

THIS IS A DRAFT OF THE PROPOSED LOCAL LAW, AS OF FEBRUARY 1, 2021. IT IS LIKELY THAT REVISIONS WILL BE MADE AS THE BOARD OF TRUSTEES CONSIDERS THIS PROPOSED LEGISLATION. INTERESTED PERSONS ARE ADVISED TO REVISIT THIS SITE FROM TIME TO TIME TO REVIEW CHANGES IN THE PROPOSED TEXT.

## RVC 2021D

A local law to amend the Code of the Village of Rockville Centre, in relation to establishing the Transit-Oriented Development (TOD) Overlay District and the uses permitted therein.

Section one. The Code of the Village of Rockville Centre is hereby amended, by adding thereto a new Article, to be Article XIX-A, , to read as follows:

“Article XIX-A. Transit-Oriented Development (TOD) Overlay District.

§340-110.1. Transit-Oriented Development (TOD) Overlay District.

A. Purpose and intent. The Transit-Oriented Development (TOD) Overlay District is based upon recommendations in the Transit-Oriented Development (TOD) Overlay Proposal (“Zoning Study”) of the Village of Rockville Centre, dated January 2021. The Zoning Study recommends the creation of a TOD Overlay District to capitalize on development and redevelopment potential resulting from proximity to the Rockville Centre train station and portions of the Business A District and Business C District, while creating tangible benefits for existing residents and property owners within and adjacent to the TOD Overlay District.

B. Mapping of TOD Overlay District. The areas of the Business A and Business C Districts constituting the Transit-Oriented Development Overlay District are indicated and depicted on the following map:

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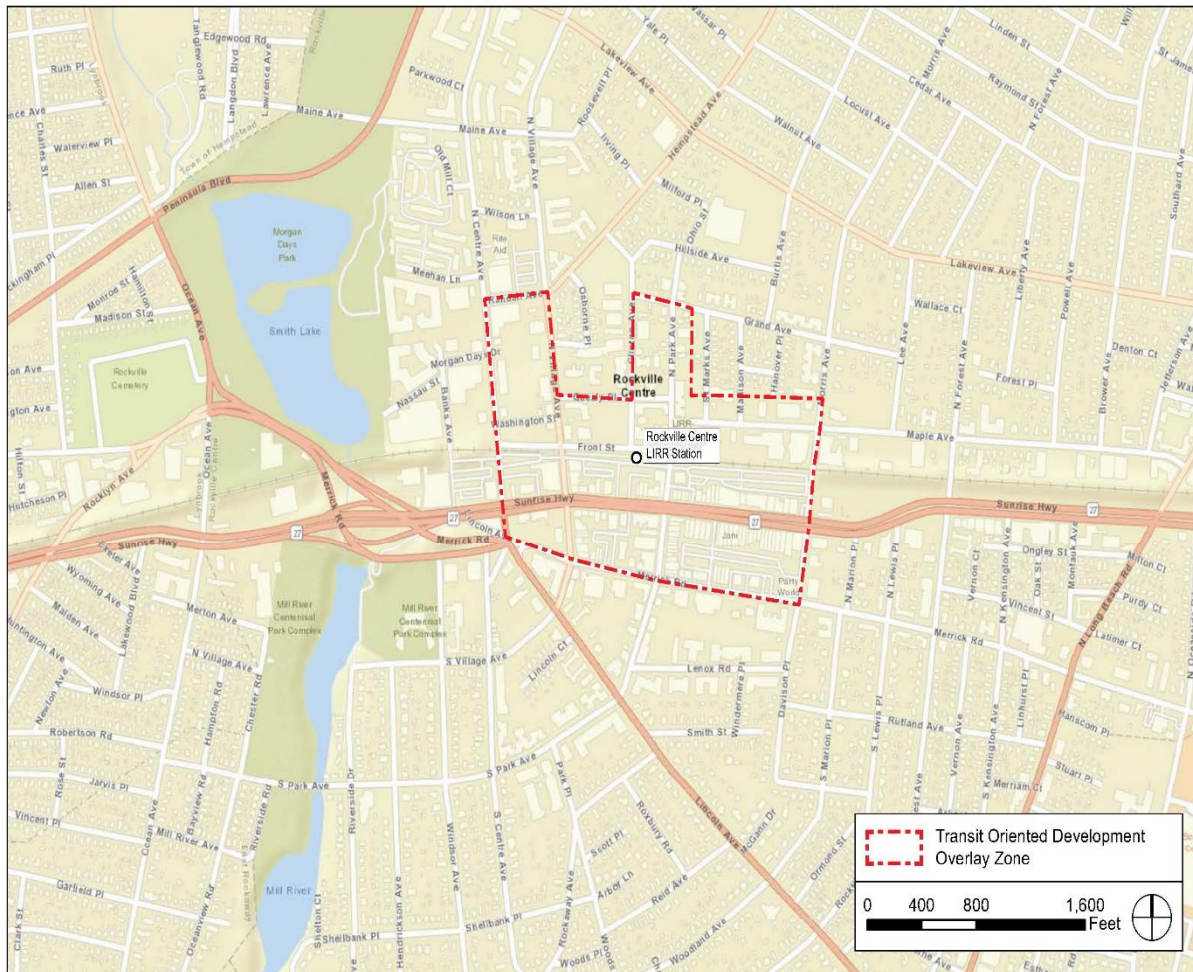


Figure 2: Transit Oriented Development (TOD) Overlay Zone, Downtown Rockville Centre

Rockville Centre, NY  
TOD Overlay Zoning Proposal

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C. Permitted principal and accessory uses. Any principal or accessory use allowed for a particular property in the underlying Business A District or Business C District in which such property is located shall be allowed for that property in the TOD Overlay District. With a special permit from the Planning Board granted as provided in this section, any such property also may be used for the special permit uses enumerated in this section.

D. Special permit uses. In addition to any uses lawfully permitted in the Business A District or Business C District, the Planning Board may grant

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special permits for multi-family uses, with a lawful non-residential use on the street floor, subject to the provisions of this section.

E. Requirements for special permit uses in the TOD Overlay District.

1. The granting of special permits pursuant to this section shall be subject to the provisions of section 330-29 of this Code.
2. The maximum height of any building structure used for a special permit use pursuant to this section shall be the maximum height otherwise permitted for the underlying zoning district in which the property is located. Notwithstanding the foregoing, a special use permit may be granted pursuant to this section for a building or structure lawfully existing in the TOD Overlay District at the time of enactment of this section and having a height in excess of the maximum height otherwise permitted by this section, provided that the height of such building or structure is not increased.
3. The maximum lot coverage for any property for which a special permit is granted pursuant to this section shall be the maximum lot coverage otherwise permitted in the underlying zoning district in which the property is located, except that on a property in the Business A District used for a three story building the maximum lot coverage shall not exceed fifty (50%) per cent and on such property used for a two story building the maximum lot coverage shall not exceed seventy (70%) per cent.
4. Any TOD special use permit granted pursuant to this section shall require that at least seventy-five (75%) per cent of the first floor of all buildings or structures on a property shall be used for commercial uses otherwise permitted for such property in the underlying zoning district.
5. Parking for any uses permitted for property in the TOD Overlay District pursuant to this section shall meet the parking requirements otherwise applicable to such property and uses, except that for a

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multi-family use in such TOD Overlay District the minimum off-street parking requirement shall be 1.0 spaces for a studio dwelling unit, 1.25 spaces for a one bedroom dwelling unit, 1.5 spaces for a two bedroom dwelling unit and 1.75 spaces for a three bedroom dwelling unit. Required parking for a mixed-use development must be shared among the uses on the site and not assigned to any one user, as approved by the Planning Board.

6. Provided that the Board of Trustees first has authorized such permits, in any case all off-street parking required by this section cannot be provided on site, the Planning Board may, as a condition of approval of a special use permit pursuant to this section, authorize parking to be provided by purchase of Village parking stickers which would permit residents of the subject property to park in pre-determined municipal parking areas. “

Section two. Nothing in this law shall be deemed to affect any pending violation notice or prosecution for violation of any provision of the Village Code which is amended by this local law. Any such violation may be enforced, and any such prosecution may continue, notwithstanding any provision of this local law.

Section three. 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 four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law, provided, however, that no application for a special use permit pursuant to this law shall be accepted for filing, nor acted upon, sooner than 180 days after such effective date.

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