

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 Great Valley

FILED
STATE RECORDS

DEC 31 2021

DEPARTMENT OF STATE

Local Law No. 3 of the year 20 21

A local law Amending Zoning Law to add provisions for Event Centers
(Insert Title)

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

County City Town Village
(Select one.)

of Great Valley

as follows:

See attached

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

Amendments to Article 2: Definitions

Event Center: An occasional-use venue having one or more buildings and/or outdoor spaces which are utilized to host private events, such as but not limited to weddings, private parties, banquets, one-off promotional events (exclusive of alcohol tasting events) that are not repeated, not open to the general public or require admission. Event Centers may be accessory uses to existing principal residential or agricultural properties. Event Centers do not include restaurants, inns, bars, or taverns, fraternal organizations, or club houses.

Amendments Article 3: Districts and Regulations – Table 3-1: Land Use Table

To be added under the existing “Commercial” heading:

<u>Use</u>	<u>AR</u>	<u>HRC</u>	<u>C-I</u>	<u>RR</u>	<u>HD</u>
Commercial					
Event Center, Banquet Hall, Wedding Venue	SP	SP	SP	NP	NP

Amendments Article 4: Supplementary Regulations

Section 4.16 Event Center

A. Purpose and Intent.

Where permitted in Article 3 of this Zoning Law, an Event Center business (wedding venues, banquet halls) shall conform to all the requirements of this section, and any other applicable regulations of this Law. Activities that conform to the requirements for Event Centers shall be allowed by Special Use Permit. Pursuant to Cattaraugus County’s Right-to-Farm Law, these standards shall not apply to agricultural operations on the same property. Event Centers may be the principal use or an accessory use on the property where they are located. Event Centers are operated occasionally on pre-arranged dates and times, and are not open for business to the general public or have regular hours.

In order to protect the health, safety, and welfare of the residents of the Town of Great Valley, operation of any Event Center shall be conducted in such a manner so as to not create any dangerous, injurious, noxious, or otherwise objectionable effect to the community or immediate neighbors. In this regard, Event Centers shall conform to the standards in this Section. Failure to continue to conform to these standards as well as the performance standards in Section 4.1 may result in the revocation of the Special Use Permit.

B. Approval Authority.

The Town of Great Valley Planning Board is hereby authorized to review and approve or approve with modifications or disapprove Special Use Permits and Site Plans for Event Centers under Article 8 and Article 9 of this Zoning Law. A Special Use Permit is required for the property owner and operator, which will regulate future events. Individual Special Use Permits are not required per event.

C. Dimensional Standards for Event Centers.

- (1) The minimum lot size for an Event Center shall be 4 acres in the AR District and 2 acres in the HCR or C-1 District.
- (2) The minimum front yard, side yard and rear yard setbacks for Event Center (buildings, outdoor structures, tents, and parking) shall be a minimum of 60 feet, measured to the right-of-way or property lines.
- (3) No building or parking area associated with the Event Center shall be located closer than 150 feet to any neighboring residence.
- (4) Setbacks for pre-existing non-conforming buildings shall be evaluated as part of the Site Plan Review process. However, expansion or extension of pre-existing non-conforming buildings to accommodate the Special Use Permit for an Event Center shall only be allowed as authorized by Section 5.7 and with an area variance by the Zoning Board of Appeals in accordance with Section 7.3.B.
- (5) Temporary tents may be allowed for the utilization by Event Centers provided they meet the applicable standards in the 2020 Building Code of New York State, as supplemented or replaced and obtain a building permit from the Town Code Enforcement Officer. Utilization of temporary tents, pergolas, gazebos, and other similar structures for outdoor activities associated with Event Centers shall be ancillary and supplemental to a primary venue on site, such as a house or barn. The use and location of temporary tents, pergolas, gazebos, and other similar structures shall be reviewed as part of the Special Use Permit and Site Plan Review for their potential effects related to music, lighting, noise in general noise.

D. Guests.

- (1) Event Centers shall be limited to events, weddings, parties of a maximum of 300 guests on site at a time.
- (2) If the renovations to an existing structure trigger a change in occupancy in order to establish the Event Center, renovations of agricultural buildings shall meet the applicable standards in terms of occupant load, floor area allowances and means of egress as required by the 2020 Building Code of New York State, as supplemented or replaced.

E. Frequency and Hours of Operation.

- (1) There shall be no more than two events per weekend defined by Friday at 12:00 PM (noon) through Sunday evening at 10:00 PM. In addition, during the period from May 15 to November 1, Event Centers may hold one weekday event (Monday through Thursday) per week.

- (2) Applications for Special Use Permits for Event Centers shall include proposed hours of operation, which the Planning Board shall consider in its review. Operational hours shall be limited to: All music ending by 10:00 PM, event ending by 11:00 PM, and lights-out and guests leave site by 12:00 AM.

F. Food/Beverage Preparation.

- (1) Event Centers may have kitchen facilities limited to warming, serving and cleanup of food, but exclude cooking and meal preparation. Temporary on-site catering trucks and trailers may be utilized but must be removed after each event. Catering operations shall be able to provide proof that they comply with all applicable County Health standards.
- (2) Service of alcohol shall only be limited to invited guests of the event and consumption shall be limited to on the Event Center site.

G. Design Objectives for Buildings and Structures.

- (1) The exterior of existing houses, barns and related structures shall be appropriately rehabilitated and restored whenever feasible. Consideration shall be given to quality of original architecture and subsequent modifications, current condition, and relationship of the structures to the overall property or area when considering the feasibility of appropriate rehabilitation and/or restoration. New construction shall be sympathetic to existing character of the property in design style, materials, scale, and massing. New construction shall be sited so as to have a minimum impact on fields, meadows, and woodlands. Significant grading or changing of topography shall be avoided.

H. Parking.

- (1) The application for Special Use Permit for an Event Center shall include a site plan that meets the applicable content requirements of Section 9.4, and specifically shall include designated on-site parking area(s).
- (2) All parking for Event Centers shall be provided on-site. Where the host property includes lands on both sides of the public road, all parking shall be located on the same side of the road as the Event Center facilities and activities.
- (3) The intent for Event Center parking is to maintain as much on-site vegetative cover as possible. Existing hard surfaced parking areas should be utilized. Where additional parking is necessary, new parking areas should be located and constructed in a manner that minimizes grading and hard-surface treatments. Overflow parking in meadow or lawn areas parking is allowed for Event Centers. Parking size, location and treatment shall be evaluated individually for each Event Center, based on its size, location, the existing conditions.

- (4) Parking areas should meet front, side and rear setbacks as provided in this section, with their extents designated by temporary measures such as ropes, straw bales, or other non-structural physical barriers. In order to minimize potential adverse impact on neighboring residential properties, the Planning Board shall review the designated parking for each proposed Event Center considering its unique site characteristics and how it is situated in relation to neighboring properties.
- (5) Limited exterior lighting in parking areas shall provide adequate illumination for security purposes without excess glare. All lighting, including that in parking areas shall be located to minimize glare and illumination of adjacent and neighboring residential properties.

I. Outdoor Lighting.

Exterior lighting and fixtures for building illumination should be compatible with the architectural design, and in accordance with Section 4.1.D, shall not be spill over to adjoining residential properties.

J. Odors.

In accordance with Section 4.1.E, the operation of an Event Center shall not cause any offensive odors that are discernable on adjacent properties.

K. Noise.

Event Center operations should be reviewed with the goal of avoiding adverse noise impacts on neighboring residential properties. Event Center operations shall meet the requirements of the Town Noise Ordinance.

L. Sanitation and Refuse.

- (1) If proposed on the Site Plan, garbage dumpsters and receptacles shall be placed out of view from adjacent residential properties, pedestrian ways (trails and sidewalks), and adjoining streets. If utilized, garbage dumpsters should be enclosed by a light-tight fence.
- (2) Adequate on-site water supply and sewage disposal facilities shall be provided in accordance with the requirements of the Cattaraugus County Department of Health and the New York State Departments of Health and Environmental Conservation.

- (3) The number of water closets shall be determined by the proposed occupancy as required in the 2020 Building Code of New York State, as supplemented or replaced.
- (4) Free-standing single-unit portable toilets shall not be utilized for Event Centers. Supplemental trailered units may be allowed on a case-by-case basis for special events, as authorized in advance by the Code Enforcement officer, and must be removed within 72 hours after an event.
- (5) The Special Use Permit for an Event Center does not include camping facilities or overnight stays in tents, recreational vehicles, or travel trailers/campers.

M. Signage.

- (1) The intent of signage for an Event Center is for ease of guest to locate and safely access the property. Signage for Event Centers which is visible from the public road shall be limited to one (1) freestanding double-faced sign not to exceed 32 square feet and shall be in accordance with all other applicable requirements of Section 4.2.
- (2) Temporary banners or sandwich board signs announcing the specific event shall not be put up more than 24 hours prior to the event and shall be removed within 24 hours of the event.

N. Landscape Plan.

- (1) Application for an Event Center shall include a General Landscape Plan per Section 9.4.B.(18). The Planning Board shall review the landscape plan for its effectiveness in providing vegetative buffering along property lines adjoining residential properties in order to mitigate potential adverse noise and visual impacts.

O. Fireworks.

- (1) A Special Use Permit for an Event Center shall not include use of fireworks.

(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 2021 of the ~~(County)(City)(Town)(Village)~~ of Great Valley was duly passed by the Town Board on October 11 2021, 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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.

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

Date: December 30, 2021

(Seal)

Certification of Town Clerk

STATE OF NEW YORK
COUNTY OF CATTARAUGUS

I, the undersigned, hereby certify that I have compared the foregoing local law duly adopted by the Town Board of the Town of Great Valley on the 11th day of October, 2021 with the original thereof now on file in my office, and the same is a true and correct copy of said resolution and of the whole thereof.

Dated: December 30, 2021

A handwritten signature in cursive script that reads "Toni Evans". The signature is written in black ink and is positioned above a horizontal line.

Toni Evans
Town Clerk, Town of Great Valley, New York

Certification of Town Attorney

STATE OF NEW YORK
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Dated: December 30, 2021

Handwritten signature of Peter J. Sorgi, consisting of the letters 'P' and 'S' followed by a stylized flourish.

Peter J. Sorgi, Esq.
Town Attorney, Town of Great Valley