

## **Local Law No. 5 of 2025**

### **(A Local Law Amending the Town Code to Add Provisions for the Downtown Neighborhood Overlay District)**

#### **Section 1. Legislative Intent**

Cortlandt Boulevard is well-traveled area with very few commercial vacancies. In order to keep the corridor vibrant, the Town Board seeks to add options for future development of parcels on Cortlandt Boulevard.

#### **Section 2. Amendments to the Town Code to Add §307-96.4 Downtown Neighborhood Overlay District**

The following provision shall be added to the Town Code:

##### **§307-96.4 Downtown Neighborhood Overlay**

###### **A. Purpose.**

The Town of Cortlandt's 2016 comprehensive plan, *Envision Cortlandt*, outlined four key strategies for proactively addressing economic development, sustainability, climate resiliency, and energy efficiency. One of those strategies, the Cortlandt Boulevard Area (CBA), focused on ways to “strengthen the role of Cortlandt Boulevard [Route 6] as a downtown center by permitting mixed-use, compact development along the corridor and encouraging streetscape improvements, infrastructure investments, walkability, and Complete Street policies...to help strengthen this identified commercial center and create a sense of place within the Town.”

The Cortlandt Boulevard Area is particularly suited for the desired type of walkable, mixed-use development in part because the existing municipal sewer infrastructure has capacity to accommodate additional development, it is a key transportation corridor in town, and it already contains an existing sidewalk network.

The Downtown Neighborhood Overlay District begins to implement this comprehensive plan strategy in certain areas along the Route 6 corridor by allowing for the inclusion of residential uses as-of-right to create the desired mix of uses, along with site layout and design requirements to encourage the transformation of this auto-oriented commercial area into a walkable neighborhood.

###### **B. Core Redevelopment Principles.**

- 1) Create a walkable, pedestrian-oriented neighborhood where the design of buildings, streets and amenities naturally encourages residents and visitors to “park once and walk around.”
- 2) Encourage infill and redevelopment approaches that provide an engaging public realm to transform this area of auto-oriented shopping plazas and large parking lots into a walkable and bicycle-friendly neighborhood with a sense of place.

- 3) **Promote the idea of a well-balanced neighborhood where residents can live, work, and shop all in close proximity, making it easier to drive less and reduce road congestion and air pollution.**
- 4) **Provide additional housing opportunities to create the necessary critical mass of residents that will form a basis of economic support for the creation of a successful neighborhood center.**
- 5) **Create an interconnected network of streets to better distribute traffic via a grid of secondary roads beyond Route 6, allowing for multiple route options to get to the same place. The grid should be made up of shorter block lengths, narrower street widths, and on-street parking to promote walking and bicycling.**
- 6) **Locate buildings close to the sidewalk, with parking areas to the rear or side, to minimize the visual impact of large areas of asphalt.**
- 7) **Incorporate placemaking design principles to transform the area from a collection of auto-oriented shopping plazas into a true neighborhood with a sense of place; include wide sidewalks, abundant street trees, pedestrian-scale lighting, buildings pulled up to the sidewalk, pocket parks, on-street parking, and an interconnected street grid.**
- 8) **Accommodate the automobile while also de-emphasizing its presence through the incorporation of rear parking lots located behind buildings, narrower travel lanes, and strategically sited on-street parking.**
- 9) **Enhance public health by encouraging development practices that are consistent with the Town's desire to create a more sustainable and energy efficient community by incorporating green building measures into the design, construction, and maintenance of buildings to minimize short- and long-term negative impacts on the environment.**
- 10) **This zoning is intended to be flexible enough to support both incremental and large-scale redevelopment opportunities.**

**C. District Description. The Downtown Neighborhood Overlay (DNO) District focuses on smaller lots and groupings of lots that are poised to benefit from a local/infill level of redevelopment that can incorporate multifamily housing into a mixed-use strategy to provide housing units while supporting on-site or nearby retail opportunities.**

**D. Downtown Neighborhood Overlay (DNO) Standards and Conditions.**

- 1) **Permitted Uses. In addition to the uses permitted in the underlying zoning district in force at the time of application to the Planning Board, the following use is permitted as-of-right in the DNO:**
  - a) **Multifamily Dwelling**
- 2) **Central Sewer and Water Infrastructure. Any lot within the overlay that is redeveloped to include multifamily dwellings must be part of the existing water and sanitary sewer district(s), or under common ownership with and contiguous to other lots within the DNO and water/sewer district(s).**

- 3) Bulk Regulations.** The following modified bulk regulations apply to all buildings on the lot where the building contains multifamily residential. In all other instances or where noted below, the bulk regulations of the underlying district remain in force.:
- a) Minimum Lot Area: 20,000 square feet**
  - b) Minimum Lot Width: 80'**
  - c) Maximum Height: 47' (not including cornice/parapet height as per §307-96.4-D.4(i)(I)); no more than 4 stories maximum.**
  - d) Maximum Ground-floor Story Height: 14'**
  - e) Maximum Upper-floor Story Height: 11'**
  - f) Maximum Building Length: 240'**
  - g) Maximum Block Length: 400'**
  - h) Maximum Front Yard Setback (except for buildings fronting on Route 6): 12'**
  - i) Maximum Front Yard Setback (only for buildings fronting on Route 6): 30'**
  - j) Minimum Side Yard Setback: 10' where side yard abuts a non-residential zoning district**
  - k) Minimum Rear Yard Setback: 10' where rear yard abuts a non-residential zoning district**
  - l) Minimum Lot Area Per Dwelling Unit: 1,800 square feet**
  - m) Minimum Percentage Affordable: 10%**
  - n) Maximum Building Coverage: 50%**
  - o) Minimum Landscape Coverage: 10%**
  - p) Maximum Building Floor Area: n/a**
  - q) Parking: Off-street parking for multifamily residential uses in the overlay should include 1.5 spaces per unit. Shared parking strategies can be employed to allow for a reduction in the overall number of parking spaces for all uses on a lot.**
- 4) Design Principles.** Where multifamily residential is developed either exclusively or as part of a mixed-use project within this overlay, the following design principles apply:
- a) To promote a more vibrant, integrated downtown neighborhood, a mix of multifamily residential and permitted non-residential uses is encouraged in the DNO. Uses may be vertically mixed within the same building, or provided in different structures on the same lot.**
  - b) Where a vertical mix of uses is proposed within the same building:**
    - I. The ground-floor frontage facing a public street should include non-residential uses. Buildings with ground-floor non-residential shall have ground-floor architectural articulation such as**

storefronts with a secondary cornice and architecturally emphasized entrance doorways, and an overall façade pattern that differentiates between the base, middle, and top of the building.

- II. The rear portion of the ground floor may contain dwelling units if fully separated internally from the non-residential uses.
  - III. Access to dwelling units located to the rear and/or above the street level must be provided from an enclosed lobby or corridor and stairwell. A person entering a dwelling unit from the ground floor must not pass through the non-residential use located on the first floor of the building. Unenclosed or partially enclosed exterior stairwells are prohibited.
  - IV. There shall not be any non-residential uses above a floor that contains dwelling units.
- c) Where residential uses extend to the ground floor facing a public or internal street, appropriate transitions between the public and private realms shall be incorporated to ensure the streetfront is activated while maintaining an appropriate level of privacy for residents. Provision of a transitional 6- to 10-foot building setback from the public sidewalk is preferred where lot depth allows, in conjunction with additional techniques where possible such as:
- I. Raise the ground floor of the building 3-5 feet above the adjacent sidewalk grade.
  - II. Incorporate a planting strip (flush or raised) for a minimum of the outer 2 feet of the setback, along the property line.
  - III. Provide landscaping within the setback, either at grade or layered at varied levels.
  - IV. Incorporate a railing or fencing to help distinguish between the public and private realms; all such railings/fencing shall be no more than 3'-6" in height and shall be a minimum of 75% transparent for any portion of the height above 2'.
- d) All projects shall include a robust sidewalk network, street trees, landscaping, lighting, and other such pedestrian and public amenities to foster a vibrant, walkable neighborhood. Sidewalks along ground-floor non-residential uses and those connecting to interior parking areas shall be a minimum of 12 feet wide.
- e) Except for on-street parking, parking and vehicular circulation should be located to the side/rear of the front building line of any building that fronts on Route 6 to the maximum extent practicable, and shall be located to the side/rear of the front building line of any buildings fronting on any public/internal street other than Route 6. Parking areas shall be visually deemphasized from the public street frontage.

- f) The Town prioritizes extension of an interior street grid to improve traffic distribution between properties in order to reduce local trip reliance on Route 6. Where opportunities are identified to create and/or improve the street grid, new interior street connections shall be pursued. Where such connections are not yet feasible, as determined by the Planning Board, the arrangement of buildings, streets, and other site design elements shall not preclude such future connections. Every effort should be made to achieve an average block perimeter of no more than a quarter mile.**
- g) Street design should comply with the following standards:**

  - I. Lane width: 10'-11'**
  - II. Curb radius at intersections in mixed-use blocks: 15'-25'**
  - III. Curb radius at intersections in residential blocks: 10'-20'**
  - IV. On-street parking width: 7'-8'**
  - V. Sidewalk widths: 5'- 8' in residential-only areas, 12'-20' in mixed-use areas**
- h) Per §168 of the Town Code, projects shall contribute to a recreation fund to support the creation of quality public spaces appropriate in scale and function to the overall neighborhood, versus on a site-by-site basis, unless the Town determines that provision of outdoor recreation can be adequately provided for on the same lot being redeveloped.**
- i) Additional architectural design principles.**

  - I. Flat roofs with decorative cornices and/or parapets are required on buildings of three or more stories. Such buildings shall have cornice or top-floor edge features, which may extend up to 42" above the main roofline; the height of the cornice/parapet features shall not be included in the overall building height calculation.**
  - II. Where a 4-story building is proposed, top-floor setbacks may be considered along any façade facing a public or internal street.**
  - III. Unnecessarily complicated architectural designs should be avoided in favor of simple, classic proportioning that highlights the horizontal organizing principle of base/middle/top and applies appropriate vertical organization. Excessive variations to rooflines and building facades should be avoided.**
  - IV. Storefronts for nonresidential uses should maximize the allowable ground-floor height of 14' where possible, with the architectural treatments of the storefront extending up to avoid blank façade areas below the second-floor cornice line.**
  - V. Except for ground-floor nonresidential storefront spaces, window proportions should be vertical in nature (taller rather than wider).**

- VI. Mechanical systems, vent pipes, elevator shafts, antennas, roof decks and/or gardens, solar collectors, and other rooftop accessory structures may project up to 15 feet above the maximum height. With the exception of roof decks and solar collectors, such projections shall occupy no more than 20% of the roof area and must be set back at least 15 feet from the front edge of the roof.
- j) Every effort should be made to incorporate meaningful energy efficiencies such as solar, geothermal, or other green technologies into a project, either within the building envelope(s) and/or as part of larger site-wide systems.
- k) Signage for ground-floor nonresidential storefronts in buildings containing multifamily residential.
  - I. Allowed sign types are projecting, wall, and/or window.
  - II. Per storefront, a maximum total permanent sign area of one (1) square foot per 2 lineal feet of storefront, up to a maximum of 20 square feet.
  - III. Storefront signage shall be nonilluminated or externally illuminated. Internal illumination of storefront signage is prohibited.
- l) Signage per lot. Each lot redeveloped to include multifamily residential is permitted one (1) freestanding sign not to exceed 16 square feet in area and six (6) feet in height.

### **Section 3. Amendments to § 307-5 of the Town Code**

The following shall be added to Section 307-5(A):

#### **DNO Downtown Neighborhood Overlay**

The following shall be added as a new Section 307-5(I):

**Downtown Overlay District.** The DNO District is a mapped overlay district including portions of the Designed Commercial (CD) and Highway Commercial (HC) districts along Route 6 (Cortlandt Boulevard) between the City of Peekskill border to just east of Westbrook Drive.

### **Section 4. Amendments to §307 Attachment 1 – Notes for Table of Permitted Uses**

The following provision shall be added as Note 13:

**Note 13.** Multifamily Dwellings are only permitted as-of-right in the Highway Commercial (HC) and Designed Commercial (CD) districts on parcels that are also included within the Downtown Neighborhood Overlay (DNO) District, as shown on the Zoning Map.

### **Section 5. Amendments to §307 Attachment 2 –Table of Permitted Uses**

The Table of Permitted Uses shall be updated for “Multifamily dwelling” in the following way:

	HC	CD
Multifamily dwelling	<u>P(13)</u>	<u>P(13)</u>

**Section 6. Parcels to be Included**

The following parcels shall be included in the Downtown Neighborhood Overlay District:

23.20-1-7  
23.20-1-6  
23.20-1-5  
23.20-1-4  
23.20-1-3  
23.20-1-2  
23.20-3-13  
23.20-2-10  
23.20-2-9  
23.20-2-8  
23.20-2-7  
24.17-2-14  
24.17-2-13  
24.17-2-6  
24.17-2-5  
24.17-2-4  
24.17-2-3  
24.17-2-2  
24.17-2-1  
24.13-1-24  
24.13-1-23  
24.13-1-22  
24.13-1-21  
24.13-3-42  
24.13-3-43  
24.13-3-45  
24.13-3-47  
24.13-3-50  
24.13-3-55  
24.13-3-1  
24.13-2-10  
24.13-2-11  
24.13-2-12  
24.13-2-9  
24.13-2-8  
24.13-2-7  
24.13-2-4

24.13-5-3  
24.13-5-2  
24.13-5-1  
24.9-5-30  
24.9-3-42  
24.9-4-3  
24.9-4-2  
24.9-4-1

### **Section 7. Severability**

If any section, subdivision, paragraph, clause, or phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

### **Section 8. Effective Date**

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

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
LAROE ROSE SHATZKIN, TOWN CLERK**

**Adopted July 15, 2025  
At a Regular Meeting  
Held at Town Hall**