

Victor

**RESOLUTION ADOPTING LOCAL LAW № 15 OF 2010
A LOCAL LAW
AMENDING SECTION 575-12(G) "OFF-STREET PARKING",
575-56 (B) (6) "SITE DEVELOPMENT PLAN APPROVAL" AND
575-49(A)(2) "BUILDING PERMITS"
OF THE ZONING CODE OF THE CITY OF PEEKSKILL
REGARDING STANDARDS FOR DRIVEWAYS IN THE CITY OF PEEKSKILL**

WHEREAS, on October 25, 2010, a proposed Local Law was placed on the desks of the members of the Common Council amending §575-12(G) "Off-Street Parking" §575-56(B)(6) "Site Development Plan Approval" and §575-49(A)(2) "Building Permits" of the Zoning Code of the City of Peekskill regarding standards for driveways in the City of Peekskill, and;

WHEREAS, on December 13, 2010, a public hearing was held on said Local Law in the Common Council meeting room, City Hall, Peekskill, NY after due publication of said notice of Public Hearing, and;

WHEREAS, said Local Law has been on the desks of the members of the Common Council in its final form for at least seven (7) days, exclusive of Sundays.

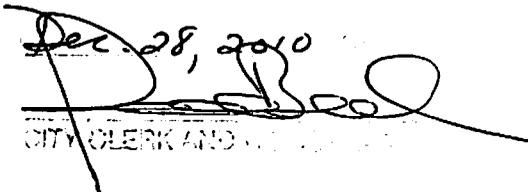
NOW, THEREFORE, BE IT

RESOLVED, that said Local Law be and the same is hereby adopted and shall be known as Local Law № 15 for the year 2010 in the City of Peekskill.

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ADOPTED DECEMBER 27, 2010

CERTIFIED COPY

Dec 28, 2010

CITY CLERK AND RECORDS

RECEIVED
DEC 29 2010
CITY OF PEEKSKILL
BUILDING DEPT

LL # 15
12/2010

LOCAL LAW NO. 15OF 2010

**A LOCAL LAW
AMENDING SECTION 575-12(G) "OFF-STREET PARKING",
575-56 (B) (6) "SITE DEVELOPMENT PLAN APPROVAL" AND
575-49(A)(2) "BUILDING PERMITS"
OF THE ZONING CODE OF THE CITY OF PEEKSKILL
REGARDING STANDARDS FOR DRIVEWAYS IN THE CITY OF PEEKSKILL**

Be in enacted by the Common Council for the City of Peekskill as follows:

Section 1. Section 575-12(G) of the Code of the City of Peekskill entitled "Off-Street Parking" is hereby amended to read as follows:

§ 575-12. Off-street parking

G. In order to prevent any increase of traffic congestion on City streets, to provide adequate space for off-street parking and maneuvering, to encourage the use of off-street parking space by automobile operators and for the purpose of assuring that space designed for off-street parking does not adversely affect abutting properties or the surrounding neighborhood, the following regulations shall apply in all residential districts, and on all lots in any other district used for residential purposes:

- (1) Driveways and other off-street parking areas shall be well defined and constructed of asphalt, concrete, brick pavers, stone pavers or gravel. Additionally, surface or subsurface water shall not be directed to adjacent parcels for all driveways and/or parking areas.
- (2) Each lot shall contain no more than one curb cut constructed pursuant to §505-10.
- (3) All driveways shall be laid out and constructed as directly as possible from the curb cut to the residential structure, the side yard as permitted below, or garage.
- (4) The following regulations shall apply to new driveways and parking areas to be constructed (pursuant to a building permit) on vacant parcels as part of the construction of a new residential structure on or after the effective date of this subsection: The design for a new driveway or parking area shall incorporate the most current storm water management regulations in place at the time of application.
 - (a) The driveway shall be no wider than 10 feet wide.
 - (b) All driveways must lead directly to a garage.
 - (c) Where an attached garage is provided the driveway shall be no wider than 10 feet wide per garage bay, with a maximum of 2 bays and, except as is provided in

Subsection G 8(a) below for additional off-street parking, shall not extend past the side of the residential structure

- (d) Where a detached garage is provided the driveway shall be no wider than 10 feet, but may be increased to the width of the garage 20 feet in front of the front wall of the garage structure, (maximum of 2 bays).
- (5) The following regulations shall apply to all improved parcels in existence on the effective date of this subsection and do not currently have off street parking. The applicant shall design off street parking using one of the options listed below as follows;
- (a) Not more than 400 square feet of a rear yard, not to exceed fifty (50%) percent thereof, may be paved with asphalt, concrete, brick pavers, stone pavers for a parking area. The 400 square feet of parking area shall be located no closer than two (2) feet from a side or rear property line.
 - (b) Paving in a side yard may not be more than 10 feet wide for a parking area
 - (c) If parking cannot be achieved in accordance with (a) & (b) above, then not more than 200 square feet of a front yard, may be paved with brick pavers or stone pavers or other decorative material that is acceptable to the City This parking area may be increased by an additional 200 square feet with the addition of a 4 foot planting strip to provide adequate screening from adjacent parcels.
- (6) The provisions of subsection 5 above shall not be applied to any nonconforming driveway or parking area that was in existence on the effective date of this subsection unless and until such driveway or parking area shall be, reconfigured or expanded, at which time the driveway or parking area shall be reconfigured or expanded in compliance with subsection 5 above.
- (7) All driveways and additional parking areas are considered to be impervious surfaces and shall be included in calculating the area of total impervious surfaces located on a lot regardless of the materials of which they are constructed.
- (8) One additional off-street parking space as defined in §575-60 beyond that provided on a permitted driveway may also be provided in the following locations:
- (a) On the side of the main garage structure provided that an attached garage or a garage going under the residential structure has been constructed, such space shall be no closer to the street than the front plane of the residential structure with access from the driveway, but no such additional parking area shall encroach into any required side yard.
 - (b) In the rear yard as either an extension of any additional side yard parking area allowed under Subsection (G)(5)(b) above or as a one-space bump out of a driveway leading to a detached garage located in the rear of the main residential structure.

Section 2. Section 575-56 (B)(6) of the Code of the City of Peekskill entitled "Site Development Plan Approval" is hereby amended to read as follow:

§ 575-56. Site plan approval.

B. (6) The enlargement of any floor of a one-, two- or three-family building or structure where the total floor area of habitable rooms on any floor of the original building or structure is being increased by 1/3 or more. With respect to one-, two- or three-family buildings or structures site plan review shall not be required where the only elements of development consist of installation or erection of one or more of the following: patios, decks, driveways and parking areas constructed in accordance with §575-12(G)(5), swimming pools, storage sheds, fences, signs, swing sets and similar play or recreation equipment, and landscaping.

Section 3. Section 575-49(A)(2) of the Code of the City of Peekskill entitled "Building Permits" is hereby amended to read as follows:

§ 575-49. Building permits.

A. Permit required.

- (1) No building or structure in any district shall be erected, constructed or structurally altered without a building permit duly issued upon application to the Director of City Services.
- (2) No driveway or parking area in any residential district and on all lots in any other district used for residential purposes shall be constructed, installed, enlarged or replaced without a building permit duly issued upon application to the Director of City Services.

Section 4. This Local Law will take effect immediately upon filing in the office of the Secretary of State.

**DRIVEWAY PRESENTATION:
PROPOSED CHANGES TO
CHAPTER 575-12G OF THE CODE
OF THE CITY OF PEEKSKILL
DECEMBER 13, 2010**

575-12 G (1)

- Driveways and other off-street parking areas shall be well defined and constructed of asphalt, concrete, brick pavers, stone pavers or gravel.
- Additionally, surface or subsurface water shall not be directed to adjacent parcels for all driveways and/or parking areas.

575-12 G (4)

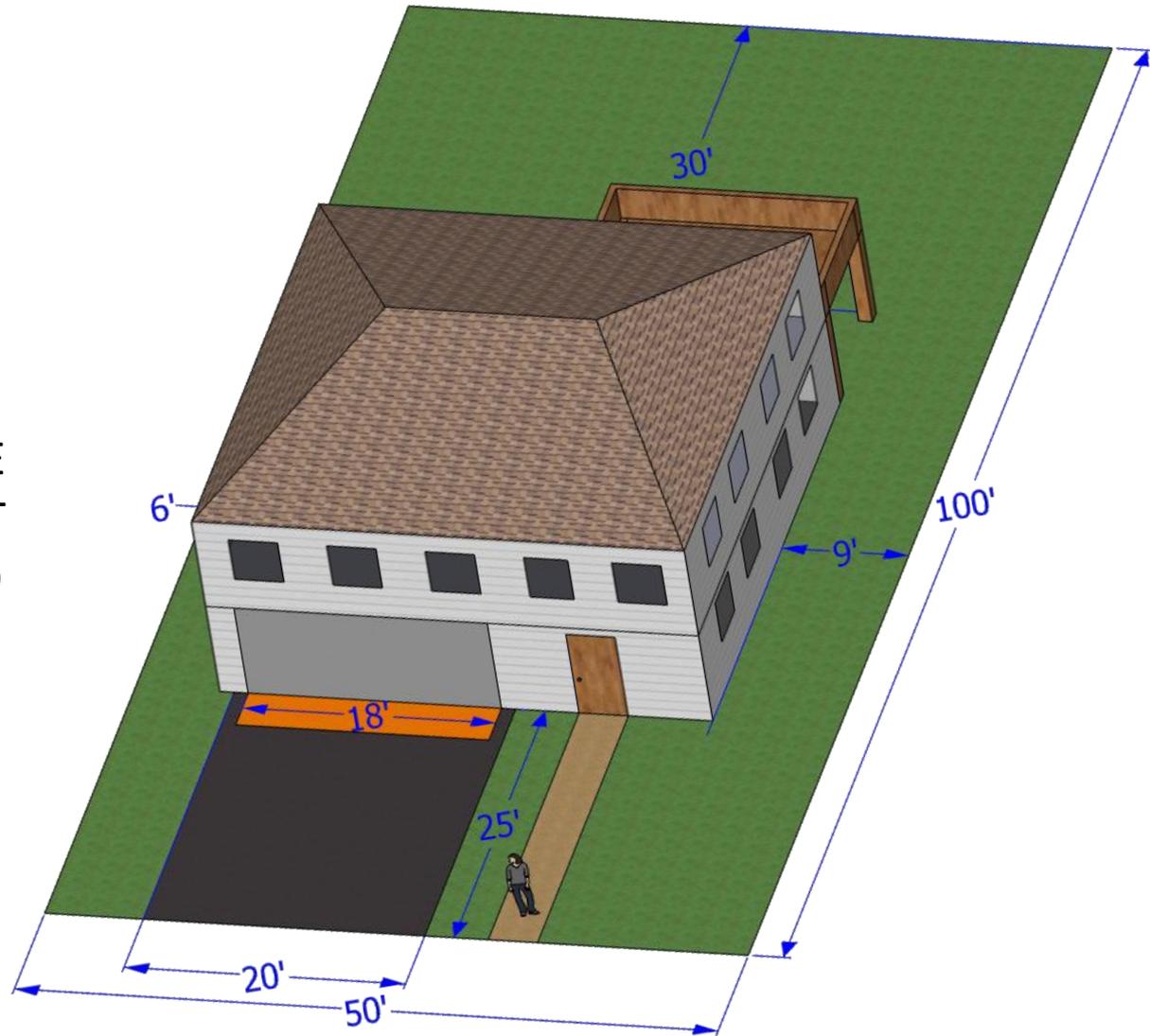
- The following regulations shall apply to new driveways and parking areas to be constructed (pursuant to a building permit) on vacant parcels as part of the construction of a new residential structure on or after the effective date of this subsection:
- The design for a new driveway or parking area shall incorporate the most current storm water management regulations in place at the time of application.

575-12 G (4a,b,c)

- (a) The driveway shall be no wider than 10 feet wide.
- (b) All driveways must lead directly to a garage.
- (c) Where an attached garage is provided the driveway shall be no wider than 10 feet wide per garage bay, with a maximum of 2 bays and, except as is provided in Subsection G 8(a) below for additional off-street parking, shall not extend past the side of the residential structure

Section 575-12G(4)(c)
(NEW CONSTRUCTION)

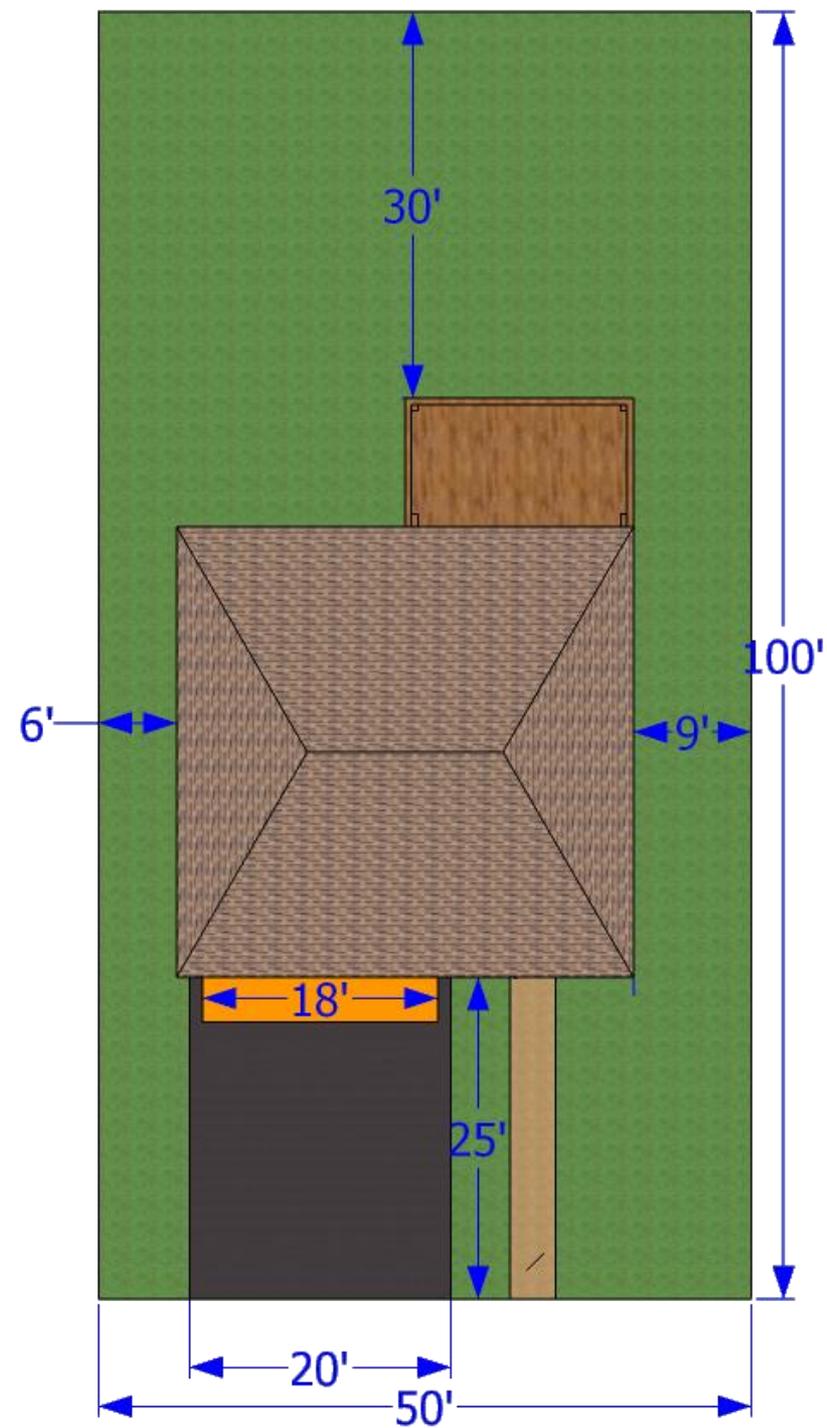
THIS IS A DEPECTION OF A TWO CAR ATTACHED GARAGE. IF THE LOT WAS WIDE ENOUGH, THE GARAGE COULD BE ADDED TO THE SIDE OF THE HOME AND THE SAME PAVEMENT WIDTH STANDARD WOULD APPLY. PAVEMENT IS 20' WIDE OR 10' PER BAY.



Section 575-12G(4)(c)
(NEW CONSTRUCTION)

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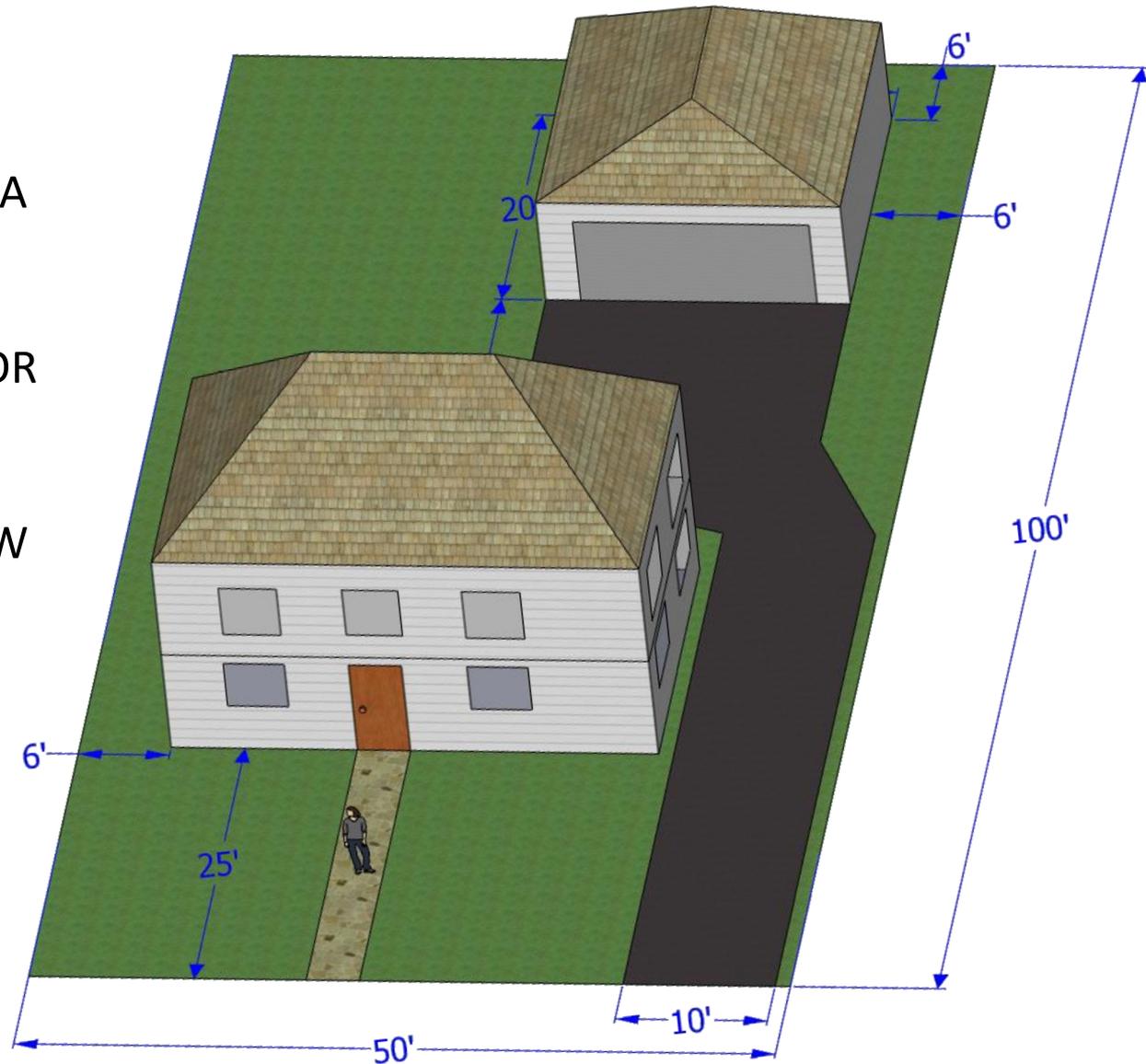


Section 575-12G(4)(d)
(NEW CONSTRUCTION)

- (d) Where a detached garage is provided the driveway shall be no wider than 10 feet, but may be increased to the width of the garage 20 feet in front of the front wall of the garage structure, (maximum of 2 bays).

Section 575-12G(4)(d)
(NEW CONSTRUCTION)

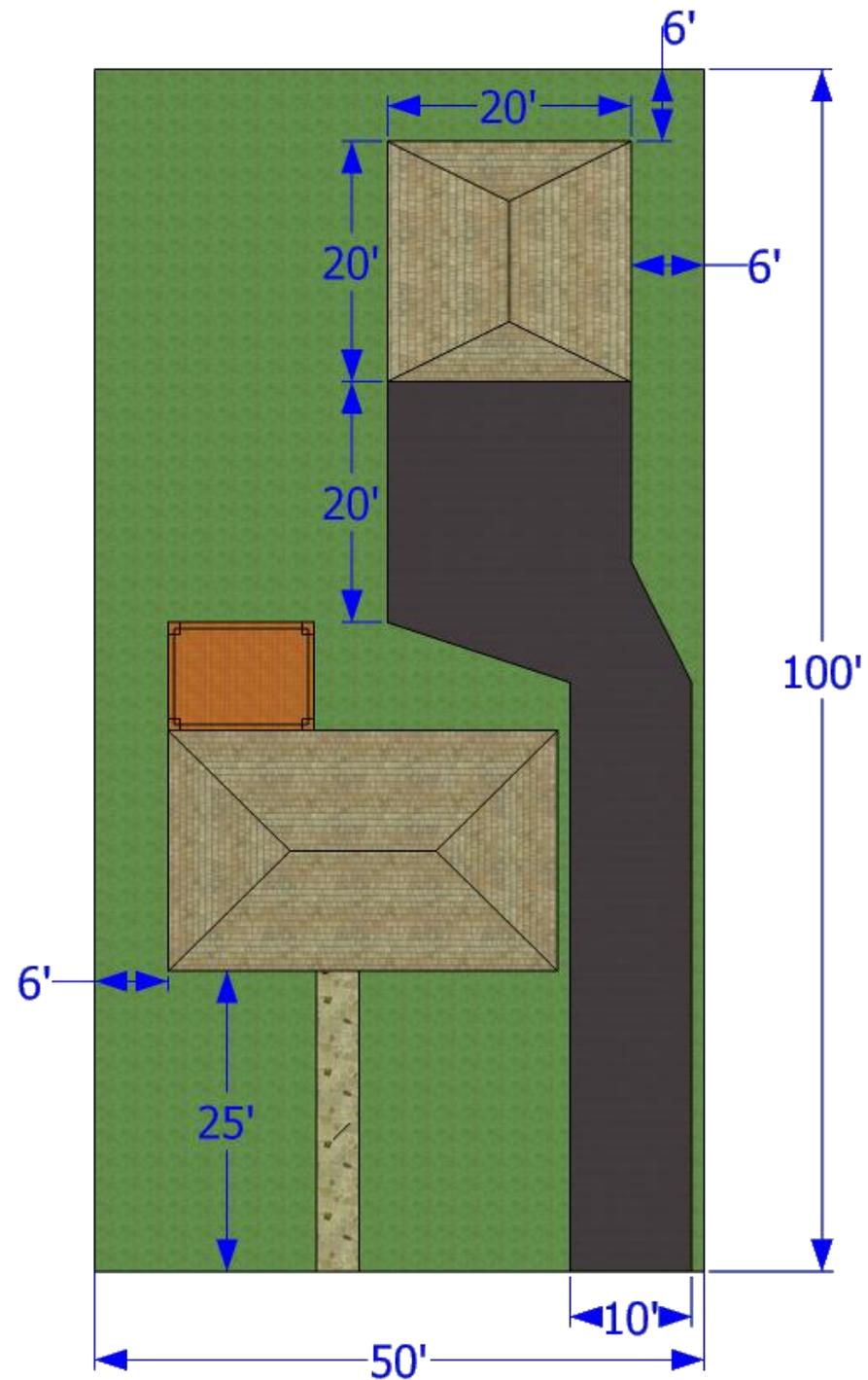
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PAVEMENT IS 20' WIDE OR
10' PER BAY. THE 20'
PAVEMENT IN FRONT OF
THE GARAGE WILL ALLOW
THE VEHICLES TO ENTER
AND EXIT THE GARAGE
INDEPENDENTLY.



Section 575-12G(4)(d)
(NEW CONSTRUCTION)

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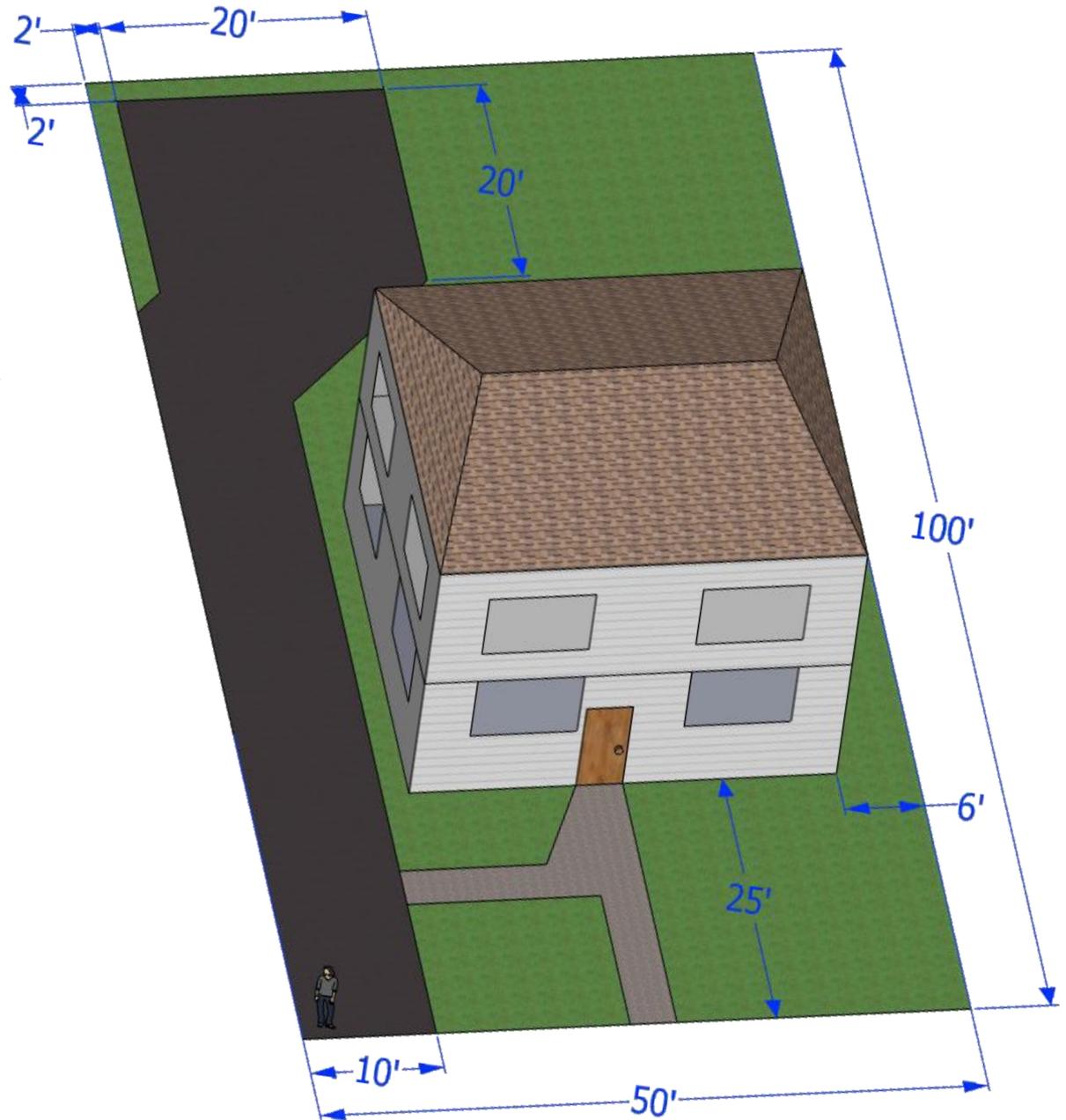


575-12G (5)

- The following regulations shall apply to all improved parcels in existence on the effective date of this subsection and do not currently have off street parking. The applicant shall design off street parking using one of the options listed below as follows;

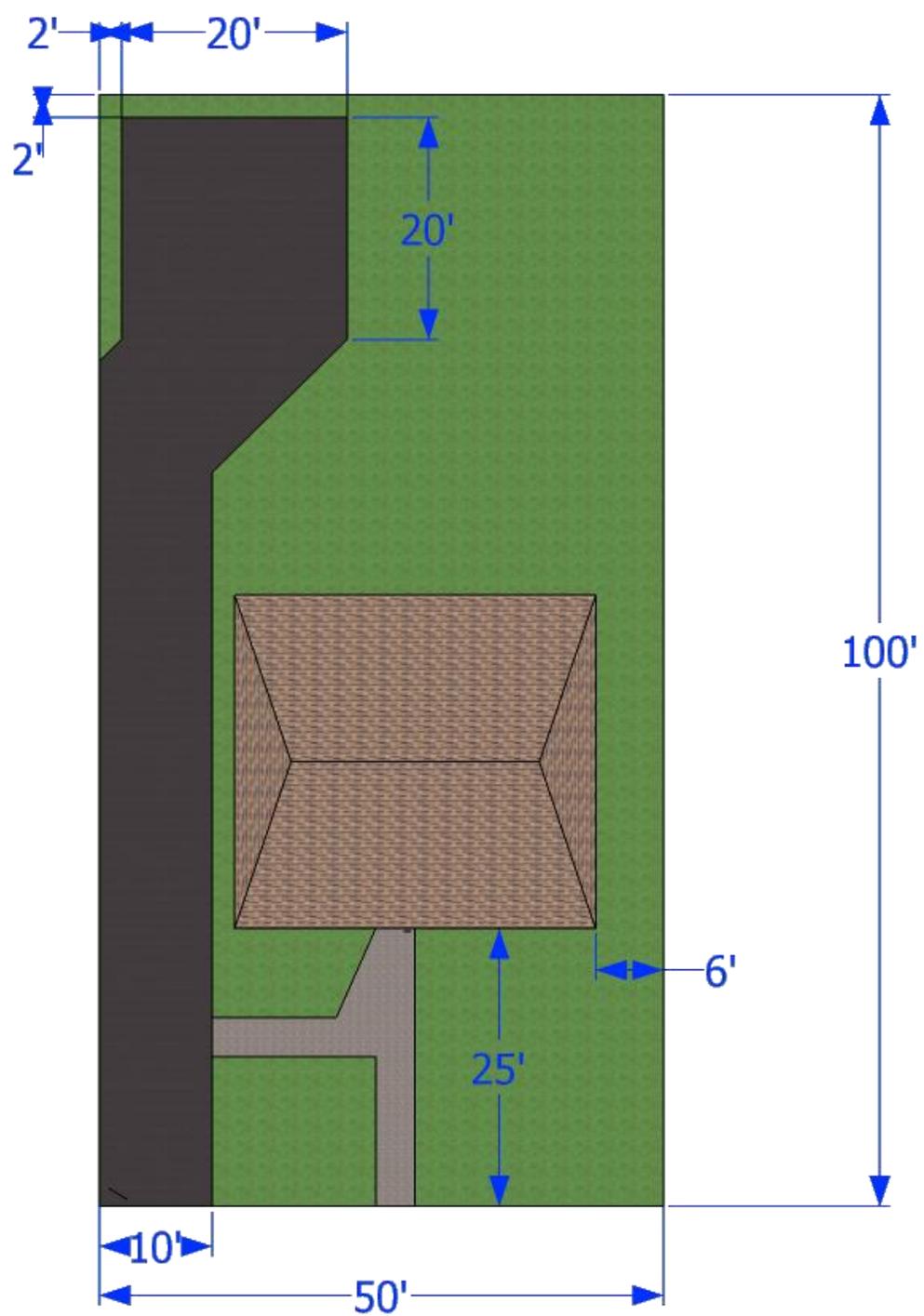
Section 575-12G(5)(a)
(EXISTING STRUCTURES)

DRIVEWAY IS 10' WIDE
WITH OPEN PARKING FOR
2 VEHICLES IN THE REAR
YARD.



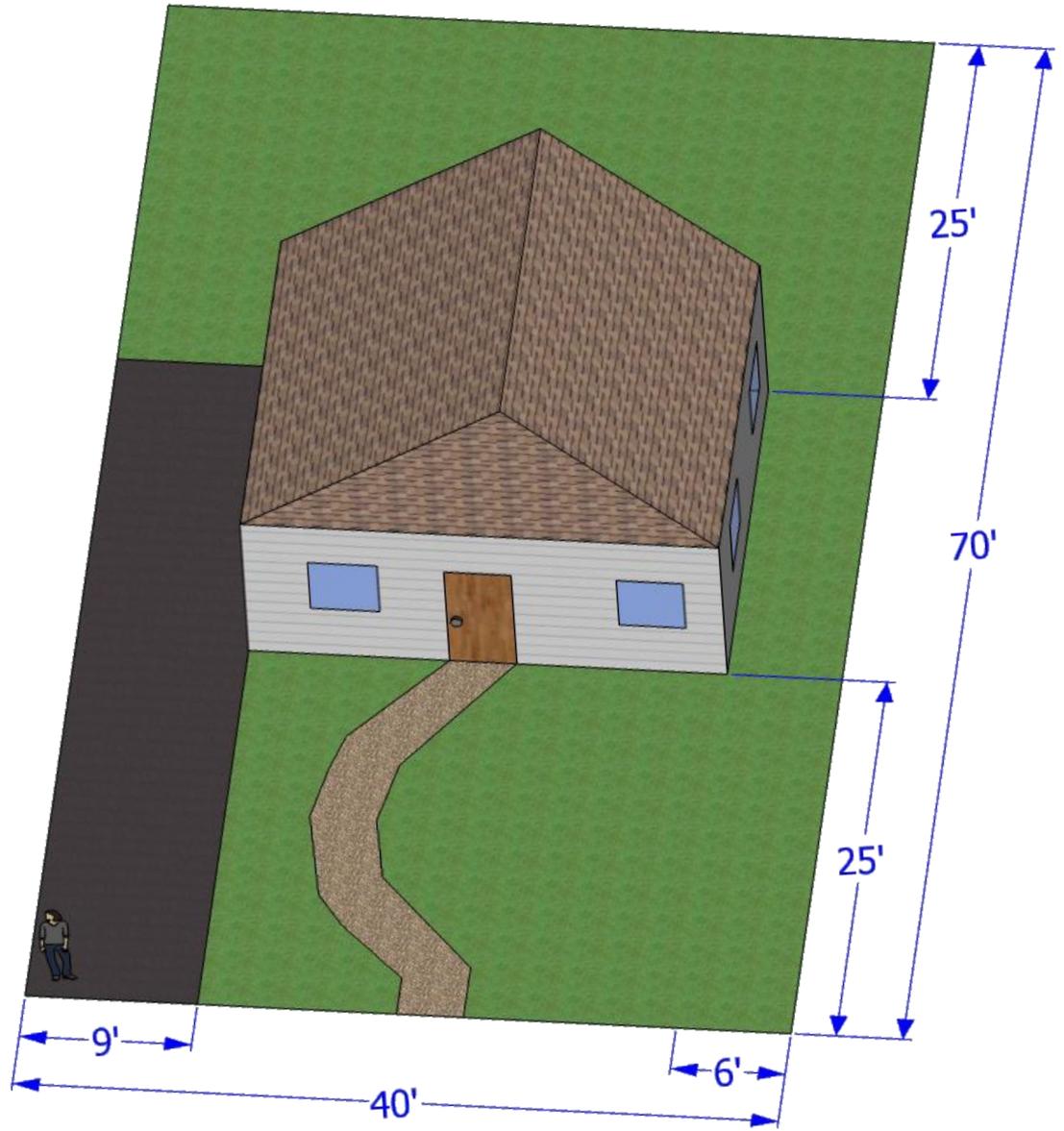
Section 575-12G(5)(a)
(EXISTING STRUCTURES)

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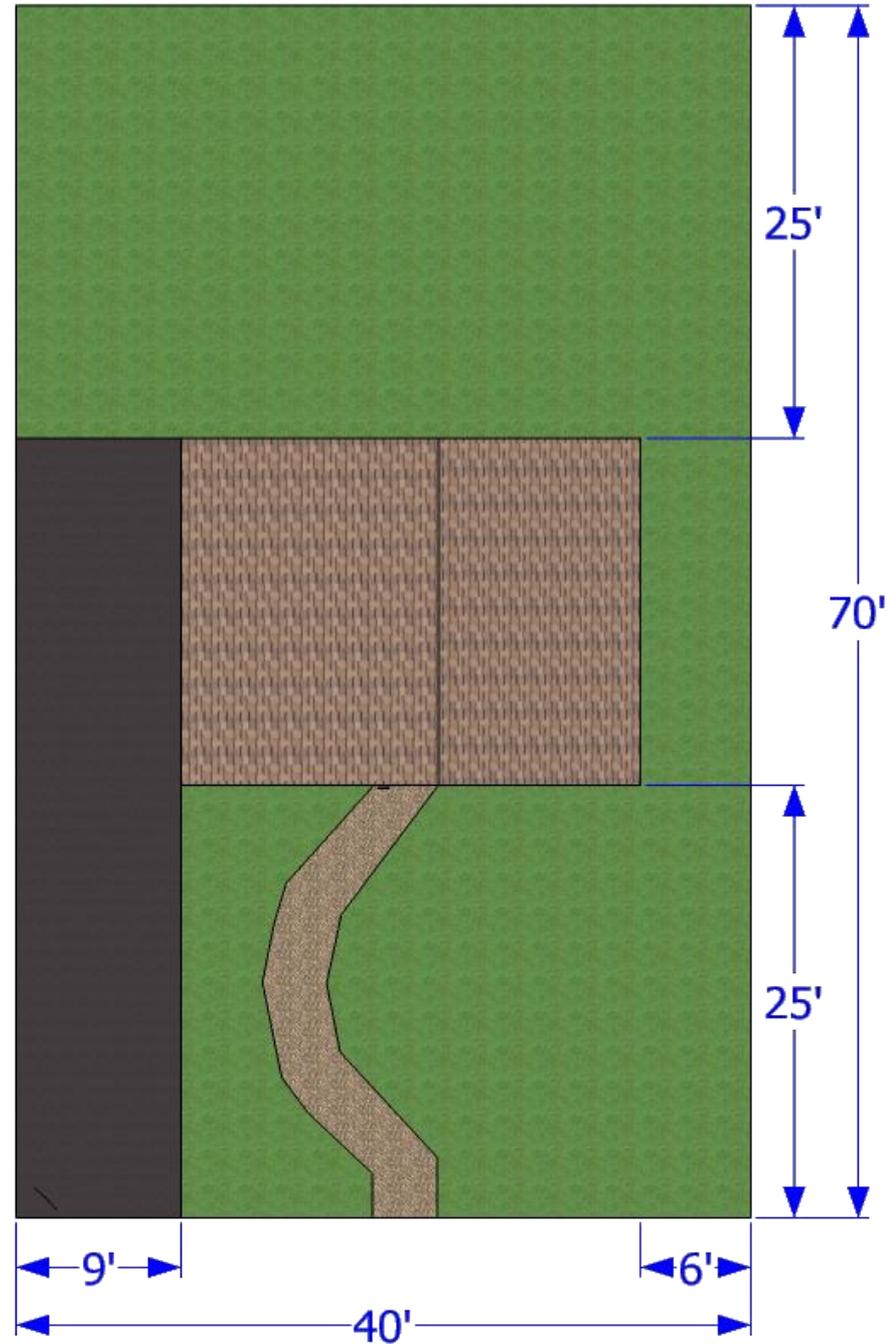
Section 575-12G(5)(b)
(EXISTING STRUCTURES)

DRIVEWAY CAN BE A
MAXIMUM 10' WIDE FOR
OPEN SIDE YARD PARKING.



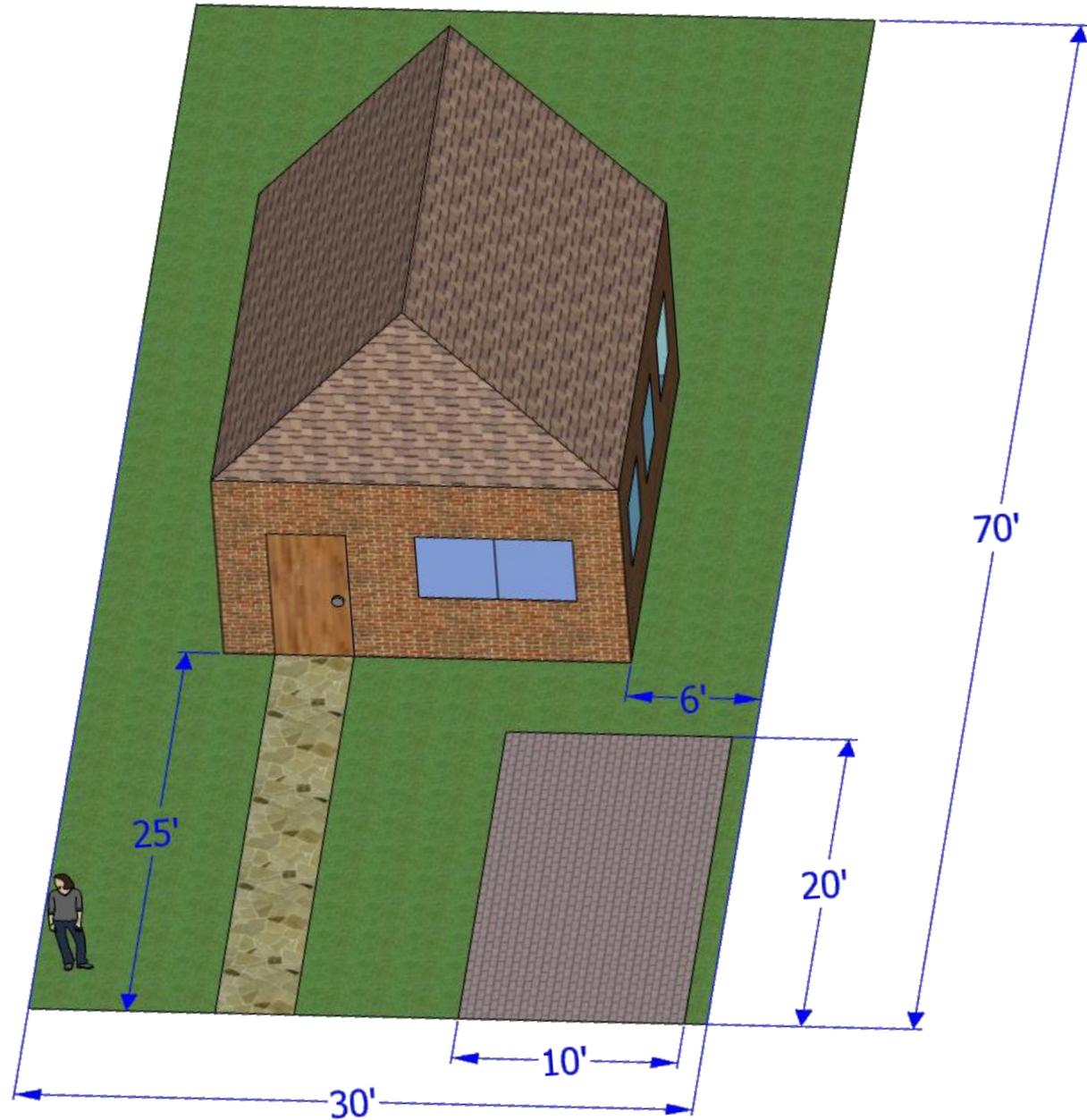
Section 575-12G(5)(b)
(EXISTING STRUCTURES)

DRIVEWAY CAN BE A
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OPEN SIDE YARD PARKING.



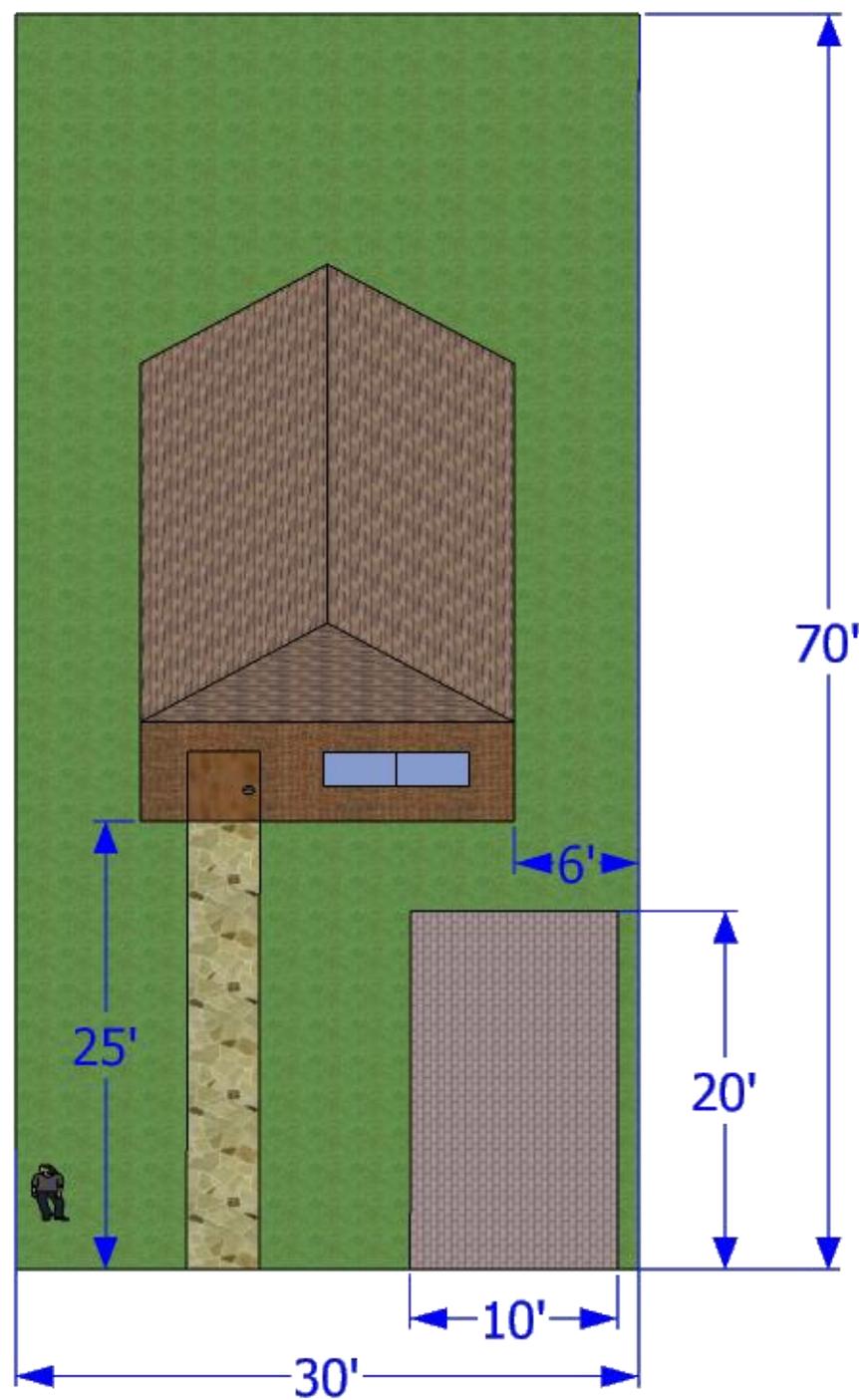
Section 575-12G(5)(c)
(EXISTING STRUCTURES)

THIS IS A DEPICTION OF A
FRONT YARD PARKING
AREA FOR ONE VEHICLE.



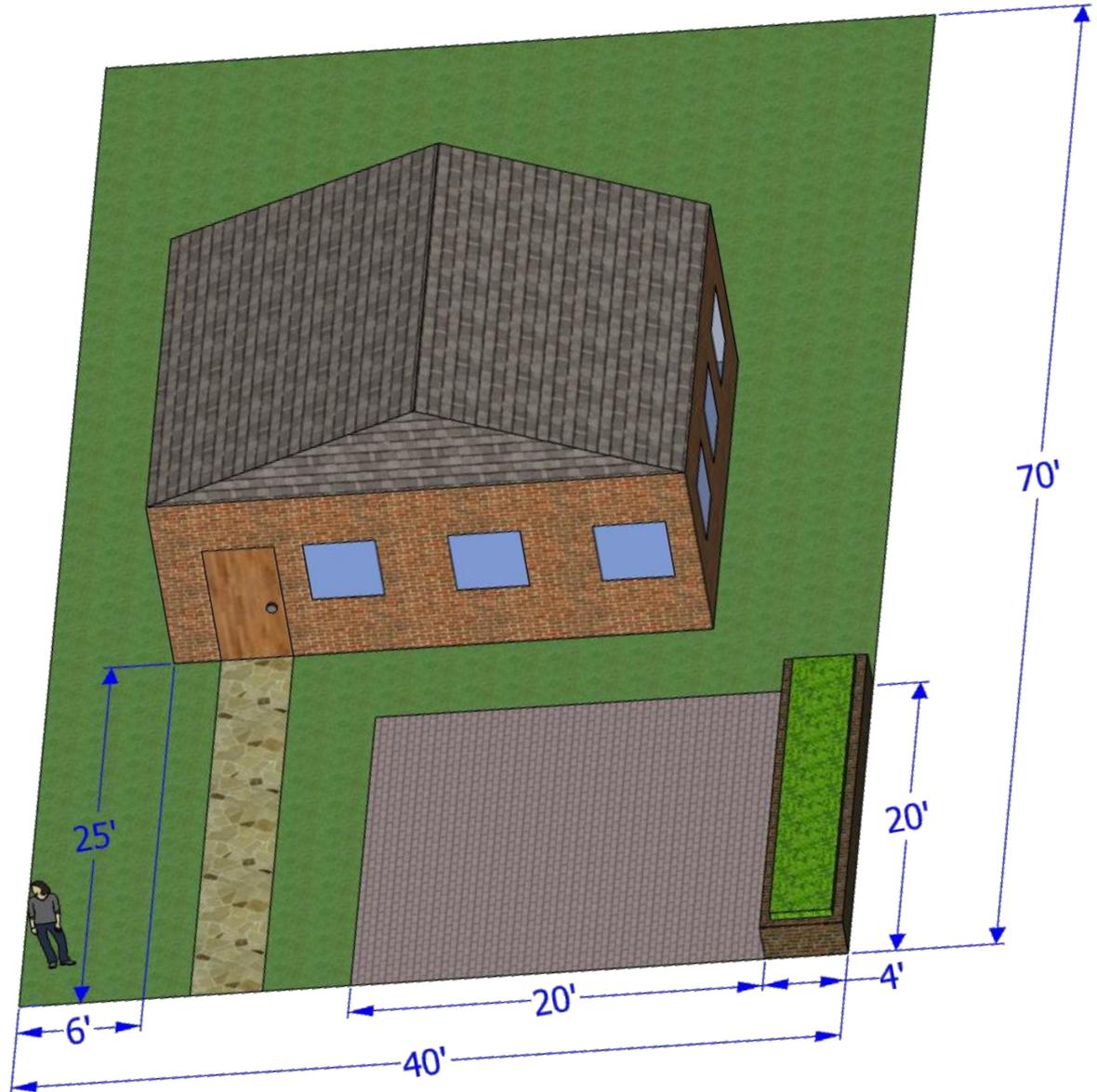
Section 575-12G(5)(c)
(EXISTING STRUCTURES)

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AREA FOR ONE VEHICLE.



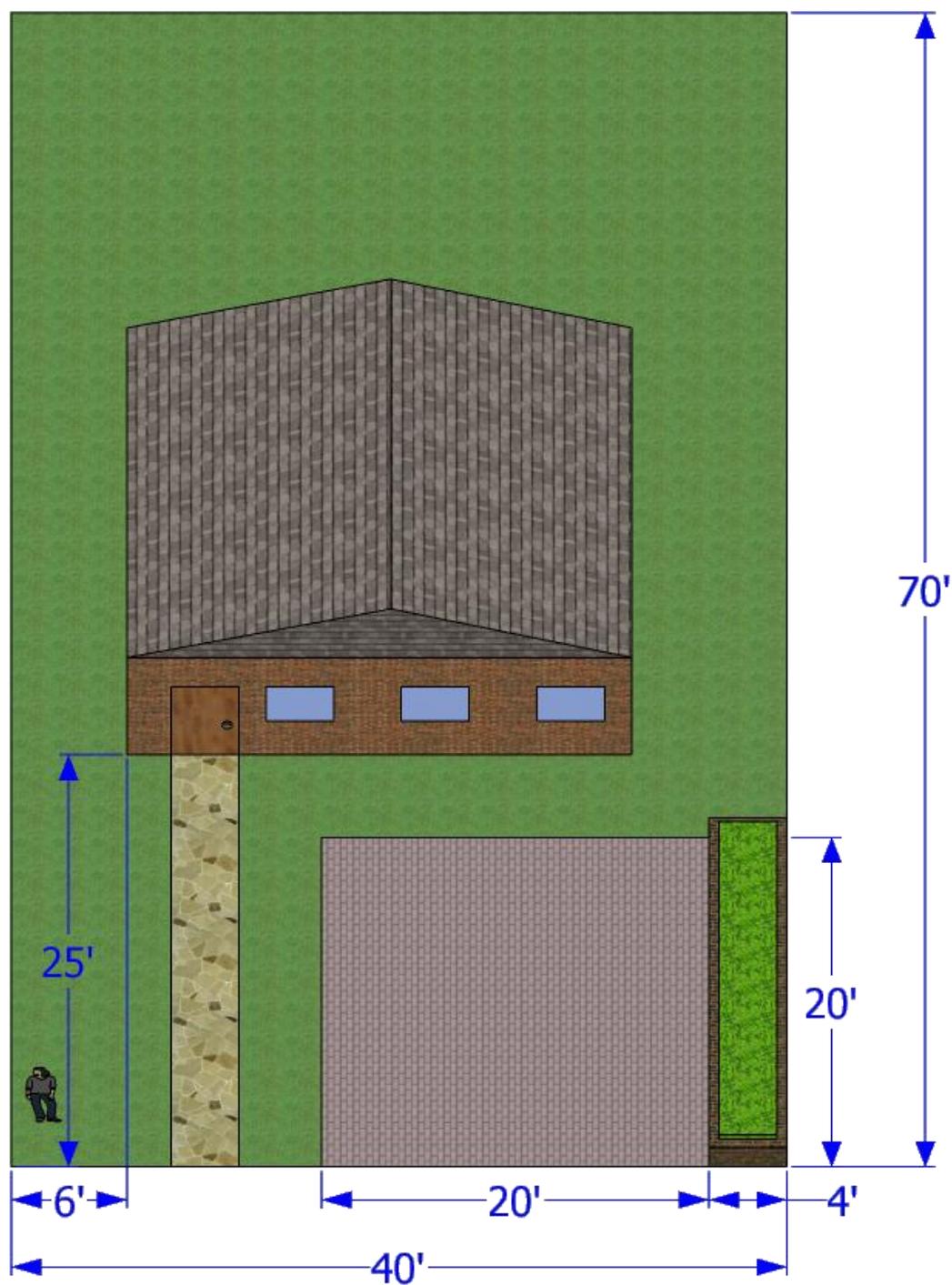
Section 575-12G(5)(c)
(EXISTING STRUCTURES)

THIS IS A DEPICTION OF A
FRONT YARD PARKING
AREA WITH THE 4'
PLANTING STRIP TO
ALLOW PARKING FOR 2
VEHICLES.



Section 575-12G(5)(c)
(EXISTING STRUCTURES)

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FRONT YARD PARKING
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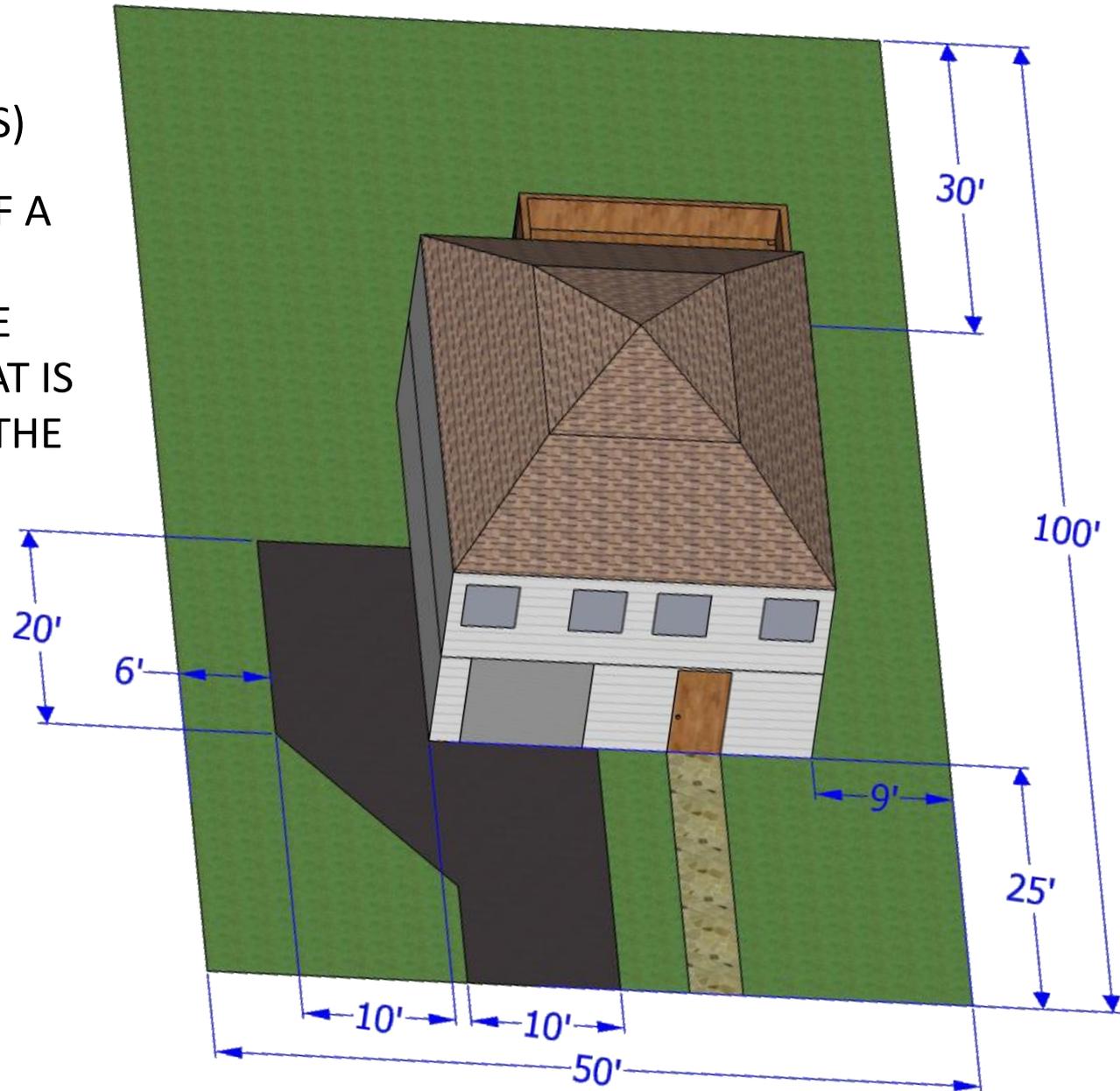


This section will “grandfather” in existing driveways and parking areas and also allow the replacement of existing driveways; maintaining the grandfather status, in like kind under a building permit

- 575-12G (6) “The provisions of subsection 5 above shall not be applied to any nonconforming driveway or parking area that was in existence on the effective date of this subsection unless and until such driveway or parking area shall be, reconfigured or expanded, at which time the driveway or parking area shall be reconfigured or expanded in compliance with subsection 5 above”.

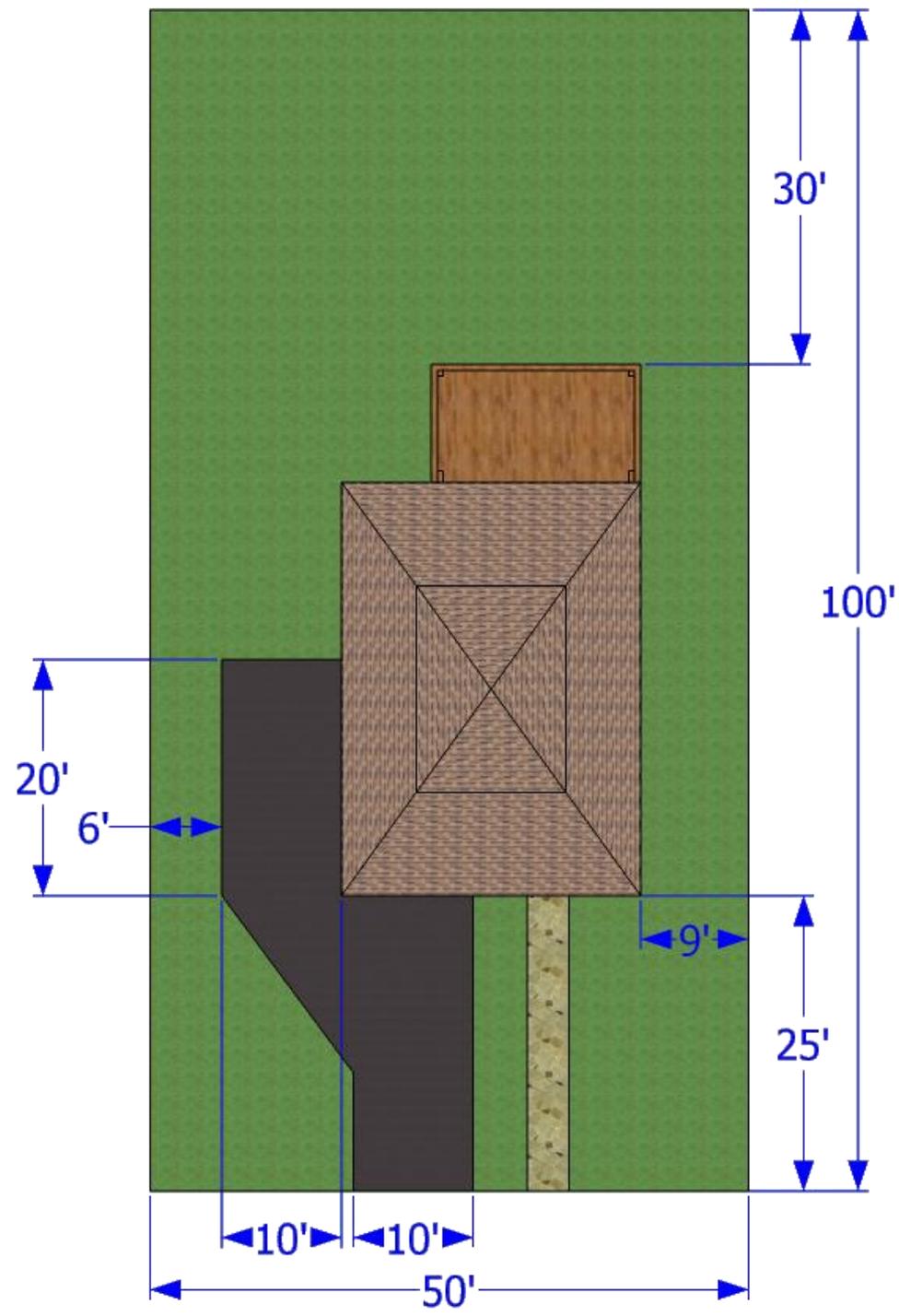
Section 575-12G(8)(a)
(EXISTING STRUCTURES)

THIS IS A DEPECTION OF A
TWO CAR ATTACHED
GARAGE WITH THE ONE
ADDITIONAL SPACE THAT IS
NOT LOCATED WITHIN THE
REQUIRED SETBACK.



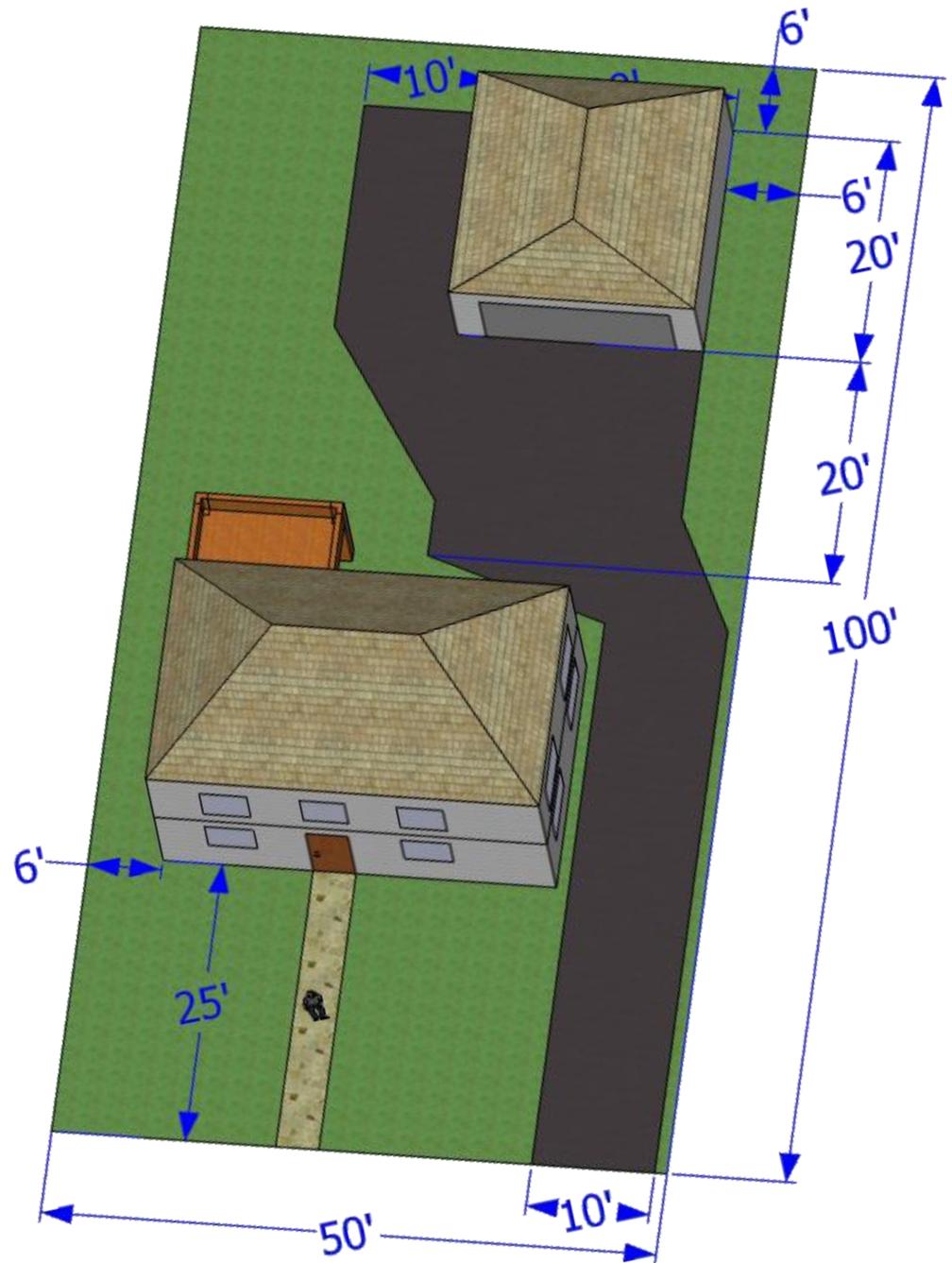
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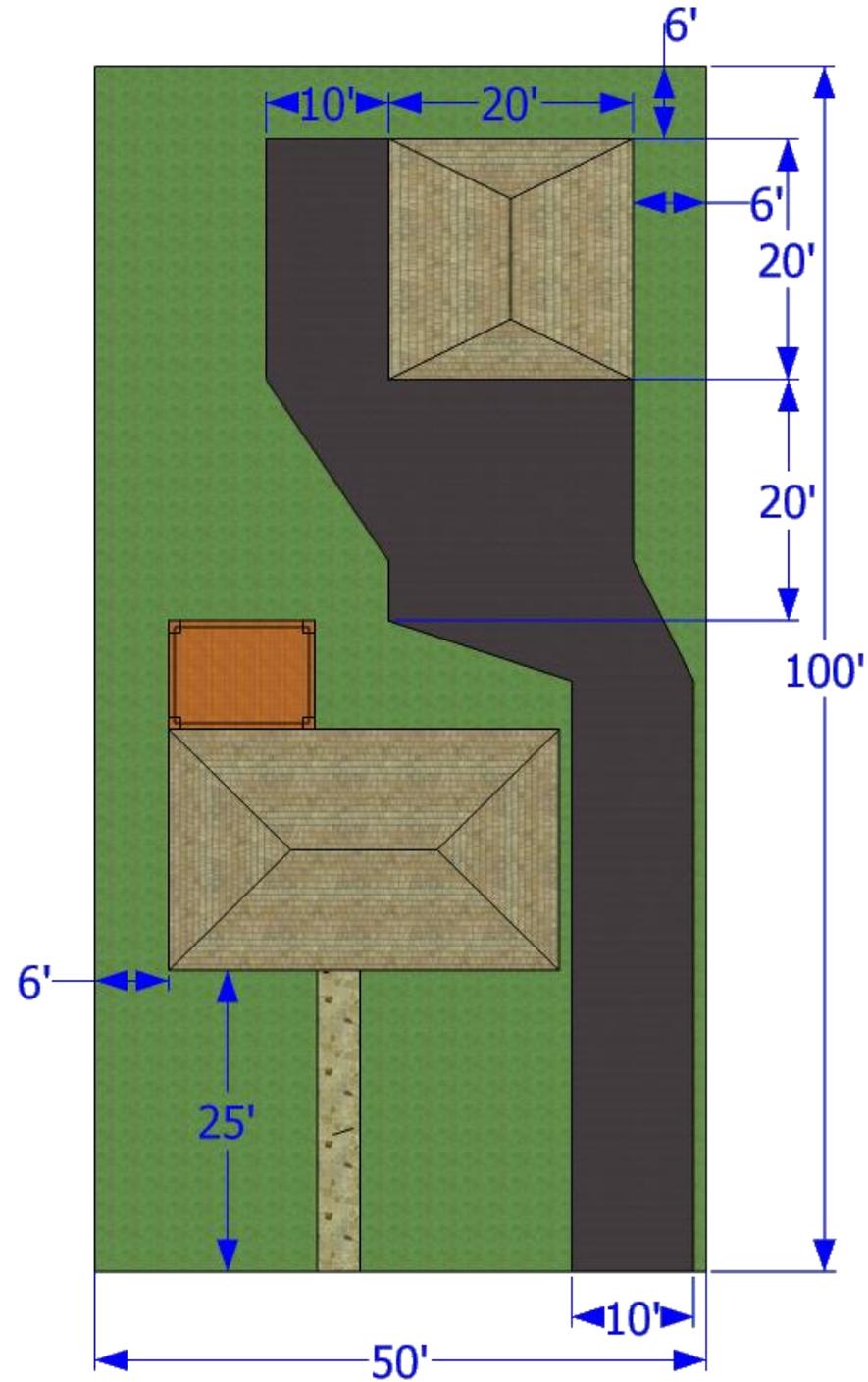
Section 575-12G(8)(b)
(EXISTING STRUCTURES)

THIS IS A DEPECTION OF A
TWO CAR DETACHED
GARAGE WITH THE ONE
ADDITIONAL "ONE SPACE
BUMP-OUT"



Section 575-12G(8)(b)
(EXISTING STRUCTURES)

THIS IS A DEPECTION OF A
TWO CAR DETACHED
GARAGE WITH THE ONE
ADDITIONAL "ONE SPACE
BUMP-OUT"



§ 575-49. Building permits.

- A. Permit required.
- (1) No building or structure in any district shall be erected, constructed or structurally altered without a building permit duly issued upon application to the Director of City Services.
- (2) No driveway or parking area in any residential district and on all lots in any other district used for residential purposes shall be constructed, installed, enlarged or replaced without a building permit duly issued upon application to the Director of City Services.