

Local Law Filing

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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 Victor

Local Law No. 2 of the year 2024

A local law TO ESTABLISH A PLANNED DEVELOPMENT DISTRICT ENTITLED "7200 RAWSON ROAD"
(Insert Title)
AT TAX MAP # 27.00-1-28.000 BY AMENDING THE TOWN OF VICTOR ZONING MAP
AND THE VICTOR TOWN CODE AT CHAPTER 211 ENTITLED "ZONING"

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

County City Town Village
(Select one.)

of Victor as follows:

LOCAL LAW TO ESTABLISH A PLANNED DEVELOPMENT DISTRICT ENTITLED "7200 RAWSON ROAD" AT TAX MAP # 27.00-1-28.000 BY AMENDING THE TOWN OF VICTOR ZONING MAP AND THE VICTOR TOWN CODE AT CHAPTER 211 ENTITLED "ZONING"

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

This local law is adopted pursuant to the authority granted to the Town of Victor at Municipal Home Rule Law Section 10 and in accordance with the Victor Town Code at Chapter 211.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 2-2024 to Establish a Planned Development District Entitled "7200 Rawson Road" by Amending the Town of Victor Zoning Map and the Victor Town Code at Chapter 211 Entitled "Zoning."

This local law is to establish the 7200 Rawson Road Planned Development District at Tax Map Parcel #27.00-1-28.000, granting the relief sought by the owner of the parcels at the time of the application.

The 7200 Rawson Road Planned Development District (the "Rawson Road PDD") will aim to provide a higher density residential housing within close proximity to the Village, while also permitting the existing industrial building to remain.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that the property, identified as tax map parcel # 27.00-1-28.000, consisting of approximately 22.5 acres owned by 7200 Rawson Road, LLC (as of the date of this local law), shall be rezoned as "7200 Rawson Road Planned Development District," as set forth herein.

The Victor Town Board finds that the "7200 Rawson Road Planned Development District" will substantially benefit the Town of Victor in that it will be consistent with the Town of Victor Comprehensive Plan because it will provide high density residential housing within close proximity to the Village.

Section IV. Amendment.

Section 211-13 **Establishment.**

Ten original mapped zoning districts and thirteen planned zoning districts are hereby created for the purpose of establishing uniform regulations in various sections of the Town and for meeting the future needs of the Town.

Section 211-14 **Mapped zoning districts designated.**

The mapped zoning districts created herein and elsewhere in the Code of the Town of Victor are designated as follows:

- R-1 Residential District
- R-2 Residential District
- R-3 Residential District
- C Commercial District
- C/LIND Commercial/Light Industrial District
- LI Light Industrial District
- LDD Limited Development District
- C-O Route 96/251 Corridor Overlay District
- PDD Planned Development District (Affronti at McMahon Road)
- PDD Planned Development District (Conifer Village at Eastview)
- PDD Planned Development District (Eastgate Square)
- PDD Planned Development District (Eastview Commons)
- PDD Planned Development District (Forest Park at Eastview)
- PDD Planned Development District (Gypsum Mills on Plastermill Road)
- PDD Planned Development District (Highline Park)
- PDD Planned Development District (High Point Business Park)
- PDD Planned Development District (Park Crescent on High Street)
- PDD Planned Development District (Pinnacle Athletic Campus)
- PDD Planned Development District (7200 Rawson Road)
- PDD Planned Development District (Royal Car Wash at Cole and Parks)
- PDD Planned Development District (Victor Terrace)

MHD Manufactured Home District
MDD Multiple Dwelling District
RDO-A Residential Density Overlay District A
RDO-B Residential Density Overlay District B
RDO-C Residential Density Overlay District C

§211-27.9. 7200 **Rawson Road Planned Development District Regulations.**

[Added 12-18-2023 by LL No. 2-2024]

A. Site Layout. The Rawson Road Planned Development District is a multi-use planned development district with permitted uses comprising Residential on 18.47 acres and Light Industrial on 4.03 acres. The site layout of this PDD is depicted on the Concept Plan (dated April 2023, last revised October 17, 2023, Project No. 2397A, Drawing 01), filed with the Town, which Concept Plan may be superseded, in whole or in Part, by the most recently approved Site Plan for the Site to the extent the most recently approved Site Plan conflicts with the Concept Plan (the most recent plan, be it Concept or Site, is hereinafter referred to herein as the "Plan"). The Plan is made a part of these Town of Victor Zoning Regulations and the lands subject to this PDD shall comply with the Plan in all respects.

Generally, this district as mapped comprises one ±22.5-acre site with two discernible sections. The first is the section westerly of the northeast/southwest row of trees depicted on Concept Plan (the "Tree Row"), which shall be referred to as the Westerly Section and as depicted on the original PDD Rezoning Conceptual Plan, comprises of multi-family, for sale townhome units. The second section is easterly of the Tree Row and is referred to as the Easterly Section and, as depicted on the original Concept Plan, originally comprises an industrial building.

B. Modification. So long as any future proposed changes remain consistent with these permitted PDD regulations, such proposed changes may be addressed and approved by the Planning Board via Site Plan and/or Subdivision review without any further need to come before the Town Board for modification of these PDD Regulations.

C. Permitted Uses. Permitted Uses shall be as follows:

- (1) For the Westerly Section, those uses permitted within an MD District and Townhouses.
- (2) For the Easterly Section, any uses permitted within a C/LIND and/or LI District.

No Special Uses are permitted.

D. Accessory Uses and Setbacks.

- (1) For Residential Lots within the minimum required dimensions at Schedule II for Area and Height Requirements, accessory structures such as storage sheds shall have 15-foot setbacks from all property lines.
- (2) For Residential Lots smaller than the minimum required dimensions at Schedule II for Area and Height Requirements (by reason of alternative bulk requirements permitted by this PDD and the associated Plan), lot line setbacks for accessory structures shall have a reduced setback requirement of 5 feet, provided that the following conditions are met:

- (a) The storage shed measures no greater than 150 total square feet in area
- (b) The storage shed is no larger than 15 feet in width or length;
- (c) The storage shed does not exceed 10 feet in height as measured from the average grade to the top of the wall. This measurement does not apply to peaked or gabled walls;
- (d) The storage shed may not be placed in such a manner that it will interfere with any easement;
- (e) The storage shed may not be placed in any manner such that it interferes with drainage;
- (f) The storage shed must be maintained in good condition;
- (g) The storage shed must not have extensions (such as additions, shed roofs, etc.);
- (h) The storage shed cannot be placed forward of the rear line of either the house on the subject property on which it will be placed or an adjacent house;
- (i) The storage shed shall be positioned such that the doors in a closed position do not face any side or rear lot lines that are closer than 15 feet to the storage shed; and
- (j) The storage shed may not have any exterior lighting.

E. Bulk / Dimensional Requirements

(1) Density - This PDD shall not be subject to any Density Overlay Districts. Instead, the permissible density is as follows:

- (a) With respect to Residential Uses - Density of Westerly Section shall be 3.2 residential units per acre;
- (b) With respect to LI Uses – The density permitted and applicable to LI Districts, as further specified in Chapter 211 and Schedules thereto.

(2) Dimensional Requirements –

- (a) With respect to the Westerly Section, the dimensional requirements shall be those permitted and depicted on the PDD Rezoning Conceptual Site Plan – i.e., single unit residential lots shall be developed and implemented consistent with the Plan, such that setbacks, green space, etc. for each lot are as depicted on the Plan. For those dimensional requirements not indicated, depicted or otherwise decipherable by the Plan, dimensional requirements shall be those of the MD District.

- (b) With respect to the Easterly Section, the dimensional requirements shall be those permitted by the C/LIND District for C/LIND uses and shall be those permitted by the LI District for LI uses, except that the building depicted on the Easterly Section in the PDD Rezoning Conceptual Plan shall also be considered to be within permissible Dimensional Requirements (without regard to LI and/or Residential Dimensional Requirements), as long as it remains as depicted.

The Official Zoning Map of the Town of Victor, on file in the Office of the Town Clerk, and the Town of Victor Zoning Code (located at Chapter 211 of the Victor Town Code), inasmuch as the Zoning Map is incorporated into the Town of Victor Zoning Code, shall be amended as it pertains to the parcels specifically identified as and by (as of the date of adoption of this Local Law) Tax Map Parcel #27.00-1-28.000, so that said parcel is rezoned to "7200 Rawson Road Planned Development District." The metes and bounds description of said parcel and complete LL No. 2-2024 are on file in the Town offices.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This local law will take effect upon its filing in the office of the New York State Secretary of State, but not until site plan approval is granted by the Town of Victor Planning Board in relation to at least one, or a portion of, a parcel identified herein.

(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. 2 of **2024** of the
(County)(City)(Town)(Village) of Victor was duly passed by the
Town Board on December 18, 2023, in accordance with the applicable
(Name of Legislative Body)
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. _____ of 20____ of
the (County)(City)(Town)(Village) of _____ was duly passed by the

(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

(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

(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
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.

Karen C. Bodine

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

Date: February 8, 2024

(Seal)