

**LOCAL LAW #9 OF 2017
A LOCAL AMENDING CHAPTER 305 OF
THE CODE OF THE VILLAGE OF WALDEN ENTITLED “ZONING” TO THE
EXTENT OF AMENDING CODE SECTION 305-61, ENTITLED
“TOWNHOUSE REGULATIONS’ AT SUBDIVISION (J)(1) TO REDUCE THE
MINIMUM PERCENTAGE OF REQUIRED AFFORDABLE HOUSING UNITS
FROM 20% TO 10%**

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

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law Amending Chapter 305 of the Code of the Village of Walden entitled “Zoning” to the extent of amending Code Section 305-61 entitled “Townhouse Regulations” at Subdivision (J)(1) to reduce the minimum percentage of required affordable housing units from 20% to 10%

SECTION 2 – PURPOSE & INTENT

The Village of Walden is committed to providing a variety of residential housing opportunities throughout the Village by allowing a range of housing including single-family residential dwellings, two-family dwellings and multi-family dwellings. Additionally, the Village of Walden is committed to ensuring that residential housing opportunities are available across the entire economic spectrum. In order to ensure that these objectives are being attained through the Zoning Ordinance of the Village of Walden, the Village, from time to time, employs the services of the Village Planner to review existing region-wide housing and economic conditions relative to the terms, provisions and conditions set forth in the Village of Walden Zoning Ordinance. In furtherance of this objective, the Village Planner, Lanc & Tully Engineering and Surveying, P.C., was engaged for the purpose of reviewing and evaluating the Village affordable housing requirement as set forth in Village Zoning Ordinance Section 305-61, entitled “Townhouse Regulations.” Lanc & Tully has issued a report, dated April 20, 2016 wherein it has reviewed the Village’s existing Zoning Ordinance as it relates to affordable housing issues in the Poughkeepsie-Newburgh-Middletown region. A copy of this report is on file with the Village Clerk and is incorporated herein by reference as it sets forth in full the purpose and legislative intent of the modification to the Village Code as provided in this Local Law. **It is the intention of the Village Board that the provisions of this local law shall apply to any project which may be subject to its’ terms that has not commenced construction at the time of the adoption of this law.**

SECTION 3 – AMENDMENT TO TEXT OF CHAPTER 305.

Section 305-61(J)(1) is hereby deleted in its entirety and replaced with the following:

J. Affordable Housing.

- (1) Affordable Units. At least 10% of the townhouse units shall be affordable. Such units shall be disbursed throughout the townhouse project and shall be indistinguishable from the market rate units in terms of their exterior appearance.

SECTION 4 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.