

# *Village of Penn Yan*



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Trustee Danny Condella  
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*on Keuka Lake*

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## **NOTICE OF PUBLIC HEARING**

### **VILLAGE OF PENN YAN**

Proposed Local Law to Amend the "Use Regulations Table" of the Zoning Chapter of the Village Code.

Notice is hereby given that a Public Hearing by the Board of Trustees of the Village of Penn Yan, County of Yates, State of New York, will be held at the Village Hall, 111 Elm Street, Penn Yan, New York on the 18th day of January, 2022, at 6:00 p.m. upon the proposed Local Law.

The effect of this Local Law will be to amend the "Use Regulation Table" of the Zoning Chapter of the Village of Penn Yan, by adding uses for the four newest use districts.

The Village Hall is in compliance with accessibility standards of the Americans With Disabilities Act. Any person with a handicap wishing to attend and/or be heard at the public hearing should contact the Village Clerk's Office at least five (5) business days prior to the date of the public hearing to request any special needs.

All persons interested in this proposed Local Law will be heard by the Board of Trustees at the Public Hearing to be held as stated above. Copies of the proposed Local Law are available at the Office of the Clerk of the Village of Penn Yan, 111 Elm Street, Penn Yan, NY 14527 during regular business hours.

A copy of the proposed Local Law may also be examined on the Village website [www.villageofpennyan.com](http://www.villageofpennyan.com).

Gary Meeks, Village Clerk/Treasurer  
Village of Penn Yan

Modified 02/03/2020

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
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 BB of 2021 To Amend the “Use Regulations Table” of the Zoning Chapter 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 “2022 Amendment to “The Use Regulations Table of the Zoning Chapter of the Village Code .”

### **SECTION 2. LEGISLATIVE FINDINGS AND INTENT**

It is determined that the following use district regulations have been adopted and codified, however, the “Use Regulations Table” of the Zoning Chapter of the Village Code has not been amended to include these districts:

1. The “Water Street Corridor Overlay District (WSC)”;
2. The “Lake Street Corridor Overlay District (LSC)”;
3. The “South side of Lake Street Overlay District (SLS)”;
4. The “Waterfront side of Lake Street Overlay District (WLS)”.

It is intended by this Local Law to amend the “Use Regulations Table” of the Zoning Chapter to include these use districts, as well as their permitted and special use designations.

### **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 with the procedural provisions of the MHRL controlling.

**SECTION 4. PROVISIONS**

**The “Use Regulation Tables”, which is “Attachment 1” of Chapter 202. “Zoning” of the Village Code, is amended to provide as set out in “Addendum A” attached hereto and hereby made a part hereof.**

**SECTION 5. SEVERABILITY.**

In the event that a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**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)

**I hereby certify that the local law annexed hereto, designated as Local Law No of the year 2022. was duly passed by the Board of Trustees of the Village of Penn Yan on , in accordance with the applicable provisions of law.**

**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 1 above.**

\_\_\_\_\_  
Gary Meeks, Clerk/Treasurer

(SEAL)

Date:

## Village of Penn Yan Use Regulation Table Chapter 202, Zoning

Key to Abbreviations:  
 P = Permitted  
 S = Special use permit required  
 No Letter = Not permitted

**Districts:**

Abbreviation	District Name	Abbreviation	District Name
R-1	Single-family residential	PR	Planned Residential
R-2	General Residential	PB	Planned Business
RT	Residential Transition	WSC	Water Street Corridor (Overlay District)
VC	Village Center	LSC	Lake Street Corridor (Overlay District)
GC	General Commercial	WLS	Waterfront Side of Lake Street (Overlay District)
WDC	Waterfront Development and Conservation	SLS	South Side of Lake Street (Overlay District)
I	Industrial		

*Water St  
Lake St  
Waterfront Side of Lake St  
South Side of Lake St*

Type of Use	District												
	R-1	R-2	RT	VC	GC	WDC	I	PR	PB	WSC	LSC	WLS	SLS
<b>Residential uses</b>													
Clustered project		P	P	P	P	P		P			P	P	P
Detached 1-family dwelling	P	P	P			P		P					
Semi-detached 1-family dwellings	P	P	P			P		P					
2-family dwelling		P	P			P		P					
Multifamily dwelling		P	P	P	P	P		P			P		
Bed-and-breakfast	P	P	P	P	P	P		P			P	P	
Inn			P	P		P					P	P	P
Boardinghouse			P	P									
Dwelling unit above first floor business			P	P	P	P				P	P	P	P
Townhouse		P	P	P		P							
Senior citizen housing	P	P	P	P	P	P		P			P		
Manufactured home		S	S										
Manufactured home park		S											
<b>Resid. Accessory Uses</b>													
Accessory use and structure use customarily incident to any of the uses mentioned herein, and on the same lot – e.g., garages, garden sheds	P	P	P	P	P	P	P	P	P		P	P	P
Accessory use and structure use customarily incident to any of the uses mentioned herein, and not on the same lot	P	P	P	P	P	P	P	P	P				

Type of Use	District											WLS	SLS	
	R-1	R-2	RT	VC	GC	WDC	I	PR	PB	WSC	LSC			
Antennas less than 3 feet in diameter	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Antennas more than 3 feet in diameter	P	P	P	P	P			P	P	P	P			
Home occupation	P	P	P		P	P							P	
Parking lot, private			P	P	P	S	P	P	P		P			
Solar collector or reflector	P	P	P	P	P	S	P	P	P	S	S	P		S
Wind energy/conversion system	P	P	P	P	P		P	P	P			P		P
<b>General uses</b>														
Cemetery	P	P					P							
Church or place of worship	P	P	P	P	P			P						
Cultural facility (library, museum, tourist attractions)	P	P	P	P	P	S		P	P		P	P		P
Day-care center	P	P	P	P	P	S		P	P		P			
Nursery School		P	P	P	P			P			P			
Government Uses	P	P	P	P	P				P		P			
Group home	P	P	P	P	P									
Hospital	P													
Nonprofit club, membership		P	P	P	P									
Nursing and convalescent home	P	P	P											
Private/Public Schools	P	P	P	P	P			P						
Public parks and recreational uses	P	P	P	P	P	P	P	P	P					
Public utilities or transportation uses			P	P	P	P	P		P	P	P	P	P	P
Veterinary hospital	P	P	P	P	P		P	P	P					
<b>Industrial Uses</b>														
Contractor yard (and equipment)							P							
Manufacture, fabrication, extraction, assembly and other handling of material, including offices and showrooms. Showrooms may be included as an accessory use to a primary manufacturing use provided that site plan requirements for off-street parking and signage are met					P	S	P		P	S	S	S		S
Research laboratories				P	P	S	P		P		P	P		P
Trucking terminals					P		P							
Warehousing and wholesale and retail distribution centers, including offices and showrooms				P	P		P		P					P
<b>Business uses</b>														
Adult use					S		S		S		S	S		S
Amusement game center				P	P	S				P	P	S		P

Type of Use	District										WSC	LSC	WLS	SLS
	R-1	R-2	RT	VC	GC	WDC	I	PR	PB					
Antique and craft shops				P	P	P	P				P	P	P	P
Art gallery				P	P	P					P	P	P	P
Artist Loft						S					S	S	S	S
Bank, financial institution and automatic teller machine (ATM)				P	P	P	P		P		P	P	P	P
Bar/nightclub				P	P	P	P				P	P	P	P
Barber and beauty shops			P	P	P	P					P	P	P	P
Bowling alley				P	P		P					P	P	P
Building supply									P <sup>1</sup>					
Business and electronic equipment repair service			P	P	P		P		P	P	P	P	P	P
Car wash				P	P		P						P	P
Commercial printing and photography									P					P
Drive-in uses				P	P		P						S	P
Dry-cleaning business				P	P		P							P
Funeral home	P	P	P	P	P									
Garage service/repair				P	P		P							
Gasoline filling station				P	P		P							
Gasoline/grocery service mart				P	P		P							
Grocery store			P		P				P <sup>1</sup>		S	S	S	P
General business office			P	P	P	P	P		P	P	P	P	S	P
Hotel and motel				P	P	P	P		P <sup>1</sup>		P	P	P	P
Newspaper and publishing facilities				P	P		P		P		P			P
Parking structure				P	P		P		P		P			P
Parking lot, commercial				P	P		P		P		P			P
Personal service establishment			P	P	P		P			P	P	P	S	P
Photographic processing and printing			P	P	P		P		P		P	P	P	P
Photographic studio			P	P	P	P				P	P	P		P
Professional offices			P	P	P	P			P	P	P	P	S	P
Professional office building; medical clinic				P	P	P			P	P			S	P
Repair shops, personal service				P	P		P			P	P	P	P	P
Restaurant, standard				P	P	P	P		P <sup>1</sup>	P	P	P	P	P
Retail businesses and other commercial uses other than listed above.				P	P	S	P			S	S	S	S	S
Self-service laundry				P	P		P				P			P
Sport facility					P		P							
Theater				P	P		P				P			P
Vehicle sales (automobile, boat, recreational) and/or repair				P	P	S	P							S