

## **RVC 2022B**

### **A local law to re-adopt and affirm provisions of the Code of the Village of Rockville Centre in relation to minimum required lot size and street frontage.**

#### **Section one. Background, Purpose, and Legislative Intent.**

- A. Since 1987, the Board of Trustees of the Village of Rockville Centre has from time to time reviewed the regulations pertaining to permitted uses of properties in the Village, including the regulations regarding minimum lot size and street frontage for properties in the Residence A zoning district such as those set forth in current Village Code §340-5. The Board has done so on each occasion in order to achieve appropriate balance between the desires of property owners to maximize the use of their properties and the desires of the Village and residents to maintain the character and quality of life in the Village or Rockville Centre. Such regulations, and this local law, are intended to avoid overcrowding conditions and overburdening of Village facilities and infrastructure, provide for and control the orderly development of properties which are the subject of such regulations, limit or control subdivisions of such properties, reduce the impact of overdevelopment of properties, control density of population, reduce potential traffic, and otherwise provide for the safety, health, welfare and well-being of the Village and its residents and maintain the character of the Village's residential areas.
- B. In the course of such reviews, the Board of Trustees has from time to time enacted various local laws to amend the then existing such regulations, including, without limitation, Local Laws 1-1988, 2-1998, 4-1994, 5-1994, and 1-2021.
- C. Based on available Village records, in enacting each of such local laws the Board of Trustees, and the Village, complied with all applicable procedural requirements, including giving of notices, and any requirements for obtaining input from other governmental agencies as may have been required by law.

- D. A review of current Village records indicates that some records of compliance with such procedural requirements cannot now be located. Whether such records have been lost, misfiled, or inadvertently destroyed cannot be ascertained.
- E. To assure that the Village records properly reflect compliance with all required procedures, this local law is adopted to re-enact and re-affirm, without change, the provisions of current Code §340-5 and the definition of “Street” as contained in current Code §340-2, and in order that the Village records will reflect compliance with each of the various procedures required in order to do so.
- F. It therefore is the intent of this local law to re-enact and affirm the provisions of current Code §340-5, and the definition of “Street” as contained in current Code §340-2, incorporating all of such previous local laws and amendments, each of which local laws is to be deemed to have been in effect as of the date such local law was filed with the New York Secretary of State.

Section two. Section 340-5 of the Code of the Village of Rockville Centre is hereby amended, re-enacted and re-adopted, to read as follows:

“§340-5. Lot size. The lot for each single-family dwelling shall have a street frontage of not less than 80 feet on each street on which the lot abuts and have a total area of not less than 8,000 square feet; provided, however, that:

A. The provisions of this section shall not be applicable to any lot having a street frontage of not less than 60 feet nor less than a total area of 6,000 square feet shown on a plat filed with the Planning Board of the Village, whether or not the same has been approved by the Planning Board, prior to January 11, 1988; and

B. On and after January 1, 2021, no new subdivision or minor subdivision shall be approved or permitted unless each lot contained therein or created thereby shall have a street frontage of at least 80 feet on each street on which the lot abuts, and a total area of not less than 10,000 square feet.”

Section four. The definition of “Street” as contained in Village Code section 340-2 is hereby amended, re-enacted, and re-adopted to read as follows:

**“STREET.** Wherever the term "street" is used in this chapter for the purposes of establishing required dimensions or parameters of street frontage of a lot, use, building or structure, it shall be deemed to mean and refer to a public road or street, or a private road or street which shall conform to all applicable Village requirements for public roads and shall be irrevocably offered to the Board of Trustees for dedication as a public road.”

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

Section six. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.