

**PROPOSED CHANGES TO THE CODE OF THE
VILLAGE OF RYE BROOK**

BE IT ENACTED by the Board of Trustees of the Village of Rye Brook as follows:

Section 1: § 250-34 (“H-1 Hotel District”) of Chapter 250 (“Zoning”) of the Code of the Village of Rye Brook is hereby amended to include the following introductory paragraph:

“Lands classified in the ‘H-1 Hotel District’ shall be used for only one of the following uses:

- A. Hotels and uses customarily accessory thereto; or
- B. On existing parcels of at least 15 acres but no more than 20 acres in area, residential development shall be permitted with attached or detached single-family or multi-family residential dwelling units and appurtenances thereto, including, but not limited to, clubhouses and recreational facilities for residents of the development and their guests, gatehouses, parking areas, and drainage facilities, as part of a conservation subdivision pursuant to §219-34 of the Code of the Village of Rye Brook. The maximum number of single-family or multi-family dwelling units for any such development shall not exceed 3.50 per gross acre, and the gross floor area, (excluding the cellars, basements, garages, attics and storage areas) for such units shall not be less than 2,000 square feet per unit nor more than 3,000 square feet per unit. The maximum building height shall be two (2) stories and when measured in feet, thirty (30) feet.
- C. Except for garages contained in or attached to individual dwelling units, parking shall be provided only on grade, in uncovered parking areas. Multi-level parking structures are prohibited.

Section 2: A new Chapter _____, entitled “Developments of Substantial Public Importance in the H-1 Hotel Zoning District” is added to the Code of the Village of Rye Brook as follows:

§_____. Notwithstanding any other provisions of the Village Code, including, but not limited to, the provisions of Chapter 118 (‘Erosion and Sediment Control’), Chapter 130 (‘Flood Damage Prevention’), Chapter 179 (‘Planning Board’), Chapter 213 (‘Steep Slope Protection’), Chapter 235 (‘Trees’), Chapter 245 (‘Wetlands and Watercourses’), and Chapter 250 (‘Zoning’), the Board of Trustees, in considering the development

of lands in the H-1 Hotel Zoning District (§250.34) may, by resolution:

- A. reclaim jurisdiction as approving authority or agency with respect to any applications, permits, authorizations, and/or determinations that the Board of Trustees finds, in its absolute discretion, involve a development of substantial public importance; and/or
- B. waive or modify the provisions of any Chapter of the Village Code regarding applications, permits, authorizations, and/or determinations that the Board of Trustees finds, in its absolute discretion, involve a development of substantial public importance and the exercise of this discretion results in a benefit to the community.”

Section 3: This Local Law shall take effect immediately upon its filing with the Office of the Secretary of State.