

C-1

PUBLIC NOTICE

Local Law No. ____ of 2022

**Amending Chapter 235, entitled "Zoning"
by adding "SB-0 Attached Single-Family Dwelling" to
Section 235-4, entitled "Definitions" and amending portions of
Section 235-17(X) entitled "SB-0 Multifamily Residential"**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Harrison, at its meeting to be held at 7:00 P.M. on September 20, 2022, at the Harrison Municipal Building, 1 Heineman Place, Harrison, New York, pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law. The Hearing will consider Petitions related to a Joint Zoning Text Amendment made by The RPW Group of NY LLC and NRP Group, LLC, Applicant for Webb Avenue, and Senlac Ridge Partners, Applicant for 2500/2700 Westchester Avenue (together, the "Applicants"), which proposes amendments to the Zoning Ordinance of the Town of Harrison, Chapter 235, by amending Section 235-4 entitled "Definitions" by adding the definition "SB-0 Attached Single-Family Dwelling" and amending Section 235-17(X), entitled "SB-0 Multi-Family Residential" as set forth in the Joint Zoning Text Amendment filed with the Town/Village Board and in detail as follows: **(new material is underlined and deletions are in brackets []).**

§ 235-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SB-0 ATTACHED SINGLE-FAMILY DWELLING

In the SB-0 District, three or more dwelling units which share one or more common side or rear (party) walls, without openings or interconnections, with each dwelling unit occupying the entire volume within its respective portion of the building(s) from the lowest level to the roof, and having its own separate entrance or entrances to the outside. Otherwise known as a townhouse.

§235-17 Special conditions and safeguards for specific uses.

No authorization for a building permit shall be granted by the Planning Board for any use listed in this section, unless the Board shall specifically find that, in addition to meeting all general conditions set forth in § 235-16, the proposed special exception use also meets the special conditions and safeguards required in this section.

X. SB-0 Multifamily Residential. This use has been established to provide housing opportunities for young people and empty nesters who are seeking efficient, well designed, conveniently located housing opportunities and who are not anticipated to create additional demands on the Harrison School District.

[Added 4-7-2016 by L.L. No. 1-2016]

(1) The applicant shall submit a recent (no earlier than 12 months from the date of application) market survey indicating there are a sufficient number of individuals that would occupy the proposed number of housing units in the proposed price range (either purchase or rental) to assist the [Plarming] Planning Board in its review of the feasibility of the proposed project.

(2) The site for an SB-0 Multifamily Residential project shall have a minimum of five acres. SB-0 Multifamily Residential projects shall only be permitted on parcels located south of [on roads with direct access to Westchester Avenue, and located between I-287, I-684, the connector road from I-287 to] I-684[, and the Hutchinson River Parkway].

(3) The site shall have a minimum frontage of 350 feet on a mapped public or private roadway except where lesser frontage is permitted pursuant to Section 235-17.X(15), below.

(4) No SB-0 Multifamily Residential project shall contain more than 450 dwelling units.

(5) Lot building coverage shall not exceed 45%.

(6) All buildings shall comply with the applicable requirements set forth in the Table of Dimensional regulations for the SB-0 Zoning District, as modified in this section. ^[4]

[4] *Editor's Note: See the Business Districts Table of Dimensional Regulations included as an attachment to this chapter.*

(7) A minimum of 475 square feet shall be provided for efficiency (studio) apartments, and a minimum of 600 square feet shall be provided for one-bedroom apartments. The maximum number of bedrooms or potential bedrooms in an apartment/dwelling unit shall be three.

(8) The design of the project, number of bedrooms, size of units, unit mix and all other factors relating to the intended occupants of the dwelling units shall be primarily geared toward young people, empty nesters, and residents without young children.

(9) A minimum of 2,500 square feet of recreation space, which may include interior spaces such as a community or recreation room, shall be provided at the site. This requirement is intended to supersede the usable open space requirements set forth in § 235-25 of the Zoning Ordinance, which shall not apply to SB-0 Multifamily Residential projects.

(10) A minimum of 1.25 off-street parking spaces for each dwelling unit shall be provided.

(11) In cases where an SB-0 Multifamily Residential project abuts a nonresidential use, a landscape buffer a minimum of 40 feet in depth for side and rear yards and 25 feet in depth for front yards shall be provided. Landscaped parking areas, outdoor patio associated with the restaurant use, retaining walls, stormwater management facilities, wetland restoration/enhancement areas, driveway access, and internal circulation walkways/roadways (including those for emergency vehicle access) may be located within a required buffer strip.

(12) An SB-0 Multifamily Residential project may also incorporate retail, retail service or restaurant uses within the project, subject to the special exception use requirements of § 235-17Y. When included within the same building as the residential uses, the nonresidential use shall be restricted to the first floor and shall not exceed 25,000 square feet of gross floor area.

(13) The main entrance of an SB-0 Multifamily Residential project shall be located no more than 1,300 feet (1/4 mile) from a mass transit link. If located further than 1,300 feet, a suitable alternative means of minimizing vehicle trips to and from the site must be employed, such as the use of a shuttle bus.

(14) The dimensional requirements for any SB-0 Multifamily Residential project site shall be as follows:

Lot Area (Square Feet)	
Minimum	5 acres
Minimum per family unit	350 square feet
Lot Coverage	
Maximum Building Coverage	45%
Lot Width	300
Require Yards	
Front	50*
Side (Adjoining Residence District)	100
Side (Adjoining Business District)	40
Rear	45
Habitable Area (minimum)	475
Height	
Stories	6**
Floor Area Ratio	No Requirement

*The front yard may be reduced to 25 feet, for an area not to exceed 25% of the total width of that portion of the building located parallel to the required front yard.

** If the SB-0 Multifamily Residential project features structured parking that is partially below grade the parking floor that is located partially below grade shall not constitute a story for the purposes of calculating height.

(15) Redevelopment of previously developed parcels.

a. In instances where the configuration of previously developed parcels prevents the provision of required frontage, such as in the case of a landlocked parcel, the minimum frontage of an SB-0 Multi-Family Residential project site may be reduced or eliminated if permanent access to a public or private roadway via common ownership or an easement recorded against the subject properties, in a form to be approved by the Town Attorney, is provided through another lot providing the required frontage. Where such landlocked parcels exist, the front lot line shall be the lot line facing the roadway to which said parcel has access.

b. Where an SB-0 Multifamily project site is created on a parcel that also supports an existing office building, the Planning Board, subject to the following requirements, may permit a reduction in the number of off-street parking spaces that would otherwise be required for the existing office building, with the following limitations:

1. The applicant shall submit a parking survey indicating there is a sufficient number of off-street parking spaces located on the same parcel as the existing office building to accommodate the existing office building.
2. Required parking shall be provided at a ratio of not less than one off-street parking space per 300 square feet of floor area.
3. If there is any future change in the nature of the use of the existing office building that results in significantly greater daily parking demand, such as a change from general office to medical office, Planning Board review may be required at the discretion of the Building Inspector and Town Planner, to determine if additional off-street parking is required to accommodate the new use.

c. Where an SB-0 Multifamily project site is created on a parcel that also supports an existing office building, access drives supporting an SB-0 Multifamily project may be located within a required landscape buffer for the existing office building.

(16) Whenever an SB-0 Multifamily Residential project is authorized for development in any portion of a floodplain, the volume of space occupied by the authorized fill or structure below the base flood elevation shall be compensated for at a 4:1 ratio and balanced by a hydraulically equivalent volume of excavation taken from below the base flood elevation at or adjacent to the development site. All such excavations shall be constructed to drain freely to the watercourse. No area below the waterline of a pond or other body of water can be credited as a compensating elevation.

If any section, subsection, clause phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

This local law shall take effect immediately upon filing in the office of the Secretary of State.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO
ATTEND AND BE HEARD.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HARRISON.

Jacqueline Greer
Town/Village Clerk

Dated: Harrison New York
August 19, 2022