

# 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 Greenburgh

FILED  
STATE RECORDS  
SEP 07 2022

DEPARTMENT OF STATE

Local Law No. 9 of the year 2022

A local law amending Section 285-27 entitled "LOB Limited Office Building District to remove a  
(Insert Title)  
restriction of dancing and music schools in the LOB District

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

County  City  Town  Village  
(Select one.)

of Greenburgh

as follows:

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

(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. 9 of 2022 of the (County)(City)(Town)(Village) of Town of Greenburgh was duly passed by the Town Board on June 13 2018, 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.)**

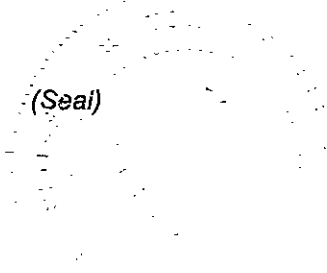
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of 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, 1 above.

*Judith A. Beirle*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 8/26/2022





TOWN of GREENBURGH

Local Law No. 9/2022

A local law amending Section 285-27 of the Code of the Town of Greenburgh entitled, "LOB Limited Office Building District" pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

**BE IT ENACTED** by the Town Board of the Town of Greenburgh:

- § 1. **Title.**
- § 2. **Legislative Findings and Intent.**
- § 3. **Amendment to § 285-27.**
- § 4. **Supersession.**
- § 5. **Severability.**
- § 6. **Effective Date.**

§ 1. **Title.**

This law is entitled "A local law amending Section 285-27 of the Code of the Town of Greenburgh, entitled "LOB Limited Office Building District."

§ 2. **Legislative Findings and Intent.**

The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Section 285-27 of the Code of the Town of Greenburgh to remove a restriction of dancing and music schools in the LOB District.

§ 3. **Amendments to Chapter 285-27: Zoning.**

Section 285-27 of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in strikeout; new text underlined):

§ 285-27 LOB Limited Office Building District.

- A. Permitted uses. No building or premises shall be used and no building shall be erected, altered or added to unless otherwise provided in this chapter, except for the following uses:

- (1) Principal uses.

(a) Office buildings for business, professional or banking uses, including administrative, training, data processing, publication, financial and sales offices, and showroom uses and related facilities in connection with such office use. The first floor of such building may be used for the sale of goods at retail or for the performance of customary personal services or services clearly incidental to retail sales, provided that:

[1] The area of the first floor so used shall not exceed 25% of the total floor area of the building, exclusive of the basement area thereof.

[2] No fabrication, manufacturing, converting, altering, finishing or assembly shall be permitted therein.

[3] Under no circumstance shall a massage establishment be permitted without a special use permit from the Town Board, pursuant to the procedures and standards set forth in § 285-36T of this chapter.

(b) Agencies for scientific research or technical development, including research laboratories, libraries, administrative, training, statistical data processing, publication, financial offices and other facilities incidental to such scientific research or technical development, except that no building used for such purpose shall be less than 50 feet from the boundary of any one-family residence district, and provided that:

[1] No machinery or equipment shall be installed and no labor shall be engaged upon the premises for the manufacture, processing or assembly of pilot prototype or experimental products of goods or articles except the manufacturing, processing or assembly in which the close supervision by scientific personnel of a permitted research laboratory is required.

[2] All mechanical and other apparatus and manual services employed in such use shall be devoted to scientific research and technical development of manufactured, processed or compounded products.

[3] No such process or operation shall involve the handling, storage or discharge of explosives. The use of any virus or other type of infectious organisms identified with diseases of animals or humans must be carried out in compliance with all county, state, federal, and/or other applicable regulations.

[4] No manufacturing, processing or assembly of goods or articles of any kind for sale shall be permitted on the premises, except for the sale of pilot prototype or experimental products which are the result of or the end product of scientific research, development or engineering.

[5] No offensive noises, gases, fumes, smoke, odors, dust or vibrations shall emanate from such use, and no waste products shall be discharged therefrom of a character to create a nuisance or to be injurious to health.

[6] The grounds and exterior of all buildings shall be kept and maintained in conformity with the prevailing standards of adjacent residential neighborhoods.

(c) Telephone exchanges.

(d) Museums, art galleries (but not public auction rooms), libraries or other cultural center.

(e) Churches, religious schools, community centers, social clubs, lodges, civic clubs or similar nonprofit recreational centers.

(f) Art, business or vocational schools, including dancing, music and instrumental music and schools. Such uses shall be located within a totally enclosed, fully soundproofed building.

**§ 5. Supersession:**

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

**§ 6. Severability:**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**§ 7. Effective Date:**

This law shall take effect immediately upon filing with the Secretary of State.