

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

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

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

County
City
Town of Richmond
Village

Local Law No. _____ of the year **2019**

A Local Law to Amend the Zoning Law of the Town of Richmond to Create a New Parks and Open Space Zoning District and to Add Regulations Pertaining to Such New Zoning District

(Insert Title)

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

County
City
Town of Richmond as follows:
Village

Section 1: Authority

The adoption of this Local Law is in accordance with Section 10 of New York’s Municipal Home Rule Law and §265 of the New York State Town Law.

Section 2: Section 200-8 (Establishment of Districts) of the Zoning Law of the Town of Richmond is hereby amended with the insertion of a new Paragraph H to read as follows:

H. Parks and Open Space

Section 3: Article IV (District Regulations) of the Zoning Law of the Town of Richmond is hereby amended with the insertion of a new Section 200-18.1 to read as follows:

§ 200-18.1 H Parks and Open Space District.

A. Intent. The intent of the H Parks and Open Space District is to preserve, conserve and protect the native and manmade open space and recreation areas throughout the Town to ensure their continuation as parks, recreation areas, scenic vistas, and open space. It is intended that this district will provide open space for a variety of uses such as

conservation of natural amenities, aesthetics, hiking, wildlife habitat, and park and recreation facilities among other similar uses. The parks and open space zoning district shall be applied only to land dedicated to or owned by the State, County, Town, or recognized conservation organizations such as The Nature Conservancy or Finger Lakes Land Trust.

B. Permitted principal uses and structures.

- (1) Open space uses, which include the retention of land in its natural state or the provision of such uses which are compatible with the natural state and the natural environment, including but not limited to wildlife or nature preserves, walking and hiking trails, nature trails, and rehabilitating land to its natural state.
- (2) Facilities, structures, and uses that are designed for indoor and/or outdoor park, recreation, educational, and sport activities that enhance the public use of parks and open space.
- (3) Waterfront uses, which include, but are not limited to beaches, walking and hiking trails, fishing facilities, boat ramps and pedestrian bridges.
- (4) Public and private forest and wildlife preserves.

C. Permitted Accessory Uses.

- (1) Signs subject to the provisions of the Town Code.
- (2) Off-street parking and loading areas.

D. Special Permit Uses.

- (1) Essential services.

E. Additional Provisions and Requirements

- (1) Preservation of open space and natural vegetation shall be encouraged.
- (2) Facilities, structures, and uses that are designed for indoor and/or outdoor park, recreation, educational, and sport activities that enhance the public use of parks and open space are subject to site plan review by Planning Board.

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence,

paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

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

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

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ of 2019 of the **Town of Richmond** was duly passed by the Richmond Town Board on _____, 2019, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer¹.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20__ 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the on 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20__. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20__, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 20__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__, in accordance with the applicable provisions of law.

¹ 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 chairperson 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 20__ of the City of _____ 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 _____, 20__, 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 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November __, 20__, 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 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.

Town Clerk

(Seal)

Date: _____