

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 of Pelham Manor
- Town
- Village

FILED
STATE RECORDS
MAR 26 2021

Local Law No. 1 of the year 20 21

DEPARTMENT OF STATE

A local law A Proposed Local Law amending Chapter 210 of the Code of the Village of Pelham Manor
(insert Title)
regarding the Business 3 Zoning District

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

- County
- City of Pelham Manor as follows:
- Town
- Village

(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. 1 of 20 21 of the ~~(County)(City)(Town)~~ (Village) of Pelham Manor was duly passed by the Board of Trustees on February, 22 20 21, 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 _____ 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 *(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 _____, above.

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

Date: _____ 2-22-21 _____

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Westchester

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Village Attorney
Title

~~X~~ ~~City~~
~~X~~ ~~Town~~ Pelham Manor
Village

Date: _____

PROPOSED LOCAL LAW 1 - 2021

A Proposed Local Law amending Chapter 210 of the Code of the Village of Pelham Manor regarding the Business 3 Zoning District

BE IT ENACTED by the Board of Trustees of the Village of Pelham Manor as follows:

Section 1.

Section 210-15(B) of the Code of the Village of Pelham Manor is amended by adding the following definition:

URGENT CARE CLINIC

A building or portion of a building containing an office or offices of medical doctors, dentists, psychiatrists, chiropractors, physical therapists and other licensed members of the medical profession which provides facilities and services for outpatient care, diagnosis and treatment of individuals suffering from illness, injury or other conditions requiring urgent medical or therapeutic services, including laboratory tests, allergic reaction care, throat cultures, minor lacerations and fractures, minor burn care, on-site radiology and dialysis, but does not contain facilities for performing surgical procedures or provide patient beds for overnight care.

Section 2.

Section 210-67 of the Code of the Village of Pelham Manor is amended by adding subsection C, as follows:

The boundaries of the zoning districts in the Village of Pelham Manor are hereby established as shown on the Zoning Map of the Village of Pelham Manor dated January 2021, which accompanies this chapter and which, with all explanatory matters thereon, is hereby adopted and made a part of this chapter. The map, indicating the latest amendments, shall be kept up-to-date in the office of the Village Clerk for the use and benefit of the public. A copy of the map shall be kept in the office of the Inspector of Buildings.

Section 3.

Section 210-67 of the Code of the Village of Pelham Manor is amended by adding subsection C, as follows:

C. The purpose of the Business 3 District is to establish a mixed-use commercial district that does not require a highly visible location or generate a high volume of truck traffic, but that caters to a broad range of customer-based businesses. As a commercial district of medium intensity, the B-3 district should generate less traffic than traditional retail uses, provide adequate access and off-street parking and loading, and not generate unpleasant environmental impacts to

nearby land uses.

Section 4.

Section 210-68(B) of the Code of the Village of Pelham Manor is amended by adding subsection 15, as follows:

- (15) Urgent care clinics.

Section 5.

Section 210-68 of the Code of the Village of Pelham Manor is amended by adding subsection C, as follows:

- C. No building or premises in the Business 3 District shall be used, and no building shall be erected, altered or added to in the Business 3 District, unless otherwise provided in this chapter, except for the following:
 - (1) Sales and service of products and equipment such as vacuum cleaners; heating, ventilating and air conditioning equipment; paint and wallpaper; glass; and carpet and flooring.
 - (2) Sales and service of dry-cleaning equipment and other similar equipment, provided that there not be any noxious, hazardous, flammable or toxic materials or liquids maintained on site.
 - (3) Manufacturing, producing, assembling, processing, converting, altering, finishing or cleaning of goods, in buildings 20,000 square feet or less in area, together with retail and/or business offices incident thereto provided that:
 - (a) There shall be no outside storage of goods or materials; and
 - (b) All manufacturing, producing, assembling, processing, converting, altering, finishing or cleaning of goods shall occur indoors; and
 - (c) The manufacturing, producing, assembling, processing, converting, altering, finishing or cleaning of goods shall not produce odors, dust, or noise detectable at the property line.
 - (4) Printing and reproduction studios.
 - (5) Wholesaling, storing or warehousing of goods, including building supplies, in buildings 20,000 square feet or less in area.

Section 6.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the

remaining portions hereof, which will continue in full force and effect.

Section 7.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 8.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.