

PROPOSED LOCAL LAW C of 2024

A Proposed Local Law to amend Chapter 342 of the Code of the Village of Mamaroneck (Zoning) to allow additional uses in the C-1 commercial zoning districts

**BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK
AS FOLLOWS:**

*(Language in strike-through ~~abcedefghijk~~ to be deleted; language in **bold** is to be added)*

Section 1.

Section 342-3 of the Code of the Village of Mamaroneck is amended by adding the following definitions:

ANIMAL HOSPITAL

A building for the medical and/or surgical care of animals.

PET CARE FACILITY

A business providing boarding and pet related services including feeding, exercise, training, bathing, or grooming, during the day and/or overnight.

Section 2.

Section 342-30(A)(1) of the Code of the Village of Mamaroneck is amended by adding the following principal uses permitted in the C-1 General Commercial Districts:

- (s) Animal hospitals. (This use is subject to Planning Board approval in accordance with the procedure set forth in Article X and must conform to any additional requirements made in connection with such approval.)**
- (t) Nursery schools. (This use is subject to Planning Board approval in accordance with the procedure set forth in Article X and must conform to any additional requirements made in connection with such approval.)**
- (u) Pet care facilities. (This use is subject to the requirements set forth in § 342-52.3, Planning Board approval in accordance with the procedure set forth in Article X, and must conform to any additional requirements made in connection with such approval.)**

Section 3.

Section 342-31(A)(1) of the Code of the Village of Mamaroneck is amended as follows:

- (a) Uses permitted in the C-1 Districts, as permitted therein, but not microbreweries, microdistilleries, microcideries, or microwineries, **nursery schools, or pet care facilities.****

Section 4.

Article VII of Chapter 342 of the Code of the Village of Mamaroneck is amended by adding § 342-52.3, as follows:

§ 342-52.3 Pet care facilities.

Within the C-1 districts, the Planning Board may grant a special permit for construction and operation of a pet care facility subject to the following standards and the requirements set forth in Article X of this chapter.

- A. Indoor space. Adequate indoor space must be provided for all animals under the care of the pet care facility.**
- B. Outdoor spaces. Outdoor spaces are permitted subject to the following requirements:**
 - (1) Animals must be indoors between the hours of 5:00 p.m. and 7:00 a.m.**
 - (2) While outdoors, all animals must be under the direct control of the pet care facility operator or the facility staff at all times.**
 - (3) A wall or fence enclosing the outdoor area must be provided and be of sufficient construction to protect animals from injury, prohibit animals from escaping, and separate animals from other domestic animals and unauthorized individuals.**
 - (4) The outdoor surface, other than grass runs and exercise areas, must be concrete, gravel, or other materials that can be regularly cleaned and kept free of waste accumulation.**
 - (5) Grass runs and exercise areas must maintain adequate ground cover, holes must be promptly filled, solid waste must be removed prior to watering, the ground cover must be watered sufficiently to dilute and clean the ground cover to avoid disease, and the ground cover must not be overgrown.**
 - (6) Outdoor areas must be designed so that the water used to clean outdoor areas does not overflow onto a public right-of-way or an adjacent property.**
- C. Sanitation.**
 - (1) Facilities must be kept clean and sanitary at all times in order to maintain a healthy environment for the animals and staff.**
 - (2) Indoor areas housing animals must be cleaned at least once each day.**
 - (3) Trash and animal waste generated at the facility must be disposed of promptly and hygienically, and in accordance with all applicable federal, state and local laws and regulations so as to minimize the risk of disease, contamination, and vermin.**
 - (4) Fecal wastes must be disposed of through either solid waste pick-up service or the sanitary sewer system. Disposal of cat litter must be through solid waste pick-up and not through the sanitary sewer system. Fecal wastes may**

not be used for on-site or off-site composting operation.

- D. Noise.** The operation of the pet care facility, including any overnight boarding at the pet care facility, must not create any noise that can be heard by any person at or beyond the property line of the lot on which the facility is located consisting of an average of 12 animal noises per minute either over a seven-minute period of time or over a 15-minute period of time with one minute or less between each animal noise.

Section 5.

Section 342-56 of the Code of the Village of Mamaroneck is amended as follows:

<u>Use</u>	<u>Minimum number of spaces</u>
Retail and/or service business, animal hospitals	1 for each 350 square feet of gross floor area of a building with not more than 3,500 square feet; 1 for each 200 square feet of the next 3,500 square feet of the gross floor area of the building; 1 for each 100 square feet of the gross floor area of the building in excess of 7,000 square feet.
Nursery schools, pet care facilities	1 space per staff member, plus 1.5 spaces for each classroom.

Section 6.

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, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 7.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 8.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.