

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.

Town
of Somers

FILED
STATE RECORDS

Local Law No. 3 of the year 2023

AUG 25 2023

A local law See below

DEPARTMENT OF STATE

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

Town of Somers

**A LOCAL LAW TO REVISE THE ZONING
ORDINANCE OF THE TOWN OF SOMERS TO
EXPAND THE LIST OF PERMITTED USES
WITHIN THE OLI ZONING DISTRICT TO
INCLUDE SELF-STORAGE FACILITIES**

Be it enacted by the Town Board of the Town of Somers as follows:

Section One. Section 170-3 of the Town of Somers Zoning Ordinance shall be amended by adding, which shall state as follows:

SELF-STORAGE FACILITY

A fully enclosed commercial and/or business establishment providing varying sizes of individual compartmentalized and/or controlled access to stalls or lockers for the storage of business or personal property.

Section Two. Section 170-24.2 of the Town of Somers Zoning Ordinance shall be amended by adding new sections K., which shall state as follows:

K. Self-storage facilities, where maximum building coverage shall not exceed 25% and maximum floor area ratio (FAR) shall not exceed 0.45. Such facilities shall otherwise be subject to the ordinary dimensional standards and requirements outlined in § 170-24.5.

Section Three. Section 170-40.B. of the Town of Somers Zoning Ordinance shall be amended by adding a new use and parking requirements, which shall state as follows:

Kind of Use	Required Parking Units (PU)	Required Loading Units (LU)
Self-storage facility		
Each 3,000 square feet of gross floor area	1	
First 40,000 square feet of gross floor area		1

Section Four. 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, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Five. This Local Law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout 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. 3 of 2023 of the (County) (City) (Town) (Village) of Somers was duly passed by the Town Board on July 13 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 2023 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved) (not approved) (repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ 2023, (Elective Chief Executive Officer*) 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 2023 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved) (not approved) (repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 2023. Such local law was submitted (Elective Chief Executive Officer*) 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 _____ 2023, 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 2023 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved) (not approved) (repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 2023. Such local law was subject to (Elective Chief Executive Officer*) permissive referendum and no valid petition requesting such referendum was filed as of _____ 2023, 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 2023 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 _____ 2023, 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 2023 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2023, 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.

Patricia Kelle

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

(Seal)

Date: 8/21/2023

(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]

Signature

Town Attorney
Title

County
City of Somers
Town
Village
Date: 8/21/2023