

Local Law Introductory No. 9 of the Year 2019 (revised)

A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF CROTON-ON-HUDSON,  
CHAPTER 230 ZONING TO MODIFY CERTAIN PROVISIONS FOR THE MUNICIPAL  
WAY GATEWAY OVERLAY ZONING DISTRICT

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

**Section 1.** Section 230-20.3B. Special Permit Uses in the Gateway Areas shall be amended by adding new subsection 230-20.3B(4) to read as follows:

(4) In the Municipal Place Gateway District area, on any lot in the C-2 District having frontage on Municipal Place, adjacent to a residential zoning district and having less than 3 acres, attached single-family homes, multi-family residential buildings and mixed occupancy buildings shall be permitted by special permit of the Village Board of Trustees, subject to the following requirements and criteria and to the requirements/criteria contained in Article X of this Chapter:

- (a) Notwithstanding any other provision of this Chapter to the contrary, “mixed occupancy” permitted under this section shall mean a combination in one building of residential dwelling units and other permitted and/or special permit uses provided, however:
  - [1] Non-residential uses must be located on the first floor.
  - [2] There shall be no restrictions on the amount of non-residential space on the first floor.
  
- (b) Notwithstanding any provisions of Section 230-20.4 or any other provisions of this Chapter to the contrary, the following area and bulk regulations shall apply to a development of attached single-family homes, multi-family residential and mixed occupancy buildings permitted under this section. To the extent that contrary area/bulk regulations are not specified in this subsection, they shall be as otherwise provided in this Code:
  - [1] Maximum floor area ratio (FAR) shall be 0.5.
  - [2] Maximum height shall be 35 feet/3 stories.
  - [3] The minimum front yard setback shall be 20 feet. The maximum front yard setback shall be 25 feet.
  - [4] On the property located at 41-51 Maple Avenue and known as Sheet 72.12, Block 3, Lot 3, there shall be a minimum 50 foot setback from adjacent residential properties on Wells Avenue and Beekman Avenue, which shall remain vegetated.
  - [5] The property should have only one curb cut, not located on Municipal Place, and located as far from the Municipal Place intersection as practicable.
  
- (c) Open Space. Ten percent of the total area of the site shall be used to create a publicly

accessible open space located adjacent to and connected to Municipal Place, provided however that the Village Board of Trustees shall have the discretion as part of its special permit review to reduce the area of such open space provided the Village Board determines other public benefits have been provided as part of the development or design of the open space. Design of the public space shall include at least the following elements, and shall be evaluated by the Planning Board as part of site plan review:

[1] Paths and benches that connect the site to the street, adjacent sidewalks, and adjacent crosswalks on Municipal Place.

[2] Design improvements to establish a gateway to the area such as enhanced lighting, landscaping, and gateway signage.

(d) Parking and Traffic.

[1] Notwithstanding any other provision of this Code to the contrary, for residential or mixed occupancy buildings permitted under this section, there shall be provided at least the following amount of parking for each residential dwelling unit: one parking space for each studio or one bedroom unit and two spaces for each unit with two or more bedrooms. The Village Board of Trustees, as part of its special permit determination, shall have the authority to increase these parking requirements. The Village Board of Trustees shall consider and make a finding as to whether the above-stated parking requirements are adequate or will be increased based upon the following factors:

[a] The mix of uses proposed to be conducted in the various spaces in the building, considering, among other things, the extent to which their parking demands are likely to overlap.

[b] Whether the applicant is willing to limit areas of the building to only certain uses.

[c] The square footage of each of the proposed residential and commercial units in the building.

[d] Such other factors as the Board may deem relevant on a case-by-case basis.

[2] The Board shall have the authority to require applicant(s) to provide and/or pay for a professional parking and traffic impact study.

**Section 2.** Section 230-20.4 Area and bulk regulations for the Gateway Overlay Districts shall be amended to read as follows:

§230-20.4 Area and bulk regulations.

- A. Maximum allowable floor area ratio. With the exception of mixed-use development in the Harmon/South Riverside area and multi-family or mixed occupancy development permitted in the Municipal Place Gateway area as permitted in Section 230-20.3B(4) above, the maximum floor area ratio (FAR) standards that shall be adhered to for new development shall be the FAR listed for the underlying zone or the following, whichever is more restrictive:

- (1) For single-use properties, that is, a property proposed for only one principal permitted use: 0.35.
  - (2) For multi-use properties, including combinations of retail and office, retail and residential uses or office and residential: 0.40.
- B. Maximum building square footage. With the exception of lots within the C-2 Zoning District in the Municipal Place Gateway area fronting on Municipal Place, the maximum permissible square footage for any single building shall not exceed 20,000 square feet. This requirement is imposed in order to encourage a compact urban design of the gateway.
- C. Maximum permitted square footage for any single commercial use. With the exception of lots within the C-2 Zoning District in the Municipal Place Gateway fronting on Municipal Place, the maximum permissible square footage for any single commercial use by any single occupant or tenant shall not exceed 8,000 square feet of gross floor area.
- D. Maximum height. Maximum height shall be as permitted for the underlying zone as provided elsewhere in this Chapter, except for the following:
- (1) Maximum height for mixed use development in the Harmon/South Riverside Gateway area shall be 3 stories and 35 feet, Provided, however, the third story must be constructed within the roofline of the building, as set forth in §230-20.3B(3) above.
  - (2) Maximum height for buildings within the C-2 Zoning District in the Municipal Place Gateway area on lots fronting on Municipal Place shall be 3 stories and 35 feet.

**Section 3.** Section 230-20.5 Design Guidelines for the Gateway Overlay Districts, subsection F Building Orientation shall be amended to read as follows:

F. In order to discourage parking lots in front of buildings, except where development of single family attached homes is proposed, new buildings shall be oriented with the building front facing the street and situated close to the front property line to create a more continuous street wall.

**Section 4.** Section 230-42.1G under Mixed Occupancy shall be amended to read as follows:

G. The provisions of this Section 230-42.1 shall not apply to properties located in the Harmon/South Riverside Gateway Overlay area which are permitted as set forth in Section 230-20.3B(3) and defined as “mixed use” therein, or to mixed occupancy buildings permitted in the Municipal Place Gateway Overlay area as permitted in Section 230-20.3B(4).

**Section 5.** Chapter 230 Attachment 4 (also referred to as D), Special Permit Schedule, under Commercial Zoning Districts, is amended to add attached single-family homes and mulit-family as special permit uses in Commercial Zoning Districts pursuant to Code Section 230-20.3 and under the jurisdiction of the Board of Trustees.

**Section 6.** If any clause, sentence, paragraph, section, Article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, nor the remainder of any clause, sentence, paragraph, section, Article or part hereof.

**Section 7.** This Local Law shall take effect immediately upon filing with the Secretary of State.