

LOCAL LAW NO. 2 [INTRODUCTORY] OF THE YEAR 2010

EXPANSION OF PERMITTED USES IN THE OBH ZONE

TABLE OF CONTENTS

Section 1.....2  
    Findings and Purpose.....2  
Section 2.....4  
    Definitions.....4  
Section 3.....4  
    Additional Zoning Ordinance Definitions .....4  
Section 4.....5  
    Zoning Ordinance Amendments .....5  
Section 5.....7  
    SEQRA .....7  
Section 6.....7  
    General Municipal Law Referral .....7  
Section 7.....7  
    Supersedence.....7  
Section 8.....8  
    Severability .....8  
Section 9.....8  
    Effective Date .....8

## LOCAL LAW NO. 2 OF THE YEAR 2010

---

### EXPANSION OF PERMITTED USES IN THE OBH ZONE

A local law to expand the permitted uses in the Office Business Hospital Zoning District of the Village of Goshen in light of the recent Orange Regional Medical Center Merger and eminent closure of Arden Hill Hospital and the desire of the Village to encourage reuse or redevelopment of this property and full use of property in the zone.

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF GOSHEN AS FOLLOWS:

#### **Section 1.**

##### **Findings and Purpose**

1.1. The Village Board of the Village of Goshen does hereby make the following findings and does hereby declare the following purposes with regard to the enactment of this local law:

- ⇒ The Village of Goshen wishes to encourage economic development and reuse and/ or redevelopment of the Arden Hill Hospital Campus.
- ⇒ The Village wishes to attract a wider variety of businesses and widen its tax base.
- ⇒ Any permitted uses should compliment rather than conflict with existing uses in this zone.
- ⇒ It is appropriate to attempt to capitalize on and possibly enhance the existing medical facilities and medical related uses by promoting additional related uses even if they seem only peripherally related.
- ⇒ While small-scale services geared towards anticipated onsite populations (seniors or medical staff) may be appropriate within a complex, permitting general

## LOCAL LAW NO. 2 OF THE YEAR 2010

---

retail and services in this area may have a negative effect existing downtown core or in the Design Shopping District. Further, the additional increased traffic flow which would result from such development is not consistent with the senior care and senior residential facilities in the zone.

⇒ From these foregoing findings, it is the determination of the Village Board that, in enacting this local law, the village must:

- Expand the uses permitted in the OBH Zoning district
- Retain the economic viability of the Village's downtown core and complement existing uses in this area by tailoring new uses to the Health Sciences field and related uses.

**Section 2.**

**Definitions**

2.1. For the purpose of this local law, the following terms shall have the meanings indicated:

<i>Village</i>	The Village of Goshen, Orange County, New York.
<i>Village Board</i>	The Village Board of the Village of Goshen.
<i>Planning Board</i>	The Planning Board of the Village of Goshen.
<i>Ordinance</i>	The zoning ordinance of the Village of Goshen and, where indicated, particular provisions of the Code of Ordinances of the Village of Goshen.

**Section 3.**

**Additional Zoning Ordinance Definitions**

3.1. Additional definitions of certain terms shall be included within Section 18.1 [Definitions] of the Zoning Ordinance of the Village of Goshen, said new definitions to read as follows:

**Sec. 18.1. Definitions.**

*Medical Spa:* A medical clinic focusing on facial procedures such as microderm abrasion, chemical skin peels and laser hair removal but which also may offer body treatments such as message or acupuncture for therapeutic purposes. Only licensed professionals shall be permitted to operate such facilities.

\* \* \*

*Indoor Recreation Center:* Facilities which contain recreational amenities such as bowling alleys, skating rinks, courts or artificial grass surfaces for various sports including but not limited to basketball, racquetball, tennis, volleyball or soccer or general exercise equipment. Facility should not be geared towards spectator or other large events. Food or beverages clearly accessory to the intended purpose of the facilities may be provided with no independent restaurants or catering facilities.

**Section 4.**

**Zoning Ordinance Amendments**

4.1.: The Table of General Use Regulations, Table 11, OBH District, shall be revised as follows:

Permitted Use number 4 in Column "B" shall be revised as follows: "Buildings, structures and uses owned and operated by the Village for a governmental purpose".

A new Permitted Use numbered 6 shall be added to Column "B" of the table to read as follows: "Ambulatory and other outpatient care centers"

A new use group reference relating to permitted use number 6 shall be added to Column "B-1" of the table, said reference to read: R

A new Permitted Use numbered 7 shall be added to Column "B" of the table to read as follows: "Outpatient medical diagnostic facilities"

A new use group reference relating to permitted use number 7 shall be added to Column "B-1" of the table, said reference to read: R

A new Permitted Use numbered 8 shall be added to Column "B" of the table to read as follows: "Medical Spas, healing or rehabilitation centers operated by licensed medical professionals"

A new use group reference relating to permitted use number 8 shall be added to Column "B-1" of the table, said reference to read: R

A new Permitted Use numbered 9 shall be added to Column "B" of the table to read as follows: "Medical teaching or training facilities, medical or biotechnology research centers and other Health Science educational facilities"

A new use group reference relating to permitted use number 9 shall be added to Column "B-1" of the table, said reference to read: N

## LOCAL LAW NO. 2 OF THE YEAR 2010

---

A new Conditional Use numbered 5 shall be added to Column "C" of the table to read as follows: "Indoor recreation centers excluding those which provide motorized rides, water slides or establishments which are geared especially towards spectator events"

A new use group reference relating to conditional use number 5 shall be added to Column "C-1" of the table, said reference to read: L

A new Conditional Use numbered 6 shall be added to Column "C" of the table to read as follows: "Professional or business offices with no associated warehouse facilities"

A new use group reference relating to conditional use number 6 shall be added to Column "C-1" of the table, said reference to read: F

A new Conditional Use numbered 7 shall be added to Column "C" of the table to read as follows: "Place of Worship"

A new use group reference relating to the conditional use number 7 shall be added to Column "C-1" of the table, said reference to read: L

A new Conditional Use numbered 8 shall be added to Column "C" of the table to read as follows: Research and development laboratories and/or technical, vocational or professional training facilities.

A new use group reference relating to the conditional use number 8 shall be added to Column "C-1" of the table, said reference to read: N

Minimum Off-Street Parking for Use numbered 7 shall be added to column "E" to read as follows: "medical professional plus 1 per 400 square feet".

Minimum Off-Street Parking for Use numbered 8 shall be added to column "E" to read as follows: "300 square feet of classrooms, labs or other training areas"

Minimum Off-Street Parking for Use numbered 9 shall be added to column "E" to read as follows: "200 square feet of exercise areas or athletic fields, plus 2 per hard surface court, plus 1 per employee".

Minimum Off-Street Parking for Use numbered 10 shall be added to column "E" to read as follows: "250 square feet".

**Section 5.**

**SEQRA**

*Type of Action:*

5.1. This matter constitutes a Type I action under the State Environmental Quality Review Act.

*Lead Agency:*

5.2. The Village Board of the Village of Goshen is the lead agency in regard to this action.

*Declaration of Significance:*

5.3. A negative declaration was issued on \_\_\_\_\_.

**Section 6.**

**General Municipal Law Referral**

6.1. This application has been referred to the Orange County Planning Department for review and report. The Planning Department has reported that this matter is one for local determination, there being no significant inter-municipal or countywide considerations found to exist.

**Section 7.**

**Supersedence**

7.1. This law is specifically intended to supersede (to the extent it departs therefrom) the following sections of the Village Law of the State of New York:

◆ [ \_\_\_\_\_? ]

## LOCAL LAW NO. 2 OF THE YEAR 2010

---

◆ [ \_\_\_\_\_? ]

### **Section 8.**

#### **Severability**

8.1. The invalidity or unenforceability of any particular provision of this local law shall not affect the validity or enforceability of other provisions of this local law, which such provisions shall continue to be both enforceable and valid.

### **Section 9.**

#### **Effective Date**

9.1. This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with the Municipal Home Rule Law.