



Department of State
Corporations, State Records & UCC

New York State
Department of State
**DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE**
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

4 of the year 20 25

Local Law Title: to create an overlay industrial district within the flightline of county airport

Be it enacted by the Common Council of the
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☐ Village
(Select one)

Of Plattsburgh as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

SECTION 1 PURPOSE

The purpose of this local law is to amend Chapter 360 Zoning of the City Code to (i) create an industrial overlay district in the city on lands within County Airport flight zone which is located in City boundaries, (ii) permit industrial uses; (iii) create a scale of development promoting industrial use and maintain the character of existing areas, and (iv) promoting opportunities for more industrial jobs incidental to industrial uses. This purpose is consistent with Code 360-3, as the land, over 200 acres, is currently not zoned, this Overlay District and the regulations made herewith addresses the same reasonable consideration therein mentioned, among other things, as to the character of the district and its suitability for industrial uses and further recognition that Industrial areas within the city have diminished and are needed and that the IFP area is appropriate use of said lands for industrial operation or use.

SECTION 2 CHAPTER 360-6 ZONING

The City of Plattsburgh Code, Section 360-6 entitled "Districts designated" shall be amended as follows by adding subsection "IFP" entitled "Overlay District -Industrial Flight Path " as follows:

- i. Overlay District -Industrial Flight Path ("IFP"). Purpose: To establish an industrial district and industrial uses over existing Clinton County Airport flight path areas in the City where there be vacant and developable land and where use is consistent with neighborhood character.
- ii. Within the IFP Overlay District, only industrial operations and uses within the IFP District may be permitted subject to special use and site plan approval by the Common Council. The standards for such approvals shall be the same as those specified for the Industrial District except as specifically allowed hereby.
- iii. The City Common Council shall refer the special use permit and site plan application(s) to the Planning Board. The Planning Board has thirty (30) days from the date of referral to provide its comments to the application(s). The Planning Board's comments are not binding on the Common Council. However, should the Planning Board disfavor the application, a supermajority of the Common Council shall be required to approve such application.

SECTION 3 CHAPTER 360 ZONING

A. Use and Bulk Requirements Amended

The City of Plattsburgh Code 360, Attachments are amended by adding Attachment 5-Overlay District – Industrial Flight Path, which is attached hereto.

Schedule of Area and Bulk Controls is amended to add the following: Attachment 5 of Area and Bulk requirements for the Overlay District - IFP into the existing City Code and table:

1. Except as otherwise provided herein, the applicable regulations for the zoning classification, "Industrial Flight Path Overlay District" as set forth in Attachment 5 shall apply in the IFP Overlay District - IFP together with and subject to the following:
 - a. Bulk and development standards: In addition to those provided in the City of Plattsburgh Code 360, Attachment 5 - Schedule of Area and Bulk Controls for an industrial flight path operation or use and is subject to the following supplemental bulk and development standards:
 - i. Density: Lot coverage and open space may be permitted in excess of Code 360-17 requirements subject to the Common Council approval varying.

- ii. Buffer: All Industrial Flight Path industrial buildings under common ownership shall maintain a buffer set back at a minimum of One hundred (100) feet from all State and County highways and Rugar Street. However, a buffer from private drives or city roads within the district may be fifty (50) feet but no less.
- iii. Parking: Parking areas are permitted to be located within the required setback and buffer area with approval of the site plan by the Common Council. Any underlying zoning requirements for setback or buffers shall not apply rather are superseded by the provisions herein.
- iv. Height Exceptions: The maximum height permitted shall not apply to rooftop bulkheads, elevator penthouses, cooling towers or air-conditioning or heating equipment, provided that such features shall not occupy, in the aggregate, more than 10% of the area of the roof of a building and are set back from the edge of the roof at least one foot for each one foot by which such features exceed the maximum permitted height. All mechanical equipment located on the tops of buildings shall be visually screened to the satisfaction of the Common Council.
- v. Frontage: The property shall have frontage of at least 100 feet along Rugar Street, or on a State or County highway, easement, or right of way or City of Plattsburgh easement or right of way right-of-way. Said frontage shall permit the ability to directly access these roadways for vehicular ingress and egress to the property. A driveway, public road, private road, or other means of egress to a parcel may be located within the required frontage area.
- vi. Screening: The industrial operation and use shall be screened to adequately protect the view of neighboring properties as well as to assure an attractive environment within the site.

B. OVERLAY DISTRICT – INDUSTRIAL FLIGHT PATH

- 1. Boundaries: The Overlay District -Industrial Flight Path encompasses and includes that property identified on the City of Plattsburgh Zoning Map as amended and shown on the attached Exhibit B and is designated as Overlay District – Industrial Flight Path area.
- 2. Applications required: An industrial operation or use in the IFP district shall require the issuance of a special permit and site plan approval by the Common Council, subject to the relevant procedures and required findings set forth within City Code 360 except as expressly provided otherwise by this local law.
- 3. Public Water and Sewer: An industrial operation or use in the IFP district shall be serviced by public water and sewer services, unless otherwise allowed by the City Code or as approved by the Common Council special use permit.

NOTE: ALL USES PROPOSED FOR THIS DISTRICT REQUIRE APPROVAL BY THE CITY COMMON COUNCIL IN ACCORDANCE WITH TERMS HEREIN PROVIDED.

SECTION 4 ZONING MAP AMENDMENTS

The Zoning Map of the City of Plattsburgh is hereby amended to establish the Overlay District - Industrial Flight Path as shown on the attached map.

SECTION 5 SUPERSEDING PROVISION

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including, but not limited to, Article 9 and Article 10 of the New York State City Law, including, but not limited to, City Law planning and zoning regulations, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 6 SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

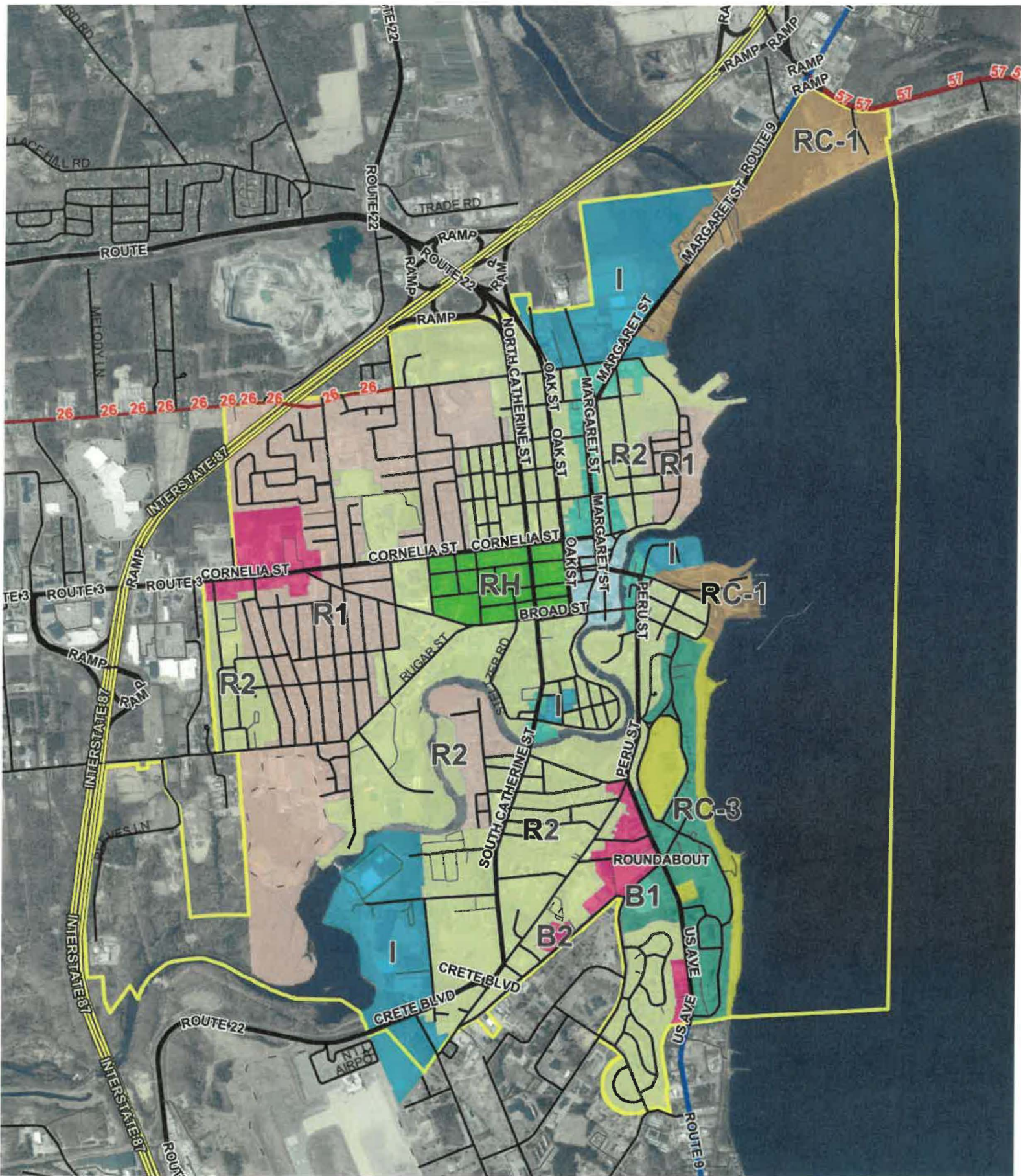
SECTION 7 EXEMPTION

The land in question was recently acquired from the Town of Plattsburgh and is vacant except the City's former compost facility and is presently not zoned. There are no pending applications for any projects within the overlay district, to the extent there are, such applications are exempt from this Local Law and may proceed under the prior applicable zoning laws.

SECTION 8 EFFECTIVE DATE

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.

ExhibitA
Zoning Map



ATTACHMENT 5

City of Plattsburgh
Schedule IV
Industrial Flight Path - Overlay District

Area and Bulk Controls

Zoning District Land Use

IFP Industrial uses

IFP Minimum Lot Size Requirements

Area (square feet): 15,000
Area per Dwelling Unit (square feet): NA
Width (feet) Depth (feet): 100

Minimum Yard Requirements

Front (feet): 100
Side One/ Both (feet): 20/40
Rear (feet): 20

Maximum Building

Height (feet/stories): 100
Coverage (percent): 65%
Minimum Open Space (percent): 25%

Local Law Filing

(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 ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ 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, ascribed as local law number _____ 4 _____ of 2025__ of the (County)(City)(Town)(Village) of _____ Plattsburgh _____ was duly passed by the _____ Common Council _____ on __ November 20 _____ 2025__ and was (approved)(not approved)(repassed after disapproval) by the _____ Mayor _____ (Elective Chief Executive Officer*) on _____ November 20 _____ 2025__ 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, ascribed as local law number _____ 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, ascribed as local law number _____ 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.

Local Law Filing

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having 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 thereto, ascribed as local law number _____ 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 the paragraph ____ 2 ____ above.

(Seal)

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

(Date) _____