

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 Pompey

Local Law No. 2 of the year 2021

A local law TO AMEND CHAPTER 165 TO CREATE THE SOLAR ENERGY SYSTEM OVERLAY
(Insert Title)
DISTRICT

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of POMPEY as follows:

(2 PAGES ATTACHED)

(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. 2 of 2021 of the (County)(City)(Town)(Village) of POMPEY was duly passed by the TOWN BOARD OF THE TOWN OF POMPEY on JUNE 7 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.
(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____.
(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)*

* 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.)

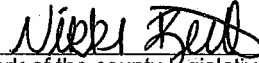
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____ above.



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

Date: 06/07/21

(Seal)

**LOCAL LAW 2021-2, A LOCAL LAW AMENDING CHAPTER 165 OF THE
TOWN OF POMPEY CODE, ARTICLE III (DISTRICT REGULATIONS) BY
CREATING A NEW SECTION 165-9.2 ENTITLED "SOLAR ENERGY SYSTEMS
OVERLAY DISTRICT":**

**Be it enacted by the Town Board of the Town of Pompey, Onondaga County,
New York as follows:**

Section 1. That a new Section 165-9.2 be created as follows:

§ 165-9.2. Solar Energy Systems Overlay Zone district.

- A. Applicability. The Solar Energy Systems Overlay Zone district shall apply to a property in conjunction with and in addition to the uses and dimensional controls of the underlying zoning district. Zoning regulations applicable to Solar Energy Systems as defined in Section 165-16.2 of the Code, shall supersede the requirements of the underlying zoning if they are in conflict.
- B. Establishment of the Solar Energy Systems Overlay District. The Town Board, on its own initiative, on recommendation of the Town Planning Board or on request of a property owner, may establish or expand a Solar Energy Systems Overlay Zone on any property within the Town as set forth in Section 165-16.2 of the Code.
- C. Town Board review process.
 - (1) In addition to the procedural requirements applicable to a zone change mandated by this Chapter and/or New York State Law, the Town Board shall provide at least 30 days for the Town Planning Board and Town Environmental Conservation Commission to review and comment on any new or expanded boundary modification.
 - (2) All proposals shall include the following:
 - (a) Survey showing property boundaries, proposed overlay zone boundary and underlying zone district classification.
 - (b) Site plan of property showing topography of the site at twenty-foot contour.
 - (c) Map of surrounding land uses and structures within 1,000 feet of the site.
 - (d) Narrative discussion of how the site relates to scenic quality of the area and the impacts, if any, upon the landscape, proposed mitigating measures and the availability of alternative sites.
 - (3) The Town Board may designate an applicant or agency to provide the necessary information and may require that additional information be provided in order to render a decision.

D. Permitted uses and structures.

- (1) Tier 3 Solar Energy Systems, as defined in Section 165-16.2 of the Code, and support facilities regularly and customarily used to operate Solar Energy Systems, shall be permitted only within a Solar Energy Systems Overlay Zone upon the issuance of a site plan pursuant to Section 165-16.2 of the Code;
- (2) All other uses and structures shall be subject to the applicable controls and restrictions of the underlying zoning.

E. Locational guidelines for Solar Energy Systems Overlay Zone. In considering a zone change, the Town Board shall, to the extent practicable, and in its own discretion, seek to:

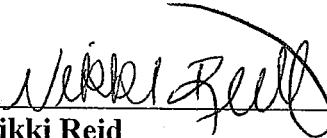
- (1) Prevent saturation of Solar Energy Systems in one area of the Town.
- (2) To avoid saturation, no Tier 3 Solar Energy System Overlay Zone shall be approved if it is within one mile of an already approved Tier 3 Solar Energy System unless the Town Board makes specific findings that it will not have a significant affect on the community character of an area;
- (3) Avoid sites that substantially contribute to and are important to the scenic quality of the landscape.
- (4) Assess the availability and feasible use of alternative sites.

Section 2. This law shall take effect upon filing with the New York State Department of State.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pompey, this 7 th day of June, 2021.

DATED: June 7, 2021
Pompey, New York



Nikki Reid
Town Clerk of the Town of Pompey
Onondaga County, New York