

# 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 Riverhead

FILED  
STATE RECORDS

DEC 14 2016

DEPARTMENT OF STATE

Local Law No. 36 of the year 2016

A local law To Amend Chapter 301 ENTITLED, "ZONING AND LAND DEVELOPMENT" OF THE  
(Insert Title)

CODE OF THE TOWN OF RIVERHEAD (Article I: Title, Purpose, Definitions and

Interpretation [Hospital] Article XLV: Supplementary Use Regulations.

Article LVI: Site Plan Review

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

County  City  Town  Village  
(Select one.)

of Riverhead as follows:

Adopts a Local Law to Amend Chapter 301 Entitled, "Zoning and Land Development" of the Code of the Town of Riverhead (Article I: Title, Purpose, Definitions and Interpretation [Hospital] (Article XLV: Supplementary Use Regulations. Article LVI: Site Plan Review)

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

(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. 36 of 2016 of the ~~(County)(City)(Town)(Village)~~ of Riverhead was duly passed by the Town Board on November 15 2016, 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. \_\_\_\_\_ 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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\_\_\_\_.  
*(Name of Legislative Body)*  
*(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) (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 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 1 above.

*Christine M. Skillewa*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: December 7, 2016

(Seal)



CHAPTER 301  
Zoning and Land Development  
**Part 1**  
**General Provisions**  
Article I  
**Title, Purpose, Definitions and Interpretation**

**§301-3. Definitions; word usage.**

**HOSPITAL** --- A facility licensed in accordance with Article 28 of the New York State Public Health Law and 10 N.Y.C.R.R. §700.2 (a) (1), (2), (3) and (5) of the New York State Hospital Code. A "Hospital" shall, at a minimum, include an emergency department, operating room, laboratory, radiology, inpatient beds and an organized department of medicine and department of surgery. No other facility as defined in any other section of 10 N.Y.C.R.R. §700.2 (a) of the New York State Hospital Code shall constitute a "Hospital."

Article LVI  
**Site Plan Review**

**§301-303. General requirements.**

- A. Authorization. The Town Board hereby authorizes the Planning Board pursuant to §274-a of the Town Law, to review and approve, approve with modifications, or disapprove site plans for the activities and land uses listed herein except for site plans for the following which shall be reviewed, approved, approved with modifications, or disapproved by the Town Board:
- (1) site plan petitions upon real property within urban renewal designated areas pursuant to Article 15 of the General Municipal Law;
  - (2) site plans that have already been referred to the Suffolk County Planning Commission pursuant to General Municipal Law §239-m as of the date of adoption of this subsection;
  - (3) site plan applications for properties located within the Hospital (H) Zoning Use District.

To the extent the Town Board continues as the agency reviewing site plans pursuant to this article, references to the "Planning Board" in connection with site plan reviews shall be interpreted to mean the "Town Board".

**Article XLV**  
**Part 3**  
**Supplementary Use Regulations.**

**§301-225. Municipal buildings, public utility buildings and structures.**

A. Municipal buildings shall be permitted in all districts, provided that such buildings shall conform to all other provisions of this chapter for the district in which located.

B. Public utility buildings and structures shall be permitted in all districts when approved by special permit of the Town Board upon a finding by the Board that adequate buffers exist to minimize impacts upon adjacent parcels and taking into account, among other things, the existing and permitted uses in the surrounding community. Commercial solar energy production systems shall not be permitted in any district except those districts as provided in Article LII of this chapter.

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Article LVI  
Part 4  
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