

# 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.

County  City  Town  Village  
(Select one.)

of Cornwall

FILED  
STATE RECORDS

DEC 13 2023

DEPARTMENT OF STATE

Local Law No. 4 of the year 20<sup>23</sup>

A local law to amend the Town Code Chapter 158 entitled 'Zoning' to amend the Use Tables and  
(Insert Title)  
revise certain provisions regarding definitions, parking requirements and lighting

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

County  City  Town  Village  
(Select one.)

of Cornwall

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

## TOWN OF CORNWALL

### LOCAL LAW NO. 4 OF THE YEAR 2023

A local law to amend the Town Code Chapter 158 entitled "Zoning" to amend the Use Tables and revise certain provisions regarding definitions, parking requirements and lighting.

#### Section 1. Purpose:

The purpose of this Local Law is to promote the public health, safety and welfare by amending Chapter 158 of the Town Code entitled "Zoning" to amend the Use Tables and revise certain provisions regarding definitions, parking requirements and lighting.

#### Section 2. Municipal Home Rule Law.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and Article 16 of the Town Law of the State of New York. To the extent the provisions of this local law are in conflict with Town Law, the Town Board hereby asserts its intention to supersede Town Law pursuant to the Municipal Home Rule Law.

#### Section 3. Amendment of Code:

I. The Table of General Use Regulations for the "General Commercial" ("GC") District in the Town of Cornwall Town Code is hereby amended to make the following changes:

(1.) Under Uses Permitted by Right:

(i.) In paragraph (4)(d) delete the term "beauty parlor";

(ii.) In paragraph (5) delete the term "offices".

(2.) Under "Uses by Special Permit":

(i.) In deleted paragraph "11" which reads "Onsite alcoholic beverage licenses, discotheques, cabarets, dance or live entertainment establishments, whether or not incidental or accessory to some other permitted use";

(ii.) Delete paragraph "12" which reads "Essential services."

II. Paragraph "11" under "Permitted Accessory Uses" in the Table of General Use Regulations for the "Agricultural Rural Residence" ("AR") District" is hereby repealed and re-enacted to read as follows:

"11. "Accessory to outdoor recreation facilities: clubhouses, country clubs, rest rooms, and locker rooms, by special permit of the Planning Board subject to §158-21(O) and, as applicable, §158-21(E).

11a. Accessory to outdoor recreation facilities: hotels which have both municipal central water and sewer service by special permit of the Planning Board subject to §158-21(O) and, as applicable, §158-21(E).”

III. Town Code §158-3 “Definitions and word usage” is hereby amended to add the following definitions which shall be inserted into the text in place by alphabetical order:

**Clubhouse or Lodge**

Building(s), structure(s), lot(s) or land used for social, recreational, food service, lodging and athletic purposes, event spaces, Eating and/or Drinking Establishments and/or catering facilities for on-site events, hotel administrative offices for on-site accessory hotels, pro shops and locker rooms.

**Eating Establishment**

A commercial use within which prepared food is offered for purchase to be consumed by customers. Eating Establishments include both restaurants with seating capacity and "take out" facilities.

**Drinking Establishment**

A commercial use at which alcoholic beverages are offered for purchase to be consumed by customers on site, such as a bar.

**Eating And Drinking Establishment**

A commercial use within which prepared food is offered for purchase to be consumed by customers and alcoholic beverages are offered for purchase to be consumed by customers on site.

IV. Town Code §158-16(1)(a) is repealed and re-enacted to read as follows:

"Parking requirements in the Main Street Business District. In conjunction with site plan approval, non-residential uses which are located within the Main Street Business District (Main Street between the traffic circle and Willow Avenue) shall be entitled to a waiver of up to 100% of the parking requirements where the applicant demonstrates based on a written narrative and analysis, and/or documented shared parking agreement that the parking demand requested to be waived can be accommodated offsite within 500 feet of the building for which the waiver is requested."

V. Town Code §158-19, "Site development plan review", is amended to add a new subparagraph (B)(7) to read as follows:

"Exterior lighting shall be limited to signs and security and safety lights of streets, parking lots, walks and building entrances. Lighting is to be shielded so as to not be directly visible off-site. No flashing, traveling, animated or intermittent lighting shall be visible from the exterior of any building."

Section 4. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Town Board of the Town of Cornwall hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Effective Date:

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Town Board.

(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 2023 of the (County)(City)(Town)(Village) of Cornwall was duly passed by the Town Board on October 17, 2023, 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 (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

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) *(Name of Legislative Body)* (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. *(Elective Chief Executive Officer\*)*

\* 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 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.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body,  
Jennifer McCormick  
Date: 12/6/23

(Seal)