

(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. 1 of the year 1991  
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:

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

AMENDMENT 1.

Amend Article IV, Section 1.5.6 as follows:

1.5.6 Lakefront and Canal Development Districts

AMENDMENT 2.

Amend Article II, Section 12 as follows:

- A. Definition. Terms as used in this section have the following meaning: Note: all other parts of Section 12, A remain the same.
- C.1.d. Remove this part from the law.
- C.2.b Restaurants, grocery stores, refreshment stands and supermarkets.
- C.4 Eliminate current wording and make current C.5 to be C.4.
- E. Insert "or combination" for "of compilation."
- F.1. For contiguous public open space and recreation use, public access, or uses listed in Section 12, C.1., of at least 50 percent of the Canal Waterfront of the property within 100 feet of the Canal bank, an increase in the Section 12, E.1., maximum to sixty percent (60%) may be permitted. A corresponding ten percent (10%) decrease in the Section 12, E.2. minimum may also be permitted.
- F.3. The developer must demonstrate adequate public infrastructure are in place or will be provided, at the expense of the

developer, to support the increased development permitted as a result of a bonus provided under this section. In addition, the increased development must be determined to have insignificant adverse impacts upon environmental quality via review under provisions of the State Environmental quality Review Act.

G.1.d. Insert "shall" for "should."

H. Special Permits

Insert "Zoning Board of Appeals" for "Planning Board" in all locations in this part.

### AMENDMENT 3.

Amend Article II, Sections 4 and 5 under A. use permitted to add as 4.A.6 and 5.A.2 the following:

Bed and Breakfast home, personal service establishment and professional office, by special permit only.

### AMENDMENT 4.

Amend Article II, by adding Section 14 as follows:

#### 14. Special Permits

Upon application for a building permit for uses allowed by special permit only in the R-1 and R-2 residential districts, the following requirements for approval of a special permit by the Zoning Board of Appeals.

1. Site Plan - a plan for the proposed development of a special permitted use shall be submitted and approved in accordance with Article IV.

2. Existing Violation - No permit shall be issued for a special use for a property where there is an existing violation of this law, unless such permit would eliminate or mitigate said violation.

3. Expiration - A special permit shall expire three (3) years after the date of issuance unless revoked prior thereto.

4. Renewal - Not less than sixty (60) days prior to the date of expiration of a Special Permit an applicant must file for the permit renewal. The Code Enforcement Officer may make an inspection of the site to determine if there is compliance with the terms of the original permit. Upon determination that the site is in compliance or has been brought into compliance, the Code Enforcement Officer may issue a renewal permit.

5. Standards:

- a. The Zoning Board of Appeals shall not authorize any permit under the provisions of this section unless it finds in each case the proposed uses:
  - i. Will be in harmony with the comprehensive plan set forth in this law with the general purposes and intent of this law;
  - ii. Will not tend to depreciate the value of adjacent property;
  - iii. Will not create a hazard to health, safety or the general welfare;
  - iv. Will not alter the essential character of the neighborhood nor be detrimental to the residents thereof;
  - v. Will not cause significant adverse environmental impacts;
  - vi. Will not otherwise be detrimental to the public convenience and welfare;
  - vii. Will not involve internal or external changes which will cause the dwelling or accessory buildings to lose their residential character or function;
  - viii. Will be accessory to a household living use on the site. The dwelling must be an existing single family dwelling that is the primary residence of the owner;
  - ix. Will provide trees, shrubs, and other landscaping if needed, to create and maintain adequate visual and/or noise buffers between the applicant's property and neighboring lands;
  - x. Will be limited to one (1) indirectly lighted sign having a total faced area of not more than six (6) square feet and being not more than four (4) feet tall.
- b. In considering any application the Zoning Board of Appeals shall also take into account the following:
  - i. Accessibility of the property in relation to existing and proposed streets and the effect of the special use on the traffic patterns;
  - ii. The nature and intensity of the operation and its compatibility with surrounding development;
  - iii. The means by which surrounding residential properties will be protected from any objectional influences, such as noise, glare, or dust, which may be produced by such special use.

Amend Article I, Section 3 to include the following definitions:

Bed and Breakfast Home - An existing single-family dwelling that is the primary residence of the owner and in which the owner provides room and meals to guests for pay. A bed and breakfast home may contain no more than four (4) guest bedrooms, none of which may be rented for terms of more than fourteen (14) consecutive days to the same party. A bed and breakfast home use does not include the provision of facilities for hire for banquets, parties, wedding, public or private meetings, or the like.

Personal Service Establishment - A commercial operation, office, store or other place of business catering to the personal needs of a customer, such as normally conducted by a beautician, tailor, or dressmaker and including retail trade as is incidental/accessory to such service.

Professional Office - An office principally occupied by a licensed professional such as a physician, dentist, lawyer, engineer, architect, accountant, insurance broker, real estate agent or similar occupation that is licensed by the NYS Dept. of Education.

New Land Use Activity - Any construction or other activity which materially changes the use of 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 structure, expansion to existing structures, new uses, changes in or expansion of existing uses, roads, driveways, and excavations for the purpose of extracting soil or mineral deposits.

AMENDMENT 6.

Amend Article I, Section 3 and change the following definitions:

Use - this term is employed in 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.

AMENDMENT 7.

Amend Article IV, Section 1.2.4 as follows:

Sidewalks - Concrete sidewalks at least five (5) feet wide may be required on both sides of all streets in order to provide safe, pedestrian walkways. They may also be required within pedestrian walkways to schools, parks and other community facilities. Sidewalks should be.... (see existing regulation).

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.)

(Final adoption by local legislative body only.)

hereby certify that the local law annexed hereto, designated as local law No. 1 of 1995  
the (County)(City)(Town)(Village) of Watkins Glen  
~~Board of Trustees~~ on March 20 1995, was duly passed by the  
~~name of Legislative Body~~ in accordance with the applicable provisions of law.

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

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

(Final adoption by referendum.)

hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_  
the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after  
approval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was  
\_\_\_\_\_ (Elective Chief Executive Officer\*)  
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.

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

hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_  
the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the  
\_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after  
approval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to  
\_\_\_\_\_ (Elective Chief Executive Officer\*)  
permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_,  
in accordance with the applicable provisions of law.

\*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 revised proposed by petition.)

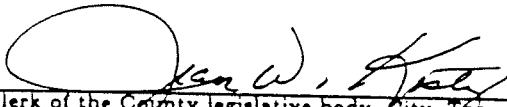
I hereby certify that the local law annexed hereto, designated as local law No. 2 of 19 95 of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 towns 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 certification.)

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 1, above.

  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body


Date: March 21, 1995

(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: March 20, 1995