Process for Amending Local Land Use Controls for Towns/Villages with an Agency-approved Local Land Use Program (ALLUP) Step 1) Town states purpose for revision Town determines need to →2) Town identifies issue(s) and consults with APA staff revise Land Use Controls 1 3) Town drafts revision to solve issues Town completes Part Town informs other interested agencies Town sends interested agencies: of its intent to be Lead Agency 1 of Full EAF Step 1) Lettter of intent to be Lead Agency & declares its intent 2 2) Proposed Amendment Town Board passes a Resolution for its to be Lead Agency 3) Completed Part 1 of Full EAF intent to be Lead Agency If Lead Agency status is uncontested or 30-days Town Board passes a Step Town declares itself have passed without a response from interested Resolution declaring Lead Agency agencies, the Town becomes Lead Agency itself Lead Agency At this time, the process benefits from an informal review and discussion of the amendment between Town officials & APA staff. The goal is to reach a consensus on the amendment that accomplishes the Town's needs & meets the approval criteria for ALLUP as provided by Section 807 & 808 of the Act. Determination may also be made at this point if the amendment requires approval, is eligible for consideration under the DelRes or if required to go before the Agency Board. Step Town completes Full Environmental Assessment Form (EAF) **NEG** SEQRA process complete Town makes Town Board passes a Step DEC "Determination of Significance" Resolutionon the 5 Determination of Significance under SEQRA 1) DEIS 2) Public review process **DEC** 3) Completion of FEIS Step Town publishes notice of SEQRA action to Environmental Notice Bulletin (ENB) 6 1) Resolution on the Determination of Significance with Full EAF & NEG or POS DEC Step Town sends request 2) Proposed Amendment in Legislative format to the APA 3) Resolution seeking formal APA review & approval 7 Changes should be addressed prior to Agency Board APA staff conduct APA Staff may have Issues should be worked out during the informal review Step formal review of the suggestions based on if possible (Step 3-4) 8 APA Act requirements APA staff, in consultation with ED, determine if Amendment Amendment falls under DelRes requirements 1) Requires APA Board Approval: APA staff prepare Amendment a) Amendment & SEQRA documents sent to Agency 1-week prior to Step for the Agency Board Agency Board monthly meeting or Executive Director (ED) 9 b) APA staff present Amendment to the Agency Board approval determination 2) Covered by DelRes: a) Staff summarize Amendment information in a memo to the ED Step APA Agency Board passes Resolution or Conditional Resolution approving Amendment or ED issues letter to the ALLUP granting approval 10 Step Town holds public hearing on the Public comment might suggest a change to the proposed Amendment If change is significant SEQRA needs to be re-addressed APA approved Amendment 11 1) Town records the Amendment appropriately Step Town Board adopts the Amendment (Law gets filed with DOS, Ordinance gets published) updated: 2) Town sends APA a final certified copy Approval requires majority vote 12 6/9/2022