

Proposed Changes to Local Law on Public Assembly Uses, Draft 3

The following constitute changes and additions to the previously proposed August 29, 2018 draft Local Law.

Note: This draft shows all changes proposed in comparison to the August 29, 2018 draft set of amendments. Language proposed to be inserted is underlined. Language proposed to be deleted is shown with a ~~strikeout~~ symbol. All other language is existing and proposed to be unchanged. The symbol “ * * *” indicates skipped sections of the Code which are proposed to be unchanged, and that are not shown here for brevity.*

Article XVIII – Word Usage

Add new terms to Article XVIII:

COMMUNITY PLACE OF WORSHIP

The use of a building or structure designed for regular organized religious assembly in structures with a floor area of more than 10,000 square feet.

GATHERING PLACE, RESIDENTIAL

See “RESIDENTIAL GATHERING PLACE”

NEIGHBORHOOD PLACE OF WORSHIP

The use of a building or structure for regular organized religious assembly in a structure or structures with a total floor area up to 10,000 square feet and other than a Residential Gathering Place. The use may take place in a structure with or without a residential component.

PLACE OF WORSHIP, COMMUNITY

See “COMMUNITY PLACE OF WORSHIP”

PLACE OF WORSHIP, NEIGHBORHOOD

See “NEIGHBORHOOD PLACE OF WORSHIP”

RESIDENTIAL GATHERING PLACE

The use of a dedicated portion of a one-family detached residence for large gatherings, meeting all of the following criteria:

1. Gatherings occur more than 12 times per year; and
2. Gatherings are comprised of 15 or more persons; and
3. Gatherings shall not exceed 49 persons, or the maximum allowable according to section 17.B of Article XII, or the maximum allowable number under the New York State Uniform Fire Prevention and Building Code, whichever is less.

Any use that exceeds any of the above criteria at any time shall not be considered a Residential Gathering Place. The Building Inspector shall determine the appropriate use category, based upon the requirements of this Chapter.

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Article – XII Conditional Use and Special Permit Standards

Add Conditional Use Permit conditions for the newly proposed Residential Gathering Place, and Neighborhood and Community Places of Worship categories to Article XII:

17. RESIDENTIAL GATHERING PLACE

- A. The building containing the Residential Gathering Place shall comply with all requirements of all applicable building and fire prevention codes of New York State and the zoning code of the Village of Chestnut Ridge. Residential Gathering Places that meet the standards for an area of public assembly under the New York State Uniform Fire Prevention and Building Code shall be required to undergo fire safety and property maintenance inspections, pursuant to 19 NYCRR Part 1203 regulations.
- B. The maximum number of non-resident persons using the Residential Gathering Place at any time shall be determined by dividing the net lot area by 500 square feet per person.
- C. No more than two rooms, containing a maximum of 50% of the gross floor area of the structure, may be used for the residential gathering.
- D. Notwithstanding any other provisions of this Chapter, only those accessory uses permitted as-of right to a one-family, detached residence shall be allowed at a residence with a Residential Gathering Place. All other accessory uses shall be prohibited, including but not limited to administrative offices, social halls, bath and shower facilities other than those dedicated for use by the residents of the principal residential use, gymnasiums, indoor recreation facilities, schools, and classrooms. Where such accessory uses are proposed, the use shall no longer be considered for issuance of Special Permit for a Residential Gathering Place under this Chapter.
- E. The Residential Gathering Place shall be located in a one-family, detached residence on a conforming lot or on an existing, legally nonconforming lot of record which conforms with at least 80% of the minimum lot area requirement and at least 80% of the minimum lot width requirement, for one-family detached dwellings in the district in which it is located. The residential place or worship will conform with all other bulk standards for a one-family detached dwelling in the district in which it is located, except –the maximum development coverage shall be ten (10) percent more than is permitted for one-family detached residences in the same zoning district. The additional development coverage permitted shall only be utilized for the provision of on-site parking. *(For example, a one family detached residence in the RR-50 District is subject to a 20% development coverage limit. If a conditional use permit for a Residential Gathering Place is approved, the maximum development coverage would be increased to 30%.)*
- F. The required number of parking spaces for a Residential Gathering Place shall be determined by Column F of the Table of General Use Requirements. Up to 50% of required parking spaces may be provided on off-site parking facilities on private property including residential driveways in the same or different ownership, within 1500 feet walking distance of the periphery of the lot on which the Residential Gathering Place is located. On street parking spaces shall not be used to meet the parking requirements of this Chapter. Off-site parking for a Residential Gathering Place shall only be authorized where all of the following conditions are met:
 - 1. A letter from the record owner of the off-site facility shall be provided indicating consent to use the parking facilities and the number of vehicles authorized.

2. Under no circumstances shall parking be located off-site when the proposed Residential Gathering Place is located on a frontage street with a travelled way width of less than thirty (30) feet, or where the Planning Board finds that such parking would result in unsafe conditions.
 3. Off-site parking on residential lots shall conform to the requirements of Article VII, and shall not reduce the parking provided for the principal residence below the minimum requirements in column F of the Table of General Uses.
 4. If permission to use the off-site facility is withdrawn, the permittee shall notify the Building Inspector within 72 hours or be in violation of this conditional use. New letters of permission shall be submitted at the time of each permit renewal.
 5. Off-site parking shall only be permitted where the Village Board of Trustees adopts a local law to restrict on-street parking to only one side of the frontage street within 750 feet of the entrance of the Residential Gathering Place, to ensure adequate passage of traffic and emergency vehicles. Signage indicating "No Parking on This Side of Street" shall be installed at the expense of the applicant, and with the approval of the Village Board and the Town of Ramapo Police Department
- G. No parking lot spaces or loading areas accessory to the Residential Gathering Place shall be permitted between the structure and any street line on which the property fronts, although a driveway shall be permitted.
 - H. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street. Exterior lighting shall be limited to the minimum requirements by code for safety.
 - I. Architectural Review Board approval shall be required to ensure that all structures shall be in character with the surrounding neighborhood, and be of similar design aesthetic to a one-family detached residence.
 - J. The Planning Board shall require adequate screening in the required rear and side yards, to protect the character and compatibility of adjacent uses. Screening can consist of a wall, fence and/or plantings as approved by the Planning Board.
 - K. No ~~social functions, meetings, or assemblies~~ regularly scheduled use of the Residential Gathering Place may be held between the hours of 12:00 AM and 6:00 AM, unless a bulk variance is obtained from the Zoning Board of Appeals, pursuant to the procedures and standards of Article XV, section 2.C.(1). For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
 - L. No space within the Residential Gathering Place may be rented or utilized for meetings or functions not directly convened or hosted by the residents of the principal one-family, detached residence.
 - M. One building mounted or mailbox hang sign is permitted with no greater than 1.5 square feet on each facing. The sign may contain text in a language other than English, but shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services. The appearance and lighting of the sign if necessary, shall be approved by the Planning Board.
 - N. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a small jungle gym for children, benches and picnic tables.
 - O. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the Residential Gathering Place from adjacent residential properties, outdoor lighting, and other conditions of use of the Residential Gathering Place as, in the judgment of the Board, are necessary for the Residential Gathering

Place to be able to operate in a manner that is consistent with public safety and neighborhood character.

- P. No cooking facilities will be permitted, other than residential cooking facilities accessory to the principal one-family detached residence. No catering facilities are permitted within the building, nor in mobile and/or temporary equipment or vehicles erected or parked outside of the building or premises.
- Q. A narrative summary shall be submitted, providing the anticipated number of attendees, square footage of the residential and gathering spaces, days and hours of gatherings, and number of parking spaces provided.
- R. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Conditional Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.

18. NEIGHBORHOOD PLACE OF WORSHIP

- A. The building containing the Neighborhood Place of Worship shall comply with all requirements of all applicable building and fire prevention codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. The maximum number of persons using the Neighborhood Place of Worship shall be the maximum number that can comply with the building and fire codes of New York State, as applied to the portion of the structure containing the religious assembly area.
- C. The maximum square footage of all structures on a lot comprising a Neighborhood Place of Worship shall be 10,000 square feet.
- D. A Neighborhood Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to clergy and/or their families.
- E. For Neighborhood Places of Worship, the principal use shall be the holding of regularly scheduled religious services. A room or rooms for religious worship activities shall not exceed 50% of the building's gross floor area. Accessory facilities and functions such as religious school classrooms, social halls, administrative offices, bath and shower facilities, gymnasiums and indoor recreation facilities may be provided, provided such facilities and functions and individually shall not exceed 20% of the building's gross floor area, and in aggregate shall not exceed 50% of the building's gross floor area. A school of general instruction shall not be considered as an accessory use to a Neighborhood Place of Worship, and will be required to meet the standards for an additional principal use. No building permit or certificate of occupancy shall be granted to such accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted.
- F. The required number of on-site parking spaces for a Neighborhood Place of Worship shall be determined by Column F of the Table of General Use Requirements. ~~Up to 25% of parking spaces may be provided on off-site parking facilities including residential driveways in the same or different ownership, within 1500 feet walking distance of the periphery of the lot on which the Neighborhood Place of Worship is located. The provision of off site parking for a Neighborhood Place of Worship shall be subject to the following conditions:~~
 - ~~1. Where parking is proposed to be located off site, a letter from the record owner of the off-site facilities shall be provided indicating consent to use the parking facilities and the number of vehicles authorized.~~
 - ~~2. Under no circumstances shall parking be located off site when the proposed Neighborhood Place of Worship is located on a frontage street with a travelled way width~~

~~of less than thirty (30) feet, or where the Planning Board finds that such parking would result in unsafe conditions.~~

~~3. Off site parking on residential lots shall conform to the requirements of Article VII.~~

~~4. If permission to use the off-site facility is withdrawn, the permittee shall notify the Building Inspector within 72 hours or be in violation of this conditional use. New letters of permission shall be submitted at the time of each permit renewal.~~

~~5. Off site parking shall only be permitted where the Village Board of Trustees adopts a local law to restrict on-street parking to only one side of the frontage street within 750 feet of the entrance of the Neighborhood Place of Worship, to ensure adequate passage of traffic and emergency vehicles. Signage indicating "No Parking on This Side of Street" shall be installed at the expense of the applicant, and with the approval of the Village Board and the Town of Ramapo Police Department.~~

- G. No parking lot spaces or loading areas accessory to the Neighborhood Place of Worship shall be permitted between the structure and any street line on which the property fronts, although a driveway, dropoff or porte cochere shall be permitted. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.
- H. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- I. Architectural Review Board approval shall be required to ensure that all structures shall be compatible with the character of the surrounding neighborhood.
- J. A minimum 10-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- K. Neighborhood Places of Worship shall not allow use of the facility by ~~non-congregants or~~ outside groups for public assembly or social gatherings.
- L. No regularly scheduled use of the Neighborhood Place of Worship may be held between the hours of 12:00 A.M. and 6:00 A.M., unless a bulk variance is obtained from the Zoning Board of Appeals, pursuant to the procedures and standards of Article XV, section 2.C.(1). For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
- M. Where wedding receptions or other social functions ~~for congregants~~ are held at the Neighborhood Place of Worship, attendance shall be limited to the capacity of the Place of Worship, as well as the available on-site parking.
- N. Notwithstanding the standards of Article VIII, only one building mounted sign is permitted with no greater than 6 square feet in area. The sign may contain text in a language other than English, but shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services.
- O. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a small jungle gym for children, benches, and picnic tables.
- P. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the Neighborhood Place of Worship from adjacent residential properties, outdoor lighting, and other conditions of use of the Neighborhood Place of Worship as, in the judgment of the Board, are necessary for the Neighborhood Place of Worship to be able to operate in a manner that is consistent with public safety and neighborhood character.
- Q. No cooking facilities will be permitted, other than warming kitchen equipment for use by the congregants-occupants of the Neighborhood Place of Worship and any kitchen equipment for

exclusive use of residents of a residential dwelling unit. No catering facilities, either located within the building or in mobile and/or temporary equipment erected or parked outside of the premises, are permitted.

- R. The Neighborhood Place of Worship shall conform with all bulk standards as indicated in the use group in the Table of General Use Requirements, except the maximum development coverage may be exceeded by an additional ten (10) percent above the amount indicated for that use group. The additional development coverage permitted shall only be utilized for the provision of on-site parking. *(For example, a Neighborhood Place of Worship in the RR-50 District is subject to use group "h," which lists a maximum 20% development coverage limit. If a conditional use permit for a Neighborhood Place of Worship is approved, the maximum development coverage would be increased to 30%).*
- S. A narrative summary shall be submitted, providing the anticipated number of ~~congregants~~users, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- T. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Conditional Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.

19. COMMUNITY PLACE OF WORSHIP

- A. The maximum number of persons using the Community Place of Worship shall be the maximum number that can comply with the building and fire codes of New York State and the zoning code of the Village of Chestnut Ridge.
- B. On-site parking shall be provided according to the Table of General Use Requirements, Column F. All loading and delivery areas shall be located at the rear of the building, and may be located in the required rear yard, and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.
- C. Landscape Screening Area. A minimum 10-foot-wide landscaped screening area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- D. A Community Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to clergy and/or their families.
- E. All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- F. Architectural Review Board approval is required, and all structures shall be in harmony with the character of the neighborhood and community.
- G. For Community Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory facilities and functions such as religious schools, social halls, administrative offices and indoor recreation facilities may be provided, provided such facilities and functions shall be subordinate in aggregate to the size and function of the Place of Worship. A school of general instruction shall not be considered as an accessory use to a Community Place of Worship, and will be required to meet the standards for an additional principal use. No building permit or certificate of occupancy shall be granted to such accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted.
- H. Accessory sales of religious items may be permitted entirely within the building containing the Community Place of Worship.

- I. Where wedding receptions or other social functions are held at the Community Place of Worship, attendance shall be limited to the capacity of the Place of Worship, as well as the available on-site parking, unless temporary off-site parking is provided according to subsection L below.
- J. One freestanding monument sign, no greater than 24 square feet in size and no higher than 6 feet, shall be permitted. Such sign shall be set back at least 10 feet from all property lines and drive aisles. Such sign shall match the architectural style of the principal building and shall not be internally lit. In addition, one facade or wall sign, no more than 21 square feet in size, shall be permitted on the front of the principal building. ~~Signs-~~The sign may contain text in a language other than English, but shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services.
- K. Use of any outdoor areas of the property shall be limited to parking and passive recreational use only, which may include a jungle gym for children, benches, and picnic tables.
- L. Attendance at any services, wedding receptions or other social or religious functions held at the Community Place of Worship shall be limited to the capacity of the Community Place of Worship as determined by the applicable building and fire prevention codes of New York State, as well as the available on-site parking, unless a Parking Management Plan (PMP) is provided. Such events demanding parking in excess of the on-site parking provided shall require a PMP to be submitted for approval by the Planning Board as part of the Special Permit application establishing a Community Place of Worship, pursuant to the requirements set forth below. The PMP shall be used to address parking demand during the maximum projected attendance at the maximum building capacity, for Holy Days or other large planned events for the particular place of worship making the application. Such PMP shall be provided to the Ramapo Police Department, the applicable Fire Department and the office of the Chestnut Ridge Village Clerk. If a PMP is required, as part of the special permit process the applicant shall address the following:
 1. Designated off-site parking areas. The Applicant shall submit a fully executed written agreement between the Applicant and one or more providers of a location for off-site parking;
 2. The applicant shall indicate implementation of group travel to and from the off-site parking locations by the use of shuttle vehicles;
 3. The applicant shall use traffic control measures such as the hiring of an off-duty police officer and/or volunteers to facilitate pedestrian flow, as well as on-site and off-site traffic;
 4. The applicant shall provide a notification processes to notify patrons of the Community Place of Worship and others regarding the locations of off-site parking areas to be used;
 5. The applicant shall indicate a method of pre-event registration to obtain a ticket before the holiday or event to use the on or off-site parking facilities; and
 6. In the event that off-site parking areas are not available to accommodate the full capacity of the Community Place of Worship, methods to limit the number of event attendees to the number of attendees that can be accommodated in the on-site parking area or at any available off-site locations by utilization of a pre-event registration system and distribution of tickets to registered persons that will be submitted upon arrival at the site on the day of the event.
 7. Existing Community Places of Worship in existence prior to the adoption of this local law shall submit a PMP for large events to the Planning Board within one year of adoption.
- M. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the Community Place of Worship from adjacent residential properties, outdoor lighting, and other conditions of use of the Community Place of Worship as, in the judgment of the Board, are necessary for the Community Place of

Worship to be able to operate in a manner that is consistent with public safety and neighborhood character.

- N. Commercial kitchen and catering facilities are permitted.
- O. A narrative summary shall be submitted, providing the anticipated number of ~~congregants~~users, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- P. Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter, and may result in revocation of the Special Permit, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.

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Table of General Use Requirements

Amend the Tables of General Use Requirements, as follows:

RR-50

Add “Residential Gathering Place” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #8. Under Column C.1, designate Use Group h

Add “Neighborhood Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #9. Under Column C.1, designate Use Group h

Add “Community Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #10. Under Column D.1, designate Use Group c.

Add to Column F, Minimum Off-Street Parking Spaces, for Use #3, Places of Worship, to read “200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater.” Delete existing requirement for “Churches and similar places of worship.”

Add to Column F, Minimum Off-Street Parking Spaces, for Use #17, Residential Gathering Places, to read “per 5 occupants at maximum occupancy as determined by Article XII standards.”

Delete from Column D, Uses by Special Permit of the Village Board, Use #8, “Churches and similar places of worship including parish houses and rectories but not including schools of general or religious instruction. (Local Law 6 of 2001).”

R-40

Add “Residential Gathering Place” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #2. Under Column C.1, designate Use Group m.

Add “Neighborhood Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3, Under Column C.1, designate Use Group q

Add “Community Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #5, Under Column D.1, designate Use Group c.

Amend Column F, Minimum Off-Street Parking Spaces to read: “At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17.”

R-35

Add “Residential Gathering Place” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #2. Under Column C.1, designate Use Group q.

Add “Neighborhood Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3, Under Column C.1, designate Use Group q

Add “Community Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #5, Under Column D.1, designate Use Group c.

Amend Column F, Minimum Off-Street Parking Spaces to read: “At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17.”

R-25

Add “Residential Gathering Place” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #3 Under Column C.1, designate Use Group t.

Add “Neighborhood Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #4 Under Column C.1, designate Use Group t

Add “Community Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #5, Under Column D.1, designate Use Group c

Amend Column F, Minimum Off-Street Parking Spaces to read: “At Least 1 Parking Space for Each Unit of Measurement Listed or as Otherwise Noted Below Nos. 1 through 17.”

R-15

Add “Residential Gathering Place” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #4,. Under Column C.1, designate Use Group x.1.

Add “Neighborhood Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #5. Under Column C.1, designate Use Group x.1

Add “Community Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #4 Under Column D.1, designate Use Group c

Amend Column F, Minimum Off-Street Parking Spaces to read “ Same as RR-50, Nos. 1 through 17”

RSH

Add “Community Place of Worship” use to Table of General Use Requirements – Part I: Residential Districts, Column D, as Use #3. Under Column D.1, designate Use Group c

Add to Column F, Minimum Off-Street Parking Spaces for Use #3, Places of Worship, to read “200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater.”

NS

Add “Community Place of Worship” use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #5. Under Column D.1, designate Use Group c

Add to Column F, Minimum Off-Street Parking Spaces for Use #9, Places of Worship, to read “200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater.”

PO

Add “Community Place of Worship” use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #4. Under Column D.1, designate Use Group c

Add to Column F, Minimum Off-Street Parking Spaces for Use #7, Places of Worship, to read “200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater.”

PO-R

Add “Community Place of Worship” use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #3. Under Column D.1, designate Use Group c

Add to Column F, Minimum Off-Street Parking Spaces for Use #6, Places of Worship, to read “200 square feet of floor area or per 5 worshippers at maximum seating capacity, whichever is greater.”

RS

Add “Community Place of Worship” use to Table of General Use Requirements – Part II: Residential Districts, Column D, as Use #2. Under Column D.1, designate Use Group c

Add to Column F, Minimum Off-Street Parking Spaces, Use #3, Places of Worship, to read “1 space per 200 square feet of floor area or 1 space per 5 worshippers at maximum seating capacity, whichever is greater.”

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Note: The proposed changes to Article VII and Article XII shown below are new to Village Code, but appeared in the August 29, 2018 draft. The sections below show all changes proposed for Articles VII and XII in comparison to the existing Village Code Zoning Chapter. Language proposed to be inserted is underlined. Language proposed to be deleted is shown with a ~~strikeout~~-symbol. All other language is existing and proposed to be unchanged. The symbol “ * *” indicates skipped sections of the Code which are proposed to be unchanged, and that are not shown here for brevity.*

Article VII – Parking and Loading

Amend Article VII as follows:

2. Location and size of parking spaces.

A. Location. Areas which are considered to be indoor or enclosed parking spaces are fully enclosed private garages only. Areas which are considered to be open or outdoor parking spaces are off-street carports or other areas available for parking other than a street, entrance and exit lanes or driveways, except that no vehicle shall be parked or stored in any required yard or fire lane. A driveway behind a required front yard for a one-family or two-family residence may count as an open or outdoor parking space for up to two vehicles. No more than two vehicles may be parked between the required front yard and a one-family or two-family residence. All driveways shall include an adequate turnaround area to preclude the need for backing onto a public road.

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Article XII - Conditional Use and Special Permit Standards

Amend Article XII as follows:

F. As a condition of all special permits and conditional use permits for projects located in the NS, PO, PO-R, LO, PI and RS Districts, a limitation may be imposed upon the time period for which the permit is valid, or upon the transfer of the permit from one owner or user to another.

G. As a condition of all special permits and conditional use permits for projects located in the RR-50, R-40, R-35, R-25, R-15, and RSH Districts, the special or conditional use permit shall remain in effect for two years from the date of issuance of the building permit to commence construction, and shall thereafter expire unless the following renewal procedure is followed:

(1) The Village shall notify the permit holder of the impending expiration, 90 days prior to any expiration date. No more than 30 days prior to the expiration of the Special Permit, the permittee shall submit an application for a certificate of compliance from the Building Inspector, who shall inspect the special permit use within 14 days to ensure compliance with the conditions of the Special Permit. If all of the conditions of the special permit have been met, the certificate of compliance shall be issued by the Building Inspector and the Building Inspector shall then extend the term of the special permit for five years. After the first renewal, subsequent renewals shall be required every five years under the same procedure as the initial renewal. Applications for renewal shall be made prior to expiration and no renewal shall be made nunc pro tunc.

(2) In the event the Building Inspector denies the certificate of compliance, the applicant may submit an application for renewal of the Special Permit to the Planning Board pursuant to the procedures and standards of this Article governing a new special permit within 60 days of the notice of denial. The original special permit shall expire at the time that the Planning Board renders its decision on the application for special permit renewal. In the event the Planning Board approves the application for special permit renewal, the renewed special permit will be considered as a new special permit and will be subject to an initial two-year term as required by subsection G above. In the event the application for special permit renewal is denied, the original Special Permit shall expire.

(3) Special permits and conditional use permits shall expire after the time periods indicated, regardless of whether expiration notices have been sent by the Village or received by the permit holder. If any Special Permit expires, the permittee may reapply for a new special permit to the Planning Board, pursuant to the procedures and standards of this Article.

G.H. In addition to the general standards for conditional uses and special permits as set forth above, the approving board may, as a condition of approval of any such use, establish any other additional standards, conditions and requirements, including a limitation on hours or days of operation, as it may deem necessary or appropriate to promote the public health, safety and welfare and to otherwise implement the intent of this local law.