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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.

TOWN OF WARWICK  
LOCAL LAW NO. 4 OF 2015  
A LOCAL LAW TO AMEND THE ZONING LAW

BE IT ENACTED by the Town Board of the Town of Warwick as follows:

**Section 1. Legislative intent.**

This local law amends Chapter 164 of the Town Code to provide modifications to the Town's Regulations governing Campgrounds. This modification affects Black Bear Campground, the only current operating campground within the Town. The modifications have been proposed by the owners of the Campground, recognizing changes in the campground industry and regulatory environment, since the Town's regulations were adopted in 1989 and later amended in 2003 and 2010. The Local Law amends the Special Use Permit special conditions for farm markets by allowing full use of farms for special events. The Local Law also provides a new means for early neighbor notification of applications filed for Site Plan and/or Special Use Permit approval.

**Section 2. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

**Section 3. Definitions**

***Section 164-22 of the Zoning Law entitled "Definitions" is hereby amended by deleting the definition for "Camping Ground" and adding a new definition for "Campground" as follows:***

CAMPGROUND – A parcel of land used or intended to be used, let or rented for occupancy by campers or for temporary or seasonal overnight occupancy by or of tents, motor homes, travel or camping trailers.

***Section 164-22 of the Zoning Law entitled "Definitions" is hereby amended by adding a new definition for "Recreational Vehicle" as follows:***

RECREATIONAL VEHICLE – A vehicular camping unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, camping trailers, fifth wheel trailers, motor homes, travel trailers, and truck campers.

#### **Section 4. Site plan and special permit approval**

***Section 164-46.I of the Zoning Law entitled “Agency, consultant, and public review” is hereby amended by adding a new Subsection 164-46.I(3) as follows:***

- (3) Neighbor Notification. The Planning Board shall require early notification to surrounding landowners, of all applications filed with the Town Planning Department, for uses requiring Site Plan and/or Special Use Permit approval. The Planning Board shall cause notice to be given to all landowners within the areas identified in § 164-46.I(2)(c). Such notice shall specify that an application for approval has been filed, will be considered by the Planning Board at scheduled Planning Board meetings, and shall be subject to a formal public hearing prior to approval. A sample neighbor notification letter is available from the Town Planning Department. The neighbor notification shall be sent at least seven (7) days prior to the first scheduled Planning Board meeting in which the application has been placed onto a Planning Board Agenda.

***Section 164-46.J of the Zoning Law entitled “Special conditions” is hereby amended by adding a new Subsection 164-46.J(152)(g) as follows:***

- (g) Permitted and accessory dwelling units, deemed to be part of the same farm operation, may be rented on a per event basis, subject to annual Building Department review for compliance with the New York State Uniform Fire Prevention and Building Code.

#### **Section 5. Campgrounds**

***Section 164-49.2 of the Zoning Law entitled “Campgrounds” is hereby amended by replacing the Section in its entirety with the following new Section 164-49.2:***

§ 164-49.2 Campgrounds

- A. Special permit use. Campgrounds are a special permit use consisting of a tract of land designed exclusively for overnight and temporary vacation camping, providing facilities for tents, camp trailers, travel trailers, motor homes, recreation activities, administration, public health and safety.
- B. Density. Campgrounds shall not exceed an average gross density of three campsites per acre, as approved by the Planning Board.
- C. Minimum lot size. The minimum lot size shall be 45 acres.

- D. Minimum campsite area. The minimum campsite area for recreational vehicles shall be 3,000 square feet in area with a minimum average width of 30 feet. The minimum campsite area for tent sites, with or without water and electric, shall be 1,250 square feet.
- E. Minimum campground lot frontage. The minimum lot frontage shall consist of 200 feet of frontage on a state or county highway. Where a parcel of land does not have 200 feet of frontage on a state or county highway, a minimum frontage of 50 feet may be permitted for use as an easement for gaining access to a larger parcel that would otherwise meet the requirements of the special permit use. The front yard of such a parcel shall begin at the point where a line running parallel to the state and county highway equals 200 feet.
- F. Yard and space requirements are as follows:
- (1) Yard requirements, campground.
    - (a) Front yard: 100 feet.
    - (b) Side yard: 100 feet.
    - (c) Rear yard: 100 feet.
    - (d) No campsite shall be within 100 feet of any property line or within 100 feet of any water body.
- G. Water supply. The site shall be serviced by a municipal or approved private water system, reviewed and permitted by the Orange County Health Department under the New York State Public Health Law Section 225 and its Rules and Regulations for campgrounds in Part 7, Subpart 7-3. Pursuant to Chapter 82 of the Town Code, the Office of the Building Inspector shall assist in the enforcement of such Rules and Regulations.
- H. Sewage disposal. The site shall be provided with a municipal or approved private sanitary sewage disposal system, reviewed and permitted by the Orange County Health Department under the New York State Public Health Law Section 225 and its Rules and Regulations for campgrounds in Part 7, Subpart 7-3. Pursuant to Chapter 82 of the Town Code, the Office of the Building Inspector shall assist in the enforcement of such Rules and Regulations.
- (1) Flush toilets shall be provided.
  - (2) The sewage treatment facility design shall be based on the water supply design flow, plus infiltration, and approved by the Town Engineer. The location of septic tanks, distribution lines and disposal fields shall be as approved by the Town Engineer.
- I. Service buildings. Service buildings housing sanitation facilities shall be constructed and maintained in accordance with the following specifications:
- (1) They shall be permanent structures complying with all applicable laws, ordinances and statutes regulating buildings, electrical installations and plumbing and sanitation systems.
  - (2) The service buildings shall comply with the Town Lighting Regulations found at § 164-43.4 and, shall be well-ventilated with screened openings, shall be constructed of moisture-proof materials such as painted or woodwork, shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least sixty-eight degrees Fahrenheit (68° F.) dur-

ing the period from October 1 to May 1. The floors of the service buildings shall be concrete or similar materials.

- (3) All service buildings and the ground of the site shall be maintained in a clean, slightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.
- J. Electrical service. Each campsite shall be provided with at least a twenty-ampere, one-hundred-ten-volt electrical service.
- K. Solid waste disposal. The owner of a campground shall provide for the collection of refuse and garbage daily and shall also conveniently locate fly-tight refuse containers on or near each campsite. Refuse containers shall be cleaned, covered and maintained as often as may be necessary to promote a wholesome and non-odorous condition to prevent the breeding of insects therein.
- L. Vehicular access. Each campground shall be provided with two means of access from county and/or state roads. Sight distances at the entrance and exit must be in compliance with all appropriate Town, county and state regulations. In the event that two separate means of access cannot be provided due to a lack of adequate sight distance at the point of access or egress or due to limited frontage on a state or county highway, the Planning Board may approve an alternate design that will ensure adequate safety.
- M. Streets. Each campground shall provide a collector street with a minimum width of 18 feet for two-way traffic and 10 feet for one-way traffic. As a minimum, the street shall be constructed with a gravel base with adequate drainage and a water-bound blacktop surface as approved by the Town Engineer. Radius of curvature shall be 50 feet minimum. Grades shall not exceed ten percent (10%).
- N. Parking. Parking spaces for automobiles shall be 18 feet long and 12 feet wide with an eight-foot-wide strip of washed crushed stone or shale or two-inch blacktop slabs over gravel on a stabilized surface. Parking spaces for automobiles with trailers shall be 50 feet long and 14 feet wide and consist of a ten-foot-wide strip of washed crushed stone or shale or two-inch blacktop slabs over gravel on a stabilized surface.
- O. Illumination. Sufficient exterior illumination of the site shall be required to provide convenience and safety. All such illumination shall be in compliance with § 164-43.4 and shall be shielded from the view of all surrounding properties and streets.
- P. Campground stores. Campground stores are permitted to be located within the campground site and may be part of the office.
- Q. Ancillary facilities. Plans for ancillary facilities, such as stores, offices, swimming pools, service buildings, etc., shall be submitted to the Planning Board for site plan approval along with the overall development.
- R. Landscaping. The entire site shall be suitably landscaped. All landscaping shall be approved by the Planning Board and properly maintained after planting.
- S. Screening. All campground sites shall be screened from the view of adjacent properties and adjoining public highways by means of an opaque screen of plant materials and/or fencing.

All screening shall be approved by the Planning Board, properly maintained after placement and located within the required front, rear and side yards.

- T. Playfields. All campgrounds shall provide one or more playfield areas equal to ten percent (10%) of the campground's developed areas. The playfield may include a suitably improved, fenced and equipped children's play area or other recreational facilities for use by the campers.
- U. Resident manager. No permanent structures shall be permitted for use as living quarters, with the exception of those of the resident manager, property owner, and one site manager per 50 campsites. The resident manager or owner shall be on the premises on a regular basis.
- V. Occupancy. Occupancy by an individual or group of individuals in any form of permitted temporary, movable or portable shelter or recreational vehicle shall be for a period of not longer than 120 days in any twelve-month period.
- W. Recreational facilities. Recreational facilities, such as golf courses, tennis courts, swimming pools and camp recreational facilities, shall be for campground guests only.

(1) Swimming pools shall be classified and located as follows

Type of Class	Maximum Area Square Feet	Minimum Setback From Any Property Line (feet)
A	Over 3,500	175
B	2,501 to 3,500	150
C	1,501 to 2,500	125
D	1,500 or less	100

(2) All recreational facilities shall comply with the following minimum setback requirements:

Type of Facility	Minimum Setback From Any Property Line (feet)
Handball courts	100
Basketball courts	100
Baseball diamond (not outfield)	100
Volleyball courts	100
Concession stands	100
Casino buildings	100
Concentrated picnic area (tables, barbecue pits, etc.)	100
Outfield relative to baseball or softball	100
Parking areas	100

Type of Facility	Minimum Setback From Any Property Line (feet)
Picnic grounds (not improved)	100
Games normally involving less than 10 people, such as horseshoe pits, nature trails, etc.	100
Golf course fairways	100

(3) Lighting. If outdoor lighting is provided for any of the foregoing recreational facilities, including swimming pools, which permits the use of facilities after 10:00 p.m., the applicable setback requirements for such facility shall be doubled. All lighting shall be located so that its source shall not be visible from any adjoining property and is in compliance with § 164-43.4 of the Zoning Law.

(4) Noise. Public-address systems or any other amplified noises are prohibited.

(5) Swimming Pools. Swimming pools shall comply with the New York State Public Health Law Section 225 and its Rules and Regulations for campgrounds in Part 7, Subpart 7-3.12.

(6) Buildings. All structures shall be of a permanent nature.

- X. Fire protection. The property owner shall ensure that adequate fire protection equipment is on the premises at all times, as recommended by the Building Inspector and appropriate officials of the Fire District in which the campground is situated.
- Y. Public phone. The campground shall have at least one public telephone located where it is accessible by campers 24 hours a day.
- Z. Renewal of permit. Each permit issued for a campground shall be valid for a period of 12 months from the date of use. Renewal applications shall be filed with the Building Inspector not more than 60 days prior to the expiration of the twelve-month period. Prior to the issuance of a renewal permit, the Building Inspector shall inspect the campground premises for compliance with all application regulations. Thereafter and within 30 days of the expiration of the twelve-month period, the Building Inspector shall submit a report in writing to the Planning Board. The Board shall automatically renew the permit unless it finds a substantial failure to comply with these regulations as reported by the Building Inspector. In the event that the Board finds there has been a substantial violation of these regulations, then it shall hold a public hearing to determine the renewal of the permit.
- AA.Fees. An application fee as stipulated in Chapter 75, Development Fees, shall be paid prior to site plan approval. A fee for renewal each year shall be determined by the Town Board.
- BB.Performance bond. A performance bond, as determined by the Planning Board, shall be provided to ensure the proper installation of improvements.
- CC.Nonconforming Structures. Nonconforming structures, which do not conform to the provisions herein or any section of Town Code, shall be deemed nonconforming structures and shall be removed on or before the expiration of 18 months from the effective date of the Town

of Warwick Local Law No. 4 of 2015 and such lapse of time shall be deemed sufficient to amortize the cost thereof.

**Section 6. Effective Date.**

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.