

LOCAL LAW NO. 1-2018

A LOCAL LAW amending Chapter 270 "Zoning" of the Village Code of the Village of Ossining to clarify and refine definitions of certain types of uses in the Civic and Institutional Use Groups.

BE IT ENACTED by the Board of Trustees of the Village of Ossining, as follows:

Section 1. Chapter 270 of the Village Code "Zoning", Section 270-4("Definitions; use group classifications") is hereby amended as follows, with new matter underlined and deleted matter in [brackets]:

270-4 Definitions; use group classifications.

B(4). Civic and Institutional Use Group

(c)[1] Elementary or secondary. Public or private schools at the primary, elementary, junior high or high school level that provide state-mandated basic education[.] including schools with residential facilities accessory and incidental to an accredited school and serving no more than 25 students.

Section 2. Chapter 270 of the Village Code "Zoning", Section 270-10 ("Two-Family Residence District") is amended as follows with new matter underlined and deleted matter in [brackets]:

C. Conditional Uses.

(1) The following uses shall also be permitted as conditional uses; cemeteries, places of worship, senior living facilities, elementary or secondary educational uses and higher learning educational uses are permitted subject to the following:

(a) The minimum lot size shall be 3.0 acres[.] , except for schools with residential facilities accessory and incidental to an accredited school and serving no more than 25 students which may have a minimum lot size of not less than 1.0 acre undivided by an existing street.

(e) Educational uses must include appropriate buffers to screen the facility from surrounding residences.

(2) In addition to the applicable requirements found in 270-26 and 270-51, the following requirements apply:

(a) Parking uses shall meet the minimum lot area requirement[.] , except for schools with residential facilities accessory and incidental to an accredited school and serving no more than 25 students which facility must meet or exceed the parking requirements for a Senior Living Facility as detailed in the Code.

(3) The requirements set forth in 270-10(C)(1) and 270-10(C)(2) may be waived upon application to the Planning Board where existing buildings are being repurposed and/or reused upon a showing by the applicant of no significant impact on nearby properties. Except that the lot size requirements detailed in 270-10(C)(1) may not be waived.

D. Additional accessory uses. In addition to the permitted accessory uses specified in Appendix A and the requirements found in 270-26, the following are permitted accessory uses and requirements:

(4) Residential facilities accessory and incidental to an accredited school serving no more than 25 students.

Section 3. Chapter 270 of the Village Code “Zoning”, Appendix B, Bulk Requirements Table B-2: Bulk Requirements in Single-Family and Two-Family Residence Districts is hereby amended as follows, with new matter underlined:

Table B-2 Bulk Requirements in the Single and Two-Family Residential District will include a footnote after the Column header “T” stating the following:

The above Bulk Requirements may be waived in the T Two-Family District only by the Planning Board in the case of existing buildings being repurposed or reused for Educational Uses, primary and secondary or Educational Uses, higher learning or Places of Worship as listed under table Table A-3: Permitted, Conditional, and Special Permit - Principal Uses in Residential Districts upon a showing by the applicant of no significant impact on nearby properties. Minimum lot size for Conditional Uses is controlled by 270-10(C)(1)(a) and shall not be waived.

Section 4. Partial Invalidity. If any section of this local law shall be held unconstitutional, invalid or ineffective in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remainder of this local law.

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.