

Bill WHD 24-__

A local law amending Chapter 560 (entitled “Zoning”) of the Code of the Village of West Hampton Dunes, to provide for certain definitions and to clarify the maximum number of stories for residential dwellings.

Section 1. Village Code §560-5 (“Definitions”) is hereby amended, to modify the following definitions to read as follows:

BASEMENT

That space of a building that is partly below the base flood elevation, or partly below grade which has more than half of its height, measured from floor to ceiling, above the average finished grade of the ground adjoining the building. A story partly underground and having one-half or more of its clear height below finished grade is a “cellar”.

STORY

As used herein, shall have the same meaning as Story Above Grade Plane.

Section 2. Village Code §560-5 (“Definitions”) is hereby amended, by adding the following definitions to read as follows:

STORY ABOVE GRADE PLANE

Shall have the meaning ascribed in the New York State Uniform Fire Prevention and Building Code.

GRADE PLANE

Shall have the meaning ascribed in the New York State Uniform Fire Prevention and Building Code.

MEZZANINE

Shall have the meaning ascribed in the New York State Uniform Fire Prevention and Building Code.

Section 3. Table 560b (“560 Attachment 2”, “Table of Dimensional Regulations Residence Districts”) is hereby amended to replace the row entitled “Stories” with the term “Stories Above Grade Plane” and to provide that the number of stories above grade plane along the entirety of the row is “4”.

Section 4. Severability. 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 5. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.