

**TOWN OF NIAGARA
TOWN BOARD**

Combined Resolution Issuing SEQRA Negative Declaration and Adopting Local Law
No. **3** of 2025 Adopting the Zoning Code of the Town of Niagara and Zoning Map

WHEREAS, on or about November 19, 2019, the Town Board of the Town of Niagara ("Town Board") adopted a Comprehensive Plan Update in accordance with Section 272-a of the New York State Town Law to identify the goals, objectives, principles, guidelines, policies, standards, and strategies for the immediate and long-range protection, enhancement, growth, and development of the Town; and

WHEREAS, in furtherance of the Comprehensive Plan, the Town Board appointed a technical advisory committee to work in conjunction with Ingalls Planning & Design to review and update the Town's zoning regulations to align land use controls with the Comprehensive Plan's vision and objectives; and

WHEREAS, on March 27, 2025, the Town held a public open house for the Zoning Code of the Town of Niagara ("Zoning Code") to solicit community input on the draft Zoning Code and Zoning Map; and

WHEREAS, on June 17, 2025, the Town Board introduced the proposed Zoning Code and scheduled a duly noticed public hearing for July 15, 2025; and

WHEREAS, the public hearing was opened on July 15, 2025, and remained open while the Town Board received further comments and recommendations; and

WHEREAS, on July 29, 2025, a complete statement of the proposed action was referred to the Niagara County Planning Board for review and recommendation pursuant to General Municipal Law §239-m; and

WHEREAS, on August 18, 2025, the Niagara County Planning Board recommended approval with modifications; and

WHEREAS, the Town Board continued the public hearing on August 19, September 16, and October 21, 2025, after which the hearing was closed; and

WHEREAS, the adoption of the Zoning Code and Zoning Map constitutes a Type I action under the State Environmental Quality Review Act ("SEQRA") and 6 NYCRR §617.4(b)(1); and

WHEREAS, the Town Board, as the only involved agency, assumed Lead Agency status and reviewed the Full Environmental Assessment Form (FEAF), Parts 1-3, which are incorporated herein by reference; and

WHEREAS, after thorough review of the proposed action and the FEAF, the Town Board has determined that adoption of the Zoning Code and Zoning Map will not result in any significant adverse environmental impacts;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby issues a Negative Declaration under SEQRA, determining that the proposed adoption of the Zoning Code and Zoning Map will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts Local Law No. 3 of the year 2025, entitled "*A Local Law Adopting the Zoning Code of the Town of Niagara and Zoning Map,*" replacing in its entirety the prior zoning provisions (Chapter 245 of the Town Code); and

BE IT FURTHER RESOLVED, that all required notices of public hearing and other procedural steps required by law have been duly met; that the Town Board has reviewed and determined that the revisions made to the proposed Zoning Code following public comment are not substantial; that the final Zoning Code has remained on the desks of the members of the Town Board for at least seven calendar days, exclusive of Sunday, prior to final passage; and that to the extent the Zoning Code differs from the recommendation of the Niagara County Planning Board, a majority vote plus one will be required in order to approve its adoption; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to ensure that the Zoning Code and Zoning Map are filed with the Secretary of State, that a certified copy of the adopted Zoning Code is entered into the official minutes of the Town, and that the Zoning Code shall take effect on the twentieth (20th) day after its adoption, or on such later date as may be prescribed in the local law, provided that at least ten (10) days have elapsed since publication and the filing with the Secretary of State has occurred; and

BE IT FURTHER RESOLVED, that the SEQRA Negative Declaration and this resolution shall be circulated and filed in accordance with applicable law.