

PROPOSED LOCAL LAW

A LOCAL LAW MODIFYING THE
VILLAGE OF TUCKAHOE ZONING
CODE TO RESTRICT STADIUM
LIGHTING

Proposed Amendments Underlined

§ 4-1. Residence A-10 District.

4-1.1.4. Accessory uses, limited to the following:

(a) Customary home occupations, provided that:

1. No display of goods or signs are visible from the street.
2. Such occupation is incidental to the residential use of the premises and is carried on in the main building by a resident thereof with no assistants who do not reside on the premises.
3. Only customary household appliances and equipment are used. 4. Such occupation is carried on in an area not exceeding 30% of the area of one floor of the main building.

(b) Professional office or studio of an architect, artist, dentist, engineer, lawyer, musician, physician, surgeon or teacher, provided that:

1. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one assistant who does not reside on the premises; and
2. Such office or studio shall occupy not more than 30% of the area of one floor of the main building. Studios, where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held, are prohibited.

(c) Garden house, pool house, playhouse, shed, greenhouse or swimming pool incidental to the residential use of the premises and not operated for gain, provided that swimming pools shall be subject to the provisions of § 5-1.1.

1. In addition to complying with all other provisions of this chapter, none of the above structures shall be erected closer to the side or rear yard line than 5 1/2 feet, the distance from principal building to be not § 4-1 § 4-1 :2 less than 10 feet. If

any of the above structures are larger than 72 square feet or higher than 7 1/2 feet outside, the applicant must appeal to the Zoning Board of Appeals for a variance.

(d) (Reserved)¹

(e) Private garage for passenger automobiles of residents on the premises, including the leasing to a nonresident of the premises of space for not more than one such automobile.

(f) The keeping of a reasonable number of customary household pets, but excluding the commercial breeding or keeping of same, and excluding the keeping of poultry, pigeons, rabbits and similar animals.

(g) Nonilluminated signs, limited as follows:

1. One nameplate or professional sign with an area of not over one square foot;
2. One sign advertising the sale or rental of the premises on which such sign is situated, with an area of not over four square feet, provided that such sign is located on the front wall of a building or, if freestanding, then not nearer than 15 feet to any street or property line; and
3. One bulletin board or other announcement sign for educational or religious institutions with an area of not over 12 square feet, provided that such sign is located on or adjacent to the wall of a building or, if freestanding, then not nearer than 15 feet to any street or property line.

(h) Fences or garden walls.

(i) No exterior lighting used to illuminate a stadium or ball field, other than security lighting. This shall include any lighting not consistent with Section 6-1.6(e) of this Code

Article VI - Special Permits

6-1.6.

Standards for All Special Permit Uses. The Zoning Board of Appeals shall approve an application for a special permit, subject to such reasonable conditions and restrictions as are directly related to and incidental to the proposed special permit use, if it finds that the following conditions have been met:

(a) Compatibility with district: that the location and size of the use, the nature and intensity of the operations involved in or conducted in connection with such use, the size of the site in relation to the use, the assembly of persons in connection with the use and the location of the site with respect to streets giving access to the site are such that the use will be in harmony with the appropriate and orderly development of the district in which the use is proposed to be located.

(b) Compatibility with Comprehensive Plan: that the proposed use will be compatible with the goals and objectives of the Comprehensive Plan.

(c) Services: that all proposed structures, equipment or material will be readily accessible for fire and police protection.

(d) Adjacent properties: that the location, nature and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall not hinder or discourage the appropriate development and use of adjacent land and buildings.

(e) Nuisance: that operations in connection with the use will not be offensive, dangerous, or destructive of basic environmental characteristics or detrimental to the public interest of the Village and not be more objectionable to nearby properties by reason of noise, fumes, vibration, flashing of or glare from lights and similar nuisance conditions (i.e. stadium and or sports lighting) than would be the operation of any permitted use not requiring a special permit.

(f) Neighborhood character and property values. The neighborhood character and surrounding property values shall be reasonably safeguarded.

(g)Traffic: that the use will not cause undue traffic congestion or create a traffic hazard.

(h)Parking: that parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.

(i) That the use conforms in all respects to all the regulations of this Appendix and particularly to the specific supplemental regulations that apply to such use.