

**AN ORDINANCE TO AMEND CHAPTER 267 (ZONING) OF THE CODE OF THE
CITY OF MOUNT VERNON TO PERMIT AND REGULATE INDOOR AMUSEMENT
USES IN THE CB, LI-7.5, AND I 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 indoor amusement uses in the City’s CB Commercial Business, LI-7.5 Landscaped Industrial, and I Industry Districts (“Zoning Amendment”); and

WHEREAS, on May 14, 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 Indoor Amusement Uses as a special permit use in the CB, LI-7.5, and I 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 add the following:

AMUSEMENT FACILITY, INDOOR

A building and site designed and equipped for recreation, amusement and leisure-time activities that are completely located inside of a building, including but not limited to, bowling, go-karting, slot-car racing, amusement devices, miniature golf, sports/batting cages, laser tag, climbing walls, trampolines, rope courses, arts and crafts activities, games of deduction (treasure hunts, escape the room, etc.), virtual reality and other activities. This use shall be deemed to include associated instructional classes. Retail, food and beverage sales associated with any such uses shall be deemed an accessory use. Indoor amusement facilities shall not be deemed to include health clubs, personal instructional facilities, and athletic membership clubs, discharge of firearms, or any use where the activity is prohibited by law from being accessible to all age groups. To the extent applicable, the above shall be subject to the provisions of Chapter 84 - Amusements.

Section 2. Section 267-20, List of nonresidence district uses, shall be amended to add new subsections D.(3)(k), E.(3)(h), and F(3)(o), to add “Indoor amusement facilities” as a use allowed by special permit in the CB Commercial Business, LI-7.5 Landscaped Industrial, and I Industry Districts, as follows:

D. District CB Commercial Business.

(3) Uses allowed by special permit.

(k) Indoor amusement facilities as regulated by Chapter 267, Article VI.

E. District LI-7.5, LI-15 Landscaped Industrial.

(3) Uses allowed by special permit.

(h) Indoor amusement facilities as regulated by Chapter 267, Article VI.

F. District I Industry.

(3) Uses allowed by special permit.

(o) Indoor amusement facilities as regulated by Chapter 267, Article VI.

Section 3. Section 267-29, Approving agency, shall be amended to add a new subsection Y, as follows:

Y. Indoor amusement facility.

Section 4. Section 267-32, Standards and requirements for specific special permit uses, of the Code of the City of Mount Vernon shall be amended by adding a new subsection L., as follows:

L. Indoor amusement facility.

- (1) An indoor amusement facility shall only be permitted within a site that is not utilized in whole or in part for residential purposes, nor shall same abut a lot on which residential dwellings are allowed as a principally permitted use.
- (2) Drug, cigarette and vape and related use paraphernalia sales and consumption shall be prohibited.
- (3) A management plan detailing operations, hours, security staffing, means of egress, etc., shall be provided by the applicant.
- (4) No amplified music or sound system shall be operated outdoors.
- (5) Term of permit. The permit shall expire upon transfer of ownership of the permitted premises.
- (6) Any amusement devices shall be subject to the provisions of Chapter 84.
- (7) Traffic and parking.
 - (a) The applicant shall submit a traffic study demonstrating that anticipated traffic generation shall be within the reasonable capacity of the existing or planned road or street providing access, and that traffic circulation, exit and entrance drives are laid out to minimize traffic hazards and nuisances.
 - (b) The applicant shall submit a parking study demonstrating the demand for parking based upon data from the Institute of Traffic Engineers (ITE), field data and other appropriate source material. During site plan review, the Planning Board, in consultation with staff from the Department of Planning and Community Development, shall establish the minimum number of parking spaces and loading spaces required based upon consideration of at least the following: the specific nature of the proposed mix of recreational and/or amusement uses; the gross floor area; the maximum occupancy of the facility; availability of existing public parking; feasibility of utilizing transportation demand management techniques; and/or public transit.

Section 5. 267 Attachment 3, Off-Street Parking and Loading Space Requirements, shall be amended to delete the reference to “Commercial indoor recreation facilities and health clubs,” and replace same with “Health clubs.”

Section 6. 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 7. 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