

## PROPOSED LOCAL LAW A OF 2021

### A LOCAL LAW Amending Chapter 295 Zoning to Amend Provisions for Height Restrictions in Residential Zoning Districts.

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

**SECTION 1.** Section 295-67.F One-Family Residence (R-20) Districts, Required yards; maximum building height and coverage, subsection (1)(d), is amended to read as follows:

#### 295-67.F(1)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.
- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.
- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

**SECTION 2.** Section 295-68.F One-Family Residence (R-10) Districts, Required yards; maximum building height and coverage, subsection (1)(d), is amended to read as follows:

#### 295-68.F(1)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.
- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.
- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

**SECTION 3.** Section 295-69.F One-Family Residence (R-7.5) Districts, Required yards; maximum building height and coverage, subsection (1)(d), is amended to read as follows:

295-69.F(1)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.
- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.
- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

**SECTION 4.** Section 295-70.E Two-Family Residence (2R) Districts, Required yards; maximum building height and coverage, subsection (1)(d), is amended to read as follows:

295-70.E(1)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.
- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.
- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

**SECTION 5.** Section 295-70.E Two-Family Residence (2R) Districts, Required yards; maximum building height and coverage, subsection (2)(d), is amended to read as follows:

295-70.E(2)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the

roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.

- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.
- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

**SECTION 6.** Section 295-70.1.F Two-Family Residence (2R-3.5) Districts, Required yards; maximum building height and coverage, subsection (1)(d), is amended to read as follows:

295-70.1.F(1)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.
- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.
- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

**SECTION 7.** Section 295-70.1.F Two-Family Residence (2R-3.5) Districts, Required yards; maximum building height and coverage, subsection (2)(d), is amended to read as follows:

295-70.1.F(2)(d)

- i. For principal buildings and structures with pitched roofs, including gable, hip, shed and gambrel roofs: a) a maximum wall height at the low point of the roof, as measured to the roof edge or top plate, whichever is higher, not to exceed 23 feet, b) a maximum roof height of 35 feet and no more than 2 1/2 stories, c) dormers are permitted to encroach on the maximum wall height, as defined above, up to a maximum overall width of 25% of the total building perimeter.
- ii. For principal buildings and structures with flat roofs: maximum height of 24 feet and no more than 2 stories.

- iii. For accessory buildings and structures with pitched roofs: a) the maximum wall height at the low point of the roof, as measured from the roof edge or top plate, whichever is higher, not to exceed 10 feet, b) a maximum roof height of 15 feet.
- iv. For accessory buildings and structures with flat roofs: a maximum height of 12 feet.

## **SECTION 8. SEVERABILITY**

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.

## **SECTION 9. 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.

## Environmental Assessment Form Part 1

### Question 1 – Narrative Description

The intent of Proposed Local Law A of 2021 is to amend provisions regarding maximum building height in single family and two family residential districts to reduce and limit bulk and add provisions for flat roofs. No environmental resources will be affected by these amendments as they only relate to the height of structures and the revisions will have a minimal impact primarily to reduce building heights and bulk.

# ***Short Environmental Assessment Form***

## ***Part 1 - Project Information***

### **Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>
			<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>
			<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<b>NO</b>	<b>YES</b>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	<b>NO</b>	<b>YES</b>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	<b>NO</b>   	<b>YES</b>   
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	<b>NO</b>   	<b>YES</b>   
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	<b>NO</b>   	<b>YES</b>   
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: _____ Date: _____ Signature: _____		