

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 37-2023, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING) AND CHAPTER A202 (SUBDIVISION REGULATIONS AND SITE IMPROVEMENT SPECIFICATIONS)

Resolution for Town Board Meeting dated: December 12, 2023

The following resolution was offered by: **COUNCILMAN FERRO**

and seconded by: **SUPERVISOR SMYTH**

WHEREAS, application fees for projects reviewed by the Department of Planning and Environment have not been updated over the past ten (10) years; and

WHEREAS, a review of application fees in nearby towns finds that the Town of Huntington's application fees are lower across the board; and

WHEREAS, the fees need to be raised to cover the cost of reviewing the applications; and

WHEREAS, adjusting application fees is not an action pursuant to SEQRA, 6 NYCRR Part 617.2(b), so therefore no SEQRA review is required;

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 16th day of November, 2023 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 37-2023 amending the Code of the Town of Huntington, Chapter 198 (Zoning) and Chapter A202 (Subdivision Regulations and Site Improvement Specifications), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 37-2023, amending the Code of the Town of Huntington, Chapter 198 (Zoning) and Chapter A202 (Subdivision Regulations and Site Improvement Specifications) as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 31-2023
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING) AND
CHAPTER A202 (SUBDIVISION REGULATIONS AND
SITE IMPROVEMENT SPECIFICATIONS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 198 (Zoning), as follows:

CHAPTER 198 (ZONING)

* * *
 ARTICLE XIX (ZONING MAP AMENDMENTS)
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§ 198-130 Application fees.

A. A non-refundable application fee of [~~\$500~~] \$1,000 as a base fee for the first acre, and an additional amount of \$200 per each additional acre, or any part thereof, plus \$200 for each proposed residential unit shall accompany each application for a change of zone; and

* * *
 Section 2. Amendment to the Code of the Town of Huntington, Chapter A202 (Subdivision Regulations and Site Improvement Specifications), as follows:

CHAPTER A202 (SUBDIVISION REGULATIONS AND SITE IMPROVEMENT SPECIFICATIONS)

* * *
 APPENDIX B – FEES
 SCHEDULE A
 SUBDIVISION OF LAND – FEES

A. PRE-APPLICATION SKETCH AND CONFERENCE FEE: [~~\$250~~] \$500

B. PRELIMINARY SUBDIVISION REVIEW FEE:

(1) RESIDENTIAL SUBDIVISIONS:

For any preliminary subdivision submitted for review and approval by the Planning Board, there shall be a base fee of [six hundred (\$600)] one thousand (\$1,000) dollars in addition to the following fees:

RESIDENCE DISTRICT	MINOR SUBDIVISION*	MAJOR SUBDIVISION*
R-80	[\$275] <u>\$500/acre</u>	[\$300] <u>\$600/acre</u>
R-40	[\$275] <u>\$500/acre</u>	[\$300] <u>\$600/acre</u>
R-20	[\$275] <u>\$500/lot</u>	[\$300] <u>\$600/lot</u>
R-15	[\$275] <u>\$500/lot</u>	[\$300] <u>\$600/lot</u>
R-10	[\$275] <u>\$500/lot</u>	[\$300] <u>\$600/lot</u>
R-7	[\$275] <u>\$500/lot</u>	[\$300] <u>\$600/lot</u>
R-5	[\$275] <u>\$500/lot</u>	[\$300] <u>\$600/lot</u>
R-RM	[\$275] <u>\$500/unit</u>	[\$300] <u>\$600/unit</u>

R-3M	[\$275] <u>\$500/unit</u>	[\$300] <u>\$600/unit</u>
R-HS	[\$275] <u>\$500/unit</u>	[\$300] <u>\$600/unit</u>
R-OSC	[\$275] <u>\$500/unit</u>	[\$300] <u>\$600/unit</u>

*Per acre or any part thereof. The fees under this provision shall also apply to flag lots or lots with minor revisions.

(2) COMMERCIAL AND INDUSTRIAL SUBDIVISIONS:

ZONE	FEE*
Any Commercial District Plan when part of a subdivision map or any commercial subdivision	[\$1,000] <u>\$2,000/acre</u> plus [\$275] <u>\$500/lot</u>
Any Industrial District Plan when part of a subdivision map or any industrial subdivision	[\$1,000] <u>\$2,000/acre</u> plus [\$275] <u>\$500/lot</u>

*Fees per acre/lot shall be charged for each whole acre/lot or any portion thereof. The fee shall apply for minor and major subdivisions.

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D. CONDITIONAL FINAL REVIEW (ALL ZONING DISTRICTS)

- (1) Up to and including five (5) Lots or Units: [~~\$550~~] \$1,000.
- (2) Six (6) Lots or Units up to and including ten (10) Lots or Units: [~~\$825~~] \$1,500.
- (3) More than ten (10) lots or Units: [~~\$500~~] \$1,000 Base Fee plus [~~\$100~~] \$200/Lot or Unit.

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SCHEDULE B
SITE PLAN REVIEW AND APPROVAL -- FEES

A. PRE-APPLICATION SKETCH AND CONFERENCE FEE: [~~\$250~~] \$500

B. SITE PLAN AND AMENDED SITE PLAN REVIEW:

The site plan or amended site plan application fee shall be the greater of the following two amounts, except for telecommunications facilities which shall pay a flat fee of [~~\$250~~] \$500 per location:

- (1) [~~Five hundred~~] One thousand dollars [~~(\$500)~~] (\$1,000) per acre, with each property rounded up to the next full acre, unless the area of disturbance is less than one (1) acre, in which case a flat fee of [~~five hundred~~] one thousand dollars [~~(\$500)~~] (\$1,000) shall apply, or

(2) [Five hundred] One thousand dollars [(\$500)] (\$1,000) plus [twenty-five] fifty cents [(\$0.25)] (\$0.50) per square foot for all building gross floor area added to the property.

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SCHEDULE C
MISCELLANEOUS FEES AND CHARGES

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B. MISCELLANEOUS SERVICES:		
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Zoning Verification Letter		[\$250] <u>\$500</u>
	* * *	
C. SIGNS:		[\$15] <u>\$25</u> (per sign)
	* * *	
E. LOT LINE CHANGE (ADJUSTMENT):		[\$250] <u>\$500</u>
	* * *	
F. CERTIFICATE OF CORRECTION:		[\$250] <u>\$500</u>

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SCHEDULE E
ZONING BOARD OF APPEALS FEES

Signs: [\$20.00] \$25/sign

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NON-RESIDENTIAL ZBA APPLICATIONS:

Application Fee	[\$1,250.00] <u>\$2,500</u>
Validation of Non-Conforming Use	[\$1,250.00] <u>\$2,500</u>
Special Use Permit §198-27(C)(2) – Auto Sales	[\$1,250.00] <u>\$3,000</u>
Special Use Permit §198-68(A)(6) – Distribution/Transit	[\$2,000.00] <u>\$3,000</u>
Special Use Permit §198-68(A)(22) – Outdoor Seating	[\$1,250.00] <u>\$3,000</u>
Special Use Permit §198-110(C)(1) – Depth Extension	[\$1,250.00] <u>\$3,000</u>
Special Use Permit §198-110(C)(3) – Parking/Loading Ext	[\$1,250.00] <u>\$3,000</u>
Special Use Permit (except as otherwise noted)	[\$1,250.00] <u>\$3,000</u>
Subdivisions/substandard lot variances	\$500[.00/] per lot

Extension of Any ZBA Grant:

[6-Month] One Year Extension [\$100] \$350

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Section 3. Severability.

