

TOWN OF NORTH CASTLE

Local Law No. 8 For the Year 2011 (Adopted August 17, 2011)

A local law to amend Chapter 213 of the Town of North Castle Code with respect to the CB-A zoning district.

Section 1. Amend Section 213-23(B) by amending subsection 223-13(B)(6)(a) to read as follows:

213-23(B)(6)(a) Off-street parking shall be provided in accordance with the requirements of Article IX of this chapter. No parking shall be permitted in the front yard unless approved by the Planning Board consistent with the intent and design guidelines of this section. Parking shall be maintained privately; however, the Planning Board may require the establishment of a parking district to provide for the proper maintenance and improvement of such parking areas. Notwithstanding the provisions of Article IX, as well as §§ 213-5 and 213-46, the parking requirements for all uses other than residential uses and office uses in the CB-A district shall be as follows:

- (a) Off-street parking spaces. Not less than one off-street parking space for each 200 square feet of gross floor area or major portion thereof, except that the following requirements shall apply to the following specific areas of a grocery, convenience store, or a supermarket:
 - [1] For mezzanine floor area, the requirement shall be one space for each 250 square feet of gross office floor area and one space for each 1,200 square feet of gross storage and/or employee lounge floor area.
 - [2] For dedicated space associated with customer return of recyclable materials, such as bottles and cans, the requirement shall be one space for each 1,200 square feet of floor area.
 - [3] For any food storage chest which is situated outside the principal building, the requirement shall be one space for each 1,200 square feet of total floor area.

Section 2. Amend Section 213-5 of the Town of North Castle Zoning Code by amending the Town of North Castle Zoning Map to remove 29 Maple Avenue (Section 2, Block 14, Lot 4) from the CB zoning district and add it to the CB-A zoning district.

Section 3. Amend Section 213-23(B)(2)(c) as follows:

213-23(B)(2)(c) At least 20%, but not more than 40%, of the total floor area within the CB-A District shall consist of multifamily dwellings located on the second story. Middle income units, based on the income thresholds established in this Zoning Code, shall be designated and set

aside, either on-site or off-site, in an amount equal to at least 20% of the dwellings within the CB-A district.

Section 4. 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 5. 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 6. Effective Date.

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

Dated: August 17, 2011