

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of Mount Kisco

FILED  
STATE RECORDS

AUG 30 2024

Local Law No. 4 of the year 2024

DEPARTMENT OF STATE

A local law A local law to amend Chapter 110- Zoning  
(Insert Title)

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of Mount Kisco as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2024 of the (County)(City)(Town)(Village) of Mount Kisco was duly passed by the Board of Trustees on August 19 2024, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

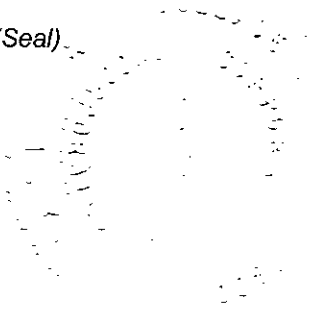
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 \_\_\_\_\_ above.

*[Handwritten Signature]*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 8/19/24

(Seal)



**LOCAL LAW #2024-04**  
**A LOCAL LAW TO AMEND CHAPTER 110 -- ZONING**

Be it enacted by the Village/Town of Mount Kisco of the County of Westchester as follows:

Additions are reflected with Underlining,  
Deletions are reflected within ~~Strikethrough~~

**Section 1.** The Code of the Village/Town of Mount Kisco Chapter 110 Zoning, Article III District Regulations, §110-23 B. (1) RDX Research and Development District; Permitted uses; Principal uses; is hereby amended as follows:

B. Permitted uses. No building or premises shall be used and no building shall be erected, altered or added to unless otherwise provided in this chapter, except for the following:

(1) Principal uses.

- (a) Administrative, business and professional offices.
- (b) Radio or television stations or studios.
- (c) Printing and publishing.
- (d) Physical training studios, in either classes or individual instruction format, including studios for dance, karate, fitness, and organized athletic activities for children.
- (e) All forms of senior housing, including senior assisted-living housing, and senior enriched/independent-living housing.
- (f) Biotech and pharmaceutical services and offices.
- (g) Hotel and conference centers.
- (h) Indoor storage.
- (i) Indoor auto storage.
- (j) Hi-tech/start-up incubator.
- (k) Educational institutions.
- (l) Veterinary Clinics and Hospitals, not to exceed 8,000 square feet of gross floor area.**

**Section 2.** The Code of the Village/Town of Mount Kisco Chapter 110 Zoning, Article III District Regulations, §110-23 B. (2) RDX Research and Development District; Permitted uses; Special Permit uses; is hereby amended as follows:

(2) Special permit uses.

- (a) Educational and training facilities.
- (b) Light manufacturing: Any process where either the nature, size or shape of articles or raw materials is changed or where articles are assembled, provided that:
  - [1] Such use is fully contained within the principal structure on the site.
  - [2] No objectionable or obnoxious odor, dust, fumes, noise or smoke is produced.
  - [3] There is no outside storage of materials, products or by-products.

- [4] All loading docks and truck parking areas are screened from view from all public roads by evergreen planting and/or fencing satisfactory in quantity, size, location, height and design to the Planning Board and Architectural Review Board.
- [5] The processes and procedures involved and the potential by-products and wastes do not pose any threat to the environment or to the public health, safety and welfare.
- (c) Health and athletic membership clubs conducting leisure-time and recreation activities for use by members, customers or clients on a periodic or seasonal basis, subject to the provisions of §§ 110-30J and 110-46 of this chapter, as well as the following:
  - [1] Submission at the time of application of a detailed exterior and interior layout plan and a schedule of activities and maximum capacities;
  - [2] Demonstration by the applicant that potential traffic generation shall be within the reasonable capacity of the existing or planned road or street providing access, and that traffic circulation, exit and entrance drives are laid out to minimize traffic hazards and nuisances; and
  - [3] Demonstration by the applicant that the health and athletic membership club will be appropriate in the proposed location and will have no material adverse effect on existing or prospective conforming development, and the proposed site is adequate in size for the use.
- (d) Nursery schools, child day-care centers and adult day-care centers, subject to the provisions of Article V of this chapter.
- (e) Research, design and development facilities, subject to the requirements set forth in § 110-30N.
- (f) Public utility facilities, excluding utility garages and storage yards, which are needed to serve properties within the Village, subject to a determination by the Village Board of Trustees that no other reasonable location in a less restricted district can be utilized for the purposes contemplated and subject further to such conditions as the Planning Board may deem to be appropriate for the protection of adjoining uses and for the character of the district. All parking and service areas connected with such use shall be screened from the view of all adjoining and neighboring residential properties. The site plan shall be subject to approval by the Planning Board, in accordance with the provisions of § 110-45 of this chapter.
- (g) Family recreation facilities subject to the provisions of §§ 110-30P and 110-46 of this chapter, and the following additional requirements:
  - [1] Parking requirements shall be determined by the Planning Board based upon specific standards from the Institute of Transportation Engineers or other recognized parking sources per specific use;
  - [2] All activities within the family recreation facility shall be under unified management and control;
  - [3] Accessory uses shall be limited by the following conditions:
    - [a] No accessory use shall be conducted other than in the portion of the facility specifically provided therefor.
    - [b] Not more than three accessory uses shall be permitted with respect to any facility.
    - [c] The aggregate floor area devoted to accessory uses shall not exceed 5% of the gross area of the principal use(s).
    - [d] There shall be no direct access for customers to the accessory use from outside the area devoted to the principal use(s).
    - [e] There shall be no signs visible from outside the area devoted to the principal use(s) indicating the accessory use.

- [f] Operation of the accessory use shall not be permitted except during hours when the principal use is in operation.
- [g] A cabaret license may be issued for any accessory restaurant use hereunder, subject to the provisions of Chapter 45[1] but under no circumstance shall an adult entertainment cabaret license be issued. [1]Editor's Note: See Ch. 45, Amusements.
- (h) {h}** Tier 3 solar energy systems, subject to the provisions of Articles V and IX of this chapter.  
[Added 11-19-2018 by L.L. No. 6-2018]
- (i) Veterinary Clinics and Hospitals, greater than 8,000 square feet of gross floor area.**

**Section 3.** The Village Clerk shall cause the amendments effected by this Local Law to be incorporated into the Code of the Village/Town of Mount Kisco.

**Section 4.** Should any section or provision of this Law be determined by any court of competent jurisdiction to be unconstitutional or invalid, then such section shall be null and void and shall be deemed separable from the remaining section(s) of this Law, and such determination shall in no way affect the validity of the remaining sections or provisions of this Law.

**Section 5.** This Law shall become effective immediately upon its filing with the Secretary of State of the State of New York.