

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 Amend the Regulations Pertaining to Site Plans

(Insert Title)

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

County

City

Town of Richmond

Village

as follows:

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 200-69 (Site Development Plan Review) of the Zoning Law of the Town of Richmond is hereby amended as follows:

1. The title of Section 200-69 is hereby amended from "Site development plan review" to "Site development plan review, preapplication meeting and application completeness".
2. Paragraph A is hereby repealed and a new Paragraph A is hereby inserted in its place to read as follows:
 - A. Prior to the issuance of a zoning permit in any district or issuing a certificate of zoning compliance for a change in use of an existing premises, the Code Enforcement Officer shall require the preparation of a site plan, except for single-family residences, accessory buildings or uses and agricultural buildings or uses. The Code Enforcement Officer shall

refer the completed site plan to the Planning Board for its review and approval in accordance with the standards and procedures set forth in this section.

3. Paragraphs B, C, D, E, F, G, H, I and J are hereby relettered to Paragraphs I, J, K, L, M, N, O, P and Q respectively.
4. New Paragraphs B, C, D, E, F, G, H, I and J are hereby adopted to read as follows:

B. The purpose of the preapplication meeting is to provide the applicant with the necessary information in order to save the applicant time and money and to make the most of opportunities for a desirable development.

C. The applicant is required to attend a preapplication meeting with the Code Enforcement Officer and a member of the Planning Board to review all the application procedures, requirements and regulations prior to submission of a sketch layout, preliminary plat submission or final plat submission. Items to be reviewed include, but are not limited to, general requirements as to design of streets, reservations of land, stormwater management, wastewater disposal, water supply, fire protection and other improvements.

D. A general timeline for the application approval process, and any other information that will assist the applicant in preparing a complete application for submission, will be provided.

E. The applicant will be advised that there may be other local, county, state, or federal agencies or departments which should be consulted, such as the Town Engineer, New York State Department of Transportation, Ontario County Highway Department, New York State Department of Environmental Conservation or other agencies.

F. An application for sketch layout, preliminary plat, or final plat shall be considered complete for the purposes of initiating review and further processing if it is submitted in the required form and includes all mandatory information and the application fee has been paid. A determination of application completeness shall be made by the Code Enforcement Officer within 15 business days from date of submission. Despite a determination of application completeness by the Code Enforcement Officer, the Planning Board may make its own determination that an application is not complete and require the applicant to provide such documentation, information or materials that it deems necessary to make such application complete.

G. If an application is determined to be incomplete, the Code Enforcement Officer shall provide written notice to the applicant, along with an explanation of the application's deficiencies. No further processing of the application shall occur and no public hearings shall be scheduled until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 62 days, the application

shall be considered withdrawn, and the application shall be returned to the applicant. By mutual agreement of the applicant and the Code Enforcement Officer, an extension may be granted.

H. Application fees are not refundable.

Section 3: 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 4: 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: _____