

**INTRODUCTORY LOCAL LAW No. 7 OF 2016  
VILLAGE OF MONROE**

**A LOCAL LAW AMENDING CHAPTER 200 (“ZONING”) OF THE CODE OF THE  
VILLAGE OF MONROE FOR CONSISTENCY WITH THE VILLAGE  
COMPREHENSIVE PLAN**

BE IT ENACTED by the Board of Trustees of the Village of Monroe, Orange County, New York, as follows:

**SECTION 1. PURPOSE.**

The Board of Trustees of the Village of Monroe finds that it is reasonable and appropriate to update and amend Chapter 200 (“Zoning”) of the Village of Monroe Code for consistency with the Village Comprehensive Plan. This local law is determined to be an exercise of the police powers of the Village to protect the public health safety and general welfare of its residents.

**SECTION 2. CHAPTER 200 (“ZONING”).**

The definition of “accessory apartment” contained in Section 200-5 (“Definitions”) is hereby amended to repeal the term “that” and replace it with “, which”.

Section 200-5 (“Definitions”) is hereby amended to include the following new definition:

**LAUNDRY SERVICE**

A facility for the cleaning or laundering of garments, principally for individuals.

Section 200-61 (“Accessory apartments and conversion of existing dwellings to two-family or multifamily use”) is hereby repealed and replaced with:

**§ 200-61. Accessory Apartments.**

It is the specific purpose and intent to allow one accessory apartment within single-family detached residential structures or in an accessory structure such as a garage or other detached building on a lot containing a single-family residence in order to provide the opportunity and encouragement for the development of small, rental housing units designed, in particular, to meet the special housing needs of single persons and couples. It is the further purpose and intent of this provision to allow the more efficient use of the Village’s existing housing stock, to provide economic support for existing resident families of limited income, and to preserve and protect property values. An accessory apartment shall be permitted in SR-10 and SR-20 zoning districts only. The following specific standards are set forth for such accessory uses:

- (1) The lot must meet the requirements of its zoning district for a single-family dwelling, or if the lot is a preexisting non-conforming lot, the accessory apartment shall not increase the nonconformity of the lot.
- (2) There shall be no more than one (1) accessory apartment per existing single-family detached dwelling on a lot.
- (3) Off-street parking spaces shall be provided for each dwelling unit in accordance with § 200-46.
- (4) Proof that adequate water supply and sewage disposal facilities are available.
- (5) The accessory apartment, whether in the main dwelling or in an accessory structure, shall contain at least 600 square feet and not over 1000 square feet of habitable floor area, and as such shall not exceed the size of the primary residence. If the accessory apartment is proposed within the main dwelling, the primary residence shall be no less than 1000 square feet of habitable space. There shall be no more than one (1) bedroom per accessory apartment. The design of the apartment will conform to all applicable standards in the health, building and other codes.
- (6) The owner of the property shall reside on the premises (either in the main portion of the house or in the accessory apartment).
- (7) Each dwelling unit in the structure shall contain its own separate and private bathroom and kitchen wholly within each dwelling unit. The structure in which the accessory apartment is located shall have only one (1) front entrance and only one (1) entrance from any other façade of the structure. An entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units will be acceptable.
- (8) The accessory apartment shall be designed so that the appearance of the building remains that of a single-family detached dwelling. Any new entrances shall be located on the side or in the rear of the building, and any additions shall not increase the habitable space of the original house by more than 800 square feet beyond its size on the effective date of this Chapter. Accessory apartments shall be clearly incidental and subordinate to the principal structure and shall not change the single-family residential character of the neighborhood.
- (9) If the accessory apartment is located above a garage, an air to air heat exchanger and a carbon monoxide detector shall be installed to reduce the risk of carbon monoxide poisoning. In the event the apartment is proposed for an accessory structure, the apartment must be wholly contained in the existing structure. Such

structure shall have a dedicated water line and sewer line that are separate from the primary residence.

- (10) A detailed floor plan drawn to scale, showing proposed changes to the building shall be submitted along with the application for special use authorization.
- (11) Upon receiving special use authorization, the owner must file a covenant at the County Clerk's office and with the local assessor stating that the right to rent an accessory apartment ceases upon transfer of title. A copy of said covenant shall be provided to the Planning Board and Building Department. Upon a transfer of title, the local assessor shall notify the Building Department, who will then take the appropriate steps to ensure compliance with these provisions.
- (12) Purchasers of homes that have special use authorization for accessory apartments who want to continue renting those apartments must reapply for special use authorization.
- (13) Upon approval from the Planning Board, full compliance with Chapter 158 ("Rental Property") shall be completed prior to occupancy of the new accessory apartment.

A new subsection Section 200-63(P) is hereby created as follows:

P. Conversion of an existing dwelling. An existing dwelling may be converted to two-family or multifamily use in districts where permitted, provided that:

- (1) Conversions of dwellings erected prior to the enactment of this chapter to more intensive residential use shall be governed only by the requirements as to lot area per dwelling, livable floor area and off-street parking.
- (2) The maximum number of multifamily dwelling units that may be permitted in any conversion shall be as set forth in the Table of District Uses and Bulk Requirements.
- (3) The exterior of any dwelling to be converted to two-family or multifamily use shall not be enlarged, extended or altered, except as required for compliance with the New York State Multiple Dwelling Law. Any dwelling to be converted to two-family or multifamily will retain the appearance of a single family dwelling including but not limited to having one front door.
- (4) Owners of residential structures that have been converted to multifamily dwellings prior to the effective date of this chapter and without a building permit shall have six months from the effective date of this chapter to apply for and

receive a certificate of occupancy or else be subject to prosecution for violation of the Building Codes and this chapter.

New Sections 200-87.1 and 200-87.2 are hereby created as follows:

**§ 200-87.1. Regulations.**

- A. Purpose. The purpose of this article is to standardize the procedure for the review of site plans and the requirements for site plan applications, regardless of district.
- B. Authorization; approval required.
  - (1) The Village Board hereby authorizes the Planning Board, pursuant to Village Law §§ 7-725-a and 7-725-b, to review and approve, approve with modification or disapprove site plans, prepared as hereinafter set forth in this Chapter, and, where provided in this Chapter, the Planning Board is further authorized to issue special use permits upon determining that the public health, safety and welfare shall be served and neighboring properties will not be affected. The procedure for a special use permit shall be the same as a site plan.
  - (2) Further, the Planning Board is authorized to implement its Architectural Review responsibilities, as provided in § 200-73 of this Article, as part of the site plan review process.
- C. Applicability.
  - (1) In all districts, site plan approval by the Planning Board shall be required for:
    - (a) The erection or enlargement of all buildings in all districts other than single-family residences in SR-10 and SR-20 Districts, except that single-family residences shall be subject to site plan approval in flood hazard areas as defined on the Flood Insurance Rate Map.
    - (b) All uses of vacant land.
    - (c) Any change in use from one principal permitted or accessory use to another principal permitted or accessory use, including changes in use within a permitted multiple use, e.g., a shopping center. Where no exterior alterations or additions are proposed, the Code Enforcement Officer shall determine if a formal application to the Planning Board is required based on a completed Land Use Determination Form, as well as any significant impact the change in use will have on the site including, but not limited to, traffic volume, access, parking, circulation, noise, the need for landscaping or screening, environmental uses, loading, access,

drainage, utilities or other municipal services or character of the neighborhood.

- (d) Any application for a special use permit.
- (2) In any cases where an amendment of any such plan is proposed, the applicant must also secure the approval of the amendment by the Planning Board.
- (3) Site plan approval shall be obtained prior to the issuance of a building permit, and no certificate of occupancy or certificate of use shall be issued unless all requirements of the site plan approval have been fully met. No lot or parcel of land shall be used except in conformity with an approved site plan, when required. Where required, site plans shall be referred to the Orange County Department of Planning and other agencies.

D. Objectives and design requirements.

In reviewing site plans, consideration shall be given to the public health, safety and welfare; the comfort and convenience of the public in general and of the residents or users of the proposed development as well as of the immediate neighborhood; and appropriate conditions and safeguards as may be required to further the expressed intent of this chapter and the accomplishment of the following objectives:

- (1) That the site plan is in conformance with any relevant portions of the Comprehensive Plan of the Village.
- (2) That the design of all structures is compatible with that of surrounding structures. Compatibility shall be determined by a review of the proposed use of materials, scale, mass, height, color, texture, architectural style and the location of the structure or structures on the site.
- (3) That all proposed traffic and access ways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; and not located too near street corners or other places of public assembly; and other similar safety considerations.
- (4) That adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use. The interior circulation system will be adequate to provide safe accessibility to all required off-street parking lots, loading bays and building services.
- (5) That all playground areas, recreation areas, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets. In addition, the Planning Board shall require such

other landscaping and screening as may be required to protect the aesthetic environment of the surrounding properties and neighborhood.

- (6) That all existing trees over 12 inches in diameter, measured three feet above the base of the trunk, shall be retained to the maximum extent possible.
- (7) That all plazas and other paved areas intended for use by pedestrians utilize decorative pavements and plant materials so as to prevent the creation of vast expanses of pavement.
- (8) That all outdoor lighting is of such nature and so arranged as to preclude glare onto adjoining properties and streets.
- (9) Signs and lights will be compatible and in scale with building elements and will not dominate the overall visual impact of the project.
- (10) Textures of buildings and paved areas will be sufficiently varied to prevent a massive or monolithic appearance, particularly areas of asphaltic paving for parking.
- (11) That no sound from a public-address system should be audible on adjoining properties or on the adjacent street.
- (12) That all mechanical equipment necessary to operate the buildings services, which equipment is located on the roof of a structure, shall be screened in a manner approved by the Planning Board.
- (13) That the stormwater system is adequate and has been designed in accordance with the latest Village and State standards and, if applicable, a Stormwater Pollution Prevention Plan has been prepared in accordance with Chapter 168, Article II, and that all internal water and sewer systems are adequate and that all wells and sewage treatment systems are in accordance with Village, State, Federal and County standards.
- (14) That the site plan and building design accommodate the needs of the handicapped and are in conformance with the State standards for construction concerning the handicapped.
- (15) Adequate provision shall be made for emergency services, including but not limited to, fire, police, ambulance, and protection against environmental hazards, through placement of building, roadway access, building access, internal circulation, protective systems such as sprinklers or other appropriate measures as may be determined by the Planning Board.

E. Procedure.

(1) Land Use Determination

Prior to the application for site plan approval, special use permit review or any Land Use application, the applicant shall complete and submit a Land Use Determination Form to the Code Enforcement Officer for review in order to determine land use, necessary permits and additional approvals required, if any, in accordance with Village Code.

- (2) Applications for site plan and/or special permit review shall be made on forms prescribed by the Planning Board and shall be accompanied by a fee in accordance with the Fee Schedule of the Village of Monroe, as well as all supporting documents and plans. Such application shall be submitted to the Secretary of the Planning Board in accordance with the submission deadlines outlined in the yearly-approved Planning Board calendar. The Secretary shall refer the application to such Village departments, agencies and consultants as are necessary to evaluate the proposal and a consolidated packet shall be prepared for the Planning Board meeting. Applications not complying with the requirements of the site plan and special permit rules and regulations shall be rejected.

The applicant may, at its option, submit an informal plan for discussion prior to a formal application for site plan review. The site plan rules and regulations provide detailed specifications as to application materials and requirements. For purposes of informal discussion the applicant should provide as much information as possible, keeping in mind the specific criteria required in the site plan rules and regulations. The informal discussion shall not constitute a formal application and no approval can be granted based upon it.

(3) Submissions.

Five (5) paper copies as well as a PDF or digital copy of the site plan or an amendment of a site plan, along with a cover letter and any other supporting documents is to be submitted to the Secretary of the Planning Board in accordance with the submission deadline as outlined on the Yearly Planning Board Calendar.

(4) Public hearing; decision.

- (a) The Chairman of the Planning Board shall certify when all of the necessary materials have been submitted, including all required fees payable to the Village of Monroe. If all of the required materials and fees have not been received, the application shall not be considered as officially submitted.

The Planning Board shall act to approve or disapprove the site plan within sixty-two (62) days after receiving the required information or within sixty-two (62) days after the close of the public hearing, whichever date is later. The decision of the Planning Board shall be immediately filed in the offices of the Building Inspector and Village Clerk and a copy thereof mailed to the applicant. The period may be extended by mutual agreement between the applicant and the Planning Board.

- (b) Notice of Public Hearing shall be by publication in the official newspaper of the Village at least 10 days before the date of said hearing. In addition, the applicant shall be responsible for a mailing of such notice to the owners of all properties abutting that property held by the applicant and all other owners within 300 feet, or such additional distance as the Planning Board may deem advisable, from the exterior boundaries of the land involved in such application as the names of said owners appear on the last completed tax assessment roll of the Village. Such notice shall be given by regular first class mail with a Certificate of Mailing, and the applicant shall furnish to the Planning Board prior to the start of the public hearing such Certificates of Mailing as proof of compliance with the notification requirement. The notice for publication required by this section shall be issued and published in the newspaper by the Secretary of the Planning Board on order of the Planning Board or upon order of the Chairman of said Board so as to expedite the public hearing on the application. The applicant shall pay the actual and necessary costs of advertising and holding a public hearing.
- (c) Before affixing official stamp and signature indicating approval, the Planning Board Chairman shall require that a note appear on the site plan stating that no change, alteration or modification shall be made to the site plan, or in the work undertaken to accomplish the objectives of the site plan, without a resubmission to, and approval by, the Planning Board.
- (d) Concurrent with site plan approval, the applicant shall be required to file with the Village Board a performance bond, letter of credit or cash deposit, sufficient to cover the full cost of all improvements and treatment, whether to be dedicated or maintained by the Village or not, as outlined on the site plan. The sufficiency of such bond, letter of credit or deposit shall meet the requirements of the Village Engineer's cost estimate.
- (e) Concurrent with site plan approval, the applicant shall be required to provide a cash deposit with the Village Board of Trustees for engineering inspection fees. The amount of deposit shall be 5% of the total cost of all improvements and treatment, whether to be dedicated or maintained by the Village or not. The cost of improvements shall be as established in the Village Engineer's estimate of the cost of improvements.

- (f) Upon submission of the approved site plan, and upon satisfaction of any conditions imposed in such approval, and after review by the appropriate Village departments, agencies and consultants, the Chairman of the Planning Board shall sign the approved site plan and file one copy with the Planning Board Secretary and one copy with the Building Department. No site plan shall be signed, however, until all fees, bonding and administrative actions are paid, and the final site plan is reviewed and approved by the Village Engineer.
- F. Expiration of site plan approval. Final site plan approval shall expire one year from the date it is granted unless the applicant shall secure a building permit or site work permit prior to the one-year expiration date. The Planning Board may extend site plan approval for a reasonable period not to exceed one year where the circumstances are such that the applicant is unable to begin on-site work. In the event that final site plan approval expires, then the applicant shall be required to file a new application with the Planning Board. If a governmental agency has imposed a moratorium that prevents the developer from either starting construction or continuing construction on the project, then the year or that portion of the year remaining as required by this section shall be suspended until the moratorium is removed. Once a building permit is issued, if on-site work ceases for a period of more than six months, then the applicant shall be required to secure an extension of the site plan approval from the Planning Board for a reasonable period not to exceed one year.
- G. Special permit. Where the Planning Board is authorized to issue a special permit, the same procedure as site plan review shall be utilized, and said review may be carried out simultaneously with the site plan review. The Planning Board is authorized to require as a condition to the issuance of a special permit that such special permit be renewed at a specified period and after a public hearing.
- H. Site Improvements.
  - (a) No certificate of occupancy or use shall be issued for the site until all the improvements shown on the site development plan, including off-site improvements, have been duly installed and approved and all easements and property interests granted or offered for dedication.
  - (b) The site shall be developed in strict conformity with the approved site development plan except a field change may be instituted by the Building Inspector or other appropriate Village consultant, upon request of the applicant in writing and upon approval of the Planning Board. No field change shall be valid unless the requested change has been approved by the Planning Board, and details and/or drawings of the approved field change are to be attached to the approved site development plan.

- (c) It shall be the duty of every property owner to maintain his/her property in conformity with the approved site development plan. Failure to do so shall constitute a violation of this Chapter.

I. Required Site Plan Information:

- (1) The site plan shall be prepared, sealed and signed by a legally qualified engineer, architect or surveyor and shall contain the following information:

- (a) General location. A location map at as minimum scale of one inch equals 100 feet to indicate the relationship of the proposed development to significant existing community facilities which will serve or influence the layout, such as shopping areas, schools, parks, employment centers, churches, firehouses, etc.; also, the relationship of the proposed development to the nearest public roads on all four sides, and the relationship to adjacent parcels, as well as all streams, drainage and watercourses. This map (which may be based on the pertinent tax map) shall be set into the site plan and shall include a North point and indication of scale.

- (b) Development plan. Five print copies for original and subsequent submissions. For **final submission only**: three print copies and two reproducible Mylars. Plans should be of the entire contiguous holding at a scale of one inch equals 100 feet or larger scale, and measuring 24 inches by 36 inches in size, indicating the location of that portion which is to be developed in relation to the entire tract and the distance to the nearest existing street intersection, and showing the following:

- [1] Acreage of each distinct land use and the proposed density of each (if residential uses are proposed).
- [2] The names of all owners of record of adjacent property.
- [3] Existing school, zoning and special district boundaries within 100 feet of the tract.
- [4] Boundaries of the property with surveyed dimensions.
- [5] Location of all existing structures on the site.
- [6] The proposed location, height, spacing, area and use of all proposed and existing buildings, structures and outdoor signs and storage, if any.
- [7] The proposed location of any use not requiring a structure, including walkways, benches, fences and recreational facilities.
- [8] Location of existing and proposed usable open spaces and recreational areas and their landscaping.
- [9] All existing and proposed means of vehicular access and egress from the site including details and calculations for turning radiuses.
- [10] All streets which are proposed mapped or built.

- [11] Location and design of all driveways, off-street open and enclosed (if any) parking and loading areas, with the number of stalls provided therewith; and curbing provided or to be provided.
- [12] Location of all existing and proposed waterlines, valves and hydrants, all sewer lines and other utilities.
- [13] Existing drainage features (e.g. culverts, marshes, ponds and streams) of the property and within 100 feet thereof and the proposed storm drainage system.
- [14] Existing and proposed fencing, landscaping, buffer strips and screening, where required.
- [15] A detailed lighting plan showing proposed location, direction and type of outdoor lighting.
- [16] Existing and proposed contours with intervals of two feet.
- [17] Location of existing rocky outcrops, trees (on a separate tree plan), orchards, hedges and other ornamental landscaping, wooded areas, stone walls, roads or lanes, power lines, easements and other natural features and improvements thereto on the property.
- [18] Where the applicant wishes to develop the project in stages, a site plan indicating ultimate development shall be presented.
- [19] Boundaries and identification of existing soil types as may be found in the Soil Survey of Orange County, New York.
- [20] Detailed drawings at an appropriate scale of all public, common and community type improvements to be constructed, including, but not limited to, streets, driveways, parking lots, curbs, sidewalks, drainage systems, water distribution, sanitary sewers, guide rails, lighting, traffic control devices, soil erosion and sediment control, parks and playgrounds, fencing, retaining walls and survey monuments.
- [21] A separate Landscape Plan showing both existing and proposed landscaping, retaining walls and tree plantings, including a note on the plan indicating that all approved landscaping will be maintained in perpetuity.
- [22] Profile drawings at an appropriate scale of streets, drainage systems, sanitary sewers and water mains.
- [23] Profile drawings at an appropriate scale of dumpster enclosure(s).
- [24] Designation, location and elevation of lands in a floodway or subject to periodic flooding.
- [25] Parking Calculations for the intended use pursuant to Village of Monroe Zoning Code
- [26] A Table of Bulk Requirements for the property.
- [27] A note specifying hours of operation.

(2) Supporting materials.

- (a) Plans and plan elevations, except structural and mechanical plans, of all proposed or proposed to be altered buildings or structures or accessory structures, including all proposed freestanding signs.
- (b) Completed SEQRA Assessment Form.
- (c) Such other architectural, landscaping and engineering data as may be required to evaluate the site plan. The applicant shall be responsible for the costs of the same.
- (d) Drainage system calculations prepared by a New York State licensed professional engineer.

**§ 200-87.2. Architectural Review.**

- A. Findings and Purpose. The Board of Trustees of the Village of Monroe hereby finds that excessive uniformity, dissimilarity, inappropriateness or poor quality of design in the exterior appearance of buildings or other structures erected or altered can adversely affect the desirability of the immediate and neighboring areas and, by so doing, impair the benefits of occupancy of existing property in such areas, impair the stability in value of both improved and unimproved real property in such areas, prevent the most appropriate development and use of such areas, produce degeneration of property in such areas with attendant deterioration or conditions affecting the health, safety, comfort and general welfare of the inhabitants thereof, and contribute to the diminution of the taxable value of real property in such areas and their ability to support municipal services provided therefor. It is the purpose of this Chapter to prevent these and other potentially harmful effects resulting from such unattractive exterior appearance of buildings and other structures erected or altered, and thus to promote the public health, safety and welfare, to conserve the value of buildings, to encourage the most appropriate use of land and to improve the physical and visual appearance of the Village of Monroe.
- B. Designation of Board. The Planning Board of the Village of Monroe is hereby designated as the Architectural Review Board and may adopt such rules not inconsistent with this Chapter.
- C. Applicability.
  - 1. The requirements of this Chapter shall apply to any building or structure requiring site plan approval and/or a building permit application for exterior alterations or additions which change the existing shape or design of a non-residential building or structure, or any application for a building permit for exterior changes to the shape or design of a building previously approved by the Planning Board; and any buildings, structures and alterations in subdivisions consisting of five lots or more.
  - 2. The requirements of this Chapter shall not apply to permits issued for the construction of or alteration or addition to a single-family or two-family dwelling,

and construction of or alteration to any accessory buildings or structures of a single-family or two-family dwelling.

3. The Planning Board, in reviewing subdivisions, planned unit developments, multiple-family dwellings and site plans, shall require the developer or owner of the project to submit its plans for development of the land, including the type of buildings to be constructed, the location of the buildings on the proposed site and the type of architecture. After reviewing the plans of the development and making an on-site inspection, the Planning Board shall submit its recommendations for the development to the developer or owner of the project, which architectural recommendations may be made a condition of the Planning Board's final approval for a given development.

D. Standards. The Planning Board may approve, conditionally approve subject to special modifications or disapprove any application for which a building permit has been applied, provided that such disapproval is based on the fact that the building for which the permit was applied would, if erected, be so detrimental to the desirability, property values or development of the surrounding area as to provoke one or more of the harmful effects as set forth in this Chapter hereof by reason of:

1. Excessive similarity to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application, facing upon the same street and within 300 feet of the proposed site, in respect to one or more of the following features of exterior design and appearance:
  - (a) Apparently identical facade.
  - (b) Substantially identical size and arrangement of either doors, windows, porticoes or other openings or breaks in the facade facing the street, including reverse arrangement.
  - (c) Other significant identical features of design, provided that a finding of excessive similarity shall state not only that such excessive similarity exists but further that it is of such a nature as to be expected to provoke beyond reasonable doubt one or more of the harmful effects set forth in § 200-73 A above.
2. Excessive dissimilarity or inappropriateness in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application, facing upon the same street and within 300 feet of the proposed site, in respect to one or more of the following features:
  - (a) Cubical contents.
  - (b) Gross floor area.
  - (c) Height of building or height of roof.

- (d) Other significant design features, such as material or quality of architectural design, provided that a finding of excessive dissimilarity or inappropriateness shall state not only that such excessive dissimilarity or inappropriateness exists but further that it is of such a nature as to be expected to provoke beyond reasonable doubt one or more of the harmful effects set forth in § 200-73 A hereof and that the finding is not based on personal preference as to taste or choice or architectural style.
- E. Approval of plans and specifications required.  
In cases where the Planning Board's review and approval is required hereby, the Building Inspector shall not issue a building permit until the Planning Board has approved the plans and specifications for a building or alteration. The applicant for a building permit shall submit to the Building Inspector such plans and specifications as he may require for the purposes hereof.
- F. Certificate of occupancy.  
The Building Inspector shall not issue a certificate of occupancy upon completion of the building or alteration unless he finds that such building or alteration is completed in conformance with the plans and specifications which he approved prior to issuing a building permit.
- G. Considerations in approving or disapproving plans and specifications.  
In approving or disapproving plans and specifications for a building or alteration, the Planning Board shall consider the purposes above stated to promote architectural beauty and harmony of building design, to prevent the monotony of residential housing in rows of buildings which are identical or unduly similar in design or location in relationship to streets, and to prevent buildings from being improperly designed and located in relation to land contours, lot lines and street lines.
- H. Waiver of requirements. The Planning Board may waive or vary any requirements of this Chapter where the layout of the neighborhood, lot pattern, topography, observation of natural features used and the siting of individual structures is such to avoid monotony of appearance despite similarity of buildings.

The following attachments to Chapter 200 are hereby repealed in their entirety: (i) Zoning Catalog of Uses; (ii) Zoning Schedule I: Table of Use Requirements; (iii) Schedule I-A: Table of Use Requirements: SR-20 District; (iv) Schedule I-B: Table of Use Requirements: SR-10 District; (v) Schedule I-C: Table of Use Requirements: UR-M District; (vi) Schedule I-D: Table of Use Requirements: CB District; (vi) Schedule I-E: Table of Use Requirements: VR District; (vii) Schedule I-F: Table of Use Requirements: GB District; (viii) Schedule I-G: Table of Use Requirements: ES Overlay District; and (ix) Zoning Schedule II: Table of Bulk Requirements. The attached Tables of District Uses and Bulk Regulations for the CB, GB, SR-10, SR-20, UR-M and VR districts are hereby adopted as Attachments 3 through 8. All remaining attachments to this Chapter shall be renumbered accordingly.

### SECTION 3: SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

### SECTION 4: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

### SECTION 5: EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.