

# 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 SOUTHEAST

Local Law No. 2 of the year 2024

A local law to amend Chapter 138 of the Code of the Town of Southeast ("Zoning") to define and  
(Insert Title)  
regulate "Medical Office", "Extended-Hours Medical Office" and "Medical Office Complex"

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of SOUTHEAST as follows:

Section 138-4 of Chapter 138 of the Town Code entitled "Definitions" is hereby amended, in part, to add and amend the following definitions:

**EXTENDED-HOURS MEDICAL OFFICE**

A medical office that operates outside of the hours of 8 am to 7 pm.

**MEDICAL OFFICE**

An urgent care, medical or mental health clinic, crisis facility, or other facility used by one or more physicians, dentists, chiropractors, or other practitioners of the healing arts for the examination, treatment, and/or rehabilitation (including alcohol or other substance addiction) of persons solely on an outpatient basis.

**MEDICAL OFFICE COMPLEX**

A building, or collection of buildings, of 20,000 gross square feet or more, which is dedicated to medical office use, as defined in Section 138-4.

**OFFICE USE**

Floor space generally devoted to administrative, clerical and business uses; call centers; and corporate headquarters and computer facilities; provided that there are no industrial by-products or ground, air or water pollutants not associated with normal building operations. "Office use" shall exclude medical office, retail, light manufacturing, industrial, or warehouse uses.

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

Section 138-41 of Chapter 138 of the Town Code, Subsection E.(4) entitled "Filing of approved plans" is hereby amended as follows:

- (4) Filing of approved plans. Upon final approval, the applicant shall provide to the Town of Southeast Planning Board one digital device containing a full set of approved plans; one full set of final full-sized plans; and two copies of the final plans on 11-inch by 17-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for the Planning Board Chairman's signature.

**CHAPTER 138, ARTICLE X, SPECIAL PERMITS AND CONDITIONAL USES IS AMENDED AS FOLLOWS:**

Section 138-63.10 "Medical Office" is hereby added:

§ 138-63.10 Medical office, extended hours medical office, and medical office complexes.

Medical office, extended hours medical office, and medical office complexes shall subject to the following supplementary regulations:

- A. Hours of operation shall be specified in the special permit.
- B. Extended hours medical offices shall not be located within 1,000 feet of any daycare center, nursery school, public or private school, house of worship, or residentially zoned property.
- C. Extended hours medical office and medical complex uses shall have access from a state or county road.
- D. Additional requirements for medical office complexes:
  - (1) A traffic circulation and parking plan shall be required.
  - (2) A designated drop-off area where drivers may discharge or pick-up passengers at the building entrance shall be provided. The drop-off area shall be of sufficient size and positioned so that its use will not impede or otherwise interfere with traffic and pedestrian circulation and fire access. The drop-off area shall be clearly indicated on the site plan.
  - (3) The Planning and/or Town Board may require the provision of valet parking if deemed necessary to meet parking demand.

**CHAPTER 138, ARTICLE XI, OFF-STREET PARKING AND LOADING**

Section 138-67, "Required Parking Spaces" and Section 138-69 "Required Loading Spaces" are hereby amended as follows:

§ 138-67 Required parking spaces.

For each use of land and buildings and other structures, off-street parking spaces in residential districts shall be provided in such number as specified in the Table of General Use Requirements. For nonresidential districts, the number of off-street parking spaces shall be provided in accordance with the following:

- A. Motor vehicle repair garages: 10 spaces and located on the same lot with the building. No parking of vehicles and no temporary or permanent storage of vehicles shall be permitted outside of those 10 spaces.
- B. Undertaker establishments: 10 spaces and located on the same lot with the building.
- C. Retail stores and shops, personal and business services: one space for each 350 square feet of gross floor area.
- D. Motels and hotels: one space for each sleeping room and located on the same lot with the building.
- E. Restaurants, taverns, bars, dance halls and skating rinks: one space for each 50 square feet of patron floor area and located on a lot distant not more than 300 feet in a direct line from the building.
- F. Assembly halls, churches and places of worship: one space for each three seats and located on the same lot as the building or a lot in a nonresidential district and distant not more than 500 feet in a direct line from the building.
- G. Athletic fields and stadia: one space for each five seats and located on a lot distant not more than 1,000 feet from the field or stadium.
- H. Warehouses, wholesale businesses, research laboratories, and establishments for the manufacture, processing or assembling of goods: one space for each 1 1/2 employees during the largest daily work shift period and located on a lot distant not more than 500 feet in a direct line from the building.
- I. Theaters: one space for each three seats if a theater is a standalone facility or not integrated with other uses or a majority tenant of a center. If a theater is a minority tenant of a center and it can be demonstrated that, as a result of space use overlap and offset timing of peak parking utilization, a modification of the parking standard is appropriate, then the Planning Board may apply the provisions of § 138-71; however, such parking standard shall not be modified to less than one space for each five seats.
- J. Offices: one space for each 250 square feet of gross floor area.
- K. Banks: one space for each 333 square feet of gross floor area.

- L. Office buildings (not primarily serving customers or clients on the premises): one space for each 500 square feet of gross floor area.
- M. Medical offices: one space for each 200 square feet of gross floor area.
- N. Medical office complex: one space for each 150 square of gross floor area.
- O. Animal hospitals: one space for each 300 square of gross floor area.

§ 138-69 Required loading spaces.

Each hospital, hotel, motel, retail store building, undertaker's establishment, restaurant, tavern, bar, warehouse, wholesale business, trucking terminal, contractor's business, research laboratory, office building, medical office, extended hours medical office, medical office complex, and establishment for the manufacture, processing or assembling of goods, having a ground floor area in excess of 4,000 square feet, shall have one off-street loading space for each 40,000 square feet of gross floor area or fraction thereof, excluding basements and located on the same lot with the building or as provided in § 138-70.

**CHAPTER 138, ATTACHMENT 5, COMMERCIAL ZONING SCHEDULE**

Chapter 138, Attachment 5, Commercial Zoning Schedule, is hereby amended by amending the column, "Special Permit Uses" as follows:

District	Permitted Principal Uses (see Notes G, N W and X)	Permitted Accessory Uses (see Notes F, H and M)	Special Permit Uses
NB	Bed-and-breakfast/country inn Office Personal services Professional services Recreation small-scale Retail Restaurant Restaurant, fast casual	Private utilities Residence	General business Public utilities Motor vehicle dealership Senior housing Theater/performing arts Medical office Medical office complex
ED	Craft workshop General business Nursery Office Professional services	Outside storage Private utilities	Kennels and animal hospitals Motor vehicle service stations Parking facility Public utilities Wood mill

	Recreation Restaurant Theater/performing arts		Shooting range Medical office Medical office complex Extended hours medical office
OP-1	Craft workshop General business Office Personal services Professional services Research labs	Outside storage Private utilities Retail Warehouse	Hotel/motel/conference facility Kennels and animal hospitals Public utilities Wood mill Shooting range Medical office Medical office complex Extended hours medical office
OP-2	Bed-and-breakfast/country inn Equestrian center Farm use General business Office Personal services Professional services Theater/performing arts	Outside storage Private utilities Retail Warehouse	Hotel/motel/ conference facility Kennels and animal hospitals Public utilities Senior housing Shooting range Medical office Medical office complex Extended hours medical office
OP-3	Bed-and-breakfast/country inn Equestrian center Farm use Offices Personal services Professional services Residential, including single- family detached and single- family attached (see Note K) Theater/performing arts	Outside storage Private utilities	Hotel/motel/ conference facility Kennels and animal hospitals Light manufacturing Public utilities Senior housing Medical office Medical office complex
GC	Bed-and-breakfast/country inn Office Personal services Professional services Restaurant Theater/performing arts	Outside storage Private utilities	Public utilities Senior housing Medical office Medical office complex
SR6		Outside storage Private utilities	Hotel/motel/ conference facility Kennels and animal hospitals Large retail establishments Motor vehicle dealership Public utilities Senior housing Wood mill Shooting range Medical office Medical office complex
HC	Bed-and-breakfast/country inn Equestrian center General business Nursery Office	Outside storage Private utilities Residence	Adult uses, nightclubs, pawnshops, pool or billiard halls, and tattoo parlors Car wash Hotel/motel/ conference facility Kennels and animal hospitals

	Personal services Professional services Restaurant Restaurant, fast casual Recreation Theater/performing arts		Large retail establishments Motor vehicle service stations Public utilities Senior housing Shooting range Restaurant, fast food Self-storage Medical office Medical office complex Extended hours medical office
SR22		Private utilities Residence	Large retail establishments Recreation Senior housing Shooting range Live/work Restaurant, fast food Self-storage Motor vehicle dealership Medical office Medical office complex
RC-2	Craft workshop General business Nursery Office Restaurant Recreation Single-family residential	Outside storage Private utilities Restaurant Retail Personal services Professional services	Cemetery Hotel/motel/ conference facility Kennels and animal hospitals Public utilities Senior housing Research labs Wood mill Medical office
RC	Craft workshop Nursery Office Restaurant Recreation Kennel (see Note T) Single-family residential	Outside storage Private utilities Restaurant Retail Personal services Professional services	Cemetery Hotel/motel/ conference facility Kennels and animal hospitals Public utilities Senior housing Research labs Wood mill Shooting range Medical office
GC-2	Bed-and-breakfast/country inn Office Personal services Professional services Single-family residential	Outside storage Private utilities	Public utilities Senior housing Medical office Medical office complex

(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 SOUTHEAST was duly passed by the TOWN BOARD on March 21, 2024, in accordance with the applicable 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) (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 \_\_\_\_\_ above.

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

Date: 3/22/2024

(Seal)