

**VILLAGE OF NEW PALTZ  
LOCAL LAW NO. 6 OF THE YEAR 2016**

**A LOCAL LAW TO AMEND THE ZONING LAW OF THE VILLAGE OF NEW PALTZ  
WITH RESPECT TO THE THRESHOLD FOR SITE PLAN REVIEW**

**Be it enacted by the Village Board of the Village of New Paltz, County of Ulster, State of New York as follows:**

**SECTION 1. Section 212-13 of the Zoning Law within the Village of New Paltz Code, within the preamble of this Section of Code, prior to Subsection 212-13.A, is amended to read:**

This section sets forth use and density regulations by zoning district. Notwithstanding anything contained in Village Code to the contrary, all uses, including principal permitted and accessory uses, are required to obtain an approved site plan in accordance with Section 212-13, with the following exceptions that would only require a building permit: in-kind repairs and/or replacements; minor deviations from an approved site plan; above ground pools under 325 square feet in size; fences; sheds with an area of less than 144 square feet, not exceeding 10 feet high, and without plumbing; porches/decks of less than 64 square feet.

**SECTION 2. Statement of Purpose.** The legislative objective is to clearly define building activities and land uses that must comply with the requirement to obtain a building permit before proceeding and which are exempted from site plan review and approval process, versus those which may only proceed subject to site plan application review and approval prior to achieving compliance with the requirements needed to obtain a building permit. Currently, the Planning Board is the local reviewing entity that provides site plan review and approvals. The legislative intent remains unchanged which requires all activities to achieve basic zoning area (dimensional) requirements compliance, and it does not negate a requirement for any use that is required to obtain a special use permit to do so, and, likewise, activities within the Historic Zoning District, or involving changes to a Local Landmark, must obtain a Certificate of Appropriateness from the Village Historic Preservation Commission prior to obtaining a building permit, or a site plan approval and a building permit. Moreover, a standard requirement is retained that any activity must comply with all other germane sections of the Municipal Code and the NY Uniform Code and Energy Code.

**SECTION 3. Separability.** If any provision of this local law or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this local law or the application thereof to other persons and circumstances.

**SECTION 4. Effective Date.** This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.