

VILLAGE OF MONROE  
AMENDMENT TO LOCAL LAW NO. 4 OF 2021  
ESTABLISHING FLOOR AREA RATIOS FOR SINGLE-FAMILY DETACHED  
DWELLINGS AND TWO-FAMILY DWELLINGS IN THE VILLAGE OF MONROE

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

**Section 1.** Legislative Intent and Purposes.

The character of residential neighborhoods in the Village of Monroe derives from the harmonious relationship between single- and two-family dwellings, their massing and the overall size of the dwellings relative to the size of the lot they are situated upon and the neighborhood in which they are located. Local Law 4 of 2021 established a maximum floor area ratio (FAR) to protect the scale, density, and character of Monroe’s stable and well-maintained neighborhoods.

Although the intent of LL 4 was to apply FAR to all residential dwellings included therein, certain language has been interpreted to mean that all approved and filed subdivisions are exempt from FAR bulk regulations. Such interpretation is contrary to the intent of the Board of Trustees and, therefore, this amendment shall remove any perceived ambiguities within the subject Code.

**Section 2.** Authority.

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

**Section 3.** Chapter 200 (“Zoning”)

Subsection § 200-24.1, titled “Floor area ratio (FAR) for single-family detached and two-family dwellings,” of Article VI, titled, “Supplementary Building Requirements,” of Chapter 200, “Zoning,” of the Village of Monroe Code is hereby amended by inserting a new paragraph A titled, “Purpose,” and B, titled “Variance of FAR,” to read as follows:

- A. Purpose. The Board of Trustee’s purpose in establishing maximum FAR is to effectuate a primary goal of the Comprehensive Plan, which is to maintain the existing scale of residential neighborhoods, protect the character of the Village, and reasonably scale residential development to provide the greatest opportunity for the quiet enjoyment of residential life in the Village. In residential districts, this protection is best described by the floor area ratio of building to lot size. The Village Board considers any increase whatsoever in maximum floor area ratio to be “substantial” and will result in an undesirable change in the character of the neighborhood in which it is proposed.
- B. Variance of FAR. Where a variance of FAR is sought, the Village Board requests that during its deliberations the Zoning Board of Appeals take into consideration the purpose of FAR as stated herein.

Section 200-24.1 is further amended by re-designating former paragraph “A” as “C”, and redesignating former paragraphs “B” as “D” and “C” as “E”, and deleting former subparagraphs A(2)[a] and A(2)[b] to read in its revised form as follows:

**A.C. Applicability.**

- (1) This Section shall apply to all single-family detached dwellings and all two-family dwellings in all districts whether said dwellings are conforming or non-conforming as to bulk, as follows:
  - (a) New construction.
  - (b) Existing dwellings, including conversions, demolitions, reconstructions, expansions, and additions that expand the gross floor area of the dwelling.
- (2) This Section shall not apply to:
  - ~~(a) Residential subdivisions that have been filed in the Orange County Clerk’s Office prior to the adoption of the Residential FAR Schedule.~~
  - ~~(b) Residential site plans that have received final conditional approval by the Planning Board prior to the adoption of the Residential FAR Schedule.~~
  - (a) Any application for a building permit to alter the interior space of a single-family detached or two-family dwelling which alteration does not enlarge the floor area of the dwelling.
- (3) Nothing herein shall be construed to permit a single-family detached dwelling or two-family dwelling to be constructed, altered and/or modified such that it exceeds the maximum building height or maximum number of stories set forth in the Table of District Uses and Bulk Regulations of this Zoning Chapter absent an area variance received from the Zoning Board of Appeals of the Village of Monroe.

**Section 4. SUPERSEDING PROVISION.**

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

**Section 5. SEVERABILITY.**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

**Section 6. EFFECTIVE DATE.**

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.