Local Law No. __ of 2026 entitled:

"Third Extension of Conference Center, Hotel, and Motel Moratorium"

BE IT ENACTED BY, the Town Board of the Town of Clinton as follows:

Section 1. PURPOSE

The Town Board of the Town of Clinton (the "Town Board") has determined that the potential increase in the number of Conference Centers, Hotels, and Motels is of concern. In particular, gatherings at such facilities and land uses can have a deleterious effect on the rural character of and quality of life in residential and non-residential neighborhoods. Presently the Town of Clinton (the "Town") regulates Conference Centers in Chapter 250 § 45 of the Town of Clinton Town Code (the "Town Code"), Hotels and Motels in Chapter 250 § 58, and in the Schedule of Use Regulations annexed to Chapter 250 of the Town Code, which permits or prohibits these uses based on Zoning District. The Town Board has determined that these provisions of the Town Code, as well as others relating to these uses, likely require revisions. The Town Board is actively updating the Town's Comprehensive Plan which will guide potential legislation governing the location, use, and operation of Conference Centers, Hotels, and Motels.

Ill-planned development of Conference Centers, Hotels, and Motels may significantly reduce the desirability of residential and non-residential areas, increase the flow of traffic on Town roadways, and adversely affect open space lands. Decisive measures are needed to protect the quality of the Town's neighborhoods, open space, and infrastructure while planning appropriately for Conference Centers, Hotels, and Motels.

The Town's existing procedures and laws should have the practical effect of ensuring that new development and redevelopment are in accordance with the Town's planning objectives. The practical reality, however, is that Conference Centers, Hotels, and Motels are not currently regulated in a manner necessary to protect the rural character of and quality of life in the Town's residential and non-residential areas. The Town Board therefore finds it necessary to extend the temporary moratorium on the processing and granting of approvals and permits for Conference Centers, Hotels, and Motels first enacted pursuant to Local Law No. 1 of 2025 and extended by Local Law No. __ of 2025 and Local Law No. __ of 2026. This action is necessary in order to protect the public health, safety, and welfare of Town residents.

Section 2. AUTHORITY

This moratorium is enacted by the Town Board of the Town of Clinton pursuant to its authority to adopt Local Laws under the New York State Constitution Article IX and N.Y. Municipal Home Rule Law §10.

Section 3. ENACTMENT OF TEMPORARY MORATORIUM

For a period of one (1) year following the effective date of this Local Law, after which date this Local Law shall lapse and be without further force and effect, and subject to any other Local Law adopted by the Town Board during the one (1) year period:

1) The Town Board, the Planning Board, the Zoning Board of Appeals, and the Building Department shall not accept for review, hold a hearing, make any decision, or grant any approval or permit in regard to any application for a Conference Center, Hotel or Motel submitted on or after July 1, 2025. An application shall be deemed submitted as of the date it is accepted for filing and the required application fee is paid in full. Any statutory and municipally enacted time periods for processing and making decisions on such applications or permits and all aspects of approvals are suspended and stayed while this Local Law is in effect. The Town Board, the Planning Board, the Zoning Board of Appeals, and the Building Department may continue to review, hold a hearing, make any decision, or grant any approval or permit in regard to any application that was submitted prior to July 1, 2025. Notwithstanding the above, the Zoning Board of Appeals may review applications or render determinations regarding matters which were submitted to the Planning Board prior to July 1, 2025.

2) For the purpose of this Section, the terms Town Board, Planning Board, Zoning Board of Appeals, and Building Department shall be interpreted to include all Departments, employees, and consultants of the Town involved in the review of applications as cited in the preceding Paragraph 1.

Section 5. CONFLICT WITH STATE STATUTES AND AUTHORITY TO SUPERSEDE

To the extent that any provisions of this Local Law are in conflict with or are construed as inconsistent with the provision of the N.Y. Town Law this Local Law supersedes, amends, and takes precedence over the N.Y. Town Law pursuant to the Town's municipal home rule powers, pursuant to N.Y. Municipal Home Rule Law § 10(1)(ii)(d)(3), § 10(1)(ii)(a)(14), and § 10(1)(ii)(a)(22) to supersede any inconsistent authority.

This Local Law supersedes any inconsistent provisions of the N.Y. Town Law Article 16 and Chapter 250 of the Town Code which require any board, agency, or department of the Town to act upon, hold hearings on, and make decisions concerning approvals and permits for Conference Centers, Hotels, or Motels within specified time periods. This Local Law suspends and stays the running of time periods for processing, holding hearings on, making decisions, and taking action on such applications provided for in those laws.

Should any provisions of this Local Law conflict with or be construed as inconsistent with any provision of any prior Local Laws, the provision which imposes a stricter stay on the processing and granting of approvals and permits for Conference Centers, Hotels, and Motels shall control.

This Local Law supersedes any inconsistent provisions of N.Y. Town Law §§§§ 267, 267-a, 267-b, and 267-c, and Article VII, § 250-98 of the Town Code relating to the authority to grant variances, waivers or other relief from the Town Code.

This Local Law supersedes any inconsistent provisions of N.Y. Town Law § 274-a and Article VII, § 250-95, and § 250-96 of the Town Code which requires that the Planning Board process, review, hold hearings on, and act upon such applications for site plans within specified time periods.

This Local Law suspends and stays the running of time periods for processing, review, holding hearings on, making decisions, and taking action on such applications provided for in those laws and is intended to supersede and said inconsistent authority.

Section 6. APPEAL PROCEDURES

a. The Town Board shall have the authority to vary or waive the application of any provision of this Local Law, in its legislative discretion, upon its determination that such variance or waiver is required to alleviate an unnecessary hardship affecting a parcel of property. To grant such a request, the Town Board must find that a variance or waiver will not adversely affect the purpose of the local law or the health, safety, or welfare of the Town. The Town Board shall take into account the existing land use in the immediate vicinity of the subject property and the impact of the variance or waiver on open space and recreational areas, neighborhood and community character, and natural resources of the Town. The application must comply with all other applicable provisions of the Town Code.

b. Any application for a variance or waiver shall be filed with the Town Clerk and shall include a fee of two hundred fifty dollars ($250.00) for the processing of such application, along with copies of such plat or plan showing all required improvements in accordance with the procedures of the Town Code.

c. All applications for a variance or waiver of this Local Law shall, within five (5) days of receipt by the Town Board, be referred to the Zoning Board of Appeals. The Zoning Board of Appeals shall have forty-five (45) days following receipt of the application to make a recommendation to approve, modify, or disapprove a variance or waiver of this Local Law. The failure of the Zoning Board of Appeals to issue a recommendation within forty-five (45) days following receipt of the application shall be deemed a recommendation to approve said application. The Zoning Board of Appeals recommendation shall be transmitted to the Town Board, which may conduct a public hearing and make a final decision on the application, with or without conditions.

Section 7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 8. EFFECTIVE DATE

Upon the filing of this Local Law with the Secretary of State this Local Law shall take effect as of January 1, 2027.