

**BILL NO. 3 of 2021**

**A LOCAL LAW** to amend Russell Gardens Code Chapter 60 entitled "Zoning:"

Section One. ~~Section 60, Article VII entitled "Business District" subsection 48 entitled "Off-street parking facilities" subsection B is hereby repealed. Section 60, Article VII entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (B) is hereby repealed.~~

Section Two. ~~Section Chapter 560, Article VII entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (C) is hereby renumbered to (B).~~

Section Three. ~~Section Chapter 560, Article VII entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (D) is hereby renumbered to (C) and amended to read as follows:~~

For the purposes of this chapter, a driveway shall not be considered as an off-street parking space and may not be used for parking.

Section Four. ~~Section Chapter 560, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (E) is hereby renumbered to (D).~~

Section Five. ~~Section Chapter 560, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (F) is hereby renumbered to (E) and is amended to read as follows:-~~

~~Section Six. Section 50, Article VII, entitled "Business District" subsection G is hereby renumbered to F and is hereby amended as follows:~~

The certificate of occupancy shall be contingent upon the continuance of such parking ~~space~~area, and if it should, for any reason, cease to be used and maintained for such purpose, or if the owner of the building for which such certificate of occupancy was issued should cease to own or control such parking ~~space~~area, the Village Board may, upon notice to the applicant or the owner or occupant, for the time being, of such building, and after giving him a reasonable opportunity to be heard, cancel and revoke such certificate of occupancy or modify the same, as circumstances may require.

~~Section SevenSix. Section 50, Article VII, entitled "Business District" subsection H is hereby renumbered to G and is hereby amended as follows: Chapter 60, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (G) is hereby renumbered to (F). If there are no changes to the table, why do we need to include it?~~

Section ~~EightSeven~~. Chapter 60, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" subsection (H) is hereby renumbered to (G).

Section Eight. Chapter 60, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" Table – Off-Street Parking for Nonresidential, Commercial and Business Uses is hereby numbered as subsection (H).

Section Eight. Section Nine. Chapter 60, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" is hereby amended to add a new subsection (I) to read as follows:

GI. In the Business and Apartment Zoning Districts, Size of access aisles and parking spaces for non-residential, commercial and business uses. The width of access aisles and length of parking spaces shall be measured perpendicular to the direction of traffic flow in the access aisle, except for parallel parking spaces. The length of the parking space, measured as described above, shall be known as the "stall-to-curb dimension." The access aisle shall be the pavement providing ingress to and egress from the parking space, as well as general circulation in the parking area. These dimensions shall vary according to the angle formed by the parking space strip and the direction of traffic flow in the aisle in accordance with the following table are defined in the tables below:

Option 1: Space Size: 9 Feet x 18 Feet

Parking Angle (degrees)	Stall to Curb (feet and inches)	Access Aisle Width (Feet)
30	16'10"	12
45	19'2"	13
60	20'2"	18
90	18'	24

Parallel Parking

Angle	Space Size	Access Aisle Width (Feet)
0	9 x 23	12

Option 2: Space Size: 10 Feet x 20 Feet

Parking Angle (degrees)	Stall to Curb (feet and inches)	Access Aisle Width (Feet)
30	18'8"	12
45	21'3"	13
60	22'4"	18
90	20'	20

Parallel Parking

Angle	Space Size (feet)	Access Aisle Width (Feet)
0	10 x 23	12

Parking Angle (degrees)	Stall to Curb (feet)	Access Aisle Width (feet)
0	9 (by 23 long)	12
30	16-5/6	12

Parking Angle (degrees)	Stall to Curb (feet)	Access Aisle Width (feet)
45	19 1/6	13
60	20 1/6	18
90	18	24

  

Space Size = 10 Feet 0 Inches x 20 Feet 0 Inches		
Parking Angle (degrees)	Stall to Curb (feet)	Access Aisle Width (feet)
0	10 (by 23 long)	12
30	18 2/3	12
45	21 1/4	13
60	22 1/3	18
90	20	20

Section Ten. Chapter 60, Article VII, entitled "Business District" subsection 60-48 entitled "Off-street parking facilities" is hereby amended to add a new subsection (J) to read as follows:

Accessible parking requirements and other State or Federal requirements that are more restrictive shall supersede the regulations set forth in this Chapter.

Section Eleven. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

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