

TOWN OF NORTH CASTLE

Local Law No. 3 For the Year 2022 Adopted March 23, 2022

A local law amending Chapter 355 Zoning to establish Recreation Center Special Use Permit requirements.

Section 1. Amend Section 355-23 to convert Recreation Center Permitted Principal Use in the PLI Zoning District to a Permitted Principal Use requiring a Special Use Permit as follows:

*5. Recreation centers.

Section 2. Amend Section 355-23 to convert Recreation Center Permitted Principal Use in the RELIP Zoning District to a Permitted Principal Use requiring a Special Use Permit as follows:

*5. Recreation centers.

Section 3. Create the following new section 355-40.Y in the North Castle Town Code as follows:

Recreation Centers.

- (1) Purpose. It is the purpose and intent of this subsection to encourage the use of land in certain commercial and industrial districts for recreational centers to provide for the recreational needs of the Town. In addition, it is the purpose and intent of this subsection to assure that such diverse types of recreation center uses are developed and managed so as to protect the quality of the environment, property values, and quality of life of adjacent and nearby properties.
- (2) Use.
 - (a) The intensity of use shall be limited by the Town Board to the extent necessary to assure that the expected average traffic generation of such use will not adversely impact the surrounding streets and neighborhood.
 - (b) Uses and facilities customarily part of a recreation center shall be permitted as accessory uses, including but not limited to, cafes and limited retail sales.

- (3) Buffer area. A landscaped buffer area of at least 25 feet in width shall be required along all lot lines adjoining or across the street from properties in residence districts, unless a larger buffer area is required by any other provision of this chapter.
- (4) Special setback requirements. All active recreational facilities, such as tennis courts, playing fields and swimming pools, shall meet the setback requirements for principal buildings in the district in which it is located. However, where the scale and intensity of such facilities are such that the location of such uses may have a negative impact on surrounding properties, the Town Board may increase the required setback as may be reasonably necessary to achieve the appropriate relationship between recreation facilities and adjacent sites, buildings, properties and roads.
- (6) Other requirements. In addition to the special standards described above, any recreation center shall comply with any other requirements deemed appropriate by the Town Board in accordance with the requirements of Article VIII herein.

Section 4. Replace the definition of Recreation Center in Section 355-4 with the following:

RECREATION CENTER

A recreational facility entirely indoors conducted for commercial purposes, with or without limited spectator seating and providing accommodations for a variety of individual or organized sports, including but not limited to basketball, ice hockey, wrestling, soccer, tennis, volleyball, racquetball, or handball. Such facility may also provide other regular organized events, health and fitness club facilities, baseball/softball, golf, dance studios and instruction, music schools and instruction, martial arts studios and instruction, skateboard facilities, trampoline or gymnastics facilities, swimming pool, snack bar, restaurant, retail sales of related sports, health or fitness items and instruction in any of the foregoing or similar activities as well as other support facilities. Additionally, a recreational center may include open, partially enclosed or screened facilities, conducted for commercial purposes with any of the uses included above and also including uses such as athletic fields, miniature golf, golf practice, swimming, bathing, and wading.

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: March 23, 2022