

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, 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.

~~COUNTY~~

City

of Plattsburgh

~~Town~~

~~Village~~

Local Law No. 8 of the year 2007

A local law AMENDING THE ZONING DISTRICT DESIGNATION OF LANDS ZONED R-1 TO B-2
(Insert Title)

Be it enacted by the Common Council of the
(Name of Legislative Body)

~~COUNTY~~

City

of Plattsburgh

~~Town~~

~~Village~~

as follows:

1. The Common Council makes the following findings with respect to the proposed re-zoned lands:
 - a. The land is part of a 3.16 acre lot identified as tax map lot no. 207.17-2-19 which is currently improved and used for a commercial use, to wit the WIRY radio station.
 - b. Part of the land is requested to be re-zoned B-2 to permit commercial development.
 - c. Part of the land, with frontage on Haley Drive, will remain in an R-1 zoning district.
 - d. The re-zoned B-2 land is and will remain separated from existing residential development on the west by a 75 foot wide parcel of land owned by the City of Plattsburgh, and on the south by 150 foot deep strip of currently undeveloped land that will remain within the R-1 zoning district, and Haley Drive. The adjoining land to the East is improved with a commercial building and parking area for a place of worship. The adjoining land to the North is zoned B-2 and improved with commercial uses.
 - e. The B-2 zoning district boundary of the lot will be set back from Haley Drive 150+/- feet.

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

2. The Zoning District designation tax map lot no. 207.17-2-19 is hereby changed as follows:
 - a. The zoning classification of said lot or parcel is amended with reference to a Zoning District Line which is described as follows: The Commencing at the south easterly corner of the said tax map lot, being the same premises described in a deed to Hometown Radio Inc. recorded in book 939 of Deeds at page 21, thence proceeding N 05° 22' 09"E a distance of 150 feet to a point which is the place of beginning of the Zoning District Line, thence turning N 83° 22' 06'W and proceeding a distance of 395.53 feet to a point which is the terminus of the Zoning District Line.
 - b. That part of said parcel lying northerly of the said Zoning District Line is hereby zoned B-2.
 - c. That part of said parcel lying southerly of the said Zoning District Line shall remain in its present zoning classification which is confirmed as an R-1 zoning district.
3. The official zoning map of the City of Plattsburgh is ordered to be amended to reflect the aforesaid change in zoning designation.
4. This local law shall become effective immediately upon approval by the Mayor and filing with the Secretary of State.

(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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, 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. _____ 8 _____ of 20____ 07 of the (County)(City)(Town)(Village) of _____ Plattsburgh _____ was duly passed by the _____ Common Council _____ on 9 August 20 07, and was (approved)(~~not approved~~)(~~repassed after~~ ~~disapproval~~) by the _____ Mayor _____ and was deemed duly adopted on 22 August 20 07, _____ *(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 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 *(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 _____ 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 *(Elective Chief Executive Officer*)* 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.

Keith A. Herkalo

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body Keith A. Herkalo

(Seal)

Date: 22 August 2007

(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 Clinton

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 *John E. Clute*
John E. Clute

Corporation Counsel
Title

~~County~~
City of Plattsburgh
~~Town~~
~~Village~~

Date: 22 August 2007