

Village of Southampton

23 MAIN STREET
SOUTHAMPTON, NY 11968-4899

Phone: 631.283.0247

Fax: 631.283.4990

Website: www.southamptonvillage.org

MEMORANDUM FOR: NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231

SUBJECT: Local Law #14-2024

DATE: April 23, 2024

On behalf of the Incorporated Village of Southampton, please accept this request of Local Law #14-2024. All support documentation is provided. Please reach out to csweeney@southamptonvillage.org or contact 631.332.1050 should any questions or concerns arise.

Kind Regards,

Cathy M. Sweeney
Village Clerk
Incorporated Village of Southampton

Local Law Filing Instructions

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
www.dos.ny.gov

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

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 Southampton

Local Law No. 14 of the year 2024

A local law amending Chapter 116-11.1 (Yard regulations in Certain Residence Districts) of the Village

(Insert Title)

Code of Southampton by incorporating changes to dimensional regulations for residence

yards to comport with the recommendations in the 2022 Southampton Village

Comprehensive Plan.

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

County City Town Village

(Select one.)

of Southampton as follows:

amending chapter 116-11.1 (Yard Regulations in Certain Residence Districts) of the Village Code of Southampton by incorporating changes to dimensional regulations for residence yards to comport with the recommendations in the 2022 Southampton Village Comprehensive Plan.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

2024CMF

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 14 of 2024 of the (County)(City)(Town)(Village) of Village of Southampton was duly passed by the Board of Trustees on April 23 2024, in accordance with the applicable provisions of law.

2024CMF

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) (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.

* 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.)

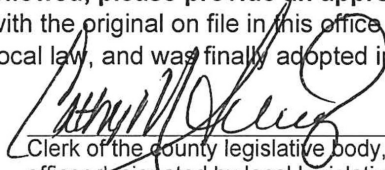
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.)

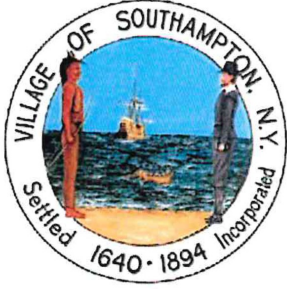
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 25, 2024

(Seal)



Village of Southampton

23 MAIN STREET
SOUTHAMPTON, NEW YORK 11968-4899

Phone: (631) 283-0247

Fax: (631) 283-4990

Website: www.southamptonvillage.org

Resolution

2024-154

4/23/2024

Information: WHEREAS, the Board of Trustees of the Village of Southampton is considering A Local Law amending chapter 116-11.1 (Yard Regulations in Certain Residence Districts) of the Village Code of Southampton by incorporating changes to dimensional regulations for residence yards to comport with the recommendations in the 2022 Southampton Village Comprehensive Plan; and

WHEREAS, the Village of Southampton's Planning Director, has conducted a review of the proposed action and

WHEREAS the matter was referred to the Suffolk County Planning Commission for review pursuant to General Municipal Law section 239-m; and

WHEREAS, on April 9, 2024, the Suffolk County Planning Commission staff issued a letter of local determination; and

WHEREAS, a public hearing was held by the Village Board of Trustees on April 11, 2024, at which time all persons either for or against said amendment were heard; and

WHEREAS, the public hearing was closed but the record was kept open for ten (10) days to receive additional written comment; and

WHEREAS, the Board of Trustees of the Village of Southampton has determined that this proposed local law is considered an "Unlisted Action" under 6 NYCRR Part 617.4 provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Southampton Village Planning Director, prepared a Short Environmental Assessment Form Parts I and a Full EAF Form Part 2 dated April 1, 2024 which identified no, or small impact may occur and a Full EAF Form Part 3 which determined there would be no significant adverse impacts on the environment;

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby assumes Lead Agency status as there are no other involved agencies and issues a Negative Declaration pursuant to SEQRA as there are no significant negative environmental impacts anticipated by this zoning amendment; and be it

FURTHER RESOLVED, that Local Law No. 14 of 2024 is hereby adopted.

Department:

Village Hall

Sponsors:

Category:

Public Hearing

Functions:

Financial Impact

Body

Voting

Motioned: William Manger

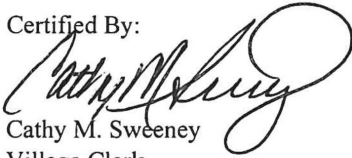
Seconded: Gina Arresta

Y: William Manger, Gina Arresta, Robin Brown, Roy Stevenson, Leonard Zinnanti

N: None

A: None

Certified By:



Cathy M. Sweeney

Village Clerk

Incorporated Village of Southampton

**NOTICE OF ADOPTION OF A LOCAL LAW
AMENDING CHAPTER 116-11.1 (YARD REGULATIONS IN CERTAIN RESIDENCE
DISTRICTS) OF THE VILLAGE CODE OF SOUTHAMPTON BY INCORPORATING
CHANGES TO DIMENSIONAL REGULATIONS FOR RESIDENCE YARDS TO
COMPORT WITH THE RECCOMENDATIONS IN THE 2022 SOUTHAMPTON
VILLAGE COMPREHENSIVE PLAN.**

WHEREAS, the Board of Trustees of the Village of Southampton is considering A Local Law amending chapter 116-11.1 (Yard Regulations in Certain Residence Districts) of the Village Code of Southampton by incorporating changes to dimensional regulations for residence yards to comport with the recommendations in the 2022 Southampton Village Comprehensive Plan; and

WHEREAS, the Village of Southampton’s Planning Director, has conducted a review of the proposed action and

WHEREAS the matter was referred to the Suffolk County Planning Commission for review pursuant to General Municipal Law section 239-m; and

WHEREAS, on April 9, 2024, the Suffolk County Planning Commission staff issued a letter of local determination; and

WHEREAS, a public hearing was held by the Village Board of Trustees on April 11, 2024, at which time all persons either for or against said amendment were heard; and

WHEREAS, the public hearing was closed but the record was kept open for ten (10) days to receive additional written comment; and

WHEREAS, the Board of Trustees of the Village of Southampton has determined that this proposed local law is considered an “Unlisted Action” under 6 NYCRR Part 617.4 provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Southampton Village Planning Director, prepared a Short Environmental Assessment Form Parts I and a Full EAF Form Part 2 dated April 1, 2024 which identified no, or small impact may occur and a Full EAF Form Part 3 which determined there would be no significant adverse impacts on the environment;

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby assumes Lead Agency status as there are no other involved agencies and issues a Negative Declaration pursuant to SEQRA as there are no significant negative environmental impacts anticipated by this zoning amendment; and be it

FURTHER RESOLVED, that Local Law No. 14 of 2024 is hereby adopted as follows:

LOCAL LAW NO. 14 OF 2024

A LOCAL LAW amending Chapter 116-11.1 (Yard Regulations in Certain Residence Districts) of the Village Code of Southampton by incorporating changes to dimensional regulations for

residence yards to comport with the recommendations in the 2022 Southampton Village Comprehensive Plan.

SECTION 1. AMENDMENT The Village Code of the Village of Southampton is hereby amended by adding the underlined words and removing the strikethroughs.

§ 116-11.1 Yard regulations in certain residence districts.

A. Except as otherwise hereinafter provided, the minimum yard dimensional regulations (including front, side and rear yard requirements for a principal building and distance from street, side lot line and rear lot line requirements for accessory buildings and structures) within all one-family residence districts (the R-120, R-80, R-60, R-40, R-20, R-12.5 and R-7.5 Residence Districts) and the MF-20 Multifamily Residence District shall be based on the lot area of the lot and shall be as set forth in the following table:

Table of Yard Regulations in Certain Residence Districts

	Lot Area (square feet)			
	<u>Less than 7,499</u>	Less than 7,500 to 12,499 <u>12,500</u>	12,500 or Greater to but Less than 20,000 <u>19,999</u>	20,000 or Greater to but Less than 40,000 <u>39,999</u>
Yards, principal building, minimum (feet)				
Front	<u>25</u>	25	30	40
Side, minimum for 1	<u>10</u>	<u>12</u>	<u>15</u>	<u>20</u>
Side, total for both on interior lot ^a				
Side, abutting sides street on corner lot	<u>25</u>	25	30	40
Rear	<u>25</u>	25 <u>30</u>	35	60
Yards, accessory buildings and structures, minimum (feet)				
Distance from street	<u>35</u>	35	40	50
Distance from side and rear lot lines	<u>10</u>	10	10 <u>12</u>	15
Greenspace Minimum				
Greenspace Minimum	35%	40%	45%	50%

NOTES:

- a. Such yard regulations are set forth in § **116-11.1D**.

**Table of Yard Regulations in Certain Residence Districts
Lot Area (square feet)**

	40,000 or Greater, but Less Than 60,000 to <u>59,999</u>	60,000 or Greater, but Less Than 80,000 to <u>79,999</u>	80,000 or Greater
Yards, accessory buildings and structures, minimum (feet)			
Front	60	80	80
Side, minimum for 1a	20 <u>25</u>	25 <u>30</u>	35
Side, total for both on interior lot a	60	65 <u>70</u>	80
Side abutting side street on corner lot	60	80	80
Rear	70	100	100
Yards, accessory buildings and structures, minimum (feet)			
Distance from street	70	90	90
Distance from side and rear lot lines	20 <u>25</u>	30	35
Greenspace Minimum			
Greenspace Minimum	55%	60%	65%

B. Minimum front yard requirement.

(1) The minimum front yard requirement for a principal building within each of the following residence districts shall not be less than the dimension set forth in the following schedule for the district within which the lot is situated:

Residence District	Dimension (feet)
R-120	80
R-80	80
R-60	80
R-40	60
R-20	40
R-12.5	30
R-7.5	25
MF-20	50

(2) If the minimum front yard dimension for a principal building determined pursuant to the table in Subsection A above is greater than the minimum front yard dimension determined pursuant to the schedule in this Subsection B, the minimum front yard dimension for a principal building determined pursuant to the table in Subsection A above shall be the applicable minimum front yard requirement. If the minimum front yard dimension for a principal building

determined pursuant to the table in Subsection **A** above is less than the minimum front yard dimension determined pursuant to the schedule in this Subsection **B**, the minimum front yard dimension determined pursuant to the schedule in this Subsection **B** shall be the applicable minimum front yard requirement.

C. Minimum distance from street.

(1) The minimum distance from street requirement for accessory buildings and structures within each of the following residence districts shall not be less than the dimension set forth in the following schedule for the district within which the lot is situated:

Residence District	Dimension (feet)
R-120	90
R-80	90
R-60	90
R-40	70
R-20	50
R-12.5	40
R-7.5	35
MF-20	60

(2) If the minimum distance from street dimension for accessory buildings and structures determined pursuant to the table in Subsection **A** above is greater than the minimum distance from street dimension determined pursuant to the schedule in this Subsection **C**, the minimum distance from street dimension for accessory buildings and structures determined pursuant to the table in Subsection **A** above shall be the applicable minimum distance from street requirement. If the minimum distance from street dimension for accessory buildings and structures determined pursuant to the table in Subsection **A** above is less than the minimum distance from street dimension determined pursuant to the schedule in this Subsection **C**, the minimum distance from street dimension determined pursuant to the schedule in this Subsection **C** shall be the applicable minimum distance from street requirement.

D. Minimum side yard requirements (minimum for one, minimum total for both on interior lot) for principal building on lots having a lot area of less than 40,000 square feet:

(1) The total dimensions of both side yards for a principal building shall be computed on the basis of 4/10 of the lot width of the lot; however, no side yard dimension shall be less than 4/10 of the total dimensions of both side yards, computed as aforesaid, and no side yard dimension shall be less than the minimum set forth in § 116-11.1 A above 15 feet.

SECTION 2. AUTHORITY

The proposed Local Law is enacted pursuant to NYS Village Law 7-700, as well as Municipal Home Rule Law §10(1)(ii)(a)(11) and (12).

SECTION 3. APPLICABILITY

The proposed Local Law shall not apply to any application which was made and is pending or in the approval process as of the effective date of the law.

SECTION 4. SEVERABILITY


If any clause, sentence, paragraph or part of this Local Law, or the application thereof to any person, firm or corporation, or circumstance shall be judged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect or impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision 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 5. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule.

<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>	
<u>Y</u>	_____	Mayor Manger	<u>Y</u>	_____	Trustee Stevenson
<u>Y</u>	_____	Trustee Arresta	<u>Y</u>	_____	Trustee Zinnanti
<u>Y</u>	_____	Trustee Brown			

Dated: April 23, 2024



Cathy M. Sweeney – Village Clerk

BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF SOUTHAMPTON
CATHY SWEENEY, VILLAGE CLERK