

INTRODUCTORY LOCAL LAW I-1 OF 2012

A LOCAL LAW AMENDING CHAPTER 305 OF THE CODE OF THE VILLAGE OF WALDEN ENTITLED "ZONING" TO AUTHORIZE A CHANGE TO THE TOWNHOUSE ZONING DISTRICT REGULATIONS AS THEY PERTAIN TO THE LOT WIDTH OF CERTAIN DWELLING UNITS TO BE LOCATED THEREIN.

BE IT ENACTED by the Board of Trustees of the Village of Walden as follows:

SECTION 1. Legislative intent.

The Board of Trustees adopted its Comprehensive Plan in August, 2005. This Comprehensive Plan recommended various Zoning Map and Zoning text changes, one of which was the establishment of a Townhouse Zoning District. In June, 2007, the Board of Trustees enacted a comprehensive set of Townhouse Regulations that included such items as minimum lot size, minimum lot area, minimum lot width, minimum floor area and yard requirements together with a requirement that 20% of townhouse units must be affordable as that term was defined in the regulations. Currently, the owners of the property comprising the Townhouse Zoning District are before the Village Planning Board seeking subdivision and site plan approval for a 204 unit townhouse project. As part of the development of their plan, the owners are requesting a zoning text amendment allowing a reduction in the minimum lot width of 20% of the units proposed in the plan. The Board of Trustees finds and determines that this amendment will allow the Planning Board the flexibility with respect to the lot widths of certain units, will enhance natural resources, create more open space, expand housing choices, protect property values and enhance and protect the physical appearance of the village.

SECTION 2.

Section 305-61(B) of the Code of the Village of Walden entitled "Size of lot and density of development" is hereby amended by repealing therefrom Subsection (2) and enacting a new Subsection (2) as follows:

§305-61.B. Size of lot and density of development.

- (2) The minimum lot width of an affordable townhouse unit shall be twenty (20) feet. For all other units not designated as affordable units, the following minimum widths shall apply: (a) 20% of the total number of townhouse units in the project shall have a minimum lot width of twenty (20) feet, the location of which shall be determined by the Planning Board; (b) all other townhouse units shall have a minimum lot width of twenty-four (24) feet.

SECTION 3. Savings Clause.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Effective date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in Albany.