

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Burr

Date of Adoption: 02-07-12

Index No: 35-12

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Amodio	X			
Ald. Burr	X			
Ald. Ramkissoon	X			
Ald. Smith	X			
Ald. Sommers				X
Ald. Masi	X			
Ald. Sabnis	X			
Ald. Sierra	X			
Pres. Rodrigues	X			
TOTAL	8			1

WHEREAS, the Common Council wishes to allow retail stores of less than 3,000 square feet to be a permitted use with Planning Board approval in the C-1A Limited Neighborhood Business District zone.

Now, therefore be it Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 475, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by adding Paragraph (6) to Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board) of Section 475-19 (C-1A Limited Neighborhood Business Districts) as follows:

(6) Retail stores, provided that all goods prepared on the premises are sold at retail, and provided that the floor size of the store does not exceed 3,000 square feet.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall take effect immediately.