

**VILLAGE OF HIGHLAND FALLS
LOCAL LAW NO. 4 OF 2022
AMENDMENT TO THE ZONING LAW INCREASING THE REQUIRED MINIMUM LOT
AREA PER DWELLING UNIT IN THE B-3 BUSINESS DISTRICT**

BE IT ENACTED by the Village Board of Trustees of the Village of Highland Falls, County of Orange, State of New York, as follows:

Section 1. Legislative Findings, Purpose and Intent.

The Village Board of the Village of Highland Falls hereby finds and determines that in order to protect the Village from excessive high-density residential development it is necessary to amend the Village’s zoning law to increase the required minimum lot area per dwelling unit in the B-3 Business district, pursuant to the recommendations of the Village’s Comprehensive Plan. This revision is necessary to correct a recently discovered drafting error contained in Local Law No. 1 of 2020, which created the B-3 district and inadvertently set the minimum lot area at 350 square feet per-dwelling unit instead of the existing lot area of 2,500 square feet contained in the long-existing B-1 district.

Section 2. Authority.

This local law is enacted by the Village Board of Trustees of the Village of Highland Falls pursuant to its authority to adopt local laws pursuant to the New York State Constitution and Section 10 of the Municipal Home Rule Law.

Section 3.

Chapter 240, titled, “Zoning,” of the Village of Highland Falls is hereby amended as follows:

Column 3, titled, “B-3 Business,” of section 240-25, titled, “Table of Dimensional Regulations,” is amended by increasing the “lot area minimum per dwelling unit (square feet) from 350 to 2,500, as shown below:

	B-1 Village	B-2 Highway	B-3 Business
	Business	Commercial	Commercial
Lot area minimum per dwelling unit (square feet)	2,500	X	2,500

Section 4. Supersession, of Inconsistent Laws, if any.

The Village Board of Trustees hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.