

Local Law Filing

(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 Town Village
(Select one.)

of YORK

Local Law No. 4 of the year 20 21

A local law to amend Article VI of the Zoning ordinance of the
(Insert Title)
Town of York to modify section 607-C, concerning
Drive-Thru facilities.

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

County City Town Village
(Select one.)

of YORK as follows:

"See attached sheets"

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

LOCAL LAW NO. 4 OF THE YEAR 2021
OF THE TOWN OF YORK

A local law to amend the Zoning Ordinance of the Town of York, Livingston County, New York to modify Article VI, Section 607. C.

Be it enacted by the Town Board of the Town of York as follows:

SECTION 1. TITLE AND SCOPE

This local law shall be known as “A LOCAL LAW TO AMEND ARTICLE VI OF THE ZONING ORDINANCE OF THE TOWN OF YORK, LIVINGSTON COUNTY, NEW YORK TO MODIFY SECTION 607. C. OF SUCH SECTION CONCERNING DRIVE-THRU FACILITIES.”

SECTION 2. PURPOSE.

A. Authority. This Local Law is adopted pursuant to the Town Law of the State of New York, Article 16, and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of York in a fashion that is not inconsistent with the Comprehensive Plan of the Town of York. This Local Law regulates the use of buildings and structures and the development and use of land within the Town of York.

B. To these ends, this local law and the Article that it amends is designed to:

1. Enhance and regulate the orderly growth, development and redevelopment of the Town in accordance with a well-considered plan so that the Town may realize its potential as a place to live and work, with the most beneficial and convenient relationships among the agricultural, commercial, industrial, and residential areas within the Town and with due consideration to the character of each district and its suitability for particular uses; and
2. Protect and manage the character of the Town.

SECTION 3. CHANGES TO SECTION 607. C. – DRIVE-THRU FACILITIES.

A. The current Section 607. C. of the Zoning Ordinance of the Town of York is hereby modified and amended to include new language as it relates to Drive-thru facilities that utilize audio/visual systems, which such section is hereby amended and shall read as follows:

“C. Drive-thru facilities with an amplified audio/visual system shall be setback a minimum of 30 feet from the property line. Drive-thru facilities with an amplified audio/visual system that are located on property contiguous to residential uses or contiguous to residential districts shall have a minimum setback of 50 feet from contiguous residential uses or contiguous residential districts and such drive-thru facilities shall include features such that the noise generated by the audio/visual system is adjustable to background noise levels. Additionally, the Planning Board, as part of the Site Plan review and approval process, may require other types of noise mitigation measures as it deems appropriate. These may include but are not limited to vegetative or other physical buffering or barriers, requiring the audio/visual system to be oriented in a certain direction so as to minimize impact, or setting a specific maximum output decibel level from the nearest residential use or residential district.”

B. The above amended language shall fully replace and supersede all prior adopted language relating to Article VI, Section 607. C. of the Zoning Ordinance of the Town of York.

SECTION 4. EFFECTIVE DATE.

This local law shall be effective thirty (30) days after its filing with the Office of the Secretary of State.