

Chapter A. Administrative Code

Article XIV. Department of Planning

§ A14-14. Referral of certain municipal zoning actions to Planning Commission.

[Derived from Charter Sec. 1323; amended 12-14-1971 by L.L. No. 28-1972;^[1] 3-25-1980 by L.L. No. 10-1980; 4-10-1984 by L.L. No. 7-1984]

- A. Each town and village in Suffolk County having jurisdiction to adopt or amend zoning regulations shall, before taking final action, refer to the Planning Commission any zoning regulation or any amendment thereof (hereinafter referred to as "municipal zoning action") which would change the district classification of or the regulations applying to real property lying within one mile of a nuclear power plant or airport or within a distance of 500 feet from:
[Amended 10-28-1986 by L.L. No. 33-1986; 3-25-1992 by L.L. No. 7-1992; 12-6-2005 by L.L. No. 35-2005]
- (1) The boundary of any village or town;
 - (2) The boundary of any existing or proposed County, state or federal park or other recreation area;
 - (3) The right-of-way of any existing or proposed County or state parkway, thruway, expressway, road or highway;
 - (4) The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - (5) The existing or proposed boundary of any other County, state or federally owned land held or to be held for governmental use;
 - (6) The Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water; or
 - (7) The boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the New York Agriculture and Markets Law.
- B. The term "proposed," as used in this section, means a capital project specified in the Suffolk County Official Map, whether or not the project has been undertaken. In the absence of a Suffolk County Official Map, duly adopted under the Charter, the term "proposed," as used in this section, means:
- (1) In the case of a County item, an item specified in the capital budget.
 - (2) In the case of a state item, an item whose boundaries have been established in accord with state law.
 - (3) In the case of a federal item, an item whose boundaries have been established in accord with federal law.
- C. Each municipal zoning action referred to the Planning Commission under this section shall be accompanied by a full statement on the proposed action. The Planning Commission shall publish guides as to what information should be included in such statement. The Planning Commission shall notify all County departments, offices and agencies, including the Clerk of the Legislature, who shall forward such notice to all County Legislators, as to such actions referred to the Planning Commission under this section. Any County department, office or agency which possesses information related to such municipal zoning action shall immediately (no later than 30 days from referral of the proposed action) forward such information to the Suffolk County Planning Commission. For the purposes of determining when the calculation of the forty-five-day deadline for action set forth in § **A14-15** of this article commences, "receipt of a full statement" shall include receipt of the information required under this subsection and shall mean the date of actual receipt of all such information or 30 days, whichever date occurs first. The Planning Commission shall not assume, for the purpose of its deliberations, that the municipal zoning action will be approved by the pertinent town or village.
[Amended 3-14-2000 by L.L. No. 5-2000; 8-23-2005 by L.L. No. 23-2005]

[1] *Editor's Note: This local law was approved at referendum 11-7-1972.*

