

A LOCAL LAW to amend Chapter 300 of the Code of the Town of Yorktown entitled “ZONING,” Article VII, entitled “Permitted Special Uses”

Be it enacted by the Town Board of the Town of Yorktown as follows:

Section I. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II. Chapter 300 of the Code of the Town of Yorktown entitled “ZONING,” Article VII, entitled “Permitted Special Uses,” is hereby amended by replacing section 300-52 entitled “Boutique Hotel” with the following:

- A. BOUTIQUE HOTEL means: a small luxury hotel that has not more than twenty-five rooms, offering enhanced level of services with unique accommodations.
- B. Boutique hotels shall be allowed, subject to the following conditions:
 - (1) The total number of rooms shall not exceed 25.
 - (2) The maximum length of stay for any guest shall be 15 nights.
 - (3) Cooking facilities, common dining rooms and lounge facilities shall be permitted to accommodate guests and/or the general public.
 - (4) Customary accessory hotel facilities such as a swimming pool, fitness room, business lounge, retail (no more than 350 square feet), and breakfast room for exclusive use by the hotel guests are permitted.
 - (5) Parking requirements: 1.1 parking space per overnight guest room, two of which shall be for handicap use; in addition, should the facility contain dining/lounge areas open to non-guests, 1 space per six hundred square feet of patron areas.

Parking requirements may be varied, i.e., reduced upon a showing of available off-street parking in the vicinity of the facility or by evidence of a binding valet service off site.

- (6) Food Service/Restaurant: Boutique Hotel use may include a separate food/restaurant service catering to non-hotel guests. i.e the general public. Meetings & Gatherings: Including but not limited to conferences, luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation are permitted.

- C. Boutique Hotels shall be permitted by the Planning Board only as defined in this Chapter, and such uses shall comply with all applicable laws.

Section III. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistency.

Section V. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.