

NEW YORK STATE | Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

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

3 of the year 2026

Local Law Title: A Local Law Adding Planned Development District Regulations to the Town of Starkey Zoning Regulations.

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

 County City X Town Village

of Starkey 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.)

Addition to Definitions section:

Floating Zone — A floating zone district defines a use, such as an office complex, educational institution, research laboratory, or multifamily housing, that the community wants to encourage. The floating zone can be affixed to a qualifying parcel of land, either upon approval of the application of the parcel's owner or upon the initiative of the Town Board. Upon approval, the parcel is rezoned to reflect the new use and becomes its own zoning district; its development is governed by the use, dimensional and other provisions of the floating zone regulations. Floating zones are distinct from overlay zones because of several features, the most significant of which is that floating zones are not mapped until legally placed, while overlay zones are mapped. The substantive difference is that a floating zone replaces an underlying zoning district, while overlays work in tandem with existing underlying zoning districts.

6.40 PLANNED DEVELOPMENT DISTRICTS

6.41 FINDINGS

Upon due consideration, the Town of Starkey finds that the Town is in need of additional residential development, especially for low to moderate income residents.

- a. That the Town is also in need of additional commercial and light industrial uses within the Town.
- b. That contrary to the zoning assumptions of the mid-twentieth century, a mix of such uses is often beneficial.
- c. The Town of Starkey Comprehensive Plan calls for balancing the preservation of agricultural and conservation areas and the rural landscape while at the same time increasing economic development opportunities and providing housing for residents of various income levels and family sizes.
- d. The Town therefore finds that the possibility of Planned Development Districts allowing for mixed uses and for greater density in appropriate and limited areas can help to further all of the above by allowing for sufficient non-agricultural development while taking up minimal land area.
- e. The Town of Starkey therefore, in the interest of furthering all of the above, intends to create a floating zone allowing for "Planned Development District" areas.

6.42 STANDARDS

A Planned Development District created by the Town shall cover a specific area which the Town decides upon due consideration, and after a public hearing, is suitable for such a district, and for a specific application which has been brought to the Town Board for consideration. Such a zone shall meet the following criteria:

- a. It shall cover an area of no less than five (5) acres. All current landowners within the project area must be in agreement with the creation of the District.

b. No area zoned LC1 may be included in the area to be developed; though such land may be included within the District as setback areas and impervious coverage percentage, and if suitable recreational area, for the District as a whole.

c. The District shall be so designed as to not unreasonably burden, whether during or after construction, the Town's road and emergency systems; not to unduly infringe upon adjoining neighborhoods; and not to present a hazard to area watersheds, groundwater, watercourses, Seneca Lake, air quality, or any LC1 or otherwise identified environmentally sensitive area.

d. The development of the District shall meet pre-existing required setbacks from all adjacent public roads, watercourses, and Seneca Lake. Any roads to be built within or to the District shall meet Town requirements, but setbacks to roads within the District may be specific to the District.

e. Pedestrian access shall be provided throughout the development.

f. Access for emergency vehicles to all buildings shall be provided.

g. The District may contain a mix of residential, commercial, recreational, agricultural, and/or light industrial uses. It shall not contain any heavy industrial uses.

h. Short term residential rental units within the district would require a special use permit and are subject to any restrictions, which may include prohibition, placed on the original development application

i. If development within the District will exceed the average density allowed in the area before the District was created, the development must provide its own sewage systems and water supply, which must meet all legal requirements.

j. Impervious coverage and green space standards shall be considered in relation to the appropriateness of the application as a whole.

6.43 TOWN BOARD PROCEDURE

An applicant who wishes to build such a development shall first apply to the Starkey Town Board, providing names and contact information of all persons involved, description of the current state of the land to be within the District, preliminary site plans and description of the type of development, and such other information as may be required by the Town Board.

a. If the Board finds the application complete, the Board shall schedule a public hearing to be held according to usual Town procedure at their next regular meeting or on a date agreed on between the Board and the developers. If the Board requires additional information, they shall provide a clear list of such information in writing; and upon receipt of all such information shall discuss the application at their next regular meeting and so schedule a public hearing.

b. The Board shall vote upon the creation of the District within the allowable timeframe specified in General Municipal Law of the close of the public hearing. They may place reasonable conditions upon the District if they choose to create it. If the applicants possess additional adjacent land, or land separated only by a road or railroad, which is not to be included in the

District, the Town may at their discretion require conservation easements to be placed to keep all or a portion of such land undeveloped if the District's development is to exceed average density of its previous zoning. If the Town Board votes to create the District, the application then passes to the (Town) Planning Board.

6.44 PLANNING BOARD PROCEDURE

The Starkey Town Planning Board shall then hear the application as a Planned Area Development, following their ordinary procedure and criteria for Site Plan Review. They may place reasonable conditions upon the District, including but not limited to listing of uses requiring a special use permit but not in the original application.

- a. The Planning Board shall consider each application on a case-by-case basis considering all variables.
- b. If the Planning Board denies the permit, the District shall remain in place for two years, during which time that applicant or a different applicant may present to the Planning Board a significantly different application which may also suit the area. If no suitable application has been accepted by the Planning Board as complete for discussion within the two years, the District shall lapse and the area shall return to its previous zoning.
- c. If the Planning Board grants the permit, the applicant shall have two years from the date of application to obtain a building permit and begin construction. This time may be extended by one year at the discretion of the Planning Board. If construction has not begun within the time, the District shall lapse and the area shall return to its previous zoning.

(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. 3 of 20 26 of the (County)(City)(Town)(Village) of Starkey was duly passed by the

Town Board on May 14 20 26, in accordance with the applicable
(Name of Legislative Body)
provisions of law.

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. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) 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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

~~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) (Name of Legislative Body) (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.~~

* 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

5. ~~(City local law concerning Charter revision proposed by petition.)~~

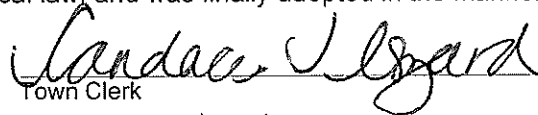
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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, 1 above.


Town Clerk

Date: 5/18/20

(Seal)

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PARALEGALS:
COURTNEY R. GRAFF
ROBYN L. HANNA

June 2, 2026

New York State Department of State
State Records Unit
1 Commerce Plaza
99 Washington Avenue
Albany, NY 12231

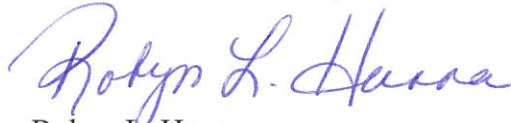
Re: **Town of Starkey**, Yates County, New York
**Local Law No. 3 of 2026: A Local Law Adding Planned Development District
Regulations to the Town of Starkey Zoning Regulations.**

To Whom It May Concern:

Enclosed please find the above-referenced original Local Law as enacted by the Town Board. Please provide us with a filing receipt as soon as this Local Law has been filed with the Secretary of State. Thank you.

Very truly yours,

GRAFF LAW OFFICE, PLLC



Robyn L. Hanna
Paralegal

rhanna@jeffgrafflaw.com

/rlh
w/encl.

xc: Candace J. Iszard, Town Clerk
Town of Starkey