

TOWN OF NORTH CASTLE

LOCAL LAW NO. ___ 2011

A Local Law to Amend Section IV-C.6.c (IV-36) of the Comprehensive Plan; Amend Section 213-21 Part II of the Town of North Castle Town Code to permit Supermarket as a permitted principal special permit use within the PLI Zoning District; to create special use permit requirements for a Supermarket; and to amend Section 213-45 with respect to the off-street parking requirement for a Supermarket.

Section 1. Amend the second paragraph in Section IV-C.6.c (IV-36) of the Comprehensive Plan to state the following:

In addition, because of the reality that the Armonk A&P may close and given the fact that the Town is desirous to keep a supermarket in the Armonk hamlet and given that there is a lack viable alternative sites for a supermarket, it may be necessary to permit a supermarket via special use permit in the PLI Zoning District.

Section 2. Amend Section 213-21 Part II of the Town Code to add the following Town Board special permit permitted principal use within the PLI Zoning District:

* Supermarket

Section 3. Create the following new section in proper order in the Town Code:

213-33.U Supermarkets in PLI Zone. In the PLI Zoning District, Supermarkets shall be subject to the following additional requirements:

- (1) Supermarket property shall be located within 500 feet of a State Road (not including an Interstate Highway) in an effort to ensure adequate local access and limit the impacts upon the local road network.
- (2) Traffic access to any supermarket in a PLI District shall be from a public street of adequate capacity and design to safely and conveniently accommodate the expected traffic from such use.
- (3) The provision of vehicular and pedestrian improvements on and around the supermarket property necessary to mitigate any vehicular and pedestrian impacts associated with the operation of a supermarket.
- (4) The provision of any required improvements to mitigate and buffer the potential sight and sound of supermarket activities, including, but not limited to, the enclosure of off-street loading facilities and the planting of landscape screening.
- (5) All Supermarkets shall be connected to public water and sewer.

Section 4. Amend Section 213-45A of the Town Code to modify the following off-street parking requirement:

Grocery, convenience stores or supermarkets

1 for each 200 square feet of gross floor area

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.