law of 2017, a Local Law of the Village of Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to amend or create Sections of the Greenport Village Code to have the provisions of Section 150-18 Standards apply to buildings with four or more dwelling units in the R2 One and Two Family, CR (Retail Commercial), GC (General Commercial), and WC (Waterfront Commercial) Districts.

2.0 General Provisions.

2.1 Section 150-9(A)(18)(e) of the Greenport Village Code is hereby created to read as follows:

“150-9(A)(18)(e) The provisions of “Section 150-18 Standards” shall apply to any building with four or more dwelling units that is located in the CR (Retail Commercial) District but shall not apply to building in the CR (Retail Commercial) District with three or fewer dwelling units.”

2.2 Section 150-9(C)(2) is hereby deleted.

2.3 Section 150-10(B)(2) is hereby created to read as follows:

“150-10(B)(2)

Accessory apartment dwelling units over retail stores and businesses, professional and

governmental offices existing as of July 1, 2017, and in accessory buildings thereof also existing as of July 1, 2017, subject to the following standards and requirements:

(a) Inspection by the Village Building Inspector to ensure compliance with all requirements of the New York State Uniform Fire Prevention and Building Code and all other applicable state and local regulations prior to the issuance of a building permit or certificate of occupancy.

(b) Apartments shall not be located on the first floor of principal buildings. Residential units in accessory buildings may be on any floor of such accessory building.

(c) Notwithstanding anything in Chapter 150 to the contrary, accessory apartment dwelling units as permitted by this subsection shall not be subject to site plan approval.

(d) The property owner shall provide proof, to the satisfaction of the Village Building Inspector, that the apartment will be occupied year-round, and not on a seasonal basis.

(e) The provisions of “Section 150-18 Standards” for “multifamily dwellings”, shall apply to any building with four or more dwelling units that is located in the GC (General Commercial) District but shall not apply to building in the GC (General Commercial) District with three or fewer dwelling units.”

2.4. Section 150-10(C)(2) is hereby deleted.

2.5. Section 150-11(B)(6) Accessory apartments is hereby created to read as follows:

Accessory apartment dwelling units over retail stores and businesses, professional and governmental offices existing as of July 1, 2017, and in accessory buildings thereof also existing as of July 1, 2017, subject to the following standards and requirements:

(a) Inspection by the Village Building Inspector to ensure compliance with all requirements of the New York State Uniform Fire Prevention and Building Code and all other applicable state and local regulations prior to the issuance of a building permit or certificate of occupancy.

(b) Apartments shall not be located on the first floor of principal buildings.

Residential units in accessory buildings may be on any floor of such accessory building.

(c) Notwithstanding anything in Chapter 150 to the contrary, accessory apartment dwelling units as permitted by this subsection shall not be subject to site plan approval.

(d) The property owner shall provide proof, to the satisfaction of the Village Building Inspector, that the apartment will be occupied year-round, and not on a seasonal basis.

(e) The provisions of “Section 150-18 Standards” shall apply to any building with four or more dwelling units that is located in the WC (Waterfront Commercial) District but shall not apply to building in the WC (Waterfront Commercial) District with three or fewer dwelling units.”

2.6. Section 150-11(F)(2) is hereby deleted.

2.7. Section 150-18 Standards of the Greenport Village Code is hereby amended to read as follows:

“Section 150-18 Standards

Multifamily dwellings (multifamily dwelling for purposes of this Chapter 150 being a residential only building with three or more dwelling units located in the R-2 (One and Two Family Residence) District, and buildings with four or more dwelling units that are located in the CR (Retail Commercial), GC (General Commercial), and WC (Waterfront Commercial) Districts) shall comply with the following standards:”

Severability

In the event that one or more of the provisions of this local law or Chapter shall be deemed to be unenforceable, the remaining provisions of this local law or Chapter shall remain in full force and effect.