

**Attachment “B”  
Exhibit VIII.C.3.b**

Draft

**CITY OF SCHENECTADY  
LOCAL LAW NO. \_\_\_\_ of 2014**

**A Local Law to Amend the City of Schenectady Zoning Ordinance and Zoning  
Map to Establish the Gaming and Recreation Planned District**

**WHEREAS**, the NYS Constitution Article 1, Section 9 has been amended to allow the NYS Legislature to authorize and regulate up to seven casinos for the purpose of promoting job growth, increasing aid to schools and permitting local governments to lower property taxes through revenues generated, and

**WHEREAS**, the NYS Legislature enacted Chapter 174 of 2013 and Chapter 175 of 2013 which authorize the siting of casinos, and

**WHEREAS**, the City Council of Schenectady believes that the City of Schenectady is the best location in the Capital Region for a casino to promote job growth, increase aid to our schools and generate tax revenue for the City of Schenectady, and

**WHEREAS**, a casino and related facilities has been proposed as part of the Mohawk Harbor mixed use redevelopment project, and

**WHEREAS**, the City Council believes that the Mohawk Harbor project is the ideal location for a casino and related facilities as part of the larger redevelopment of this former brownfield site, and

**WHEREAS**, the current C-3 zoning allows for mixed uses but does not include a casino as an allowable use, and

**WHEREAS**, beneficial economic development and reuse of the proposed casino location comports with the goals and objectives of the City’s Comprehensive Plan, and

**WHEREAS**, The City Council hereby finds that the proposed casino project will be of great economic benefit to the City and its residents, and

**WHEREAS**, due to the unique nature of the proposed casino and related facilities, a separate and distinct zoning district regulating the project is the most effective means to properly zone such a unique use, and

**WHEREAS**, the NYS Gaming Facility Location Board, as part of its selection process, has created an expedited application schedule which currently requires completed applications to be submitted by June 30, 2014, and

**WHEREAS**, providing a suitably zoned, properly permitted site will assist in the competitive process to be selected by the Gaming Facility Location Board,

**NOW THEREFORE BE IT RESOLVED**

**SECTION 1 Authority and Purpose**

Pursuant to authority conferred by NYS General City Law, NYS Municipal Home Rule Law and the Code of the City of Schenectady, the zoning district known as the C-3G Gaming and Recreation Planned District (GRPD) is hereby established.

**SECTION 2 District Boundaries**

The Gaming and Recreation Planned District shall include all property as described in Schedule “A” attached hereto and incorporated into this Local law.

**SECTION 3 Permitted Uses**

In the GRPD District, the following uses are permitted as of right:

- A. Casino Gaming Facility (and ancillary facilities)
- B. Hotel
- C. Banquet Facility
- D. Meeting and Multi-Functional Space
- E. Retail
- F. Restaurants, Bars, and Nightclubs
- G. Live and Other Entertainment Venues
- H. Parking Facilities

Project development in the GRPD shall be guided by, and in substantial conformity with, the attached plan hereby approved by this legislation. Modifications to this plan are governed by Section 6 of this legislation.

**SECTION 4 Gaming and Recreation Planned District Bulk and Area Standards**

Notwithstanding any language contained within the City of Schenectady Zoning Code to the contrary, zoning regulations for the GRPD shall be governed solely by the following bulk and

area standards. For all properties located in the GRPD, the regulations and standards herein shall supersede any other conflicting regulation or standard contained in the Zoning Code of the City of Schenectady.

**Setbacks**- Minimum building setbacks in the GRPD District shall be as follows:

- Front yard - 10 feet
- Rear yard -10 feet
- Side yard-10 feet

For the side of a building facing the Mohawk River, the setback from the high water mark shall be increased to no less than 50 feet.

Elevated walkways (skywalks) that connect buildings, parking garages or other structures shall be permitted, including within the building setback area.

**Building Height**- Buildings shall not exceed 115 feet.

**Building Size**- Building footprints (other than parking facilities) shall not exceed 35% of the site.

**Signage**- Total Signage (other than directional signage) shall not exceed 15,000 square feet.

Rooftop signage is permissible but cannot exceed allowable building height.

In the GRPD District, electronic message boards are not subject to the provisions of Section 246-61(I). Electronic Message Boards cannot exceed 8 message changes per minute.

Signage in the GRPD District is regulated solely by this section.

**Minimum Parking Requirements**- The following are minimum parking requirements:

- A. Casino Gaming Facility      0.7 spaces per gaming position
- B. Hotel                              1 parking space per room

There are no other minimal parking requirements. There are no maximum parking requirements in the GRPD District. Parking facilities may be shared among uses.

## **SECTION 5 Regulation of Site Development and Building Construction**

All buildings in the GRPD district shall fully comply with the NYS Uniform Fire Prevention and Building Code.

All site development shall fully comply with NYS Storm Water Pollution Prevention regulations.

**SECTION 6 Modification**

No substantial modification of the attached plan shall occur without the prior approval of the City Council.

**SECTION 7 Sunset Provision**

In the event that this site is not selected for a casino within 3 years from the effective date of this legislation, this local law shall lapse and have no further effect and the property shall revert to the C-3 District classification.

**SECTION 8 Applicability**

Zoning within the GRPD District shall be regulated solely by this Local Law. All other sections of Chapter 264 of the Zoning Code of the City of Schenectady shall not be applicable within the GRPD District.

**SECTION 9 Effective Date**

This Local Law shall become effective upon filing with the NYS Secretary of State.