

ZONING

290 Attachment 2

Village of New Hempstead

Table of Dimensional Requirements

[Amended 1-2-1986 by L.L. No. 1-1986; 5-19-1988 by L.L. No. 2-1988; 6-22-2006 by L.L. No. 1-2006; 11-30-2006 by L.L. No. 2-2006; 9-25-2007 by L.L. No. 2-2007; 9-25-2008 by L.L. No. 1-2008; 4-21-2016 by L.L. No. 1-2016; 6-14-2017 by L.L. No. 3-2017; 7-24-2017 by L.L. No. 4-2017; 11-28-2017 by L.L. No. 7-2017]

District	Min. Lot Area ¹ (square feet)	Min. Lot Frontage ² (feet)	Min. Lot Width (feet)	Minimum Yards				Max. Floor Area Ratio ³	Maximum Impervious Surface	Max. Height		Max. Building Coverage ³ (square feet)	Public Assembly ⁸
				Front Yard (feet)	Side Yard (feet)	Total Side Yards (feet)	Rear Yard (feet)			Stories	Feet		
1R-50	50,000	100	175	50	30	75	50	0.10	0.20	2 1/2	35	3,750	FSS
Average density	40,000	100	150	50	25	70	50	0.10	0.20	2 1/2	35		
Townhouses and single-story homes designed for active adults, with recreational amenities such as clubhouses and the like ⁵	5,000 (single-family residences) 2,000 (townhouses)		50 (single-family residences) N/A (townhouses)	20	10 (single-family residences) 0 (townhouses)	20 (single-family residences) 0 (townhouses)	20 (single-family residences) 10 (townhouses)			2		10%	
Rehabilitation, respite and training facilities ⁹	435,600	250	250	50	30	75	50		0.20		35		

NEW HEMPSTEAD CODE

District	Min. Lot Area ¹	Min. Lot	Min. Lot Width	Minimum Yards				Max. Floor	Maximum Impervious	Max. Height		Max. Building	Public Assembly ⁸
				Front	Side Yard	Total Side	Rear Yard			Stories	Feet		
1R-40	40,000	100	150	50	25	70	50	0.10	0.20	2 1/2	35	3,500	FSS
Average density	35,000	100	150	50	25	60	50	0.12	0.20	2 1/2	35		
Townhouses and single-story homes designed for active adults, with recreational amenities such as clubhouses and the like ⁵	5,000 (single-family residences) 2,000 (townhouses)		50 (single-family residences) N/A (townhouses)	20	10 (single-family residences) 0 (townhouses)	20 (single-family residences) 0 (townhouses)	20 (single-family residences) 10 (townhouses)			2			
Rehabilitation, respite and training facilities ⁹	435,600	250	250	50	30	70	50		0.20		35		
1R-35	35,000	100	150	50	25	60	50	0.12	0.20	2 1/2	35	3,250	FSS
Average density	25,000	90	125	35	20	50	35	0.15	0.25	2 1/2	35		
Townhouses and single-story homes designed for active adults, with recreational amenities such as clubhouses and the like ⁵	5,000 (single-family residences) 2,000 (townhouses)		50 (single-family residences) N/A (townhouses)	20	10 (single-family residences) 0 (townhouses)	20 (single-family residences) 0 (townhouses)	20 (single-family residences) 10 (townhouses)			2			
Rehabilitation, respite and training facilities ⁹	435,600	250	250	50	30	60	50		0.20		35		
1R-25	25,000	90	125	35	20	50	35	0.15	0.25	2 1/2	35	3,000	FSS
Average density	15,000	85	100	35	20	50	35	0.18	0.25	2 1/2	35		

ZONING

District	Min. Lot Area ¹	Min. Lot	Min. Lot Width	Minimum Yards				Max. Floor	Maximum Impervious	Max. Height		Max. Building	Public Assembly ⁸
				Front	Side Yard	Total Side	Rear Yard			Stories	Feet		
Rehabilitation, respite and training facilities ⁹	435,600	250	250	50	30	50	50		0.25		35		
2R-15													
1-family detached dwelling	15,000	85	100	35	20	50	35	0.18	0.25	2 1/2	35	2,500	FSS
2-family detached dwelling	20,000	125	125	35	15	40	35	0.18	0.30	2 1/2	35	2,750	
Independent living for people with disabilities	4 acres	250	350	35	20	60	50	0.20		1	25	Note 4	
Rehabilitation, respite and training facilities ⁹	435,600	250	250	50	30	50	50		0.25		35		
LO	60,000	100	200	75	75	150	75	0.25	0.75	—	45		
Rehabilitation, respite and training facilities ⁹	435,600	250	250	75	75	150	75		0.75		45		
NCD	2 acres ⁶	150	150	75	50	100	50	0.30	0.75	2	Note 7		

NEW HEMPSTEAD CODE

NOTES:

- 1 No part of any land within an access easement or right-of-way shall be counted toward the minimum lot area. Only 25% of any land under water or within land defined as a wetland by Chapter 159, Freshwater Wetlands, of the Code of the Village of New Hempstead or within a one-hundred-year-frequency floodplain or within a drainage easement containing open drainage channels or facilities or within a utility easement containing overhead lines or equipment or with unexcavated slopes over 25% shall be counted toward the minimum lot area. Only 75% of any land within a conservation easement or within a drainage easement containing only piped drainage facilities or within a sewer easement or utility easement containing only underground facilities shall be counted toward the minimum lot area. The rules set forth herein shall apply with equal effect to preexisting and proposed easements and rights-of-way.
- 2 The minimum lot frontage may be reduced by the Planning Board for residential lots fronting on culs-de-sac or on streets with a center-line radius of 100 feet or less.
- 3 All buildings and structures shall comply with either maximum floor area ratio or maximum building coverage for the respective zoning district, whichever is identified by the owner on any application submitted after the effective date of Local Law No. 2-2007.
- 4 Maximum development coverage for independent living facilities for people with disabilities shall be 30%.
- 5 Additional requirements:
 - (1) Habitable floor area for single-family residences: 1,400 square feet per unit.
 - (2) Maximum density per acre [subject to § 290-57C(3)]: 6 (single-family residences); 7 units (townhouses).
 - (3) Percentage of lot coverage for single-family residences: 40%.
 - (4) Maximum building coverage of site for townhouses: 45%.
 - (5) Lot depth: 100 feet (single-family residences); 45 feet (townhouses).
- 6 Maximum lot area: 6 acres. "Lot area" is net lot area after deductions for environmental constraints. Minimum acreage is based on lots existing as of the date this local law is adopted. No lots and/or parcels shall be subsequently assembled in sufficient size to qualify for application of an NCD. (This note was added 7-24-2017 by L.L. No. 4-2017, and amended 11-28-2017 by L.L. No. 7-2017.)
- 7 Principal building: 35 feet; accessory building: 15 feet.
- 8 "FSS" is "fixed seating schedule" as per the New York State Building Code. A place of assembly consists of either a portion of a single-family residence and/or an addition to a single-family residence, or a detached structure/building that complies with the accessory buildings and structures regulations (§ 290-28), except the detached structure or building shall not exceed 2,500 square feet in ground floor area or exceed 20 feet in height.
- 9 Compliance with the foregoing bulk requirements shall not be required for (i) any preexisting building(s) located 15 feet or more from any property line on the premises; and (ii) any preexisting accessory building(s) located three feet or more from any property line on the premises. Any preexisting accessory building(s) located on the premises may exceed the permitted height in feet and ground floor area in square feet set by statute by no more than 85%, provided that the Board of Trustees determines that the special permit use does not adversely affect the surrounding neighborhood. Nothing shall be construed to prohibit the addition of future main buildings, provided the new building(s) conforms with the bulk requirements herein provided.