

TOWN OF NORTH CASTLE

Local Law No. ____ For the Year 2021

A Local Law to amend Chapter 355 of the Town of North Castle Town Code with respect to the DOB-20A Zoning District.

Section 1. In accordance with Section 355-80, Chapter 355 of the Town of North Castle Code is amended by amending § 355-14(A)(1), entitled “Lot for every building,” to read as follows:

“Every building hereafter erected shall be located on a lot as herein defined, and except as herein provided, there shall be no more than one main building and its accessory buildings on one lot, except for multifamily, townhouse, single-family, and two-family dwellings; hotels; senior citizen housing; assisted living facilities; and nonresidential buildings in districts where such uses are permitted.”

Section 2. Chapter 355 is further amended by amending § 355-30(J)(1)(a) entitled “Designed Office Business 20A (DOB-20A) - Policy” to read as follows:

“It is the purpose of this subsection to provide for the implementation of the recommendation, as contained in the 2018 Comprehensive Plan of the Town of North Castle, for the establishment of additional areas for mixed use as shown on the North Castle Future Land Use Plan, and subject to the other limitations and conditions as recommended in the 2018 Comprehensive Plan. Specifically, this zone is designed to provide for high-quality development including office; medical office; and hotel uses, as well as multifamily, townhouse, single-family, and two-family dwellings; senior citizen housing; and assisted living facilities, provided that requisite highway access and proximity to the interstate highway system is available.”

Section 3. Chapter 355 is further amended by amending § 355-30(J)(2)(c) entitled “Criteria for Designed Office Business District establishment - Access” to read as follows:

“Each DOB-20A site shall have frontage on the access to an arterial road as shown on the Roadway Classification plan in the 2018 Comprehensive Plan. Traffic from within the DOB-20A shall not be permitted to enter directly upon any local residential roads. Access and service drives shall be laid out in such manner that connections with the street or streets on which the lot has frontage are located and designed in such manner as to avoid unsafe conditions or traffic congestion.”

Section 4. Chapter 355 is further amended by amending §355-40 “Specific use standards and regulations” by adding thereto a new subsection (X), “Mixed Use Developments in the DOB-20A Zone,” to read as follows:

- (1) Purpose and Intent. It is the purpose and intent of this subsection to implement the recommendations of the 2018 Comprehensive Plan by allowing additional uses and permitting a mix of uses in the DOB-20A zoning district, including office; medical

office; hotel; multifamily, townhouse, single-family, and two-family dwellings; senior citizen housing; and assisted living facilities.

(2) Hotel conversion. The conversion of existing office and related amenity space and/or fully approved but unbuilt office and related amenity space to hotel use, including typical accessory uses such as a spa, fitness facility, and restaurant, shall be permitted, subject to Town Board approval and subject to the following special conditions and requirements:

- a. The conversion of existing office and related amenity space to hotel use can be accomplished either by repurposing the existing building(s) or by demolishing the existing building(s) and constructing new hotel space.
- b. Hotel use shall be permitted on a single site in addition to office; medical office; multifamily, townhouse, single-family, and two-family dwellings; senior citizen housing; and assisted living facilities.
- c. Parking requirements for hotel use shall be determined by the Planning Board in connection with site plan approval.

(3) Residential conversion. The conversion of existing office and related amenity space and/or fully approved but unbuilt office and related amenity space to multifamily, townhouse, single-family, and two-family dwellings; senior citizen housing; and/or assisted living facilities shall be permitted, subject to Town Board approval and subject to the following special conditions and requirements:

- a. Residential conversion shall only be permitted for office and related space that has received all necessary approvals from the Town of North Castle, including zoning, subdivision, special permit, and/or site plan approvals, but not including building permit approval.
- b. Each square foot of approved but unbuilt office and related amenity space, up to a maximum of 250,000 square feet, may be converted into one and one-quarter (1.25) square feet of residential and amenity space, with a maximum of 250 residential units, provided, however, that (i) the unit count for assisted living facilities may be increased by 25%, even if said increase would result in more than 250 total residential units; and (ii) if the residential space consists entirely of assisted living and/or senior citizen housing, the unit count may be increased by 50%, even if said increase would result in more than 250 total residential units.
- c. Each square foot of existing office and related amenity space, up to a maximum of 250,000 square feet but not less than 50,000 square feet, may be converted into one (1.00) square foot of residential and amenity space, provided that at least 75% of the building(s) to be converted have been vacant and unleased for two (2) years prior to applying for the conversion, and further provided that the conversion can be accomplished either by repurposing the existing building(s) or by demolishing

the existing building(s) and constructing new residential space subject to the limitations set forth in this subsection (c).

- d. Notwithstanding the provisions of subsections (b) and (c) above, the maximum residential unit count for any overall site shall not exceed 500.
- e. Notwithstanding any other provisions of this chapter, the Town Board, by special permit, may modify certain physical dimensional requirements, as follows:
 - i. Minimum front yard setback for multifamily buildings: 65 feet.
 - ii. Minimum front yard setback for townhouses: 200 feet.
 - iii. Minimum side yard setback for townhouses: 60 feet.
 - iv. Minimum rear yard setback for multifamily buildings: 80 feet.
 - v. Maximum building coverage: 15%.
 - vi. Maximum building height for multifamily buildings: 85 feet.
 - vii. Maximum building height for townhouses: 35 feet.
 - viii. FAR: not applicable within the limitations set forth above.
 - ix. Parking requirements for multifamily and townhouse uses shall be determined by the Planning Board in connection with site plan approval.
- f. Residential uses shall be permitted on a single site in addition to office, medical office, and hotel uses.

Section 5. Chapter 355 is further amended by amending §355-23 (Schedule of Office and Industrial District Regulations (Part 1)) by adding the following permitted principal uses in the DOB-20A district:

- “4. Medical offices
- *5. Hotels
- *6. Multifamily, townhouse, single-family, and two-family dwellings
- *7. Senior citizen housing
- *8. Assisted living facilities”

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.

Draft 7/1/21

Section 8. Effective Date.

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

Dated: _____, 2021