

Summary of CODE UPDATE **RED #2**

ITEM #1 SEQR Type II Determination **Resolution Needed**

At its February 18,2020 meeting the Planning Board reviewed various Ordinance Updates to address inconsistencies within the Town code and issued a positive recommendation to the Town Board.

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the state Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE BE IT RESOLVED, that the Town of Pendleton hereby determines that the proposed updates to the Town Code is a Type II action in accordance with 6 NYCRR Section 617.5 (C) 33 and 26 which constitutes adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management; and is therefore not subject to review under 6 NYCRR part 617.

FURTHERMORE, BE IT RESOLVED It has been determined that the Administrative Town Code Updates, presently before the Town Board, are Type II actions and not subject to review under SEQR. That being the case there is also no requirement or necessity to hold a Public Hearing on those Administrative Town Code Updates.

ITEM #2 ORDINANCE UPDATE

247-37 Golf Courses

1. Repeal present Section 247-37 Golf Courses in its entirety. **Resolution Needed.**
2. Adopt new Section 247-37 Golf Courses in its entirety. **Resolution Needed**
3. Everywhere Special Exception or Special Exception Permit appeared has been replaced with Special Use and Special Use Permit to align with NYS Town Law. **Informational**
4. This will add Site Plan Review language required for all Special Use Applications to this section of Code and change approval authority from Town Board to Planning Board to comply with NYS Town Law. **Informational**

ITEM #3 **ORDINANCE UPDATE**

247-47 Bed-And-Breakfasts

1. Repeal present Chapter 104 Bed-And-Breakfast in its entirety. **Resolution Needed**
2. Adopt new Section 247-47 Bed-And-Breakfast in its entirety. **Resolution Needed**
3. Everywhere Special Exception or Special Exception Permit appeared has been replaced with Special Use and Special Use Permit to align with NYS Town Law. **Informational**
4. This will add Site Plan Review language required for all Special Use Applications to this section of Code and change approval authority from Town Board to Planning Board to comply with NYS Town Law. **Informational**
5. ADD APPROPRIATE B&B FEES TO CHAPTER 131 FEE SCHEDULE!!! **Resolution Needed (Resolved to add all Bed & Breakfast Fees as found in new § 247-47 to Chapter 131)**

ITEM #4 **ORDINANCE UPDATE**

247- 55 Oil and Gas Wells

1. ~~Adopt new Local Law to repeal Local Law No. 1-1996. **Resolution and Local Law Needed**~~
2. ~~Repeal Local Law No. 1-1996 with new Local Law. Resolution Needed~~

Above removed from list on 11/23/20 - DM

- 1.. Repeal present Section 247-55 Oil and Gas Wells in its entirety. **Resolution Needed**
2. Adopt new Section 247-55 Oil and Gas Wells. In its entirety. **Resolution Needed**
3. Everywhere Special Exception or Special Exception Permit appeared has been replaced with Special Use and Special Use Permit to align with NYS Town Law. **Informational**
4. This will add Site Plan Review language required for all Special Use Applications to this section of Code and change approval authority from Town Board to Planning Board to comply with NYS Town Law. **Informational**

ITEM #5 **ORDINANCE UPDATE**

247-56 Airports and Airstrips

1. Repeal present Section 247-56 Airports and Airstrips in its entirety. **Resolution Needed**
2. Adopt new Section 247-56 Airports and Airstrips in its entirety. **Resolution Needed**
3. Everywhere Special Exception or Special Exception Permit appeared has been replaced with Special Use and Special Use Permit to align with NYS Town Law. **Informational**
4. This will add Site Plan Review language required for all Special Use Applications to this section of Code and change approval authority from Town Board to Planning Board to comply with NYS Town Law. **Informational**

Current Town Code **Informational**

Section 247-37 Golf Course

Chapter 104 Bed-And-Breakfasts

Section 247- 55 Oil and Gas Wells

Section 247-56 Airports and Airstrips

Town Code After Updates Passed **Informational**

Section 247-37 Golf Courses

Section 247-47 Bed-And-Breakfasts

Section 247- 55 Oil and Gas Wells

Section 247-56 Airports and Airstrips