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LEGISLATION INFORMATION AND HISTORY

(for use with Local Laws, Ordinances, Bylaws, general and permanent Resolutions)

Name of Municipality: Town of Marlborough

Type of enactment (ord., res., bylaw, local law): Local Law

Number: 5

Short Title: Amend Chap. 155 Zoning Article VI, supplementary regulations governing certain uses, section 155-30 (B) design standards, of the Town of Marlborough zoning code.

Relationship to Code:

Amends Chapter No. 155 sect. 155-30(B) § Nos. _____
Repeals Chapter No. _____ § Nos. _____
Adds Chapter No. _____ § Nos. _____

Action	Date of Action	Page Number in Minutes
Introduction	<u>9/25/2023</u>	<u>pg. 480</u>
Publication	<u>9/26/2023</u>	
Public Hearing	<u>11/13/2023</u>	<u>pg. 545</u>
Adoption	<u>11/13/2023</u>	<u>pg. 574</u>
Publish Notice of Adoption	<u>11/14/2023</u>	
Signed by Mayor or Exec.	<u>11/14/2023</u>	
Signed by Clerk or Sec'y	<u>11/14/2023</u>	
Filed with State (Sec'y. of St., Atty. Gen., DOT)	<u>12/11/2023</u>	

Copy sent to General Code Publishers Date 12/26/2023

(see other side for Veto and Referenda information)

NOTE: A copy of this form may be made and placed with the Clerk's or Secretary's file copy of legislation at the time of introduction. The legislative history can then be compiled as the legislation passes through the required procedures. A copy of the form should be sent with the legislation to General Code Publishers for them to keep with your code files, the original being retained as a record in the Clerk's or Secretary's files.

A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING CHAPTER 155 ZONING, ARTICLE VI, SUPPLEMENTARY REGULATIONS GOVERNING CERTAIN USES, SECTION 155-30(B) DESIGN STANDARDS, OF THE TOWN OF MARLBOROUGH ZONING CODE.

Section 1. Purpose

This Local Law is enacted for the purpose of amending Chapter 155 Zoning, Article VI, Supplementary Regulations Governing Certain Uses, Section 155-30(B) Design Standards, of the Town of Marlborough Zoning Code to vary the minimum distances between structures for multi-family dwellings located on properties of twenty acres or more; and

Section 2. Amendment

The Town of Marlborough Code entitled Chapter 155 ZONING, Article VI SUPPLEMENTARY REGULATIONS GOVERNING CERTAIN USES. Section 30 MULTIPLE DWELLINGS shall be and hereby is amended by this Local Law, which shall read in its entirety as follows:

Article VI Supplementary Regulations Governing Certain Uses

§ 155-30 Multiple Dwellings

§ 155-30(A). Lot, yard and density regulations. ... no change

§ 155-30(B). Design standards.

(1) ... no change

(2) ... no change

(3) ... no change

(4) For properties of twenty acres of more, the minimum distances between structures for multi-family dwellings where there are two or more structures on a single lot devoted to multiple dwellings, the minimum distance between structures (foundations) shall not be less than 15 feet and shall follow the New York State Residential Building Code.

Section 3. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of this Local Law, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase of this Local Law, which shall remain in full force and effect.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby

repealed.

Section 5. Authority

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Town Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

Section 6. Effective Date

This law shall become effective upon filing with the office of the New York State Secretary of State in accordance with the Municipal Home Rule Law.