

LOCAL LAW NO. 5, 2012

“Proposed Amendment to Chapter 270, ‘Zoning’ Revising the Zoning Map with respect to Tax Parcels 89.10-1-2, 89.11-1-3, & 89.10-1-14, and Revising the Text of the Zoning Code to Clarify Allowable Density Determinations”

A Local Law revising Chapter 270 “Zoning” of the Code of the Village of Ossining to revise the Zoning Map to reflect the re-classification of Tax Parcels 89.10-1-2, 89.11-1-3, & 89.10-1-14 from O-R “Office Research” to CDD “Conservation Development District”, and revising the text of the Zoning Code to clarify allowable density determinations in connection with public parks or open space in the PRD “Planned Residence”, CDD “Conservation Development”, PW “Planned Waterfront”, and IR “Institutional/Redevelopment” Districts.

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

Section 1. Findings. The Village of Ossining Board of Trustees has performed or caused to be performed the necessary analysis in connection with its review of the proposed amendments to the Zoning Code and Zoning Map of the Village of Ossining, and hereby finds that such amendments are consistent with the Village’s Comprehensive Plan and Local Waterfront Revitalization Program and other applicable land use regulations, and that in so adopting the amendments, the Board of Trustees is providing for the planned orderly growth and development of the Village while protecting its natural and historic character.

Section 2. Chapter 270 of the Village Code, entitled “Zoning”, specifically the Zoning Map, which map is made a part of Chapter 270 by Section 270-6 of the Village Code, is hereby amended as follows:

Tax map parcel Section 89.10, Block 1, Lot 2 shall be rezoned from Office Research (O-R) to Conservation Development District (CDD).

Tax map parcel Section 89.11, Block 1, Lot 3 shall be rezoned from Office Research (O-R) to Conservation Development District (CDD).

Tax map parcel Section 89.10, Block 1, Lot 14 shall be rezoned from Office Research (O-R) to Conservation Development District (CDD).

Section 3. Chapter 270 of the Village Code, entitled “Zoning”, Section 270-12. “PRD Planned Residence District”, Subsection 270-12(I) “Density Bonus Incentives” is hereby revised by the addition of the following paragraph 270-12(I)(5) as follows (with new matter underlined):

§ 270-12(I). Density bonus incentives.

- (5) The provision of public park or open space pursuant to § 270-12(I)(1)(b) shall not reduce the lot area for the purposes of determining allowable density.

Section 4. Chapter 270 of the Village Code, entitled “Zoning”, Section 270-19. “CDD Conservation Development District.”, Subsection 270-19(H) “Density Bonus Incentives” is hereby revised by the addition of the following paragraph 270-19(H)(5) as follows (with new matter underlined):

§ 270-19(H). Density bonus incentives.

- (5) The provision of public park or open space pursuant to § 270-19(H)(1)(b) shall not reduce the lot area for the purposes of determining allowable density.

Section 5. Chapter 270 of the Village Code, entitled “Zoning”, Section 270-23. “PW Planned Waterfront Districts”, Subsection 270-23(I) “Planned Waterfront special permit” is hereby revised by the addition of the following paragraph 270-23(I)(8) as follows (with new matter underlined):

§ 270-23(I). Planned Waterfront special permit:

- (8) The provision of public park or public open space pursuant to § 270-23(I)(4)(b) shall not reduce the lot area for the purposes of determining allowable density.

Section 6. Chapter 270 of the Village Code, entitled “Zoning”, Section 270-24. “IR Institutional/Redevelopment District”, Subsection 270-24(H) “Density Bonus Incentives” is hereby revised by the addition of the following paragraph 270-24(H)(5) as follows (with new matter underlined):

§ 270-24(H). Density bonus incentives.

- (5) The provision of public park or public open space pursuant to § 270-24(H)(1)(b) shall not reduce the lot area for the purposes of determining allowable density.

Section 7. The provisions of this Introductory Local Law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this Local Law

Section 8. Except as otherwise provided herein, all other provisions of the Code of the Village of Ossining shall remain the same.

Section 9. This local law shall take effect immediately upon filing with the Secretary of State.