

Local Law Introductory No. 10 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 NORTH
RIVERSIDE AREA OF THE VILLAGE

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

Section 1. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, Section 230-5, Classes of districts, is amended to add the following:

Riverside Commercial	C-1R(A)	§230-16.1
Riverside Transition	C-1R(B)	§230-16.2

Section 2. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson is amended to add new Section 230-16.1 to read as follows:

§ 230-16.1 Riverside Commercial C-1R(A) District

A. Permitted uses. No building or premises shall be used and no building or part of building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:

1. Any use permitted in a Commercial C-1 District, as set forth in § 230-16A

B. Special permit uses. Subject to the issuance of a special permit by the Village Board of Trustees, the following uses:

1. Any special permit use permitted in a Commercial C-1 District, as set forth in § 230-16B

C. Prohibited Uses. All uses prohibited in a Commercial C-1 District, as set forth in § 230-16C.

D. All permitted uses and all storage accessory thereto, other than off-street parking, shall be carried on in buildings fully enclosed on all sides, provided that, upon issuance of a special permit by the Board of Trustees, sidewalk displays of merchandise or sidewalk dining shall be permitted outside a retail store, commercial establishment or restaurant.

E. Approval of site development plans. Prior to the issuance of a building permit or change of use or access permit, all site development plans shall be subject to approval of the Planning Board in accordance with the provisions of Article XI hereof.

F. Design regulations

1. Off-street parking placement/design. All off-street parking shall be located along the

side and in the rear of buildings, unless the applicant demonstrates to the Planning Board that site or business constraints prevent conformance with this requirement. In accordance with § 230-52 of the Zoning Code, parking lots shall be landscaped.

2. Curb cuts and sidewalks.

(a) Sidewalks. All sidewalks shall be properly maintained in accordance with Village regulations. All new property developments must provide sidewalks along any property lines that front on public streets, unless this requirement is waived by the Planning Board due to the special circumstances of a particular site.

(b) Where a lot has frontage on a street or sidewalk, the planting of trees, shrubs and other landscaping shall be designed to provide an attractive, green buffer between the building and the sidewalk and the sidewalk and the street.

(c) A buffer of street trees, ornamental shrubs or low stone walls shall be required to screen parking areas and auto service stations from adjacent sidewalks and streets. The effectiveness of the buffer, including its width, height and length, shall be determined during site plan review by the Planning Board.

3. Lighting.

(a) All applicants shall be required to submit a lighting diagram at the time of site plan application showing the location of lights on buildings and in parking lots, and the actual areas of illumination.

(b) Parking lot lighting. Freestanding lighting in parking lots shall not be higher than 20 feet.

4. Building orientation. In order to discourage parking lots in front of buildings, 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.

5. Unified parking lot design. Notwithstanding any other provision of this chapter, in order to provide maximum efficiency, minimize curb cuts, and encourage safe and convenient traffic flow, the Planning Board shall have the authority in conducting site plan review to waive such open space, design guideline and parking lot buffer, screening and landscaping requirements as it deems advisable to encourage and foster the joint use of, and common access to, parking lots located on adjoining properties. The Planning Board may require as a condition of site plan approval, the provision for interconnection of parking facilities via circulation drives within and between adjacent lots.

Section 3. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson is amended to add new Section 230-16.2 to read as follows:

§ 230-16.2 Riverside Transition C-1R(B) District.

A. Permitted uses. In a Riverside Transition C-1R(B) District, no building or premises shall be used and no building or part of building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:

1. Any use permitted in a Commercial C-1 District, as set forth in § 230-16A

B. Special permit uses. The following uses shall be allowed subject to the issuance of a special permit by the Village Board of Trustees:

1. Any special permit use permitted in a Commercial C-1 District, as set forth in § 230-16B.
2. Multi-family housing.

C. Prohibited Uses. All uses prohibited in a Commercial C-1 District, as set forth in § 230-16C.

D. All permitted uses and all storage accessory thereto, other than off-street parking, shall be carried on in buildings fully enclosed on all sides, provided that, upon issuance of a special permit by the Board of Trustees, sidewalk displays of merchandise or sidewalk dining shall be permitted outside a retail store, commercial establishment or restaurant.

E. Approval of site development plans. Prior to the issuance of a building permit or change of use or access permit, all site development plans shall be subject to approval of the Planning Board in accordance with the provisions of Article XI hereof.

Section 4. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, Section 230-35, Limited Office O-1, Central Commercial C-1 and General Commercial C-2 , is amended to read as follows:

§ 230-35. Limited Office O-1, Central Commercial C-1, Riverside Commercial C-1R(A), Riverside Transition C-1R(B) and General Commercial C-2 Districts.

The bulk and parking regulations for Limited Office O-1, Central Commercial C-1, Riverside Commercial C-1R(A), Riverside Transition C-1R(B) and General Commercial C-2 Districts shall be as follows: (See Article II, Definitions; Article IV, District Use Regulations; Article VII, Supplementary Regulations; and Article VIII, Off-Street Parking, Driveways and Loading Facilities.)

	For All Permitted Uses In				
	O-1	C-1	C-1R(A)	C-1R(B)	C-2
Minimum Required					
Lot area (acres)	--	--	--	--	--
Lot width (feet)	100	25	25	25	50
Lot depth (feet)	100	--	--	--	--
Front yard (feet)	20	--	--	15 from sidewalk	10
Side yard (feet)	10	None required but 10 feet minimum if provided			
Side yard for lots within 25 feet of a residence district	--	10	10	10	10

	O-1	C-1	C-1R(A)	C-1R(B)	C-2
boundary (feet)					
Rear yard (feet)	20	None required but 10 feet minimum if provided			
Rear yard for lots within 25 feet of a residence district boundary (feet)	30	30	30	30	30
Off-street parking spaces (whichever is greater):					
Per 300 square feet of office/day care floor area	1*	1*	1*	1	1*
Per employee	1*	--	--	--	--
Per 250 square feet of retail/service floor area	--	1*	1*	1	1*
Maximum Permitted					
Building height					
Stories	2.5	2	3	3	2
Feet	35	35	35	35	35
Floor area ratio	0.40	2.0	0.8	0.8	0.50

* NOTE: In the following locations only, the off-street parking requirements of this section may be waived by the Planning Board as part of its site plan approval or change of use approval upon its determination that the site is already improved and that the required number of on-site parking spaces are not available and, due to site limitations, cannot be constructed: Old Post Road South; Grand Street; Bank Street; North Riverside Avenue between Bank Street and Farrington Road; and the west side of South Riverside Avenue between Benedict Boulevard and Clinton Street.

Section 5. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, Section 230-42.1 Mixed Occupancy, Subsection A is amended to read as follows:

§230-42.1.A. Mixed occupancy shall be permitted in Central Commercial C-1, Riverside Commercial C-1R(A), Riverside Transition C-1R(B), and General Commercial C-2 Districts only and in buildings which conform to the New York State Uniform Fire Prevention and Building Code for the proposed mixed occupancy.

Section 6. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, Section 230-43 Nonresidential Building, Subsection A is amended to read as follows:

§230-43.A. Supplementary height regulations in RC, C-1, C-1R(A), C-1R(B), C-2, WC and

PRE Districts. In RC, C-1, C-1R(A), C-1R(B), C-2, WC and PRE Districts, except for one- or two-family dwellings, where a lot has frontage on two or more streets or other public ways, the height limitation shall apply only as measured from the curb level along the street or way with a higher elevation above sea level. When penthouses, etc., are over 12 feet high and cover more than 20% of the roof area, measurements must be taken to the top of such penthouses or bulkheads. All penthouses, bulkheads, etc., must be 10 feet back of the front and rear walls of a building and three feet back of the side walls, except that walls of elevators and stair enclosures may be built on the side wall when required by the plan of the building.

Section 7. Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, Section 230-44 Signs, Subsection P(4) is amended to read as follows:

§230-44.P(4). Central Commercial C-1, Riverside Commercial C-1R(A) and Riverside Transition C-1R(B) Districts.

(a) Signs accessory to an establishment located on the same lot shall be permitted, provided that such signs shall be limited as set forth in Subsection P(4)(b) below and as follows:

[1] Not more than one such sign, excluding signs in windows, shall be permitted for each tenant on the premises on each facade which fronts on a street.

[2] The aggregate area, in square feet, of all signs on any wall shall be not greater than two times the length, in feet, of the wall on which it is placed.

[3] Such sign or signs shall be parallel or perpendicular to the face of the building and no part thereof, including any illuminating devices, shall project no more than 12 inches outward from the face of the wall to which it is applied for parallel signs and no more than 36 inches outward from the face of the wall to which it is applied for perpendicular signs.

[4] In addition, where the building is set back from the curblines a distance of 25 feet or more, not more than one freestanding sign with a total area on each face of not more than 40 square feet may be erected; provided, however, that the Zoning Board of Appeals may, in accordance with the procedure set forth in § 230-162B of this chapter, authorize the Village Engineer to issue a special permit for the erection or continuance of a freestanding sign with an area on each face not exceeding 40 square feet or such lesser area as the Zoning Board of Appeals may prescribe in instances where the building is set back from the curb or edge of traveled way less than 25 feet but 15 feet or more, subject to such conditions as the Zoning Board of Appeals may impose and with due regard to safety and other factors set forth in § 230-75B where the Board shall find that:

[a] The building in connection with which such sign is used or to be used was in existence on July 1, 1963, and has not after that date been altered to cause it to be closer to the curblines or edge of traveled way; and

[b] Other permitted signs are not, because of lack of visibility or other reason, adequate in the determination of the Zoning Board of Appeals and, for that or other reason, the Zoning Board of Appeals deems such sign to be necessary or desirable.

(b) Motor vehicle service stations.

[1] Unless otherwise required by law, signs shall be limited to one freestanding sign and one exterior sign on each wall of a building fronting on a street and shall otherwise conform to the conditions for accessory signs set forth in Subsection P(5)(a).

[2] In connection with the sale of used cars or rental of vehicles at a service station. No temporary signs shall be permitted on the exterior of vehicles. Signs in the interior of vehicles

shall be limited to one per vehicle, not to exceed 12 inches by 15 inches. Sign printing shall have characters not larger than one inch.

Section 8. Chapter 230 Attachment 2 (also referred to as B), Schedule of Uses is amended to add the C-1R(A) and C-1R(B) Zoning Districts under Commercial Districts and directly below the C-1 District as follows:

District/Code Section	Permitted Principal Uses	Special Permit Uses	Accessory Uses
C-1R(A)/§230-16.1 Riverside Commercial	Any use permitted in C-1 districts	Special permit uses permitted in C-1 districts	Accessory uses permitted in C-1 districts
C-1R(B)/§230-16.2	Any use permitted in C-1 Districts	1. Special permit uses permitted in C-1 districts 2. Multi-family dwellings	Accessory uses permitted in C-1 districts

Section 9. Chapter 230 Attachment 3 (also referred to as C), Area and Bulk Schedule is amended to add the C-1R(A) and C-1R(B) Zoning Districts under Commercial Districts and directly below the C-1 District as follows:

District	Code Text Section	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Yards (feet)			Floor Area Ratio (FAR)	Maximum Height (stories/feet)	Required Off-Street Parking
					Front	Side One/Both Yards	Rear			
C-1R(A)	§230-35	—	25	—	—	None required; 10 feet minimum if provided ⁵	None required; 10 feet minimum if provided ⁶	0.8	3/35	The greater of 1 space per 300 square feet of office floor area or 1 space per 250 square feet of retail/service floor area
C-1R(B)	§230-35	—	25	—	15 feet from sidewalk	None required; 10 feet minimum if provided ⁵	None required; 10 feet minimum if provided ⁶	0.8	3/35	The greater of 1 space per 300 square feet of office floor area or 1 space per 250 square feet of retail/service floor area or 1.5 per d.u.

Section 10. Chapter 230 Attachment 4 (also referred to as D), Special Permit Schedule, under Commercial Zoning Districts, is amended to read as follows:

In Commercial Zoning Districts:

Light manufacturing, assembling, converting, altering, finishing, cleaning or other processing of products	§ 230-16	X		
Social clubs and other nonprofit organizations	§ 230-16	X		
Public utility structures	§ 230-16	X		
Day-care centers	§ 230-16	X		

Mixed occupancy	§ 230-16 § 230-16.1 § 230-16.2	X		
Sidewalk merchandise displays and sidewalk dining	§ 230-16	X		
Retail stores in C-2 districts	§ 230-17	X		
Motor vehicle service stations	§ 230-17	X		
Sale of used cars or vehicle rentals at service stations	§ 230-17	X		
Social clubs or other nonprofit organizations	§ 230-17	X		
Storage or repair garages	§ 230-17	X		
Animal hospitals	§ 230-17	X		
Hotels or inns	§ 230-17	X		
Public utility structures	§ 230-17	X		
Automobile sales and service agencies	§ 230-17	X		
Mixed occupancy	§ 230-17 § 230-42.1	X		
Freestanding signs in C-1 districts	§ 230-44			X
Multi-family	§ 230-16.2	X		

Section 11. The Zoning Map of the Village of Croton-on-Hudson as referred to in Section 230-6 of the Zoning Code is hereby amended to rezone the following properties from the C-1 Zoning District to the C-1R(A) Zoning District:

Sheet-Block-Lot

78.08-3-60
78.08-3-61
78.08-3-62
78.08-3-63
78.08-3-64
78.08-3-72
78.08-3-76
78.08-3-77
78.08-3-78
78.08-3-79
78.08-3-80
78.08-3-81

Section 12. The Zoning Map of the Village of Croton-on-Hudson as referred to in Section 230-6 of the Zoning Code is hereby amended to rezone the following properties from the C-2 Zoning District to the C-1R(A) Zoning District:

Sheet-Block-Lot

78.08-3-59

Section 13. The Zoning Map of the Village of Croton-on-Hudson as referred to in Section 230-

6 of the Zoning Code is hereby amended to rezone the following properties from the C-1 Zoning District to the C-1R(B) Zoning District:

Sheet-Block-Lot

67.2-4-37
67.2-4-38
67.2-4-39
67.2-4-40
78.08-5-40
78.08-5-41
78.08-5-42
78.08-5-43
78.08-5-59
78.08-5-60

Section 14. The Zoning Map of the Village of Croton-on-Hudson as referred to in Section 230-6 of the Zoning Code is hereby amended to rezone the following properties from the C-1 Zoning District to the RB Zoning District:

Sheet-Block-Lot

78.08-3-1
78.08-3-2
78.08-3-3
78.08-3-4
78.08-3-5
78.08-3-6
78.08-3-7
78.08-3-8
78.08-3-65
78.08-3-66
78.08-3-67

Section 15. The Zoning Map of the Village of Croton-on-Hudson as referred to in Section 230-6 of the Zoning Code is hereby amended to rezone the following properties from the C-2 Zoning District to the RB Zoning District:

Sheet-Block-Lot

78.08-3-56
78.08-5-30
78.08-5-33
78.08-5-37

Section 16. Severability. 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 17. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

