

Attorney

William M. Yarbrough III

&

Patricia A. Yarbrough



Village of Penn Yan

Village Board

113 Elm Street

Penn Yan, NY 14527

Subject: Overlay Districts

Dear Board Members,

My wife and I are writing to express our opinion concerning the Overlay District/Zoning on Lake Street in the Village of Penn Yan. We believe the Overlay should be removed and the commercial zoning or general commercial zoning should remain in place.

Lake Street is the gateway to the village center and a commercial use and tax generator would be a much better option than residential housing. Traffic patterns, green space and other factors do not seem to line up as true attributes to residential living. Our understanding is the area has been commercial for some time and it would be best if it retained its commercial status. As growth in residential housing is truly important to the Village and Towns, more appropriate, less trafficked, and quieter settings that would keep in-tune with the village and town character, we believe, makes more sense for a real sustained growth and development.

Lake Street should remain commercial and have no Overlay District

Sincerely,

William M. Yarbrough III
Patricia A. Yarbrough

Village of Penn Yan Zoning Map

Legend

Penn Yan Municipal Boundary

Penn Yan Historic Zone

Parcels

Penn Yan Overlay Zones

SLS-South Side of Lake Street

LSC-Lake Street Corridor

WLS-Waterfront Side of Lake Street

WSC-Water Street Corridor

Penn Yan Base Zones

R2-General Residential

GC-General Commercial

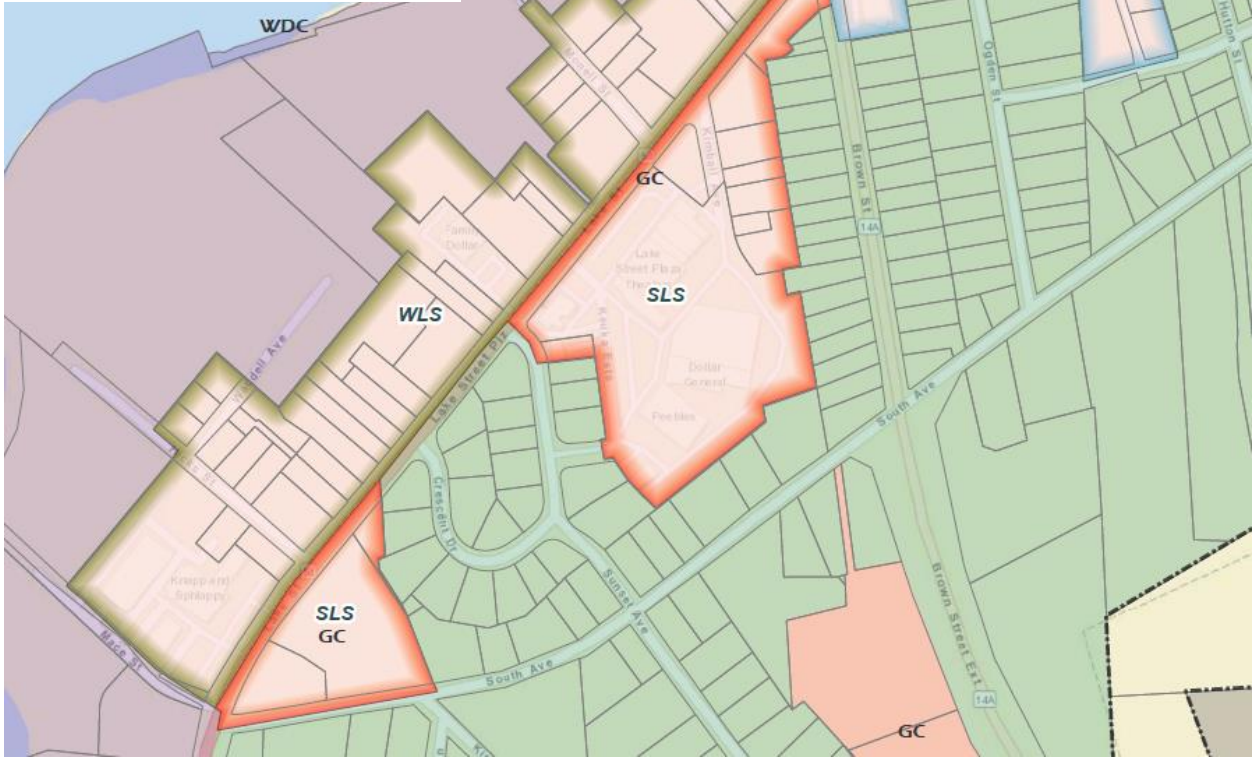
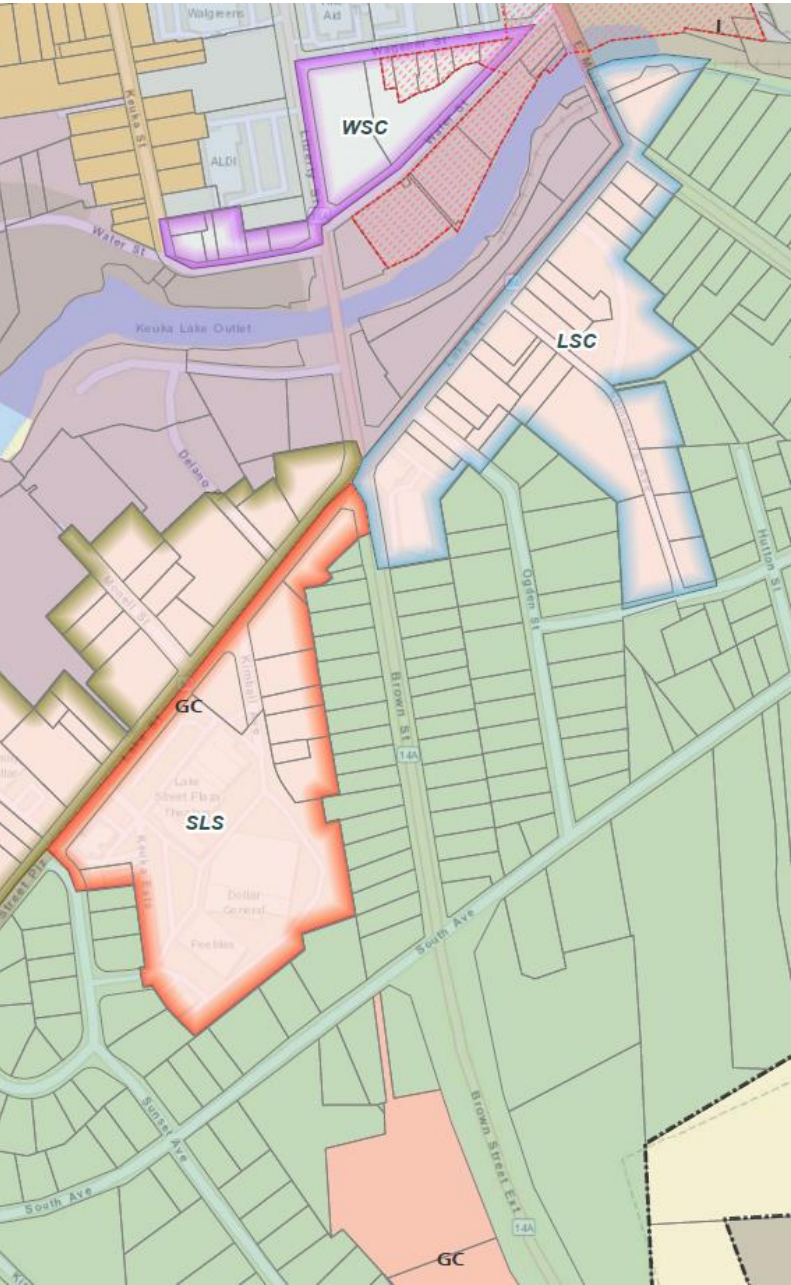
I-Industrial

R1-Single Family Residential

WDC-Waterfront Development & Conservation

RT-Residential Transition

VC-Village Center



Proposed 10/01/2023

Local Law Filing
STATE

NEW YORK STATE DEPARTMENT OF

162 WASHINGTON AVENUE, ALBANY, NY 12231

(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.

Proposed Local Law S of 2023 Amending Zoning Chapter of the Code of the Village of Penn Yan.

Be it enacted by the Board of Trustees of the Village of Penn Yan, in the County of Yates, as follows:

SECTION 1. SHORT TITLE

This Local Law shall be known as the “Zoning Use Districts Amendment Local Law of 2023.”

SECTION 2. LEGISLATIVE INTENT

This Local Law amends the Zoning Use Districts set out in the Zoning Chapter by repealing the Overlay Districts and assigning Use Districts to the territory which was formerly part of those Overlay Districts.

SECTION 3. LEGISLATIVE AUTHORITY

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law (MHRL) of the State of New York and Article 7 of the Village Law of the State of New York with the procedural provision of the MHRL controlling.

SECTIONS 4. PROVISIONS

I. § 202-15.1., “Water Street Corridor Overlay District (WSC)”, is hereby repealed.

II. § 202-16.1., “Lake Street Corridor Overlay District (LSC)”, is hereby repealed.

III. The Zoning Map of the Village of Penn Yan is hereby amended to include the property parcels on the southeasterly side of Lake street from Brown Street northeasterly to East Main Street, plus the property parcel on the east side of East Main Street presently occupied by the NAPA store, which were all part of the “Lake Street Corridor Overlay District (LSC)”, now repealed, as “Residential Transitional (RT)” administered pursuant to the content of Section 202-14. of the “Zoning” Chapter.

IV. The Zoning Map of the Village of Penn Yan is hereby amended to include all property parcels fronting on Odgen Street from the southerly boundary lines of the property parcels along Lake Street to Henry Street, which were part of the “Lake Street Corridor Overlay District (LS)”

now repealed, as “Single Family Residential (R-1) administered pursuant to the content of Section 202-12 of the “Zoning” Chapter.

V. § 202-16.2., “Waterfront Side of Lake Street Overlay District (WLS)”, is hereby repealed.

VI. The Zoning Map of the Village of Penn Yan is hereby amended to include the entire area of the “Waterfront Side of Lake Street Overlay District (WLS)”, which is now repealed, as Residential Transitional (RT) administered pursuant to the content to Section 202-14 of the Zoning Chapter.

VII. § 202-16.3., “South Side of Lake Street Overlay District (SLS)”, is hereby repealed.

VIII. The following section is added numerically to Article IV, “Use Districts”, of Chapter 202 , “Zoning”, of the Code of the Village of Penn Yan.

§ 202-16.1. Light Commercial (LC) District.

- A. Intent. The intent of this District is to provide areas in the Village which are appropriate for uses which provide retail and personal services which, by the nature of the business or service are compatible with residential properties in the area. Uses that produce unreasonable volumes of fumes, noise or waste products are prohibited from this District.
- B. Permitted Uses. Permitted uses in this District are as specified in Section 202-19., “Use Regulation Table”, of this Chapter.
- C. Dimensional and density requirements applicable to this District are as specified in Section 202-22. “Density Control Schedule”, of this Chapter.

VIIIA. Schedule “A” attached hereto and hereby made a part hereof shall be added to the Use Regulation Table as Column “LC – Limited Commercial” referenced in the Zoning Chapter of the Code of the Village of Penn Yan, pursuant to Section 202-19. “Use regulations Table.”

VIIIB. Schedule B attached hereto and made a part hereof shall be added to the “Density Control Schedule in “LC – Limited Commercial” referenced in the Zoning Chapter of the Village Code pursuant to Section 202-22. thereof as the “Density Control” Schedule.

IX. The zoning map of the Villag of Penn Yan is hereby amended to include the property parcels on the southeasterly side of Lake Street from Brown Street southwesterly to Sunset Drive, as well as the three property parcels presently commercial uses from South Avenue northeasterly approximately 375 feet, as a Light Commercial (LC) District.

X. The following section is added numerically to Article IV, “Use Districts”, of Chapter 202, “Zoning”, of the Code of the Village of Penn Yan:

§ 202-13.1. Planned Residential (PR) District. (content to follow)

XI. The following Section is added numerically to Article IV, “Use Districts”, of Chapter 202, Zoning” of the Code of the Village of Penn Yan:

§ 202-16.2. Planned Business (PB) District (content to follow)

XII. Article VI “Planned Residential District” including §§ 202-33; 202-34 and 202-35 of Chapter 202, “Zoning”, is hereby repealed. (now included in Article IV, 202-13.1. “Planned Residential District”.

XIII. Article VII “Planned Business District” (including § 202-36, 202-37; and 202-38.) of Chapter 202, “Zoning” is hereby repealed. (Now included in Article IV “Use Districts” as § 202-16.2. Planned Business (PB) District.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

(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)