

(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.

County
City of Watkins Glen
Town of
Village

Local Law No. 2 of the year 19 94..
to Amend Local law No. 3 of 1991, "Zoning Law of the
A local law Village of Watkins Glen"
(Insert Title)

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

County
City of Watkins Glen
Town of as follows:
Village

Local Law No. 3 of 1991, Zoning Law of the village of Watkins Glen, is hereby amended in the following respects:

CHANGES TO ARTICLE III - SITE PLAN REVIEW AND APPROVAL
VILLAGE OF WATKINS GLEN ZONING LAW

I. Insert the following prior to Section 1.

DEFINITIONS:

New Land Use Activity - Any construction or other activity which materially changes the use or appearance of land or a structure or the intensity of use of land or a structure. New land use activity shall explicitly include, but not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansions of existing uses, roads, driveways, and excavations for the purpose of extracting soil or mineral deposits.

Use - This term is employed referring to:

a. The purpose for which any buildings, other structures, or land may be arranged, designed, intended, maintained or occupied;

b. Any occupation, business activity, or operation conducted in a building or other structure, or on land.

II. REPEAL EXISTING SECTION 1 AND REPLACE WITH FOLLOWING:

SECTION 1. SITE PLAN REVIEW AND APPROVAL: Prior to issuance of a zoning permit in the Village of Watkins Glen, the Code Enforcement Officer shall require site plan approval by the Planning Board pursuant to this section for all new land use activities.

The following land use activities are exempt from site plan review:

1. Construction of one or two family dwellings and ordinary accessory structures, and related land use activities;
2. Landscaping which is not intended to be used in connection with a land use activity reviewable under the provisions of site plan review;
3. Ordinary repair or maintenance or interior alterations to existing uses;
4. Non-structural agricultural or gardening uses not involving timber cutting;

The Village recognizes that almost any land use activity can be made compatible with any other use and can be integrated into its surrounding if the size, scale, design, siting and operation of the use are appropriate. This Article establishes a case-by-case plan review and approval process to regulate land use activity changes. In order to expedite review of new land use activities and provide adequate review of potentially disruptive new land use activities, the following classification of new land use activities and review requirements shall apply:

a. **SIGN PERMIT ONLY APPROVAL** - Applications of signs meeting the requirements of Article IV, Section 1.5 and not involving any other new land use activity are not subject to site plan review and approval and shall only require a sign permit from the Codes Enforcement Officer.

b. **SITE PLAN ONLY APPROVAL** -All new land use activities, except those exempted in this section, are subject to site plan review and approval to assure that they are appropriately planned.

c. **SITE PLAN WITH PUBLIC HEARING** - All new land use activities determined to be potentially disruptive to neighbors, the environment or others in the community and region are subject to site plan review and approval and a public hearing to be scheduled at the sole discretion of the Planning Board pursuant to Section 5 of this Article.

III. REPEAL EXISTING SECTION 6 AND REPLACE WITH FOLLOWING:

SECTION 6. PLANNING BOARD ACTION ON SITE PLAN:

A. Unless a public hearing is determined necessary, the Planning Board shall render a decision, within forty-five (45) days of the receipt of a complete and satisfactory application for site plan approval, file said decision with the Village Clerk, and mail such decision to the applicant with a copy to the Code Enforcement Officer. If a public hearing is conducted, the Planning Board shall render a decision within forty-five (45) days of the public hearing. The time within which a decision must be rendered may be extended by mutual consent of the applicant and Planning Board.

B. Upon approval of the site plan and payment by the applicant of all fees and reimbursement costs due to the Village, including any application fees, as from time to time established by resolution of the Village Board, the Planning Board shall endorse its approval on a copy of the final site plan and shall forward a copy to the applicant, Code Enforcement Officer and file same with the Village Clerk.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1994 of the (County)(City)(Town)(Village) of Watkins Glen was duly passed by the Board of Trustees on Aug. 15 1994, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____ in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law. Such local law was submitted to the people by reason of a permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____ in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

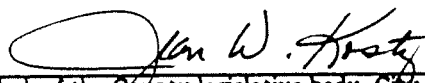
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the town of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certificate.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.


Jean W. Kosty
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: August 15, 1994

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Schuyler

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Village Attorney

Title

~~County~~
~~City~~ of Watkins Glen
~~Town~~
Village

Date: August 15, 1994