

Local Law No. 4 For the Year 2019
Adopted June 12, 2019

Section 1. In accordance with Section 355-80, Chapter 355 of the Town of North Castle Code is amended by amending § 355-5, “Enumeration of Districts,” by adding, in appropriate alphabetical order, a new district to be designated “R-MF-DA, Multifamily-Downtown Armonk Residence District.”

In an R-MF-DA Multifamily 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 for the purpose of furthering the goals of the 2018 Town of North Castle Comprehensive Plan by increasing housing opportunities that respond to North Castle's changing population, including young adults and empty nesters, through infill development in strategic locations with accessible infrastructure in the Downtown Armonk Hamlet area.
- B. Allowable density. The maximum permitted amount of development shall be a floor area ratio of 0.4. The lot area used in the calculation of floor area ratio in the R-MF-DA District shall be "net lot area" as defined in this chapter. Unit count shall not exceed 1 unit per each 4,200 square feet of net lot area. Bedroom count shall not exceed 1 bedroom for each 2,350 square feet of net lot area.
- C. AFFH Units. AFFH units shall be provided as set forth in §355-24.I of this chapter.
- D. Water and sewage facilities. All dwelling units shall be served by public water and sewage treatment facilities only, and no certificate of occupancy shall be issued until all dwelling units are connected to approved and functioning public water and sewage treatment systems.
- E. Required parking. Parking spaces shall be provided in number and design according to the provisions of Article IX of this chapter.

Section 3. Chapter 355 is further amended by amending §355-21 “Schedule of Residence District Regulations” by adding thereto, in appropriate order, the following:

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| • Permitted Principal Uses | *Attached, semidetached, detached, or multifamily dwellings, subject to the requirements of §355-40.X |
| • Permitted Accessory Uses | Same as R-MF |

- Minimum Lot Size 4 acres
- Minimum Lot Frontage 200 ft.
- Minimum Lot Width 200 ft.
- Minimum Lot Depth 200 ft.
- Minimum Yard Setback for Buildings
 - Front 50 ft.
 - Side 25 ft.
 - Rear 30 ft.
- Minimum Yard Setback for Parking
 - Front 50 ft.
 - Side 10 ft.
 - Rear 10 ft.
- Maximum Building Height 40 ft.
- Maximum Building Coverage 20%
- Minimum Dwelling Unit Size As required by § 355-24

Section 4. Chapter 355 is further amended by amending §355-6 to apply the Residential Multifamily – Downtown Armonk (R-MF-DA) district to lot 108.03-1-65 as shown on the Tax Assessment Map of the Town of North Castle.

Section 5. Chapter 355 is further amended by adding thereto a new section to be known as § 355-40.X to read as follows:

Attached, semidetached, detached, or multifamily dwellings. In the Residential Multifamily – Downtown Armonk (R-MF-DA) district, attached, semidetached, detached, or multifamily dwellings shall be permitted, subject to Town Board approval and subject to the following special requirements:

(1) The following design objectives are met:

- (a) Height of Buildings. Building height shall be closely evaluated by the Town Board to ensure that building height is compatible with the scale of adjacent neighborhoods. Maximum building height shall only be permitted when special mitigating factors, such as Arterial Roads and/or topography, are present to ensure compatibility with adjacent neighborhoods as determined by the Town Board. When such special mitigating factors are not determined to be present by the Town Board, a maximum building height of 30 feet shall be provided within the district.
- (b) Landscape area. A landscaped area shall be required along all street frontages.
- (c) 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.
- (d) Audio privacy shall be maintained by requiring proper standards for party walls that will satisfactorily limit sound transmission between adjoining dwelling units.
- (e) Private outdoor space shall be provided through the use of decks, terraces, or patios for each unit, if deemed appropriate by the Planning Board.

- (2) Adequate water supply and sewage disposal facilities shall be provided in accordance with the requirements of the Town of North Castle, Westchester County Department of Health, and the New York State Departments of Health and Environmental Conservation.
- (3) Traffic access shall be from a public street of adequate capacity and design to safely and conveniently accommodate the expected traffic.
- (4) The provision of vehicular and pedestrian improvements on and around the property necessary to mitigate any vehicular and pedestrian impacts associated with the project.
- (5) Lighting. All exterior lighting shall be located so that the source of the light and any objectionable glare therefrom 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. Chapter 355 is further amended by amending the definition of “Floor Area, Gross” in §355-4 to read as follows:

“The sum of the horizontal areas of the several stories of the building or buildings, excluding any floor area used for off-street parking or loading purposes (except for residential buildings), measured from the exterior walls or, in the case of a common wall separating two buildings, from the center line of such a common wall, and including any two-story or any enclosed porch, or one having a roof and capable of being enclosed. See the definition of “basement” for exclusion of basement/mechanical areas in nonresidential buildings from “floor area, gross.” for residential buildings, any attic space with a floor-to-ceiling height of 7.5 feet or greater shall be included as part of gross floor area, as shall those portions of any basement with a floor-to-ceiling height of 7.5 feet or greater if the basement is considered a “story” in accordance with one of the following three alternative measurements:

- A. Where the finished surface of the floor above the basement is more than six feet above average grade.
- B. Where the finished surface of the floor above the basement is more than six feet above the finished ground level for more than 50% of the total building perimeter.
- C. Where the finished surface of the floor above the basement is more than 12 feet above the finished ground level at any point along the building perimeter.”

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.

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 8. Effective Date.

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

Dated: June 12, 2019