

Local Law Filing

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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. 14 of the year 2022

A local law TO AMEND THE PROVISIONS OF THE ZONING CODE OF THE VILLAGE OF
(Insert Title)
CROTON-ON-HUDSON TO ALLOW FOR TRANSIT ORIENTED MIXED USE
AND MULTI-FAMILY RESIDENTIAL BUILDINGS IN THE LI ZONING DISTRICT

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. 14 OF 2022

**A LOCAL LAW TO AMEND THE PROVISIONS OF THE ZONING CODE OF THE
VILLAGE OF CROTON-ON-HUDSON TO ALLOW FOR TRANSIT ORIENTED MIXED USE
AND MULTI-FAMILY RESIDENTIAL BUILDINGS IN THE LI ZONING DISTRICT**

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

Section 1. Section 230-18.C of the Code of the Village of Croton-on-Hudson is hereby amended to add new subsection 230-18.C(9) to read as follows:

(9) Transit Oriented Development consisting of mixed use or multi-family residential buildings, only on lots located fronting on Croton Point Avenue on the west side of Route 9 and within 1500 feet of the Metro-North Croton-Harmon Train Station.

Section 2. Section 230-18.D of the Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

D. The above uses except for shall comply with the area and bulk standards listed in § 230-37, including the minimum lot size of three acres, except that the Village Board of Trustees may, by the issuance of a special permit, allow a lot area of less than three acres but not less than one acre, and except that for a Transit Oriented Development of mixed use or multi-family residential the minimum lot area shall be 10,000 square feet.

Section 3. Section 230-37 of the Code of the Village of Croton-on-Hudson shall be amended to add separate bulk requirements for Transit Oriented Development consisting of mixed use or multi-family residential and to read as follows:

§ 230-37 Light Industrial LI District.

A. The bulk and parking regulations for the Light Industrial LI District for all uses other than Transit Oriented Development of mixed use or multi-family residential 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.)

Minimum Required

Lot area (acres)	3
Lot width (feet)	200
Lot depth (feet)	200
Front yard (feet)	50
Rear yard (feet)	35
One side yard (feet)	30
Both side yards (feet)	80

Minimum Required

Any yard within 25 feet of residence district boundary	50
Waterfront setback from mean high-water line (feet)	100 ^a
Off-street parking spaces per employee	1 ^b

Maximum Permitted

Floor area ratio	0.50
Building height (stories) ^c	3
Building height (feet) ^c	40
Building height ratio	1/2 the distance to the nearest lot line ^c

B. The bulk and parking regulations for the Light Industrial LI District for Transit Oriented Development of mixed use or multi-family residential 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.)

Minimum Required

Lot area (square feet)	10,000
Front yard (feet)	d
Rear yard (feet)	d
One side yard (feet)	d
Both side yards (feet)	d
Off-street parking per residential unit	1 space per unit ^e
Off-street parking for commercial use	1 space per 400 sf

Maximum Permitted

Floor area ratio	1.20
Building height (stories)	5
Bedrooms	Studio, 1- and 2-bedroom units only

NOTES:

^a District waterfront setback requirement. For the express purpose of preserving the open and scenic character of and the possibility of public access to the waterfront, a setback of 100 feet from the mean high-water line shall be required for uses on lands fronting the Hudson River.

^b Parking space requirements are cumulative for all uses on one lot.

^c Building height requirements are subject to both story and foot limitations.

^d Setbacks for Transit Oriented Development of mixed use or multi-family residential shall be determined by the Board of Trustees as part of the Special Permit review based upon the best layout for the particular lot.

^e The Board of Trustees shall have the discretion to require additional parking for residential units.

Section 4. Section 230-42.1G of the Code of the Village of Croton-on-Hudson 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), or to properties located in the LI District where Transit Oriented Development of mixed use or multi-family residential are permitted as set forth in Section 230-18.C(9).

Section 5. Chapter 230 Attachment 4 (also referred to as D), Special Permit Schedule, under Light Industrial Districts, is amended to add Transit Oriented Development of mixed use or multi-family residential as a special permit use pursuant to Code Section 230-18.C(9) and under the jurisdiction of the Board of Trustees.

Section 6. 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 hereof, which other portions shall continue in full force and effect.

Section 7. 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. 14 of 2022 of the (County)(City)(Town)(Village) of Croton-on-Hudson was duly passed by the Village Board of Trustees on November 01 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(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) (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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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.)

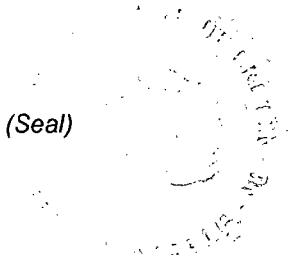
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



(Seal)

Pauline DiSanto
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body *Pauline DiSanto*
Date: 11/9/22

On motion of TRUSTEE SIMON, seconded by TRUSTEE GALLELLI, 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 FOR ADOPTION OF LOCAL LAW INTRODUCTORY NO. 12
OF 2022 TO AMEND THE PROVISIONS OF THE ZONING CODE OF THE VILLAGE OF
CROTON-ON-HUDSON TO ALLOW FOR TRANSIT ORIENTED MIXED USE AND MULTI-
FAMILY RESIDENTIAL BUILDINGS IN THE LI ZONING DISTRICT

Resolution #163-2022

WHEREAS since 2007, the Village of Croton-on-Hudson the Village has been considering ways to encourage revitalization and reduce commercial vacancies in the Harmon area, and is desirous of introducing a mixed use/TOD concept to an area of the Village well-suited for such development, and

WHEREAS the Village Board solicited proposals from for consultant planning services for potential zoning changes to and expansion of the Harmon Gateway zoning district, and

WHEREAS on June 7, 2021, the Village Board retained AKRF of White Plains, New York to provide such services, including the preparation of zoning text and map amendments for the Harmon/South Riverside Gateway (“HSRG”) Overlay, completion of a Full Environmental Assessment Form (“EAF”) Part 1, supplemental studies for the Village’s environmental review, and attendance at various Village meetings and public hearings, and

WHEREAS the scope of the original proposed work was expanded to include viewshed analyses, an assessment of the feasibility of establishing a transit-oriented zoning district in the area, and visual profile sections from residential areas, and

WHEREAS the results of AKRF’s analyses were presented to the Village in a memorandum dated August 5, 2022, and

WHEREAS the memorandum recommended proposed revisions to the Zoning Code to expand the Harmon/South Riverside Gateway area and encourage residential development in that area, and to modify the regulations for the Light Industrial (“LI”) zoning district in the area near the Metro-North Croton-Harmon Train Station to allow for transit-oriented residential development (collectively the “Proposed Action”), and

WHEREAS the Village Board thereafter directed the preparation of Local Law Introductory No. 11 of 2022, and Local Law Introductory No. 12 of 2022, incorporating the recommendations of the analyses together with the issuance of a Coastal Assessment Form (“CAF”) in connection with the Proposed Action, and

WHEREAS on September 6, 2022, the Village Board declared itself to be Lead Agency under SEQRA, and circulated the proposed Local Laws, Full EAF, CAF, and analyses to various interested agencies including the Village Planning Board, the Westchester County Planning Board, and the Village Waterfront Advisory Committee, and

WHEREAS on September 16, 2022, the Village Board received a favorable letter from the Westchester County Planning Board and on September 23, 2022, received a memo from the Planning Board with recommendations, and

WHEREAS the Village Board held a public hearing to consider Local Law Introductory No. 11 of 2022 and Local Law Introductory No. 12 of 2022, on September 19, 2022, which was continued to October 3, 2022, and closed, and

WHEREAS the Village Board discussed comments received at the public hearing as well as the recommendations received from the Planning Board at subsequent meetings and requested that AKRF provide further information and review regarding some of the comments and issues raised, and

WHEREAS after discussion at its October 17, 2022, meeting the Village Board has adopted a Negative Declaration in connection with the Proposed Action and determined the Proposed Action is consistent with the policies and conditions set forth in the Local Waterfront Revitalization Program, and

WHEREAS the Village Board has considered all comments received both verbally and in writing as part of the public hearing and throughout this process, together with all other documents and correspondence which are a part of the record on this matter,

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Local Law Introductory No. 12 of 2022, to amend the provisions of the Zoning Code of the Village of Croton-on-Hudson to allow for transit-oriented mixed use and multi-family residential buildings in the Light Industrial Zoning District, which upon adoption becomes Local Law No. 14 of 2022.

Dated: November 1, 2022

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 November 01st, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said Village this 04th day of November 2022.


Village Clerk

(Seal)