

**VILLAGE OF CROTON-ON-HUDSON
BOARD OF TRUSTEES**

LOCAL LAW INTRODUCTORY NO. 17-2023

**A LOCAL LAW TO AMEND AND UPDATE PROVISIONS OF CHAPTER 230
ZONING OF THE CODE OF THE VILLAGE OF CROTON-ON-HUDSON**

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

Section One. Section 230-4, Definitions, of the Zoning Law of the Village of Croton-on-Hudson is amended to revise the definition of “Family” as follows:

FAMILY

~~One or more persons occupying a dwelling unit as a single nonprofit housekeeping unit. More than five persons, exclusive of domestic servants, not related by blood, marriage or adoption shall not be considered to constitute one family.~~

One or more persons living together in a single dwelling unit as a traditional family or the functional equivalent of a traditional family. It shall be a rebuttable presumption that five or more persons living together in a single dwelling unit, who are not related by blood, adoption or marriage, do not constitute the functional equivalent of a traditional family. In determining the functional equivalent of a traditional family, the following criteria shall be present:

1. The group shares the entire dwelling unit.
2. The group lives and cooks together as a single housekeeping unit.
3. The group shares expenses for food, rent, utilities or other household expenses.
4. The group is permanent and stable, and not transient or temporary in nature.
5. Any other factor reasonably related to whether the group is the functional equivalent of a family.

Section Two. Section 230-17, General Commercial C-2 District, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise subsection B.(7), as follows:

B. Special permit uses. Subject to issuance of a special permit by the Village Board of Trustees, the following uses:

(7) Automobile sales and service agencies for the sale of new automobiles, accessories and customary accessory uses are hereby authorized. Used car sales and automobile rentals are permitted only as an accessory use to new car sales, as described in the following § 230-17B(10) §230-17B.(7)(a)-(m). Such automobile sales and service agencies must be franchised dealers or factory-owned dealers of new automobiles, and all operations must be conducted from the same site subject to the following rules, regulations and conditions:

Section Three. Section 230 Attachment B, Schedule of Uses of the Zoning Law of the Village of Croton-on-Hudson, is hereby amended to add two uses to the “Special Permit Uses” column for the General Commercial C-2 District, as follows:

11. Day-care centers in accordance with 230-17B.(9)
12. Tier 3 solar energy systems in accordance with 230-48.1

Section Four. Section 230-21, Multiple Development Use, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise subsection F.(3), as follows:

F. Procedures for MDU designation and approval of site development plans.

(3) A petition for MDU designation and all supporting submissions shall be referred by the Village Board of Trustees to the Planning Board, and a recommendation shall be made by the Planning Board to the Village Board of Trustees pursuant to and within the terms provided by Article **XVI** of this chapter. Subsequent to receipt of the recommendation of the Planning Board or to the expiration of the above-mentioned term without recommendation of the Planning Board and after public hearing as provided by § **230-180C**, the Village Board of Trustees shall act upon the petition. If said decision should grant the petition and amend the Village Zoning Map, the decision shall state the permitted uses, density, bulk and parking regulations and other regulations and conditions, ~~as provided in this chapter all as provided in § 230-25 of this chapter.~~ Such conditions may include but are not confined to visual and acoustical screening, land use mixes, order of construction and/or occupancy, vehicular and pedestrian circulation systems, availability of sites within the area for necessary public services, protection of natural sites and other such conditions that may be required by the public health, safety and general welfare and the comfort and convenience of the public in general and of the residents of the immediate neighborhood.

Section Five. Section 230-44, Signs, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise subsection P(4)(a)[4], to read as follows:

[4] In addition, where the building is set back from the curbline a distance of 25 feet or more, not more than one freestanding sign with a total area on each face of not more than 40 square feet may be erected; provided, however, that the Zoning Board of Appeals may, in accordance with the procedure set forth in § **230-162B** of this chapter, authorize the Village Engineer to issue a special permit for the erection or continuance of a freestanding sign with an area on each face not exceeding 40 square feet or such lesser area as the Zoning Board of Appeals may prescribe in instances where the building is set back from the curb or edge of traveled way less than 25 feet but 15 feet or more, subject to such conditions as the Zoning Board of Appeals may impose and with due regard to safety and other ~~factors-objectives~~ set forth in § ~~230-75B~~ **230-162B** where the Board shall find that:

[a] The building in connection with which such sign is used or to be used was in existence on July 1, 1963, and has not after that date been altered to cause it to be closer to the curbline or edge of traveled way; and

[b] Other permitted signs are not, because of lack of visibility or other reason, adequate in the determination of the Zoning Board of Appeals and,

for that or other reason, the Zoning Board of Appeals deems such sign to be necessary or desirable.

Section Six. Section 230-44, Signs, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise subsection P(4)(b), to read as follows:

(b) Motor vehicle service stations.

[1] Unless otherwise required by law, signs shall be limited to one freestanding sign and one exterior sign on each wall of a building fronting on a street and shall otherwise conform to the conditions for accessory signs set forth in Subsection P(~~5~~4)(a).

[2] In connection with the sale of used cars or rental of vehicles at a service station. No temporary signs shall be permitted on the exterior of vehicles. Signs in the interior of vehicles shall be limited to one per vehicle, not to exceed 12 inches by 15 inches. Sign printing shall have characters not larger than one inch.

Section Seven. Section 230-44, Signs, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise subsection P(5)(a), to read as follows:

(a) Accessory signs shall be as permitted in the Central Commercial C-1 District as set forth in Subsection P(~~5~~4).

Section Eight. Section 230-9.1A(10)(g), Section 230-16B.(4)(c); and Section 230-17 B.(9)(c), all regarding Day Care Centers, are hereby amended to remove all references to the “Department of Social Services” and replace same with the “Office of Children and Family Services.”

Section Nine. Section 230 Attachment C, Area and Bulk Schedule, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise the Habitable Floor Area for the RC: One-Family Residence, as follows:

Per d.u.: 1,000
Main floor: ~~880~~ n/a

Section Ten. Section 230 Attachment C, Area and Bulk Schedule, of the Zoning Law of the Village of Croton-on-Hudson is hereby amended to revise the Habitable Floor Area for the RC: Multiple Residence, as follows:

Per d.u.: 600
Main floor: 880

Section Eleven. Section 230-60, Public hearing; decision, of the Zoning Code of the Village of Croton-on-Hudson is hereby amended to read as follows:

§230-6- Public hearing; decision.

The Board of Trustees shall, upon receipt of the report of the Planning Board or upon the expiration of a term of 30 days, or such longer period as may be agreed to, in writing, by the Planning Board and the applicant, from the date of receipt of the application by the Planning Board, whichever event shall first occur, conduct within ~~60~~ 62 days a public hearing and within ~~60~~ 62 days thereafter render its decision. The Board of Trustees, in considering any application for a special permit hereunder, shall make findings on the objectives and goals listed in § 230-58 and, in addition, may exercise such discretion reserved for legislative matters so as to ensure that the public health, welfare and safety shall be protected, that the environmental and land resources of the community shall be put to the best possible use and that any authorization hereunder shall not create fiscal burdens upon the community at large or an adverse impact upon adjacent property and its permitted use by right under this chapter.

Section Twelve. 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 Thirteen. 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.