

VILLAGE OF LARCHMONT
LOCAL LAW # 11-2016

A local law to amend the Zoning Law by establishing maximum gross residential floor area ratios for one-family dwellings within certain districts and by requiring increased setbacks under certain circumstances

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. Purpose and Intent.

The character of residential neighborhoods in the Village of Larchmont comes from the diversity of the size and design of homes. The construction of new or modified homes that are out-of-scale and disharmonious with those homes to which they are adjacent or proximate endanger the visual character of the community, and have the potential to cause additional impacts on the health, safety, and the quality of life in the Village.

This local law establishes maximum gross residential floor area ratios (FAR) for all one-family homes in the One-Family Residence and Waterfront Coastal Zone Districts. It is intended to balance the desire of residents to enlarge their homes with the preservation of neighborhood character by limiting the size of homes so they are not (or do not appear to be) out-of-scale with those that currently exist in the neighborhood. In cases where such homes are proposed to increase substantially in scale, these regulations increase the required minimum side yard setbacks in order to reduce the scale of the façade facing the public street and to increase the green space and separation between such homes and their neighbors to either side. These FAR regulations are intended to be applied together with other dimensional requirements and other provisions of the Village Code, such as stormwater and lot coverage regulations, to protect the established character of the community and avert potential environmental impacts.

Section Two. Section 381-7 of the Zoning Law of the Code of the Village of Larchmont, concerning definitions, is hereby amended by deleting the phrase and definition of "gross floor area of first story".

Section Three. Section 381-7 of the Zoning Law of the Code of the Village of Larchmont, concerning definitions, is hereby amended by adding the following definitions:

FLOOR AREA, GROSS RESIDENTIAL

See "gross residential floor area."

GROSS RESIDENTIAL FLOOR AREA

The sum of the gross floor area of all floors of a dwelling and accessory buildings on the same lot as the dwelling, including the basement, cellar, and attic, whether finished or unfinished, measured to the exterior of the outside walls. For the purpose of calculating the gross residential floor area ratio (FAR) of one-family dwellings in One-Family Residence Districts and the Waterfront Coastal Zone District, the following areas may be excluded:

- (1) space in unroofed structures such as decks, terraces, and patios;
- (2) space in unenclosed porches, unenclosed breezeways, and unenclosed porticoes;
- (3) space within a cellar, basement or in an attic where the vertical distance between the floor and ceiling is less than five (5) feet; and

- (4) space exempted under paragraph 381-37.C. of this chapter.

PORCH, ENCLOSED

A structure attached to a building with a floor, roof and structural supports, and permanently, seasonally or temporarily enclosed with solid materials such as glass or Lexan (a clear, durable, hard plastic material) or a material similar to glass or Lexan. Screens, curtains, or latticework made of wire-mesh, cloth or paper, or similar material shall not be considered solid for the purpose of this definition.

Section Four. Section 381-37 of the Code of the Village of Larchmont, currently reserved, is hereby added to read as follows:

§ 381-37. Maximum gross residential floor area ratio (FAR) and increased setbacks for single-family dwellings in One-Family Residence Districts and the Waterfront Coastal Zone District.

A. Purpose and applicability. The purpose of this section is to preserve and protect neighborhood character, open space, and visual aesthetics by controlling the actual and/or perceived scale of one-family dwellings and accessory buildings in the One-Family Residence and Waterfront Coastal Zone Districts by establishing maximum gross residential floor area ratios (FAR) and, in certain cases, requiring increased side yard setbacks. The regulations are intended to guard against dwellings that are disharmonious in size to the dwellings to which they are adjacent and proximate, as well as to increase the open space around dwellings of a certain size, while preserving the diversity of the size and design of single-family dwellings within the Village.

B. Maximum gross residential floor area ratio (FAR) in One-Family Residence Districts and the Waterfront Coastal Zone District. As illustrated in the table in this paragraph 381-38.B., the maximum gross residential floor area ratio (FAR) for one-family dwellings shall be as follows:

- (1) Lots of 4,000 square feet or less shall have a maximum FAR of 0.64.
- (2) Lots between 4,001 square feet and 15,000 square feet shall have a maximum FAR of 0.64 minus 0.02 for every 1,000 square feet or part thereof in excess of 4,000 square feet [maximum floor area ratio = $0.64 - (0.02 \times ((\text{lot area} - 4,000) \div 1,000))$]
- (3) Lots between 15,001 square feet and 20,000 square feet shall have a maximum FAR of 0.42, minus 0.01 for every 1,000 square feet or part thereof in excess of 15,000 square feet [maximum floor area ratio = $0.42 - (0.01 \times ((\text{lot area} - 15,000) \div 1,000))$]
- (4) Lots between 20,001 square feet and 30,000 square feet shall have maximum FAR or 0.37, minus 0.005 for every 1,000 square feet or part thereof in excess of 20,000 square feet [maximum floor area ratio = $0.37 - (0.005 \times ((\text{lot area} - 20,000) \div 1,000))$]
- (5) Lots in excess of 30,000 square feet shall have a maximum FAR of 0.32.

**ILLUSTRATIVE TABLE OF MAXIMUM GROSS RESIDENTIAL FLOOR AREA
RATIO (FAR) FOR ONE-FAMILY DWELLINGS IN ONE-FAMILY RESIDENCE DISTRICTS
AND THE WATERFRONT COASTAL ZONE DISTRICT**

Lot Size (Square Feet)	Maximum Gross Residential Floor Area Ratio	Resulting Gross Residential Floor Area (Square Feet)
4,000	0.64	2,560
5,000	0.62	3,100
6,000	0.60	3,600
7,000	0.58	4,060
8,000	0.56	4,480
9,000	0.54	4,860
10,000	0.52	5,200
11,000	0.50	5,500
12,000	0.48	5,760
13,000	0.46	5,980
14,000	0.44	6,160
15,000	0.42	6,300
16,000	0.41	6,560
17,000	0.40	6,800
18,000	0.39	7,020
19,000	0.38	7,220
20,000	0.37	7,400
21,000	0.365	7,665
22,000	0.36	7,920
23,000	0.355	8,165
24,000	0.35	8,400
25,000	0.345	8,625
26,000	0.34	8,840
27,000	0.335	9,045
28,000	0.33	9,240
29,000	0.325	9,425
30,000	0.32	9,600
35,000	0.32	11,200
40,000	0.32	12,800
45,000	0.32	14,400
50,000	0.32	16,000

C. Exemptions from calculations of gross residential floor area ratio (FAR) in One-Family Residence and Waterfront Coastal Zone Districts. The following amounts of floor area located in basements or cellars shall be exempted from the calculations of gross residential floor area ratio for one-family dwellings and accessory buildings in One Family Residence District and the Waterfront Coastal Zone District provided that no part of any exterior wall of such basement or cellar is visible above the finished grade by two (2) or more feet in height:

- (1) For lots of 5,000 square feet or less in lot area, the exemption shall be 400 square feet;
- (2) For lots between 5,001 square feet and 7,500 square feet in lot area, the exemption shall be 500 square feet; and
- (3) For lots of 7,501 square feet or larger in lot area, the exemption shall be 600 square feet.

D. Additional side yard setbacks for one-family dwellings exceeding certain gross residential floor areas.

- (1) In the R-5 One-Family Residence District, for one-family dwellings that have a gross residential floor area in excess of 2,500 square feet, both minimum side yard setbacks shall be increased by one half foot (½') for every one hundred square feet over 2,500 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased by more than seven and a half (7½) additional feet per side yard. The table below is illustrative:

ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR ONE-FAMILY DWELLINGS EXCEEDING 2,500 SQUARE FEET IN GROSS RESIDENTIAL FLOOR AREA IN THE R-5 ONE-FAMILY RESIDENCE DISTRICT

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback (Feet)		
	One Side	Both Sides	(Second Side)
2,300	6	16	10
2,400	6	16	10
2,500	6	16	10
2,600	6 ½	17	10 ½
2,700	7	18	11
2,800	7 ½	19	11 ½
2,900	8	20	12
3,000	8 ½	21	12 ½
3,100	9	22	13
3,200	9 ½	23	13 ½
3,300	10	24	14
3,400	10 ½	25	14 ½
3,500	11	26	15
3,600	11 ½	27	15 ½
3,700	12	28	16
3,800	12 ½	29	16 ½
3,900	13	30	17

4,000	13 ½	31	17 ½
4,100	13 ½	31	17 ½

- (2) In the R-7.5 One-Family Residence District, for one-family dwellings that have a gross residential floor area in excess of 3,500 square feet, both minimum side yard setbacks shall be increased by one half foot (½') for every one hundred square feet over 3,500 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased by more than ten (10) additional feet per side yard. The table below is illustrative:

**ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR
ONE-FAMILY DWELLINGS EXCEEDING 3,500 SQUARE FEET IN
GROSS RESIDENTIAL FLOOR AREA IN THE R-7.5 ONE-FAMILY RESIDENCE DISTRICT**

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback (Feet)		
	One Side	Both Sides	(Second Side)
3,300	10	22	12
3,400	10	22	12
3,500	10	22	12
3,600	10 ½	23	12 ½
3,700	11	24	13
3,800	11 ½	25	13 ½
3,900	12	26	14
4,000	12 ½	27	14 ½
4,100	13	28	15
4,200	13 ½	29	15 ½
4,300	14	30	16
4,400	14 ½	31	16 ½
4,500	15	32	17
4,600	15 ½	33	17 ½
4,700	16	34	18
4,800	16 ½	35	18 ½
4,900	17	36	19
5,000	17 ½	37	19 ½
5,100	18	38	20
5,200	18 ½	39	20 ½
5,300	19	40	21
5,400	19 ½	41	21 ½
5,500	20	42	22
5,600	20	42	22

- (3) In the R-10 One-Family Residence District, for one-family dwellings that have a gross residential floor area in excess of 4,000 square feet, both minimum side yard setbacks shall be increased by one half foot (½') for every one hundred square feet over 4,000 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased by more than twelve and a half (12½) additional feet per side yard. The table below is illustrative:

**ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR
ONE-FAMILY DWELLINGS EXCEEDING 4,000 SQUARE FEET IN
GROSS RESIDENTIAL FLOOR AREA IN THE R-10 ONE-FAMILY RESIDENCE DISTRICT**

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback (Feet)		
	One Side	Both Sides	(Second Side)
3,500	10	25	15
4,000	10	25	15
4,500	12 ½	30	17 ½
5,000	15	35	20
5,500	17 ½	40	22 ½
6,000	20	45	25
6,500	22 ½	50	27 ½
7,000	22 ½	50	27 ½

(4) In the R-12.5 One-Family Residence District, for one-family dwellings that have a gross residential floor area in excess of 4,500 square feet, both minimum side yard setbacks shall be increased by one half foot (½') for every one hundred square feet over 4,500 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased by more than fifteen (15) additional feet per side yard. The table below is illustrative:

**ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR
ONE-FAMILY DWELLINGS EXCEEDING 4,500 SQUARE FEET IN
GROSS RESIDENTIAL FLOOR AREA IN THE R-12.5 ONE-FAMILY RESIDENCE DISTRICT**

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback (Feet)		
	One Side	Both Sides	(Second Side)
4,000	10	25	15
4,500	10	25	15
5,000	12 ½	30	17 ½
5,500	15	35	20
6,000	17 ½	40	22 ½
6,500	20	45	25
7,000	22 ½	50	27 ½
7,500	25	55	30
8,000	25	60	30
8,500	25	60	30

(5) In the R-15 One-Family Residence District, for one-family dwellings that have a gross residential floor area in excess of 5,000 square feet, both minimum side yard setbacks shall be increased by one half foot (½') for every one hundred square feet over 5,000 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased by more than seventeen and a half (17½) additional feet per side yard. The table below is illustrative:

**ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR
ONE-FAMILY DWELLINGS EXCEEDING 5,000 SQUARE FEET IN
GROSS RESIDENTIAL FLOOR AREA IN THE R-15 ONE-FAMILY RESIDENCE DISTRICT**

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback (Feet)		
	One Side	Both Sides	(Second Side)
4,500	10	25	15
5,000	10	25	15
5,500	12 ½	30	17 ½
6,000	15	35	20
6,500	17 ½	40	22 ½
7,000	20	45	25
7,500	22 ½	50	27 ½
8,000	25	55	30
8,500	27 ½	60	32 ½
9,000	27 ½	60	32 ½
10,000	27 ½	60	32 ½

(6) In the R-30 One-Family Residence District, for one-family dwellings that have a gross floor residential area in excess of 6,000 square feet, both minimum side yard setbacks shall be increased by one quarter foot (¼') for every one hundred square feet over 6,000 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased by more than twenty (20) additional feet per side yard. The table below is illustrative:

**ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR
ONE-FAMILY DWELLINGS EXCEEDING 6,000 SQUARE FEET IN
GROSS RESIDENTIAL FLOOR AREA IN THE R-30 ONE-FAMILY RESIDENCE DISTRICT**

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback (Feet)		
	One Side	Both Sides	(Second Side)
5,500	12	30	18
6,000	12	30	18
6,500	13 ¼	32 ½	19 ¼
7,000	14 ½	35	20 ½
7,500	15 ¾	37 ½	21 ¾
8,000	17	40	23
8,500	18 ¼	42 ½	24 ¼
9,000	19 ½	45	25 ½
9,500	20 ¾	47 ½	26 ¾
10,000	22	50	28
10,500	23 ¼	52 ½	29 ¼
11,000	24 ½	55	30 ½
11,500	25 ¾	57 ½	31 ¾
12,000	27	60	33

12,500	28 ¼	62 ½	34 ¼
13,000	29 ½	65	35 ½
13,500	30 ¾	67 ½	36 ¾
14,000	32	70	38
14,500	32	70	38

(7) In the W-Waterfront Coastal Zone District, for one-family dwellings that have a gross residential floor area in excess of 7,000 square feet, both minimum side yard setbacks shall be increased by one quarter foot (¼') for every one hundred square feet over 7,000 square feet of gross residential floor area, but in no case shall the minimum side yard setback be required to be increased more than twenty (20) additional feet per side yard. The table below is illustrative:

ILLUSTRATIVE TABLE OF THE MINIMUM REQUIRED SIDE YARD SETBACK FOR ONE-FAMILY DWELLINGS EXCEEDING 7,000 SQUARE FEET IN GROSS RESIDENTIAL FLOOR AREA IN THE W-WATERFRONT COASTAL ZONE DISTRICT

Floor Area of Home (Square Feet)	Required Minimum Side Yard Setback		
	One Side	Both Sides	(Second Side)
6,000	12	30	18
6,500	12	30	18
7,000	12	30	18
7,500	13 ¼	32 ½	19 ¼
8,000	14 ½	35	20 ½
8,500	15 ¾	37 ½	21 ¾
9,000	17	40	23
9,500	18 ¼	42 ½	24 ¼
10,000	19 ½	45	25 ½
10,500	20 ¾	47 ½	26 ¾
11,000	22	50	28
10,500	23 ¼	52 ½	29 ¼
12,000	24 ½	55	30 ½
12,500	25 ¾	57 ½	31 ¾
13,000	27	60	33
13,500	28 ¼	62 ½	34 ¼
14,000	29 ½	65	35 ½
14,500	30 ¾	67 ½	36 ¾
15,500	32	70	38
16,000	32	70	38

Section Five. Severability.

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, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Six. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.