

**VILLAGE OF MONROE**  
**LOCAL LAW 15 OF 2023**

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

**Section 1. Title**

This Local Law shall be known and may be cited as the Village of Monroe Mixed-Use Multifamily In the CB District Local Law of 2023.

**Section 2. Legislative Purpose**

This Local Law is intended to implement the recommendations of the 2023 Village of Monroe Comprehensive Plan, which recommends:

*The CB zoning district already allows accessory apartments in the downtown. This multifamily housing is subject to minimum standards for usable outdoor and indoor recreation, as well as safety controls. Because housing within downtown must adhere to two separate code sections regarding accessory apartments and multifamily housing, there is some confusion as to which existing standards apply. The code needs to be revised to provide clear standards for downtown multifamily housing in mixed-use buildings. The intent should be to encourage downtown residency while ensuring that there is adequate parking, safety, and maintenance controls.*

**Section 3. Enabling Authority**

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

**Section 4. Changes to Table of District Uses and Bulk Regulations of the Zoning Local Law.**

The row corresponding to the use, "Multifamily Housing" as listed in "Attachment 1 Table of District Uses and Bulk Regulations, CB District" is hereby deleted and replaced with "Mixed-Use Multifamily Above Commercial" and listing the following corresponding standards:

<i>Type:</i>	<i>Special Permit</i>
<i>Use-Specific Regulations:</i>	<i>§200-49.5</i>
<i>Lot Area per Dwelling Unit (square feet):</i>	<i>1,300 Square Feet</i>
<i>Lot Area (square feet):</i>	<i>No minimums specified</i>
<i>Lot Width (feet):</i>	<i>No minimums specified</i>
<i>Front Setback (feet):</i>	<i>No minimums specified</i>
<i>Rear Setback (feet)</i>	<i>20 Feet</i>
<i>One Side Setback (feet)</i>	<i>No minimums specified</i>
<i>Total Site Setbacks (feet)</i>	<i>No minimums specified</i>
<i>Lot Coverage</i>	<i>80%</i>
<i>Building Height<sup>2</sup> (feet/stories)</i>	<i>35/3</i>

**Section 5. Adding a new section 200-49.5 (Mixed-Use Multifamily Over Commercial) to the Zoning Local Law.**

A new section entitled, “§200-49.5 (Mixed-Use Multifamily Above Commercial) shall be added to the Zoning Local Law as follows:

***§200-49.5 – Mixed-Use Multifamily Above Commercial***

- A. *Information required. In addition to the requirements relevant to site plans and special use permits, the applicant shall submit a written description indicating the staging and completion of the development, type of ownership, the number of habitable rooms and bedrooms, the floor space per dwelling unit, the amount of nonresidential floor space, the number of off-street parking spaces (in accordance with Article XI, Parking and Loading) and proposals for the construction, operation and maintenance of all utility systems and the methods of ownership, control and planning by which the proper continued future operation and maintenance of all buildings, parking areas, walkways, utilities and other common lands and facilities will be assured.*
- B. *Maximum number of dwelling units. The maximum number of dwelling units shall be equal to 1 unit for each 1,300 square feet of lot area.*
- C. *In order to serve the regionally underserved market of young families, young singles, and empty nesters as determined by the Village Board in the 2023 Comprehensive Plan, and with acknowledgment to the limited area available for recreation and the limited ability to provide on-site parking, the following limitations on the number of bedrooms are imposed:*
- (1) All units proposed within the building will average no more than 1.5 bedrooms per unit.*
  - (2) No more than 20% of units shall contain three bedrooms.*
  - (3) No unit containing more than one-bedroom shall be located above the second story unless an elevator is provided.*
  - (4) No unit shall contain more than three bedrooms.*
- D. *Required minimum and maximum livable floor area. In order to prevent excessively small apartments, and in order to prevent the addition of so-called “dens,” “offices” and “bonus rooms” for the purposes of avoiding limitations on the number of bedrooms, each proposed unit shall be limited in livable floor area as follows:*
- (1) efficiency apartment : 400 to 600 Square feet livable floor area*
  - (2) one-bedroom apartment: 500 to 700 square feet livable floor area*
  - (3) two-bedroom apartment: 600 to 850 square feet livable floor area*
  - (4) three-bedroom apartment: 700 to 1000 square feet livable floor area*
- E. *Refuse. An adequate means of collecting and storing refuse between collections shall be provided. Any outside storage of garbage shall be in centralized large containers designed to prevent rodent infestations and shall be screened.*
- F. *Groundfloor use. No multifamily residential dwelling unit shall be permitted in any structure that does not contain a non-residential use authorized in the district occupying at least 80% of the ground floor. No story above the ground floor will exceed the floor area of the ground-floor story.*

**Section 6. Repeal, Amendment, and Supersession of Other Laws.**

All other Resolutions, Ordinances or Local Laws of the Village of Monroe which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

**Section 7. Severability.**

If any section, part or provision of this Local Law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this Local Law or the application thereof.

**Section 8. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.