

**PROPOSED LOCAL LAW NO. \_\_ OF 2011**

**TOWN OF PLEASANT VALLEY**

**RE: A LOCAL LAW AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED "ZONING"**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF PLEASANT VALLEY AS FOLLOWS:**

Section 1.

LEGISLATIVE INTENT.

This Local Law of the Town of Pleasant Valley Dutchess County, New York, Amending the Zoning Map of Chapter 98, "Zoning," of the Town Code, shall (1) amend the Town of Pleasant Valley Zoning Map to change the zoning district designation for four parcels comprising a total of 74.49 acres from the MDR (Medium Density Residential) District to the HR (Hamlet Residential) District, (2) clarify note "\*\*\*" on the zoning map, and (3) adopt a new zoning map to encompass these changes and to authorize the printing of a new official Town Zoning Map reflecting this change.

Section 2.

PROPERTY AFFECTED

The four properties affected by this zoning district designation change are identified as Parcel # 6363-02-678937-0000, Parcel #6363-02-542935-0000, Parcel #6363-02-516860-0000, and Parcel #6363-02-615882-0000. Prior to the adoption of the 2009 Zoning Code, each of these properties was zoned R-O (High Density Residential) and had been previously used and/or, granted approvals for use, of the respective properties for uses consistent with the HR, but not the MDR District. The 2009 Zoning Code inadvertently rezoned each of these properties in a manner that made the prior uses and approvals inconsistent with the now current zoning. The purpose of this Amendment is to designate each of the identified parcels as part of the HR District, for use and development consistent with the prior uses and approvals applicable thereto. The land that is to be removed from the MDR District and added to the HR District is located on Wigsten Road, Route 73, in the Town of Pleasant Valley, adjacent to the HR (Hamlet Residential) District where higher density development is prevalent.

Section 3.

AMENDMENTS TO THE ZONING MAP

The Zoning Map of the Town of Pleasant Valley is hereby amended to change the zoning designation of tax map Parcel #6363-02-678937-0000, Parcel #6363-02-542935-0000, Parcel #6363-02-516860-0000, and Parcel #6363-02-542935-0000 from the MDR (Medium Density Residential) District to HR (Hamlet Residential) District.

Section 4.

AMENDMENTS TO THE NOTES ON THE ZONING MAP

Note “\*\*” of the Zoning Map is hereby amended by the addition of the following language:

Average density is a more flexible method of residential development that allows for a range of lot sizes, versus the minimum lot size approach typically used. Instead of resulting in cookie-cutter subdivisions with lots that are all the same size, with “average density” the zoning for the district is used to calculate the allowed number of lots for a project, but the lot sizes can vary. This flexibility in lot size allows for a subdivision that can have a range of acreages and a range of home prices, while protecting natural and scenic resources and meeting Department of Health standards. **The Recommended Lot Size is the minimum lot acreage which is used to calculate Average Density in each zoning district.**

Section 5.

AMENDMENTS TO THE ZONING LAW

The Town of Pleasant Valley Zoning Code, Chapter 98-7, is hereby amended by readopting the map entitled the “Zoning Map of the Town of Pleasant Valley” dated 04-01-2010 and incorporating the changes identified in Sections 2, 3 and 4 above.

Section 6.

SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect within such part or parts.

Section 6.

EFFECTIVE DATE

This local law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

**Underline** denotes addition

~~Strikeout~~ denotes deletion