

# Local Law Filing

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

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

County  City  Town  Village  
(Select One:)

of LAKE GEORGE

**Local Law No. 4 of the year 2023**

**A local law** Chapter 220 Zoning

**Be it enacted by the** BOARD OF TRUSTEES **of the**  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of LAKE GEORGE **as follows:**

**Local Law No. 4, 2023  
Chapter 220 Zoning  
Amending Chapter §220-101 and §220-18**

**1. § 220-101 is amended as follows:**

\*\*\*

**DWELLING, CONDOMINIUM**

A project of individual single-family dwelling units which may consist of one, a part of, or more than one structure wherein the dwelling units are individually owned, each owner holding a title thereto, while retaining together with all the other owners of units in the project an undivided interest in the common facilities and areas of the buildings and grounds which are used by all the residents, through an offering prospectus.

\*\*\*

**§2. § 220-18 is amended as follows:**

Dwelling, Condominium shall be included as a use in CMU/CR Zone, identified in the

attached use table Attachment 1, that requires a special permit with the following NOTE:

\*6 – Dwelling, Condominium uses shall only be allowed on properties that front either side of Canada Street between McGillis Avenue/Beach Road and Amherst Street, and for properties abutting Lake George between McGillis Avenue/Beach Road and Amherst Street on the west side of Canada, and on Pine Point Lane on the east side of Canada Street in the CMU and CR Districts, and said uses must have commercial use/space as otherwise permissible in this Zoning District on the first floor.

**§3. Codification, Numbering.**

The section numbers, chapter number and structure of this local law may be renumbered, realigned and codified as part of inclusion in the Code of the Village of Lake George. No such renumbering, realignment or codification shall be deemed to impair the legality of the content of this local law.

**§4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, 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, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**§5. Effective date.**

This section shall take effect upon filing in the office of the Secretary of State of New York State.

**ZONING**

*220 Attachment 1*

**Village of Lake George**

**Use Table**

**[Amended 12-15-2008 by L.L. No. 16-2008; 5-27-2009 by L.L. No. 4-2009; 3-15-2010 by L.L. No. 4-2010; 4-19-2010 by L.L. No. 6-2010; 11-15-2010 by L.L. No. 17-2010; 7-18-2011 by L.L. No. 7-2011; 7-22-2013 by L.L. No. 4-2013; 9-22-2014 by L.L. No. 6-2014; 8-15-2016 by L.L. No. 5-2016; 11-15-21 by L.L. No. X-2021]**

KEY:

X = Indicates that the use is permitted.

SP = Indicates that the use requires a special permit.

Uses	Zones			
	R Residential	RMU Residential Mixed-Use	CMU Commercial Mixed-Use	CR Commercial Resort <sup>1</sup>

Accessory antenna	X	X	X	X
Accommodations			SP	X
Adult uses				X <sup>4</sup>
Amusement park			X	X
Arcade			X	
Bank			X	X
Bed-and-breakfast		SP	X	
Boardinghouse, level one	X	X	X	
Boardinghouse, level two		X	X	
Boat launch			SP	X
Boat storage			X	X
Day-care center		SP	SP	
Day-care, family	X	X	X	
Day-care, family group		X	X	
Docking facilities, temporary and permanent			X	X
Drive-through use			SP <sup>2</sup>	SP <sup>2</sup>
Dwelling unit		SP	X <sup>3</sup>	
Dwelling, apartment house		SP	X <sup>3</sup>	
Dwelling, condominium			X <sup>6</sup>	X <sup>6</sup>
Dwelling, multifamily		X	X <sup>3</sup>	
Dwelling, single-family	X	X	X <sup>3</sup>	
Dwelling, timeshare			SP <sup>3</sup>	X <sup>3</sup>
Dwelling, two-family		X	X <sup>3</sup>	
Dwelling, townhouse, level one		X	X <sup>3</sup>	
Dwelling, townhouse, level two			X <sup>3</sup>	
Dwelling, upper floor residential	X	X	X	
Entertainment center			X	X
Essential service	X	X	X	X
Funeral home		SP	X	X
Garden center			SP	X
Health club			X	X
Hotel/motel			SP	X
Inn			SP	X
Home occupation, level one	X	X	X	
Home occupation, level two		X	X	
Libraries			X	X
Light industry			SP	
Marina			SP	X
Mini-golf Course			X	X
Museum			X	X
Outdoor bar				X
Parking lot, commercial			X	X
Planned Recreational Development			X	X
Professional office			X	X
Professional offices, neighborhood		SP	X	X
Public buildings		X	X	X
Recreation facility			X	X

VILLAGE OF LAKE GEORGE CODE

Uses	Zones			
	R Residential	RMU Residential Mixed-Use	CMU Commercial Mixed-Use	CR Commercial Resort <sup>1</sup>
Recreation facility, Commercial			X	X
Redesign of existing hotel/motel	SP	SP	SP	X
Restaurants, fast-food			SP	X
Restaurants, full-service			SP	X
Retail, general			X	X
Retail, neighborhood commercial		SP	X	X
Schools			X	
Service station			SP	SP
Short-term residential rental			X	X
Swimming pool, private	X	X	X	X
Tavern			SP	X
Tent			X	X
Theater <sup>5</sup>			X	X
Water-based activities			X	X
Recreation facility			X	X
Recreation facility			X	X
Recreation facility, Commercial			X	X
Redesign of existing hotel/motel	SP	SP	SP	X
Restaurants, fast-food			SP	X
Restaurants, full-service			SP	X
Retail, general			X	X
Retail, neighborhood commercial		SP	X	X
Schools			X	
Service station			SP	SP
Short-term residential rental			X	X
Swimming pool, private	X	X	X	X
Tavern			SP	X
Tent			X	X
Theater <sup>5</sup>			X	X
Water-based activities			X	X

NOTES:

- <sup>1</sup> Any development in the CR District that is adjoining an existing residential use at the time of application for site plan shall be subject to a special permit.
- <sup>2</sup> Drive-through uses in the CMU District shall be permitted only south of McGillis and west of Canada Street. Drive-through uses in the CR District shall not be permitted south of lower Montcalm and north of Beach Road.
- <sup>3</sup> Residential uses for properties fronting both sides of Canada Street between Sewell Street and Mountain Drive and for properties abutting Lake George between McGillis Avenue and Amherst Street in the CMU and CR Districts are prohibited from locating on the street level.

<sup>4</sup> Please note provisions of Chapter 55, Adult Uses.

<sup>5</sup> Please see 220-37 regarding provision for Drive-In Theater as an accessory amenity.

<sup>6</sup> Dwelling, Condominium uses shall only be allowed on properties that front either side of Canada Street between McGillis Avenue/Beach Road and Amherst Street, and for properties abutting Lake George between McGillis Avenue/Beach Road and Amherst Street on the west side of Canada, and on Pine Point Lane on the east side of Canada Street in the CMU and CR Districts, and said uses must have commercial use/space as otherwise permissible in this Zoning District on the first floor.

**(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 20 \_\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the *(Name of Legislative Body)* \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, 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 Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the (County) (City) (Town) (Village) of LAKE GEORGE was duly passed by the BOARD OF TRUSTEES on MAY 15, 2023 and was (approved) ~~(not approved)~~ ~~(repassed after disapproval)~~ by the MAYOR and was deemed duly adopted on MAY 15, 2023 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 \_\_\_\_\_ *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the *(Name of Legislative Body)* \_\_\_\_\_ 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 *(Name of Legislative Body)* \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (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.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law \_\_\_\_\_ 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 of the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received 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 and 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 correct transcript therefrom and of the whole of such original local law and was finally adopted in the manner indicated in paragraph, 2 above.



Spencer Allen  
Clerk of the county legislative body, City, Town or  
Village Clerk or Officer designated by local  
legislative body

Date: 6/9/23

\*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.