

LOCAL LAW \_\_\_\_ OF 2020

A LOCAL LAW Amending Chapter 305 Zoning to add  
provisions for transit oriented development mixed  
use in the ID Zoning District

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

**Section 1.** Section 305-41.A. is amended to add new subsection (10) as follows:

(10) Multi-family residential facilities over first floor non-residential uses as transit oriented development, provided the following criteria are met.

(a) Applicability. Multi-family residential over first floor non-residential uses shall only be permitted on parcels that are:

[1] a minimum of one-acre lot area;

[2] located within 100 linear feet from direct access to a platform for the Metro-North Train Station;

(b) Uses and standards. Where not modified herein, the requirements of the ID District shall apply.

[1] a minimum of 50% of the total first floor square footage shall be dedicated to non-residential uses permitted in the ID District which shall be limited to those identified in 305-41.A(1), (8), and (9) above, with at least 5% of the floor area being those uses listed in 305-41.A(8) or (9);

[2] Any portion of the first floor facing towards the closest public road or walkways extending from the train station shall contain uses listed in 305-41.A(8) or (9) or an entry lobby are for the residential use, so that same shall appear open and inviting to the public.

[3] The applicant shall provide a pedestrian circulation plan showing connections to the existing walkways and any adjacent related uses and access to and from adjacent streets and the train station/platform.

[4] For any property directly abutting the railroad tracks, the rear yard setback may be reduced to 0.

[5] To allow for multi-family residential development, the maximum height may be increased to 50 feet and 4 stories.

[6] Parking requirements: given that the multi-family residential will be part of a transit-oriented development, as well as a mixed use development with opportunities for shared parking, parking requirements for the residential use shall be 1.05 spaces per residential

unit. The width of a parking space may be reduced to 8 ½ feet. Required parking can be provided on-site or on an adjacent property, provided that the applicant has a long term agreement for parking satisfactory to the Village Attorney. The parking requirement for non-residential uses may be provided through shared parking as may be approved by the Planning Board. For commercial storage uses two loading spaces shall be provided.

[7] The number of residential units shall not exceed 75 units per acre and shall include a mix of studio, one and two-bedroom units.

[8] The maximum floor area ratio for the residential use excluding entry lobby and amenity spaces shall not exceed 1.75.

[9] The applicant must show that all new sewer, water and traffic impacts generated from the proposed project can be mitigated so as to not negatively impact the existing network. Efforts shall be made to incorporate green infrastructure to reduce impacts.

[10] The applicant shall provide a pedestrian circulation plan showing safe pedestrian access within the property and connecting to the community.

[11] The project shall comply with all FEMA regulations and the regulations set forth in 6 NYCRR Part 490 so as to address issues of sea level rise and not worsen potential for flooding in the area.

[12] Buildings shall be designed such that no façade shall exceed 150' in length without architectural features acceptable to the Planning Board to break up the visual effect of the building and avoid a box like appearance, which may be accomplished through the use of variations in height and with offsets, projections, balconies, setbacks and other distinctive architectural elements.

[13] The project shall comply with sound environmental sustainability standards including for example, but not limited to the following:

- a. Use of solar panels for electric usage
- b. Use of geothermal sources to power heat pumps and airhandlers
- c. Utilize WaterSense plumbing fixtures, drip irrigation and water submeters to reduce water usage
- d. Utilize energy star appliances, low VOC products, high efficiency filters, UV treatment for air handling units
- e. Utilize materials that have environmental product declaration as well as health product declaration and sound construction waste management

f. The project will achieve an energy-efficient rating better than 15% of ASHRAE 90.1 standards

**Section 2.** The Schedule of Regulations referred to in Section 305-11.A and listed as Attachment 305b Zoning Schedule Column 2 is amended to add new item C(6) under Industrial District (ID) as follows:

(6) Multi-family residential over first floor non-residential uses as transit oriented development, subject to the criteria set forth in Section 305-41.A(10).

### **Section 3. 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 4. 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.