

**TOWN OF TUXEDO
INTRODUCTORY LOCAL LAW
SUPPLEMENTAL REGULATIONS FOR ACCESSORY PARKING AND LOADING
AMENDMENT**

BE IT ENACTED by the Town Board of the Town of Tuxedo, Orange County, New York, as follows:

Section 1. Chapter 98 of the Code of the Town of Tuxedo, entitled "ZONING," is hereby amended by amending Section 97-17 entitled "Supplemental Regulations. Accessory parking and loading" to revise the required parking stall size and accessory parking and loading requirements for the Hamlet Business District. The section shall read as follows:

§ 98-17 Supplemental Regulations

- A. Off-street parking requirements. Off-street parking spaces open or enclosed, are permitted as accessory to any use, subject to the following provisions:

...

(3) Size of spaces. Three hundred square feet shall be considered one parking space, to provide room for standing area and aisles for maneuvering. Entrance and exit lanes shall not be computed as parking space except for driveways for one-family and two-family residences, as set forth in Subsection A(2). Minimum parking stall width shall be ten (10) feet; minimum length shall be twenty (20) feet, except within the Hamlet Business District, wherein the minimum parking stall width shall be nine (9) feet; minimum length shall be eighteen (18) feet, if the exemption provisions of subsection (H) are adhered to.

...

H. Exemptions.

- (1) Owners (or occupants with the owners' consent) of existing single-family and two-family dwellings, and existing commercial properties located only within the Hamlet Business District, may apply to the Building Inspector for an exemption from the requirements and standards of § 98-17.
- (2) In the event that a lot occupied by an existing single-family or two-family dwelling, or existing commercial property located only within the Hamlet Business District, cannot conform to the standards of § 98-17 because of lot size, configuration, and/or topography, as determined by the Building Inspector, such occupied lot shall be exempt from enforcement of the standard(s) which cannot be complied with, provided that such use does not violate the Building Code, Fire Code, or any other building or safety regulation that may apply.

Section 2. Severability.

If any portion of this local law or the application of any other provisions to any item in this law is held invalid, the invalidity of that provision or application shall not affect any of the other provisions or the application of those provisions to other items in this chapter.

Section 3. Supersession of Inconsistent Laws, if any.

The Town Board hereby declares its legislative intent to supercede any provision of any local law, rule, or regulation or provision of the Town Law inconsistent with this local law. The Town Law provisions intended to be superceded include any provision of law that the Town may supercede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and apply it in the event the Town has failed to specify any provision of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superceded such inconsistent provision had it been apparent.

Section 4. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

**TOWN OF TUXEDO
NOTICE OF HEARING
INTRODUCTORY LOCAL LAW**

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of Tuxedo, New York, on _____, 2020, a local law entitled, “Supplemental Regulations for Accessory Parking and Loading,” which local law would revise the required parking stall size and accessory parking and loading requirements for the Hamlet Business District. . A complete copy of the Introductory Local Law is available for inspection at the Clerk's Office.

NOW, THEREFORE, pursuant to Section 20 of the Municipal Home Rule Law, the Town Board of the Town of Tuxedo, New York, will hold a public hearing on the aforesaid Local Law at the Town of Tuxedo Town Hall, New York, on _____, 2020, at _____ P.M., at which time all persons interested therein shall be heard.

The Town of Tuxedo will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: _____, 2020

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF TUXEDO

DONNA MATTHEWS, TOWN CLERK

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, entitled “Supplemental Regulations for Accessory Parking and Loading” be and it hereby is introduced by _____, before the Town Board of the Town of Tuxedo in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Town of Tuxedo Town Hall, 1 Temple Drive, Tuxedo, New York 10987, in the Town of Tuxedo, Tuxedo, New York at _____ P.M. on _____, 2020 and

BE IT FURTHER RESOLVED that the Clerk post and publish or cause to be published a public notice in the official newspaper of the Town of Tuxedo of said public hearing at least five (5) days prior thereto and

BE IT FURTHER RESOLVED that the Board hereby directs that a copy of the aforesaid proposed local law be referred to the Orange County Department of Planning pursuant to General Municipal Law § 239-m and to the Town Planning Board pursuant to Town of Tuxedo Zoning Code § 98-40.

On a motion by _____, seconded by _____, the resolution was adopted on a vote of ____ Ayes, ____ Nays.

The Supervisor declared this resolution adopted.

Dated: _____, 2020

TOWN OF TUXEDO
RESOLUTION OF ADOPTION____
LOCAL LAW NO. OF 2020
SUPPLEMENTAL REGULATIONS FOR ACCESSORY PARKING AND LOADING

WHEREAS, an introductory Local Law, entitled “Supplemental Regulations for Accessory Parking and Loading” was introduced before the Town Board of the Town of Tuxedo on _____, 2020, and upon notice duly published and posted, a hearing was held on _____, 2020, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law.

NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Supplemental Regulations for Accessory Parking and Loading” *(is a Type II action under SEQOR and is hereby determined not to have a significant effect on the environment) or (is an Unlisted action and is hereby determined not to have a significant effect on the environment).*

BE IT FURTHER RESOLVED, that the introductory Local Law entitled Supplemental Regulations for Accessory Parking and Loading” of the Town of Tuxedo be and hereby is adopted as Local Law #____ of 2020 of the Town of Tuxedo on _____, 2020.

On the motion of _____, seconded by _____, the foregoing resolution was adopted on a vote of _____ Ayes, _____ Nays.

The Supervisor declared the resolution adopted.