

## PROPOSED LOCAL LAW H – 2020

A Proposed Local Law to amend Chapters 342 and A348 of the Code of the Village of Mamaroneck (Subdivision Regulations) regarding the fee to be charged in lieu of dedicating parkland.

### **BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK AS FOLLOWS:**

*(Language in strike-through ~~abcedefghijk~~ to be deleted; language in **bold** is to be added)*

#### *Section 1.*

Section 342-76(O)(3) of the Code of the Village of Mamaroneck is amended as follows:

- (3) Any monies required by the Planning Board in lieu of land for park, playground or other recreational purposes, pursuant to the provisions of this section, shall be deposited in a Village trust fund to be used by the Village exclusively for park, playground or other recreational purposes, including the acquisition of property. Such payment shall be a condition of site plan approval and shall be assessed in accordance with the site plan recreation fee schedule established under Chapter A347, Fees, in the Village Code, **except that with respect to fair and affordable residence uses and fair and deeply affordable residence uses under Article XV of Chapter 342 the payment will be as modified by § 342-103(D).** No site plan shall be signed by the Village until such payment has been received by the Village and receipt therefor provided to the Planning Board.

#### *Section 2.*

Section 342-103 of the Code of the Village of Mamaroneck is amended by adding subsection D, as follows:

- D. For buildings and developments in which all of the dwelling units are fair and affordable or fair and deeply affordable, the fee required by § 342-76(O)(3) and § A348-13(B)(3) is reduced as set forth in the following table:**

Type of Dwelling Unit	Percent of required fee to be paid
Fair and affordable rental housing unit (annual rent at application, excluding utilities, does not exceed 30% of 80% of AMI)	75
Rental housing unit in which annual rent at application, excluding utilities, does not exceed 30% of 60% of AMI	50

Rental housing unit in which annual rent at application, excluding utilities, does not exceed 30% of 50% of AMI	25
Fair and deeply affordable rental housing unit (annual rent at application, excluding utilities, does not exceed 30% of 40% of AMI)	0
Fair and affordable housing unit for sale	50
Fair and deeply affordable housing unit for sale	0

### *Section 3.*

Section A348-13(B)(3) of the Code of the Village of Mamaroneck is amended as follows:

- (3) Any monies required by the Planning Board in lieu of land for park, playground or other recreational purposes, pursuant to the provisions of this section, shall be deposited in a Village trust fund to be used by the Village exclusively for park, playground or other recreational purposes, including the acquisition of property. Such payment shall be a condition of subdivision approval and shall be assessed in accordance with the subdivision recreation fee schedule established under Chapter A347, Fees, in the Village Code, **except that with respect to fair and affordable residence uses and fair and deeply affordable residence uses under Article XV of Chapter 342 the payment will be as modified by § 342-103(D).** No subdivision plat shall be signed by the Village until such payment has been received by the Village and receipt therefor provided to the Planning Board.

### *Section 4.*

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

### *Section 5.*

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3). It supersedes the provisions of the Village Law to the extent that they are inconsistent with this local law.

### *Section 6.*

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.