

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

XXXXXX

XXXX

of _____ North Castle _____

Town

XXXXXXXX

Local Law No. _____ of the year 2013

A Local Law to amend Chapter 213, Zoning, of the Code of the Town of North Castle, New York, so as to rezone an area of approximately 14.7 acres located along the northerly side of Banksville Avenue, adjacent to the Town of Greenwich, Connecticut, from its present GB General Business District classification to RC Residential Commercial District and to amend Chapter 213, Zoning, of the Code of the Town of North Castle, New York, so as to rezone an area of approximately 1.0 acres located at the northeasterly corner of the intersection of Bedford-Banksville Road and Banksville Avenue from its present GB General Business District classification to CB-B Central Business B District.

Be it enacted by the _____ Town Board _____ of the
(Name of Legislative Body)

XXXXXX

XXXX

of _____ North Castle _____ as follows:

Town

XXXXXXXX

Section 1. Amend Section 213-4 of the Town Code to add RC Residential Commercial below the R-MF-SCH entry.

Section 2. Amend Section 213-19 Schedule of Business 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 (f)		Maximum Building Coverage % (s)	Minimum Swelling Unit Size	Refer also to these pertinent sections
			Area	Frontage (feet) (a)	Width (feet) (b)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet			
RC	<p>1. Single-family dwellings, not to exceed 1 on any lot.</p> <p>2. Temporary storage of contractor's equipment, provided that the equipment has been in use on the property on which it is stored during the last 30 days.</p> <p>3. Governmental uses, parks, playgrounds, parkways, firehouses, police stations or other municipal uses; not including incinerators or dumps, garages or public works yards.</p> <p>4. Farm uses, provided that:</p> <p>a. None are located in a multifamily district.</p> <p>b. No building pertinent to such use shall occupy an area in excess of 2% of the lot area or be located within 50 feet of any residence on an adjoining property.</p> <p>c. No storage of manure or any other odor- or dirt-producing substance shall be permitted within 100 feet of a property line, watercourse or wetland area.</p> <p>*5. Churches or other places of worship, including parish houses, church school rooms, convents or rectories.</p> <p>*6. Public elementary or high schools.</p> <p>*7. Private or parochial elementary or high schools which meet the same site standards of the State Department of Education for a public school.</p> <p>*8. Public libraries.</p> <p>*9. Religious or charitable institutions, other than a hospital, sanatorium, camp, correctional institution or institution for the insane, drug addicted or retarded.</p> <p>*10. Membership clubs, not operated for gain.</p> <p>*11. Nurseries or greenhouses.</p> <p>*12. Public telephone booths.</p> <p>*13. Public utility transmission lines, exchanges or substations.</p> <p>*14. Watershed or water supply facilities not part of the Town's water system.</p> <p>*15. Convalescent or nursing homes.</p> <p>*16. Scientific research centers, not</p>	<p>1. Business and professional offices and studios, when conducted by the inhabitant or owner thereof, provided that there are no more than 3 employees in such office. Such use shall not occupy more than 1,500 square feet.</p> <p>2. Retail uses, when conducted by the inhabitant or owner thereof, provided that there are no more than 3 employees associated with such use. Such use shall not occupy more than 1,500 square feet.</p> <p>3. Restaurant or Carry-out restaurant uses, when conducted by the inhabitant or owner thereof. Such use shall not occupy more than 1,500 square feet.</p> <p>4. Fine Arts Instruction School when conducted by the inhabitant or owner thereof. Such use shall not occupy more than 1,500 square feet.</p> <p>5. Customary home occupations, as defined in this chapter, employing only a person or persons resident on the premises. Such use shall not occupy more than 1,500 square feet.</p> <p>6. The keeping of dogs, cats and other animals which may be considered household pets, provided that not more than 12 head of poultry and not more than 4 other animals exceeding 6 months of age are kept.</p> <p>7. Private gardenhouses, toolhouses, greenhouses, gatehouses, garages or similar private accessory uses not over 1 story and 15 feet in height and limited to 800 square feet in area, except that the Planning Board may, by special permit, authorize the construction of accessory buildings not over 2 stories or 22 feet in height, provided that any such individual accessory building does not exceed 25% of the floor area of the main building, and further provided that all such accessory buildings meet all required setbacks for main buildings in the district in which they are located and are not located within any front yard.</p> <p>8. Private tennis courts, swimming pools, cabanas or similar recreation facilities, provided that such facilities conform to the same yard requirements as for the main building and subject, where such facilities are accessory to multifamily uses, to site plan approval.</p> <p>9. Private garage or carport for housing noncommercial passenger vehicles of residents, not exceeding 4 spaces. There shall be no living</p>	½ acre	125	125	100	40	20	30	2½	30	15	900	Articles IV through X

<p>operated for gain or owned by any profit-making entity with incidental educational activities. *17. Private stables.</p>	<p>quarters in a private garage. 10. Commercial vehicles may be stored, parked or maintained on a lot subject to the following: a. On any lot, 3 commercial vehicles used by the occupant provided that the same be housed in a fully enclosed structure. Commercial vehicles having more than 2 axles shall not be parked, maintained, garaged or stored on any lot. 11. Off-street parking, as regulated in Article IX on the same lot as a principal use permitted in this district. 12. Individual or joint private water supply and sewerage facilities. 13. Storage of auto trailers and boats; unoccupied travel trailers, motor homes and pickup coaches; and other such recreational vehicles, provided that: a. On any lot of less than ½ acres, any such vehicle in excess of 1 shall be garaged or suitably screened by a wall, fence or evergreen planting from view of persons standing on adjoining lots. b. On any lot of ½ acre or more, any such vehicle shall be garaged or suitably screened by a wall, fence or evergreen planting from the view of persons standing on adjoining lots. c. Such storage shall conform to all yard and size requirements for accessory buildings. 14. Signs, as regulated in § 213-15. 15. On any lot having a minimum area of 1 acre, 2 horses may be maintained. Additional horses may be maintained by special permit pursuant to Article VII. 16. Temporary offices in connection with construction on a lot, which offices must be removed before a certificate of occupancy is issued for the new construction. *17. Noncommercial radio transmitting towers. 17. Storage of building materials outside of a building, provided that a building permit has issued and such materials are stored for the purposes set forth in such building permit. 18. Solar energy collectors. 19. Servants' quarters, subject to the requirements of § 213-13B. *20. Accessory apartments, in single-family residence districts, subject to the requirements of § 213-33K. 20. Dish antennas subject to the requirements of § 213-14. *21. Outdoor display and sales where accessory to a permitted principal nonresidential use. 22. Outdoor dining pursuant to Chapter 142 where accessory to a permitted principal nonresidential use.</p>													
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Section 3. Amend the “Zoning Map of the Town of North Castle, New York,” as established in Section 213-5 of the Town Zoning Code, so as to reclassify all or a portion

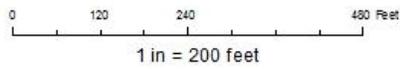
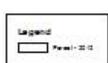
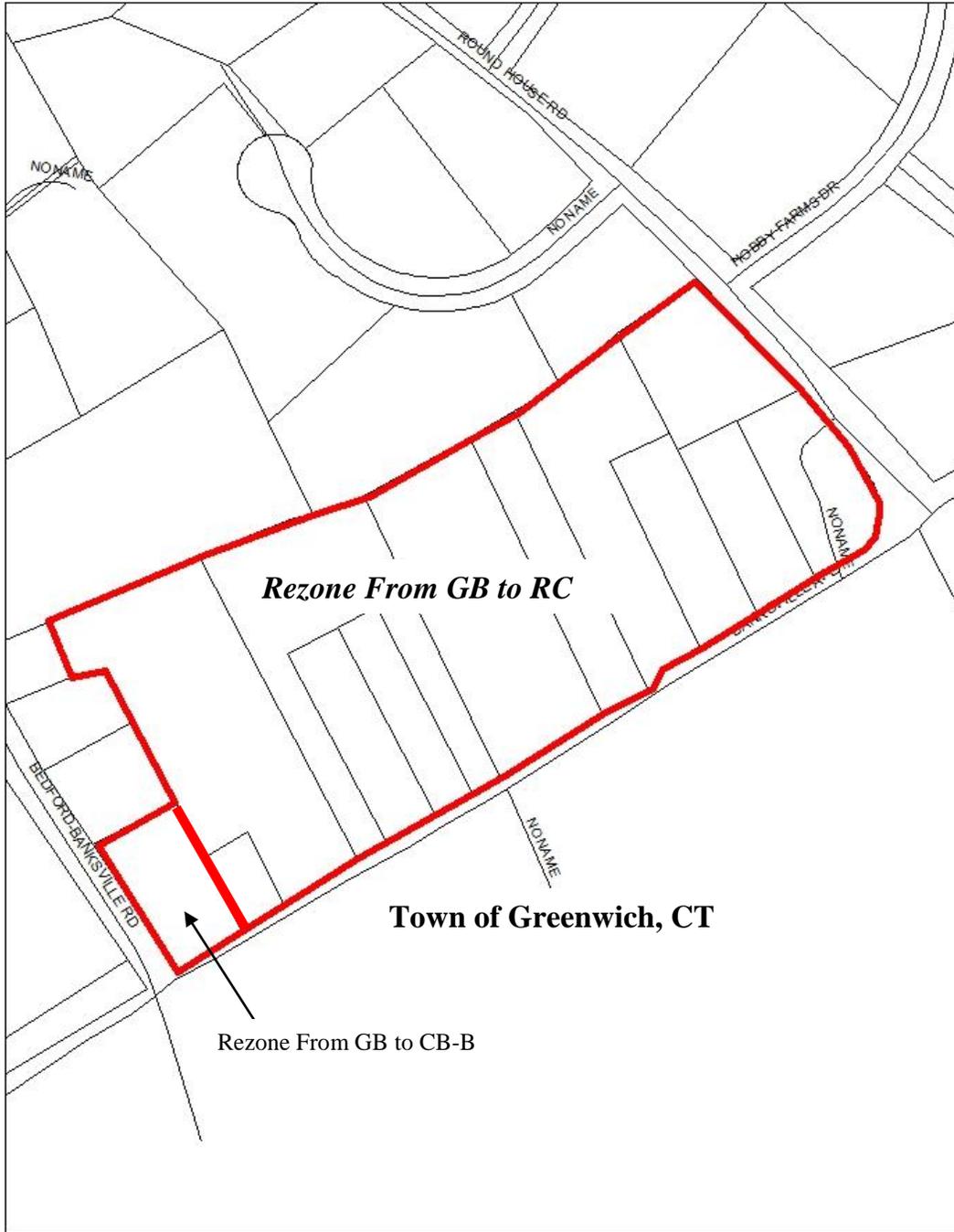
of the following listed properties, as shown on the attached map, from GB General Business District to RC Residential Commercial Zoning District:

<u>Section</u>	<u>Block</u>	<u>Lot(s)</u>
1	12	7.B, 7.C, 7.D, 7.E, 7.F, 7, 8, 8.A, 8.B, 8.C, 8.D, 8.E and 8.F

Section 4. Amend the “Zoning Map of the Town of North Castle, New York,” as established in Section 213-5 of the Town Zoning Code, so as to reclassify the following listed property, as shown on the attached map, from GB General Business District to CB-B Central Business B District:

<u>Section</u>	<u>Block</u>	<u>Lot(s)</u>
1	12	7.A

Banksville Avenue Rezoning



Town of North Castle
Planning Department

Section 4. 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 which can be given effect without such invalid part of parts.

Section 5. Effective Date.

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