

**AN ORDINANCE TO AMEND CHAPTER 227
(STREETS AND SIDEWALKS) OF THE CODE OF
THE CITY OF MOUNT VERNON TO INCREASE
THE MAXIMUM PERMITTED DRIVEWAY
WIDTH FROM 12 LINEAL FEET TO 18 LINEAL FEET**

WHEREAS, the City of Mount Vernon has determined that it is in the best interest of the City and its residents to amend Section 227-13.A (Depressed curb for driveway entrance) of the Code of the City of Mount Vernon to increase maximum permitted driveway width from 12 lineal feet to 18 lineal feet (“Code Amendment”); and

WHEREAS, the purpose and intent of the Code Amendment is to provide greater flexibility in driveway design to accommodate drainage infrastructure, adequate parking, and other site considerations; and

WHEREAS, the Code Amendment is classified as a Type II Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”), including pursuant to 6 N.Y.C.R.R. 617.5(c)(25) and (33), and no further review is required in accordance with SEQRA; and

WHEREAS, the City Council desires to amend Section 227-13.A to increase maximum permitted driveway width.

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

Section 1. Section 227-13.A of the Code of the City of Mount Vernon is hereby amended to increase maximum permitted driveway width from 12 lineal feet to 18 lineal feet, as follows:

A. The Commissioner shall not issue a permit for any curb lowering in front of any tax lot or parcel, whether unimproved or improved, where the application is for a curb lowering exceeding 18 lineal feet, unless:

(1) Written approval is first obtained by the applicant from the City Council; or

(2) A width exceeding 18 lineal feet is expressly required by any chapter of the City Code, in which case, the Commissioner shall not issue a permit that exceeds such required width unless written approval is first obtained by the applicant from the City Council.

Section 2. 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 3. Effective Date. This ordinance shall take effect upon review and acceptance by the City Council.