

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

[Redacted]
[Redacted]
Village

Watkins Glen

Local Law No. 4 of the year 19 93

A local law to Amend Local Law No. 3 of 1991, "Zoning Law of the Village of Watkins Glen" to provide for the creation of a Planned Multiple Residence District.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City
Town of Watkins Glen as follows:
Village

Article II, Section 12. PLANNED MULTIPLE RESIDENCE DISTRICT (PMRD)

Section 12.0 Intent

The provisions of this Section are intended to permit and encourage the development of well-planned, high density, residential neighborhoods or groups of residences on sites larger than normal building lots. To give the site planner flexibility, more intensive use of land may be permitted and the coverage, height, setback and other requirements may be varied under circumstances which will ensure more imaginative use of a building site than can be achieved under the other regulations of this law. This district may contain both individual building sites and common property which is planned and developed as a unit. The Planned Multiple Residence Development shall be considered a rezoning and shall be subject to all procedures and requirements set forth in this Section and Articles III and IV.

Section 12.1 Permitted Uses

A. Principal Uses.
Single-family, two-family and multiple residences as defined in Article I, Section 3.

B. Accessory Uses.
Accessory uses which are designed as an integral part of and for the exclusive use of the PMRD development may be permitted as deemed appropriate by the Planning Board.

Section 12.2 Standards Governing Multiple Residence District

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Any development proposal to be considered as a Planned Multiple Residence District shall conform to the following standards, which shall be regarded as minimum requirements, in addition to all applicable standards in other sections of this law.

See LL #3 96

- A. This provision shall apply only to land designated as R-1, R-2, R-3 and CD districts.
- B. A tract, or parcel or lot or tracts, parcels or lots may be considered for a Planned Multiple Residence District if it shall contain an area of adjoining and contiguous land as specified below. Where an applicant can demonstrate that the characteristics of his holdings will meet the objectives of this Article, the Planning Board may consider projects with less lot area.

<u>District</u>	<u>Minimum Land Area)</u> <u>(sq. ft.)</u>
R-1, R-2	40,000
R-3, CD	80,000

C. Density and Design

The Planning Board shall determine in each case the appropriate dwelling unit density and placement of such units on the parcel.

Siting should minimize disruption of natural terrain and vegetation. To the maximum extent feasible, the existing proportional relationship between buildings, open space and building setbacks in surrounding or nearby neighborhoods should be maintained. The color, height, materials and facade treatment of new development should reflect a complementary style as compared to adjacent buildings. The development guidelines in Article IV shall be utilized by the Planning Board to ensure compatibility.

- D. All parcels shall be serviced by public water and sanitary sewer systems. It shall be the applicant's responsibility to provide such service and/or connect to the Village system.

E. Buffer Areas and Setbacks

- 1. Buffer areas shall be required between dissimilar or conflicting land uses. A minimum 10' landscape buffer zone may be required as an effective screening treatment between such uses. Such buffer zone shall be landscaped so as to act as a visual screen as required by the Planning Board in conformance with Article IV, Section 1.20.

2. No principal or accessory use or structure, including parking and loading areas shall be permitted within the required buffer area.

F. Open Space - the development shall have dedicated for developed and unimproved common or public open space and recreation uses, lands per the following schedule at a minimum:

5% of the gross land area for the first 20 units
7.5% of the gross land area for 20-40 units
10% of the gross land area for 40 units or more
20% of the gross land area for development parcels that have frontage on a waterbody.

Such lands shall not include lands that are required buffer or setback areas.

G. The development shall meet all applicable standards as set forth in Article IV.

Section 12.3

Special Provisions Applying to the Planned Multiple Residence District (PMRD)

A. In order to carry out the purpose of this district, a development shall consider the following objectives:

1. A choice in the types of environment, occupancy, tenure, types of housing, lot sizes and community facilities available to existing and potential residents at all economic levels.
2. More useable open space and recreation areas.
3. The preservation of trees and outstanding natural features.
4. A creative use of land and related physical development.
5. An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs.
6. Be compatible with all applicable guidelines and standards set forth in Article IV.
7. Safe and adequate traffic circulation and access is provided in accordance with the scale and scope of the proposal.
8. The proposal is compatible both in scale and character with the surrounding properties.

- B. The tract of land for a project may be owned, leased or controlled either by a single person, or corporation or a group of individuals or corporations. An application must be filed by the owner or jointly by owners of all property included in a project. In the case of multiple ownership, the approved plan shall be binding on all owners.
- C. When common property exists, the ownership of such common property may be either public or private. When common property exists in private ownership, satisfactory arrangements must be made for the improvements, operation and maintenance of common property and facilities, including private streets, drives, service and parking areas and recreational and open space areas.
- D. In the event that the organization established to own and maintain common property, or any successor organization, fails to maintain such property in a reasonable order, the Village Board may cause such property to be maintained in accordance with the following procedure:
- The Village of Watkins Glen may serve written notice upon such organization that has failed to maintain the common property in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within 30 days thereof, and shall state the date and place of a hearing thereon which shall be held with fourteen (14) DAYS OF THE NOTICE.
 - At such a hearing, the Village may modify the terms of the original notice to the deficiencies and may give an extension of time within which they shall be cured. If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within 30 (thirty) days or any extension thereof, the Village, in order to preserve the taxable values of the properties within the development and to prevent the common property from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of one year. Said entry and maintenance shall not vest in the public any rights to use the common open space except when the same is voluntarily dedicated to the public by the residents and owner. Before the expiration of said year, the municipality shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common property, call a public hearing upon notice to such organization, or to the residents and owners of the development to be held by the Village, at which hearing such organization, or to the residents and

owners of the development shall show cause why such maintenance by the Village, continue for a succeeding year.

If the Village shall determine that such organization is ready and able to maintain said common property, in reasonable condition, it shall cease to maintain said common property at the end of said year. If the Village shall determine such organization is not ready and able to maintain said common property in a reasonable condition, the Village may in its discretion, continue to maintain said property during the next succeeding year, subject to a similar hearing and determination in each year thereafter.

The cost of such maintenance by the Village shall be assessed at the same proportion as each unit's assessed value bears to the total of the development.

- E. For the purposes of regulating the development use of property after initial construction and occupancy, any changes shall be subject to a site plan approval by the Planning Board. Properties lying in the PMRD are unique and shall be so considered by the Planning Board when evaluating this requests; and maintenance of the intent and function of the planned unit shall be of primary importance.

Section 12.4

Procedures of Establishing a Planned Multiple Residence District

- A. Any applicant wishing approval for a Planned Multiple Residence District shall submit his request to Village Board and the Planning Board in the form of a Sketch plan as defined in Article III, Section 2.
- B. Upon conditional approval of the sketch plan by the Village Board and the Planning Board, the applicant shall submit an application for site plan approval to the Planning Board in conformance with the procedures and requirements set forth in Article III.
- C. The Planning Board may, based on its review of the site plan, recommend to the Village Board that the proposal not be approved. Such recommendation shall include a detailed explanation of the reasons for its findings. The Village Board shall not act contrary to the Planning Board's recommendation, except on a vote of the majority plus one of the

members in favor of such proposal and shall state all reasons for such decision.

- D. If the proposal receives approval of a final site plan, the Planning Board shall forward to the Village Board its recommendation to modify the zoning law and establish the PMRD. The Planning Board's report shall include a statement of all conditions and covenants upon which the approval is contingent.
- E. Within 5 days of the receipt of the Planning Board's recommendation, the Village Board shall advertise and hold a public hearing on the rezoning proposal. Within fifteen (15) days after such hearing the Village Board shall approve or disapprove the rezoning. The Village Board may attach such conditions on the approval as it deems necessary.

This Local Law shall take effect immediately upon mailing to the Secretary of State.