

# VILLAGE OF BABYLON

## LOCAL LAW 9 of 2019

### AMENDMENT TO THE VILLAGE CODE

#### CHAPTER 365 ARTICLE IV SECTION 20 SUBSECTION C RETAIL BUSINESS DISTRICTS

##### **Legislative Intent**

The Village Board has determined that in certain geographic areas of the Village of Babylon Retail Business District the proscribed height requirements are detrimental to the Villages' zoning scheme and contrary to public policy. These height requirements limit development, redevelopment, cohesive planning, revitalization, impose a hindrance on local businesses, and encourage deterioration of the Retail Business District of the Village. The Board of Trustees finds that this amended chapter is aimed to improve public health, safety, welfare and good order and that the governance of the Village will be enhanced by enactment of the regulations set forth in this article.

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Babylon as follows:

Chapter 365 Article IV Section 20 Subsection C of the Retail Business Districts of the Code of the Village of Babylon is hereby amended by adding a new second sentence after the word "roof" as follows (see bold sentence below):

##### **§365-20: Retail Business Districts**

###### **C.**

Building height limit shall be 2 1/2 stories, but not exceeding 30 feet, as measured from the top of the curb, or the crown of the road where no curbs exist, to the highest point of the roof.

Notwithstanding the foregoing, parcels which fronting on Railroad Avenue between North Carl Avenue and Deer Park Avenue and fronting on Depot Place running from Railroad Avenue to the Long Island Railroad trestle, the building height limit shall be 4 stories, but not exceeding 40 feet, as measured from the top of the curb, or the crown of the road where no curbs exists, to the highest point of the roof.

##### **Severability.**

If any clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in said judgment.