

Local Law Filing

Pursuant to Municipal Home Rule Law §27

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

3 of the year 20 26

Local Law Title: A Local Law in relation to an Amendment to Chapter 280, Zoning, Accessory Apartments

Be it enacted by the Town Board of the
(Name of Legislative Body)

County
(Select one)

City

Town

Village

of

SOUTHOLD

(Name of Local Government)

as follows on the attached pages:

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.)

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

I. Purpose

The Purpose of the amendment is to update the Southold Town Code with regard to Accessory Apartments.

II. Amendment

The Southold Town Code is hereby amended by removing the struck through words and adding the underlined words as follows:

§ 280-4 Definitions

B. Definitions and usages. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings as herein defined. Any word or term not noted below shall be used with a meaning as defined in Webster's Third New International Dictionary of the English Language, unabridged (or latest edition).

ACCESSORY APARTMENT

An apartment created in a presently existing one-family dwelling unit or detached accessory structure pursuant to § 280-13A(6) or § 280-13B(13).

§280-13 Use Regulations

A. Permitted Uses

- (6) One accessory apartment in an existing one-family dwelling, subject to the issuance of a rental permit in accordance with § 280-13D and the following requirements

B. Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception by the Board of Appeals as hereinafter provided and subject to site plan approval by the Planning Board, provided that not more than one use shall be allowed for each 40,000 square feet of lot area:

- (13) One accessory apartment in a lawfully existing detached accessory garage, barn or storage building structure subject to the following requirements
- (f) The existing accessory structure shall comply with all other requirements of this chapter.

III. 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, 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.

IV. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

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 3 of 20 26 of the (County)(City)(Town)(Village) of Southold was duly passed by the Town Board on April 21, 20 26 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 _____ 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 _____ 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 _____ 1 _____ above.

(Seal)

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

(Date)

**DENIS NONCARROW
TOWN CLERK**

REGISTRAR OF VITAL
STATISTICS MARRIAGE OFFICER
RECORDS MANAGEMENT
OFFICER FREEDOM OF
INFORMATION OFFICER



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765-1800
www.southoldtownny.gov

**OFFICE OF THE TOWN CLERK
TOWN OF SOUTHOLD**

THIS IS TO CERTIFY THAT THE FOLLOWING RESOLUTION NO. 2026-392 WAS ADOPTED AT THE REGULAR MEETING OF THE SOUTHOLD TOWN BOARD ON APRIL 21, 2026:

WHEREAS there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 10th day of March, 2026, a Local Law entitled **"A Local Law in relation to an Amendment to Chapter 280, Zoning, Accessory Apartments"** and

WHEREAS the Town Board of the Town of Southold held a public hearing on the aforesaid Local Law at which time all interested persons will be given an opportunity to be heard, now therefor be it

RESOLVED that the Town Board of the Town of Southold hereby ENACTS the proposed Local Law entitled, **"A Local Law in relation to an Amendment to Chapter 280, Zoning, Accessory Apartments"** which reads as follows:

LOCAL LAW NO. 3 of 2026

A Local Law entitled, **"A Local Law in relation to an Amendment to Chapter 280, Zoning, Accessory Apartments"**

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

I. Purpose

The Purpose of the amendment is to update the Southold Town Code with regard to Accessory Apartments.

II. Amendment

The Southold Town Code is hereby amended by removing the struck through words and adding the underlined words as follows:

§ 280-4 Definitions

B. Definitions and usages. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings as herein defined. Any word or term not noted below shall be used with a meaning as defined in Webster's Third New International Dictionary of the English Language, unabridged (or latest edition).

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§280-13 Use Regulations

A. Permitted Uses

(6) One accessory apartment in an ~~existing~~ one-family dwelling, subject to the issuance of a rental permit in

accordance with § 280-13D and the following requirements

B Uses permitted by special exception by the Board of Appeals. The following uses are permitted as a special exception

by the Board of Appeals as hereinafter provided and subject to site plan approval by the Planning Board, provided

that not more than one use shall be allowed for each 40,000 square feet of lot area.

(13) One accessory apartment in a ~~lawfully existing detached accessory garage, barn or storage building~~ structure

subject to the following requirements

(f) The ~~existing~~ accessory structure shall comply with all other requirements of this chapter

III. 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, 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.

IV. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.



Denis Noncarrow
Southold Town Clerk

RESULT: Adopted

MOVER: Councilwoman Doherty
SECONDER: Councilman Mealy
AYES: Councilman Mealy, Justice Stevens, Councilwoman Doherty,
Councilwoman Smith, Councilwoman Suess, Supervisor Krupski, Jr.
NAYES: None