

LOCAL LAW No. 6 OF 2024

A LOCAL LAW TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF BROCKPORT VIA THE INCENTIVE ZONING PROVISIONS OF THE VILLAGE OF BROCKPORT CODE TO REZONE THE PROPERTIES WITH TAX ACCOUNT NUMBERS 069.13-1-18 AND 069.13-1-19, COMMONLY KNOWN AS 133 STATE STREET, FROM RESIDENTIAL TO ALLOW LOW-IMPACT BUSINESS USES.

Be it enacted by the Village Board of Trustees of the Village of Brockport, Monroe County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Municipal Home Rule Law § 10.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 6 of 2024 to amend the Official Zoning Map of the Village of Brockport to rezone, pursuant to the Incentive Zoning provisions of the Brockport Village Code, Tax Parcel ID Nos. 069.13-1-18 and 069.13-1-19, commonly known as 133 State Street, from Residential to allow low-impact business uses and to codify the conditions specifying those uses upon said parcels/lands.

Section III. Legislative Finding

The Village Board of the Village of Brockport finds and hereby determines that the subject parcels/lands are in an area characterized by compatible and complementing uses. Furthermore, the Village Board has determined that the parcel it owns (069.13-1-19) is not fit or needed for any municipal purpose and that the parcel owned by the Town of Sweden (069.13-1-18), which has been historically used as a community center, is not suitable for residential use due to its size (approximately 9,000 square feet) and physical configuration. The Village Board further finds that the amenities offered, including the return of the parcels to the public tax rolls and the significant tax revenues the Village will receive annually, along with the divestiture of the unused, unusable, and unneeded Village parcel which will yield a payment to the Village in the sum of 3 percent of the net proceeds of the overall sale, satisfy the Incentive Zoning provisions of the Brockport Village Code. The Village Board further finds that certain conditions specifying the business uses that can be conducted on the parcels are necessary and appropriate.

Section IV. Amendment

A Section 36-8-8 shall be added to the proposed and soon-to-be-adopted Brockport Village Code to read as follows:

36-8-8 Schedule of Lands Subject to Incentive Zoning:

1. The properties bearing Tax Account Nos. 069.13-1-18 and 069.13-1-19, commonly known as 133 State Street, allow low-intensity business usage, personal services business usage, community meeting room usage, and/or professional usage, including usage as a dental practice and/or other potential professional uses such as attorneys, physicians, accountants, engineers, architects, and such other low-intensity business uses as may be granted permission, in accordance with the legislative findings herein, by Resolution of the Village Board of Trustees of the Village of Brockport.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part, or provision of this local law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment, and Supersession of Other Laws

All other ordinances or local laws of the Village of Brockport which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State.