

INTRODUCTORY LOCAL LAW# __ OF 2015
AMENDING ARTICLE IV ENTITLED “LOT AREA COVERAGE”
OF THE ZONING CHAPTER OF THE VILLAGE OF SCARSDALE CODE REGARDING
LOT COVERAGE IN RESIDENCE A DISTRICTS

BE IT ENACTED by the Board of Trustees of the Village of Scarsdale, as follows:

LEGISLATIVE INTENT

Section 1. Pursuant to concern in regard to the bulk of residential homes and the preservation of neighborhood character, a comprehensive zoning and planning study was undertaken by the Planning Board and its consultants. As a result of the study and based on the recommendations of the Planning Board regarding gravel paving surfaces, the impact of these surfaces on the Village’s lot coverage regulations, and the desire to treat gravel surfaces as impervious consistent with the Village’s stormwater regulations to amend the definition of “Impervious Surfaces” located in Section 310-21, Definitions to include gravel surfaces to be consistent with the definition of “Impervious” located in Section 254-4, Definitions of the Village’s stormwater regulations and other related changes to preserve the character of extant neighborhoods, protect the Village’s natural features, establish standards for appropriate development in keeping the image of the “Village in the Park,” and promote the health, safety and general welfare of the Village of Scarsdale consistent with the Comprehensive Plan, as follows:

§ 310-20. Findings and purpose.

Excessive coverage of lots with structures and impervious surfaces can limit adequate light and air; cause overcrowding of land; ~~lead to drainage and flooding problems as a result of reduction in the land's water absorption ability~~; affect the character of the community; and have an adverse impact on neighborhood aesthetics. The following lot area coverage restrictions are designed to limit the above adverse effects in Residence A Districts and to promote the health, safety and the general welfare of the community.

§ 310-21. Definitions.

The words and phrases indicated below have the following meanings when used in this article:

BUILDING

Defined in § [310-2](#).

IMPERVIOUS SURFACES

Man-made or -assembled surfaces, ~~which block the absorption of water by the ground and have a runoff curve number of at least 94 pursuant to the United States Department of Agriculture, Soil Conservation Service, Engineering Division, standards as stated in Technical Release No. 55, dated January 1975.~~ Such surfaces include paved driveways,

paved patios and other such facilities, such as, but not limited to pavement, walls, patios, terraces, driveways, decks and gravel surfaces.

LOT AREA COVERAGE

The percentage of the total area of a lot which may be covered by structures, buildings and impervious surfaces.

STRUCTURE

Defined in § [310-2](#) of this chapter, and such definition includes underground structures, swimming pools, tennis courts and other such facilities, excluding those structures and other installations required to be built and/or installed to comply with the requirements of Chapter 254 of this code.

§ 310-22. Permitted coverages.

[Amended 3-14-1989 by L.L. No. 6-1989; 3-12-1991 by L.L. No. 1-1991 *Editor's Note: Section 14 of this local law provided as follows: "This local law shall not prevent the issuance of a permit for any new building, building addition or alteration in compliance with the laws in effect prior to the effective date hereof for which a complete application was submitted prior to such date." (This local law became effective April 4, 1991.)*]

A. The permitted coverage ratios for residential uses in any Residence A Districts shall be as follows:

Lot Area	Maximum Coverage Permitted for All Structures and Impervious Surfaces on the Lot	Maximum Coverage Permitted for All Buildings on the Lot
More than 1 acre	13,100 square feet, plus 10% of lot area in excess of 1 acre	4,642 square feet, plus 4% of lot area in excess of 1 acre
20,001 square feet to 1 acre	6,000 square feet, plus 30% of lot area in excess of 20,000 square feet	3,700 square feet, plus 4% of lot area in excess of 20,000 square feet
15,001 to 20,000 square feet	5,250 square feet, plus 15% of lot area in excess of 15,000 square feet	3,100 square feet, plus 12% of lot area in excess of 15,000 square feet
10,001 to 15,000 square feet	4,000 square feet, plus 25% of lot area in excess of 10,000 square feet	2,500 square feet, plus 12% of lot area in excess of 10,000 square feet
7,501 to 10,000 square feet	3,000 square feet, plus 40% of lot area in excess of 7,500 square feet	2,100 square feet, plus 16% of lot area in excess of 7,500 square feet
5,001 to 7,500 square feet	2,250 square feet, plus 30% of lot area in excess of 5,000 square feet	1,500 square feet, plus 24% of lot area in excess of 5,000

Lot Area	Maximum Coverage Permitted for All Structures and Impervious Surfaces on the Lot	Maximum Coverage Permitted for All Buildings on the Lot
		square feet
Up to 5,000 square feet	45%	30%

B. The provisions of § 310-22 shall not apply to nonconforming impervious surfaces such as driveways, walks or patios, if such nonconforming surfaces were in existence and received any necessary building department approval or permit before (add the date of the adoption of the local law), the effective date of this local law, and nonconforming impervious surfaces are replaced with other impervious surfaces without expansion.

§ 310-23. Permitted ~~coverages~~ coverage in freshwater wetlands and freshwater wetlands controlled areas.

[Amended 3-14-1989 by L.L. No. 6-1989; 3-12-1991 by L.L. No. 1-1991 *Editor's Note: Section 14 of this local law provided as follows: "This local law shall not prevent the issuance of a permit for any new building, building addition or alteration in compliance with the laws in effect prior to the effective date hereof for which a complete application was submitted prior to such date." (This local law became effective April 4, 1991.) ; 2-28-2012 by L.L. No. 2-2012]*

A. On any lot in a freshwater wetlands controlled area, as defined in Chapter [171](#), Freshwater Wetlands, of the Code of the Village of Scarsdale, the maximum coverage ratio permitted for residential purposes in any Residence A Districts shall be as follows:

Lot Area	Maximum Coverage Permitted for All Structures and Impervious Surfaces on the Lot
More than 1 acre	8,750 square feet, plus 6.7% of lot area in excess of 43,560 square feet
20,001 square feet to 1 acre	4,000 square feet, plus 20% of lot area in excess of 20,000 square feet
15,001 to 20,000 square feet	3,500 square feet, plus 10% of lot area in excess of 15,000 square feet
10,001 to 15,000 square feet	2,670 square feet, plus 16.7% of lot area in excess of 10,000 square feet
7,501 to 10,000 square feet	2,250 square feet, plus 16.7% of lot area in excess of 7,500 square feet
5,001 to 7,500 square feet	30%

Maximum Coverage Permitted for All Structures and Impervious Surfaces on the Lot

Lot Area

Up to 5,000 square feet 30%

B. The provisions of § 310-23 shall not apply to nonconforming impervious surfaces such as driveways, walks or patios, if such nonconforming surfaces were in existence and received any necessary building department approval or permit before (add the date of the adoption of the local law), the effective date of this local law, and the nonconforming impervious surfaces are replaced with other impervious surfaces without expansion.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

Underline denotes new sections.

~~Strikethrough means delete.~~