

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. 13 of the year 2022

A local law amending Section 285-25 entitled "OB Office Building District" to allow additional
(Insert Title)
accessory uses in the OB District, with respect to hotels allowed pursuant to
285-25(A)(4)(c) of the Zoning Code

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. 13 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.)

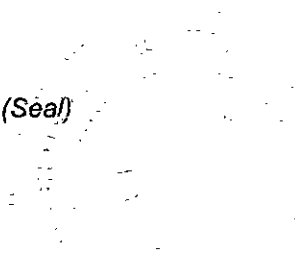
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


Judith A. Beville
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. 13 / 2022

A local law amending Section 285-25 of the Code of the Town of Greenburgh entitled, "OB 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 § 285-25(A)(4).**
- § 4. **Supersession.**
- § 5. **Severability.**
- § 6. **Effective Date.**

§ 1. **Title.**

This law is entitled "A local law amending Section 285-25 of the Code of the Town of Greenburgh, entitled "OB 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 285-25 of the Code of the Town of Greenburgh to allow additional accessory uses in the OB District, with respect to hotels allowed pursuant to 285-25(A)(4)(c) of the Zoning Ordinance.

§ 3. **Amendments to Chapter 285-25(A)(4):**

Section 285-25(A)(4)(c) of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in ~~strikeout~~; new text underlined):

(4) Uses under special permit by Town Board.

(a) Hotel on a lot of 15 acres or more, provided that the proposed site shall meet all the following criteria:

[1] The site must adjoin a federally designated interstate highway with a common property line of at least 300 feet.

[2] The site must be located within 1/3 mile of a full interchange between a federally designated interstate highway and a state or federal highway, measured from the point where the center line of any ramp which is part of said interchange meets the state or federal highway right-of-way to any point where the site has frontage on said state or federal highway.

[3] No point of the site shall be within 250 feet of the nearest point of any residential zoning district, excluding residentially zoned land within the right-of-way of a state or federal highway or federally designated interstate highway or an aqueduct right-of-way owned by a governmental entity.

[4] The site must have a minimum frontage of 500 feet on a four-lane or larger state or federal highway which continues as a four-lane or larger highway to the interstate interchange.

(b) In approving any special permit the Town Board shall find that the proposed use shall:

[1] Be reasonably necessary for the public health or general interest or welfare;

[2] Be of such character, intensity, size and location that, in general, it will be in harmony with the orderly development of the area in which the property concerned is situated and will not be detrimental to the orderly development of adjacent areas;

[3] Be located so that it may be adequately serviced by transportation facilities, water supply, waste disposal, fire and police protection, drainage facilities and similar services;

[4] Not create pedestrian or vehicular traffic hazards because of its location in relation to surrounding uses, necessity of turning movements in relation to its access to public roads and intersections or its location in relation to other buildings or potential buildings on or near the site and traffic patterns from such buildings; and

[5] Not include any display of signs, noise, fumes or lights that will hinder normal development of the area or impair the use, enjoyment and value of adjacent land and buildings.

(c) Accessory uses may include:

[1] Meeting rooms; banquet facilities; restaurants, bars, cafes, bakeries, or cabarets for on or off premises consumption of food and beverages or either of them; boutiques; travel services; barbershops; newspaper stands; open or enclosed swimming pools; open or enclosed tennis courts; platform tennis, paddleball courts and other court games; putting greens; tot-lots; playgrounds; health clubs; off-street parking areas or structures; off-street loading areas and convention facilities. In no case shall sleeping rooms contain cooking facilities. All such accessory uses, except for parking, loading and permitted recreation facilities, shall be located within the principal structure and have internal access thereto. The total floor area for accessory uses required to be located within the principal structure shall not exceed 2,500 square feet per acre of site.

§ 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.