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STATE RECORDS

NOV 18 2021

LOCAL LAW NO. 5 OF THE YEAR 2021
DEPARTMENT OF STATE
OF THE TOWN OF WHITESTOWN

A Local Law amending "The Town of Whitestown Zoning Ordinance of 1980" at Chapter 200 of the Code of the Town of Whitestown (Local Law No. 1 of 1981).

BE IT ENACTED BY THE TOWN BOARD OF THE
TOWN OF WHITESTOWN, NEW YORK, AS FOLLOWS:

SECTION 1: PURPOSE

In accordance with Section 200-3 of the Code of the Town of Whitestown, and the pertinent provisions of the Municipal Home Rule Law and Section 265 of the Town Law, the Town Board desires to amend "The Town of Whitestown Zoning Ordinance of 1980" to address the following issues:

- (a) The failure of the Town's Zoning Ordinance to reference religious uses; and
- (b) To clarify the requirements for residential uses within an R-80 Zoning District to which water service cannot be provided by reason of their elevation or otherwise.

SECTION 2: RELIGIOUS USES

Section 200 of the Code of the Town of Whitestown entitled "The Town of Whitestown Zoning Ordinance of 1980" is hereby amended so as to include as a permitted Site Plan Review Use churches, synagogues and other houses of worship in the C-1 Neighborhood Commercial District (Section 200-12(A)), the C-2 Office Commercial District (section 200-13 (A)), the C-4 Commercial District (Section 200-15(A)) and the M-1 Manufacturing District (section 200-16 (A)).

SECTION 3: R-80 Residential Requirements

Section 200 of the Code of the Town of Whitestown entitled "Town of Whitestown Zoning Ordinance of 1980 is hereby amended at Section 200-10 entitled "R-80 Residence District" at

subsection "A. Permitted principal uses", so as to amend and otherwise modify subsection "(2)" to read as follows:

- (2) One-family dwelling, permitted only with public sewer and water, unless:
- (a) sewer services are available, and
 - (b) the lot size meets the minimum size requirements of a parcel in an R-100 Residence District; and
 - (c) water service is not available based on the standards established by the Mohawk Valley Water Authority.

SECTION 4. SITE PLAN USE NOT NEEDED FOR CHANGE IN TENANCIES.

The following sections of chapter 200 of the Code of the Town of Whitestown are hereby amended to remove the necessity of site plan review for changes in tenancies only; the words "or tenant" are hereby deleted from the following sections: The R-200 Residence (§200-8 (B) (12)), the R-100 Residence District (§200-9(B) (8)), the R-80 Residence District (§200-10(B) (6)), the C-1 Neighborhood Commercial District (§200-12(A) (13)), the C-2 Office Commercial, District (§200-13(A) (10)), the C-3 Retail Commercial, District (§200-14(A) (18)), the C-4 Commercial, District (§200-15(A) (16)), the M-1 Manufacturing, District §200-16(A) (7)), the Environmentally Limited Manufacturing District (§200-17 (A) (6)), the Airport District (§200-19(A) (9)), and the Floodplain District (§200-20(B)(3)).

SECTION 5. Effective Date.

This Local Law shall take effect upon filing in the office of the Secretary of State in accordance with section 27 of the Municipal Home Rule Law and after publication of notice of the adoption of the amendments pursuant to section 265 of the Town Law.

Dated: October 6, 2021

Whitestown, New York