

RYE PLANNING BOARD  
PROPOSED ZONING ORDINANCE AMENDMENT 2024-01

RE: Two Dwellings on One Lot

Amendment to the Rye Zoning Ordinance § 190-2.2.D Applicability of use district regulations. as follows: (Note: *New text emboldened and italicized.* Deleted text ~~struck through~~).

§ 190-2.2.D Applicability of use district regulations.

D. Lots.

- (1) In the Single Residence and General Residence Districts only, *except as otherwise expressly permitted in this § 190*, there shall be no more than one principal building on one lot.
- (2) Lots with two or more principal dwellings.
  - (a) A lot which has two or more principal dwellings is a nonconforming use. Notwithstanding any provision to the contrary in Section 190-6.2 and 190-6.3, on such lots with two or more principal dwelling units, the following are prohibited expansions of a nonconforming use and/or non-conforming structure:
    - [1] Increasing the building footprint of a dwelling.
    - [2] Enlarging the bulk of a dwelling.
    - [3] Adding decks, porches or other appurtenances to a dwelling, including roof decks.
    - [4] Enlarging decks, porches or other appurtenances of a principal building.
  - (b) This provision applies to all lots which have two or more principal dwellings, ~~including lots having such dwellings in the condominium form of ownership.~~
  - (c) *Lots which contain two or more dwelling units and/or structures in a condominium form of ownership pursuant to a condominium conversion authorized under §190- 5.3, shall be deemed to have two or more principle dwelling units on a lot, and no such dwelling unit and/or structure shall be expanded in the manner reflected in §190-2-2(D)(2)(a).*
  - (d) This provision shall not apply to those properties that have permitted accessory dwelling units or legal apartments.

*Explanation.*

*Allow for approved condominiums to make external changes with Planning Board approval, since many are more than one principal dwelling on a lot.*