

**TOWN OF RHINEBECK**  
**PROPOSED LOCAL LAW NO. \_\_\_ OF THE YEAR 2017**

*Final Draft / AB 02-05-2017*

**BE IT ENACTED** by the Town Board of the Town of Rhinebeck as follows:

**Section 1. Title**

This Local Law shall be entitled as “A Local Law Amending Town Code Chapter 125, Zoning, in the matter of Establishing and Locating a Civic 2 (CIV2) District and Providing Regulations for Development Therein”.

**Section 2. Amendment to Town Chapter 125, Zoning**

A. Amend Article II, Establishment of Zoning Districts, Section 125-15. Zoning districts, Subsection A, by adding the following under the heading Special Purpose Districts:

CIV2           Civic 2 District.

B. Amend Article II, Establishment of Zoning Districts, Section 125-15, Zoning districts, by adding the following Subsection:

Z.1 Civic 2 (CIV2). The Civic 2 District delineates those lands where communications facilities and towers and solar energy installations of substantial benefit to the Town and its environs may be sited as principal uses in addition to the siting of those uses permitted by either right or special use permit within the Civic (CIV) District.

C. Amend Article II, Establishment of Zoning Districts, Section 125-16, Zoning districts maps, Attachment 1.2, Zoning Districts Map, by adding the Civic 2 (CIV2) District within the legend set forth thereon and re-classifying the land compositely described as Tax Map Parcels 135089-6271-00-746511, 135089-00-6271-816570, 135089-00-6271-903430 and 135089-00-6271-975725, being a total of 236 acres+/- and all owned by the Town of Rhinebeck, from Civic (CIV) District to Civic 2 (CIV2) District.

D. Amend Article III, Use Regulations, Section 125-20, District Schedule of Use Regulations, Subsection A, Attachment 2.1 through 2.6, by adding the following column heading:

Civic 2

E. Amend Article III, Use Regulations, Section 125-20, District Schedule of Use Regulations, Subsection A, Attachment 2.1 through 2.6, by adding the following designations under the column heading Civic 2 District and, where applicable, the stated cross-reference under the column heading Special Conditions:

- Customary accessory use P/S
- Agriculture P Section 125-49
- Civic uses P\*
- Communications facility and tower SP\* Section 125-68.BBB
- Conservation P
- Forestry P Section 125-55.E(2)  
(d) and (f)
- Major excavation and/or tree clearing S\* Section 125-68.NN
- Not-for-profit/non-commercial outdoor recreation S\* Section 125-68.P
- Town or village uses, municipally sponsored uses P\*
- All solar energy systems, including a solar power plant or solar farm, listed as either accessory or principal uses under the heading Solar Energy Uses as established by Local Law No. \_\_, 2017, and subject to the standards and permit and approval requirements set forth therein.
- All other listed uses --

F. Amend Article IV, Section 125-21, District Schedule of Area and Bulk Regulations, Subsection A, Attachment 3.1, by adding the following under the column heading Zoning District:

CIV2

G. Amend Article IV, Section 125-21, District Schedule of Area and Bulk Regulation, Subsection A, Attachment 3.1, by adding the following opposite CIV2:

Both private and municipally-sponsored uses within the Civic 2 District are subject to review by the Planning Board under the general standards of Article VI, Section 125-67 except where otherwise set forth in Article II, Use Regulations, Section 125-20, District Schedule of Use Regulations.

**Section 3. Supersession**

This local law is hereby adopted pursuant to the provisions of Section 10 of the New York State Municipal Home Rule Law and Section 10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Town Law to the extent that they may be inconsistent with the provisions of this Local Law.

**Section 4. Severability.**

If any section or part of this local law is declared invalid or unconstitutional by a court of competent jurisdiction, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this local law.

**Section 4. Effective Date**

This local law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Section 27 of the New York State Municipal Home Rule Law.