

VILLAGE OF LARCHMONT
LOCAL LAW # 7-2016

A local law to move the separate Site Plan Approval and
Subdivision of Land chapters of the Village Code into the Zoning Law

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. Purpose and Intent.

Currently, the Village of Larchmont's Site Plan Approval and Subdivision of Land laws are not part of the Village's Zoning Law and are codified in separate chapters in the Code of the Village of Larchmont (the Village Code). Because of the continual interplay among these three land use laws, it is more practical to include the Site Plan Approval law (currently chapter 361 of the Village Code) and Subdivision of Land law (currently chapter 367 of the Village Code) in the Zoning Law. This local law is a recodification of those provisions, with additional revisions to reflect such codifications.

Section Two. Sections 381-67 and 381-68 of the Zoning Law of the Village, which sections are currently designated as reserved, are hereby moved into article VIII, and shall remain reserved for future use.

Section Three. New article VIII-A is hereby created within the Zoning Law of the Village Code and entitled, "Site Plan Approval." All sections within current chapter 361 shall be recodified into this new article VIII-A as follows:

Article VIII-A. Site Plan Approval

- § 361-1, entitled "Legislative intent," shall be recodified as § 381-68-A.
- § 361-2, entitled, "Definitions," shall be recodified as § 381-68-B.
- § 361-3, entitled, "Delegation of authority," shall be recodified as § 381-68-C.
- § 361-4, entitled, "Applicable standards," shall be recodified as § 381-68-D.
- § 361-5, entitled, "Compliance and approval required," shall be recodified as § 381-68-E.
- § 361-6, entitled, "Exemptions," shall be recodified as § 381-68-F.
- § 361-7, entitled, "Application procedure," shall be recodified as § 381-68-G.
- § 361-8, entitled, "Waiver of submission requirements," shall be recodified as § 381-68-G.
- § 361-9, entitled, "Filing of approved site plan," shall be recodified as § 381-68-I.
- § 361-10, entitled, "Application fee," shall be recodified as § 381-68-J.
- § 361-11, entitled, "Performance guaranty," shall be recodified as § 381-68-K.
- § 361-12, entitled, "Inspection of improvements," shall be recodified as § 381-68-L.
- § 361-13, entitled, "Conflicting legislation; greater restrictions," shall be recodified as § 381-68-M.
- § 361-14, entitled, "Tree removal; penalties for offenses," shall be recodified as § 381-68-N.
- § 361-15, entitled, "Penalties for noncompliance," shall be recodified as § 381-68-O.

Section Four. Section 381-69 of the Zoning Law of the Village Code, which section is currently designated as reserved, is hereby moved into new article VIII-A, and shall remain reserved for future use.

Section Five. New article VIII-B is hereby created within the Zoning Law of the Village Code and entitled, "Subdivision of Land." All sections within current chapter 367 shall be recodified into this new article VIII-B as follows:

Article VIII-B. Subdivision of Land

§ 367-1, entitled "Legislative authority," shall be recodified as § 381-69-A.

§ 367-2, entitled "Declaration of policy; inconsistent legislation," shall be recodified as § 381-69-B.

§ 367-3, entitled "Definitions," shall be recodified as § 381-69-C.

§ 367-4, entitled "Application requirements," shall be recodified as § 381-69-D.

§ 367-5, entitled "Consideration of preliminary layout by Board," shall be recodified as § 381-69-E.

§ 367-6, entitled "Meetings of Board and subdivider; notice of decision," shall be recodified as § 381-69-F.

§ 367-7, entitled "Final layout approval," shall be recodified as § 381-69-G.

§ 367-8, entitled "General requirements and standards," shall be recodified as § 381-69-H.

§ 367-9, entitled "Preliminary layout requirements," shall be recodified as § 381-69-I.

§ 367-10, entitled "Final layout and plat requirements," shall be recodified as § 381-69-J.

§ 367-11, entitled "Detailed construction drawing requirement," shall be recodified as § 381-69-K.

§ 367-12, entitled "As-built drawing," shall be recodified as § 381-69-L.

§ 367-13, entitled "Dedication of streets," shall be recodified as § 381-69-M.

§ 367-14, entitled "Endorsement by County Health Department required," shall be recodified as § 381-69-N.

§ 367-15, entitled "Plat changes after approval prohibited," shall be recodified as § 381-69-O.

§ 367-16, entitled "Endorsement of plat," shall be recodified as § 381-69-P.

§ 367-17, entitled "Status of parks and reserved areas," shall be recodified as § 381-69-Q.

§ 367-18, entitled "Acceptance of streets, parks or reserved areas," shall be recodified as § 381-69-R.

§ 367-19, entitled "Completion of improvements or bond required," shall be recodified as § 381-69-S.

Section Six. The definition of "Site Plan" in article II of the Zoning Law of the Village Code is hereby revised to read as follows:

SITE PLAN

Documentation that complies with the requirements of article VIII-A of this chapter, "Site Plan Approval."

Section Seven. Subparagraph 381-49.A.(1) of the Zoning Law of the Village Code is revised to replace the phrase "Chapter 361 of the Code" with "article VIII-A of this chapter".

Section Eight. Subparagraph 381-51.B.(9) of the Zoning Law of the Village Code is revised to replace "§ 367-11" with "§ 381-69-K".

Section Nine. Subparagraph 381-51.E.(1)(a) of the Zoning Law of the Village Code is revised to replace the phrase, "Chapter 361, Site Plan Approval, of the Code of the Village of Larchmont," with "article VIII-A, Site Plan Approval, of this chapter."

Section Ten. As recodified pursuant this local law, new subparagraphs 381-68-M.A. and 381-68-M.C. of the Zoning Law of the Village Code, formerly subparagraphs 361-13.A. and 361-13.C. of the Village Code, are hereby revised to read as follows:

A. Should any provision of this article VIII-A conflict or be inconsistent with any provision of article VIII-B of this chapter, concerning subdivision of land, then the provisions of article VIII-B shall govern.

C. In the event that this article VIII-A conflicts or is inconsistent with any other Village law, then it is the intention that the most comprehensive or strict requirement shall apply.

Section Eleven. As recodified pursuant to this local law, new § 381-69-D of the Zoning Law of the Village Code, formerly § 367-5 of the Village Code, is hereby revised by replacing the phrase “§§ 367-8 through 367-18 of these requirements” with “§§ 381-69-H. through 381-69-R. of this chapter.”

Section Twelve. As recodified pursuant to this local law, new paragraph 381-69-G.A. of the Zoning Law of the Village Code, formerly paragraph 367-7.A. of the Village Code, is hereby revised by replacing the phrase “§§ 367-8 through 367-18 of these regulations” with “§§ 381-69-H. through 381-69-R. of this chapter.”

Section Thirteen. As recodified pursuant to this local law, new paragraphs 381-69-J.A. through 381-69-J.G. of the Zoning Law of the Village Code, formerly paragraphs 367-10.A. through 367-10.G. of the Village Code, are hereby revised to replace all references to “§ 367-9” with “§ 381-69-I.”

Section Fourteen. As recodified pursuant to this local law, new paragraphs 381-69-K.A. through 381-69-K.F. of the Zoning Law of the Village Code, formerly §§ 367-11.A. through 367-11.F. of the Village Code, are hereby revised to replace all references to “§ 367-9” with “§ 381-69-I.”

Section Fifteen. As recodified pursuant to this local law, new § 381-69-M of the Zoning Law of the Village Code, formerly § 367-13 Village Code, is hereby revised to replace “§ 367-7” with “381-69-G.”

Section Sixteen. As recodified pursuant to this local law, new § 381-69-S of the Zoning Law of the Village Code, formerly § 367-19 Village Code, is hereby revised to replace the phrase “§§ 367-8 through 367-18 of these requirements” with “§§ 381-69-H. through 381-69-R. of this chapter.”

Section Seventeen. As recodified pursuant to this local law, anywhere within new article VIII-A, §§ 381-68-A through 381-68-O, the phrase “this chapter” appears, it shall be replaced with the phrase “this article VIII-A.”

Section Eighteen. As recodified pursuant to this local law, the definition of “Site Plan” in § 381-68-B of the Zoning Law of the Village Code, formerly in § 361-2 of the Village Code, is hereby amended by replacing “§ 361-7B” with “§ 381-68-G.B.”

Section ~~Eighteen~~Nineteen. 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 ~~Nineteen~~Twenty. Effective Date.

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