

TOWN OF NORTH CASTLE

Local Law No. 18 For the Year 2007

(Adopted September 10, 2007)

A local law to amend Section 213-21 of the Town of North Castle Town Code to permit Day Spas as a permitted principal use within the PLI Zoning District; to amend Section 213-45 of the Town Code to create an off-street parking requirement for Day Spas; to amend Section 213-3 of the Town Code to create a new definition for Day Spas; and to create new Section 213-33T of the Town Code.

Be it enacted by the Town Board of the Town of North Castle as follows:

Section 1. Amend Section 213-21 of the Town of North Castle Town Code to add the following permitted principal use to the PLI Zoning Districts:

*Day Spas

Section 2. Add the following use and off-street parking requirement to Section 213-45A of the Town Code:

Day Spas	One (1) off-street parking space for each 200 square feet of gross floor area
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Section 3. Add the following definition, in proper alphabetical order, to Section 213-3 of the Town Code:

DAY SPA -- A commercial establishment which employs professional licensed therapists whose services include massage and body or facial treatments. Private treatment rooms are provided for each client receiving a personal service. Massage treatments may include body packs and wraps, exfoliation, cellulite and heat treatments, electrolysis, body toning, waxing, aromatherapy, cleansing facials, electrical toning, and other similar treatments and services. Hydrotherapy and steam and sauna facilities, nutrition and weight management and exercise facilities and instruction may be provided in addition to the massage and therapeutic treatment services. ACCESSORY CAFES providing service only for Day Spa customers and full service hair salons providing service only for Day Spa customers including make-up consultation and application, manicure and pedicure services as well as tanning stations may be provided as additional accessory services as determined appropriate by the Town.

Section 4. Add the following new section, in proper alphabetical order to Section 213-33 of the Town Code:

- T. Day Spas. In zones where permitted, Day Spas shall be subject to the following additional requirements:
 - (1) Alcohol shall not be served within any Accessory Café within a Day Spa.
 - (2) The hours of operation of any Accessory Café within a Day Spa shall be the same as the hours of operation of the Day Spa.
 - (3) Special events such as birthday parties and other similar group events shall not be held within any Day Spa.
 - (4) A Day Spa shall not have more than a total of six manicure/pedicure stations.
 - (5) A Day Spa shall not have more than a total of four salon chairs.
 - (6) All hair salon services shall be limited to a maximum of 15% of the gross floor area of the Day Spa as determined appropriate by the Town.

Section 5. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 6. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 7. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: September 10, 2007