
BE IT ENACTED by the Town Board of the Town of Greenburgh:

§ 1. Title.
This law is entitled “A local law amending Section 285-25 of the Code of the Town of Greenburgh, entitled “OB Office Building District.”

§ 2. Legislative Findings and Intent.
The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Section 285-25 of the Code of the Town of Greenburgh to allow additional accessory uses in the OB District, with respect to hotels allowed pursuant to 285-25(A)(4)(c) of the Zoning Ordinance.

§ 3. Amendments to Chapter 285-25(A)(4):
Section 285-25(A)(4)(c) of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in strikeout; new text underlined):
(4) Uses under special permit by Town Board.

(a) Hotel on a lot of 15 acres or more, provided that the proposed site shall meet all the following criteria:

[1] The site must adjoin a federally designated interstate highway with a common property line of at least 300 feet.

[2] The site must be located within 1/3 mile of a full interchange between a federally designated interstate highway and a state or federal highway, measured from the point where the center line of any ramp which is part of said interchange meets the state or federal highway right-of-way to any point where the site has frontage on said state or federal highway.

[3] No point of the site shall be within 250 feet of the nearest point of any residential zoning district, excluding residually zoned land within the right-of-way of a state or federal highway or federally designated interstate highway or an aqueduct right-of-way owned by a governmental entity.

[4] The site must have a minimum frontage of 500 feet on a four-lane or larger state or federal highway which continues as a four-lane or larger highway to the interstate interchange.

(b) In approving any special permit the Town Board shall find that the proposed use shall:

[1] Be reasonably necessary for the public health or general interest or welfare;

[2] Be of such character, intensity, size and location that, in general, it will be in harmony with the orderly development of the area in which the property concerned is situated and will not be detrimental to the orderly development of adjacent areas;

[3] Be located so that it may be adequately serviced by transportation facilities, water supply, waste disposal, fire and police protection, drainage facilities and similar services;

[4] Not create pedestrian or vehicular traffic hazards because of its location in relation to surrounding uses, necessity of turning movements in relation to its access to public roads and intersections or its location in relation to other buildings or potential buildings on or near the site and traffic patterns from such buildings; and
[5] Not include any display of signs, noise, fumes or lights that will hinder normal development of the area or impair the use, enjoyment and value of adjacent land and buildings.

(c) Accessory uses may include:

[1] Meeting rooms; banquet facilities; restaurants, bars, cafes, bakeries, or cabarets for on or off premises consumption of food and beverages or either of them on the premises; boutiques; travel services; barbershops; newspaper stands; open or enclosed swimming pools; open or enclosed tennis courts; platform tennis, paddleball courts and other court games; putting greens; tot-lots; playgrounds; health clubs; off-street parking areas or structures; off-street loading areas and convention facilities. In no case shall sleeping rooms contain cooking facilities. All such accessory uses, except for parking, loading and permitted recreation facilities, shall be located within the principal structure and have internal access thereto. The total floor area for accessory uses required to be located within the principal structure shall not exceed 2,500 square feet per acre of site.

§ 5. Supersession:

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

§ 6. Severability:

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 7. Effective Date:

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