

VILLAGE OF TARRYTOWN
PUBLIC HEARING NOTICE

Zoning Amendment Text: § 305-40-1 Floating/Overlay Zone

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 18th day of November, 2019, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear and consider enacting an amendment to Chapter 305 entitled "Zoning" by adding § 305-40-1. A/D Floating/Overlay Zone.

A LOCAL LAW to amend the Code of the Village of Tarrytown, Chapter 305 entitled "Zoning", § 305-5 Definitions and Word Usage, § 305-40-1. A/D Floating/Overlay Zone.

SECTION 1. PURPOSE.

The proposed zoning text Amendment would permit Alzheimer's/Dementia Care Housing for existing properties in the OB, LB or MU which have frontage on or are wholly within 350 feet of Route 119. This proposed zoning text amendment is to support Artis Senior Living's plans to construct a 64-bed Alzheimer's /Dementia memory care facility located wholly on the 4.6-acre property located at 153 White Plains Road.

Proposed Zoning Amendment Text:

FLOATING/OVERLAY ZONE PROPOSAL

DEFINITIONS SECTION:

§ 305-5: Word Usage; Terms Defined

Alzheimer¹ s/Dementia Care Housing: A residential facility operated by an entity licensed by the State of New York to operate an assisted living residence which combines dwelling units, communal dining, routine protective oversight, personalized assistance and supportive services, and provides 24-hour care for people suffering from Alzheimer's disease or Alzheimer's-like disorders resulting in dementia, but who do not need the skilled medical care provided by a nursing home or convalescent care facility.

TEXT SECTION:

§ 305-40-1. A/D Floating/Overlay Zone.

§ 305-40-1A Introduction

By action of the Board of Trustees, a qualifying parcel of land may be rezoned to the A/D Floating/Overlay Zone, either upon application of the parcel's owner or upon the initiative of the Board of Trustees. Upon approval, this district shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the A/D

Floating/Overlay Zone shall also lie in one or more of the other zoning districts provided for by the Zoning Ordinance. The effect is to create a new district which has the characteristics and limitations of the underlying district, together with the characteristics and limitations of the overlay district. Its development under the A/D Floating/Overlay Zone is governed by the use, dimensional and other provisions of the following regulations.

§ 305-40-1B Qualifying Conditions

- (1) The lot must be currently zoned OB, LB or MU and have frontage on or be wholly or partially within 350 feet of State Route 119.
- (2) The lot upon which it is located shall have both been in existence and of the same size, as shown on a plat duly filed in the Office of the Westchester County Clerk, as of January 1, 2017.

§ 305-40-1C Permitted Accessory Uses.

- (1) Parking lots and garage spaces
- (2) Personal service establishments such as restaurants, barbershops, beauty parlors, newsstands, and the like if within the principal structure and only for the use of staff and residents of the principal structure.

§ 305-40-1C Additional Requirements

- (1) Maximum practicable efforts shall be made to include sustainability measures such as a storm water pollution prevention plan that includes implementation of Green Infrastructure Practices, energy efficient construction, and similar measures that will achieve significant increases in efficiency and sustainability. Green infrastructure practices maintain or restore stormwater's natural flow pattern by allowing the water to slowly permeate into the ground and be used by plants. These practices include rain gardens, vegetated swales, green roofs and porous pavements, along with bioretention areas, vegetated swales dry swales, and green roofs.
- (2) A facility for Alzheimer's/Dementia Care Housing shall have no more than 100 beds.
- (3) Notwithstanding any other provisions of Village Code, a facility for Alzheimer's/Dementia Care Housing is not residential within the meaning of § 305-130 "Affordable Housing."
- (4) The maximum coverage of all buildings shall be 13%, and the maximum coverage of all buildings, structures and paved areas shall be 45% of the total site area;
- (5) The minimum setback of all permitted buildings, structures and paved areas from the right-of-way of any public street shall be 35 feet, from any residential zoning district, shall be 175 feet, and from any non-residential zoning district shall be 0 feet;
- (6) Off-street parking shall be provided at the rate of 0.50 spaces per bed.

Section 5: 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.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN

Date: November 4, 2019

Richard Slingerland, Village Administrator
Tarrytown Village Hall
One Depot Plaza
Tarrytown, New York 10591
914-631-1785