

**TOWN OF NORTH CASTLE**  
**Local Law 4 For the Year 2010**  
**(Adopted June 9, 2010)**

A local law to amend Section 213-5 to create a new Zoning District to be known as Residential Multifamily – Single Structure (R-MF-SS); and to create a new Section 213.22.4 of the Town Code to create standards for the R-MF-SS.

**Section 1.** Amend Section 213-4 of the Town Code to add R-MF-SS Residential Multifamily – Single Structure below the R-MF-A entry.

**Section 2.** Amend Section 213-5 of the Town Code to create a new Zoning District to be known as Residential Multifamily – Single Structure (R-MF-SS) and place lot 2/13/27 (108.03-1-42) within the R-MF-SS District.

**Section 3.** Amend Section 213-19 Schedule of Residence District Regulations to include the following new Zoning District information:

District	Permitted Principal Uses	Permitted Accessory Uses	Minimum Lot Size				Minimum Yards			Maximum Building Height		Maximum Building Coverage	Minimum Dwelling Unit Size	Refer also to these pertinent sections
			Area	Frontage	Width (feet)	Depth	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet			
R-MF-SS	Same as R-MF	Same as R-MF	30,000 square feet	150 feet	150	150 feet	50	20	50	3	30	40	As required by §213-22	Articles IV through X

**Section 4.** Create the following new Section 213-22.4:

Residential Multifamily Single Structure (R-MF-SS). In an R-MF-SS District, all such uses shall be subject to site plan approval in accordance with Article VIII of this chapter.

- A. Intent. This district is established in order to increase the supply of dwelling units suitable for smaller families or individuals, to secure superior land planning and to increase the supply of moderate-cost housing. In addition, this district shall promote the creation of middle-income dwelling units in proximity to the downtown area in order to mitigate existing parking conditions and to promote business activity within the hamlet area.
- B. Allowable density. An FAR of 0.9, computed in accordance with the Net Density requirements of Section 213-22.B(2) of this chapter, all within the same single structure.
- C. Middle Income Units. A minimum of 35% of all units within the single structure shall be Town-regulated Middle Income Units and shall be provided according to the provisions of Section 213-22.I of the Town Code.
- D. Water and sewage facilities. All single structure multifamily dwellings shall be served by public water and sewerage treatment facilities only, and no certificate of occupancy shall be issued until all dwelling units are connected to approved and functioning public water and sewerage treatment systems.
- E. Antenna system. A central television antenna, a dish antenna or cable service shall be provided.

- F. Parkland Reservations. Compliance with the requirements of Chapter 143 of the Town Code entitled "Parkland Reservations."
- G. Design considerations. In order that multifamily developments will be properly planned in relation to the community and personal needs of people, the following design elements shall be considered by the Planning Board and the Architectural Board of Review in addition to the normal factors examined in site plan review:
  - (1) Visual privacy shall be preserved for residents through the proper design of rear yards, terraces, decks or patio spaces. Proper screening through the use of vegetation and fencing shall be provided.
  - (2) Audio privacy shall be maintained by requiring proper standards for party walls that will satisfactorily limit sound transmission between adjoining dwelling units.
  - (3) Private outdoor space shall be provided through the use of decks, terraces or patios for each unit within the single structure, if deemed appropriate by the Planning Board.
- H. Required parking. Parking spaces shall be provided in number and design according to the provisions of Article IX of this chapter.
- I. Detached accessory garages shall not require a rear yard setback if the subject parcel and detached accessory garages are directly adjacent to public land and the location of such garages is deemed appropriate by the Planning Board.

**Section 5.** Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

**Section 6.** Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

**Section 7.** Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: June 9, 2010