

Proposed Changes to § 450

[CHANGES ARE IN BOLD OR INDICATED BY STRIKEOUT]

§ 450-2. Planning Board procedure.

G. Planning Board submissions.

(1) SEQRA regulations. The Planning Board shall follow and adhere to the generic regulations promulgated by the New York State Department of Environmental Conservation for the implementation of the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law, as such regulations are now in force (6 NYCRR Part 617) and as may be from time to time amended, and such regulations are hereby incorporated by reference. ~~Where a full environmental impact statement (EIS) has been prepared for some phase of a project by the Village Board of Trustees, by another agency of the State of New York or by a federal agency under the National Environmental Policy Act (NEPA, 42 U.S.C. § 4321), the Planning Board shall convene a scoping meeting to tie its environmental assessment reviews onto the prior assessments, so as to incorporate the prior assessment and set forth the supplemental or further analysis required, making use of and considering those prior assessments.~~

~~(2) SEQRA extended review of significance. Specifically elaborating on the general SEQRA regulations to apply them to the Village of Sleepy Hollow, and notwithstanding Subsection G(1), for the implementation of the requirements of SEQRA, the Planning Board may require the preparation of an extended environmental assessment for the consideration of applications based upon the long version of the environmental impact assessment form ("long form EAF"), in order to study in depth how a proposed project may avoid or mitigate adverse environmental effects, and may base the Planning Board's findings on such a record before making a determination of significance, including a finding of no significant impact (FONSI, or a "negative declaration") under SEQRA.~~

Article III. Establishment of Districts; Zoning Map

§ 450-5. List of districts.

A. For the purpose of promoting the public health, safety, morals and general welfare of the Village of Sleepy Hollow, the Village is hereby divided into the following types of districts:

- R-1 One-Family Residence, Open
- R-2 One-Family Residence, Low Density
- R-2A⁴ One-Family Residence, Low Density

- R-3 One-Family Residence, Medium Density
- R-4 One- and Two-Family Residence
- R-4A One- and Two-Family Residence/Neighborhood Commercial
- R-5 Multiple Residence, Medium Density
- R-6 Multiple Residence, High Density
- H Hospital
- C-1 Highway Commercial
- C-2 Central Commercial
- CEM Cemetery Area
- P Parks
- PP Public Parking Area
- RF Riverfront Development District

Overlay Districts

- SRF Southern Riverfront Development Overlay District

DR Downtown Residential Overlay District

Note:

~~¹ Shall be applicable to all parcels of real property within the bounds of the Sleepy Hollow Manor area of the Village of Sleepy Hollow.~~

Article VII. Supplementary Regulations

§ 450-36. General.

The regulations set forth in the Schedule of Regulations (§ 450-34B above) shall be deemed to be supplemented or modified by the regulations and provisions of this section, in the same manner as if they were set forth in full in said schedule.

- F. Downtown Residential Overlay District. For properties located within the Downtown Residential (DR) Overlay District, any non-residential use of the first floor level of a building shall require a special permit from the Planning Board. Also within such DR Overlay District, the Planning Board may modify any front yard setback to achieve continuity with existing surrounding buildings and protect the residential character of properties within the overlay district. All other provisions of the underlying Central Commercial (C-2) Zoning District shall remain in full force.**
- G. Downtown height bonus. Within the Central Commercial (C-2) Zoning District, the Planning Board may allow an additional building story (with floor-to-ceiling height not to exceed 12 feet) covering no more than one-half of the floor below, with the additional story set back from the building frontage to cover the rear portion of the building. The rooftop design of such a building shall be reviewed for safety and aesthetics to limit any storage or any hazardous materials. The additional story may be**

granted in exchange for meeting at least one of the following objectives to the satisfaction of the Planning Board:

- (1) The building conforms to the “Downtown Sleepy Hollow Façade Design Standards,” as may be amended, on file with the Village Building Department.
- (2) The building is part of a development application that also provides a public amenity such as a park, off-site public parking, streetscape improvements or similar activity.
- (3) The building is part of a development application that incorporates green infrastructure measures that utilize best management practices for stormwater management that infiltrate or otherwise re-use stormwater. Such techniques may include green roofs, rain gardens, bioretention areas, vegetated swales or infiltration planters.

Notwithstanding the above, the existing recreation fee as specified in § 200a (Fee Schedule) of the Village Code, as applicable, shall not be waived.

§ 450-41. Off-street parking and loading space.

B. Location.

- (4) Off-site parking in a commercial district. Where there are practical difficulties in the way of the location of parking space or if the public safety or the public convenience or both would be better served by the location of such parking space other than on the same lot with the use to which it is appurtenant, the **Planning Board** ~~Board of Appeals~~, on specific application, may authorize such alternative required parking space as will adequately serve the public interest, subject to stated conditions, as described in § 450-53.
- (5) Joint facilities for parking or loading. Off-street parking and loading facilities for separate uses may be provided jointly if the total number of spaces so provided is not less than 60% of the aggregate total of the separate requirements for each use and provided that all regulations governing the location of accessory spaces in relating to the uses served are adhered to. No accessory parking or loading spaces or portion thereof shall serve as a required space for more than one use unless approved by the **Planning Board** ~~Board of Appeals~~ in accordance with the purposes and procedures set forth herein, after ~~submission of a site plan to the Planning Board as provided in Article X~~ **as part of its site plan review.**

E. Required parking spaces. Except as provided for uses in the RF District in § 450-18L above, the number of off-street parking spaces required shall be as set forth in the following schedule:

Use	Minimum Required Spaces
Auditoriums, houses of worship and other places of assembly	1 for each 8 permanent seats or 1 for each 150 square feet of floor area
Bowling alleys	2 for each alley
Commercial recreation facilities	1 for each 200 square feet of floor area, or, where the facility contains a basketball, volleyball or other similar use, that portion shall be required to provide 5 per court. Where accessory uses exist, such as locker rooms and administrative offices, parking for that portion of such facility dedicated to such uses shall be calculated at 1 space per 400 square feet.
Community buildings, clubs, social halls, lodges and fraternal organizations, including boat, swim and country clubs	1 for each 200 square feet of area occupied by all principal uses or structures
Hospitals	2 for each patient bed
Hotels, motels, tourist homes and rooming houses	1 for each rentable unit
General commercial uses not otherwise specified	1 for each 1,000 square feet of floor area or 1 for each 2 employees on maximum shift, whichever is greater
Nursing and convalescent homes	1 for each 2 beds
Continuing-care retirement communities	See § 450-57F
Senior residence communities	See § 450-58N
Office uses in commercial or residential buildings	1 for each 300 square feet of floor area
Medical offices	1 for each 250 square feet of floor area
Residences, one- or two-family	1 for each dwelling unit
Residences, studio or multifamily	1 per dwelling unit, plus 1/ 32 for each bedroom or sleeping room
Restaurants, bars, diners and other eating places	1 for each 5 seats
Retail shops and stores, including group development	1 for each 200 square feet of floor area
Schools:	

Use	Minimum Required Spaces
Senior high	1 for each 10 students accommodated
Junior high	1 for each 15 students accommodated
Elementary	1 for each 20 students accommodated
Nursery	1 for each 10 students accommodated
Undertaking establishments	12 for each parlor or chapel
Wholesale establishments or warehouses	1 for each 1,500 square feet of floor area

F. Required loading spaces. The number of off-street loading spaces required shall be as set forth in the following schedule. In the case of any use not specifically mentioned herein, the Board of Appeals shall determine the number of loading spaces required.

Use	Square Feet of Total Floor Area or Other Unit of Measurement	Required Off-Street Loading Berths
Schools	For the first 15,000 square feet	1
	For each additional 20,000 square feet	1
Hospitals, in addition to space for ambulances	For each 50 beds	1
	For each additional 75 beds or major fraction thereof	1
Undertaking establishments	For the first 5,000 square feet	1
	For each additional 10,000 square feet or major fraction thereof	1
Offices, hotels, retail, commercial, wholesale, storage and miscellaneous uses	Under 5,000 square feet	None
	Under 5,000 to 20,000 square feet	1
	20,000 to 50,000 square feet	2
	More than 50,000 to 100,000 square feet	3
	For each additional 50,000 square feet or major fraction thereof	1

Article VIII. Supplementary Regulations Applicable to Specific Uses

§ 450-44. Special use permit approval.

- B. The Village of Sleepy Hollow Planning Board is hereby authorized to review and approve applications for special use permits for **the permitted uses as defined and regulated in Article VIII, § 450-49 and for the accessory uses as defined and regulated in Article VIII, § 450-56, of this chapter.** The procedures and standards for review of such special uses are provided in Article VIII, **§ 450-49 and § 450-56** herein.

~~§ 450-49. Residential uses in the Central Commercial (C-2) zoning district. Restaurants, delicatessens, food service establishments, taverns, bars and drinking establishments.~~

Within the portion of the Central Commercial (C-2) zoning district not within the Downtown Residential (DR) Overlay District, residential uses on the first story level shall require a special permit from the Planning Board. ~~No portion of the property used for a restaurant or food service establishment or delicatessen or tavern or bar shall lie within 200 feet in a straight line from any lot or parcel that is used for another restaurant or food service establishment or delicatessen or tavern or bar.~~

§ 450-51. Mixed-use (commercial and residential) developments.

Dwelling units may be permitted on the upper (non-first-story) levels of buildings in accordance with the following conditions:

- ~~C. The nonresidential use of a mixed use building shall be limited to the first story level.~~

§ 450-53. Off-site parking areas.

- A. Ownership of site. An off-site parking area, as described in § 450-41B(4), shall be located on land in the same ownership or leasehold as that of the **use for which the parking is to be assigned.** ~~land on which is located the use to which it is appurtenant.~~
- B. Location. An off-site parking area shall be so located that its pedestrian access shall be within 250 feet from the **property line of** ~~effective entrance to~~ the use which it serves.
- C. **In-lieu parking fee. Where, because of limitations of size, dimensions or topography of a lot, an applicant for a building permit in a C-2 district finds it impracticable to provide all or part of the parking spaces required in connection with a proposed building, addition or alteration requiring additional parking, he may pay to the Village a fee to cover the cost of the required surface parking spaces which the Planning Board finds cannot practicably be provided on the applicant's lot. The amount of the fee shall be**

designated by the Village Board of Trustees in its fee schedule (see § 200A). Fees are to be placed in a designated fund of the Village, to be used exclusively for public parking space purposes to benefit said commercial district, including the acquisition of land.

Article X. Site Plan Review

§ 450-66. Required submissions.

- B. A site plan shall be submitted for review and approval by the Planning Board in each of the following instances:
 - (2) Any change of use **that results in an increase in parking demand.** ~~from residential to nonresidential.~~

District	Permitted Principal Uses	Permitted Accessory Uses	Minimum Lot Size			Maximum Lot Coverage		Required Yards and Open Spaces					Maximum Height (feet)	Miscellaneous Notes
			Use	Area	Width (feet)	Use	Area (percent)	Use	Front (feet)*	Side		Rear (feet)		
										One (feet)	Both (feet)			
C-2, Central Commercial	As in R-5, plus Banks, offices, restaurants and similar community service activities Stores and shops for retail business and personal and business services Commercial recreation facility Printing and publishing plant Planned commercial development group Restaurant, delicatessen or other food service establishment* Tavern or bar* Car wash Mixed-use (commercial and residential) development*	As in C-1 Antennas, communications towers, antenna towers, monopoles, associated buildings, structures and equipment	Commercial uses, excluding car wash Car wash Residence and other R-5 uses Mixed use	No minimum 10,000 square feet As in R-5 No minimum	No minimum 100 As in R-5 No minimum	Commercial use Residence use Mixed use	60% As in C-1 60%, except in the Downtown Residential Overlay District, which shall be as As in R-4 60% No minimum FAR 1.4	Commercial use Residence use Mixed use	None As in R-4 None	None As in R-4 None	None As in R-4 None	20 As in R-4 Where a mixed use is abutting a residential district, the yard requirement shall be 25, the last 10 of which must be landscaped	45	Parking and loading as specified in § 450-41E Uses subject to performance standards as specified in § 450-43 Site plan review as specified in § 450-66 *See additional requirements as specified in §§ 450-49 and 450-51 as appropriate