

**VILLAGE OF HIGHLAND FALLS
LOCAL LAW NO. 2 OF THE YEAR 2016**

A local law to adopt *Orange County Greenway Compact*

Be it enacted by the Village Board of the Village of Highland Falls as follows:

Section 1. Adoption of Orange County Greenway Compact.

1. Pursuant to the provisions of Section 44-0119 of the Environmental Conservation Law of the State of New York, the Village of Highland Falls hereby adopts the statement of land use policies, principles and guides entitled "Orange County Greenway Compact: A Greenway Planning Programs Linking Orange County's Open Space, Historic, Cultural and Economic Resources" (hereinafter referred to as "*Orange County Greenway Compact*"), by which action the Village of Highland Falls becomes a participating community in the Greenway compact.
2. Proposals to amend *Orange County Greenway Compact* may from time to time be made by The Hudson River Valley Greenway Communities Council (hereinafter referred to as "Greenway Council") in response to requests from participating communities. Within ninety days of receipt of any such proposal from the Greenway Council, the Village Board of the Village of shall determine by resolution whether to accept or to reject such proposed amendment. Any proposed amendment so accepted shall be considered an amendment of *Orange County Greenway Compact* as adopted by the Village of Highland Falls. Any proposed amendment rejected by the Village Board will not be considered to be an amendment of *Orange County Greenway Compact* for the Village of and notice of such rejection shall promptly be provided to the Greenway Council.
3. It is the stated policy of the Village of Highland Falls, that to the extent the Village amends its current, or enacts new, land use laws and regulations, such new or amended laws and regulations, where appropriate, will be designed to be consistent with the *Orange County Greenway Compact*.

Section 2. Amendment of Zoning Law

To implement *Orange County Greenway Compact* in the Village of Highland Falls, Chapter 240, titled "Zoning" of the Village of Highland Falls Code is hereby amended by the addition of a new ARTICLE XIV titled, "Orange County Greenway Compact," with the following provision:

§ 240-84. *Orange County Greenway Compact*. By Local Law No. 2 of the year 2016 the Village of Highland Falls has adopted the "Orange County Greenway Compact," as amended from time to time, as a statement of land use policies, principles and guides. In its discretionary actions under this zoning law, the reviewing agency should take into consideration said statement of policies, principles and guides.

Section 3. Amendment of Subdivision Law

To implement *Orange County Greenway Compact* in the Village of Highland Falls, Chapter 207, titled "Subdivision of Land" of the Village of Highland Falls Code is hereby amended by the addition of a new ARTICLE XI titled, "Orange County Greenway Compact," with the following provision

§ 207-33. *Orange County Greenway Compact*. By Local Law No. 2 of the year 2016 the Village of Highland Falls has adopted the "Orange County Greenway Compact: A Greenway Planning Programs Linking Orange County's Open Space, Historic, Cultural and Economic Resources," as amended from time to time, as a statement of land use policies, principles and guides. In its discretionary actions under this subdivision law, the reviewing agency should take into consideration said statement of policies, principles and guides.

Section 4. Home Rule Authority and Withdrawal

Nothing in this local law, in the adoption of the *Orange County Greenway Compact*, or in becoming a participating community in the Greenway compact is intended or shall be construed (a) to limit the home rule authority of the Village under state law to make local land use and zoning decisions, (b) to authorize any other entity to supersede the Village's land use laws and regulations or to impose any requirements on the Village, or (c) to prevent the Village in its sole discretion from adopting a local law at a later date for the purpose of withdrawing from the Greenway compact or the *Orange County Greenway Compact*.

Section 5. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Village Board of the Village of hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.