

(OMNIBUS ZONING TEXT AMENDMENTS)**Section 1: Legislative Intent**

Periodically, the Supervisor and Town Board ask staff to review the Zoning Code and associated provisions in other chapters of the Town Code to ensure that the Code remains modern, friendly to business, and responsive to the concerns of residents. The following amendments seek to make improvements and clarifications to the Town Code.

Section 2: Amendments to Section 77-23 of the Town Code

The text of **Section 77-23: Extensions of Approvals** shall be amended and replaced with the following:

Section 77-23: Extensions of Approvals

- A. Any request by an applicant for an extension of an approval previously granted must be received prior to the expiration of the existing approval.**
- B. Site plan approvals are valid for one (1) year from the date first granted and may be extended for up to four additional one-year increments, provided that the applicant provides an update with pertinent information and explains extenuating circumstances resulting in the need for the extension, documented to the satisfaction of the Planning Board. In addition, any applicant seeking time extensions hereunder will be required to comply with any new laws or rules that have been adopted since the original date of approval or subsequent extensions.**
- C. Preliminary subdivision plat approvals are valid for six (6) months from the date first granted and may be extended for up to five (5) additional 6-month increments, and shall expire following these extensions unless the Planning Board deems that there was a justifiable circumstance warranting additional extension periods. In addition, any applicant seeking time extensions hereunder will be required to comply with any new laws or rules that have been adopted since the original date of approval or subsequent extensions. The length of final plat approval shall be as prescribed by state law.**
- D. Any subdivision approval or site plan approval which has expired may only be reconsidered by the Planning Board following the resubmission of a new application and all associated documents and fees, and a new public hearing held by the respective Board, where applicable.**
- E. Applications pending before the Planning Board and the Zoning Board of Appeals shall be deemed to be dormant and thus withdrawn by the applicant if the application does not appear on a Board agenda with new or additional information for a period of two (2) years or more (including those applications awaiting submission of a DEIS). Said time period may not be extended by the Board. Furthermore, the Board may fix a shorter period of time.**

Section 3: Amendments to Section 168-2 of the Town Code

The text of **Section 168-2 Recreation fee imposed** shall be amended and replaced with the following language:

Every new residential unit/lot created within the Town via any method (subdivision, site plan, special use permit) shall pay a recreation fee in the amount indicated on the Town's Master Fee List in force at the time of creation of the new residential unit(s). If created by subdivision where a residential unit already exists on the parent parcel, the fee shall be due and payable for each and every residential unit created over and above the existing unit.

Section 4: Addition of Section 179-4(J)

Section 179-4: Activities Permitted by Right, pertains to activities permitted by right within wetlands and wetland buffer areas. It includes the following text in its introductory sentence: "The following activities permitted by right within wetlands and wetland buffer areas, which might otherwise be construed as being encompassed by § 179-3 hereof, are excluded therefrom". The following shall be added as **Section 179-4(J)**:

Change of use or occupancy on a site containing wetlands or wetland buffer areas where the site is already developed and where any related site modifications and/or construction do not result in a net increase to impervious surfaces, unless further compliance with this chapter is deemed required by Town reviewing staff.

Section 5: Amendments to Section 179-5(A)(3):

Section 179-5: Determination of boundaries; compliance required; permit application and procedures contains subsections A-H. The text of **Section 179-5(A)(3)** shall be amended and replaced with the following text:

As a policy, the determination and delineation of wetlands will only be conducted during the growing season, as determined by a qualified professional. Wetland delineations older than five (5) years must be re-delineated if a parcel is under review for Town-issued approvals/permits, to the satisfaction of the approving authority.

Section 6: Amendments to Section 245-2 Definitions:

The definition for "Sign, Area of" shall be amended to read as follows:

SIGN, AREA OF

The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material or color (including any wash of light extending out from sign illumination) forming an integral part of the display or used to differentiate such sign from the background against which it is placed and, for freestanding signs, excluding the necessary supports or uprights on which such sign is placed provided that the support structure is subordinate to the sign, is no taller than 30 inches from ground level if a monument-style sign, does not contain any signs, and is of a neutral material/color. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back-to-back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of an unequal area.

Section 7: Amendments to Attachment 3, Table of Dimensional Regulations, Residential Districts

The existing Section 307 Attachment 3, Table of Dimensional Regulations, Residential Districts shall be removed and replaced with the updated table annexed to this Local Law.

Section 8: Delete 307 Attachment 4, Table of Dimensional Regulations, Maximum Floor Area in Residential Districts

The existing 307 Attachment 4, Table of Dimensional Regulations, Maximum Floor Area in Residential Districts shall be deleted and shall not be replaced.

Section 9: Amendments to Section 307-4 Definitions

- A. The definition for “**Accessory Dwelling unit (ADU), Attached**” shall be amended to read as follows:

DWELLING UNIT (ADU), ATTACHED ACCESSORY

An accessory use consisting of a subordinate dwelling unit attached to or created within an existing single-family dwelling, that provides basic requirements for living, sleeping, cooking, and sanitation.

- B. The definition for “**Accessory Dwelling Unit (ADU), Detached**” shall be amended to read as follows:

DWELLING UNIT (ADU), DETACHED ACCESSORY

An accessory use consisting of a subordinate dwelling unit in a detached accessory structure located on the same lot as a single-family dwelling, that provides basic requirements for living, sleeping, cooking, and sanitation.

- C. The definition for “**Basement**” shall be amended to read as follows:

BASEMENT

That space of a building which has more than half its height, measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.

- D. The definition for “**Bedroom**” shall be deleted from Section 307-4 of the Town Code.
- E. The definition for “**Cellar**” shall be deleted from Section 307-4 of the Town Code.
- F. The definition for “**Dwelling**” shall be amended as follows:

A structure designed or used primarily for residential occupancy, containing one or more dwelling units, but not including rooming houses, hotels, camps, mobile homes or other structures or equipment for temporary lodging.

- G. The definition for “**Dwelling, Single-Family**” shall be amended to read as follows:

DWELLING, SINGLE-FAMILY

A detached building, other than a mobile home or temporary structure, containing one dwelling unit, or one dwelling unit and one attached accessory dwelling unit (ADU).

- H. The definition for “**Dwelling Unit**” shall be amended to read as follows:

DWELLING UNIT

A building or portion thereof providing complete housekeeping facilities for one or more persons living together and maintaining a common household.

- I. The definition for “**Flag Lot**” shall be added to the Code and read as follows:

FLAG LOT

A lot which has its buildable area (the so-called "flag") located behind another lot, either existing or proposed, and which derives access by means of a narrow strip of land (sometimes referred to as "the flagpole") which has frontage on a street. A flag lot allows the potential for the creation of two lots, one generally behind the other, which derive access from the same street.

- J. The definition for “**Floor Area, Gross**” shall be amended to read as follows:

FLOOR AREA, GROSS:

The total area of all floors or accessible levels of a building as measured to the perimeter of the exterior faces of the walls, with no deduction for corridors, stairs, closets, thickness of walls, columns or other features. Finished attics and basements shall be counted as part of gross floor area.

- K. The definition for “**Floor Area Ratio**” shall be deleted.
- L. The following definition for “**Footprint, Building**” shall be added to the Town Code:

FOOTPRINT, BUILDING

The area of a building measured from the exterior surface of the exterior walls at grade level, exclusive of cantilevered portions of buildings and temporary structures. Where a building is elevated above grade level, the building footprint is the area the building would cover if it were located at ground level.

- M. The following definition for “**Height, Story**” shall be added to the Town Code:

HEIGHT, STORY

The vertical distance from top to top of two successive finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

- N. The definition for “**Lot, Corner**” shall be amended to read as follows:

LOT, CORNER

A lot at the intersection of and abutting on two or more intersecting streets or highways, as said term appears in §280-a of the New York State Town Law.

- O. The following definition for “**Lot Coverage**” shall be added to the Town Code:

LOT COVERAGE

That portion of a lot covered by the combined area of all buildings, structures, and all other impervious surfaces that prevent or impede the entry of water into the soils including but not limited to roads, parking lots, parking areas, driveways, sidewalks, walkways, decks, patios, pools, sport courts, compacted travel ways, asphalt millings, and all man-made surfaces regardless of their claimed permeability.

- P. The definition for “**Lot Depth**” shall be deleted from Section 307-4 of the Town Code.

- Q. The definition for “**Lot Line, Front**” shall be amended to read as follows:

LOT LINE, FRONT

The lot line which separates a lot's front yard from a street or highway right-of-way. For flag lots, the front lot line is the line of the “flag” portion of the lot closest and most parallel to the street accessed by the lot; this would typically be the bottom of the flag. The base of the “flag pole” is not considered the front lot line.

- R. The definition for “**Lot Width**” shall be amended to read as follows:

LOT WIDTH

The distance between the side lot lines as measured across the required front yard minimum setback line.

- S. The definition for “**Yard, Front**” shall be amended to read as follows:

The yard lying between the front lot line and the principal building. See “lot line,

front.” Each lot shall only have one front yard, except for the purpose of determining setbacks for a principal structure on a corner lot (see §307-18(G)).

Section 10: Amendments to Section 307-8(C) of the Town Code

Section 307-8. Conformance required has several subsections. The text of **Section 307-8(C)** of the Town Code has led to debate an application for a determination to the Zoning Board of Appeals. The language of **Section 307-8(C)** shall be amended and replaced with the following language:

Any lot with an area less than that prescribed for a lot in the district in which such lot is situated, when the owner thereof owned adjoining land on or after the effective date of this chapter or any subsequent amendment which increases the required lot area for such parcel, shall be deemed to have merged with said adjoining land to form a single parcel. If all adjoining lots under common ownership are merged but still do not meet the minimum lot area requirements, the lots are still considered merged into a single parcel; in such cases, the parcel’s lot area will be considered in conformance and will not require relief from the ZBA for lot area. However, all other dimensional requirements must either be met or relief from those requirements must be sought from the Zoning Board of Appeals.

Section 11: Amendments to Section 307-17: Table of Dimensional Regulations

The text of Section 307-17 shall be amended to read as follows:

Regulations regarding minimum lot area, minimum lot width, yards, maximum height, and maximum lot coverage are set forth on the Table of Dimensional Regulations. Additional dimensional regulations are contained in § 307-18 and in Article VII.

Section 12: Amendments to Section 307-18(G)

The existing text in Section 307-18(G) is about “Additional density and design standards for land to be subdivided”. This language is more appropriate for the Town’s subdivision chapter (Chapter 265 of the Town Code). **Because of this, the current language in Section 307-18(G) shall be deleted and moved to create a new Section 265-19(M).**

In addition, the following shall be added as Section 307-18(G), in place of the text being moved to Section 265:

§307-18(G): Corner Lots.

- (1) On a corner lot, all yards fronting a street or highway are considered front yards for the purpose of determining setbacks for the principal structure.**

- (2) Only one yard, as determined by the Director of Code Enforcement or designee, will be considered the front yard for the purpose of determining allowable locations for accessory structures.
- (3) The minimum setback for accessory structures in the determined side yard with frontage on a street or highway shall be the lesser of double those of the underlying zoning district or the required front yard.

Section 13: Creation of new Section 307-18(H) and deletion of Section 307-18(D)(2)

- a) **Addition of new Section:** The following shall be added as a new Section within Section 307-18 Supplementary Dimensional Regulations:

§307-18(H) Accessory structures and impervious surfaces within setbacks.

Non-structural freestanding walls, retaining walls, patios, and impervious surfaces may be constructed within setbacks pending review and approval the Director of the Department of Technical Services (DOTS) or designee to verify compliance with applicable building codes as well as for drainage adequacy.

- b) **Deletion:** The text of Section 307-18(D)(2) shall be deleted and shall not be replaced. The following text shall be deleted and replaced with the word “Reserved”. Text to be deleted:

Any proposed retaining wall with an exposed face greater than four feet in height and any proposed impervious surfaces within 20 feet of a lot line must be approved by the Town Engineer or his designated representative for drainage adequacy.

Section 14: Creation of a new Section 307-18(I): Flag Lots

The following shall be added as a new Section to the Town’s Zoning Chapter:

§307-18(I): Flag lots.

- (1) Flag lots may only be created if it is shown to the satisfaction of the Planning Board that the parcel has an environmental or topographical hardship which prevents a non-flag-configured division of the property. Furthermore, it must be shown to the satisfaction of the Planning Board that the proposed flag lot will not, for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography, or for any other reason, be harmful to the health, safety or welfare of the property owner, adjacent landowners, or the community.
- (2) No more than one flag lot may be created through the division of a single parcel.
- (3) Each flag lot shall provide at least 50 feet of frontage along the street, and the width of the strip of land ("flagpole") connecting the buildable portion of the

flag lot with the street shall be at least 50 feet along its entire length.

(4) The area of the access strip (the "flagpole") shall not be included in calculating minimum lot area.

(5) The area of the main buildable portion of the lot, excluding the access strip, shall conform to all other bulk regulations in the underlying zoning district.

Section 15: Creation of a new Section 307-18(J): Temporary Encroachments.

The following shall be added as a new Section to the Town's Zoning Chapter:

Section 307-18(J): Temporary Encroachments.

Temporary encroachments into a non-disturbance area of up to 20% of the depth of the non-disturbance area are permitted during construction so long as the disturbed area is restored to a condition acceptable to the Director of the Department of Technical Services, the Town Attorney, and the Director of Planning & Community Development.

Section 16: Amendments to Section 307-42(B)

Section 307-42: General Conditions and Standards pertains to special permits. The text of Section 307-42(B) shall be amended to read as follows:

In addition to the general standards for special permits set forth above and additional standards set forth elsewhere in this chapter for specific uses, the approving board may, as a condition of approval of such use, establish any other conditions and requirements as it may deem necessary or appropriate to promote the public health, safety and welfare, including but not limited to hours and days of operation, additional on-site parking, and arrangements for security and supervision.

Section 17: Amendments to Section 307-45 Accessory Dwelling Unit (ADU)

Section 307-45 of the Town Code contains provisions pertaining to Accessory Dwelling Units. Section 307-45(C)(5) has dimensional requirements. The amended text of Section 307-45(C)(5) is in bold below:

5. Dimensional Requirements:

- a. The Accessory Dwelling Unit shall not exceed 800 square feet of gross floor area or 40% of the gross floor area of the single-family dwelling, whichever is less, except that an Attached ADU proposed wholly within the basement of an existing single-family dwelling may encompass the footprint of the structure even if it exceeds 800 square feet provided it shall not exceed 40% of the gross floor area of the single-family dwelling.

- b. Maximum number of bedrooms in an accessory dwelling unit is two bedrooms.
- c. For Detached ADUs, minimum yard setbacks apply except where an existing accessory building encroaches into the minimum side and/or rear yard setbacks by no more than 10%, such encroachment can be waived by the Planning Board as a de minimis encroachment during the special permit review process to permit a Detached ADU, and the applicant would not need to obtain a variance from the ZBA for the encroachment. To be eligible for this exception, the existing accessory building shall have a certificate of occupancy/compliance issuance date at least five (5) years prior to when application is made for the Detached ADU.
- d. No Detached ADU shall be located in a required front yard or corner lot side yard that faces the public street.
- e. The maximum height of the structure containing a Detached ADU shall not exceed the height of the structure containing the principal residence on the lot.

Section 18: Amendments to Section 307-48: Business and professional offices and two-family dwellings in transitional locations.

There have been questions that have recently arisen about whether Section 307-48 applies to medical uses. After reviewing the existing section, the language of Section 307-48 should be updated including the title of the section. The language shall be updated as follows:

Section 307-48. Business, medical, and professional offices and two-family dwellings in transitional locations.

- A. Purpose. Recognizing that the potential for conflict between incompatible land uses is greatest at the boundary between residential and nonresidential districts, it is the purpose and intent of this section to provide for and encourage low-intensity office uses and two-family dwellings in locations where they can contribute to an orderly transition between commercial uses and residential uses. To ensure any medical office use in transitional locations remains a low-intensity use, additional requirements regarding maximum gross square footage and number of parking spaces are included, and shall not be varied by the Zoning Board of Appeals.
- B. Standards and conditions.
 - (1) Uses. Business, medical, and professional offices and two-family dwellings located entirely within a building, including accessory uses thereto, are permitted. Retail sales of goods or services and storage of products are prohibited. Signs shall be permitted as specified in Chapter 245, Signs, of the Town of Cortlandt Code.
 - (2) Location. Business, medical, and professional office uses and two-family dwellings as regulated by this section may be permitted only in transitional locations as defined by this chapter.

(3) Dimensional requirements. Minimum lot area, width and yard dimensions and maximum lot coverage and building height shall be as follows:

(a) For business, medical, and professional offices: as specified for a single-family dwelling in the district in which the proposed office use is located.

1. In addition, the gross square footage permitted for a medical office use shall not exceed 2,000 square feet.

(b) For two-family dwellings: as specified for a two-family dwelling in the RG District.

(4) Parking. A parking plan showing parking areas, landscaping and adjacent uses shall be submitted as part of the application for a special permit. Off-street parking shall be provided as required by this chapter except that parking for a medical office shall not exceed ten (10) total spaces. Parking areas shall not be located in front yards, unless the permit-granting authority finds that the parking requirement cannot be satisfied by locating the required parking spaces in side and rear yards. In such cases, no more than 50% of the required parking spaces may be located in front yards.

(5) Screening. Parking areas shall be screened along all lot lines adjacent to other lots in residential districts by fencing and planted materials in a manner such that the visual impacts of such areas upon adjacent properties are minimized.

(6) Residential appearance. In cases where alterations are to be made to the building facade, facade renderings showing the proposed alterations are to be submitted as a part of the application for a special permit. Existing and proposed buildings shall maintain a residential appearance to the extent feasible in the judgment of the permit-granting authority. In making this judgment, the permit-granting authority shall consider the following:

(a) Front, side or rear building elevation visible from a street, including the size and arrangement of doors, windows, porticos, garages, chimneys or other openings or breaks.

(b) Other significant design features, such as but not limited to materials, color, roof shape, exposed mechanical equipment, service and storage enclosures, signs, landscaping, retaining walls, dividing walls, fences and lighting posts.

Section 19: Amendments to Article XI of Chapter 307 of the Town Code

- a) The title, Article XI: Additional Special Permit Standards and Conditions for Specific Uses, shall be renamed as follows:

ARTICLE XI: SUPPLEMENTAL REGULATIONS

- b) **Addition of Section 307-44.1. Applicability.**

The following shall be added to the Town Code:

Section 307-44.1. Applicability.

The uses listed below shall be subject to such additions, exceptions, and/or modifications as provided herein by the following supplemental regulations. These supplemental regulations shall apply in all cases, whether the use is permitted as-of-right or requires a special permit.

- c) **Deletions**

The following provisions shall be eliminated from the Code:

- i. **Section 307-61: Junkyard: Remove Section 307-61(A)(9)**

Text to be removed: *Permit duration and renewal. Permits shall be issued conditionally for three-year periods upon a showing of compliance with the terms and conditions of this chapter and the special permit during the preceding permit period.*

- ii. **Section 307-65.2: Bed-and-breakfast establishments: Remove Section 307-65.2-(B)(10)**

Text to be removed: *Permit period and renewal. The special permit shall be granted for a period of three years and may be renewed for additional three-year periods. An application for renewal of the special permit shall be made to the Code Enforcement Department on a form provided by that department and with a fee in an amount set forth in a fee schedule adopted by the Town Board. The Code Enforcement Department shall reissue the permit if inspection of the premises finds it to be in compliance with all applicable codes, the requirements of this section and the provisions of the original approval. Should the Code Enforcement Department find that the premises are not in compliance with all applicable codes, they shall initiate appropriate enforcement procedures.*

- iii. **Section 307-65.3: Private nature preserves open to public: Remove Section 307-65.3-(B)(8)**

Text to be removed: *Permits hereunder shall be issued for terms of five years and may be renewed by the Planning Board. Anytime prior to the expiration of any permit issued hereunder upon receipt of a request for renewal by the property owner and/or revision of such permit, and upon publication and notice as provided in § 307-41B and C of this chapter, the Planning Board will schedule a public hearing to be held to consider the renewal of any permits hereunder for an additional five-year period or the revision of any*

such permit. Upon a finding that the permit holder has substantially complied with the prior permit, the Planning Board may extend the permit for an additional five-year period. The same renewal process shall occur for any permit or renewal granted hereunder.

iv. **Section 307-65.4: Conversion of existing structure to licensed nursery/day care center: Remove Section 307-65.4(C)(9)**

Text to be removed: Permits hereunder shall be issued for terms of five years and may be renewed by the Planning Board. Anytime prior to the expiration of any permit issued hereunder, upon receipt of a request for renewal by the property owner and/or revision of such permit, and upon publication and notice as provided in § 307-41B and C of this chapter, the Planning Board will schedule a public hearing to be held to consider the renewal of any permits hereunder for an additional five-year period or the revision of any such permit. Upon a finding that the permit holder has substantially complied with the prior permit, the Planning Board may extend the permit for an additional five-year period. The same renewal process shall occur for any permit or renewal granted hereunder.

v. **Section 307-65.5: Contractor's Yard: Remove Section 307-65.5(N)**

Text to be removed: Permit duration and renewal. Permits shall be issued conditionally for a three-year period upon a showing of compliance with the terms and conditions of this chapter and the special permit during the preceding permit period.

vi. **Section 307-65.6: Specialty Trade Contractors: Remove Section 307-65.6(J)**

Text to be removed: Permit duration and renewal. Permits shall be issued conditionally for a three-year period upon a showing of compliance with the terms and conditions of this chapter and the special permit during the preceding permit period.

Section 20: Amendments to Section 307-81: Dimensionally nonconforming structures containing conforming use

The language of Section 307-81 of the Town Code shall be updated to make clear that this section only applies to the principal residential use. The language shall be updated to read as follows:

A dimensionally nonconforming structure containing a conforming use may be enlarged, extended, reconstructed or restored as of right subject to the property owner obtaining all necessary permits, provided that such action would not increase the degree of any existing dimensional nonconformity nor create any new nonconformity with respect to the requirements set forth in this chapter. This provision only applies to principal residential uses.

Section 21: Amendments to Section 307-96.1: Annsville Waterfront Enhancement District

A. **Section 307-96.1-(E)(17): “Exterior Lighting”** shall be deleted.

B. The text of **Section 307-96.1-E(19) “Waterfront promenade”** contains the word “corroboratively”, which should be changed to “**collaboratively**”.

Section 22: Severability

If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

Section 23: Effective Date

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

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN, TOWN CLERK**

**Adopted July 21, 2026
At a Regular Meeting
Held at Town Hall**

Table of Dimensional Regulations, Residential Districts ⁽¹⁾**§ 307-17, Zoning Town of Cortlandt**

**[Amended 2-14-1995; 8-12-2003; 4-11-2006; 5-15-2007 by L.L. No. 9-2007; 4-16-2024 by L.L. No. 4-2024;
7-15-2025 by L.L. No. 4-2025]**

Zoning District	Lot/Use Specifics	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Maximum Height (feet) ^(8, 9)	Minimum Yard			Maximum Lot Coverage (percentage of Lot Area)
					Front (feet)	Side (feet)	Rear (feet)	
CROS		653,400 (15 acres)	500	35	50	50	30	5%
R-80		80,000	200	35	50	40	30	15%
R-40		40,000	150	35	50	30	30	20%
R-40A	Standard lot	40,000	150	35	50	30	30	20%
	Existing lot for 2-family dwelling	20,000	100			15		30%
R-20		20,000	100	35	35	15	30	30%
R-15		15,000	80	35	30	10	25	40%
R-10		10,000	75	35	25	6	20	45%
R-G	Single-family dwelling	7,500	60	40	25	6	20	50%
	2-family dwelling	10,000	70					45%
All residential districts See Notes (2) and (3)	Accessory building containing ADU			Not to exceed height of principal building on same lot	Not permitted in front yard	See Note (7)	See Note (7)	
	Shed, detached garage, or other accessory building not containing an ADU			See Note (4)		6	6	
	All other accessory structures (pool, deck, coop, sport court, patio, playground equipment, etc)			See Note (4)		See Note (5)	See Note (6)	

NOTES:

(1) See supplementary dimensional regulations in §307-18.

(2) Except as noted, accessory structures with less than 25 square feet of floor area are exempt from these requirements. This exemption does not apply to compressors, condensers, generators, above- or below-ground storage tanks, or battery energy storage systems (BESS).

(3) The total footprint of all accessory structures shall not exceed the footprint of the principal building, and no single accessory structure shall have a footprint that exceeds 70% of the footprint of the principal building.

(4) Maximum height of seventeen (17) feet to the highest point of the structure. See §307-18.F(2) for exemptions to height calculation.

(5) Minimum side yard setbacks apply.

(6) Minimum rear yard setbacks apply except as follows:

- In the R-G and R-10 districts, the rear yard setback for an accessory structures is 6 feet.
- In the R-15 and R-20 districts, the rear yard setback for an accessory structures is 10 feet.

(7) Minimum yard setbacks apply to ADUs except where an existing accessory building encroaches into the minimum side and/or rear yard setbacks by no more than 10%, such encroachment can be waived by the Planning Board as a de minimis encroachment during the special permit review process to permit a detached ADU, and the applicant would not need to obtain a variance from the ZBA for the encroachment. To be eligible for this exception, the existing accessory building shall have a certificate of occupancy/compliance issuance date at least five (5) years prior to when application is made for the detached ADU.

(8) Except in the R-G district, the maximum height of each story shall not exceed twelve (12) feet.

(9) See §307-18(F) for additional regulations regarding building height.

SIGNS
245 Attachment 2

DRAFT

Table 2
Signs Permitted in HC and CD Districts for Sites with Multiple Tenants Town of Cortlandt
[Amended 8-13-1996; 6-12-2018 by L.L. No. 6-2018]

	Site With Less Than 100,000 Square Feet	Site With at Least ¹ 100,000 Square Feet but Not More Than 499,999 Square Feet	Site With 500,000 ^{1,2} Square Feet or Greater or Sites Located on Cortlandt Boulevard Greater Than 120,000 Square Feet*
Freestanding Plaza/Property Identification Signs			
Maximum number	1	2	3
Maximum height	16 feet	20 feet	24 feet
Minimum sign size	8 square feet		
Maximum sign size	24 square feet	2 signs, no 1 of which may exceed 50 square feet or; 1 sign which may not exceed 75 square feet	3 signs, no 1 of which may exceed 100 square feet or; 2 signs no 1 of which may exceed 120 square feet; or 1 sign which may not exceed 150 square feet
	If plaza identification sign includes space(s) for individual business sign(s), the plaza identification portion of the sign does not count against the maximum sign size of the freestanding sign, provided it is less than 15% of the total sign area reserved for the individual business signs.		
	*Address numbers are considered as part of the plaza identification sign		
Business wall signs ^{3,4}	1 square foot per 1 linear foot of building frontage up to a maximum of 80 square feet	1 square foot per 1 linear foot of building frontage up to a maximum of 80 square feet	Satellite store: (less than 25,000 sq. ft. of floor space) 1 square foot per 1 linear foot of building frontage up to a maximum of 80 square feet Major store: (25,000 to 100,000 sq. ft. of floor space) Maximum of 120 sq. ft. and a maximum letter height of 3 feet Anchor store: (more than 100,000 sq. ft. of floor space) Maximum of 160 sq. ft. and a maximum letter height of 4 feet

	Site With Less Than 100,000 Square Feet	Site With at Least^{1,2} 100,000 Square Feet but Not More Than 499,999 Square Feet	Site With 500,000^{1,2,3} Square Feet or Greater or Sites Located on Cortlandt Boulevard Greater Than 120,000 Square Feet*
Awning signs	6-inch cut letters on awning valance, tenants name can be repeated up to 3 times	6-inch cut letters on awning valance, tenants name can be repeated up to 3 times	6-inch cut letters on awning valance, tenants name can be repeated up to 3 times
Projecting signs		In a situation where a covered walkway or canopy exists, one (1) nonilluminated projecting sign for each business establishment hung from the ceiling of such covered walkway or canopy not to exceed four (4) square feet in area and to have at least eight (8) feet of clearance from the sidewalk to the bottom of the sign shall be permitted.	

NOTES:

¹ At convenient locations to sidewalk and parking areas, nonilluminated or indirectly illuminated freestanding directional signs of stores and facilities not to exceed 24 square feet in area or eight feet in height shall be permitted at a rate of one for each 100,000 square feet of retail floor space. A maximum of six business signs, no one of which may exceed four square feet, may be included in the total square footage of the directional sign.

² If a Master Sign Plan, as defined herein, is submitted, the Planning Board may increase the otherwise maximum permitted size of a freestanding identification sign, freestanding directional sign or business wall sign by as much as 20%, provided that there is an equal, offsetting reduction in the size of other signs within the same category. Such adjustments in size shall be allowed by the Planning Board only after consultation with the Architectural Review Council and a Planning Board finding that such adjustments in size will not substantially increase impacts on surrounding properties, will not be in conflict with the design criteria contained in this local law and will assist the shopping public in finding their desired destination.

³ If a building fronts on two or more rights-of-way, the sign area for each additional frontage shall be at 1/2 the rate or size otherwise allowed.

⁴ The approval authority may increase the wall sign area per Table B and may increase letter size by 100% per § 245-10, Appeals and variances.

Table B	
Wall Sign Area Adjustment Factor	
Distance of Sign from Building Setback to right-of-way	Additional sign area increase¹
0 to 100 feet	1.0
100 to 200 feet	1.2
200 to 300 feet	1.4
More than 300 feet	1.6

¹ By approving authority