

**LOCAL LAW NO. 2 OF 2024,
AMENDING CHAPTER 360 (ZONING) OF THE CODE OF THE VILLAGE OF
NYACK, SO AS TO DEFINE AND ALLOW VETERINARY OFFICES AS A
PERMITTED USE, WITH USE-SPECIFIC STANDARDS, IN THE DMU-1, DMU-2 AND
CC ZONING DISTRICTS
(ADOPTED 05/23/2024)**

Be it enacted by the Board of Trustees of the Village of Nyack as follows:

Section 1 - Legislative Authority, Purpose and Intent:

This Local Law is adopted pursuant to New York State ("NYS") Municipal Home Rule Law ("MHRL") §10; and in accordance with the procedures prescribed in MHRL §20, and NYS Village Law §7-706 and §21-2100. The purpose and intent of this Local Law is to enhance the economic viability, and livability, of the Village of Nyack's ("Village") businesses, commercial uses and residences in the Downtown Mixed Use-1 ("DMU-1"), Downtown Mixed Use-2 ("DMU-2") and Corridor Commercial ("CC") Zoning Districts, and surrounding neighborhoods, by allowing veterinary offices as Permitted Uses, with Use-specific standards; which Local Law is adopted by the Village Board of Trustees after having heard from the Village's Land Use Technical Committee, the Village's Chief Building Inspector and the Village Planner.

Section 2 – §360-6.1 (Words defined) of Article VI (Definitions), of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended to the extent only of adding a new definition, which new definition shall read as follows:

VETERINARY OFFICE

A professional office, operated by a veterinarian licensed by the State of New York to practice veterinary medicine, where animals are examined, treated or given medical care.

Section 3 – The Use column, under the heading for Commercial uses, of 360 Attachment 1, Table 3-1, entitled "Permitted Uses," of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to add/insert the following as a new Commercial use.

Veterinary offices

Section 4 – Column DMU-1 and column DMU-2, under the column for Mixed Use Districts, under the heading for Commercial uses, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to add/insert the following language in the new row to be added/inserted for veterinary offices as a new Permitted Use.

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Section 5 – Column CC, under the column for Other Districts, under the heading for Commercial uses, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to add/insert the following language in the new row to be added/inserted for veterinary offices as a new Permitted Use.

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Section 6 – A new Sub-Paragraph “13,” of Paragraph “B” (Commercial uses), of §360-3.2 (Use-specific standards), of Chapter 360 (Zoning), of the Code of the Village of Nyack, is inserted to read as follows:

- (13) Veterinary offices. Veterinary offices shall comply with the following standards and satisfy the following requirements:
- (a) There shall be no on-site cremation services.
 - (b) Overnight boarding or stays are prohibited.
 - (c) An employee shall always be present on-site while animals are on-site.
 - (d) Operating hours shall be limited to 8:00 AM through 8:00 PM, except for one day per week the operating hours may be 8:00 AM through 10:00 PM.
 - (e) Only small animals, as defined by the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS), shall be examined, treated or given medical care.
 - (f) The veterinary office shall comply with all applicable County, State and Federal standards on radiographs and biohazards, and with all other applicable veterinary regulations.

Section 7 – The Use column, under the heading for Commercial Use, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to add/insert the following as a new Commercial Use.

Veterinary office

Section 8 – The Use-Specific Standards column, under the heading for Commercial Use, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to add/insert the following language in the new row to be added/inserted for veterinary office as a new Commercial Use.

Yes

Section 9 – Severability.

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Village Board of Trustees hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

Section 10 – Effective Date.

This Local Law shall take effect thirty days after a copy has been filed with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.