

**LOCAL LAW NO. \_\_ of 2020**

A Local Law known and cited as Amendment to Zoning Code regarding bulk regulations for Tier 3 Solar Energy Systems and Amending Zoning Map to apply Tier 3 Solar Energy Floating Zone

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

**SECTION 1.** Purpose and Intent. By joint application dated April 21, 2020, Ecology New York II LLC (as system owner and applicant) and Catholic Foreign Mission Society of America Inc. (as property owner) applied to the Town Board to install and operate a solar energy system (the “Proposed Project”) on the property located at 75 Ryder Road, Ossining, New York (the “Property”). The Proposed Project is a Tier 3 solar energy system as defined in Zoning Code § 200-31.3, which would require the Town Board to adopt a local law to amend the Town’s Zoning Map to include the Property in the Tier 3 solar energy system floating zone. The Applicants are also seeking a zone text amendment to increase the maximum permitted height of Tier 3 canopy solar energy systems from the current maximum of 15 feet to allow sufficient clearance for fire trucks and other emergency vehicles.

**SECTION 2.** Be it enacted by the Town Board of the Town of Ossining as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

**SECTION 3.** Amending Existing Provision. Chapter 200 (entitled “Zoning”), Attachment 3 (entitled “Solar Energy Systems Tables”), Table 3 (entitled “Maximum Permitted Height Requirements”) of the Town Code is hereby amended as follows:

The following table provides maximum height requirements for solar energy systems. The height of systems shall be measured from the highest natural grade below each solar panel and shall be calculated when the solar energy system is oriented at maximum tilt.

Zoning Districts	Tier 1 Roof-Mounted Solar Energy System	Tier 2 Solar Energy System	Tier 3 Solar Energy System
One-Family Residence	2 feet above roof	10 feet	15 feet <sup>1</sup>
MF, MF-I, NC	2 feet above roof	10 feet	Not permitted
GB-1	4 feet above roof	15 feet	Not permitted
GB, O-RB, O-RE	4 feet above roof	15 feet	15 feet <sup>2</sup>
BE	4 feet above roof	15 feet	15 feet <sup>3</sup>

**<sup>1</sup> Solely for Tier 3 solar energy systems that are a canopy over existing impervious surfaces or surfaces without vegetation that are used as parking lots, the maximum permitted height is 23 feet.**

**<sup>2</sup> Solely for Tier 3 solar energy systems that are designed as a canopy over existing impervious surfaces or surfaces without vegetation that are used as parking lots, the maximum permitted height is 23 feet.**

**<sup>3</sup> Solely for Tier 3 solar energy systems that are designed as a canopy over existing impervious surfaces or surfaces without vegetation that are used as parking lots, the maximum permitted height is 23 feet.**

**SECTION 4.** Applying Tier 3 solar energy system floating zone to the Property.

The Town Board hereby applies the Tier 3 solar energy system floating zone to the property located at 75 Ryder Road, Ossining, New York and shown on the Town of Ossining Tax Map as 90.06-1-1.

**SECTION 5.** Amending Zoning Map

The Town of Ossining Zoning Map shall be amended to reflect the application of the Tier 3 solar energy system floating zone to the property located at 75 Ryder Road, Ossining, New York and shown on the Town of Ossining Tax Map as 90.06-1-1.

**SECTION 6.** Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

**SECTION 7.** Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF OSSINING