

TOWN OF PINE PLAINS

LOCAL LAW NO. __ OF THE YEAR 2021

A LOCAL LAW AMENDING THE BOUNDARIES OF CERTAIN TOWN OF PINE PLAINS ZONING DISTRICTS AS ESTABLISHED BY ARTICLE XI OF THE TOWN OF PINE PLAINS TOWN CODE, AND THE TOWN OF PINE PLAINS ZONING MAP PURSUANT TO §275-5 OF THE TOWN CODE, AND AMENDMENT OF OTHER PORTIONS OF THE TOWN CODE

BE IT ENACTED by the Town Board of the Town of Pine Plains as follows:

SECTION 1: TITLE.

This Local Law shall be entitled: “A Local Law Amending the Boundaries of Certain Town of Pine Plains Zoning Districts as Established by Article XI of the Town of Pine Plains Town Code and the Town of Pine Plains Zoning Map pursuant to §275-5 of the Town Code and Amendment of Other Portions of the Town Code”.

SECTION 2: LEGISLATIVE INTENT.

The Town of Pine Plains Zoning Law was adopted by Local Law No. 2 of 2009 in October of 2009. The Local Law has been amended in certain respects pursuant to Local Law No. 2 of 2015, Local Law No. 3 of 2015 and by Local Law No. 1 of 2017. The Zoning Law has now been codified as Chapter 275 of the Town Code. The Town Board recently adopted an amendment to its Comprehensive Plan and appointed a Zoning Review Committee to work with BFJ Planning to adopt a series of targeted text changes in the Town’s Zoning Code to address issues which have been identified as requiring amendment, correction or change since the Zoning Code was created in 2009. The Town Board recently, pursuant to Local Law No. 1 of the Year 2021, adopted certain text changes to the Town’s Zoning Code pursuant to the recommendations of the Zoning Review Committee. The Zoning Review Committee also recommended certain proposed changes to the Zoning Districts and Zoning District Map, which include remapping a portion of the Hamlet-Residential (H-R) District to the Hamlet-Center Residential (H-CR) District, slightly expanding the Hamlet-Business (H-BUS) District; creating a new Light Industrial (LI) District and a small expansion of the H-MS District to include portions of two parcels to better reflect their existing uses.

SECTION 3: STATEMENT OF AUTHORITY.

This Local Law is enacted pursuant to the authority of General Municipal Law §10; New York State Town Law including, but not limited to, §265 and in accordance with Article XVII of the Town Code. To the extent the provisions of this Local Law are in conflict with §278 of the New York State Town Law, the Town Board asserts its intention to supersede §278 pursuant to

the authority granted in Municipal Home Rule Law, §1(ii)(b)(3). In accordance with §22(1) of the MHRL, this Local Law supersedes §§267-a, 267-b, 274-a, 274-b, 276, 277 and 278 of the New York State Town Law.

SECTION 4: REVISIONS TO THE TOWN OF PINE PLAINS ZONING MAP AND THE ZONING DISTRICTS AS SET FORTH IN ARTICLE XI OF THE TOWN CODE:

- A. Certain parcels within the western portion of the Pine Plains Hamlet Zone (H-R) are hereby remapped from the H-R District to the H-CR District. Exhibit “A” annexed hereto depicts the current H-R District and Exhibit “B” annexed hereto, the amended H-R and H-CR Districts.
- B. The H-BUS District is hereby remapped to include in that District four parcels south of Church Street/Route 199 in the current Hamlet-Main Street (H-MS) mixed use district. The H-BUS boundary is hereby expanded by four parcels to the east, all of which are located on the south side of Church Street/NYS Route 199. Annexed hereto as Exhibit “A” is a map showing the current H-BUS and H-MS Districts and annexed hereto as Exhibit “B” is a map showing the expanded H-BUS District as a result of this amendment to the Code.
- C. The H-MS District is hereby expanded to include in that District two parcels in the southern portion of the Pine Plains Hamlet District. Annexed hereto as Exhibit “A” is the map showing the current H-MS District and current Hamlet District, and annexed hereto as Exhibit “B” is a map showing the expanded H-MS District.
- D. Section 275-4(A) of the Zoning Code is hereby amended to include a new Light Industrial District as follows:

Symbol	District Name
L-I	Light-Industrial

Annexed hereto as Exhibit “A” is a map showing the current zoning districts and annexed hereto as Exhibit “B” is a map showing the new LI District.

- E. Section 285-4(B)(6) of the Town Code is hereby amended to remove that section in its entirety and to replace it with a new §(6) which shall read as follows:

“(6) Light-Industrial (LI). The Light-Industrial District is intended to support the existing cluster of light industrial businesses west of the Hamlet Center along Church Street/Route 199. These businesses include automobile repair and fabrication, a slaughterhouse, tractor and equipment repair and sales, cultural operations, a propane gas company and trucking and storage.

- F. Attachment 1 of Chapter 275 of the Pine Plains Code, Table A, “Schedule of Use Regulations” is hereby amended to include the Use Regulations for the Light-Industrial District as set forth in the map annexed hereto as Exhibit “C”.
- G. Attachment 2, Chapter 275 of the Pine Plains Code, Table B, is hereby amended to include Bulk Regulations for the Light-Industrial District, as set forth in Exhibit “D” annexed hereto.

SECTION 5: 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 shall be given effect without such part or parts.

SECTION 6: EFFECTIVE DATE.

This local law shall take effect immediately after its filing with the State Secretary of State as provided in §27 of the Municipal Home Rule Law.