S T A T E O F N E W Y O R K

3003

2013-2014 Regular Sessions

I N S E N A T E

January 28, 2013

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the village law, in relation to the minimum size of residential lots

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 7-700 of the village law is amended to read as follows:

S 7-700 Grant of power. For the purpose of promoting the health, safety, morals, or the general welfare of the community, the board of trustees of a village is hereby empowered, by local law, to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes. PROVIDED, HOWEVER, THAT A VILLAGE FORMED AFTER JANUARY FIRST, TWO THOUSAND FIVE HAVING A POPULATION OF THIRTY THOUSAND OR LESS SHALL NOT REQUIRE A RESIDENTIAL LOT SIZE EXCEEDING THE AVERAGE FOR AN IMPROVED RESIDENTIAL LOT SIZE IN THE VILLAGE AT THE TIME OF SUCH FORMATION. As a part of the comprehensive plan and design, the village board is empowered by local law, to regulate and restrict certain areas as national historic landmarks, special historic sites, places and buildings for the purpose of conservation, protection, enhancement and perpetuation of these places of natural heritage. Such regulations shall provide that a board of appeals may determine and vary their application in harmony with the general purpose and intent, and in accordance with general or specific rules therein contained.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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