

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MOUNT VERNON, DESIGNATING ITSELF AS LEAD
AGENCY FOR PROPOSED ZONING AMENDMENTS
REGARDING HEALTH CLUBS IN THE MX-1, MVW-H,
MVW-C, NB, OB, DB, CB, LI-7.5, LI-15, I, TOD-1, AND
DTOAD DISTRICTS, REFERRING THE AMENDMENTS
TO THE CITY CORPORATION COUNSEL, CITY
PLANNING BOARD, AND WESTCHESTER COUNTY
PLANNING BOARD, AND SCHEDULING A PUBLIC HEARING**

WHEREAS, the City Council of the City of Mount Vernon proposes to amend Chapter 267 (Zoning) of the Code of the City of Mount Vernon (“Code”) to permit and regulate, as principal permitted uses, “Health Clubs” in the City’s MX-1 Commercial Corridor, MVW-H Mount Vernon West Transit Oriented Development Zone (Hub), MVW-C Mount Vernon West Transit Oriented Development Zone (Corridor), NB Neighborhood Business, OB Office Business, DB Downtown Business, CB Commercial Business, LI-7.5 Landscaped Industrial, LI-15 Landscaped Industrial, I Industry, TOD-1 Mount Vernon East TOD High Density, and DTOAD Downtown Transit Oriented Arts Districts in the City of Mount Vernon; and

WHEREAS, the City Council finds that it is necessary and desirable, as a matter of public policy, to permit health clubs as principal permitted uses in the aforementioned Districts in the City of Mount Vernon; and

WHEREAS, Chapter 267 already provides a definition of “Health Club” in Section 267-4 (Definitions), as well as parking requirements for “Health Clubs” in 267 Attachment 3 (Off-Street Parking and Loading Space Requirements), suggesting that the absence of health clubs being listed as a permitted use in any district was an oversight or error in the existing Code; and

WHEREAS, the City Council, in conjunction with its Staff, prepared a draft “Ordinance to Amend Chapter 267 (Zoning) of the Code of the City of Mount Vernon to Permit and Regulate Health Clubs in the MX-1, MVW-H, MVW-C, NB, OB, DB, CB, LI-7.5, LI-15, I, TOD-1, and DTOAD Districts” (“Code Amendment”), a copy of which is annexed to this Resolution; and

WHEREAS, the Code Amendment is classified as a Type I Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”); and

WHEREAS, the City Council desires to designate itself as Lead Agency for the review of the Code Amendment under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1); and

WHEREAS, the City Council is required to refer the Code Amendment to the Corporation Counsel and Planning Board for their respective reviews and reports pursuant to Section 267-59 of the Code; and

WHEREAS, Section 267-59 of the Code requires the Corporation Counsel and the Planning Board to report its recommendations to the City Council with respect to the Code Amendment within 30 days after referral; and

WHEREAS, the City Council is also required to refer the Code Amendment to the Westchester County Planning Board pursuant to Section 267-62 of the Code, and Section 239-m of the General Municipal Law; and

WHEREAS, the City Council is desirous of scheduling a Public Hearing on the Zoning Amendment for September 10, 2025, pursuant to Section 267-60 of the Code.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby designates itself as Lead Agency for review of the Code Amendment under SEQRA; and

BE IT FURTHER RESOLVED, that the City Council authorizes the City Clerk to refer the Code Amendment to the City of Mount Vernon Corporation Counsel and Planning Board for their respective reports pursuant to Section 267-59 of the Code; and be it

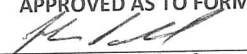
BE IT FURTHER RESOLVED, that the City Council authorizes the City Clerk to refer the Code Amendment to the Westchester County Planning Board in accordance with Section 267-62 of the Code, and Section 239-m of the General Municipal Law; and

BE IT FURTHER RESOLVED, that the City Council shall hold a Public Hearing on the Code Amendment on September 10, 2025 at 7:00 p.m. in City Hall, Council Chambers – Room 206, 1 Roosevelt Square N., Mount Vernon, New York, 10550, where public comment will be heard regarding the Code Amendment, and written comments on the Code Amendment are requested, and will be accepted by the City Council up to ten (10) days following the close of the Public Hearing; and

BE IT FURTHER RESOLVED, that the City Clerk shall arrange to fulfill the notice requirements for the Public Hearing pursuant to Section 267-61 of the Code; and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Vote Taken As Follows: 8/13/25
Boxhill: Yea Browne: Absent
Gleason: Yea Poteat: Absent
Thompson: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

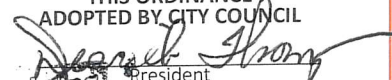
APPROVED

Date _____
Mayor

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(4906-6985-1479, v. 1)
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Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL


Acting President


City Clerk

AN ORDINANCE TO AMEND CHAPTER 267 (ZONING) OF THE CODE OF THE CITY OF MOUNT VERNON TO PERMIT AND REGULATE HEALTH CLUBS AND FITNESS CENTERS IN THE MX-1, MVW-H, MVW-C, NB, OB, DB, CB, LI-7.5, LI-15, I, TOD-1, AND DTOAD DISTRICTS

WHEREAS, the City of Mount Vernon has determined that it is in the best interest of the City and its residents to amend Chapter 267 (Zoning) to permit and regulate, as principal permitted uses, “Health Clubs and Fitness Centers” in the City’s MX-1 Commercial Corridor, MVW-H Mount Vernon West Transit Oriented Development Zone (Hub), MVW-C Mount Vernon West Transit Oriented Development Zone (Corridor), NB Neighborhood Business, OB Office Business, DB Downtown Business, CB Commercial Business, LI-7.5 Landscaped Industrial, LI-15 Landscaped Industrial, I Industry, TOD-1 Mount Vernon East TOD High Density, and DTOAD Downtown Transit Oriented Arts Districts (“Zoning Amendment”); and

WHEREAS, Chapter 267 already provides a definition of “Health Club” in Section 267-4 (Definitions), as well as parking requirements for “Health clubs” in 267 Attachment 3 (Off-Street Parking and Loading Space Requirements), suggesting that the absence of health clubs and fitness centers being listed as a permitted use in any district was an oversight or error in the existing Code; and

WHEREAS, on , 2025, the City Council adopted a Negative Declaration under the State Environmental Quality Review Act and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively, “SEQRA”), determining that the Zoning Amendment does not have the potential to result in any significant adverse environmental impacts; and

WHEREAS, having completed the SEQRA process, the City Council desires to amend Chapter 267 (Zoning) to add “Health clubs and fitness centers” as a principal permitted use in the MX-1, MVW-H, MVW-C, NB, OB, DB, CB, LI-7.5, LI-15, I, TOD-1, and DTOAD Districts.

NOW, THEREFORE, the City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Section 267-4, Definitions, of the Code of the City of Mount Vernon, is hereby amended to delete the definition of “Health Club” and replace it with the following:

HEALTH CLUBS AND FITNESS CENTERS

Membership facilities designed and used for body conditioning and rehabilitation, including activities such as aerobic and related class exercises. Health clubs may contain equipment such as include free weights, cardio equipment, boxing studios, whirlpools, saunas, steam rooms, showers, locker facilities and, as an accessory use, a health food bar.

Section 2. Section 267-19, List of mixed-use districts, shall be amended to add a new subsection A(3)(a)[24], to add “Health clubs and fitness centers” as a principal permitted use in the MX-1 Commercial Corridor District, as follows:

A. MX-1 Commercial Corridor District.

(3) List of use regulations

(a) Permitted principal uses.

[24] Health clubs and fitness centers.

Section 3. The “Permitted use table” set forth in Section 267-19B(6), shall be amended to add “Health clubs and fitness centers” as a principal permitted use in the MVW-H Mount Vernon West Transit Oriented Development Zone (Hub), and MVW-C Mount Vernon West Transit Oriented Development Zone (Corridor) Districts, to be listed under the “Commercial Uses” heading in the first column, after “Wireless telecommunications facility,” and before the heading for “Accessory Uses,” as follows:

Use	MVW-H	MVW-H(NC)	MVW-C	MVW-T	MVW-T(NC)
Health clubs and fitness centers	P	X	P	X	X

Section 4. Section 267-20, List of nonresidence district uses, shall be amended to add new subsections A(1)(s), B(1)(m), C(1)(p), D(1)(z), E(1)(m), (F)(1)(s), to add “Health clubs and fitness centers” as a principal permitted use in the NB Neighborhood Business, OB Office Business, DB Downtown Business, CB Commercial Business, LI-7.5 Landscaped Industrial, LI-15 Landscaped Industrial, and I Industry Districts, as follows:

- A. District NB Neighborhood Business.
 - (1) Permitted principal uses.
 - (s) Health clubs and fitness centers.
- B. District OB Office Business.
 - (1) Permitted principal uses.
 - (m) Health clubs and fitness centers.
- C. District DB Downtown Business.
 - (1) Permitted principal uses.
 - (p) Health clubs and fitness centers.
- D. District CB Commercial Business.
 - (1) Permitted principal uses.
 - (z) Health clubs and fitness centers.
- E. District LI-7.5, LI-15 Landscaped Industrial.
 - (1) Permitted principal uses.
 - (m) Health clubs and fitness centers.
- F. District I Industry.
 - (1) Permitted principal uses.
 - (s) Health clubs and fitness centers.

Section 5. The “Permitted uses” table set forth in Section 267-27.3(D), shall be amended to add “Health clubs and fitness centers” as a principal permitted use in the DTOAD Downtown Transit Oriented Arts District, to be listed under the “Commercial Uses” heading in the first column, after “Satellite Earth Stations or Dish Antennas (when accessory to principal use),” and before the heading for “Accessory Uses,” as follows:

Health Clubs and Fitness Centers	P
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Section 6. 267 Attachment 3, Off-Street Parking and Loading Space Requirements, shall be amended to revise the reference to “Health clubs,” and change it to “Health clubs and fitness centers.”

Section 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 8. Effective Date. This ordinance shall take effect upon review and acceptance from the City Council.

	Council Person
APPROVED AS TO FORM	THIS ORDINANCE
	ADOPTED BY CITY
	COUNCIL
Assistant Corporation Counsel	President
	Attest:
	City Clerk
	APPROVED
APPROVED	Date
Dept.	
	By
	Mayor

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:		Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			☐	☐
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)				
☐ Forest Agriculture Aquatic Other(Specify):				
☐ Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☐ ☐	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☐	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☐ ☐ ☐	YES ☐ ☐ ☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO ☐ ☐	YES ☐ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☐ ☐	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest Agricultural/grasslands Early mid-successional Wetland ☐ Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO ☐	YES ☐

49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☐	YES ☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☐	YES ☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



Westchester County Planning Board Referral Review

Pursuant to Section 239 L, M and N of the General Municipal Law and
Section 277.61 of the County Administrative Code

Kenneth W. Jenkins
Westchester County Executive

September 8, 2025

Nicole Bonilla, City Clerk
City of Mount Vernon
One Roosevelt Square
Mount Vernon, NY 10550

County Planning Board Referral File: MTV 25-006 – Health Clubs Zoning Text Amendment

Dear Ms. Bonilla:

The Westchester County Planning Board has received a proposed amendment to the text of the Mount Vernon Zoning Ordinance to include Health Clubs and Fitness Centers as a principal permitted use within the MX-1 – Commercial Corridor; MVW-H – Mount Vernon West Transit Oriented Development Zone (Hub); MVW-C – Mount Vernon West Transit Oriented Development Zone (Corridor); NB – Neighborhood Business; OB – Office Business; DB – Downtown Business; CB – Commercial Business; LI-7.5 – Landscaped Industrial; LI-15 – Landscaped Industrial; I – Industry; TOD-1 – Mount Vernon East TOD High Density; and DTOAD – Downtown Transit Oriented Arts districts. An existing definition of “Health Clubs” would be replaced to indicate “Health Clubs and Fitness Centers.”

We have no objection to the Mount Vernon City Council assuming Lead Agency status for this review.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and find it to be a matter for local determination in accordance with the City’s planning and zoning policies.

Please inform us of the City’s decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

A handwritten signature in blue ink, appearing to read "Bernard Thombs".

Bernard Thombs
Chair, Westchester County Planning Board

BT/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning



City Planning Board
Department of Planning & Community Development
City Hall - Roosevelt Square
Mount Vernon, New York 10550-2060
(914) 699-7230

Shawyn Patterson-Howard
Mayor

Darryl Selsey
Chair

MEMO

TO: Mount Vernon City Council

FROM: Chair Darryl Selsey and Planning Board Members

RE: Request for Comments on Zoning Text Amendment for Health Clubs and Fitness Centers

DATE: September 10, 2025

Comments:

- This report is provided to the City Council under Code Section 267-59.
- The Planning Board reviewed and discussed the proposed Zoning Amendment to permit and regulate health clubs and fitness centers in the MX-1 Commercial Corridor, MVW-H Mount Vernon West Transit Oriented Development Zone (Hub), MVW-C Mount Vernon West Transit Oriented Development Zone (Corridor), NB Neighborhood Business, OB Office Business, DB Downtown Business, CB Commercial Business, LI-7.5 Landscaped Industrial, LI-15 Landscaped Industrial, I Industry, TOD-1 Mount Vernon East TOD High Density, and DTOAD Downtown Transit Oriented Arts Districts.
- The Planning Board supports the proposed Zoning Amendment because it will allow a number of existing health club and fitness center businesses that are currently located in the city to continue to operate.
- The Planning Board supports the proposed Zoning Amendment because it will allow for new businesses of this type to locate within the city.
- The proposed Zoning Amendment is in accordance with the purposes of the Zoning Chapter.
- The Planning Board states no objection to the City Council assuming Lead Agency status for the environmental review of this action.