

**TOWN OF FALLSBURG
INTRODUCTORY LOCAL LAW
REPEAL OF PLANNED UNIT DEVELOPMENT DISTRICT NO. 5**

BE IT ENACTED by the Town Board of the Town of Fallsburg, County of Sullivan, State of New York as follows:

Section 1. Legislative intent. Planned Unit Development District No. 5 (“PUD 5”), also titled the “Hidden Valley Hamlet Planned Unit Development District,” is an undeveloped 59.5-acre tract of land located on east side of Pleasant Valley Road and is identified as Tax Map No. 36.-1-10. PUD 5 allows the development of one-family dwellings, two-family dwellings, semidetached rowhouse or townhouse dwellings, and multi-family dwellings. The permitted minimum land area for a one-family dwelling is 7,500 square feet; for a two-family dwelling or a pair of semidetached dwellings, the permitted minimum land area is 15,000 square feet and for groups or clusters of townhouses, the maximum density is 8 dwelling units per acre. The minimum front and rear yard setbacks are 25 feet and the minimum side yard is 12 feet. Neither the types of dwelling units permitted in PUD 5 nor the bulk regulations are consistent with the Town’s Comprehensive Plan.

Section 2. Article XXIII, titled “Planned Unit Development District No. 5,” of Chapter 310, titled “Zoning,” of the Code of the Town of Fallsburg is repealed in its entirety. The zoning code shall continue to contain an untitled article designated as Article XXIII, which shall be reserved for future use.

Section 3. The Zoning Map of the Town of Fallsburg, authorized pursuant to §310-3.2, titled “Zoning Map,” of Chapter 310 titled “Zoning,” of the Code of the Town of Fallsburg is amended by changing the zoning district designation of the former Planned Unit Development District No. 5 to the R (Residence) zoning district, as shown on the portion of the Zoning Map annexed as Exhibit A.

Section 4. Severability. The provisions of this local law are severable and if any provision, clause, subsection, sentence, word or part thereof is held illegal or invalid, or inapplicable to a person or circumstance, such illegality, invalidity or inapplicability shall not affect or impair any of the remaining provisions, clauses, subsections, sentences, words or parts of this local law of their application to other person or circumstance. It is hereby declared that the legislative intent of the Town Board is that this local law would have been adopted if such illegal or invalid provision, clause, subsection, sentence, word or part had not been included therein and if such person or circumstance to which the local law or part thereof is held inapplicable had been exempted therefrom.

Section 5. This local law shall take effect immediately upon filing in the office of the Secretary of State.

EXHIBIT A

AMENDED ZONING MAP

TOWN OF FALLSBURG, SULLIVAN COUNTY, NEW YORK STATE

