

SECTION 1. Legislative Intent.

The Town Board of the Town of East Hampton finds that it has become necessary to assess, review and recommend changes to Chapter 255 of the East Hampton Town Code to ensure that it is compliant with the Town's Comprehensive Plan, including the various plans and studies which were undertaken after the Comprehensive Plan's adoption in 2005. The intent of this amendment is to ensure that Chapter 255 of the East Hampton Town Code adheres to the findings, goals and recommendations of the Comprehensive Plan as it currently exists.

SECTION 2. Amendments.

Chapter 255 (Zoning") Section 255-11 ("Purposes") is hereby amended to read the following:

~~A.~~

~~Orderly growth: to guide and regulate the orderly growth, development and redevelopment of the Town in accordance with a Comprehensive Plan and the long-range objectives, principles and goals set forth therein as beneficial to the interests of the people.~~

A. Orderly growth:

1) To guide and regulate the orderly growth, development, and redevelopment of the Town in accordance with the Comprehensive Plan and the long-range objectives, principles and goals set forth therein as beneficial to the interests of the people.

2) To promote the goal of the Comprehensive Plan to reduce overall build-out to minimize adverse impacts on the Town's infrastructure and municipal budgets, and to protect natural and cultural features.

~~B.~~

~~Protection of neighborhoods: to protect the established character of neighborhoods, especially residential neighborhoods, the social and economic well being of residents and the value of private and public property.~~

B. Proper use of land:

1) To promote the utilization of land for the purposes and scale for which it is the most appropriate, ensuring a balance between ownership rights and the responsibility of compatibility with the findings and goals of the Comprehensive Plan.

2) To ensure East Hampton Town planning activities, resources and initiatives respond to near-term needs and address emerging trends and challenges, in order to promote the quality of life, and to protect the public's health, safety and general wellbeing, and the sustainability and resiliency of the town.

3) To identify and prioritize resident and community needs to prevent disorderly growth for the sake of growth.

4) To sustain economically viable and aesthetically compatible commercial districts and support their vital role within the community, and to encourage businesses to serve the needs of the year-round population.

5) To minimize adverse environmental and quality of life impacts of commercial and industrial uses.

6) To protect and promote public access to and usage of publicly owned lands and waters.

~~C.~~

~~Proper use of land: to promote, in the public interest, the utilization of land for the purposes for which it is the most appropriate and to protect and responsibly promote public access to and usage of publicly owned lands and waters.~~

C. Aesthetic attributes:

1) To perpetuate and enhance areas of natural beauty.

2) To protect, sustain, and restore open vistas and scenic viewsheds for the benefit of the public.

3) To sustain and enhance generally those aesthetic attributes and amenities which not only please the eye, but which together are the essence of the locally and nationally recognized character of the Town.

~~D.~~

~~Affordable housing: to provide for affordable housing of the type and in the locations where the same will be most beneficial to those Town residents of low and moderate income who wish to continue to live and work in East Hampton, but who find that escalating real estate values make it difficult or impossible for them to do so.~~

D. Character:

1) To prioritize traditional rural and maritime land use patterns, abundant natural resources and native vegetation, dark skies, coastal and water views, landscapes and pastoral aspects of the town that define the unique sense of place, and upon which the benefits of the resort and seasonal-home economy are based.

2) To sustain and enhance the town as a desirable, peaceful and attractive place for residents and visitors.

~~E.~~

~~Preservation: to promote in the public interest the preservation of prime agricultural land, productive wetlands, protective barrier dunes and beaches, unique vegetation, important animal habitats and other natural resources and man-made features of historical, environmental or cultural significance to the community.~~

E. Protection of hamlets and neighborhoods:

1) To sustain the long-established and essential character of hamlets and neighborhoods, especially residential neighborhoods.

2) To ensure the well-being and quality of life of residents and to protect enduring value of private and public property by promoting uses and scale of development that is compatible and harmonious with rural, natural, historic and resilient land use patterns and with the goals of the Comprehensive Plan.

~~F.~~

~~Water recharge: to secure through the regulation of land use in morainal water recharge areas and by other means the maximum recharge of the Town's fresh groundwater reservoir and thereby to assure a permanently adequate supply of wholesome and pure water for use by the human~~

~~community as well as a continuing natural balance and integrity of existing ecosystems in the Town.~~

F. Housing Affordability:

- 1) To provide for and protect in perpetuity economically accessible community housing of the type and in the locations where the same will be most beneficial to people who wish to live and work in East Hampton.
- 2) To enable older community members to retire and remain, and younger generations to stay or return here, and for all to thrive.
- 3) To create and sustain appropriate and ample housing options for the seasonal workforce.
- 4) To ensure that land use regulations do not induce real estate market patterns, home prices or rental rates that make it unsustainable for full-time residents or seasonal workforce to live and work in the Town.

G.

~~Clean water: to protect and promote the fisheries and resort industries of the Town by perpetuating and, where necessary, restoring a healthful biological and chemical balance throughout the Town's waters, including its bays, harbors, wetlands, estuaries, ponds, streams, kettleholes and other bogs, natural drainage channels and watercourses, as well as in the adjacent sounds and ocean.~~

G. Town sustainability:

- 1) To safeguard the Town's ability to meet the needs of the current population and promote a vibrant local economy without jeopardizing the thriving of future generations.
- 2) To ensure local business owners can continue to operate and residents can and want to continue to live here.
- 3) To protect local ecological integrity and biodiversity and minimize human degradation of natural systems.
- 4) To manage all resources effectively and reduce waste.
- 5) To prioritize and promote preparedness for and recovery from all types of extraordinary natural and manmade events or emergencies.
- 6) To ensure that growth does not overwhelm the carrying capacity of human-made infrastructure or compromise the regenerative capacity of land, waters, and natural systems.
- 7) To sustain and strengthen the diversity, cohesion, resilience, and social well-being of the community.

H.

~~Safety and health: to secure safety from fire, panic, flood, storm and other dangers, to provide adequate light, air and convenience of access for all properties, to avoid the creation of nuisances and other conditions impinging upon the quiet enjoyment and use of property and to prevent environmental pollution and degradation of whatever kind.~~

H. Coastal resiliency:

- 1) To address fully the town's vulnerability to rising sea level and groundwater, flooding, and coastal and shoreline erosion and how to prepare for the increasing frequency and intensity of extreme weather events.

2) To secure the Town's ability to maintain essential functions and protect critical infrastructure during, and recover after, significant storm effects.

3) To optimize management and protections of undeveloped and developed shoreline and coastal areas and waterfront uses, to ensure the protection and expansion of important natural resources buffers, and to ensure public beach access for recreation and quiet enjoyment.

4) To promote proactive planning and implementation of adaptation and resilience strategies for areas with coastal vulnerabilities as well as vulnerable inland areas, to plan for migration of at-risk coastal assets, and to ensure, where and when necessary, a just transition for residents.

5) To ensure that the Town's land use policy, regulations and decisions are forward looking and will advance preparedness, resilience, public safety, and economic viability by judiciously restraining development of at-risk area and assets and preventing or minimizing near- and long-term risks to property.

I-

Prevention of overcrowding: to prevent the overcrowding of land or buildings, to avoid the undue and unnecessary concentration of population and to lessen and where possible, to prevent traffic congestion on the public streets and highways.

I. Climate change:

1) To promote increased adoption of renewable energy sources and reduced dependence on fossil fuels as well as conservation of energy and non-renewable resources, reduction of consumption and waste, and minimization of polluting and deleterious emissions and effluents.

2) To make climate mitigation a guiding principle and objective of all municipal operations and aspects of Town business, as well as all policy, planning and zoning decisions so that residents can live within the constraints of the environment and climate change.

J-

Property values: to conserve the value of buildings, to promote the economic vitality of established commercial centers and to enhance the value of land generally throughout the Town.

J. Clean water:

1) To prioritize the protection of both surface and ground waters, and to promote understanding that both are linked and integral to sustaining the town.

2) To protect and promote the quality of all surface water and wetland systems for the enjoyment and well-being of the population, the integrity of natural resources, and the thriving of fisheries by requiring, sustaining, and, where necessary, restoring a healthful biological and chemical balance throughout the town's waters.

3) To secure groundwater recharge, through the regulation of land use and by other means, to ensure the maximum protection of the town's aquifer and other recharge areas, thereby assuring a permanent, sustainable supply of clean water for consumption and use by the community, as well as the continuing natural balance and integrity of ecosystems.

4) To sustain the natural hydrological patterns of the land across all properties.

5) To protect and replenish clean water supply by promoting conservation-oriented use patterns, ensuring the restoration of degraded surface and ground waters, and promoting the most effective technologies to improve and protect water quality.

~~K.~~

~~Expedited review: to streamline, integrate, coordinate and, to the extent practicable, expedite local governmental review of development and land use proposals without compromising the thoroughness or quality of such review.~~

K. Natural resources conservation:

1) To promote the preservation of natural resources including agricultural land, complete woodland and wetland systems, barrier dunes, duneland, beaches, bluffs, unique topography, soils, meadows, native and keystone vegetation and species, wildlife and their habitats, and other natural features of environmental, ecological, scenic or cultural significance to the community.

2) To protect and enhance local and regional ecosystems and biological and ecological diversity by preventing to the maximum extent possible unnecessary disturbance and destruction.

3) To promote the restoration, recovery, replenishment and regeneration of natural resources, complex ecological systems, and native flora and fauna where they have already been removed, damaged or degraded.

~~L.~~

~~Aesthetic attributes: to perpetuate and enhance areas of natural beauty, to retain outstanding water views and other open vistas available to residents and visitors and to perpetuate generally those aesthetic attributes and amenities which not only please the eye, but which together are the essence of the nationally recognized character of the Town.~~

L. Historical resources preservation:

1) To promote the timely and ongoing identification and protection of the town's historical, cultural, and archeological resources and its rich architectural heritage across all eras and to prevent further loss.

2) To protect the authenticity and preserve the integrity of structures themselves along with the historical association buildings have with each other, with streetscapes and landscapes by promoting compatible development and land use patterns.

~~M.~~

~~(Reserved)~~

M. Open space protection:

Consistent with the Town's goal of protecting natural, scenic, agricultural, historical, and cultural resources and aesthetic benefits for the public, and in order to promote the social and ecological wellbeing of East Hampton:

1) To protect and to the extent possible prevent and limit the further unnecessary loss of open space, undeveloped and uncleared lands, and agricultural areas and soils through continuing preservation purchases and conservation tools, as well as through appropriate land use regulation.

2) To sustain and encourage current and future active farming for the community.

N. Safety and health:

1) To secure safety from natural and manmade disasters as well as disease and other significant dangers.

2) To ensure adequate light, air, peace, and convenience of access for all properties.

- 3) To avoid and remedy the creation of conditions impinging upon the quiet enjoyment and use of property.
- 4) To prevent environmental pollution and other degradation.

O. Density and congestion:

- 1) To avoid the undue concentration of structures and occupancy.
- 2) To prevent the danger of overcrowding.
- 3) To lessen, and where possible, to prevent traffic congestion.
- 4) To promote and protect orderly movement and the ability to bike and walk easily and safely on streets, roadways, and highways across the town.

P. Appropriate review:

- 1) To ensure comprehensive and accurate local governmental review of building, development, and land use proposals while to the extent practicable, provide streamlined, efficient, and timely review.
- 2) To promote effective communication and proper coordination across Town departments, committees and boards, as well as with County and State regulations and agencies.
- 3) To collect and analyze data as a foundation for planning and decision making, and to make that information appropriately transparent to the public to enhance their understanding and engagement.

Q. Property values:

To conserve the value of buildings, to promote the economic vitality of established commercial centers and to sustain the value of land generally throughout the Town.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and Town Law 261.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.