

RESOLUTION No. ___ OF 2020 - ADOPTION BY THE TOWN BOARD OF THE TOWN OF DRYDEN OF LOCAL LAW No. ___ OF 2020 "A Local Law To Amend Dryden Zoning Law Sections 900, 909 and 701"

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Dryden on December 12, 2019, scheduling a public hearing to be held by Dryden Town Board on January ___, 2020 at ___ PM at the Dryden Town Hall, 93 East Main Street, Dryden, NY 13053 to hear all interested persons on a proposed Local Law entitled "A Local Law Amending Dryden Zoning Law Sections 900, 909 and 701," and

WHEREAS, through adoption of this Local Law, the Town Board seeks to correct a wrong reference in Section 909(B) of the Zoning Law to an "H-Hamlet District" and replace that reference with the correct reference to the Districts in Varna, namely VHMUD, VHRD and VHTD, and

WHEREAS, through the adoption of this Local Law, the Town Board seeks to create consistency in the Zoning Law to add cross references to provisions in the Zoning Law with respect to the Varna Districts in Article VII of the Zoning Law, and

WHEREAS, on December 20, 2012, by resolution titled "Resolution Number 185 of 2012 Approving Certain Amendments to the Town of Dryden Zoning Ordinance Following Adoption of Hamlet of Varna Community Development Plan", the Town Board enacted a Zoning Ordinance which, among other things, deleted the definition of "H-Hamlet District" and added the following new definitions to Section 400 of the Zoning Ordinance:

VHMUD - Varna Hamlet Residential District.

VHRD - Varna Hamlet Residential District.

VHTD - Varna Hamlet Traditional District, and

WHEREAS, notwithstanding the removal of an "H-Hamlet District" from the Zoning Law, that reference still remains in the Zoning Law Section 909(B), and the actual Varna districts (VHMUD, VHRD and VHTD) are not listed in Section 909(B), and

WHEREAS, Section 900(G) of the Zoning Law authorizes the Town Board, in the course of reviewing a site plan application, to modify lot requirements outlined in the area and bulk chart in Article VI, however, this section was not amended after the adoption of Article VII (Varna) to include the area and bulk chart that governs Varna, which omission the Town Board now seeks to correct, and

WHEREAS, by Local Law Number 1 of 2015, adopted by the Town Board on February 18, 2015 and filed with the Secretary of State on February 24, 2015, the Town Board converted the 2012 Zoning Ordinance into a Local Law and incorporated amendments thereto, and

WHEREAS, Section 702 of the Zoning Law (“Varna Regulations”), provides that “All uses in Varna shall comply, *to the maximum extent practicable*, with the Varna Design Guidelines and Landscape Standards.”, and yet similar language in Section 701 (“Design Guidelines and Standards”) referring to the very same Varna Design Guidelines and Landscape Standards, omits the qualifying language “...to the maximum extent practicable..” an omission the Town Board seeks to correct to ensure consistency, and

WHEREAS, the Town Board finds that the within amendments to the Zoning Law are in the interest of the Town in order to ensure harmony among the various provisions of the Zoning Law, and

WHEREAS, notice of a public hearing was duly published in the Ithaca Journal, the official newspaper of the Town of Dryden on _____, and posted on the notice board outside the office of the Dryden Town Clerk on _____, and

WHEREAS, notice of said public hearing as well as a copy of the proposed local law was served by mail on each of the following neighboring municipalities:

1. Town of Caroline
2. Town of Danby
3. Town of Lansing;
4. Village of Lansing
5. Town of Groton

6. Town of Ithaca;
7. Village of Freeville;
8. Village of Dryden

9. Cortland County;
10. Tompkins County,
11. Town of Harford; and
12. Town of Virgil, and

WHEREAS, a public hearing was duly held on January ____, 2020 at ____ and all parties in attendance were permitted an opportunity to speak in support of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Tompkins County Department of Planning on _____, pursuant to section 239-m of the General Municipal Law, determined that the proposed Local Law has no negative inter-community, or county-wide impacts, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Dryden Town Board that adoption of said proposed Local Law would not have a significant adverse impact upon the environment and could be processed by their applicable governmental agencies without further regard to SEQR, and

WHEREAS, the Dryden Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE BE IT RESOLVED that the Dryden Town Board hereby adopts said Local Law as Local Law No. ____ of 2020 entitled "A Local Law to Amend Dryden Zoning Law Sections 900, 909 and 701," a copy of which is attached hereto and made a part hereof, and the Dryden Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Dryden of, and to give due notice of the adoption of said Local Law to the Secretary of State by filing the same with the Secretary of State as required by law.