

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. 12 of the year 2022

A local law amending Chapter 285 entitled "R-5/LMF One-Family/Limited Multi-family Residence
(Insert Title)
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. 12 of 2022 of the (County)(City)(Town)(Village) of Town of Greenburgh was duly passed by the Town Board on November 14 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.)

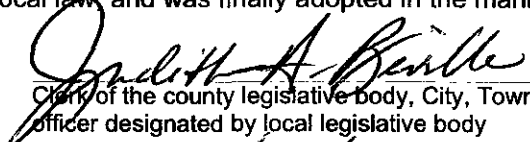
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


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. 12 / 2022

A local law amending Chapter 285, of the Code of the Town of Greenburgh entitled “R-5/LMF One-Family/Limited Multifamily Residence 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 § 285-5 Definitions.**
- § 4. **Amendment Adding § 285-16.2 R-5/LMF One-Family/Limited Multifamily Residence District.**
- § 5. **Supersession.**
- § 6. **Severability.**
- § 7. **Effective Date.**

§ 1. **Title.**

This law is entitled “A local law amending Section 285, of the Code of the Town of Greenburgh, entitled “R-5/LMF One-Family/Limited Multifamily Residence District.”

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

The Town Board of the Town of Greenburgh finds it necessary to amend Chapter 285 of the Code of the Town of Greenburgh to facilitate the incremental removal and replacement of the Urban Renewal District in a manner consistent with the Comprehensive Plan.

§ 3. **Amendments to Chapter 285-5.**

Section 285-5 of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in ~~strikeout~~; new text underlined):

285-5 Definitions.

Limited Multifamily Residences

Two-Family, Townhouse and Garden Apartments

§ 4. Amendments to Chapter 285: Zoning.

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

285-16.2. R-5/LMF One-Family/Limited Multifamily Residence 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. All uses permitted in the R-40 District as specified in § 285-10A(1) of this chapter.
- b. All Limited Multifamily Residences, as defined in § 285-5, either approved or lawfully existing at the time of the enactment of this subsection.

(2) Special permit uses. All uses permitted in the R-40 District as specified in § 285-10A(2) of this chapter.

(3) Accessory uses. All uses permitted in the R-40 District as specified in § 285-10A(3) of this chapter.

(4) Uses under special permit by Town Board. All uses permitted in the R-40 District as specified in § 285-10A(4) of this chapter.

B. Lot and bulk requirements shall be as follows:

(1) Minimum lot area: 5,000 square feet, unless otherwise specified. 6,000 square feet minimum for Two-Family, 2,000 square feet minimum for Townhouse and Garden Apartments.

(2) Minimum lot width: 50 feet, unless otherwise specified.

(3) Maximum coverage:

- a. All buildings, unless otherwise specified: 30%. Townhouses and Garden Apartments: 35%.
- b. Impervious surfaces: 43.75%.

(4) Minimum yards, unless otherwise specified:

- a. Front: 20 feet.

- b. One side: eight feet.
- c. Two sides: 18 feet. This requirement shall not apply to Townhouse and Garden Apartments
- d. Rear: 26 feet.
- e. All yards must comply with § 285-39 of this chapter.

(5) Minimum distance from detached accessory buildings to:

- a. Principal building: eight feet.
- b. Side lot line: eight feet.
- c. Rear lot line: eight feet.

(6) Maximum height: 2 1/2 stories, not to exceed 30 feet.

§ 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.