

# 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 Hammondsport

FILED  
STATE RECORDS

DEC 08 2023

Local Law No. 7 of the year 2023

DEPARTMENT OF STATE

A local law Chapter 122 Zoning  
(Insert Title)

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

County  City  Town  Village  
(Select one:)

of Hammondsport as follows:

See attached the changes to the code.  
122-10 A 3 i and 122-12 A 1 j

(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.)

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

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2023 of the (County)(City)(Town)(Village) of Hammondsport was duly passed by the Board of Trustees on September 12 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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\_\_\_\_.  
*(Name of Legislative Body)*  
*(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) (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.  
*(Name of Legislative Body)*  
*(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 \_\_\_\_\_ above.

*Christina M. Watson*

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

Date: 12/4/23

(Seal)

ARTICLE III  
Use Regulations

**§ 122-8. Prohibited uses.**

In each use district, all uses, except those already established at the time this chapter is passed, are prohibited unless specifically permitted.

**§ 122-9. LDR District.**

A. In the LDR District, no structure shall be erected or altered and no structure or land shall be used except for one or more of the following specified uses:

(1) Permitted principal uses.

- (a) Single-family dwellings.
- (b) Agriculture, but not animals.

(2) Accessory uses.

- (a) Home occupation uses.
- (b) Accessory uses customarily incidental to a permitted principal use, such as residential garages and storage structures, swimming pools, fireplaces, trellises, lampposts, carports and similar structures.

(c) Waterfront property. [Added 6-9-1992 by L.L. No. 1-1992]

[1] Any owner of noncommercial waterfront real property may locate thereon one boathouse which cannot exceed a height of 16 feet and one dock which cannot exceed more than 40 feet in length into the lake measured perpendicularly from the mean low-water mark.

[2] Any dock constructed or altered shall maintain a minimum setback of 10 feet from adjacent property lines as projected in a straight line from the mean high-water mark to the nearest point of change in direction of said line of more than 2°, plus or minus, in each such adjacent property line.

[3] No dock shall be constructed in any configuration other than straight, F-, L-, T- or U-shaped, and its total surface area shall not exceed 700 square feet of which no portion of the dock can exceed eight feet in width.

(3) Special permit uses.

- (a) Nursing home: convalescent home.
- (b) Professional offices.
- (c) Funeral homes.
- (d) Churches.
- (e) Schools.
- (f) Day nurseries.

§ 122-9 (g) Cultural facilities, e.g., libraries.

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(h) Upon securing prior special permit approval, a waterfront property owner may engage in the commercial mooring of a reasonable number of boats or the rental of a reasonable number of boat slips. **[Added 6-9-1992 by L.L. No. 1-1992]**

(i) Short Term Rentals (formerly known as a Boardinghouse).

B. Purpose. The purpose of the LDR District shall be to maintain light residential density in areas not suited for greater populations or commercial uses.

**§ 122-10. MDR District.**

A. In the MDR District, no structure shall be erected or altered and no structure or land shall be used except for one or more of the following specified uses:

(1) Permitted principal uses.

(a) Single- and two-family dwellings.

(b) Agriculture, but not animals.

(c) Municipal parks and playgrounds.

(2) Accessory uses.

(a) Home occupation uses.

(b) Accessory uses customarily incidental to a permitted principal use, such as residential garages and storage structures, swimming pools, fireplaces, trellises, lampposts, carports and similar structures.

(3) Special permit uses.

(a) Nursing home, convalescent home.

(b) Professional offices.

(c) Funeral homes.

(d) Schools.

(e) Churches.

(f) Day nurseries.

(g) Multiple-family dwellings.

(h) Cultural facilities.

(i) Short Term Rentals (formerly known as a Boardinghouse). **[Amended 4-9-2019 by L.L. No. 2-2019]**

(j) Bed-and-breakfast establishments. **[Added 1-8-2002 by L.L. No. 1-2002]**

B. Purpose. This district is designed as the primary residential dwelling area of the village.

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**§ 122-10.1. LFRD Lakefront Residential District. [Added 8-9-1994 by L.L. No. 1-1994; amended 9-27-1995 by L.L. No. 6-1995]**

The following terms shall have the meanings indicated:

A. Definitions. As used in this zoning classification:

**CONDOMINIUM** — An apartment house or houses, the apartments or dwelling units of which are individually owned, each owner receiving a deed enabling him/her to sell, mortgage or exchange his/her apartment independent of the owners of the other apartments in the building or buildings.

**COOPERATIVE** — A form of ownership in real property providing joint control over property in which each resident has an interest in the entity which owns the building and a lease or occupancy agreement entitling him/her to occupy a particular apartment within the building.

**FRONT YARD DEPTH** — The distance as measured from the mean low-water mark to the foundation of the building.

**REAR YARD DEPTH** — When said property line is located adjacent to a street, that distance as measured from the curb or edge of pavement located on the opposite side of said street to the foundation of the building. When said property line is located adjacent to a neighboring property line, said distance shall be measured from the property line to the foundation of the building.

**TIME SHARE** — The selling of shares to tenants where those tenants obtain the rights of use and occupancy in a dwelling unit on a transient basis.

B. In the LFRD District, no structure shall be erected or altered and no structure or land shall be used except for one or more of the following specified uses:

(1) Permitted principal uses.

- (a) Single- and two-family dwellings.
- (b) Multiple-family dwellings, including townhouses/townhomes, condominiums and cooperatives but specifically restricting time share units.
- (c) Agriculture, but not animals.
- (d) Municipal parks and playgrounds.

(2) Accessory uses.

- (a) Home occupation uses.
- (b) Accessory uses customarily incidental to a permitted principal use, such as residential garages and storage structures, swimming pools, fireplaces, trellises, lampposts, carports and similar structures.
- (c) Waterfront property.

[1] Any owner of noncommercial waterfront property may locate thereon one boat slip per family dwelling unit with no dock exceeding more than 100 feet in length into the lake perpendicularly from the mean low-water mark.

[2] Any dock constructed or altered shall maintain a minimum setback of 10 feet from adjacent property lines as projected in a straight line from the mean high-water mark to the nearest point of change in direction of said line of more than two degrees, plus

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or minus, in each such adjacent property line.

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(3) Special permit uses.

(a) Professional offices.

(b) Churches.

(c) Cultural facilities.

(d) Upon securing prior special permit approval, a waterfront property owner may engage in the commercial mooring of a reasonable number of boats or the rental of a reasonable number of boat slips.

C. Purpose. The purpose of the LFRD District is to provide a district that has lower density than an HDR District and is flexible enough to allow for development of unique property located on the lakefront.

**§ 122-11. HDR District.**

A. In the HDR District, no structure shall be erected or altered and no structure or land shall be used except for one or more of the following specified uses:

(1) Permitted principal uses.

(a) Single- and two-family dwellings.

(b) Multiple-family dwellings.

(c) Agriculture, but not animals.

(2) Accessory uses.

(a) Home occupation uses.

(b) Accessory uses customarily incidental to a permitted principal use, such as residential garages and storage structures, swimming pools, fireplaces, trellises, lampposts, carports and similar structures.

(3) Special permit uses.

(a) Camps, cottages, resorts.

(b) Churches.

(c) Day nurseries.

(d) Cultural facilities.

B. Purpose. This area is designed to accommodate a higher density of dwelling units per acre than other segments of the community.

**§ 122-12. B-1 and B-2 Districts. [Amended 6-9-1992 by L.L. No. 1-1992; 2-13-2001 by L.L. No. 1-2001; 3-8-2005 by L.L. No. 5-2004; 5-11-2010 by L.L. No. 1-2010]**

A. In the B-1 and B-2 Districts, no structure shall be erected or altered and no structure or land shall be

used except for one or more of the following specified uses:

- (1) Permitted principal uses.
  - (a) Nonprofit club or recreational use.
  - (b) Public utilities.
  - (c) Professional offices.
  - (d) Retail businesses.
  - (e) Laundromat.
  - (f) Hotel, restaurant.
  - (g) Bar, nightclubs.
  - (h) Dance halls, skating rinks.
  - (i) Funeral homes.
  - (j) Apartment/Short Term Rental (formerly known as a boardinghouse) will be permitted on the first floor, provided the area is not a storefront, currently or in the past, and is not, or has not, been utilized for any of the purposes allowed under the B-1 or B-2 zoning designations. Upper floors may be utilized as an apartment/Short Term Rental (formerly known as a boardinghouse). **[Amended 3-10-2020 by L.L. No. 1-2020]**
  - (k) Newspapers and printing shops.
  - (l) Motels, hotels, parking lots.
  - (m) Municipal parks and playgrounds.
  - (n) Radio and television studios.
- (2) Accessory uses.
  - (a) Accessory uses customarily incidental to a permitted principal use.
- (3) Special permit uses.
  - (a) Automobile storage and mechanical repairs in enclosed building.
  - (b) Gas stations.
  - (c) Equipment rentals or sales.
  - (d) Wholesale businesses in enclosed building.
  - (e) Churches.
  - (f) Schools.
  - (g) Cultural facilities.
  - (h) Libraries.
  - (i) (Reserved)



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- (j) (Reserved)
- (k) Adult bookstores and businesses which sell or display adult movies may be permitted, but not within 2,000 feet of any school property, park, church or residence.

**B. Supplemental notes on use regulations.**

- (1) Business 1 provides for more vehicle parkings and, in general, building density shall be restricted.
- (2) Business 2 shall be a Core Business District planned for heavy pedestrian traffic and restricted vehicular traffic.

**§ 122-13. I District.**

A. The purpose of the I District shall be to permit manufacturing, processing and warehousing not requiring extensive facilities or generating heavy traffic nor requiring major access.

B. In the I District, no structure shall be erected or altered and no structure or land shall be used except for one or more of the following specified uses:

- (1) Permitted principal uses. Any use of an industrial nature which involves only the processing, assembly or packaging of previously prepared or refined materials when conducted within an enclosed building. The following uses are indicative of the kinds of uses intended to be permitted:
  - (a) Machinery manufacturing, such as carburetor and small machine parts, cash registers, sewing machines, typewriters and other office machines.
  - (b) Fabrication of metal products, such as baby carriages, bicycles, metal foil, tin, aluminum, gold, metal furniture, musical instruments and sheet metal products.
  - (c) Fabrication of paper products, such as bags, book bindings, boxes, packaging material and office supplies, and processing of pharmaceutical and cosmetic products.
  - (d) Fabrication of wood products, such as boats, boxes, cabinets, toys, etc.
  - (e) Food and associated industries, such as bakeries, bottling, food and cereal mixing, food packaging, ice cream manufacturing and research laboratories.
  - (f) Laundry and dry cleaning; warehousing and storage of goods and products, such as building materials and farm supplies.
  - (g) Automotive service, including sales, repairs, washing, service stations, garages and parking lots.
- (2) Accessory uses. Garage and storage buildings for vehicles, equipment or materials; parking signs.
- (3) Prohibited uses. Any use of any structure or premises which is obnoxious or offensive by reason of the emission of odor, dust, smoke, fly ash, toxic fumes, radiation, gas, noise, vibration or excessive light or any combination of the above, or which is dangerous and prejudicial to the public health, safety or general welfare or in any way detrimental to a wholesome living environment, shall be prohibited in all districts. The following uses are indicative of the kinds of uses prohibited:

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- (a) The manufacturing of articles involving celluloid.
- (b) The manufacturing of coke and the storage of coal or coke except for on-premises use.
- (c) The storage or accumulation of garbage, dead animals or refuse except in amounts normally accumulated for scheduled pickup at least weekly.
- (d) The storage of natural gas (except propane) in excess of 10,000 cubic feet, or the storage of gasoline in an amount in excess of that necessary for a retail gasoline station.
- (e) The storage or manufacture of gunpowder or explosives.
- (f) Junkyards or the storage of scrap metals, paper or rags.
- (g) The storage or processing of rawhide or skins.

**§ 122-14. Parks and recreation. [Amended 3-12-1991 by L.L. No. 3-1991; 12-11-2001 by L.L. No. 2-2001]**

- A. Use of Village parks for special events of three days or less is to be conditioned, coordinated and approved by the Village Board without application for either zoning, site plan review or special use permit.
- B. Permitted uses. Parks and recreation areas are to be used for only recreational purposes. Special events of three days or less, designated by the Village Board per Subsection A above, are also permitted uses. All parks and recreation areas, except for the existing boat launch facility, shall be limited to nonmotorized and pedestrian traffic, except on designated parking lots.
- C. Village parks include the following areas:
  - (1) Area 1: Pulteney Square (Tax Map ID No. 118.06-01-064.000). This area is bounded by Park Place on the west, by Pulteney Street on the north, by Mechanic Street on the east, and by Shethar Street on the south.
  - (2) Area 2: Liberty Park (Tax Map ID No. 118.06-02-052.000). This area is bounded by Liberty Park Street on the west, by Lake Street on the north, by Mechanic Street on the east and by Liberty Park Street on the south.
  - (3) Area 3: Head of the Lake (Tax Map ID No. 118.06-01-050.200). This area is bounded by Water Street on the west, by the Glen Brook Flume and Glen Brook Creek on the north, by Keuka Lake on the east, and by private lands on the south.
  - (4) Area 4: Municipal Building Grounds (Tax Map ID No. 118.10-01-001.000). This area is bounded by Main Street on the west, by Lake Street on the north, by the lands of the Methodist Parsonage and private lands on the east, and by Liberty Street on the south.
  - (5) Area 5: Grape Street Park (Tax Map ID No. 118.09-01-048.000). This area is bounded by alley and private lands on the west, by private lands and Grape Street on the north, by private lands on the east, and by private lands on the south.
- D. Any new proposed recreational use of Village parks shall be reviewed for authorization per applicable Hammondsport Village codes.