

Town of North Castle
Local Law No. 3 of 2017
Adopted June 28, 2017

A LOCAL LAW entitled: “A Local Law to Amend Chapter 355 of the Town Code, “Zoning.”

Be it enacted by the Town Board of the Town of North Castle, Westchester County, New York, as follows:

SECTION 1: LEGISLATIVE INTENT

The Town of North Castle proposes to allow structured parking as a special permit use in the Industrial AA (IND-AA) Zoning District to address insufficient parking conditions at Westchester County Airport (HPN). Existing parking demand far exceeds the existing parking supply at HPN. The construction of new structured parking pursuant to the proposed special permit conditions would alleviate existing parking deficiencies. In addition, improved parking conditions at HPN could reduce the number of vehicular trips to and from the airport, as area residents may choose to drive instead of engaging taxis or private car services for transportation. A reduction of vehicular trips would have beneficial implications for both the environment, particularly air quality, and traffic.

The proposed special permit conditions include standards to maintain community character and minimize potential traffic impacts to local roadways. Therefore, the proposed special permit use would accommodate existing parking demand while maintaining the existing development pattern surrounding HPN.

By permitting structured parking as a special permit use, it is not the intent (or the authority) of the Town to promote greater frequency of commercial flights at HPN. Flight schedules are regulated by the Federal Aviation Administration (FAA).

SECTION 2: PROPERTY AFFECTED

The proposed zoning amendment would affect parcels of land located in the IND-AA Zoning District. In the Town of North Castle, the IND-AA district is limited to the Westchester County Airport and several adjacent or nearby parcels. This area is generally bounded by NYS Route 120, and the Town borders with Greenwich, CT; Harrison, NY; and Rye Brook, NY.

SECTION 3: AMENDMENTS TO ARTICLE II, “DEFINITIONS AND WORD USAGE”

Section 355-4, “Definitions” of the Code of the Town of North Castle is hereby amended as follows:

PARKING STRUCTURE, SHORT TERM

Any structure or portion of a structure which is used solely as a place to park automobiles as an accessory use in a nonresidential district.

PARKING STRUCTURE, LONG TERM

Any structure or portion of a structure which is used as a place to park automobiles in excess of 12 hours, or for airport parking, as a primary use in an industrial district, with or without valet parking services on the site.

SECTION 4: AMENDMENTS TO ARTICLE VI, “DISTRICT REGULATIONS”

Section 355-23, “Schedule of Office and Industrial District Regulations, Part 2” of the Code of the Town of North Castle is hereby amended to include structured parking as a Permitted Principal use in the IND-AA Zoning District and subject to conformance to additional standards as set forth in Article VII. This

shall be identified column 2, "Permitted Principal Uses," of the "Schedule of Office and Industrial District Regulations, Part 2" as follows:

*8. Long term parking structure pursuant to §355-40W of the Town Code.

SECTION 5: AMENDMENTS TO ARTICLE VII, "SPECIAL PERMIT USES"

Section 355-40, "Individual Standards and Regulations" of the Code of the Town of North Castle is hereby amended to add the following:

W. Long term parking structures. In the IND-AA Zoning District, long term parking structures shall be permitted, subject to Town Board approval and subject to the following special conditions. Notwithstanding any other provisions of this Zoning Ordinance, the Town Board, by special permit, may modify certain physical dimensional requirements for properties in the IND-AA Zoning District as specified below.

- (1) Purpose. It is the purpose and intent of this subsection to permit, subject to the limitations set forth below, long term parking structures in the IND-AA Zone.
- (2) Use. Long term parking structures shall be privately operated and are intended for use by Westchester County Airport (HPN) users. Valet parking services are permitted as accessory uses to the primary long term parking structure use.
- (3) Location. Long term parking structures shall be located on parcels of not less than two acres in area. Such long term parking structures shall neither adjoin (i.e., share a common property line) nor be located within 50 feet from any residentially zoned land. Frontage shall be on a state or county highway, or on New King Street.
- (4) Setbacks. Long term parking structures shall maintain the following setbacks from adjoining properties in an industrial district:
 - (a) Minimum front yard setback: 50 feet
 - (b) Minimum side yard setback: 10 feet
 - (c) Minimum rear yard setback: 50 feet

Where a long term parking structure adjoins property in a residential district, the minimum set back from that property line shall be as follows:

- (a) Minimum front yard setback: 100 feet
 - (b) Minimum side yard setback: 50 feet
 - (c) Minimum rear yard setback: 100 feet
- (5) Height. Long term parking structures shall have a maximum height of 55 feet.
- (6) Gross Land Coverage. The maximum gross land coverage shall be 60% of the total lot area.
- (7) Number of parking spaces. The maximum number of parked vehicles permitted in a long term parking structure shall be 850. Where parking stackers are used only a maximum of 50% of the parking spaces may utilize parking stackers. Parking stackers shall not hold more than two vehicles.
- (8) Size of parking spaces. Each self-park parking space shall be at least nine feet wide and 18 feet long. Each valet parking space shall be at least eight feet wide and 15 feet long.

- (9) Buffer area. A landscaped buffer area shall be required along all street frontages.
- (10) Lighting. All exterior lighting shall be located so that the source of the light and any objectionable glare there from is not visible from any neighboring property. The height, intensity, spacing and design of all exterior lighting fixtures shall be such that they will be in character with the area in which they are located. The level of lighting shall be limited to that necessary for safety and security purposes.

SECTION 6: 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 7: SEVERABILITY

If a court of competent jurisdiction declares any portion of this local law illegal or unconstitutional such a declaration shall not prevent the enforcement of any other portion of this local law.

SECTION 8: EFFECTIVE DATE

This local law shall become effective immediately upon filing with the New York Secretary of State.

Dated: June 28, 2107