Local Law Filing

(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.

Town of   Dryden

Local Law No. _____4_____ **of the year 2016**

A local law to Amend the Town of Dryden Zoning Law and Subdivision Law to Allow
        (Insert Title)
        Conservation Subdivisions in the Varna Zoning Districts

Be it enacted by the Town Board of the Town of Dryden as follows:
        (Name of Legislative Body)

SECTION 1. Section 601 of the Zoning Law is amended to add references to the VHMU, VHR and VHT Districts so that this section reads as follows:

"Section 601: Relief from Lot dimension requirements in the CV, RR, RA, VHMU, VHR and VHT Districts

For relief from the minimum Lot size and minimum Lot Frontage requirements in the CV, RR, RA, VHMU, VHR and VHT Districts, see the Town of Dryden Subdivision Law which permits smaller Lot dimensions by utilizing the Conservation Subdivision procedure."

SECTION 2. Section 801 E.2 of the Subdivision Law is amended to add references to the VHMU, VHR and VHT Districts after the references to the Rural Agricultural District and Rural Residential District, so that section 801 E.2 reads as follows:

"2. Full EAF may be Required. Based on its review of the Short EAF, the Planning Department may require that a Full EAF be filed, and in the case of a Minor Subdivision in a Conservation District (CV), or in the optional use of the Conservation Subdivision procedure (Article IX) in a Rural Agricultural District (RA), Rural Residential District (RR), Varna Hamlet Mixed Use District (VHMU), Varna Hamlet Residential District (VHR) or Varna Hamlet Traditional District (VHT) shall require that a Full EAF be filed."

SECTION 3. Section 900 B. of the Subdivision Law is amended to add references to the VHMU, VHR and VHT Districts so that section 900 B reads as follows:

      "B: Optional Use of Article

      A Subdivider proposing a Subdivision in the Rural Agricultural District (RA), Rural Residential District (RR), Varna Hamlet Mixed Use District (VHMU), Varna Hamlet Residential District (VHR) or Varna Hamlet Traditional District (VHT) may elect to proceed under this Article, in which event the provisions of this Article shall govern."

SECTION 4. Section 901 C.3. i. of the Subdivision Law is amended to add the following at the end of the existing text: "In the Varna districts, when no minimum lot size is specified, the Varna Density Table in Section 703 of the Town Zoning Law shall be used to determine the number of lots that could be permitted. The calculation shall be based on the type of development as identified by the developer, and"

SECTION 5. Section 901 D.2.c of the Subdivision Law is amended by adding a requirement for type of development to be shown on conservation subdivision preliminary plats in the Varna districts, so that section 901 D.2.c reads as follows:

      "c. Locations of structures ("building envelopes"), and in the Varna districts, type of development."

SECTION 6. This local law shall take effect upon filing in the office of the Secretary of State.

SECTION 7. The provisions of this local law are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part or provision of this local law is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections clauses, sentences, parts, or provisions of the Local Law.

SECTION 8. This local law shall supersede or repeal any prior inconsistent Local Law.

(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. __**4**__ of 2016 of the <u>Town</u> of <u>Dryden</u> was duly passed by the <u>Town Board</u> on <u>December 15, 2016</u>, 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 20 ___ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ , and was

(Name of Legislative Body)
(approved)(not approved)(repassed after disapproval) by the _____ and was

(Elective Chief Executive Officer)*
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

(Name of Legislative Body)
(approved)(not approved)(repassed after disapproval) by the _____

(Elective Chief Executive Officer)*
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

(Name of Legislative Body)
(approved)(not approved)(repassed after disapproval) by the _____

(Elective Chief Executive Officer)*
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.

———————

*   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 _____ 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 200__ 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.

_____
Bambi L. Avery, Town Clerk

Date: __December 16, 2016_____

(Seal)

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

STATE OF NEW YORK
COUNTY OF __TOMPKINS__

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

_____
Signature

_____
Town Attorney

Town of Dryden

Date: