

APPENDIX A
AMENDMENTS TO ZONING LAW

**CITY OF RYE
LOCAL LAW NO. 1991**

A local law amendment to Section 197 of the Code of the City and the Zoning Map of the City of Rye for the purposes of creating three new zoning districts in the Coastal Zone of the City of Rye.

Be it enacted by the City Council of the City of Rye as follows:

Section 1. Section 197-2 of the Code of the City of Rye is hereby amended to read as follows:

§197-2 Districts.

For the purposes of this chapter, the City of Rye is hereby divided into the following classes of residence, business, parking, floating, landmarks preservation and coastal zone districts:

Section 2. Section 197-2 of the Code of the City of Rye is hereby amended by adding thereto a new subdivision, to be known as subdivision F., to read as follows:

F. Coastal Zone districts.

MC Membership Club District
WR Waterfront Recreation District
C Conservation District

Section 3. Section 197-1.A. of the Code of the City of Rye is hereby amended by adding a new definition, to be known as COASTAL ZONE, to read as follows:

COASTAL ZONE - That portion of the City of Rye delineated as the Coastal Zone on the New York State Coastal Zone Area Map, and identified in the City of Rye Local Waterfront Revitalization Program (as amended) and on file in the office of the Clerk of the City of Rye.

Section 4. Section 197-86 of the Code of the City of Rye is hereby amended by adding thereto a new Table of Regulations, to be known as Table C, to read as follows:

**TABLE OF REGULATIONS: TABLE C
COASTAL ZONE DISTRICTS - USE REGULATIONS**

**Column 1
Permitted Main Uses**

(subject to the requirements and provisions of S197-7)

MC Districts

- (1) Membership clubs such as beach, yacht and other similar water related and water enhanced clubs, except those where a chief activity is carried on primarily for gain.
 - (a) A minimum site of seven and five-tenths (7.5) acres shall be provided.
 - (b) The floor area to lot area ratio shall not exceed ten-hundredths (0.10).
 - (c) Fifty percent (50%) of any such site shall be natural ground cover, to include but not be limited to grass, trees, shrubs, plants and natural surfaces such as rock outcroppings and sand.
 - (d) Any building, parking lot or other recreational use shall be subject to the same regulations as specified for educational uses in residence districts, and shall not be located in the specified distance of any lot line.

WR Districts

- (1) Public recreational uses. Municipal recreation buildings, playgrounds, parks, reservations, beaches, boating facilities and other similar water related and water enhanced recreational uses, provided that no building, parking area or grounds for picnicking or organized games or sports shall be located within the specified distance of any lot line, subject to the same regulations as for educational uses in residence districts.
- (2) Private recreational use. Outdoor and indoor recreational uses including but not limited to golf, badminton, tennis, bathing, swimming, boating and other water related and water enhanced recreational uses, with appurtenant clubhouses, except those where a chief activity is carried on primarily for gain, provided:
 - (a) A minimum site of seven and five-tenths (7.5) acres shall be provided.
 - (b) The floor area to lot area ratio shall not exceed ten-hundredths (0.10).

- (c) Fifty percent (50%) of any such site shall be natural ground cover, to include but not be limited to grass, trees, shrubs, plants and natural surfaces such as rock outcroppings and sand.
- (d) No green or fairway shall be located within the specified distance from any lot line.
- (e) Any building, parking lot or other recreational use shall be subject to the same regulations as specified for education uses in residences districts.

C Districts

- (1) Nature preserves, wildlife conservation areas and natural areas.

TABLE OF REGULATIONS: TABLE C
COASTAL ZONE DISTRICTS - USE REGULATIONS

Column 2
Uses Permitted Subject to Additional
Standards and Requirements
(Subject to the requirements and provisions of Section 197-10)

MC Districts

- (1) Main uses permitted in R-1 Districts as limited therein and subject to the following:
 - (a) Residential lots created by a subdivision after (insert effective date of the local law when printed) shall be lot grouped as permitted by S197-39 of this Chapter at an R-3 standard.
 - (b) The open space to be reserved shall be equal to or greater than 50% of the total area of the land to be subdivided and shall exclude all lands shown on the approved subdivision plat as building lots, public and private rights of way created as part of the subdivision and land, if any, reserved for conventional park and playground purposes.
 - (c) The open space to be reserved in the subdivision shall include where applicable, wetlands and floodplains, and scenic, natural, and ecological features. Structures shall be sited to preserve views of the shoreline from public streets. If the foregoing does not require the full 50% of the required open space, then the remaining required open space to be reserved shall be located between the shoreline and an inland line essentially parallel to the shoreline, as a buffer to protect surface water quality.

WR Districts

(Reserved)

C Districts

(Reserved)

**TABLE OF REGULATIONS: TABLE C
RESIDENCE DISTRICTS - USE REGULATIONS**

Column 3

Permitted Accessory Uses

(Subject to the requirements and provisions of Section 197-9)

MC Districts

- (1) Any accessory building or accessory use permitted in an R-1 District customarily incidental to and located on the same lot with a one family residence.
- (2) The following Accessory uses when associated with a membership club or public recreational use:
 - (a) Tennis courts, paddle tennis courts, swimming pools, beaches, boat docks, boat launching ramps and facilities, basketball courts, and other similar outdoor recreation uses. Lighting of recreation facilities for night use is prohibited except as permitted by Section 197-14 of this Chapter.
 - (b) Boathouses, gymnasiums, health and fitness clubs facilities, racquetball courts, squash courts, locker room, cabanas and other similar types of recreation facilities.
 - (c) Dining, entertainment and bar facilities not primarily open to the public.
 - (d) Club administrative offices, auxiliary facilities for providing related educational and instructional services, maintenance facilities, storage buildings, boat storage, fuel and oil sales to members and guests only, laundry facilities, facilities for pumping out of marine holding tanks, facilities for waste oil collection, and other similar types of club support facilities.
 - (e) Residences for caretakers and staff, seasonal residences for club members and guests.
 - (f) Fences, walls or retaining walls not exceeding six (6) feet in height above the average natural grade except that fences not less than three-quarter (3/4) inch open construction shall be permitted up to twelve (12) feet in height around tennis courts and other similar facilities. Sea walls to the minimum height necessary to provide for adequate protection against flooding.
 - (g) Navigational lights.

- (h) Other accessory buildings and accessory uses customarily incidental to the principal club use of the premises.

WR Districts

- (1) Restaurants and lunch rooms excluding drive in car service stands and any other service, except window counter service stands and table service in the required front yard.

C Districts

- (1) Appurtenant service buildings including caretakers and equipment, housing, pavilions, auxiliary facilities for providing related educational and instructional services, walkways, bridges, service and access roadways, or other accessory transportation facilities which may be required as accessory to the permitted main use.

Notes to Area, Yard and Miscellaneous Regulations

- (a) Fifty percent (50%) of any such site shall be natural ground cover, to include but not limited to grass, trees, shrubs, plants and natural surfaces such as rock outcroppings and sand.
- (b) Buildings, structures and manmade surfaces shall not have an aggregate gross floor or surface area in excess of one-half of one percent (1/2 of 1%) of the area of the site or cover more of the site than ten percent (10%) of the area of the site.

Section 5. The Zoning Map of the City of Rye is hereby amended by adding to the list of districts thereon three new districts, to be known as the MC District, WR District, and C District, to read as follows:

MC Membership Club
WR Waterfront Recreation
C Conservation

Section 6. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of those lands known on the Rye City Tax Map as Sheet 159.06, Block 1, Lot 1, and Sheet 153,18, Block 1, Lots 9 and 10, from an R-1 One-Family District to a MC Membership Club District.

Section 7. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of those lands known on the Rye City Tax Map as Sheet 147.09 Block 1, Lots 11 and 12, Sheet 147,13, Block 1, Lot 2 and that portion of Sheet 147.13, Block 1, Lot 1, shown cross hatched on the attached map entitled "R-1 District to MC District

Rezoning of Lot 1", from an R-1 One Family Residence District to a MC Membership Club District.

Section 8. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of the land known on the Rye City Tax Map as Sheet 146.20, Block 1, Lot 6, except for the Edith G. Read Natural Park and Wildlife Sanctuary as shown on the attached map, from an R-5 One Family Residence District and B-1 Neighborhood Business District to a WR Waterfront Recreation District.

Section 9. The zoning Map of the City of Rye is hereby amended by changing the zoning designation of those lands known on the Rye City Tax Map as Sheet 153.07, Block 3, Lot 93, from an R-5 One Family Residence District to a WR Waterfront Recreation District.

Section 10. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of that land known on the Rye City Tax Map as Sheet 153.05, Block 3, Lot 72, from an R-2 One Family Residence District to a WR Waterfront Recreation District.

Section 11. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of that portion of the land known on the Rye City Tax Map as Sheet 146.20, Block 1, Lot 6, shown on the attached map as the Edith G. Read Natural Park and Wildlife Sanctuary, from an R-1 One Family Residence District to a C Conservation District.

Section 12. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of that land known on the Rye City Tax Map as Sheet 153.09, Block 1, Lots 32 and 33, from an R-2 One Family Residence District to a C Conservation District.

Section 13. The Zoning Map of the City of Rye is hereby amended by changing the zoning designation of that portion of the property known on the Rye City Tax Map as Sheet 146.18, Block 4, Lot 68, from the westerly side of Playland Parkway to a line extending from the intersection of the common property line between those properties known on the Rye City Tax Map as Sheet 146.18, Block 2 Lots 59 and 60 and the westerly side of Crescent Avenue to the southwest corner of that lot known on the Rye City Tax Map as Sheet 146.18, Block 4, Lot 50, from an R-4 One Family Residence District to a C Conservation District.

Section 14. Section 197-10.A. of the Code is hereby amended by adding thereto a new subdivision, to be known as subdivision (7), to read as follows:

- (7) In a Coastal Zone District a conventional subdivision or a subdivision lot grouped pursuant to Section 197-39 will accomplish the following:

- (a) Preserve all wetlands and floodplains.
- (b) All buildings and facilities shall be so arranged as to preserve to the maximum extent practical the view of the shoreline from public streets.
- (c) Where any development borders the waterfront there shall be a one hundred (100) foot wide strip of land along the waterfront which shall not include any area of the site below mean sea level or beyond the upland property line, whichever is most protective of proper drainage, flood protection and edge effect along the waterfront.

Section 15. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

Table of Regulations: Table C Coastal Districts

**CITY OF RYE
LOCAL LAW NO. 1991**

A local law amending 197-5.A.(6) of the Code of the City of Rye for the purpose of permitting the Board of Appeals to allow the reestablishment or restoration of non conforming water dependent uses and structures.

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 197-5.A. (6) of the Code of the City of Rye is hereby amended to read as follows:

- (6) No structure used for a non conforming use shall be reestablished, restored or used if the structure is destroyed, damaged or removed by any cause if the cost of such reestablishment or restoration would, according to the estimate of the Building Inspector, exceed fifty percent (50%) of the assessed value of the structure at the time of destruction, damage or removal; but if such cost would be less than 50% of such value, it may be restored or used, provided it is done within twelve (12) months of such time. In a specific case involving unnecessary hardship, the Board of Appeals may permit such reestablishment, restoration or use even though such cost would exceed fifty percent (50%) of such assessed value, provided it would not exceed fifty percent (50%) of the reproduction value of the damaged structure at such time of damage. In cases involving water dependent uses and related structures, the Board of Appeals may permit such reestablishment, restoration or use even though such cost would exceed fifty percent (50%) of the assessed value or reproduction value, provided the reestablished or restored use and structures will result in no greater intensity of activity and development than the use and structures at the time they were destroyed or damaged, the cost of the reestablishment or restoration will not exceed one-hundred percent (100%) of the reproduction value of the damaged structures at such time of damage and the work will be done within twelve (12) months after approvals are obtained from all other government agencies.

Section 2. This local law shall take immediately upon filing in the Office of the Secretary of State.

**CITY OF RYE
LOCAL LAW NO. 1991**

A local law amending 197-5.A. of the Code of the City of Rye for the purpose of permitting the reestablishment or restoration of non-conforming buildings in Membership Club Districts.

Be it enacted by the Council of the City of Rye as follows:

Section 1. Section 197-5.A. of the Code of the City of Rye is hereby amended by adding thereto a new subsection, to be known as subsection (10), to read as follows: (10) In a Membership Club District, club uses, buildings, structures, features and other development existing on that do not conform to current property line set back requirements shall be considered conforming within the meaning of this Subsection A. Such uses, buildings, structures, features and other development if destroyed or damaged may be replaced, restored or reestablished in the same location, provided the replaced, restored or reestablished uses, buildings, structures, features and other development will not be closer to a property line, larger or result in a greater intensity of activity than before they were destroyed or damaged. In addition, the cost of the replacement, reestablishment or restoration shall not exceed one-hundred percent (100%) of the reproduction value of the damaged structures at such time of damage and the work shall be done within twelve (12) months after approvals are obtained from all other government agencies.

Section 2. This local law shall take effect immediately upon filing in the Office of the Secretary of State.