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New York State
Department of State
**DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE**
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

_____ of the year 2025

Local Law Title: **A local law to Amend the Zoning Law of the Town of Richmond**

Be it enacted by the **Town Board** of the
(Name of Legislative Body)

 County City **X** Town Village

of **Richmond** as follows on the
attached pages:

For Office Use Only

Department of State Local Law Index Number: _____ **of the year 20** _____

(The local law number assigned by the Department of State for Indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Section 1: Authority

The adoption of this Local Law is in accordance with Section 10 of New York's Municipal Home Rule Law and §265 of the New York State Town Law.

Section 2: Section 200-7 of the Zoning Law of the Town of Richmond is hereby amended with the insertion of the following new definitions to read as follows and to be inserted alphabetically:

AGRICULTURAL BUILDING - A structure, including barns, sheds, poultry houses and other buildings, which:

- A. is designed, constructed and used directly and solely for agricultural purposes, including the storage of farm equipment, farm implements, poultry, livestock, hay, grain, or other horticultural products; and
- B. is not a place of human habitation; and
- C. is not a place of employment; and
- D. is not a place where agricultural products are processed, treated or packaged; and
- E. is not a place used by the public; and
- F. is located on a parcel that is in a Town Ag District; and
- G. is located on a parcel that is 7 or more acres that produces agricultural products with gross sales of at least \$10,000 in its first or second year or is located on a parcel that is used in conjunction with other qualifying land that together totals 7 or more acres with such total acreage producing agricultural products with gross sales of at least \$10,000 in its first or second year.

BASE FLOOD — The flood event having a one-percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) — The elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, AR/AO, V1–V30 and VE.

FULL PERIMETER FOUNDATION - Solid supporting walls that run along the entire perimeter of the ground floor extending to a frost-free footing.

MANUFACTURED HOME - Has the same meaning as "Dwelling, Manufactured".

MODULAR HOME - A single-family dwelling or two-family dwelling composed of two or

more components, each of which was substantially assembled in a manufacturing plant, and which, when combined on a foundation, constitute a dwelling meeting the standards set forth in Part 1211 of the New York State Uniform Fire Prevention and Building Code.

Section 3: Section 200-7 of the Zoning Law of the Town of Richmond is hereby amended by repealing the definitions of “Camping Ground”, “Dwelling, Manufactured”, “Floodway”, “Mobile Home” and “Roadside Stand” and replacing each of them with the following definitions:

CAMPING GROUND or CAMPGROUNDS — A parcel of land used or intended to be used, let or rented for temporary transient, vacation, recreational occupancy by travel trailers, campers, tents, recreational vehicles, motor homes and the motor vehicles propelling or carrying the same. "Temporary" shall mean located in the camping ground no longer than three months.

DWELLING, MANUFACTURED - A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), Manufactured Home Construction and Safety Standards, 24 CFR Part 3280, 4/1/93, transportable in one or more sections which in the traveling mode is 8 body feet (2438 body mm) or more in width or 40 feet (12 192 body mm) or more in length, or, where erected on site, is 320 square feet (30 m2) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation where connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; The term “Manufactured home” shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction and Safety Act of 1974, as amended. The term “Manufactured home” shall not include any self-propelled recreational vehicle.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations.

MOBILE HOME - Has the same meaning as "Dwelling, Manufactured".

ROADSIDE STAND - A stall or booth for business which shall be limited to the sale of agricultural products and incidental gift items.

Section 4: Subsection (8) of Paragraph B. (Permitted principal uses) of § 200-12 (A Residential/Agricultural District) of the Zoning Law of the Town of Richmond is hereby repealed and a new Subsection (8) is inserted in its place to read as follows:

(8) Mobile homes on individual lots as temporary dwellings while permanent structures are being built that have received a renewable permit pursuant to E. (4) of this section and that remain in compliance with E. (4).

Section 5: Subsection (9) of Paragraph B. (Permitted principal uses) of § 200-12 (A Residential/Agricultural District) of the Zoning Law of the Town of Richmond is hereby repealed and a new Subsection (9) is inserted in its place to read as follows:

(9) Premanufactured modular homes and mobile homes with full perimeter frost-free foundations.

Section 6: Subsection (2) of Paragraph C. (Permitted accessory uses) of § 200-12 (A Residential/Agricultural District) of the Zoning Law of the Town of Richmond is hereby repealed and a new Subsection (2) is inserted in its place to read as follows:

(2) Customary accessory structures, provided that they are located to the rear of the principal structure, have a minimum rear setback of five feet and have a maximum floor area of 1200 square feet.

Section 7: Subsection (8) of Paragraph C. (Permitted accessory uses) of § 200-12 (A Residential/Agricultural District) of the Zoning Law of the Town of Richmond is hereby repealed in its entirety.

Section 8: Paragraph D. (Special permit uses) of § 200-12 (A Residential/Agricultural District) of the Zoning Law of the Town of Richmond is hereby amended with the insertion of new subsections (12), (13) and (14) to read as follows:

(12) Mobile home as an accessory use by immediate family member or farm employee, with only one such mobile home permitted per lot, that is temporary and will be removed prior to the property being sold, that meets all density standards, that has obtained site plan approval pursuant to this Chapter, that is located on the lot in an appropriate place, given topographical situation, soils, proximity to other buildings and location of water and septic system, that shares the septic system of the principal building on the same lot, that has received a letter from an engineer stating it is correctly sized and designed and that has separate off-street parking that complies with this Chapter.

(13) Event centers.

(14) Campgrounds.

Section 9: Subsection (5) of Paragraph B. (Permitted principal uses) of § 200-13 (B Residential District) of the Zoning Law of the Town of Richmond is hereby repealed and a new Subsection (5) is inserted in its place to read as follows:

- (5) Premanufactured modular homes and mobile homes with full perimeter frost-free foundations.

Section 10: Subsections (5), (6) and (7) of paragraph B (Permitted principal uses) of Section 200-14 (C Residential/Recreational District) of the Zoning Law of the Town of Richmond are hereby repealed and new paragraphs (5) and (6) are hereby adopted to read as follows.

- (5) Mobile homes on individual lots as temporary dwellings while permanent structures are being built that have received a renewable permit in accordance with § 200-12 E. (4) and that remain in compliance with § 200-12 E. (4).
- (6) Premanufactured modular homes or mobile homes with full perimeter frost-free foundations.

Section 11: Subsection (6) of paragraph C (Permitted accessory uses) of Section 200-14 (C Residential/Recreational District) of the Zoning Law of the Town of Richmond is hereby repealed and a new paragraph (6) is hereby inserted in its place to read as follows.

- (6) Roadside stands.

Section 12: Paragraph D. (Special permit uses) of § 200-14 (C Residential/Recreational District) of the Zoning Law of the Town of Richmond is hereby amended with the insertion of new subsection (8) to read as follows:

- (8) Mobile home as an accessory use by immediate family member or farm employee, with only one such mobile home permitted per lot, that is temporary and will be removed prior to the property being sold, that meets all density standards, that has obtained site plan approval pursuant to this Chapter, that is located on the lot in an appropriate place, given topographical situation, soils, proximity to other buildings and location of water and septic system, that shares the septic system of the principal building on the same lot, that has received a letter from an engineer stating it is correctly sized and designed and that has separate off-street parking that complies with this Chapter.

Section 13: Subsection (4) of Paragraph B. (Permitted principal uses) of § 200-15 (D Residential/Lakeside District) of the Zoning Law of the Town of Richmond is hereby repealed and a new Subsection (4) is inserted in its place to read as follows:

- (4) Premanufactured modular homes and mobile homes with full perimeter frost-free foundations.

Section 14: Paragraph B. (Flag lots) of § 200-20 (Lot area) of the Zoning Law of the Town of Richmond is hereby repealed and a new paragraph B is inserted in its place to read as follows:

- B. Flag lots. The two-hundred-foot minimum lot width is considered to be the distance between side lot lines measured along the front building line of the lot.

The fifty-foot minimum road frontage permits flag-type lots. Adequate emergency vehicle access must be provided prior to the issuance of any building permit. This lot design and the low-density character are necessary to preserve the scenic beauty of the area and to ensure that the natural resources of a district are utilized in the public interest.

Section 15: Paragraphs J and L of § 200-69 (Site development plan review, pre-application meeting, and application completeness) of the Zoning Law of the Town of Richmond are hereby repealed and new paragraphs J and L are inserted in their place to read as follows:

J. Preliminary site plan.

(1) Application for preliminary site plan approval. An application for preliminary site plan approval shall be made in writing to the Code Enforcement Officer and shall be accompanied by information drawn from the following checklist, as determined necessary by the Code Enforcement Officer at the sketch plan conference. All site plan information and building designs shall be prepared by a licensed architect or engineer.

(2) Preliminary site plan checklist. The preliminary site plan shall include:

[a] Title of drawing, including name and address of applicant and person responsible for preparation of such drawing along with the signature and stamp of the licensed architect or engineer who prepared the site plan.

[b] North arrow, graphic scale and date.

[c] Boundaries of the property, plotted to scale.

[d] The location of existing property lines, easements, structures, streets, driveways and natural features within 200 feet of the proposed site or at the discretion of the Building and Zoning Department. Natural features shall include but are not limited to those features designated as conservation areas or subject to other state or federal regulations which may restrict development.

[e] Grading and drainage plan showing existing and proposed contours. The drainage plan shall also clearly explain the methodology used to project stormwater quantities and the resultant peak flow conditions.

[f] Location, proposed use, hours of operation and height of all buildings. Summary of the amount of square footage devoted to each use requiring off-street parking or loading.

[g] Number, location, design and construction materials of all parking and loading areas, showing access and egress. Location of reserved parking areas as required by the off-street parking regulations of §200-22.

[h] Provision for pedestrian access.

[i] Size, type, location and screening of all facilities used for recycling and disposal of solid waste.

[j] Location, dimensions and vehicle capacity of drive-in facilities and related queuing lanes.

[k] Building elevation(s) showing building massing, window and door spacing and treatments and other architectural features and indication of building materials suitable to evaluate architectural compatibility.

[l] Location, purpose and holder of all proposed easements or dedications for utilities, recreation, conservation or other purpose.

[m] Location, size, screening and type of material for any proposed outdoor storage.

[n] Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.

[o] Description of the type and quantity of sewage expected, the method of sewage disposal and the location, design and construction materials of such facilities.

[p] Description of the type and quantity of water supply needed, the method of securing water supply, and the location, design and construction materials of such facilities.

[q] Location of fire and other emergency zones, including the location of fire hydrants.

[r] Location, design and construction material of all energy-distribution facilities, including electrical, gas and wind power and solar energy and other public utility facilities, such as cable or phone service.

[s] Location, size, design and construction materials of all proposed signs.

[t] Location of proposed buffer areas, including existing vegetative

cover.

[u] Location, type, height, brightness and control of outdoor lighting facilities.

[v] Size, location and use of recreational areas for multifamily dwellings as required by §200-43.

[w] Identification of permanent open space or other amenity provided in conjunction with cluster or incentive zoning provisions.

[x] A table summarizing each building footprint, total size in square feet and number of stories; the number of dwelling units and the amount of square feet devoted to each use type; size, in square feet or acres, of access, parking and circulation areas, and the number of loading, queuing and parking spaces; size in square feet of landscaped and natural open space; and size in square feet and text of all signs.

[y] A landscaping plan and planting schedule.

[z] Other elements integral to the proposed development as considered necessary by the Planning Board, to include showing railroads or any other type of transportation facilities not specified.

[aa] All forms and information pursuant to the New York State Environmental Quality Review Act (SEQRA).

[bb] An agricultural data statement if the proposed use is located on or within 500 feet of a farm operation in a county agricultural district.

(3) Required fee. The fee will be established by the governing board and paid when the application is made.

(4) Planning Board review of preliminary site plan. The Planning Board's review of a preliminary site plan shall include, as appropriate, but is not limited to, general consideration as to the following.

[a] Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls for parking, loading and drive-in facilities. Conformance with access management standards, including but not limited to driveway spacing and provision of shared driveways and cross access easements.

[b] Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience. In general, sidewalks shall be

required along all dedicated roads on lots within 1,000 feet of a school, park or residential concentration.

[c] Location, arrangement, appearance and sufficiency of off-street parking and loading.

[d] Location, arrangement, size, design and general architectural and site compatibility of buildings, lighting, signs and landscaping.

[e] Adequacy of stormwater calculation methodology and stormwater and drainage facilities to eliminate off-site runoff and maintain water quality.

[f] Adequacy of water supply and sewage disposal facilities.

[g] Size, location, arrangement and use of required open space and adequacy of such open space to preserve scenic views and other natural features; to provide wildlife corridors and habitats; to provide suitable screening and buffering; and to provide required recreation areas.

[h] Suitability of proposed hours of operation.

[i] Protection of adjacent or neighboring properties against noise, glare, unsightliness or other similar nuisances.

[j] Adequacy of community services, including fire, ambulance and police protection, and on-site provisions for emergency services, including fire lanes and other emergency zones, fire hydrants and water pressure.

[k] Adequacy and unobtrusiveness of public utility distribution facilities, including those for gas, electricity, cable television and phone service. In general, all such utility distribution facilities shall be required to be located underground.

[l] Making provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary thereof.

[m] Conformance with the Town of Richmond Comprehensive Plan and other planning studies.

[n] Conformance with density, lot size, height, yard and lot coverage and all other requirements of district regulations.

(5) Applicant to attend Planning Board meeting. Applicant and/or duly authorized representative shall attend the meeting of the Planning Board.

(6) Consultant review. The Planning Board may consult with the Code Enforcement Officer, Fire Commissioners and other appropriate local and county officials and departments and its designated private consultants, in addition to representatives of federal and state agencies, including but not limited to the Natural Resources Conservation Service, the State Department of Transportation and the State Department of Environmental Conservation.

(7) Public hearing. The Planning Board may conduct a public hearing on the preliminary site plan. If a public hearing is considered desirable by a majority of the members of the Planning Board, such public hearing shall be conducted within 62 days of the receipt of the application for preliminary site plan approval and shall be advertised in a newspaper of general circulation in Livonia at least five days before the public hearing.

(8) Planning Board action on preliminary site plan.

[a] Within 62 days after public hearing or within 62 days after the application was filed if no hearing was held, the Planning Board shall act on the application for preliminary site plan approval. The Planning Board's action shall be in the form of a written statement to the applicant, stating whether or not the preliminary site plan is approved, disapproved or approved with modifications.

[b] The Planning Board's statement may include recommendations of desirable modifications to be incorporated in the final site plan, and conformance with said modifications shall be considered a condition of approval. If the preliminary site plan is disapproved, the Planning Board's statement will contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the site plan and resubmission to the Planning Board after it has been revised or redesigned.

L. Final site plan approval procedure.

(1) After receiving approval, with or without modifications, from the Planning Board on a preliminary site plan, the applicant shall submit a final detailed site plan to the Planning Board for approval. If more than six months has elapsed since the time of the Planning Board's action on the preliminary site plan and if the Planning Board finds that conditions have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary site plan for further review and possible revision prior to accepting the proposed final site plan for review. The Planning Board may also require a new public hearing. The final site plan shall conform substantially to the approved preliminary site plan. It should incorporate any modifications that may have been recommended by the Planning Board in its preliminary review. All such compliance shall be clearly indicated by the applicant on the appropriate submission.

(2) The following additional information shall accompany an application for final site plan approval:

[a] Record of application for and approval status of all necessary permits from local, state and county officials.

[b] Construction details and final material specifications for all required improvements.

[c] An estimated project construction schedule.

[d] A legal description of all areas proposed for municipal dedication.

[e] A conservation easement or other recordable instrument executed by the owner for any permanent open spaces created and whether such open space is the result of site plan review, clustering or incentive zoning provisions.

Section 15: Severability

If any clause, sentence, paragraph, section, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, 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 16: Effective Date

This local law shall take effect immediately upon 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 2025 of the **Town of Richmond** was duly passed by the Richmond Town Board on _____, 2025, 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 Officer¹.)**~~

~~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.~~

¹ 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 _____ 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 1, above.

Town Clerk

(Seal)

Date: _____