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

Local Law No. 3 of the year 19 91

A local law to be "The Zoning Law of the 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 as follows:
~~Town~~
Village

VILLAGE OF WATKINS GLEN

Zoning Law

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ZONING ORDINANCE
FOR THE VILLAGE OF WATKINS GLEN, NEW YORK

ARTICLE 1

A Local Law regulating by districts the height, number of stories, size of buildings and other structures, size of yards, percentage of lot that may be occupied, the area of courts and other open spaces, the density of population, the location and use of building, structures and land for trade, industry, residence and other purposes.

In pursuance of the authority conferred by the Village law of the State of New York, the Village Board of the Village of Watkins Glen, County of Schuyler, State of New York, does enact as follows:

SECTION 1. SHORT TITLE: This Local Law shall be known as and may be cited as "The Zoning Law of the Village of Watkins Glen."

SECTION 2. PURPOSE: The purpose of this Local Law is to consolidate, clarify, organize and reenact the original zoning ordinance of the Village of Watkins Glen, adopted June 4, 1964, effective July 1, 1964, subsequent amendments there to and various related ordinances and Local Laws. For purposes of determining the effective date of any provision of this Local Law, the original effective date of any ordinance or Local Law containing such provision shall be applied, unless such provision is new to this local law, in which case the effective date of the Local Law shall be applied.

SECTION 3. DEFINITIONS: For the purpose of this Local Law certain terms or words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The word "person" includes a corporation as well as an individual.

The word "lot" includes the work "plot" or "parcel".

The term "shall" is always mandatory.

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".

ACCESSORY BUILDING. A building detached from and subordinate to a principal building on the same lot and used for purposes customarily incidental to those of the principal building.

ACCESSORY USE. A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

ALTERATIONS. As applied to a building or structure, means a change or rearrangement in the structural parts or in the exterior facilities: or an enlargement, whether by extending on a side or by increasing in height; or the moving from one location or position to another.

AREA, BUILDING: The total of areas taken on a horizontal plane at the main grade level of the principal building and all of its accessory buildings exclusive of unenclosed porches, terraces and steps.

AREA, LOT: The total area within the property lines excluding external streets.

BASEMENT: A story partly underground and having at least 50% of its clear height below finished grade.

BUILDING: Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals or chattel.

BUILDING, FRONT LINE OF: The line of that face of the building nearest the

front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps. The area between the front line of the lot and the front line of a building is the front yard.

BUILDING, HEIGHT OF: The vertical distance measured from the average elevation of the proposed or existing finished grade at the front of the building to the highest point of the roof for flat roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING PRINCIPAL: A building in which is conducted the main or principal use of the lot on which said buildings is situated.

COVERAGE: That percentage of the plot or lot area covered by the building area.

EFFECTIVE DATE: Per definition contained in Article 1, Section 2.

CURB LEVEL: The officially established grade of the curb in front of the midpoint of the lot.

FAMILY: One (1) or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

FARM: Any plot of ground over three acres in size and used strictly for agricultural operations. These include the cultivation of the ground for the production of crops, the raising of livestock, and other closely related items.

HOME OCCUPATION: LOT: An accessory use, which is clearly incidental to or secondary to the residential use of a dwelling unit and does not change the character thereof, and is carried on wholly within the enclosed walls of the principal building by one or more occupants of such dwelling unit and in which not more than one person not residing in such dwelling is employed at any one time. For the purposes of this ordinance any occupation that produces offensive noise, vibration, smoke, dust, odors, heat or glare shall not be considered to be a home occupation.

A contiguous parcel of land considered as a unit, devoted to a specific use or occupied by a building or a group of buildings that are united by common interest, use and ownership, and the customary accessories and open spaces belonging to the same and which abuts and is accessible from a private or public street.

LOT COVERAGE: The area of porches, vestibules, bay windows, fireplaces and chimneys shall be added to the areas of the principal building and the areas of accessory structures for determining the percentage of lot coverage.

LOT, DEPTH OF: A mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines.

LOT LINE: The lines bounding a lot as defined herein.

LOT, WIDTH OF: The mean width measured at right angles to its depth at the mid-point of the front line of the building.

NON-CONFORMING USE: A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

OPEN COURT: An uncovered area partly or wholly enclosed by buildings or by walls and grating.

PARKING SPACE: The area required for parking one automobile, which in this ordinance is held to be in an area nine (9) feet wide and eighteen (18) feet long, not including driveways.

PROPERTY LINE: For the purpose of this ordinance the property line shall be considered as the boundary between the property and the right of way.

SETBACK: The required distance from the nearest right--of-way or lot line measured at right angles or radially from such points to the nearest edge of any building located on such lot.

SHOPPING CENTER: A group of three or more retail stores in a single structure, depending mostly on customers coming by automobile, and having parking facilities which are integrated with the site plan and the design of the stores.

SIGN: Any structure or part thereof, or any device attached to a structure or painted or represented on a structure which shall display or include any lettering, wording, model, drawing, picture, banner, flag, insignia, device, marking, or representation used as, or which is in the nature of, an announcement, direction or advertisement. A "sign" includes a billboard, but does not include the flag or insignia of any nation or of any governmental agency or of any political, educational, charitable, philanthropic, civic, professional, religious or similar organization, campaign, drive, movement, or event which is temporary in nature and which does not include any lettering or advertisement.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

STORY, HALF: A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

STRUCTURE: A combination of materials other than a building to form a construction that is safe and stable and includes among other things stadiums, platforms, radio towers, sheds, storage bins and display signs.

TOURIST HOMES: Any private home which normally rents rooms for a period of time to transient persons for lodging purposes.

USE: This term is employed in referring to:

The purpose for which any buildings, other structures, or land may be arranged, designed, intended, maintained, or occupied. The use classification definitions contained in the New York State Building and Fire Prevention Codes shall be utilized for determining whether or not a change in use has occurred or is being proposed.

YARD: Any unoccupied space open to the sky, on the same lot with the building or structure.

SECTION 4. REPEAL OF PRIOR ORDINANCES AND LOCAL LAWS: This Local Law shall repeal, replace and supersede the following ordinances and Local Laws of the Village of Watkins Glen:

1. Amendments to Ordinance 153 enacted on September 13, 1965, May 15, 1967, October 2 1967 and March 16, 1970.
 2. Local Law No. 6 enacted October 6, 1970.
 3. Local Law No. 2. enacted in 1981.
 4. Local Law No. 2 enacted in 1988.
 5. Local Law No. 3 enacted in 1989.
 6. Local Law No. 4 enacted in 1990.
 7. Local Law No. 9 enacted in 1990.
- and any other inconsistent provision of any prior ordinance or Local Law of the Village of Watkins Glen.

SECTION 5. EFFECTIVE DATE: This Local Law shall take effect immediately upon filing with the Secretary of State.

ARTICLE II

SECTION 1. ESTABLISHMENT OF DISTRICTS: For the purpose of this ordinance, the Village of Watkins Glen is hereby divided into the following six districts:

- A. R 1 One Family Residential Use Districts
- B. R 2 One Family Residential Use Districts
- C. R 3 Two Family Residential and Multiple Residence Use Districts
- D. B 1 Business Use Districts
- E. Type X Open Spaces Use Districts
- F. Type F Industrial Use Districts
- G. B-2 Business Transition Districts
- H. L-1 Lakefront Development Districts

SECTION 2. DESCRIPTION OF DISTRICT BOUNDARIES: The boundaries of each of the use districts set forth in Section III of this article are hereby established as follows:

- A. R-I One-Family Residential Use District Beginning at the intersection of the village limit line on the North and the center line of Glen Avenue; thence westerly along the village limit line on the North to the intersection of the village limit line on the west; thence southerly along the village limit line on the North to the

intersection of the village limit line on the west; thence southerly along the village limit line on the West to a point 50 feet northerly of the center line of Glen Creek; thence easterly 1,350 feet to a point; thence northeasterly 300 feet to a point at the center line of a meandering unknown named road in Glenwood Cemetery; thence along the center line of the meandering unknown named road to its intersection with the center line of Cedar Street, to a point at the intersection with center line of Glen Avenue; thence along the center line of Glen Avenue to a point at the intersection of the center line of Glen Avenue; thence along the center line of Glen Avenue to a point at the intersection of the center line of Steuben Street; thence north-westerly along the center line of Steuben Street to a point at the intersection of the center line of Partition Street; thence easterly on the center line of Partition Street to a point at the intersection of the center line of Glen Avenue; thence northerly along the center line of Glen Avenue to a point at the intersection of the center line of Quarter Mile Creek; thence westerly along Quarter Mile Creek to its intersection with the center line of Steuben Street; thence northwesterly along the center line of Steuben Street to a point at the intersection of the center line of Steuben Street to a point at the intersection of the center line of Bath Street; thence easterly along the center of Bath Street to a point at the intersection of the center line of Glen Avenue; thence northerly along the center line of Glen Avenue to the place of beginning.

B. R-2 One-Family Residential Use District.

Beginning at the intersection of the village line on the North and the center line of Madison Avenue; thence westerly on the north village limit line to its intersection with Glen Avenue; thence westerly on the north village limit line to its intersection with Glen Avenue; thence southerly on the center line of Bath Street to the intersection of Route 14; thence southerly on the center line of Route 14 to the center line of Quarter Mile Creek; thence northeasterly on the center line of Quarter Mile Creek to the center of Madison Avenue; thence northerly to the place of beginning. Also beginning at the center line of Madison Ave. and Partition Street; thence westerly along the center line of Partition Street to the center line of Jackson Street; thence northerly along the center line of Jackson Street and said center line extended to the center line of Quarter Mile Creek; thence westerly on the center line of Quarter Mile Creek to the intersection of Glen Avenue; thence southerly on the center line of Glen Avenue to the center line of Cedar Street; thence on the center line of Cedar Street to its intersection with Jackson Street; thence northerly on the center line of Jackson Street to the intersection of Pine Street; thence southeasterly on the center of Pine Street to a point 300 feet westerly of the intersection of Franklin Street and Ninth Street; thence northeasterly 90 degrees to the center line of Madison Avenue; thence northerly on the center line of Madison Avenue to a point 150 feet south of the intersection of Fourth Street; thence northerly 90 degrees and parallel to Madison Avenue to the intersection of Fourth Street; thence westerly on the center line of Fourth Street to the intersection of Monroe Street; thence northerly on

Monroe Street to a point at the intersection of the center line of Steuben Street; thence southeasterly along the center line of Steuben Street to a point 100 feet westerly of the center line of Madison; thence northerly on a line parallel to Madison Avenue and 100 feet west of its center line to the intersection of Second Street; thence easterly on the center line of Second Street to the intersection of Madison Avenue; thence northerly on the center line of Madison Avenue to a point 300 feet north of the center line of Division Street; thence northeasterly 90 degrees to a point on the center line of Madison Avenue; thence northerly on the center line of Madison Avenue to the place of beginning.

Also beginning at the center line of Twelfth Street located at the easterly lot line of the easterly lot line of the property fronting of Franklin Street; thence easterly on the center line of Twelfth Street to the intersection of the center line of Eleventh Street Alley; thence northerly on the center line of Eleventh Street Alley to its intersection with the center line of Glen Creek; thence easterly on the center line of Glen Creek to a point 250 feet east of Decatur Street; thence southerly 90 degrees and parallel to Decatur Street to a point on the center line of Fifteenth Street; thence easterly on the center line of Fifteenth Street to the intersection of the western limit line of the Pennsylvania Railroad; thence southerly along the west limit line of the Pennsylvania Railroad for 900 feet; thence southwesterly to the center line of Decatur Street Extension, continuing southwesterly to a point 375 feet west of Decatur Street; thence northerly along the easterly lot lines of properties fronting on Franklin Street to the center line of Twelfth Street to the place of beginning.

Also beginning at the intersection of the village limit line on the south and the center line of Route 414; thence generally westerly and southwesterly along the southern limit line of the village to a point on the center line of Corning Street; thence northerly on the center line of Corning Street to a point 550 feet; thence 90 degrees westerly 200 feet to a point; thence northerly parallel to Corning Road 600 feet to a point; thence 90 degrees easterly 200 feet to a point on the center line of Corning Street; thence northerly on the center line of Corning Street to a point 350 feet; thence southerly 90% to the center line of Route 414 and the place of beginning.

Also beginning at the intersection of Partition Street and Glen Avenue; thence southerly along the center line of Glen Avenue to the center line of Steuben Street; thence northwesterly along the center line of Steuben Street to the center line of Partition Street; thence northeasterly along the center line of Partition Street to the place of beginning.

Also beginning at the intersection of Second Street and Jackson Street; thence northerly on the center line of Jackson Street to the center line of Steuben Street; thence southeasterly along the center line of Steuben Street to the center line of Second Street; thence

westerly along the center line of Second Street to the place of beginning.

Also beginning at the intersection of Monroe Street and Fourth Street; thence northerly along the center line of Monroe Street to the center line of Steuben Street; thence southeasterly on the center line of Steuben Street to the center line of Fourth Street; thence westerly on the center line of Fourth Street to the place of beginning.

C. R-3 Two-Family and Multiple Residential Use District.

Beginning at the intersection of Second Street and Decatur Street; thence westerly along the center line of Second Street to a point 100 feet west of the westerly right-of-way of Perry Street; thence southerly 90 degrees and parallel to Perry Street to its intersection with Fourth Street; thence easterly along the center line of Fourth Street to the intersection of Perry Street center line; thence southerly along the center line of Perry Street to a point 150 feet south of Fourth street; thence easterly 90 degrees and parallel to Fourth Street to the intersection of the west limit line of the Pennsylvania Railroad; thence southerly along the west limit line of the Pennsylvania Railroad to the center line of Glen Creek; thence westerly along the center line of Glen Creek to a point 200 feet east of Franklin Street; thence northerly 90 degrees and parallel to Franklin Street to the center line of Ninth Street; thence easterly on the center line of Ninth Street to a point 300 feet east of Franklin Street; thence northerly and parallel to Franklin Street to the center line of Fifth Street; thence easterly on the center line of Fifth Street to the intersection of Porter Street; thence northerly on the center line of Porter Street to Fourth Street; thence westerly along the center line of Fourth Street the center line of Decatur Street; thence northerly along the center line to its intersection with the center line of Third Street; thence westerly along said center line to a point 125 feet west of the westerly right-of-way of Decatur Street; thence northerly 90 degrees and parallel to Decatur Street to its intersection with the center line of Second Street; thence easterly along said center line to the place of beginning.

Also beginning at the intersection of Quarter Mile Creek and Route 14; thence westerly along the course of Quarter Mile Creek to a point where the center line of North Jackson Street extended intersects said Creek; thence southerly along said center line of said street to its intersection with Partition Street; thence easterly along the center line of Partition Street to its intersection with Route 14; thence northerly along the center line of Route 14 to the place of beginning.

D. B-1 Business Use Districts.

Beginning at the intersection of Pine Street and Franklin Street; thence westerly on the center line of Pine Street to a point 300 feet northwesterly of Franklin Street; thence northeasterly 90 degrees to the center line of Madison Avenue; thence northerly along the center line of Madison Avenue to a point 150 feet south of Fourth Street;

thence westerly 90 degrees for 100 feet to a point; thence northerly 90 degrees to the center line of Steuben Street thence northwesterly on the center line of Steuben Street to a point on a line which is 100 feet west of and parallel with Madison Avenue; thence northerly on a line parallel to Madison Avenue to a point on the center line of Second Street; thence northeasterly along the center line of Second Street to the intersection of Madison Avenue; thence northerly along the center line of Madison Avenue to a point 300 feet north of the center line of Division Street; thence northeasterly 90 degrees to a point of the center line of Madison Avenue; thence to the center line of Franklin Street then on to the place of beginning.

Also a small parcel at the northern end of Franklin Street bordering the Pennsylvania Railroad property and northern end of Franklin Street.

Also beginning at the intersection of Franklin Street and Second Street; thence easterly to a point along the center line of Second Street 125 feet west of the westerly right-of-way of Decatur Street; thence northerly to the center line of Fourth Street; thence easterly along the center line of Fourth Street to the intersection of Decatur Street; thence southerly along the center line of Decatur Street to the intersection of Fifth Street; thence westerly along the center line of Fifth Street to a point 300 feet east of Franklin Street a point at the center line of Ninth Street; thence westerly to the center line of Franklin Street; thence northerly on the center line of Franklin Street to the place of beginning.

Also beginning at the intersection of Franklin Street and Ninth Street; thence easterly along the center line of Ninth Street 200 feet to a point; thence southerly 90 degrees to the center line of Twelfth Street; thence westerly along the center line of Twelfth Street to the center line of Corning Street; thence northerly and easterly along the center line of Corning Street to the intersection of Franklin Street; thence along the center line of Franklin Street to the place of beginning.

Also beginning at the center line of Franklin Street and Route 414; thence southerly along the center line of the village limit line to its intersection with Pennsylvania Railroad western limit line; thence northerly along the Pennsylvania Railroad western limit line for 400 feet; thence westerly to the center line of Franklin Street; thence southerly to the place of beginning.

E. Type X Open Spaces Use District.

Beginning at the intersection of Fourth Street and Canal Road; thence easterly on the center line of Fourth Street to the Chemung Canal; thence northerly, then easterly along the south shore of Seneca Lake to the intersection of the northern limits of the Village; thence easterly along the northern limit of the village to the intersection of eastern limits of the village; thence southerly along the eastern limits of the village to the intersection of the southern limits of the village; thence along the southern limits of the village to a point 200 feet west of the center line of Chemung Canal; thence northerly, parallel to Chemung Canal, and 200 feet west

of this center line to a point on the center line of Canal Road; thence northwesterly following the meanderings of Canal Road to the place of beginning.

Also beginning at the intersection of Pine Street and Franklin Street; thence southerly along the center line of Franklin Street to the intersection of Franklin Street and Corning Street; thence meandering southerly along the center line of Corning Street to a point 450 feet south of the intersection of a state park road with Corning Street; thence 90 degrees westerly 200 feet to a point; thence southerly parallel to Corning Road 600 feet to a point; thence 90 degrees easterly 200 feet to a point on the center line Corning Street; thence southerly on the center line of Corning Street to a point on the southern limit line of the village; thence westerly along the southern limit line of the village to its intersection with the western limit line of the village; thence northerly along the western limit line of the village to a point 50 feet north of the center line of Glen Creek; thence 90 degrees easterly 1,350 feet to a point; thence northeasterly 300 feet to a point at the center line of a meandering unknown named road in Glenwood cemetery; thence along the center line of the meandering unknown named road to its intersection with Jackson Street; thence along the center of Jackson Street to a point at the intersection with Pine Street; thence along the center line of Pine Street to the place of beginning.

Also beginning at the intersection of the village limit line on the north and the western shore line of Seneca Lake; thence southeasterly along the Seneca Lake shoreline to a point where it intersects with the center line of Partition Street; thence westerly to a point where said center line intersects with a line parallel with the northernmost track of the Conrail Railroad and 15 feet of its center line; thence northwesterly along a line 15 feet from the center line of said most northerly track to the village limit line on the north; thence easterly along such village limit line to the place of beginning.

Also beginning at the intersection of Route 14 and Bath Street; thence meandering westerly on the center line of Bath Street to the center line of Steuben Street; thence southeasterly on the center line of Steuben Street to the center line of Quarter Mile Creek; thence along the center line of Quarter Mile Creek to the center line of Route 14; thence northerly on the center line of Route 14 to the place of beginning.

F. Type F Industrial Use Districts.

Beginning at a point 250 feet east of Decatur Street on the Center line of Glen Creek; thence easterly along the center line of Glen Creek to a point 200 feet west of the center line of Chemung Canal; thence southerly on a line parallel to Chemung Canal, and 200 feet west of its center line to the intersection with the village limit line on the south; thence westerly along the south limit line of the village to the westerly limit line of the Pennsylvania Railroad; thence northerly along the westerly line of the Pennsylvania Railroad to the intersection of the center line of Fifteenth Street extended; thence westerly along the center line extended of Fifteenth

Street to a point 250 feet east of Decatur Street; thence northerly 90 degrees and parallel to Decatur Street to the place of beginning.

Beginning at the intersection of Fourth Street and parallel with the track of the Conrail Railroad and 15 feet northeast of its center line; thence to a point along the south shore of Seneca Lake perpendicular to said intersection; thence easterly and northerly along said south shore of Seneca Lake to its intersection with Fourth Street; thence westerly to a point 200 feet west of its center line to its intersection with the center line of Glen Creek; thence southwesterly to a line parallel with the track of the Conrail Railroad and 15 feet northeast of its center line; thence northwesterly along said line to point of beginning.

G. B-2 Business Transition Districts

Beginning at the intersection of Franklin Street and Twelfth Street; thence easterly along the center line of Twelfth Street to the easterly lot line of the property to the south fronting on Franklin Street; thence southerly along the remaining easterly lot lines of properties fronting on Franklin Street to a point 400 feet north of the village limit line on the south, excepting that the easterly lot line of the lot fronting on Franklin Street and Fifteenth Street shall include the adjacent lot immediately to the east and; thence westerly to the center line of Franklin Street then northerly to the place of beginning.

Also beginning at the intersection of Franklin Street and Twelfth Street; thence westerly along the center line of Twelfth Street to the center line of Corning Street; thence southerly 90 degrees to the center line of Route 414; thence northerly and easterly along Route 414 to the intersection of Franklin Street; thence along the center line of Franklin Street to the place of beginning.

Also beginning at the intersection of the center lines of Franklin Street and Route 414; thence southerly along the center line of Route 414 to the intersection of the village limit line on the south; thence southeasterly and easterly along the village limit line to the centerline of Franklin Street; thence northerly along the center line to the place of beginning.

Also beginning at the intersection of the Conrail railroad right-of-way and Fourth Street; thence westerly along the center line of Fourth Street to a point 100 feet west of the westerly right-of-way of Perry Street; thence northerly 90 degrees and parallel to Perry Street to its intersection with Second Street; thence easterly along the center line of Second Street to a point 15 feet westerly of the center line of the Conrail railroad right-of-way then southeasterly and southerly along the center line to the place of beginning.

Also beginning at the intersection of the Conrail railroad right-of-way and Fourth Street; thence westerly along the center line of Fourth Street to the center line of Perry Street; thence on the center line of Perry Street south to the southerly lot line of the property to the east fronting on Fourth Street; thence easterly along the remaining southerly lot lines to a point 15 feet westerly of the

center line of the Conrail railroad right-of-way then northwesterly and northerly along the center line to the place of beginning.

Also beginning at the intersection of Fourth Street and Decatur Street; thence westerly along the center line of Fourth Street to a point 125 feet west of the westerly right-of-way of Decatur Street to its intersection with the center line of Third Street to the intersection of Decatur Street; thence southerly on the center line of Decatur Street to the place of beginning.

H. L-1 Lakefront Development District

Beginning at the intersection of Route 14 and Second Street; thence northerly and northwesterly along the center line of Route 14 to the intersection of Partition Street; thence 90 degrees northeasterly to Seneca Lake; thence southwesterly to the northwestern corner of the middle breakwater; thence along the northern edge of the breakwater to a point perpendicular to the intersection of Fourth Street and a point 15 feet east of the centerline of the right-of-way of the former Conrail Railroad; thence to a point on Fourth Street 15 feet west of the center line of the right-of-way of the former Conrail Railroad and northerly and northwesterly parallel to this right-of-way to its intersection with the center line of Second Street; and thence westerly along the center line of Second Street to the place of beginning.

SECTION 3. APPLICATION OF REGULATIONS: Except as hereinafter provided:

A. In each use district all uses are prohibited unless specifically permitted.

B. No building or land shall be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is to be located.

C. No building or structure shall be erected or altered to exceed the height; to accommodate or house a greater number of families; to occupy a greater percentage of lot area; to have narrower or smaller rear yards, front yards, side yards or open courts; to provide for the courts; to provide for the storage or off-street parking of fewer motor vehicles than is specified herein for the district in which such building, structure or use is located.

D. No part of a yard or other open court required about any building, structure or use for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open court similarly required for another building. The required area of the front and side yards shall not be used for complying with the requirement of off-street parking or other motor vehicle storage. In residence use districts the required front yard shall abut the front property line.

SECTION 4. R-1. ONE FAMILY RESIDENTIAL USE DISTRICTS: The following

regulations shall apply in all R-1 One-Family Residential Use Districts:

- A. USES PERMITTED:
 - 1. One family residence. Accessory uses and buildings, located on the same lot, provided that such uses are incidental to the principal use and do not include any activity conducted for monetary gain; and provided that such accessory buildings are not used for residential purposes.
 - 2. Agricultural operations including (but not limited to) farms, greenhouses, nurseries and gardens and such accessory use, buildings and structures customarily incidental to agricultural operations.
 - 3. Churches and similar places of worship, parish houses, monasteries and convents.
 - 4. Cemeteries but not animal cemeteries.
- B. REQUIRED LOT AREA.
 - 1. Areas of three (3) or more acres shall be considered as being an agricultural use.
 - 2. Every use permitted shall be located on a lot with an area of not less than 20,000 square feet and a width of not less than one hundred (100) feet.
- C. PERCENTAGE OF LOT COVERAGE.
 - 1. All buildings and structures, including accessory buildings, shall not cover more than twenty (20) percent of the area of the lot.
 - 2. Accessory use buildings and structures, tile, fields, cesspools and other similar uses shall not be less than fifteen (15) feet from any property line.
- D. YARDS REQUIRED.
 - 1. Front Yards: All uses permitted and accessory buildings shall have a front yard of not less than seventy-five (75) feet in depth.
 - 2. Side Yards: All uses permitted shall have two side yards. The width of each side yard shall be not less than twenty (20) feet.
 - 3. Rear Yards: All uses permitted shall have a rear yard of not less than fifty (50) feet in depth.
- E. SIZE OF RESIDENCE.
 - 1. Each residence shall contain not less than 1,500 square feet of enclosed floor area exclusive of garage.
- F. CHANGES OF USES WITHIN R-1 ONE FAMILY RESIDENTIAL USE DISTRICTS.
 - 1. When lands in agricultural operation use are subdivided so as to provide residence facilities for uses other than as a part of the normal agricultural operations, such residence use shall meet the provisions of this section for one-family residences within the R-1 One Family Residential Use Districts.

SECTION 5. R-2 ONE-FAMILY RESIDENTIAL USE DISTRICTS: The following regulations shall apply in all R-2 One-Family Residential Use Districts:

- A. USES PERMITTED.

1. All uses permitted in R-1.

- B. BUILDING HEIGHT LIMIT.
 1. No buildings or structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

- C. REQUIRED LOT AREA.
 1. Every use permitted shall be located on a lot with an area of not less than 8,000 square feet and a width of not less than seventy-five (75) feet.

- D. PERCENTAGE OF LOT COVERAGE.
 1. All buildings and structures, including accessory buildings, shall not cover more than thirty-five (35) per cent of the area of the lot.
 2. Private sewage disposal systems and other similar uses shall be not less than fifteen (15) feet from any property line.

- E. YARDS REQUIRED.
 1. Front Yard: All uses permitted shall have a front yard thirty (30) feet in depth with the following exception: Where the front yards have been established for at least fifty (50) percent of the frontage in any given block to a depth greater than thirty (30) feet, the front yard depth requirement for new construction shall be increased to conform with the average of existing setback lines.
 2. Side Yards: All uses permitted shall have two side yards. The width of one side yard shall not be less than six (6) feet and the sum of the widths of the two side yards shall be not less than eighteen (18) feet. When a garage is attached to the side of a residence building, two side yards of six (6) feet each shall be required.
 3. Rear Yards: All uses permitted shall have a rear yard of not less than thirty-five (35) feet in depth.

SECTION 6. R-3 TWO-FAMILY AND MULTIPLE RESIDENTIAL USE DISTRICTS: The following regulations shall apply in all R-3 Residential Use Districts:

- A. USES PERMITTED
 1. All uses permitted in the R-2 Residential Use Districts subject to all of the regulations specified for such R-2 Residential Use Districts.
 2. Multiple residences for non-transients subject to the regulations for such non-transient uses in accord with the provisions of the New York State Multiple Residence Law.
 3. Health services and clinics, lodges, clubs, fraternities, sororities, and professional offices.
 4. Mortuaries.
 5. Tourist Homes.
 6. Hospitals, other than animal.
 7. Home occupation provided that such occupations shall be conducted in the principal building. There shall be no evidence of such use other than an announcement or professional sign with Article IV, Section 5 of the Development Guidelines and General Provisions for

site plan approval.

8. Accessory uses and buildings located on the same lot provided that such uses are incidental to the principal use and do not include any activity conducted for monetary gain; and provided that such accessory buildings are not used for residential purposes.

B. BUILDING HEIGHT LIMIT: No buildings or structure shall exceed four (4) stories or forty-five (45) feet in height.

C. REQUIRED LOT AREA.

1. Every one-family residence shall be located on a lot with an area of not less than 5,000 square feet and a width of not less than fifty (50) feet.

2. Every two-family residence shall be located on a lot with an area of not less than 7,500 square feet and a width of not less than sixty (60) feet.

3. Every multiple residence shall be located on a lot with an area of not less than 1,500 square feet for each family housed therein, and a width of not less than sixty (60) feet, provided however, that a multiple residence specifically designed for occupancy by senior citizens may be located on a lot with an area of not less than 1,000 square feet of lot area for each dwelling unit.

4. Every club, lodge and fraternity or sorority house shall be located on a lot with a width of not less than seventy (70) feet and a depth of not less than one hundred thirty-two (132) feet.

D. PERCENTAGE OF LOT COVERAGE.

1. All buildings and structures, including accessory buildings, shall not cover more than fifty (50) per cent of the area of the lot.

2. Private sewage disposal systems and other similar uses shall not be less than fifteen (15) feet from any property line.

E. YARDS REQUIRED.

1. Front Yard: All uses permitted shall have a front yard thirty (30) feet in depth with the following exception: Where the front yards have been established for at least fifty (50) per cent of the frontage in any given block to a depth greater than thirty (30) feet, the front yard depth requirement shall be increased to conform with the existing front yard depth.

2. Side Yards: All uses permitted shall have two side yards. The width of one side yard shall be not less than four (4) feet and the sum of the widths of the two side yards shall be not less than fourteen (14) feet. Two-family residences shall have two side yards. The width of one side yard shall be not less than six (6) feet and the sum of the widths of the two side yards shall not be less than (18) feet. Where a garage is attached to the side of a residence building, two side yards of not less than six (6) feet each shall be required.

3. Rear Yards: All uses permitted shall have a rear yard of not less than thirty-five (35) feet in depth.

SECTION 7. B-1 BUSINESS USE DISTRICTS: The following regulations shall

apply to all B-1 Business Use Districts:

A. USES PERMITTED.

1. All uses permitted in the residential use districts, except residential use, subject to all of the regulations specified for such residential use districts. New buildings, structures or uses designed to be used exclusively for residence purposes shall be prohibited. Buildings and structures in residence use at the time of the effective date of the relevant provisions of this Local Law may be altered or enlarged and the requirements of the R-3 Residential Use Districts shall apply. A principal building may be used for a combination of business and residence purposes.
2. Motor vehicle sales rooms with repair garages, terminal facilities for transportation, public utilities and communication services.
3. Stores and shops for conducting any retail or personal service business and food processing plants when the products are for sale exclusively on the premises.
4. Banks, offices, motels, hotels, restaurants and similar community services.
5. Hand laundry, personal service laundries, laundromats, and dry cleaning establishments which conform to the following restrictions:
 - (a) Not more than two dry cleaning units shall be installed, and each such unit shall have a dry load capacity of not more than 50 pounds.
 - (b) No solvent other than a non-inflammable and non-combustible solvent, shall be used.
6. Commercial automobile parking lots.
7. Dance halls, indoor theaters, bowling alleys, billiard rooms.
8. Wholesale trades and businesses.
9. Bus stations.
10. Shopping Centers.

B. PERCENTAGE OF LOT COVERAGE.

1. All buildings and structures, including accessory buildings, shall not cover more than sixty (60) per cent of the area of the lot.

C. YARDS REQUIRED.

1. Front Yard: Buildings in the B-1 Business Use Districts shall have front yards of not less than eight (8) feet in depth and buildings with a frontage on two streets, not including alleys, shall have front yards and not less than eight (8) feet in depth on both streets, with the following exception:
Where the front yards have been established for at least sixty (60) per cent of the frontage in any given block to a depth less than eight (8) feet, the front yard requirements shall be reduced so as to conform with the existing front yard depths.

SECTION 8. X OPEN SPACE USE DISTRICTS: The following regulations shall apply in all X Open Spaces Use Districts:

A. USES PERMITTED.

1. Parks, playgrounds, picnic areas, boat docks, marinas, water sport

retail or service establishments, off-street parking lots and similar public uses.

SECTION 9. F INDUSTRIAL USE DISTRICTS: The following regulations shall apply in all F Industrial Use Districts:

A. USES PERMITTED.

1. Agricultural operations including (but not limited to) farms, greenhouses, nurseries and gardens and such accessory uses and structures normally incidental to agricultural operations.
2. Public utility services and structures.
3. Terminal facilities for transportation services.
4. Motor Vehicle commercial parking lots.
5. Bulk sales and storage of motor vehicle and domestic fuel supplies and materials.
6. Sales and storage of buildings materials and supplies.
7. Wholesale trades and businesses.
8. Food processing plants.
9. Laundries, dry cleaning and dyeing establishments.
10. Any industrial use or trade which is not by reason of the omission of noise, dirt, odors or vibrations noxious or dangerous to the health, safety or general welfare of the public and approved by the Planning Board and subject to the securing of a special permit therefor from said Planning Board and to such conditions, restrictions and safeguards as may be deemed necessary by said Planning Board for the purpose of protecting the health, safety, morals and the general welfare of the residents of the Village of Watkins Glen.

B. PERCENTAGE OF LOT COVERAGE.

1. All buildings and structures, including accessory buildings, shall not cover more than seventy (70) per cent of the area of the lot.

C. YARDS REQUIRED.

1. There shall be provided yards of sufficient area to accommodate off-street parking of motor vehicles of employees and visitors and of sufficient additional area for the unloading, loading and storage of motor vehicles used in conduct of the industrial activities.

D. MISCELLANEOUS.

1. At the time application is made for a buildings permit and a certificate of occupancy there shall be submitted for review by the Planning Board a map or plan showing the layout of the proposed use of land and location of structures. No permit shall be issued until the Planning Board has approved the map or plan and certified that the proposed use of the land meets the requirements of this Local Law.

SECTION 10. B-2 BUSINESS TRANSITION DISTRICTS: The following regulations shall apply in all B-2 Business Transition Districts:

A. USES PERMITTED

1. All uses permitted in the B-1 Business Use Districts, with the addition of residential uses subject to all of the regulations specified for R-3 Residential Use Districts, shall be permitted. Buildings and structures in business use at the time of enactment of this ordinance may be altered or enlarged and the requirements of B-1 Business Use Districts shall apply so long as a change in use does not occur. New buildings, structures or uses must comply with the regulations for this Section.

2. Any new building, structure or use which is sited, designed, buffered and landscaped in a manner blending with adjacent land uses to create a functionally and aesthetically complimentary whole in keeping with the primarily residential character of Business Transition Districts.

B. PERCENTAGE OF LOT COVERAGE

1. All buildings and structures, including accessory buildings, shall not cover more than sixty (60) percent of the area of the lot.

C. YARDS REQUIRED

1. Front Yard: Buildings in the B-2 Business Transition Districts shall have front yards of not less than twelve (12) feet in depth with the following exception: Where the front yards have been established for at least fifty (50) percent of the frontage in any given block to a depth greater than twelve (12) feet, the front yard depth shall be increased to conform with the existing front yard depths. Buildings with frontage on two streets, not including alleys shall comply with this front yard standard on both streets.

D. MISCELLANEOUS

1. B-2 Business Transition Districts delineate areas along main thoroughfares which currently contain a mixture of residential and business uses. It is the intent of regulations for these areas that the establishment of further business uses and structures shall be conducted in a manner to ensure compatibility with surrounding uses and intensity of uses. At the time application is made for a building permit and a certificate of compliance, there shall be submitted for review by the Planning Board a map or plan showing the layout of the proposed use of land and location of structures. No permit shall be issued until the Planning Board has approved the map or plan and certified that the proposed use of the land meets the regulations for this Section.

SECTION 11. LAKEFRONT DEVELOPMENT DISTRICTS: The following regulations shall apply in the L-1 Lakefront Development District:

A. USES PERMITTED

1. The intent of the Lakefront Development District regulations is to encourage a greater degree of flexibility for development and to provide for a variety of activities in a planned, controlled environment and in a manner blending all land uses into a

functionally and aesthetically complementary whole. A proposal for development may contain both individual buildings sites and common property which are proposed for development as an integrated land use unit. A mix of light manufacturing/research and development/corporate office and commercial uses may be included to provide employment opportunities and enhancements to the tax base. Retail and service uses may be included to provide for shopping needs. Residential facilities may be included to provide housing accommodations.

2. Specific uses include and shall be limited to the following:

- a. facilities for research and development
- b. office uses for corporate and service organizations
- c. medical, professional and business offices
- d. banks or insurance company or financial institutions
- e. specialty retail uses
- f. discount retailing operations
- g. restaurants
- h. educational, civic, institutional or religious office facilities
- i. business service uses, including convenience retailing facilities
- j. light manufacturing facilities that involve the manufacture, assembly, or packing of products not objectionable or injurious due to smoke, noise, odors, glare, dust or the release of hazardous materials and in which all industrial activities are conducted completely within a building
- k. public and quasi-public uses, including space for occupancy by social and public agencies
- l. single family attached dwellings (town houses)
- m. multi-family dwellings
- n. marina and marina services (not including boat storage)
- o. common, public or private open space, park, or recreation areas, including playgrounds, walkways, sitting areas, courtyards and plazas, shelters, swimming pools, tennis courts and other similar outdoor recreational activities
- p. municipal uses
- q. accessory uses on the same parcel with, and customarily incidental to, any of the foregoing land uses, including off-street parking and loading areas, garages, and storage areas for trash and refuse

B. AREA LIMITATIONS

1. A maximum of fifty percent (50%) of the gross land area in the proposed development parcel may be devoted to a specific use or compilation of uses permitted. Said maximum shall include all principal and accessory structures but shall exclude any required yards, and open space and recreation uses as defined in the regulations for this Section, and the space devoted to streets and required off-street parking lots within the parcel.

2. A minimum of twenty percent (20%) of the gross land area shall be devoted to developed and unimproved common or public open space and recreational uses as defined in this regulation. This area shall exclude all streets, roads, required yards and required parking spaces within the development parcel.

C. GEOMETRIC CONTROLS

1. Front, rear and side yards shall be designed so that a building is no closer than 20 feet to any other building.
2. Accessory structures shall be no closer than 10 feet to the principal structure with which they are associated, and no closer than 20 feet to any other principal structure, and 5 feet to any other accessory structure.
3. The minimum distance between any point on a building and a parcel boundary or a street right-of-way shall not be less than 10 feet.
4. The maximum height of all principal structures shall not exceed 45 feet in height. Accessory structures shall not exceed 25 feet in height. All heights specified do not include necessary roof top mechanicals or enclosures.

D. MISCELLANEOUS

1. The Lakefront Development District contains several historic buildings along Northern Franklin Street that merit preservation to the extent economically feasible. The State Historic Preservation Officer (SHPO) has identified the following resources in this area:
 - i. Seneca Frosted Foods
 - ii. Frost Machine Shop (Seneca Market)
 - iii. Railroad Station
 - iv. Portions of North Franklin Street, including 108 - 112 on the east side of the street
2. At the time application is made for a buildings permit and a certificate of occupancy, there shall be submitted for review by the Planning Board a schematic or sufficient information showing that all rehabilitation work on the above listed properties within the district shall be conducted, in so far as it is practicable, in a manner to comply with the Secretary of Interior's Standards for Rehabilitating Historic Buildings.

SECTION 12. SUPPLEMENTARY REGULATIONS:

A. USES.

1. Excavations: Open excavations shall be enclosed with a substantial fence with suitable gates. Where the slope of the material is greater than the normal angle of repose of the material there shall be provided support for the soil of the abutting properties and any abutting street improvement structures.

B. HEIGHT.

1. Height Exceptions: Towers, spires, belfries, chimneys and similar structures may be erected but not of a greater base area than five (5) per cent of the gross area of the lot or site and not to exceed seventy-five (75) feet in height.
2. Height Limitations: No building or structure shall be erected in excess of two (2) stories or thirty (30) feet in height unless such building or structure is of masonry construction. Masonry buildings shall not be erected in excess of four (4) stories or seventy (70) feet in height.

C. AREA.

1. Reduced Lot Area: No lot shall be reduced in area so that any required open space will be smaller than prescribed in this ordinance for the use district in which said lot is located, unless the buildings structure or use is altered, reconstructed or relocated so as to comply with the area and yard requirements applicable thereto. The limitations imposed by this Local Law, however, shall not prohibit the erection of a building or structure on any lot containing, at the effective date of this Local Law, an area smaller than required under this Local Law. Where undue hardship is imposed by the regulations applicable to size, shape or frontage of existing lots, the Zoning Board of Appeals shall vary the application of this Local Law as nearly as practical to conform to the intent and purposes of this Local Law. For the purposes of this section when two or more adjacent vacant lots are, at the effective date of this Local Law, in single ownership they shall be construed as being a single lot. The Superintendent of Building and Zoning may grant building permits for the construction, alteration, addition, removal or changes in the type of occupancy or use of structures located upon lots existing at the effective date of this Local Law that have less than the minimum frontage and/or area required of lots located in the same use districts provided that the following regulations established for the use district in which the lot is located are not violated: permitted uses, building height, percentage of lot coverage, front yard, side yards and rear yard.

2. Visibility at Intersection: On a corner lot in any district, when such corner lot is used for residential purposes, no fence, wall, hedge, or other structure or planting more than forty-two (42) inches in height shall be erected, placed or maintained within the triangular area formed by the intersecting street lines and a straight line joining such street lines at points which are twenty-five (25) feet distant from the point of intersection measured along said street lines, except that shade trees which do not obstruct visibility across such triangular areas may be placed and maintained.

D. YARDS.

1. Corner Lots: A corner lot in any residential use district shall have a side yard of not less than one-half the required depth for front yards on the side street or where existing uses on side street differ from this standard on the side yard must not be less than that prevailing on the side street. Accessory buildings are also restricted to this distance.

2. Lots on Use District Boundary Lines: When a lot in a business or industrial use district abuts a lot in a residential use district there shall be provided along the abutting lot line of such lot in the business or industrial use district a yard equal in width to not less than one-third of the height of the buildings or structure in the business or industrial use district, but not less than ten (10) feet.

3. Accessory Building on Rear One-Half of Lot: Accessory building and structures on the rear one-half of lots other than corner lots shall not be erected nearer to the rear or side property lines than three (3) feet except that such buildings or structures, when of

masonry construction, may be set on the rear and side property lines.

E. AUTOMOBILE STORAGE AND PARKING SPACE.

1. Use District Regulations.

a. R-1, R-2 and R-3 Residential Use Districts and B-2 Business Transition District.

(1) For residential dwellings, storage facilities or space shall be provided for not less than one motor vehicle per dwelling unit.

(2) For each permitted use other than residential use, there shall be provided sufficient space for off-street parking of motor vehicles to accommodate the normal number of motor vehicles which shall congregate as the result of the use of such buildings or premises.

(3) Space may be rented in a garage for the storage of not more than two noncommercial vehicles.

(4) Off-street parking requirements are further defined in Article IV, Section 3 of the Development Guidelines and General Provisions for site plan approval.

b. B-1 Business Use Districts.

(1) There shall be provided off-street parking for customers' use at the rate of not less than space for one vehicle for each one hundred twenty-five (125) square feet or fraction thereof of business floor area, but for not less than two vehicles.

(2) There shall also be provided, in addition to the off-street parking space for customers, sufficient area for the unloading, loading and storage of such vehicles as may be used in the conduct of the business.

(3) Off-street parking requirements are further defined in Article IV, Section 3 of the Development Guidelines and General Provisions for site plan approval.

c. F Industrial Use Districts.

(1) There shall be provided yards of sufficient area to accommodate off-street parking of motor vehicles of employees and visitors and of sufficient additional area for the unloading, loading and storage of motor vehicles used in the conduct of the industrial activities.

(2) For a use other than an industrial use, granted as a variance by the Board of Appeals, there shall be provided sufficient space for off-street parking or storage of motor vehicles which shall congregate as a result of the use of such land, buildings or structures.

(3) Off-street parking requirements are further defined in Article IV, Section 3 of the development Guidelines and General Provisions for site plan approval.

d. All Other Uses

(1) Other Uses: For all other permitted uses there shall be provided sufficient off-street parking space to meet the demand for off-street parking as may be created by such uses.

(2) Off-street parking requirements are further defined in

Article IV, Section 3 of the development Guidelines and General Provisions for site plan approval.

F. GENERAL

1. Public Properties. This Local Law shall not restrict the construction or use of publicly owned buildings and property except that a special permit must be secured from the planning board prior to construction or use.

2. Water Supply and/or Sewage Treatment: When an application is made for a building permit, there shall be submitted with the said application a plot plan showing the layout of the proposed development which will include the size and location of buildings, the source of the proposed water supply and the details of sewage treatment and sewage disposal. The source of water supply and/or the method of sewage treatment must be in accordance with the requirements for such facilities and installations as promulgated by the New York State Department of Health or New York Department of State.

3. Grade of Front Yard: The surface grade of the front yard shall be on a gradient such that drainage of the site is not changed and if changed approval is secured from the Government Agency involved. For new developments, the drainage system and erosion control measures must comply with Article I, Section 1.10 of the Development Guidelines and General Provisions for site plan approval.

G. LIGHTING.

1. All sources of light shall be shielded so that direct or reflected beams of light from a light source shall not constitute a nuisance to adjacent properties, to pedestrians or to motor vehicle operators.

SECTION 13. NON-CONFORMING USES: The lawful use of any building, structure or land at the time of the effective date of the relevant provisions of this Local Law may be continued although such use does not conform with the provisions of this Local Law. Such use is hereby designated as a non-conforming use.

A. ALTERATIONS.

1. A non-conforming building or structure may not be reconstructed or structurally altered during the life of such building or structure to an extent exceeding in aggregate cost fifty (50) per cent of the assessed valuation of the building or structure as was indicated on the assessment record of the Village, unless changed to a conforming use. A non-conforming use occupying a portion of a ground floor of a building may be extended to the entire ground floor area.

2. A non-conforming use shall not be changed or extended without a certificate of compliance having first been issued by the Superintendent of Building and Zoning.

B. RESTORATION.

1. A non-conforming building, structure or use destroyed or damaged

in excess of seventy-five (75) per cent of its true value based on the assessment record and equalization rate of the village at the time the destruction or damage occurs may not be restored or reconstructed except in conformity with the provisions of this Local Law unless otherwise modified by the Board of Appeals.

C. DISCONTINUANCE.

1. Whenever a non-conforming use has been discontinued for a period of one year, such use shall not thereafter be reestablished and any further use shall be in conformity with the provisions of this Local Law.

SECTION 14. ZONING BOARD OF APPEALS:

A. ESTABLISHMENT AND DUTIES.

1. Pursuant to Village Law, the Village Board shall appoint a Zoning Board of Appeals consisting of five (5) members, shall designate its chairman, and also provide for such expenses as may be necessary and proper. A member of the Zoning Board of Appeals shall not at the same time be a member of the Village Board. The Mayor shall have the power to remove any member of the Zoning Board of Appeals for cause and after public hearing.

B. TERM OF APPOINTMENT.

1. Of the members of the Zoning Board of Appeals first appointed, one shall hold office for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, one for the term of five years, from and after his appointment. The appointment of a chairman shall be for a term of one year. Their successor shall be appointed for the term of five years from and after the expiration of the terms of their predecessors in office. If a vacancy shall occur other wise than by expiration it shall be filled by the Village Board by appointment for the duration of the unexpired term.

C. STAFF.

1. The Zoning Board of Appeals may employ such clerical or other staff assistance as may be necessary, and prescribe their duties, provided that is shall not at any time incur expenses beyond the amount of the appropriations made by the Village Board and then available for that purpose.

D. POWERS AND DUTIES.

1. The Zoning Board of Appeals shall have the following powers and duties:

a. Appeals. The Zoning Board of Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official body or board charged with the enforcement of this Zoning Law.

b. Variances. Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this Law, the

Board of Appeals shall have the power to vary or modify the application of any of the regulations or provisions of such Law relating to the structural changes in, equipment or alteration of buildings or structures, or the use of land, so that the spirit of the Law shall be observed, public safety and welfare secured and substantial justice done.

2. The Powers and authority of the Zoning Board of Appeals to hear and decide appeals and applications for variances shall be governed by applicable statutory and decisional laws of the State of New York.

E. RULES OF PROCEDURE, BY-LAWS, FORMS

1. The Zoning Board of Appeals shall have the power to make, adopt, and promulgate such written rules of procedure, by-laws, and forms as they may deem necessary for the proper execution of their duties and to secure the intent of this law.

ARTICLE III - SITE PLAN REVIEW AND APPROVAL:

SECTION 1. SITE PLAN REVIEW AND APPROVAL: Prior to the issuance of a zoning permit in the Village of Watkins Glen, the Superintendent of Building and Zoning (zoning officer) shall require site plan approval by the Planning Board pursuant to this section for construction of new structures, substantial enlargement of existing structures, conversion of an existing building to a different use, construction of roads or driveways and excavations. Single family dwellings and duplexes, landscaping, minor enlargements, residential garages, and agricultural structures shall be exempted from the provisions of this article. The zoning officer shall notify an applicant for a zoning permit when site plan approval is required by the provisions of this section. The Planning Board, at its discretion, may waive the sketch plan and public hearing procedures.

SECTION 2. SKETCH PLAN: At the request of the applicant, a sketch plan conference may be held between the Planning Board and the applicant prior to the preparation and submission of formal site plan. The intent of such a conference is to enable the applicant to inform the Planning Board of the proposal prior to the preparation of a detailed site plan; and for the Planning Board to review the basic site design concept, advise the applicant as to potential problems and concerns and to generally determine the information to be required on the site plan. In order to accomplish these objectives, the applicant should provide the following:

A. A statement and rough sketch showing the locations and dimensions of principal and accessory structures, parking areas, access signs (with descriptions), existing parking areas, and proposed vegetation, and other planned features; anticipates changed in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations;

B. A sketch or map of the area which clearly shows the location of the site with respect to nearby streets right-of-way, properties, easements and other pertinent features; and

C. A topographic or contour map of adequate scale and detail to show site topography.

SECTION 3. APPLICATION FOR SITE PLAN APPROVAL: An application for site plan approval shall be made in writing to the chairman of the Planning Board and shall be accompanied by information contained on the following checklist. Where the sketch plan conference was held, the accompanying information shall be drawn from the following checklist as determined necessary by the Planning Board at said sketch plan conference.

A. Site plan checklist.

1. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing;
2. north arrow, scale and date;
3. boundaries of the property plotted to scale;
4. existing watercourses;
5. grading and drainage plan, showing existing and proposed use and exterior dimensions of all buildings;
6. location, design, type of construction, proposed use and exterior dimensions of all buildings;
7. location, design and type of construction of all parking and truck loading areas, showing access and egress;
8. provision for pedestrian access;
9. location of outdoor storage, if any;
10. location, design and construction materials of all existing or proposed site improvements including drains, culverts, retaining walls and fences;
11. description of the method of sewage disposal and location, design and construction materials of such facilities;
12. description of the methods of securing public water and location, design and construction materials of such facilities;
13. location of fire and other emergency zones, including the location of fire hydrants;
14. location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy;
15. location, size and design and type of construction of all proposed signs;
16. location and proposed development of all buffer areas, including existing vegetative cover;
17. location and design of outdoor lighting facilities;
18. identification of the location and amount of building area proposed for retail sales or similar commercial activity;
19. general landscaping plan and planting schedule;
20. an estimated project construction schedule;
21. record of application for and approval status of all necessary

permits from state and county officials;

22. identification of any state or county permits required for the project's execution; and

23. other elements integral to the proposed development as considered necessary by the Planning Board;

SECTION 4. REVIEW OF SITE PLAN: The Planning Board's review of the site plan shall include, as appropriate, but is not limited to, the following general considerations:

A. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

B. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.

C. Location, arrangement, appearance and sufficiency of off-street parking and loading.

D. Adequacy and arrangement of pedestrian traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.

E. Adequacy of stormwater and drainage facilities.

F. Adequacy of water supply and sewage disposal facilities.

G. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.

H. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.

I. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

SECTION 5. PUBLIC HEARING: A public hearing may be scheduled at the discretion of the Planning Board and/or at the request of the applicant, within forty-five (45) days from the receipt of a complete and satisfactory application. The hearing shall be advertised at least five (5) days prior to the scheduled date in a newspaper of general circulation in the Village.

SECTION 6. PLANNING BOARD ACTION ON SITE PLAN: 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 zoning 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.

A. Upon approval of the site plan and payment by the applicant of all fees and reimbursement costs due to the village, the Planning Board shall endorse its approval on a copy of the final site plan and shall forward a copy to the applicant, zoning officer, and file same with the Village Clerk.

SECTION 7. APPEALS TO THE ZONING BOARD OF APPEALS. Within thirty (30) days of the disapproval of a site plan, the applicant may appeal the decision of the Planning Board to the Zoning Board of Appeals. The Zoning Board of Appeals shall hear and decide appeals properly filed by the applicant with the zoning officer, said filing to include a notice of appeal, specifying the grounds thereof. The zoning officer shall transmit the filing and all records pertaining to the action which is the subject of the appeal.

The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties, such notice at least once in the official newspaper of the village, and decide the same within sixty-two (62) days after the hearing. Where there are practical difficulties or unnecessary hardships in the way of carrying out the Planning Board decision, the Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make such decision as in its opinion ought to be made in order to vary or modify the application of any of the provisions of the decision relating to the use, construction, or alteration of buildings or structures, or the use of land, so that the spirit of the law shall be observed, public safety and welfare secured, and substantial justice done.

It is the express intent of this Local Law to provide an administrative remedy to the applicant, in addition to the rights of the applicant to apply to the Supreme Court of the State of New York for review by a proceeding under Article 78 of the CPLR, pursuant to Village Law, Section 7-725 (3). Upon receipt of a decision from the Zoning Board of Appeals, the applicant shall be considered to have exhausted administrative remedies.

SECTION 8. REIMBURSABLE COSTS: Reasonable and necessary costs incurred by the Planning Board for consultation fees or other extraordinary expenses in connection with review of a proposed site plan shall be charged to the applicant.

SECTION 9. PERFORMANCE GUARANTEE: No certificate of occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guarantee has been posted for improvements not yet completed. The sufficiency of such performance guarantee shall be determined by the village board after consultations with the Planning Board, zoning officer, village attorney and other appropriate parties.

SECTION 10. INSPECTION OF IMPROVEMENTS: The zoning officer shall be responsible for the overall inspection of approved site improvements including coordination with the Planning Board and other officials and agencies, as appropriate.

SECTION 11. INTEGRATION OF PROCEDURES: The Planning Board shall formulate and publish procedures to administer the site plan review and approval procedure and whenever the particular circumstances of proposed development require compliance with either the special use procedure in this zoning ordinance or other requirements of the village, the Planning Board shall attempt to integrate as appropriate, site plan requirements for such other compliance.

ARTICLE IV. DEVELOPMENT GUIDELINES AND GENERAL PROVISIONS

Section 1.0 - General.

The Planning Board, in reviewing a site plan, shall be guided by the considerations and standards presented in this Article. In its review, it shall take into consideration the prospective character of the development and require improvements be designed to such standards as are consistent with reasonable protection of the public health, safety, or welfare. The zoning officer shall ensure compliance with this Article and any other applicable ordinances, articles or sections.

Section 1.1 - Lots and Blocks.

1.1.1 Lot Size and Arrangement. The dimensions and arrangements of lots shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in providing access to buildings on such lots or in securing building permits to build. In general, side lot lines shall be at right angles or radial to street lines, unless a variation from this plan can be shown to result in a better plan.

1.1.2 Access. Insofar as possible, lots shall not derive access from a major road. Access to lots adjacent to a primary

road shall, in general, be from marginal access streets or other streets within the development. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure, which shall be subject to the same design criteria and review as all other storm water drainage facilities in the development.

Section 1.2 - Street, Road, and Pavement Design.

1.2.1 Street Arrangement.

(a) Street systems shall be designed with due regard to the needs for: convenient traffic access and circulation; traffic control and safety; access for fire fighting, snow removal, and street maintenance equipment; and stormwater drainage and sewage disposal. Streets shall be designed to accommodate the prospective traffic, and so arranged as to separate through traffic from neighborhood traffic insofar as it is practicable.

(b) The streets in contiguous development shall be coordinated so as to compose a convenient system. Where a development adjoins undeveloped land, its streets shall be laid out so as to provide suitable future street connections with the adjoining land when the latter shall be developed. A street thus temporarily dead-ended shall be constructed to the property line and shall be provided with a temporary turn-around of the same dimensions as for permanent dead-end streets if in excess of 200 feet, with a notation on the construction plat providing for temporary easements for the turn-around until such time as the street is extended.

(c) Streets shall be logically related to the topography, and all streets shall be arranged so as to obtain as many as possible of the building sites at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and sharp curves shall be avoided.

(d) Where a development abuts on or contains an existing or proposed primary street, the Planning Board may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(e) Where a development borders or contains an existing or proposed railroad right-of-way or controlled access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for business, commercial or industrial

purpose in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

1.2.2 Standards for Street Design. All streets shall be designed and constructed to conform to N.Y.S. and Village specifications. The Village Public Works Superintendent shall approve all street design and construction.

1.2.3 Dead-end Streets. Where a street does not extend to the boundary of the development and its continuation is not needed for access to adjoining property, it shall be separated from such boundary by a distance sufficient to accommodate a lot meeting the requirements of this Local Law. Reserve strips of land shall not be left between the end of a proposed street and an adjacent piece of property. However, the Planning Board may require the reservation of an easement fifteen (15) feet wide for pedestrian traffic or utilities. A turn-around of a minimum right-of-way radius of eighty (80) feet shall be provided at the end of any permanent dead-end street. For greater convenience to traffic and more efficient police and fire protection, the length of permanent dead-end streets shall be limited to six (6) times the minimum lot width for the zoning district, such length to be measured to the center point of the turn-around.

1.2.4 Sidewalks. Concrete or hot mix asphalt sidewalks at least five (5) feet wide may be required on both sides of all streets. Hot mix asphalt sidewalks shall be finished with a top coat or layer consisting of a paste of water and cement, brushed on with a broom. They may also be required within pedestrian walkways to schools, parks and other community facilities. Sidewalks should be two (2) feet from the property line inside the right-of-way, unless the adjacent street is a state or county highway, in which case the sidewalk shall be placed adjacent to and outside of the right-of-way. Sidewalks within pedestrian easements shall be generally centered within the easement.

1.2.5 Trees. The Developer shall take adequate measures to preserve desirable existing trees in suitable locations within the development. Street trees shall be planted on both sides of the street and ten (10) feet outside the right-of-way, at intervals of approximately fifty (50) feet, subject to location of drives, street intersections, or other features and in accordance with the Urban Forestry Management Plan prepared for the Village in 1988. In general, the street right-of-way shall be cleared of existing trees, but occasional existing trees of unusual value may be preserved within the street right-of-way if approved by the Planning Board.

1.2.6 Street Names and Signs. All streets shall be named, and such names shall be subject to the approval of the Planning Board. A street which is a continuation of an existing street shall bear the same name. Relating street names to features of local historical, topographical, or other natural interest is encouraged.

Street signs shall be provided by the developer at all intersections and shall be of a type approved by the Village Public Works Superintendent.

1.2.7 Street Improvements - General. In addition to the required improvements specifically referred to elsewhere in these regulations, plans shall provide for all other customary elements of street construction and utility service which may be appropriate in each locality as determined by the Village. Such elements may include, but shall not be limited to, street pavement, gutters, standards, watermains, fire hydrants, fire alarm signal devices, and sanitary sewers.

Underground utilities within the street right-of-way shall be located as required by the Village and underground service connections to the property line of each lot shall be installed before the street is paved. All street improvements and other construction features of the development shall conform to municipal specifications which may be established from time to time and shall be subject to approval as to design, specifications, and construction by the Village Public Works Superintendent.

1.2.8 Widening of Existing Street Right-of-Way. Where a development adjoins an existing street which does not conform to the Village's right-of-way standards, the Planning Board may require that additional right-of-way width as necessary be provided, on the development side of the normal street centerline, a width which is equal to at least one-half of the minimum standard width for the respective type of street.

1.2.9 Typical Road Section. The typical section approved by the Village Public Works Superintendent shall be used for all Streets. Pavement and R.O.W. widths shall vary with type of use.

Section 1.3 - Off-Street Parking.

1.3.1 General Requirements.

(a) It shall be the responsibility of the owner of a property to provide the off-street parking spaces required in the listing below for any use which is erected, enlarged, or altered after the effective date of this Law.

(b) A parking space shall be considered adequate if it is not less than 9 feet by 18 feet exclusive of passageways and driveways appurtenant thereto and giving access thereto, and having direct access to street or alley.

(c) No exit or entrance drive connecting a parking area and a street shall be permitted within 30 feet of the intersection of two public rights-of-way.

(d) Where appropriate, the Zoning Board of Appeals may, upon the presentation of evidence, vary the number and circumstance of the

following parking space requirements, in order that the general welfare be served and the prospective uses be equitably treated.

(e) In stadiums, churches, and other places of assembly, in which patrons or spectators occupy benches, pews, or other similar seating facilities; each twenty (20) inches of such seating facilities shall be counted as one seat.

(f) The lighting of off-street parking lots shall not be directed into adjacent properties.

(g) If the uses, structures or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract or other appropriate written document to establish the joint use.

(h) Off-street parking lots in residential areas shall be restricted to passenger vehicles only and the use of the area by trucks, house trailers, buses and other motorized equipment not of a residential passenger carrying nature, shall be prohibited.

1.3.2 Required Off-Street Parking Spaces. The minimum cumulative number of spaces shall be determined by the amount of dwelling units, bedrooms, floor area, members, equipment, employees, and/or seats contained in such new buildings or structures, or added by alteration of buildings or structures, and such minimum number of spaces shall be maintained by the owners of such buildings or structures, as follows:

- (a) Single Family Residences - One space per dwelling unit.
- (b) Multi-Family Residences - One space per dwelling unit.
- (c) Home Occupation - One space for each person or employee engaged in any home occupation.
- (d) Hospitals, Sanitariums, Nursing Homes One space for each bed.
- (e) Tourist Home, Rooming House - One space for each bedroom within the facility, plus sufficient space for vehicles of employees and operators.
- (f) Motels/Hotels - One space for each unit, plus sufficient space for vehicles of employees and operators.
- (g) Offices - Service, Retail, Professional - One space for each 125 sq. ft. of gross floor area.
- (h) Medical and Dental Clinics - One space for each 125 sq. ft. of gross floor area over 1000 sq. ft., plus sufficient space for vehicles of employees and operators
- (i) Retail Establishments, Funeral Homes, Veterinary Hospitals, Banks, and Related Commercial Establishments of a Personal Service or Business Service Nature - One space for each 125 sq. ft. of gross floor area over 1000 sq. ft., plus sufficient space for vehicles of employees and operators.
- (j) Restaurants - One space for each two customer counter space area plus one additional space for each four customer table space, plus sufficient space for employees and operators.
- (k) Commercial Recreation, Private Membership Clubs - One space for every 125 sq. ft. of gross floor area.
- (l) Roadside Stands - One space for every 125 sq. ft. of area devoted to selling or display.
- (m) Nursery and Elementary Schools - One space per employee plus two

- additional spaces per classroom.
- (n) High Schools and Colleges - Five spaces for each classroom.
 - (o) Churches, Temples, Auditoriums, Theaters - One space for every five seats.
 - (p) Industrial Uses
 - (1) One space for each 800 sq. ft. of floor area devoted to manufacture including printing, publishing, and laundry or dry cleaning plants.
 - (2) One space for each 1,500 sq. ft. of floor area devoted to storage or stationary operating equipment.
 - (3) One space for each 3,000 sq. ft. of area devoted to outside storage, including used car lots and equipment rental or sales yards.
 - (4) For any industrial use, one space for each company vehicle.
 - (q) Marina and Marina Services Three spaces for every 1,000 square feet gross floor area plus three spaces for every four slips.

1.3.3 Calculation of Required Spaces. In the case of combination of uses, the total requirements for off-street automobile parking spaces shall be the sum of the requirements for the various uses, unless it can be proven that staggered hours of use would permit modification. Whenever a major fraction of a space is required, a full space shall be provided.

1.3.4 Dimensions for Off-Street Automobile Parking Spaces and Lots. Every such space provided shall be at least 9 feet wide and 18 feet long, and every space shall have direct and usable driveway access to a street or alley with minimum maneuver area between spaces as follows:

- (a) Parallel Club Parking: 5 feet end to end with 12 foot aisle width for one directional flow and 24 foot aisle width for two directional flow.
- (b) 30 Degree Parking: 13 foot aisle width for one directional flow and 24 foot aisle width for two directional flow.
- (c) 45 Degree Parking: 16 foot aisle width for one directional flow and 24 foot aisle width for two directional flow.
- (d) 60 Degree Parking: 21 foot aisle width for one directional flow and 24 foot aisle width for two directional flow.
- (e) Perpendicular Parking: 24 foot aisle width for one directional and two directional flow.

1.3.5 Location of Required Parking Spaces.

For any residential use, required automobile parking spaces shall be provided on a buildable portion of the same lot. This space shall be graded for parking use and readily accessible from the street.

For any residential use, no open or enclosed parking area shall encroach on any required front yard. Open parking areas may encroach on a required side or rear yard to within (3) three feet of a property line.

For business and industrial uses, such spaces shall be provided on the same lot, or not more than 400 ft. therefrom. Vehicles and equipment for display or for sale shall not be parked or stored within the front yard requirement.

1.3.6 Off-Street Parking Waiver Off-street parking requirements may be waived in whole or in part upon finding of the Planning Board under site plan review that:

- (a) Adequate public off-street parking facilities are available within 400 feet of the lot containing the subject use.
- (b) Evidence of satisfactory off-site parking arrangements in compliance with subsection 1.3.1 (g).

1.3.7 Construction of Parking Areas.

Parking areas, with the exception of single family residences, shall be surfaced with a suitable all-weather, dust-free surface. The individual spaces shall be visibly marked with paint or other durable material.

1.3.8 Landscaping.

At least 8 percent of the area of the lot usable for off-street parking shall be devoted to landscaping with lawn, trees, shrubs or other plant material. All loading berths and parking areas of three or more spaces that abut a residential lot line, and any parking lot for more than 20 cars shall be screened adequately, as set forth in Section 1.20, from the adjoining property. All parking areas and landscaping shall be properly maintained thereafter in a sightly and well kept condition.

Section 1.4 - Off-Street Loading and Unloading Requirements.

1.4.1 Dimensions of Loading Berths. Each loading berth, either open or enclosed, shall be 55 feet long, 12 feet wide and 14 feet high; businesses utilizing vehicles not larger than panel trucks may have berths which are not smaller than 20 feet long, 10 feet wide and 8 feet high.

1.4.2 Location of Berths. The Planning Board shall make sure that berths are located in such a way as not to unreasonably interfere with the movement of people and vehicles on public ways.

1.4.3 Required Loading Berths. The Following shall be considered minimum requirements:

Use	Gross Floor Area (Sq. Ft.)	Loading and Unloading Berth
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Retail Stores, Whole-	3,000 - 15,000	1
sale Establishments	15,000 - 40,000	2
Storage Uses, Other	each 25,000 addt'l.	1 additional
Commercial Uses		
Motels - Hotels, Office	100,000 or less	1
Buildings	100,001 - 300,000	2
	each 200,000 addt'l.	1 additional
Industrial	15,000 or less	1
	15,000 - 40,000	2
	40,001 - 100,000	3
	each 40,000 addt'l.	1 additional

The Planning Board may require additional berths as necessary to adequately accommodate the use.

1.4.4 Landscaping as required in Section 1.3.8.

Section 1.5 - Signs.

No sign or other outdoor devices for the purpose of advertising of any kind may be erected or established in the Village except in conformance with the standards in this section.

1.5.1 General Provisions.

- (a) All signs except those set forth in Section 1.5.2 shall require a building permit and shall comply with applicable regulations of the New York State Uniform Building and Fire Prevention Code.
- (b) No permanent or temporary sign shall be erected or placed at or near the intersection of any streets in such a manner as to cause a traffic hazard at the intersection; or at any location where, by reason of the position, shape, or color of the sign it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words, "Stop", "Look", "Drive-in", "Left", or any other words, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse traffic. The regulations of the NYS Department of Transportation shall be followed with respect to the placement of a permanent or temporary sign within the right of way of a state highway.
- (c) No sign shall be placed or erected above the maximum elevation of the main roof line of a building.
- (d) Any permitted free-standing sign shall not be more than 20 feet in height above the average surface of the ground of the parcel on which the sign is located.
- (e) All signs shall be set back a minimum of 3 feet from any lot line.
- (f) Size of a sign shall refer to the overall area occupied by the total sign and includes for a free-standing sign outside dimensions only, not the total of each face.
- (g) The provisions of this section shall not apply to safety

- signs, road signs, historical markers or highway directional signs erected by municipal or public agencies.
- (h) Illumination of signs shall not be intermittent or of varying intensity and may not produce glare beyond the limits of the property lines.
 - (i) Signs with moving parts are not permitted except public service signs (such as time and temperature) approved by the Village Board.
 - (j) Signs projecting into a public right-of-way shall have a clearance of not less than 10 feet above the sidewalk or surrounding ground and not less than 15 feet above any public driveway or thoroughfare.
 - (k) Portable signs shall only be allowed for special non-business application for a time period not to exceed one (1) week.
 - (l) Advertising signs, which direct attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than on the premises, shall be prohibited. The Village Board of Trustees, with the advice of the Village Planning Board, may grant exceptions to this provision upon written application of the property owner.

1.5.2 Signs Permitted For any Use

No building permit shall be required for the following signs which shall be permitted in any district.

- (a) Real estate signs - maximum eight (8) sq. ft. for residential uses, maximum thirty (30) sq. ft. for business and industrial uses.
- (b) Professional or business name plates - maximum two (2) sq. ft.
- (c) Memorial signs or tablets.
- (d) Temporary signs denoting architect, engineer, contractor, etc. when placed upon the premises where the construction is proposed or underway. Such signs shall be removed within thirty (30) days after construction is completed.
- (e) Traffic or other municipal signs, legal notices and similar temporary or non-advertising signs for government purposes.
- (f) Temporary posters covering such things as political and sporting events, shows and elections. Such signs shall not be displayed until four (4) weeks prior to the event and must be removed within two (2) weeks following the event.
- (g) Non-permanent banners and similar devices may be displayed for the occasion of the special event and shall be displayed for no longer than a three (3) week period.
- (h) All signs, certificates and licenses that are mandated to be on display by any local, county, state or federal law or authority.
- (i) Two (2) signs each not exceeding four (4) sq. ft. in area, indicating or calling attention to traffic entrances and exits, provided that, if illuminated, such illumination

shall cease at the close of business hours or 11:30 p.m. whichever is later. Such signs shall not carry any advertisement, insignia or business logo nor shall they be nearer than five (5) feet to any lot line and shall not project more than four (4) feet above grade.

- (j) Directional location signs in conformance with standards in Section 13.5.6.

1.5.3 Residential and Business Transition Districts

- (a) An apartment complex may have one identification sign which shall not have a total face area of more than fifteen sq. ft. In addition, each building may be allowed one identification sign, total face area not to exceed 4 sq. ft.
- (b) A dwelling unit, in which a home occupation is permitted, may display a freestanding or mounted sign noting such occupation. Freestanding signs shall not be above 36 inches in height, and must be set back at least 3 feet from the lot line.
All signs shall be illuminated by indirect lighting in a manner to light the sign face only and the total face area shall be no more than eight (8) square feet.
- (c) Subdivision signs - any person offering lots for sale in an approved subdivision may erect a non-illuminated sign having an aggregate total face area of not more than 100 sq. ft.
- (d) Civic, religious, education, institutional, social and membership clubs, and similar uses may display one (1) identification sign and/or bulletin board incidental to the use. The aggregate total face area of such a sign shall not exceed thirty-two (32) square feet.
- (e) A business in a business transition district may display a freestanding sign noting such business. Freestanding signs shall not be above 48 inches in height. All signs shall be illuminated by indirect lighting in a manner to light the sign face only and the total face area shall be no more than eight (8) square feet.

1.5.4 Business and Industrial Districts.

- (a) Two primary business identification signs, one free standing with a maximum of two display faces and one sign mounted on the building may be displayed on the same lot as the business with which they are associated. The total display area of both signs shall not exceed an area equal to 1.5 square feet of sign area for each lineal foot of building frontage or one hundred (100) sq. ft. whichever is the lesser. In no instance shall a single face of either sign exceed fifty (50) square feet or exceed 25 feet above ground elevation.
- (b) Accessory signs may be displayed at each establishment provided that such signs conform with the following:

- (1) Signs may be exhibited in any window area provided that the display area does not exceed 30% of the window area.
- (2) Additional signs may be located on the building facade or on certain merchandise displays as may be appropriately stored outside during business hours.
- (3) The aggregate total display area of all such signs does not exceed an area equal to .5 square feet per lineal feet of building frontage.

1.5.5 Plaza or Mall Signs.

When three or more business uses are combined in a single structure and/or common grouping of structures sharing parking and related facilities, the following sign provisions shall apply.

- (a) Two free-standing double-faced signs identifying the group of businesses. Each sign shall have a maximum total face area of 100 sq. ft. with no single face exceeding 50 sq. ft.
- (b) One free-standing directory sign identifying each business located within the Plaza. Such sign shall not exceed 100 sq. ft. in total face area and each business name identified on such sign shall be of a uniform size.
- (c) Each business in the group may have one sign which shall not exceed 10% of the front facade on which it is mounted. Corner establishments with more than one front facade visible may have up to two signs with maximum area as calculated herein.

1.5.6 Directional Signs.

Signs directing travelers to the area attractions, food, gas and lodging establishments are permitted along state and county routes within the Village in conformance with the following:

- (a) Maximum area - two (2) square feet.
- (b) Two signs per establishment, maximum.
- (c) Maximum height - fifteen (15) feet.
- (d) In business or industrial districts only.

1.5.7 Removal of Certain Signs.

Any sign now or hereafter existing which no longer advertises a bonafide business conducted, or a product sold, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which sign may be found within thirty (30) days after written notification from the Zoning Officer, and, upon failure to comply with such notice within the time specified in such order, the Zoning Officer is hereby authorized to cause removal of such sign and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.

1.5.8 Nonconforming Signs.

Every sign or other advertising structure lawfully in existence on the effective date of this Local Law which violates or does not conform to the provisions hereof shall be removed or altered so as to conform within six (6) years following such effective date.

1.5.9 Administration and Enforcement.

Except as otherwise provided, no person shall erect, alter, or relocate any sign without first obtaining a permit from the Zoning Officer, or his successor. Within six (6) months following the effective date of this Local Law, a permit shall also be obtained for any sign in existence as of the effective date of this Local Law, unless excluded by the Exempt Signs provisions under Section 5.2. Subsequent to this initial application, no permit shall be required for a sign to be repainted, repaired or have its message changed.

- (a) Application shall be made in writing to the Zoning Officer on forms prescribed and provided by the Village and shall contain the following information.
1. Name, address and telephone number of:
 - a. Applicant.
 - b. Owner of the property.
 2. Location of the building, structure or land upon which the sign now exists or is to be erected.
 3. If a new sign is to be erected, elevation and plan drawings to scale should be included. In addition, a full description of the placement and appearance of the proposed sign should be included and should cover the following:
 - a. Location on the premises, specifically, its position in relation to adjacent buildings, structures and property lines.
 - b. The method of illumination, if any, and the position of light or other extraneous devices, and a copy of the electrical permit related to the electrical connections.
 - c. Graphic design including symbols, letters, materials and colors.
 - d. The visual message, text, copy or content of the sign.
 4. Written consent, or a copy of the contract made with the owner of the property upon which the sign is to be erected, if the applicant is not the owner.
- (b) Upon the filing of a completed application for a sign permit and the payment of the required fee, as from time to time established by resolution of the Village Board, the Zoning Officer shall examine the plans, specifications, and other data submitted, and the premises on which the sign is to be

erected or now exists. If it shall appear that the sign is in compliance with all the requirements of this local law, he shall then, within fifteen (15) days, issue a permit for the erection of the proposed sign or for an existing sign. The issuance of a permit shall not excuse the applicant from conforming to the other laws and ordinances of the municipality. If the erection of the sign authorized under any such permit has not commenced within six (6) months from the date of the issuance, the permit shall become null and void, but may be renewed within thirty (30) days prior to the expiration, for good cause shown, for an additional six (6) months, upon payment of one-half (1/2) of the original fee.

Every sign shall bear the permit number, permanently and visibly shown. Failure to do so shall constitute cause for revocation of the permit.

Section 1.6 - Accessory Buildings and Uses.

1.6.1 Accessory Buildings. Accessory buildings not attached to principal buildings shall comply with the following:

- (a) All structures 50 sq. ft. or more in size shall require a building permit.
- (b) Be located in compliance with all setback requirements as stated in the regulations for the applicable District.
- (c) Be located no closer to the principal building than twelve (12) feet or a distance equal to the height of each accessory building whichever is greater.
- (d) Be no greater in height than 15 feet.

1.6.2 Accessory uses. For any residential use, accessory uses not enclosed in a building swimming pools and tennis courts, shall be erected only on the same lot as the principal structure, shall not be located in front yard on such lot and shall be located not less than 10 feet from any lot line nor less than 5 feet from the principal structure, and shall not adversely affect the character of any residential neighborhood by reason of noise or glare or unsafe conditions.

- (a) A swimming pool or the lot or any part thereof within which a pool is located shall be completely enclosed by a chain-link fence, or a type of fence that offers or equivalent degree of security against accidental or unauthorized entry. Such fence shall be four (4) to six (6) feet in height, and all entrance gates thereof shall be self-enclosing, self-latching and capable of being locked. The fence shall be separate and physically detached from the swimming pool itself, and shall be a minimum distance of

- four (4) feet from the water's edge.
- (b) An above ground pool with no part of its side wall height less than four (4) feet above ground and so constructed by the manufacturer that the vertical sides are smooth, sheer and do not provide any means for intermediate foot or hand holds, and any pool with decking and a ladder that are designed to restrict access, may be exempt from the full provisions of the above fence requirement. However, a full height fence with a self-closing, self-latching gate capable of being locked shall enclose the ladder area not less than four (4) feet in width and four (4) feet in depth, and the ladder shall remain permanently therein. Above ground pools provided with foot or hand holds (draw-banded) and above ground pools less than four (4) foot side wall height above ground are not exempt from the full fencing requirement.

1.6.3 Special Designs. In cases where a developer has designed a grouping of buildings, the Planning Board may approve the siting of accessory buildings such as garages and carports in the front yard, provided that the buildings are in compliance with all required setbacks.

Section 1.7 - Driveway Standards.

No person, firm or corporation shall construct or locate any driveway entrance or exit into a highway of the Village of Watkins Glen without having first met the provisions of this section. The "Standard Entrance and Exit Crossing Requirements" shall be as follows:

A. All design, work and materials shall be required to meet the specifications set by the Village Public Works Superintendent and/or County and State Highway Departments.

B. No alteration or addition shall be made to any driveway without first securing permission from the Village Public Works Superintendent.

C. A minimum clear vision distance of 250 feet shall be available in each direction.

D. All driveways shall be constructed with a suitable crown so as to lessen the erosion effect of surface runoff. In addition, as specified by the appropriate Superintendent, a catch basin at a point near the intersection of the driveway and Village street highway may be required. This will prevent surface water and debris from being discharged onto the highway.

E. Agricultural and residential uses, including single-family, two-family residences and mobile homes:

1. Except where required for safe turning radius, the maximum drive width shall not exceed 20'.

2. No more than two (2) driveways shall be permitted.

F. Commercial, business, industrial and multi-family residential use:

1. Except where required for safe turning radius, the maximum width for a combined entrance and exit shall not exceed 30'.
2. The slope of the driveway shall not be greater than 10%, and shall not exceed 2% within 25 feet of the intersecting public road.
3. No more than two (2) driveways to a single commercial establishment entering one (1) highway shall be permitted.

Section 1.8 - Fences, Walls, Hedges and Screen Planting.

Fences, walls, hedges and screen planting are permitted as follows:

A. Where the driveway meets the street the hedge wall or planting shall not exceed 42 inches in height.

B. On a corner lot, no fence, wall, hedge or screen planting over 42 inches in height shall be constructed at the intersection of the two streets. In any use, the minimum clear vision distance shall be twenty-five (25) feet from the edge of the pavement at the intersection.

C. Fences, walls, hedges or screen plantings may be required as specified elsewhere in the Law for multi-family, commercial or industrial uses, by the Planning Board, as is necessary to protect the residential quality of adjacent property.

D. The clear vision area shall contain no plantings, fences, walls, structures, or temporary or permanent obstructions exceeding three (3) feet in height measured from the top of the street pavement, except that street trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight (8) feet above the grade.

E. Fences, walls, hedges and screen plantings shall be placed on the property boundary lines with the written and recorded consent of both land owners, and at least 6 inches off the boundary line without dual consent. All fences must start at least 12 inches from the inside of the sidewalk.

F. A fence constructed to afford privacy to the individual land owner would be a solid fence and must be confined to the rear half of the subject lot. It may be located on the property lines with the written and recorded consent of both owners and at least 6 inches off the boundary without dual consent. It may be no more than 72 inches in height and must conform to set back requirements for locations in side yards or on corner lots.

Section 1.9 - Steep Slope Guidelines.

The Village of Watkins Glen is characterized by numerous steep slope (15% or greater) areas. Special design treatment for streets, building sites and other development is needed to preserve the natural terrain, trees, rock formation, scenic views, etc. Development on steep slopes will be permitted subject to the following guidelines:

A. Development proposals shall be of sufficient detail to show site work (cut and fill), housing site location, erosion and drainage control measures (terraces, sediment basins, diversions, retaining walls, stream channel improvement, etc.) and road location (including cross-sections).

B. Padding, which is the creation of level building sites, shall be permitted only when it can be clearly demonstrated by exhibits that the final treatment of the site will not reflect an unfavorable visual appearance.

C. Design principles shall include, but not be limited to, the following:

1. Landscaping of areas around structures making them compatible with the natural terrain.
2. Shaping, grouping and placement of man-made structures to complement the natural landscape.
3. Arrange buildings so they complement one another to promote visual interest. Clustering of residential units and multiple dwellings shall be encouraged to house a given population with a minimum spoilage of land. The developer shall first of all determine the qualities of the site and then plan and build to accentuate these qualities rather than destroy them.
4. Shape essential grading to complement existing land forms and prohibit any appearance of successive padding, terracing or other similar forms for building sites in the hill area.
5. Encourage the development of off-street parking bays.
6. Encourage the use of turning circles at mid-block points to avoid the use of private driveways for turning and parking movement.
7. Encourage split level building sites.
8. Use one-way streets when consistent with traffic safety, circulation needs, and natural topography. This guideline allows for smaller road right-of-way, less cut and fill within a given area and a highway network consistent with the natural terrain. Roads shall be parallel with the hillside wherever possible and have variable width right-of-way. This not only provides the most economical routing, but also minimizes the amount of grading required.
9. Land within the hill area that is in excess of 25% slope shall not, to the greatest extent possible, be developed as individual residential lots.
10. Outstanding natural features such as the highest crest of the hill, range, natural rock outcroppings, particularly desirable vegetation, etc. should be retained.

Section 1.10 - Drainage System and Erosion Control.

1.10.1 Drainage Systems. Adequate and comprehensive drainage systems shall be provided to convey the storm water runoff originating

within and outside the proposed development as follows:

- (a) Drainage systems shall have sufficient capacity to accommodate the potential future runoff based upon the probable land use and ultimate development of the total watershed upland of the development.
- (b) Preservation of natural watercourses is generally preferable to the construction of drainage channels.
- (c) Interior drainage systems shall be designed to accommodate a ten (10) year storm.
- (d) The design of natural watercourses and structures shall depend upon the drainage area, but in general:
 - (1) Watersheds of less than one (1) square mile shall be designed for a 50 year storm frequency.
 - (2) Areas of one (1) square mile and over shall be designed for a 100 year storm frequency.
- (e) All structures shall be set back a minimum of fifty (50) feet from the stream bank.
- (f) Utilizing the drainage guidelines outlined above, the Planning Board may require the developer to submit the following:
 - (1) Plan profiles, and typical and special cross-sections of proposed storm water drainage facilities.
 - (2) Supporting final design data and copies of computations used as a basis for the design capacities and performance of the drainage facilities.
 - (3) The grading plan shall be developed to suitable contour interval with grading details to indicate proposed street grades and elevations and building site grades and elevations.
 - (4) If the development is within or adjacent to any designated floodplain, a detailed analysis of the area with respect to the management of the flood plain shall be included in the drainage report.
- (g) Design criteria as specified in village design standards shall be applicable to this section.

1.10.2 Erosion Control. In order to insure that the land will be developed with a minimum amount of soil erosion, the Planning Board shall require the developer to follow certain erosion control practices.

Both the Planning Board and the developer shall consult with the Soil Conservation Service, as required, and the Soil Conservation Service shall determine whether or not the required procedures are being put into practice. Such procedures may include:

- (a) Exposing the smallest practical area of land at any one time during the development.
- (b) Provisions of temporary vegetation and/or mulching to protect critical areas.
- (c) Provisions of adequate drainage facilities to accommodate effectively the increased runoff caused by changed soil and surface conditions during and after development. The

- developer's engineer shall show, as part of their submitted plans, the interceptor swales and sedimentation basins along the lower edges of all developments. Topographic data and design grades for the swales shall be shown on the plans.
- (d) Fitting of the development plan to the topography and soils so as to minimize the erosion potential.
 - (e) Retention and protection of existing vegetation wherever possible.
 - (f) Installation of permanent final vegetation and structures as soon as practicable.
 - (g) Provisions of adequate protective measures when slopes in excess of 15% are graded, and minimizing such steep grading.
 - (h) Installation of temporary sedimentation basins as required by the Soil Conservation Service.

Section 1.11 - Open Space, Parks and Playgrounds.

If specific areas are to be designated for recreational purpose such lands shall meet the following minimum standards.

- A. Such land shall either be deeded to the Village or be held in corporate ownership and maintained by an established organization or homeowners' association.
- B. Shall have physical characteristics and locations which render them readily usable for appropriate recreation purposes, and their locations shall be selected with a view to minimize hazards and vehicular traffic for children walking between such facilities and their homes in the neighborhood.
- C. In general, recreation areas shall be located at a suitable place on the edge of the development so that additional land may be added at such time as the adjacent land is developed.
- D. A detailed development plan shall be provided for each neighborhood park or playground. As a minimum, the development plan shall provide for an approximately level area at least one hundred seventy-five (175) feet square for children's field games or 15% of the total area of the park, whichever is greater.
- E. The development plan shall show how the entire area is to be graded, drained, and landscaped to make it a useful and attractive feature of the neighborhood.

Section 1.12 - Utilities.

1.12.1 Water Supply and Sewage Disposal. Provisions for water supply and sewage disposal shall comply with requirements of the Village of Watkins Glen, N.Y.S. Health Department and/or N.Y.S. Department of Environmental Conservation. All habitable structures shall meet minimum requirements as identified by the Village or N.Y.S. Health Department.

1.12.2 Underground Installation. All utility companies (telephone, electric, etc.) are now equipped to make underground installation of their services; underground installation shall be required when practicable.

Section 1.13 - Excavations for Soil Mining.

Excavation for the purpose of commercial soil mining such as gravel pits, quarrying, or any subsoil removal shall be allowed only by special permit, subject to the following provisions:

- A. Before a special permit is issued, the applicant shall submit to the Planning Board the following information:
 1. Two copies of a map at a scale of one inch equals not more than 100 feet showing all land within 200 feet thereof, with exact locations of all buildings, streets, utilities, drainage or other easements, watercourses, lot lines, block and lot numbers and names of landowners. Such map shall also show the present topography at two (2) foot contour intervals. The map shall be signed by a professional engineer or land surveyor for certification of its accuracy.
 2. Two copies of the proposed plan of excavation at the same scale as above showing the proposed finished elevations at two (2) foot contour intervals and the proposed drainage plan.
 3. Two copies of a reclamation plan. The plan must show the land restored to a configuration permitting reuse of the land for another purpose such as housing, industrial parks, commercial areas, parks, etc. Such a plan would illustrate road and building layout as well as final contour elevations. Pre-planning for such future use enables an efficient, sequential restoration of land as excavation progresses, thereby permitting restoration of land as operation. The plans shall be prepared by competent professionals such as architects, landscape architects or civil engineers.
- B. Excavation operations for which a N.Y.S. Department of Environmental Conservation Soil Mining Permit is required shall obtain such permit prior to the issuance of a special permit by the Village.
- C. During excavation or quarry operations, open pits and quarry walls shall be entirely surrounded by a substantial fence at least (6) feet high that will effectively block access to the area, with suitable gates provided with locks. The top of the slope shall not be closer than 40 feet to a property line. Suitable landscaping may also be required if appropriate to the public health, safety, or welfare. In those cases where excavating is already in progress but has not as yet come within 40 feet of the property line, this Law shall be retroactive to prevent excavation within 40 feet of the property line.
- D. No rock crusher, cement plant, or other crushing, grinding, polishing, or cutting machinery or other physical or chemical process for treating the product of such excavation shall be permitted, without prior approval of the Zoning Board of Appeals.
- E. The proposed finished grading plan shall show the land to be

smooth-graded and topsoil re-spread to a minimum depth of four (4) inches; the slope shall not exceed the normal angle of repose of the material removed but in no instance shall a finished slope exceed one (1) foot vertical to two (2) feet horizontal. Slopes shall be seeded with appropriate grasses and reforestation seedlings may be required to be planted.

F. The applicant may be required to furnish a performance bond, in an amount determined by the Village Board to be sufficient to guarantee completion of the finished grading and drainage plan. Such bond shall be released by the Village Board only upon certification that all requirements including the finished grading and drainage have been complied with.

G. No special permit for excavation operations or soil mining shall be granted for a period of more than five (5) years, but such permit may be extended for additional five (5) year periods upon approval of the Planning Board. To receive such an extension, the applicant must provide plans and information showing the sequence and timing of excavation operations.

H. Upon approval, one copy of the approved excavation plan shall be returned to the applicant by the Village Clerk together with a special permit upon payment of a fee as set by the Village Board resolution to cover all engineering and other costs directly attributable to the approval and office and field checking of the proposed soil mining operation.

Section 1.14 - Erection, Re-erection, and Razing of Damaged Buildings.

The New York State Building and Fire Prevention Code shall govern the timing and nature of repair, reconstruction or razing necessary when a building has been damaged by fire or other causes. Enforcement will be by the Code Enforcement Officer.

Section 1.15 - Industrial Use Regulations.

1.15.1 - Design Standards.

- (a) General Standards: The following general standards are hereby adopted for the control of any Industrial Use. No such use shall be permitted, established, maintained or conducted therein which shall cause or be likely to cause.
- (1) Excessive smoke, fumes, gas, dust, odor, or any other atmospheric pollutant beyond the boundaries of the lot whereon such use is located. What smoke is excessive shall be determined according to the Ringelmann's Scale for Grading the Density of Smoke, published by the U.S. Bureau of Mines, when the shade or appearance of such smoke is darker than No. 2 on said Ringelmann Smoke Chart.
 - (2) Noise levels greater than 55 dba measured at the

boundaries of the lot occupied by such use causing the same.

- (3) Any pollution by discharge of any effluent whatsoever into any watercourse, open ditch, or land surface.
 - (4) Discharge of any effluent whatsoever into any sanitary disposal system or sewerage system except only in accordance with the rules of, and under the control of, public health authorities or the public body controlling such sewerage system. Any chemical or industrial waste which places undue loads, as determined by the Village Engineer, shall not be discharged into any municipal system and must be treated by the industrial use.
 - (5) Storage or stocking of any hazardous or nuclear waste materials whatsoever.
 - (6) Glare, objectionably high light levels, or vibration perceptible beyond the lot lines whereon such use is conducted.
 - (7) Hazard to person or property by reason of fire, explosion, radiation, or other cause.
 - (8) Any other nuisance harmful to person or property.
- (b) Specific Standards: The following specific standards are hereby adopted and must be complied with, for any use in any Industrial district and before the same be permitted, established, maintained or conducted:
- (1) Storage Facilities: Materials, supplies, or semi-finished products shall be stored on the rear one-half of the property and shall be screened from any existing or proposed street.
 - (2) Loading Docks: No loading docks shall be on any street frontage. Provisions for handling of all freight shall be on those sides of any building which do not face on any street or proposed streets.
 - (3) Landscaping: All areas of the plot not occupied by buildings, parking, driveways or walkways, or storage shall be landscaped with lawn, trees, shrubs, or other plant material. Such landscaping shall take into consideration the natural growth presently on the premises, and the nature and condition of the terrain, as well as the situation of the lands and premises themselves and with regard to adjoining lands and premises.
 - (4) Fences and Walls: Property that is adjacent to a residential or business use shall be provided along such property lines, with a wall, fence, compact evergreen hedge, or a landscaped strip of trees and shrubs so designed as to form a visual screen not less than six (6) feet high at the time of planting. Except for landscaped areas and parking areas, a use which is not conducted within a completely enclosed building

shall be screened by a six (6) foot solid masonry wall, chain link fence covered with an evergreen vine, or compact evergreen hedge. Where a front yard adjoins a street, the wall, fence, or hedge shall be located not closer to the street than the depth of the required yard.

- (5) Off-Street Parking and Loading: Refer to Sections 1.3 and 1.4.
- (6) Signs: Refer to Section 1.5.
- (7) Buffer Strip: In addition to the fences, walls and hedges, all principal buildings shall be set back from any lot lines abutting residential use a minimum of 100 feet. Such buffer shall be landscaped in accordance with Section 1.20.
- (8) Utilities: All water and sewer facilities shall be designed and installed according to NYS DOH, DEC and Village standards.
- (9) Access: Special consideration shall be given to access to and from public streets and traffic volumes generated by the proposed use. A projection of expected vehicular use of neighborhood streets, including estimates of traffic volumes, shall be submitted. No access drive for any industrial use shall be within 300 feet of and on the same side of the street as a school, public library, theater, church, or other public gathering place, park, playground, or fire station unless a street 50 feet or more wide lies between such access drive and such building or use.

Section 1.16 - Solar Energy Systems and Solar Access.

To the maximum extent possible, all new development proposals totalling ten (10) or more acres may be designed so that the maximum number of buildings shall receive direct sunlight sufficient for using solar energy systems for space, water, or industrial process heating or cooling. Buildings and vegetation should be sited and maintained so that unobstructed direct sunlight reaches the southern exposure of the greatest number of buildings according to the following guidelines:

- A. Solar Access shall be protected between the solar azimuths of - 45 degrees (east of due south) to + 45 degrees (west of due south).
- B. For purposes of solar access, streets, lots and building setbacks should be designed so that the buildings are oriented with their long axes running from east to west for single-family development and north to south for townhouse and multi-family development.
- C. In order to maximize solar access, the highest densities shall to the maximum extent possible be placed on the south-facing slopes with lower densities sited on north-facing slopes.

- D. Streets should be oriented on an east/west axis to the greatest possible extent.
- E. Buildings shall to the greatest extent possible be sited as close to the north lot line or lines as possible to increase yard space to the south for better owner control of shading.
- F. Tall buildings shall to the greatest possible extent be sited to the north of shorter ones and be buffered from adjacent development.
- G. Existing vegetation shall be retained and incorporated into the design as practicable.
- H. A description of any mechanism, such as deed restrictions, covenants, etc., that are to be applied shall be provided.

Section 1.17 - Wind Energy Conversion Systems (Windmills).

The intent of this section is to regulate the placement of an access to wind energy conversion systems for the purpose of protecting the health and safety of individuals on adjacent properties as well as the general public.

- A. Setback - the installation shall not be erected nearer to any lot line than the total height of the structure. Such height shall be defined as the tower height plus one-half (1/2) the rotor diameter on a horizontal axis installation, and on vertical axis installations, the distance from the base of the tower to the top of the unit.
- B. Dimensions:
 - 1. Maximum allowable height shall be 80 feet unless otherwise prohibited by state or federal statues or restrictions.
 - 2. Minimum blade height shall be 15 feet at the lowest point of arc.
 - 3. Tower climbing apparatus shall be no lower than 12 feet from the ground.
 - 4. All installations shall be designed with braking systems.
- D. Noise - the maximum level of noise permitted to be generated by an installation shall be 55 dba, measured at the property line.
- E. Design considerations:
 - 1. All electric lines serving the installation shall be installed underground.
 - 2. All towers proposed to have guy wire supports shall have the guy wire foundation setback the minimum distance as specified for the tower in Section 1.17 A.

Section 1.18 - Home Occupation.

A home occupation, as defined in this Local Law, may be permitted provided such use is not specifically prohibited and conforms to the

following standards which shall be minimum requirements:

- A. No more than 25% of the total floor area of a dwelling unit or not more than 500 square feet may be used for such use.
- B. No more than one employee in addition to the residents of the home may be employed by the home occupation.
- C. The use shall be carried on wholly within the enclosed walls of the dwelling unit.
- D. There shall be no external evidence of such use except for one sign in conformance with Section 1.5. Stock, merchandise, equipment or displays of any kind shall not be visible outside the dwelling unit.
- E. No external structural alterations which are not customary to a residential building shall be allowed.
- F. The use shall not result in or cause vehicular traffic that will create a nuisance to abutting properties or be detrimental to the residential character of the neighborhood.
- G. Such uses shall also be subject to any other conditions the Planning Board deems necessary to meet the intent of these requirements
- H. Any form of business, the primary function of which is the wholesale or retail sale of goods or articles at the premises, shall be deemed a commercial use, and not a home occupation
- I. The following uses and other uses similar in character shall not be considered to meet the intent of this section:
 1. Vehicle repair, engine repair
 2. Vehicle body work
 3. Veterinary hospital, kennel
 4. Bar and restaurant
 5. Any use that is not permitted in a Type 5 building (wood frame) construction under the New York State Uniform Fire Prevention and Building Code.

Section 1.19 - Kennel Standards.

A kennel shall conform to the following standards which shall be minimum requirements:

- A. Minimum lot size - 5 acres.
- B. Setback - the actual kennel facility and all associated runs or fenced areas shall be setback a minimum of 150' from all lot lines.
- C. Buffer - all kennel facilities and associated shall be adequately screened by fence, plantings or landscaping from all roads and adjacent properties.
- D. Kennel facility - shall have sufficient indoor boarding areas and associated outdoor runs to accommodate the proposed number of animals to be boarded.
 1. Indoor area -
 - (a) shall be a minimum of 16 square feet in size
 2. Outdoor runs -
 - (a) shall be a minimum of 4 1/2 feet wide and 12' long
 - (b) shall be appropriately separated from adjacent runs

- by fencing, concrete, block or other appropriate materials
- (c) shall provide a form of shelter if not directly linked to a separate indoor kennel area

Section 1.20 - Buffer and Landscaping Requirements.

A. Intent

The objective of this section is to provide necessary consideration to those physical and visual elements of the land uses in the Village of Watkins Glen that require, or may be improved by treatment of the landform, plant materials and/or man-made features arranged so as to enhance the appearance, screen or effectively separate different types of land use as well as to eliminate or minimize impacts on adjoining uses such as dirt, litter, noise, glare and incompatible buildings or uses (such as outdoor storage, loading and parking areas). The Planning Board may require that a professional licensed Landscape Architect prepare plans under this Section.

B. Buffer and Landscaping Techniques

The particular type of buffer and landscaping treatment shall be as determined by the Planning Board so as to meet the intent of this Section. The following major types of treatment and combinations may be considered:

1. Visual separation/screening including earth mounding, berm, and screen-planting techniques designed to separate, obscure or soften an incompatible view or use.
2. Visual setting, including ground-cover and plant materials designed to stabilize the landform and provide an appropriate foreground or setting.
3. Physical separation, including a combination of plant and manmade materials or features designed to separate distinct land use types or activities.

C. Requirements

1. Planting Specifications

The planting specifications found on pages 48-50 indicate guidelines for each buffer and landscape technique. The requirements are stated in terms of the width of the proposed planted yard and the number of plant units required per one hundred linear feet (100) of yard. The requirements of a yard may be satisfied by any of the operations thereof described. The "plant unit multiplier" is a factor by which the basic number of plant materials required for a given buffer and landscape technique is determined given a change in the width of that yard. The type and quantity of plant materials required by each yard, and each yard option, are specified in this Section.

2. Minimum Plant Size

Unless otherwise specifically stated elsewhere in this Law, all plant materials shall meet the following minimum size

standards:

Plant Material Type	Planting in Bufferyards Abutting Vacant Lands	All Other Plantings
Canopy Tree		
Single Stem	1 1/2 inch caliper	2 1/2 inch caliper
Multi-Stem Clump	6 feet (height)	10 feet (height)
Understory Tree	4 feet (height)	1 1/2 inches caliper
Evergreen Tree	3 feet (height)	5 feet (height)
Shrub		
Deciduous	15 inch (height)	24 inch (height)
Evergreen	12 inch (height)	18 inch (height)

3. Plant Material Substitutions

The Following plant material substitutions shall satisfy the requirements of this section.

- a) In all bufferyards, evergreen canopy or evergreen understory trees may be substituted for deciduous shrubs without limitation.
- b) In all bufferyards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.

4. All disturbed soil areas of the site shall be replanted or reseeded in an appropriate fashion.

5. No landscape feature shall be erected, placed or maintained in such a manner as to interfere with clear vision and/or the safe movement of vehicular traffic.

Section 1.21 - Satellite TV Antennas.

No satellite television antenna of any kind may be erected or established in the Village except in conformance with the standards in this section.

1.21.1 Satellite Antenna Size.

- (a) In residential and business districts:
 - (1) satellite antennas shall not exceed ten (10) feet in diameter.
 - (2) the total height of ground-mounted antennas shall not exceed fifteen (15) feet above the ground.
- (b) In all other districts:
 - (1) antennas shall not exceed sixteen (16) feet in diameter.
 - (2) the total height of ground-mounted antennas shall not exceed (20) feet above the ground
- (c) Roof-mounted installations shall not exceed the height restrictions as set for the zoning district within which the installation is placed.

1.21.2 Satellite Antenna Location

- (a) For any use, subject to the provisions contained herein, such antenna shall be located only in the rear yard of any lot provided that such antenna is located a minimum of five (5) feet from any principal building and lot line measured at the outer most diameter of the antenna. If a usable satellite signal cannot be obtained from such rear yard, the antenna may be located on the side or front yard of the property subject to site plan approval. For purposes of this Law a usable satellite signal is a satellite signal which when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or via cable television.
- (b) In the event that a usable satellite signal cannot be obtained by locating the antenna on the rear, side or front yard of the property, such antenna may be placed on the roof of the dwelling structure, provided that site plan approval is obtained prior to such installation.

1.21.3 General Provisions.

- (a) For all uses, satellite television antennas shall be located and designed to reduce visual impacts from surrounding properties at street level and from public streets.
- (b) Not more than one satellite television antenna shall be allowed on any residential lot less than 10,000 square feet in size.
- (c) All antennas and the construction and installation thereof shall conform to applicable building and electrical code regulations and requirements.
- (d) Antennas shall meet all manufacturers' specifications, be of non-combustible and corrosive-resistant material, and be erected in a secure, wind-resistant manner.
- (e) Every antenna must be adequately grounded for protection against a direct strike by lightning.

Section 1.22 - Townhouse and Multi-Family Developments.

All townhouse and multi-family developments, as permitted in Article II of this Zoning Law, shall, in addition to the requirements set forth in said section and articles, conform to the following standards. These standards shall be regarded as minimum requirements:

- A. Townhouse developments shall meet the following standards:
 - 1. There shall be no more than eight (8) townhouse units in any contiguous group.
 - 2. Yard requirements: Front Yard - Minimum 30 feet
(from interior project road)
Rear Yard - Minimum 25 feet
Side Yard - Minimum 10 feet
(at ends of buildings)

3. All principal buildings shall be set back a minimum of 50 feet from any lot line.
 4. No accessory building, including unattached garages, shall be nearer than fifty (50) feet from any lot line.
 5. Maximum building height shall be three (3) stories or thirty-five (35) feet whichever is the lesser.
 6. Maximum site coverage by all buildings and structures shall not be more than 50% of the lot area, such percentage to be calculated on the basis of the total project area.
 7. Accessory buildings, including unattached garages, shall be located a minimum distance of ten (10) feet from any lot line and shall only be permitted in the rear or side yard.
- B. Multi-family developments shall meet the following standards:
1. Yard requirements:
 - (a) No building shall be nearer than fifty (50) feet to the road line of any dedicated road peripheral to the site.
 - (b) No building shall be nearer than thirty (30) feet from the road line of any interior project road. In the case of non-dedicated streets and roads, this setback shall be measured from the limits of the paved area.
 - (c) No accessory building, including unattached garages, shall be nearer than fifty (50) feet from any lot line.
 2. No dwelling unit building shall be nearer than fifty (50) feet from any lot line.
 3. The maximum building height shall be three (3) stories or thirty-five (35) feet whichever is the lesser.
 4. Maximum site coverage by all buildings and structures shall be not more than 50% of the lot area, such percentage to be calculated on the basis of total project area.
 5. No building shall contain more than twelve (12) dwelling units.
- C. Minimum unit size of multi-family dwelling units:
- | | |
|----------------|---------------|
| Efficiency: | 550 sq. ft. |
| One bedroom: | 700 sq. ft. |
| Two bedroom: | 850 sq. ft. |
| Three bedroom: | 1,000 sq. ft. |
- An additional one hundred twenty (120) sq. ft. for each bedroom shall be added for larger apartment sizes.

Section 1.23 - Gasoline Filling Stations, Service and Repair Garages, Automobile Sales Areas

Where permitted, a gasoline filling station, service and repair garage and automobile sales areas shall conform to the following standards which shall be regarded as minimum requirements:

- A. Minimum lot size shall be:
1. 7,500 sq. ft. for a gasoline filling station, service and repair garage.
 2. 10,000 sq. ft. for a combination gas station, mini-mart convenience food store.

3. Additional lot area and setbacks shall be required as deemed to be adequate by the Planning Board to accommodate tractor trailer servicing.

B. Lot frontage and width shall be at least 100 feet.

C. No gasoline service station or public garage shall be located within five hundred (500) feet of any public entrance to a church, school, library, hospital, charitable institution, or place of public assembly. Such distance shall be measured in a straight line from said public entrance along the street line.

D. Fuel pumps and other service device shall be located at least 35 feet from any front lot line and 50 feet from any side and rear lot lines. This distance shall be measured from the outside edge of the fuel island.

E. All automobile parts, including tires and dismantled vehicles are to be stored within a building. Old tires that are offered for sale may be placed outside during normal business hours but must be stored in a rack. Old tires to be scrapped or sold for junk must be stored either inside a building or behind a fence, wall or natural screen in conformance with Section 1.20.

F. Accessory goods for sale may be displayed on the pump island and the building island only. The outdoor display of oil cans, and/or anti-freeze and similar products may be displayed on the respective island if provided for in a suitable stand or rack.

G. All repair work is to be performed within a building. Automobiles waiting to be serviced or stored on the premises shall not encroach on any required yard area. Wrecked automobiles being held for insurance adjustor inspection may be stored for a period not to exceed 30 days and must be stored in the rear of the premises, out of sight as much as is possible.

H. Parking:

1. No vehicle shall be parked, stored or left standing within 15 feet of the street line.
2. Parking requirements shall be in conformance with Section 1.3. Such parking areas shall not conflict with the traffic pattern established for the use of the fuel pumps. Additional parking area may be required by the Planning Board to accommodate tractor trailer parking areas.
3. Where parking areas abut a residential use, they shall be screened by a buffer area no less than ten (10) feet in depth composed of densely-planted evergreen shrubbery, solid fencing, or a combination of both which, in the opinion of the Planning Board, will be adequate to prevent the transmission of headlight glare across the zone boundary line. Such buffer screen shall have a minimum height of six (6) feet above finished grade at the highest point of the parking area. The

materials used shall be in keeping with the character of the adjacent residential area. If said shrubbery becomes decayed and fails to provide an adequate screen, the Code Enforcement Officer may direct the property owner to replace said shrubs.

I. All storage and display areas shall be provided with a hard, dust-free surface, shall be adequately drained and, if lighted, shall produce no glare on adjacent properties.

J. A maximum of two driveways and curb cuts shall be permitted. These shall be no less than 20 and not wider than 30 feet, and located a minimum of 30 feet from any street intersection and a minimum distance of 30 feet shall be maintained between such driveways and curb cuts.

Section 1.24 - Fast Food Restaurants

Where permitted, fast food restaurants meeting the definition of this Law shall conform to the following standards which shall be regarded as minimum requirements.

A. Minimum Lot Size shall be 10,000 sq. ft.

B. At least one lot frontage shall be a minimum of 100 feet.

C. Access:

1. A maximum of two driveways and curb cuts shall be permitted on each street frontage.
2. All drives shall be no less than 20 and no wider than 30 feet in width.
3. Drives shall be located a minimum of 30 feet from any street intersection and shall maintain a minimum of 30 feet between such driveways or curb cuts.
4. Driveways shall create minimal conflict with pedestrian access to the building from the parking lots and sidewalk abutting the property.

D. Parking:

1. The number of parking spaces shall be as specified in Section 10.3.
2. Parking lots shall be designed to provide pedestrian safety.

E. Landscape Requirements:

A landscape area equal to that portion of land contiguous to the public right-of-way and extending a depth of 5 feet shall be provided. Landscaping shall also be used to screen or buffer to parking, dumpsters, freezers and other accessory uses as per Section 10.20.

F. Signs:

All signs shall conform to the sign provisions of this Local Law.

Section 1.25 - Drive-In Use Regulations.

Where permitted either as accessory to other permitted uses or as principal use, these facilities as defined in this Law shall conform to the following standards which shall be regarded as minimum requirements.

A. All drive-through lanes shall be distinctly marked and shall be separate from circulation lanes.

B. Lanes shall not cross any principal pedestrian access to the building or site.

C. Stacking or Queuing Up Requirements

1. Fast-Food Restaurants: A minimum of 140 feet between start of lane to service window.
 - a. Minimum of 80 feet from start of lane to order station.
 - b. Minimum 60 feet from order station to service window.
2. Banks and other businesses not using order station:
 - a. Minimum of 100 feet from start of lane to service window.
3. Multiple drive-through lanes: The Planning Board may allow variation of these provisions for businesses with multiple drive-through lanes based on review of proposed traffic circulation and usage.
4. All uses shall maintain a minimum distance of 20 feet from the service window to the public right-of-way or interior parking aisles.

Section 1.26 - Adult Bookstores, Theaters and Similar Use Regulations.

A. Intent

This Section is intended to regulate uses which, because of their very nature, are recognized as having serious objectionable operations characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulations of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood.

B. Regulated Uses: Restrictions.

1. Regulated uses include all adult uses which include, but are not limited to, the following:
 - (a) Adult bookstore.
 - (b) Adult motion picture theater.
 - (c) Adult mini-motion-picture theater.
 - (d) Adult entertainment cabaret.
2. Adult uses shall be permitted subject to the following restrictions:

- (a) No such adult use shall be located in any zoning district except Industrial and shall be subject to site plan approval and issuance of a special permit by the Planning Board.
- (b) No such adult uses shall be allowed within five hundred (500) feet of another existing adult use.
- (c) No such adult use shall be located within five hundred (500) feet of any zoning district which is zoned for residential use.
- (d) No such adult use shall be located within five hundred (500) feet of a preexisting school or place of worship.

C. Standards Governing Adult Uses.

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to sexual activities or anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window or other opening.

ARTICLE V - DEPARTMENT OF BUILDING AND ZONING

SECTION 1. ESTABLISHING OF BUILDING AND ZONING DEPARTMENT.

A. There is hereby established in the Village a department to be designated as the Department of Building and Zoning for the administration and enforcement of the provisions of all laws, ordinances, rules, regulations and orders applicable to the location, design, materials, construction, alteration, repair, equipment, maintenance, use, occupancy, removal and demolition of buildings and structures and their appurtenances located in the Village of Watkins Glen.

B. The Department of Building and Zoning shall be headed by a village official designated as the Superintendent of Building and Zoning.

SECTION 2. APPOINTMENT OF SUPERINTENDENT OF BUILDING AND ZONING.

A. The Superintendent of Building and Zoning shall be appointed by the chairman of the Board of Trustees with the consent of the Village Board.

SECTION 3. DUTIES AND POWERS OF SUPERINTENDENT OF BUILDING AND ZONING.

A. The Superintendent of Building and Zoning shall administer and enforce all of the provisions of laws, ordinances and regulations applicable to the construction, alterations, repair, removal and demolition of buildings and structures, and the installation and use of materials and equipment therein and the location, use, occupancy and maintenance thereof.

B. He shall receive applications and issue permits for the erection, alteration, removal, and demolition of buildings or

structures or parts thereof and shall examine the premises for which such applications have been received or such permits have been issued for the purpose of insuring compliance with laws, ordinances and regulations governing buildings construction.

C. He shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirement of such laws, ordinances or regulations. He shall make all inspections which are necessary or proper for the carrying out of his duties.

SECTION 4. DEPARTMENT OF BUILDING AND ZONING RECORDS AND REPORTS.

A. The Superintendent of Building and Zoning shall keep permanent official records of all transactions and activities of the Department of Buildings and Zoning including all applications received, permits and certificates issued, fees charged, and collected, inspection reports, and notices and orders issued. All such records shall be public records open to public inspection during business hours.

B. The Superintendent of Building and Zoning shall monthly submit to the village Board a written report and summary of all business conducted by the Buildings and Zoning Department, including permits and certificates issued or refused, fees collected, orders and notices promulgated, inspections and tests made and appeals or litigation pending.

SECTION 5. COOPERATION OF OTHER DEPARTMENTS.

A. The Superintendent of Building and Zoning may request and shall receive, so far as may be necessary in the discharge of his duties, the assistance and cooperation of the Police, Fire and Health departments and all other municipal officials exercising any jurisdiction over the construction, use or occupancy of buildings or the installation of equipment therein.

SECTION 6. APPLICATION FOR ZONING PERMIT.

A. No person, firm or corporation shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion, or change in the nature of the occupancy of any building or structure, or cause the same to be done, without first obtaining a separate zoning permit from the Department of Building and Zoning for each such building or structure; except that no zoning permit shall be required for the performance of ordinary repairs which are not structural in nature. Black-topping of driveway does not require a zoning permit.

B. Application for a zoning permit shall be made to the Superintendent of Building and Zoning on forms provided by the Building and Zoning Department and shall contain the following information:

1. A description of the land on which the proposed work is to be

structures or parts thereof and shall examine the premises for which such applications have been received or such permits have been issued for the purpose of insuring compliance with laws, ordinances and regulations governing buildings construction.

C. He shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirement of such laws, ordinances or regulations. He shall make all inspections which are necessary or proper for the carrying out of his duties.

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B. Application for a zoning permit shall be made to the Superintendent of Building and Zoning on forms provided by the Building and Zoning Department and shall contain the following information:

1. A description of the land on which the proposed work is to be

done;

2. A statement of the present and proposed use or occupancy of all parts of the land and of the building or structure;
3. The valuation of the proposed work;
4. The full name and address of the owner and of the applicant, and the names and addresses of their responsible officers if any of them are corporations;
5. A brief description of the nature of the proposed work;
6. A duplicate set of plans and specifications as set forth in subdivision C of this section; and
7. Such other information as may be reasonably required by the Superintendent of Building and Zoning to establish compliance of the proposed work with the requirements of the applicable building and zoning laws, ordinances and regulations.

Applications shall be made by the owner or lessee, or agent of either, or by the architect, engineer or builder employed in connection with the proposed work. Where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized by the owner to make such application.

C. Each application for a zoning permit shall be accompanied by duplicate copies of plans and specifications, including a plot plan, drawn to scale, showing the location and size of all proposed new construction and all existing structures on the site, the nature and character of the work to be performed and the materials to be incorporated, distance from lot lines, the relationship of structures to lot lines, the relationship of structures on adjoining property, widths and grades of adjoining streets, walks and alleys, and where required by the Superintendent of Building and Zoning, details of structural, mechanical and electrical work, including computations, stress diagrams, and other essential technical data.

Plans and specifications shall bear the signature of the person responsible for the design and drawings.

The Superintendent of Building and Zoning may waive the requirement for filing plans. Details of the structural, mechanical and electrical work, including computation, stress diagrams, and other technical data shall not be required for one and two family dwelling, when a statement is made that the proposed construction will be in accordance with the provisions and standards of the New York State Building and Fire Prevention Code applicable to one and two family dwellings.

D. Amendments to the application or to the plans and specifications accompanying the same may be filed at any time prior to the completion of the work, subject to approval of the Superintendent of Building and Zoning.

SECTION 7. ISSUANCE OF ZONING PERMIT.

A. The Superintendent of Building and Zoning shall examine or cause to be examined all applications for zoning permits and the plans, specifications and documents filed therewith. He shall approve or disapprove the application within thirty (30) days.

Upon approval of the application and upon receipt of the fees from time to time established by resolution of the Village Board therefore, he shall issue a zoning permit to the applicant upon the form prescribed by him and shall affix his signature or cause his signature to be affixed thereto.

Upon approval of the application, both sets of plans and specifications shall be endorsed with the word "approved". One set of such approved plans and specifications shall be retained in the files of the Department of Building and Zoning and the other set shall be returned to the applicant together with the zoning permit and shall be kept at the building site open to inspection by the Superintendent of Building or Zoning or his authorized representative at all reasonable times.

If the application together with the plans, specifications and other documents filed therewith describe proposed work which does not conform to all of the requirements of the applicable building and Zoning regulations, the Superintendent of Building and Zoning shall disapprove the same and shall return the plans and specifications to the applicant. Upon the request of the applicant, the Superintendent of Building and Zoning shall cause such refusal together with reasons therefor, to be transmitted to the applicant in writing.

SECTION 8. PERFORMANCE OF WORK UNDER ZONING PERMIT.

A. A zoning permit shall be effective to authorize the commencing of work in accordance with the application, plans and specifications on which it is based for a period of six months after the date of its issuance. For good cause the Superintendent of Building and Zoning may allow a maximum of two extensions for periods not exceeding three months each.

B. The issuance of zoning permit may not be all that is required for the applicant to proceed with the work in accordance with the approved application. A separate building permit may be required in compliance with the New York State Uniform Building and Fire Code and/or other applicable Codes, laws, rules and regulations.

SECTION 9. ZONING PERMIT FEES.

A. Except as hereinafter provided by resolution of the Village Board, upon the filing of an application for a zoning permit, the following fees shall be payable:

New: Residential	- \$15.00
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Remodeling: Residential	- \$10.00
New: Business	- \$25.00
Remodeling: Business	- \$15.00
New or Remodeling: Industrial	- \$35.00
Demolition: Any Structure	- \$10.00
Sign Permit	- \$10.00
Fence Permit	\$10.00

SECTION 10. REVOCATION OF ZONING PERMIT.

A. The Superintendent of Building and Zoning may revoke a zoning permit heretofore issued and approved in the following instances:

1. Where he finds that there has been any false statements or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based;
2. Where he finds that the zoning permit was issued in error and was not issued in accordance with the applicable law or ordinance. Revocation will be after review by the Attorney of Record.
3. Where he finds that the work performed under the permit is not being prosecuted in accordance with the provisions of the application, plans or specifications; or
4. Where the person to whom the zoning permit has been issued fails or refuses to comply with a stop order issued by the Superintendent of Building and Zoning.

SECTION 11. STOP ORDERS.

A. Whenever the Superintendent of Building and Zoning has reasonable grounds to believe that work on any building or structure is being performed in violation of the provisions of the applicable building and zoning laws, ordinances or regulations, or not in conformity with the provisions of an application, plans or specifications on the basis of which a zoning permit was issued, or in an unsafe and dangerous manner, he shall notify the owner of the property or the owner's agent or the person performing the work to suspend all work, and any such persons shall forthwith stop such work and suspend all building activities until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed and may be served upon a person to whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of the same by registered mail to the record owner of the property.

SECTION 12. RIGHT OF ENTRY.

A. Any employee of the Department of Building and Zoning, upon the showing of proper credentials and in the discharge of his duties, may enter upon any building, structure or premises at any reasonable hour and no person shall interfere with or prevent such entry, except in the case of single family residences or duplexes.

SECTION 13. CERTIFICATE OF COMPLIANCE

A. No existing building or structure hereafter shall be structurally altered, extended or changed in use until a Certificate of Compliance shall have been issued by the Superintendent of Building and Zoning in accordance with the provisions of this Law.

B. All Certificates of Compliance shall be applied for coincident with the application for a zoning permit therefore. Such Certificate of Compliance shall be issued within thirty (30) days.

SECTION 14. ENFORCEMENT:

This Local Law shall be enforced by the Superintendent of Building and Zoning. No zoning permit application shall be approved by the Superintendent of Building and Zoning nor shall a zoning permit be issued for any purpose except where all of the provisions of this Local Law, and such other Local Laws, currently in force at the time of application, have been complied with.

A. PENALTIES.

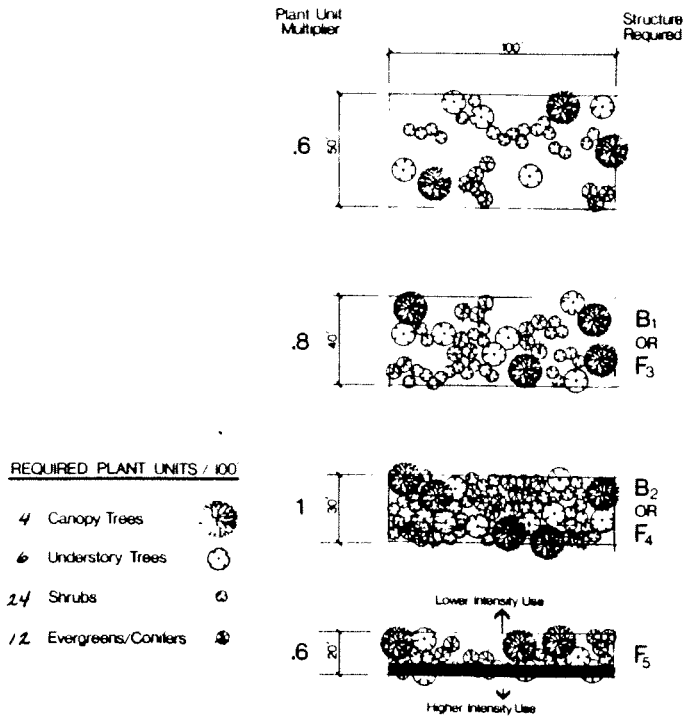
1. Any person violating any provisions of any section of any article of this Local Law; or who shall violate or fail to comply with any order or regulation made thereunder; or who shall build in violation of any statement, specifications or plan submitted thereunder; or who shall violate any certificate or permit issued thereunder; or who shall continue to work upon any structure after service of a twenty-four (24) hours' notice in writing from the Superintendent of Building and Zoning of the Village to desist therefrom shall be guilty of a violation and shall be subject to such penalties as are prescribed by the Penal Law of the State Of New York. Each week that such violation is permitted to exist in shall constitute a separate offense. Service of the notice herein before mentioned shall be sufficient if directed to such owner, the agent of the owner or the contractor and left at his, her of its last known place of residence or place of business.

B. FEES.

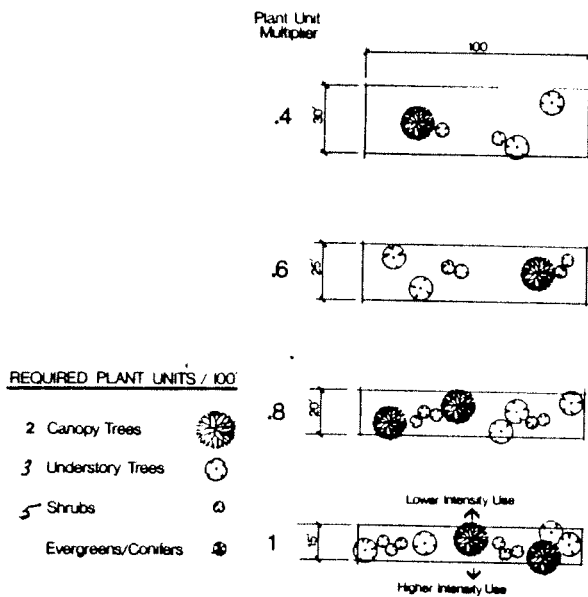
1. Persons petitioning for a change in the classification of a use district or for the grant of a variance or for relief from a decision by the Superintendent of Building and Zoning or Planning Board by the Zoning Board of Appeals shall at the time application is made for such change or variance deposit with the Clerk of the Village a sum to be established, and from time to time amended, by resolution of the Village of Board of Trustees for the payment of the cost of advertising for a public hearing and such other expense incidental thereto.

PLANTING SPECIFICATIONS

a. Bufferyard 1 - visual separation/screening

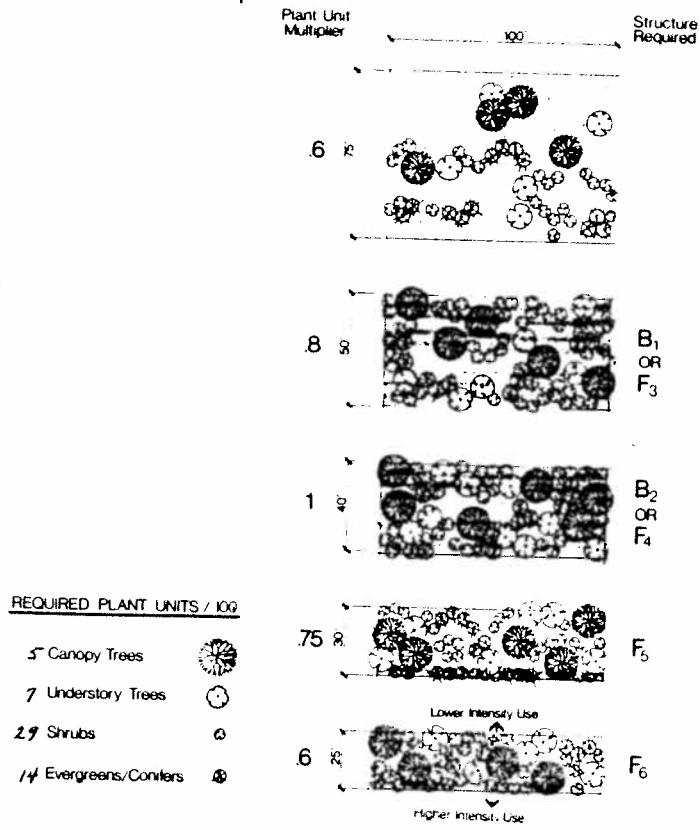


b. Bufferyard 2 - visual setting:



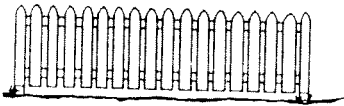
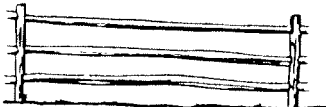

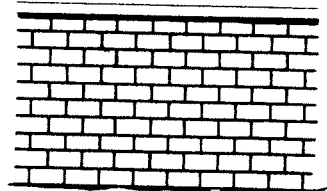
PLANTING SPECIFICATIONS

c. Bufferyard 3 - physical separation:

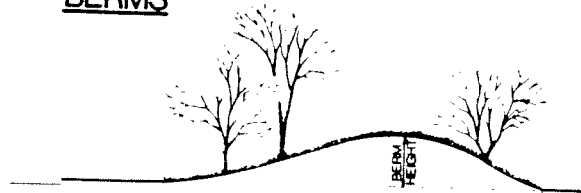


d. Fence, Berm Details:

FENCES

SYMBOL	HEIGHT	MATERIAL
F ₁	44"	 Wood Picket
F ₂	48"	 Wood Rail
F ₃	4'	 Wood Stockade
F ₄	6'	
F ₅	4'	 Masonry Wall (Poured Concrete, Cement Block, Brick etc.)
F ₆	6'	

BERMS



SYMBOL	HEIGHT	MATERIAL
B ₁	4'	EARTH
B ₂	5'	"
B ₃	6'	"

VILLAGE OF WATKINS GLEN ZONING MAP

HUNT ENGINEERS & ARCHITECTS

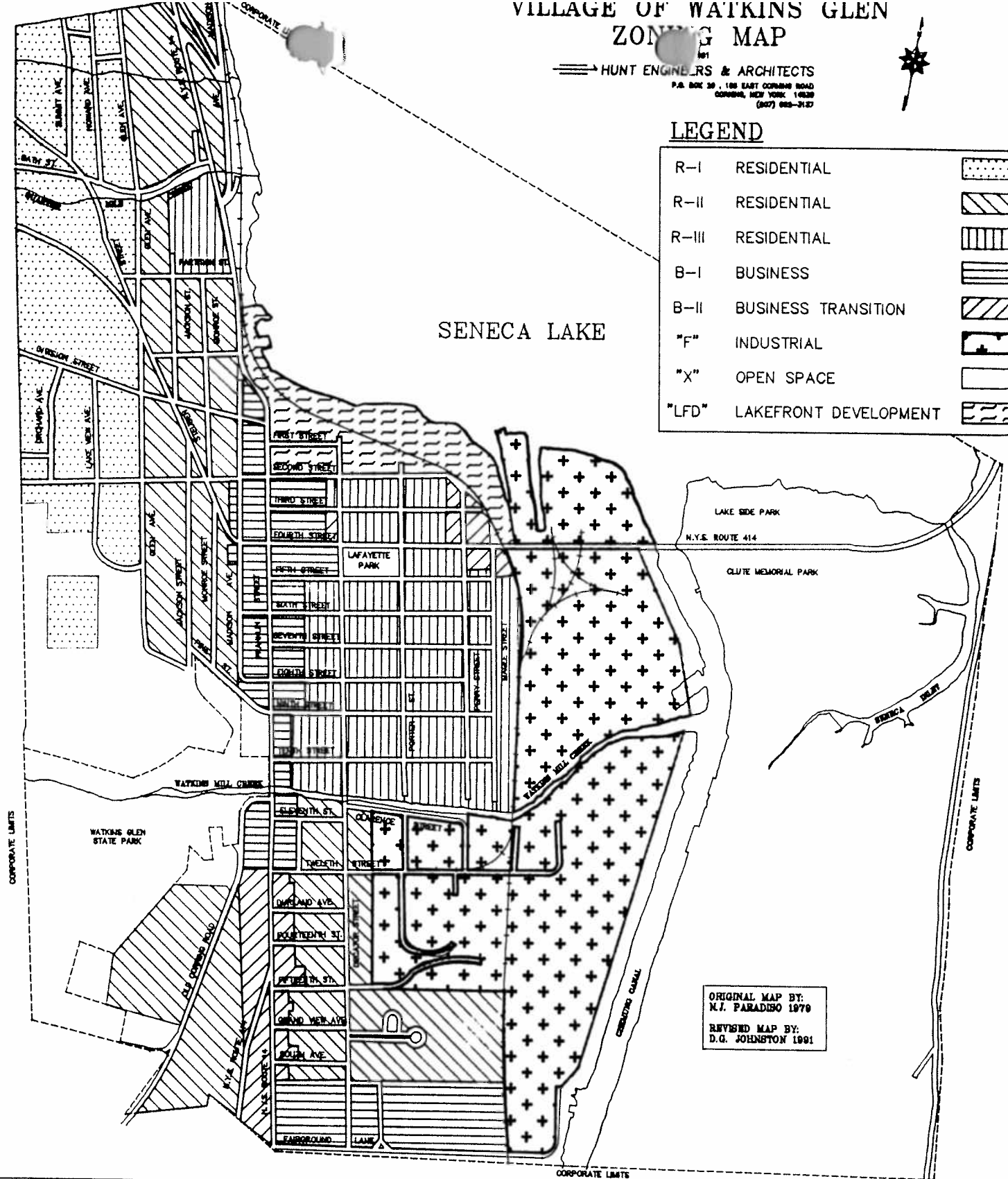
P.O. BOX 29, 180 EAST CORNING ROAD
CORNING, NEW YORK 14830
(607) 693-3127



LEGEND

R-I	RESIDENTIAL	
R-II	RESIDENTIAL	
R-III	RESIDENTIAL	
B-I	BUSINESS	
B-II	BUSINESS TRANSITION	
"F"	INDUSTRIAL	
"X"	OPEN SPACE	
"LFD"	LAKEFRONT DEVELOPMENT	

SENECA LAKE



ORIGINAL MAP BY:
N.J. PARADISO 1979
REVIEWED MAP BY:
D.G. JOHNSTON 1991

CORPORATE LIMITS

CORPORATE LIMITS

CORPORATE LIMITS

(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. 3 of 1991 of the ~~(County)(City)(Town)(Village)~~ of Watkins Glen was duly passed by the Board of Trustees on April 15 1991, 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 (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ 19____, (Elective Chief Executive Officer*) in accordance with the applicable provisions of law.~~

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 (Name of Legislative Body) disapproval) 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.

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 (Name of Legislative Body) disapproval) 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 revision proposed by petition.)~~

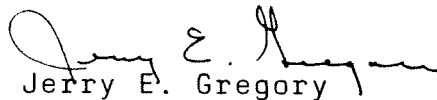
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


Jerry E. Gregory

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

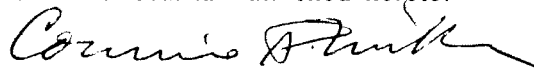
(Seal)

Date: April 19, 1991

(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.


Connie Fern Miller

Signature

Village Attorney

Title

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

Date: April 19, 1991