



MEMORANDUM

TO: Mayor Pugh and Members of the Village Board of Trustees

FROM: Valerie Monastra, AICP

SUBJECT: Proposed Cannabis Regulations

DATE: July 17, 2026

CC: Bryan Healy, Village Manager

In February 2026, the Village Board reviewed the schedule of special permit uses and decided to designate the following uses as permitted uses (no special permit required).

In Limited Office district:

- Allow day-care centers

In Central Commercial & Riverside Commercial/Transition districts:

- Allow social clubs and other nonprofit organizations
- Allow day-care centers

In General Commercial district:

- Allow retail stores
- Allow social clubs and other nonprofit organizations
- Allow animal hospitals
- Allow day-care centers

In Light Industrial district:

- Allow occasional retail sales

The attached Local Law provides the above amendments.

In addition, I am providing a revised use table which includes the amendments listed above and adult-use cannabis dispensary as its own use. We propose that dispensaries require a Special Permit and, as currently proposed, be permitted in the same zoning districts where typical retail is permitted.

We are also proposing to modify the term animal hospital and change it to animal-related, general, which would provide for additional flexibility in the definition but also prohibit intensive types of animal uses such as kennels.

Once the Board decides how cannabis dispensaries will be regulated, we will modify Article IV, “District Use Regulations section of the Zoning chapter of the Village Code.

In the next few months, additional edits to the zoning will be forthcoming regarding home occupations, which may also require modifications to Article IV, “District Use Regulations.

To assist with this discussion, I will attend the July 22, 2026, work session to discuss the proposed regulations.

Proposed definitions:

ANIMAL-RELATED USES, GENERAL

General animal-related uses have no outdoor facilities and provide services or treatment only for domestic animals. Overnight boarding is provided only following medical treatments. Examples include sales of pet goods and supplies, pet grooming services, and veterinary clinics or animal hospitals.

ANIMAL-RELATED USES, INTENSIVE

Intensive animal-related uses provide outdoor facilities, overnight boarding (other than medical-related), or services or treatments for large or farm animals. Examples include animal shelters, kennels, stables, and veterinary clinics for large or farm animals.

VILLAGE OF CROTON-ON-HUDSON BOARD OF TRUSTEES

LOCAL LAW INTRODUCTORY NO. __ OF 2026

**A LOCAL LAW TO AMEND VARIOUS PROVISIONS OF CHAPTER 230 “ZONING” OF
THE CROTON-ON-HUDSON VILLAGE CODE TO PROVIDE CLARIFICATION AND
STREAMLINE REVIEW OF LAND USE APPLICATIONS FOR THE BENEFIT OF THE
PUBLIC**

A LOCAL LAW to amend the text of Chapter 230 “Zoning” to provide clarification and streamline review of land use applications to better serve the public.

BE IT ENACTED by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One. Legislative Intent and Purpose. To better serve the public’s interest, the Village Board of Trustees of the Village of Croton-on-Hudson proposes text amendments to the Village Code zoning provisions for the purpose of providing clarification by streamlining review of applications.

Section Two. Article IV, “District Use Regulations” Section 230-9.1 of the Code of the Village of Croton-on-Hudson, “One-Family Residence RA-60 District” is hereby amended as follows, with new matter underlined and deleted matter struck through and in [brackets]:

§ 230-9.1. One-Family Residence RA-60 District.

- A. In a One-Family Residence RA-60 District, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following, and all uses and buildings shall conform to the district bulk and parking regulations in Article VI and the following regulations, whichever are more restrictive:
- (1) The raising of field and garden crops, vineyard and orchard farming, the maintenance of nurseries and the seasonal sale of the products thereof, provided that no building is erected and signs conform with § 230-44P(1)(e).
 - (2) One-family detached dwellings not to exceed one such dwelling on each lot and subject to the district bulk and parking regulations in Article VI.
 - (3) Municipal buildings, structures and uses, subject to § 230-45.
 - (4) Places of worship, including parish houses, schools, philanthropic and eleemosynary institutions, hospitals and sanitariums for general medical care, nursing and convalescent homes and homes for the aged, libraries, arboretums, all subject to a special permit by the Planning Board and the following requirements. A special permit shall be required for the expansion, extension, reconstruction, rebuilding or relocation of any use or building described in this Subsection A, notwithstanding that it represents an expansion, extension, reconstruction, rebuilding or relocation of a use or building legally in

existence on January 1, 2001.

- (a) Any school permitted under this subsection shall be a nonprofit organization within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.
 - (b) Any school permitted under this subsection shall occupy a lot with an area of not less than three acres.
 - (c) Any philanthropic or eleemosynary institution, hospital, sanitarium, nursing or convalescent home or home for the aged permitted under this subsection shall occupy a lot which shall have an area of not less than five acres and shall be housed only in a building which existed on July 28, 1931, with a total floor area of 3,000 square feet or more.
 - (d) No building or part thereof shall be erected nearer than 100 feet to any street or property line.
 - (e) The sum of all areas covered by all principal and accessory buildings shall not exceed 15% of the area of the lot.
 - (f) Courts shall conform to the requirements of § 230-43B hereof.
- (5) Railroad and public utility rights-of-way and structures necessary to serve areas within the Village; subject, however, to a special permit by the Planning Board and to such conditions, including appropriate lot size, yard and other bulk regulations, as said Board may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed structure is to be constructed. No high-voltage transmission line or tower permitted under this subsection shall exceed 100 feet in height or be located less than 75 feet from any residential property line.
- (6) Annual membership clubs, on a lot having an area of not less than five acres, subject to a special permit by the Planning Board, and provided that any such club is incorporated pursuant to the provisions of the Not-For-Profit Corporation Law or the Benevolent Orders Laws of the State of New York, catering exclusively to members and their guests; and private playgrounds, swimming pools, tennis courts and recreation buildings not conducted as business enterprises, provided that:
- (a) The following shall be prohibited:
 - [1] Outdoor entertainment, live or mechanical.
 - [2] The use of outdoor public address systems for any purpose.
 - [3] Exterior lighting, other than the essential for the safety of the users of the premises.
 - (b) No building or outdoor recreational facility erected under the provisions of this subsection shall be erected nearer than 100 feet to any street or property line.
- (7) Subject to a special permit by the Planning Board, the operation, maintenance and preservation by a membership corporation or association not operated for profit of historic sites, buildings, restorations and landmarks, the maintenance and preservation

of historic remains and objects and the exhibition and display of such sites, buildings, restorations, landmarks, remains and other objects to the public, whether indoors or outdoors and whether or not an admission fee is charged, including uses and buildings incidental to or necessary for such operations and also including, as incidental to the foregoing uses, the retail sale of gifts, souvenirs and other appropriate goods and the sale of refreshments, meals and lodging and motel or hotel accommodations. Such special permit shall be issued upon a finding by the Planning Board that the proposed use is an actual and bona fide historic restoration.

- (8) Funeral homes, subject to a special permit by the Planning Board, in any building in existence on July 28, 1931, with a total floor area in excess of 3,000 square feet situated on a lot of not less than one acre, provided that:
 - (a) There shall be adequate off-street parking space, and in no event less than set forth in § 230-51A.
 - (b) There shall be no signs other than those permitted in § 230-44P(1)(e).
 - (c) Visiting hours shall be prohibited after 10:00 p.m.
 - (d) The principal building shall be located 40 feet or more from any lot or street line.
 - (e) There shall be no indoor or outdoor loudspeaker system, floodlights or other outdoor lighting except as approved by the Planning Board.
- (9) Tier 3 and Tier 4 solar energy systems, subject to the issuance of a special permit by the Planning Board, provided that the requirements set forth in § 230-48.1 are met.
- (10) Tier 2 battery energy storage systems, subject to the issuance of a special permit by the Planning Board, provided that the requirements set forth in § 230-48.2 are met.
- (11) Accessory uses, limited to the following:
 - (a) Customary home occupations (which term shall exclude day-care centers and bed-and-breakfast establishments), provided that:
 - [1] There shall be no signs other than those permitted in § 230-44P(1)(e).
 - [2] Such occupation is incidental to the residential use of the premises and is carried on by a resident thereon with no nonresident assistants; provided, however, that when the person conducting such home occupation has been legally declared blind or shall otherwise be physically handicapped to the point of being incapable of performing more than 20% of his usual regular work, he may, upon receiving a special permit from the Village Board of Trustees, engage the services of one assistant.
 - [3] Such occupation is carried on in an area not exceeding 30% of the total floor area of the main building.
 - (b) Professional office or studio of an architect, artist, dentist, engineer, lawyer, musician, teacher, physician, public accountant, chiropractor, city planner, insurance broker, optometrist, osteopath, real estate broker or ladies' hairdresser, but not including veterinarians, provided that:

- [1] Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant.
 - [2] Such office or studio shall occupy not more than one floor of the main building.
 - [3] Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.
- (c) Garden house, shed, tool house, playhouse, boathouse, greenhouse and must meet the requirements of § 230-40 (A) "Accessory Buildings".
- (d) Noncommercial swimming pool incidental to the residential use of the premises and not operated for gain, provided that swimming pools with an area of 150 square feet or more and a depth in excess of 24 inches shall be subject to the following requirements:
- [1] The edge of the pool shall be kept a distance of not less than 10 feet from all property lines and shall be located within the rear yard of a property.
 - [2] If located within 30 feet of any property line, such pool shall be screened from the view of abutting properties.
 - [3] An in-ground pool shall be completely surrounded by a fence or wall enclosure at least four feet in height. Aboveground pools with all walls at least four feet in height above the adjacent surface and with access capable of being effectively barred shall not require fencing. Each gate or opening through said pool enclosure shall be equipped and maintained with effective self-closing and self-latching devices.
 - [4] All lighting sources shall be screened so as to prevent glare when viewed from adjacent properties.
- (e) Private garage, provided that only one space may be leased to a person not resident on the premises.
- (f) Keeping not more than one boarder or roomer, subject to the requirements set forth in § 230-48.5.
- (g) Keeping domestic animals, except pigs, for individual domestic purposes or as pets, provided that not more than three dogs over six months old and not more than 25 fowl shall be permitted, and no animals, except dogs or cats, or fowl shall be penned or housed within 50 feet of any lot line.¹
- (h) Reserved.
- (i) Day care centers on a lot having a minimum area of 25,000 square feet, subject to the issuance of a special permit by the Planning Board and to the following conditions and limitations:
- [1] There shall be no more than one day-care center per lot.
 - [2] The limits of any outdoor play or recreation area shall not extend closer than 20 feet to any residential property line.

- [3] No recreational structure or equipment shall exceed 10 feet in height.
 - [4] The habitable floor area of the residence building used for day care shall not exceed 33.3% of the total habitable floor area of the building in which it is contained.
 - [5] The maximum number of children using the day-care center at any time shall not exceed 15.
 - [6] The hours of operation shall be limited to no earlier than 7:00 a.m. and to no later than 7:00 p.m.
 - [7] The operator of the day-care center shall be the owner and a full-time resident of the building, and there shall be no more than two nonresident employees.
 - [8] The day-care center shall comply with all applicable conditions and limitations of the New York State Office of Children and Family Services relating to the operation and licensing of day-care centers and shall have all required licenses and certificates.
 - [9] The single-family character of the residence structure shall not be altered to accommodate the proposed use or the requirements of any other agency, code or regulation, and the applicant for a special permit shall submit to the Board of Trustees floor plans and elevations establishing compliance with this Subsection A(10)(g).
 - [10] -Eight copies of an application for a special permit shall be submitted to the Planning Board, accompanied by a fee in an amount set from time to time by resolution of the Board of Trustees.² The special permit may be issued only after public hearing and upon determination that the proposed use is in compliance with the conditions set in this Subsection A(10)(g). The initial permit shall be valid for a period not to exceed two years, and a permit may be revoked at any time by the Planning Board upon noncompliance with the conditions set forth in this Subsection A(10)(g) or in the permit itself. The permit shall not be effective until the day-care center has been licensed by the New York State Office of Children and Family Services. A renewal permit may be issued without fee for a period not to exceed five years.
 - [11] Any new owner of the building in which a day-care center is operated must apply to the Planning Board for a special permit to continue a day-care center use.
- (j) Bed-and-breakfast establishments, subject to the issuance of a special permit by the Planning Board and to the following conditions and limitations:
- [1] An application for special permit shall be accompanied by a fee in an amount set from time to time by resolution of the Board of Trustees. The special permit may be issued only after public hearing and upon determination that the proposed use is in compliance with the conditions and limitations set forth in this Subsection A(10)(h). A permit shall be valid for a period not to exceed two years and may be revoked at any time by the Planning Board upon noncompliance with the conditions set forth in this Subsection A(10)(h) or the

permit itself. A renewal permit may be issued without fee for a period not to exceed two years.

- [2] The applicant for a special permit shall submit to the Planning Board eight hard copies and one electronic copy of the application and such plans of the structure and layout of the residence as the Planning Board deem necessary to assure that the bed-and-breakfast usage complies with this Subsection
- [3] The applicant shall obtain and submit to the Planning Board statements on the adequacy of the premises for purposes of safety, fire protection and structural soundness from the Village Fire Department and the Village Engineer. Such statements shall include recommendations, if any, for improvements or changes deemed advisable, which will be considered by the Planning Board in determining the merits of the application.
- [4] The applicant shall be the owner of the premises and a full-time resident of the premises.
- [5] Additions to the residence which increase the building perimeter and/or height or in any other way alter the external appearance of the residence shall not be permitted, and no special permit shall be granted for any residence for which a variance has been granted during the five-year period preceding the submission of the application for a special permit.
- [6] The bedrooms and bathroom of the dwelling used for paying-guest accommodations shall not exceed 33.3% of the existing habitable floor area of the dwelling, and no more than two rooms shall be used as bedrooms for paying guests.
- [7] No more than six guests per night shall be permitted in any bed-and-breakfast establishment, and the Planning Board may fix a lower maximum in the permit. No paying guest shall stay on any one visit for more than 15 days.
- [8] The residence in which a bed-and-breakfast establishment is operated shall have a minimum of three off-street parking spaces, and no permit shall be issued if a variance for off-street parking has been granted within five years of the date of the application for special permit.
- [9] The residence in which a bed-and-breakfast establishment is operated shall not contain an accessory apartment.
- [10] The only meals to be furnished shall be one daily morning meal per paying guest.
- [11] One sign designating a bed-and-breakfast establishment shall be permitted, subject to the following conditions:
 - [a] There shall be no signs other than those permitted in § 230-44P(1)(d).
- [12] Any new owner of the residence in which a bed-and-breakfast establishment is operated must apply to the Planning Board for a special permit to continue a bed-and-breakfast use.

[13] No two bed-and-breakfast establishments shall be permitted within 1,000 feet of each other.

[14] The impact of a bed-and-breakfast establishment on the surrounding neighbors shall be considered as a condition of the issuance of a special permit.

(k) Tier 1 and Tier 2 solar energy systems.

B. Prior to the issuance of a building permit or change of use or access permit, the site development plan for any use permitted in this district shall be subject to approval by the Planning Board in accordance with the provisions of Article XI hereof.

Section Three. Article IV, “District Use Regulations” Section 230-15(A), “Limited Office O-1 District”, of the Code of the Village of Croton-on-Hudson is hereby amended as follows, with new matter underlined and deleted matter struck through and in ~~[brackets]~~:

A. Limited Office O-1 District. In a Limited Office O-1 District, no building or premises shall be used and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:

(1) Any use permitted in an RB District and subject to all the regulations therefor.

(2) Business and professional offices and research, design and development laboratories located entirely within a building on the same lot therewith, including accessory uses thereto. At no time shall any premises be used in such manner as to cause the emanation therefrom of offensive or noxious odors, vapors, fumes, glare, dust, smoke, gas, vibration, noise or radiation or be used in such a manner as to cause injury, offense, annoyance or disturbance to any of the surrounding properties or to their owners and occupants. Manufacturing of any kind, sales of any kind and bulk storage of manufactured products are prohibited.

(3) Day-care centers on a lot having a minimum of 25,000 square feet, ~~[subject to the issuance of a special permit by the Planning Board and in compliance with the following conditions and limitations or as determined by the Planning Board during its special permit process:~~

(a) There shall be no more than one day-care facility per lot.

(b) No outdoor play area or recreation area shall be closer than 20 feet to any property zoned residential.

(c) No recreational structure or equipment shall exceed 10 feet in height.

(d) The operation shall be limited to commencing no earlier than 7:00 a.m. and ending no later than 7:00 p.m.

(e) ~~To qualify for a special permit under this section, t~~The applicant shall provide evidence of compliance with all governing regulatory agencies, including documentation indicating a current license authorizing day-care operations issued by the New York State Office of Children and Family Services.

~~(f) A change in ownership of a day care licensed under this section shall require~~

~~renewal of the special permit.~~

- (g) The Planning Board shall have the authority to waive any or all of the above conditions, if circumstances warrant, or to impose whatever additional conditions are deemed necessary to protect public health, safety, and welfare.

Section Four. Article IV, “District Use Regulations” Section 230-15(B) “Limited O-2 District” of the Code of the Village of Croton-on-Hudson is hereby amended to add the following as a permitted use:

- B. Limited Office O-2 District. In a Limited Office O-2 District, no building or premises shall be used and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:
 - (1) Permitted uses.
 - (a) Business and professional offices, showrooms and research, design and development laboratories, including incidental clinics, cafeterias and recreational facilities for the exclusive use of company employees.
 - (b) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products, provided that not more than 40% of the total floor area shall be so used. At no time shall any premises be used in such a manner as to cause the emanation therefrom of offensive or noxious odors, vapors, fumes, glare, dust, smoke, gas, vibration, noise or radiation or be used in such a manner as to cause injury, offense, annoyance or disturbance to any of the surrounding properties and to their owners and occupants. Sales of any kind to the general public are prohibited.⁴
 - (c) Tier 1 and Tier 2 solar energy systems as an accessory use. **[Added 8-12-2019 by L.L. No. 8-2019]**
 - (d) Tier 1 battery energy storage systems as an accessory use.
 - (e) Day care centers subject to § 230-15 (A)(3)
- C. (Reserved)
- D. Landscaping. The entire lot, except for areas covered by buildings or surfaced as parking or service areas, shall be suitably landscaped as approved by the Planning Board. All landscaping shall be properly maintained throughout the life of any use on any lot.
- E. Site illumination. Exterior floodlighting or other illumination shall be shielded from the view of all surrounding properties and streets.
- F. Approval of site development plan. Prior to the issuance of a building permit, all site development plans shall require the approval of the Planning Board in accordance with the provisions of Article XI hereof.

Section Five. Article IV, “District Use Regulations” Section 230-16, “Central Commercial C-1 District” of the Code of the Village of Croton-on-Hudson is hereby amended as follows, with new matter underlined and deleted matter struck through and in [brackets]:

- A. Permitted uses. In a Commercial C-1 District, no building or premises shall be used, and no building or part of building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:
- (1) Retail stores and banks, except that no vape or tobacco shop shall be permitted within 500 feet of the property line of the Pierre Van Cortlandt Middle School and Croton-Harmon High School and may not be located within 500 feet of any other vape or tobacco shop.
 - (2) Personal service establishments, such as, but not limited to, barbershops, beauty parlors and tailor shops.
 - (3) Business, professional or government offices.
 - (4) Service establishments furnishing services other than those of a personal nature.
 - (5) Theaters and restaurants.
 - (6) Outlets and pickup stations for laundries and cleaning establishments, excluding washing of wearing apparel on the premises. Cleaning of wearing apparel or household effects on the premises shall be permitted only if noncombustible solvent is used, except for the incidental removal of spots with combustible solvent.
 - (7) Newspaper printing, including incidental job printing, provided that no more than 10 employees are engaged in such production or processing.
 - (8) Schools and places of worship.
 - (9) Signs, accessory to an establishment located on the same lot, provided that such signs shall be limited as set forth in § 230-44.
 - (10) Tier 1 and Tier 2 solar energy systems as an accessory use.
 - (11) Tier 1 battery energy storage systems as an accessory use.
 - (12) Social clubs or other organizations not conducted for profit which cater to their members and their guests or which are organized to promote general civic matters.
 - (13) Day-care centers, subject to the following conditions and limitations:
 - (a) There shall be no more than one day-care center per lot.
 - (b) The limits of any outdoor play area or recreation area shall not extend closer than 20 feet to any residential property line.
 - (c) The day-care center shall comply with all applicable conditions and limitations of the New York State Office of Children and Family Services relating to the operation and licensing of day-care centers and shall have all required licenses and certificates.
- B. Special permit uses. Subject to the issuance of a special permit by the Planning Board, the

following uses:

- (1) Light manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products where goods so produced or processed are to be sold at retail on and off the premises, provided that:
 - (a) An area fully covered from any street and equal to not more than 50% of the total floor area shall be used.
 - (b) Not more than 10 employees are engaged in such production or processing.
 - (2) ~~[Social clubs or other organizations not conducted for profit which cater to their members and their guests or which are organized to promote general civic matters.]~~
 - (3) Public utility structures.
 - (4) ~~[Day-care centers, subject to the following conditions and limitations:
 - (a) ~~There shall be no more than one day-care center per lot.~~
 - (b) ~~The limits of any outdoor play area or recreation area shall not extend closer than 20 feet to any residential property line.~~
 - (c) ~~The day-care center shall comply with all applicable conditions and limitations of the New York State Office of Children and Family Services relating to the operation and licensing of day-care centers and shall have all required licenses and certificates.]~~~~
 - (5) Mixed occupancy in accordance with the provisions of § 230-42.1 herein.
- C. Prohibited Uses. Solid and liquid waste transfer and storage stations and landfills (including construction and demolition materials) are prohibited. For the purposes of this section, solid and liquid wastes are defined as follows: all putrescible and non putrescible materials or substances that are discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, including but not limited to liquids, garbage refuse, industrial, commercial and household waste, sludges from air or water treatment facilities, rubbish, tires, ashes, contained gaseous material, incinerator ash and residue and construction and demolition debris. In addition:
- (1) A material is "discarded" if it is abandoned by being:
 - (a) Disposed of;
 - (b) Burned or incinerated, including being burned as a fuel for the purpose of recovering usable energy; or
 - (c) Accumulated, stored, or physically or chemically, or biologically treated (other than burned or incinerated) instead of being disposed of.
 - (2) A material is "disposed of" if it is discharged, deposited, injected, dumped, spilled, leaked or placed into or on any land or water.
- D. All permitted uses and all storage accessory thereto, other than off-street parking and gasoline pumps and public utility structures, shall be carried on in buildings fully enclosed on all sides,

provided that, upon issuance of a special permit by the Board of Trustees, sidewalk displays of merchandise or sidewalk dining shall be permitted outside a retail store, commercial establishment or restaurant.

- E. Approval of site development plans. Prior to the issuance of a building permit or change of use or access permit, all site development plans shall be subject to approval of the Planning Board in accordance with the provisions of Article XI hereof.

Section Six. Article IV, "District Use Regulations" Section 230-17 "General Commercial C-2 District", of the Code of the Village of Croton-on-Hudson is hereby amended as follows, with new matter underlined and deleted matter struck through and in [brackets]:

- A. Permitted uses. No building or premises shall be used and no building or part of building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:
- (1) Any use permitted in a Commercial C-1 District, as set forth in § 230-16A, and subject to the regulations therefor. ~~[, but for properties not within the Harmon/South Riverside area of the Gateway Overlay District, no retail stores shall be permitted except by special permit of the Planning Board. Such retail stores in all former C-1 Districts prior to the date of the adoption of this section shall be deemed to have special permits; however, any retail store with a current special permit requiring periodic renewal shall continue to require renewal in accordance with its terms.]~~ **[Amended 6-4-2012 by L.L. No. 1-2012]**
 - (2) Animal related uses, general.
- B. Special permit uses. Subject to issuance of a special permit by the Planning Board, the following uses:
- (1) Motor vehicle service stations, subject to the following regulations:
 - (a) The minimum lot size for such service stations shall be 20,000 square feet, and the minimum street frontage shall be 150 feet.
 - (b) Entrance and exit driveways shall have an unrestricted width of not less than 16 feet, shall be located not nearer than 10 feet to any property line and shall be so laid out as to avoid the necessity of any vehicle entering the property to back out across any public right-of-way or portion thereof.
 - (c) Vehicle lifts or pits shall be located within a building fully enclosed on all sides.
 - (d) All service or repair of motor vehicles, other than minor servicing or repairing, shall be conducted in a building fully enclosed on all sides. Minor services shall not include change or replacement of petroleum-based products.
 - (e) The storage of gasoline or flammable oils in bulk shall be located fully underground in conformance with applicable government standards, and not nearer than 35 feet to any property line other than the street line.
 - (f) No gasoline pumps shall be located nearer than 15 feet to any street line.
 - (g) No building permit for a motor vehicle service station shall be issued within a

distance of 200 feet of any school, church, hospital or place of public assembly designed for the simultaneous use and occupancy by more than 100 persons, said distance to be measured in a straight line between the nearest points of each of the lots or premises, regardless of the district where either premises is located.

- (h) No building permit for a motor vehicle service station shall be issued within a distance of 2,000 feet from any other motor vehicle service station in operation prior to the submission of such application, said distance to be measured in a straight line between the nearest points of each of the lots or premises, regardless of the district where either premises is located.
- (i) The following activities shall not be permitted in a motor vehicle service station: painting and body work.
- (j) Vehicles which are dismantled, disabled or wrecked and which are awaiting repair must be stored in buildings fully enclosed on all sides, except that the outdoor storage may be permitted upon application to and approval by the Village Engineer. Application shall consist of a plot plan, drawn to scale, which shall specifically designate any areas to be used for parking or storage of dismantled, disabled or wrecked vehicles or trash. Application for plot plan approval must be made within four months from the effective date of this chapter. The Village Engineer may approve such outside storage upon the installation of such additional screening or other protective measures as he may deem necessary to assure that the vehicles so stored are not visible from any location outside the subject premises. Vehicles regulated by this Subsection B(1)(j) and which are not awaiting repair may not be stored on the premises.
- (k) Areas used for outdoor storage of vehicles referred to in Subsection B(1)(j) above and areas used for storage of parts or trash must be adequately screened as prescribed under § 230-52 hereof.
- (l) Subject to the issuance of a special permit ~~[by the Board of Trustees]~~ and site plan approval by the Planning Board, the sale of used cars or rental of vehicles shall be allowed if the service station is in compliance with the conditions set forth in Subsection B(1)(b) through (i) above and the additional conditions set forth below. The initial permit shall be for a period of two years, with subsequent renewals, subject to compliance with the approved site plan, for five-year periods.
 - [1] The maximum number of vehicles or trailers on a site shall be one per 300 square feet of usable space, with adequate access aisles provided, except for vehicles which can be removed from the site without requiring that another vehicle be removed.
 - [2] The site plan shall specifically designate any areas to be used for parking or storage of vehicles or trailers, disabled vehicles awaiting repairs and trash.
- (2) ~~[Social clubs or other organizations not conducted for profit which cater to their members and their guests or which are organized to promote general civic matters; bowling alleys, billiard halls, miniature golf courses and similar amusement establishments, provided that their size and scale are appropriate to the proposed site as determined, if necessary, by a parking and traffic study.]~~

- (3) Storage or repair garages.
- (4) [~~Animal hospitals.~~]
- (5) Hotels or inns, provided that there shall not be more than 20 rental rooms or units per acre and the building or part of the building containing rooming units have no individual cooking units except coffee makers, be for transient occupancy not exceeding 14 days and have a manned entrance or entrances through a common lobby.
- (6) Public utility structures.
- (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(7)(a) through (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: **[Amended 9-12-2023 by L.L. No. 17-2023]**
 - (a) The minimum lot size for such sales and service stations shall be 40,000 square feet, and the minimum street frontage shall be 150 feet, and the minimum lot depth shall be 200 feet. Where the district extends for more than 1,000 feet along a state highway, the lot must have a minimum of 200 feet of frontage. No automobile sales and service agency may be within 500 feet of another sales and service agency.
 - (b) Entrance and exit driveways shall have an unrestricted width of not less than 30 feet and shall be located not nearer than 10 feet to any property line nor closer than 75 feet to any intersecting street line.
 - (c) No building housing an automobile sales agency shall be closer than 30 feet to a residential district line at the rear or side yard. Sales and service shall be conducted in a building completely detached from any other.
 - (d) One gasoline pump may be permitted incidental to the use of the premises, but commercial sales of gasoline to the general public are prohibited. No pumps can be located in a front yard. Side or rear yard locations may be approved at the discretion of the Planning Board.
 - (e) All services or repair of motor vehicles, and storage of dismantled, disabled or wrecked motor vehicles, shall be conducted in a building fully enclosed on all sides. No outdoor storage of partially dismantled or wrecked motor vehicles is permitted.
 - (f) No loading, unloading or transfer operations shall be permitted on any public street or at the curb between 7:00 a.m. and 9:00 a.m. and 5:00 p.m. and 7:00 p.m.
 - (g) No building permit for an automobile sales and service agency shall be issued within a distance of 500 feet of an existing motor vehicle sales and service agency unless the following conditions can be met:
 - [1] The proposed building shall contain a minimum of 15,000 square feet on one level.
 - [2] The minimum street frontage shall be 200 feet.

- [3] The proposed building shall be set back no less than 30 feet from the property line.
- [4] No vehicle shall be parked at any time within 15 feet of any front, side or rear property line.
- (h) No unregistered automobiles may be parked on the street at any time.
- (i) No parking of vehicles in the buffer between the building and side and rear lot lines adjoining residential districts.
- (j) The parking of all automobiles offered for sale shall be prohibited within public rights-of-way.
- (k) The storage of gasoline or flammable oils in bulk shall be located in conformance with applicable government standards and, in any event, not nearer than 10 feet to any street line or 35 feet to any lot line other than the street line.
- (l) No gasoline pumps shall be located nearer than 25 feet to any street line.
- (m) The site plan for such automobile sales and service agencies must show the following features:
 - [1] Parking of automobiles laid out on the site to provide for automobile circulation so that vehicles are not required to wait on the street or block the right-of-way before gaining entrance.
 - [2] Delineated display areas.
 - [3] Provision for employee parking must be noted; one parking space per 1.5 employees.
 - [4] Fencing and/or landscaping must comply with landscape standards in § 230-52.
 - [5] Access drives from abutting streets shall be so located as to avoid unsafe conditions and traffic congestions. Access to automobile dealerships is prohibited from a residential street.
 - [6] Outdoor lighting shall be that generally necessary for security purposes. Lighting for illuminating an outdoor sales area shall be restricted to the front 1/3 of the lot depth. Said lighting shall be reduced to security lighting at the close of business. All outdoor area lighting shall be so directed that no illumination glare extends beyond the lot lines.
- (8) Mixed occupancy in accordance with the provisions of § 230-42.1 herein and subject to the issuance of a special permit by the Planning Board.
- (9) ~~[Day care centers, subject to the following conditions and limitations:]~~ **Added 5-20-2019 by L.L. No. 6-2019**
 - ~~(a) There shall be no more than one day care center per lot.~~
 - ~~(b) The limits of any outdoor play area or recreation area shall not extend closer than 20 feet to any residential property line.~~

- (c) ~~The day-care center shall comply with all applicable conditions and limitations of the New York State Office of Children and Family Services relating to the operation and licensing of day-care centers and shall have all required licenses and certificates. [Amended 9-12-2023 by L.L. No. 17-2023]~~
- (10) Tier 3 and Tier 4 solar energy systems, provided that the requirements set forth in § 230-48.1 are met.
- (11) Tier 2 battery energy storage systems, provided that the requirements set forth in § 230-48.2 are met.
- C. All permitted uses and all storage accessory thereto, other than off-street parking and gasoline pumps, miniature golf courses and similar amusement establishments and public utilities and structures, shall be carried on in buildings fully enclosed on all sides.
- D. Approval of site development plans. Prior to the issuance of a building permit or change of use or access permit, all site development plans shall be subject to approval by the Planning Board in accordance with the provisions of Article XI hereof.
- E. All dumpsters and refuse storage areas shall be fully screened from the street and adjacent properties.
- F. Prohibited uses. Solid and liquid waste transfer and storage stations and landfills (including construction and demolition materials) are prohibited. For the purposes of this section, solid and liquid wastes are defined as follows: all putrescible and nonputrescible materials or substances that are discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, including but not limited to liquids, garbage refuse, industrial, commercial and household waste, sludges from air or water treatment facilities, rubbish, tires, ashes, contained gaseous material, incinerator ash and residue and construction and demolition debris. In addition:
 - (1) A material is "discarded" if it is abandoned by being:
 - (a) Disposed of;
 - (b) Burned or incinerated, including being burned as a fuel for the purpose of recovering usable energy; or
 - (c) Accumulated, stored, or physically or chemically, or biologically treated (other than burned or incinerated) instead of being disposed of.
 - (2) A material is "disposed of" if it is discharged, deposited, injected, dumped, spilled, leaked or placed into or on any land or water.

Section Seven. Article IV, "District Use Regulations" Section 230-18 "Light Industrial LI District" of the Code of the Village of Croton-on-Hudson is hereby amended as follows, with new matter underlined and deleted matter struck through and in [brackets]:

- A. Purpose. The Light Industrial LI District is designed to accommodate such light manufacturing and related uses as are consistent with the needs and welfare of the community. Uses in this district shall be grouped according to compatibility and performance in order not to create a nuisance to the community or the adjacent users. **[Amended 6-**

18-2001 by L.L. No. 8-2001]

- B. Permitted uses. No building or premises shall be used and no building or part of a building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any use, except the following: **[Amended 6-18-2001 by L.L. No. 8-2001]**
- (1) Business and professional offices, including related showrooms.
 - (2) Railroad lines and stations.
 - (3) Motor vehicle parking structures and parking lots, conforming to § 230-51F hereof.
 - (4) Occasional retail sales incidental to the conduct of any of the uses permitted under this subsection and subject to such frequency and other conditions as may be imposed by the Planning Board.
- C. Special permit uses. Subject to the issuance of a special permit therefor by the Planning Board, and excluding those uses prohibited under Subsection E of this section, the following uses: **[Amended 6-18-2001 by L.L. No. 8-2001]**
- (1) Light manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products.
 - (2) Research and design and development laboratories, excluding laboratories that use or process biological, radioactive and hazardous materials, heavy metals or asbestos.
 - (3) Storage and dispensing of motor fuel and lubricants, but only as part of motor vehicle parking lots and of structures for the parking of motor vehicles.
 - (4) Hotels, inns and restaurants.
 - (5) ~~[Occasional retail sales incidental to the conduct of any of the uses permitted under this subsection and subject to such frequency and other conditions as may be imposed by the Village Board of Trustees.]~~
 - (6) Utilities, including but not limited to structures for the provision of electricity, gas and water; radio and television transmission stations; telephone, telegraph and cablegram facilities.
 - (7) Warehousing and wholesaling; freight distribution centers and terminals; except that any handling, storage or distribution of flammable, combustible, explosive or hazardous materials shall be prohibited.
 - (8) Tier 3 and Tier 4 solar energy systems, provided that the requirements set forth in § 230-48.1 are met. **[Added 8-12-2019 by L.L. No. 8-2019]**
 - (9) Tier 2 battery energy storage systems, provided that the requirements set forth in § 230-48.2 are met.
 - (10) Transit-oriented development consisting of mixed-use or multifamily residential buildings, only on lots located fronting on Croton Point Avenue on the west side of Route 9 and within 1,500 feet of the Metro-North Croton-Harmon Train Station. **[Added 11-1-2022 by L.L. No. 14-2022]**

(11) Adult entertainment use, provided that the requirements set forth in § 230-48.4 are met.
[Added 3-27-2024 by L.L. No. 7-2024]

- D. The above uses shall comply with the area and bulk standards listed in § 230-37, including the minimum lot size of three acres, except that the Planning Board may, by the issuance of a special permit, allow a lot area of less than three acres but not less than one acre, and except that for a transit-oriented development of mixed-use or multifamily residential the minimum lot area shall be 10,000 square feet. **[Amended 6-18-2001 by L.L. No. 8-2001; 11-1-2022 by L.L. No. 14-2022]**
- E. Prohibited uses. Solid and liquid waste transfer and storage stations and landfills (including construction and demolition materials) are prohibited. For the purposes of this section, solid and liquid wastes are defined as follows: all putrescible and nonputrescible materials or substances that are discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection, including but not limited to liquids, garbage refuse, industrial, commercial and household waste, sludges from air or water treatment facilities, rubbish, tires, ashes, contained gaseous material, incinerator ash and residue and construction and demolition debris. In addition:
- (1) A material is "discarded" if it is abandoned by being:
 - (a) Disposed of;
 - (b) Burned or incinerated, including being burned as a fuel for the purpose of recovering usable energy; or
 - (c) Accumulated, stored, or physically or chemically, or biologically treated (other than burned or incinerated) instead of being disposed of.
 - (2) A material is "disposed of" if it is discharged, deposited, injected, dumped, spilled, leaked or placed into or on any land or water.
- F. All uses permitted under Subsection B above shall be subject to the performance standards set forth in § 230-47.
- G. General accessory uses. In connection with the uses permitted by Subsection B, there can be included in any building so authorized general accessory uses as follows:
- (1) Storage of goods or equipment accessory to permitted uses.
 - (2) Keeping, breeding and raising of rodents and other small fur-bearing animals for laboratory purposes.
 - (3) Utility facilities.
 - (4) Maintenance and service facilities.
 - (5) Clinics, cafeterias and lunchrooms and recreation facilities not open to public participation.
 - (6) Structures for the disposal of sewage and other wastes.
 - (7) Parking as regulated by this chapter.

- (8) All and any other similar accessory uses not inconsistent with the permitted uses.
 - (9) Tier 1 and Tier 2 solar energy systems. **[Added 8-12-2019 by L.L. No. 8-2019]**
 - (10) Tier 1 battery energy storage systems, provided that the requirements set forth in §230-48.2 are met.
- H. (Reserved)
- I. Required accessory off-street loading berths. Accessory off-street loading berths shall be constructed in such number, manner and location as may be required by the Planning Board.
- J. Additional use regulations.
- (1) All offices, laboratories, light-manufacturing uses, accessory storage and such other uses shall be within completely enclosed buildings.
 - (2) All areas not used for building or for accessory off-street parking shall be suitably landscaped and maintained in good condition, subject to the requirements of the Planning Board.
 - (3) Entrances and exits shall be located only on public streets improved to the satisfaction of the Planning Board and shall be so located as to draw a minimum of vehicular traffic to and through streets in residential zoning districts.
- K. Required minimum buffer areas.
- (1) Along any lot line adjacent to a residential zone, a permanent landscaped buffer of 50 feet shall be required.
 - (2) Along any other lot line, a permanent, landscaped buffer of 10 feet shall be required.
 - (3) Such buffer areas shall either be maintained in their natural state, if adequate ground cover is present, or landscaped in accordance with the requirements of the Planning Board. No parking shall be permitted within any required buffer area.
- L. Subject to the provisions of § 230-54, the minimum lot area requirement of § 230-37 shall not apply to any lot less than three acres in area whose boundary lines were established prior to the effective date of this chapter. Such plot shall not, however, be developed except in accordance with Note a of § 230-37.
- M. All site plans of sites on the Hudson River waterfront shall show a dry-land strip area of not less than 50 feet in width, calculated from the mean high-water line parallel to the waterfront, as park and recreation land.
- N. Approval of site plans. Prior to the issuance of a building permit or change of use or access permit, all site development plans shall be subject to approval by the Planning Board in accordance with the provisions of Article XI hereof.

Section Eight. Attachment D, entitled Special Permit Schedule, is hereby repealed.