

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of Croton-on-Hudson

Local Law No. 20 of the year 2023

A local law TO AMEND AND UPDATE PROVISIONS OF CHAPTER 230 ZONING  
(Insert Title)  
OF THE CODE OF THE VILLAGE OF CROTON-ON-HUDSON

Be it enacted by the Village Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of Croton-on-Hudson as follows:

see attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**VILLAGE OF CROTON-ON-HUDSON  
BOARD OF TRUSTEES**

**LOCAL LAW NO. 20 OF 2023**

**A LOCAL LAW TO AMEND AND UPDATE PROVISIONS OF CHAPTER 230 ZONING  
OF THE CODE OF THE VILLAGE OF CROTON-ON-HUDSON**

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

**Section One.** Section 230-4, Definitions, of the Zoning Law of the Village of Croton-on-Hudson is amended to read as follows:

**FAMILY**

One or more persons living together in a single dwelling unit as a traditional family or the functional equivalent of a traditional family. It shall be a rebuttable presumption that five or more persons living together in a single dwelling unit, who are not related by blood, adoption or marriage, do not constitute the functional equivalent of a traditional family. The following criteria shall be present in determining the functional equivalent of a traditional family:

1. The group is permanent and stable, and not transient or temporary in nature.
2. The group shares the entire dwelling unit, including cooking facilities.
3. The group shares expenses for rent, utilities or other household expenses.
4. Members of the household have the same address for purposes of voter's registration, driver's license, motor vehicle registration, and filing of taxes.
5. Any other factor reasonably related to whether the group is the functional equivalent of a family. A dwelling unit in which various occupants act as separate roomers may not be deemed to be occupied by the functional equivalent of a traditional family.

**Section Two. Severability**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions thereof, which other portions shall continue in full force and effect.

**Section Three. Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 20 of 2023 of the (County)(City)(Town)(Village) of Croton-on-Hudson was duly passed by the Village Board of Trustees on November 27 2023, in accordance with the applicable (Name of Legislative Body) provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20□□, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

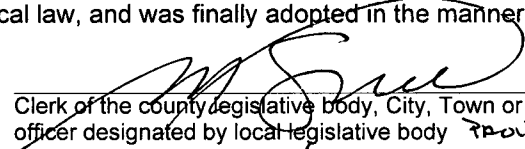
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

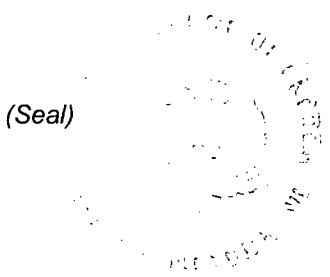
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body *Elaine DiSanto*

Date: 12/4/23



On motion of TRUSTEE SIMON, seconded by TRUSTEE HOROWIZ, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

Resolution #238-2023

WHEREAS the Village Board of Trustees has introduced Local Law Introductory No. 19 of 2023 to amend and update the definition of family as stated in Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, and

WHEREAS on October 16, 2023, the Village Board of Trustees declared itself Lead Agency for SEQRA purposes, and

WHEREAS on November 13, 2023, the Village Board of Trustees undertook the process and review described in detail in Parts 2 and 3 of the EAF “Determination of Significance” attached hereto, and

WHEREAS the Village Board held a public hearing to consider Local Law Introductory No. 19 of 2023, which was opened and closed on November 13, 2023, and

WHEREAS the Village Board has received a recommendation of consistency from the Waterfront Advisory Committee with the Village’s Local Waterfront Revitalization Program, and

WHEREAS the Village Board must make its own determination of consistency with the LWRP policy standards and conditions, and

WHEREAS on November 13, 2023, the Village Board reviewed the LWRP Policy’s standards and conditions,

NOW THEREFORE, BE IT RESOLVED as follows:

The Village Board of Trustees makes the following findings regarding the applicability of the LWRP policies and the consistency of the Proposed Action with those policies and conditions of the LWRP which it found applicable:

*Policy 1A: Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.*

The remaining policies and conditions of the LWRP not specifically discussed above, were reviewed and found not to be applicable, and

BE IT FURTHER RESOLVED that based upon the above, the Village Board of Trustees confirms its determination that the Proposed Action, the adoption of a local law to update the definition of family as stated in the Zoning Code, complies with the policy standards and conditions set forth in the Village's LWRP, and

BE IT FURTHER RESOLVED that the Village Board of Trustees hereby issues and adopts the EAF Parts 2 and 3 Determination of Significance attached hereto and adopts a Negative Declaration in connection with this action, and

BE IT FURTHER RESOLVED: that the Village Board of Trustees hereby adopts Local Law Introductory No. 19 of 2023, to amend and update the definition of family as stated in Chapter 230, Zoning, of the Code of the Village of Croton-on-Hudson, which upon adoption becomes Local Law No. 20 of 2023.

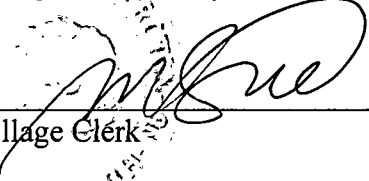
Dated: November 27, 2023

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State of New York            )  
  ss:  
County of Westchester    )

I, Pauline DiSanto, Clerk of the Village of Croton-on-Hudson, in the County of Westchester, State of New York, do hereby certify that the annexed resolution is a copy of an original on file in my office and has been duly adopted at a regular meeting of the Board of Trustees of said Village held on the 27th of November 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said Village this 04<sup>th</sup> day of December 2023.

  
\_\_\_\_\_  
Village Clerk  
(Seal)