

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 Rockville Centre

Local Law No. 2 of the year 2022

(Insert Title)

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.

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

☐ County ☐ City ☐ Town ☒ Village
(Select one.)

of Rockville Centre

as follows:

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.

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

(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. 2 of 2022 of the ~~(County)~~(City)(Town)(Village) of Rockville Centre was duly passed by the Board of Trustees on March 3, 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20__, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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) (repassed after disapproval) by the _____ on _____ 20__.
(Name of Legislative Body)
(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) (repassed after disapproval) by the _____ on _____ 20__. Such local 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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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.)

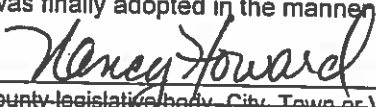
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



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

Date: March 3, 2022

(Seal)

