PLANNING & COMMUNITY DEVELOPMENT
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JAMES RAUSSE, FAICP, WEDG
COMMISSIONER

August 4, 2025

VIA EMAIL:
Honorable City Council Members
City of Mount Vernon
1 Roosevelt Square
Mount Vernon, New York 10550

RE: Request for the City Council to enact legislation to update the City Municipal Code to extend the expiration of approvals from the City's Land Use Boards from 2 years to 30 months after the issuance of a building permit. For consideration on the agenda at the August 13, 2025 City Council meeting.

Honorable City Council Members:

I am writing to respectfully request for the City Council to enact legislation to extend the expiration of approvals from the City's Land Use Boards. This would require an amendment to *Chapter 267 – Zoning* as well as *Chapter 10 – Architectural Review Board.*

All three of the City's Land Use Boards (Planning Board, Zoning Board of Appeals and Architectural Review Board) currently issue approvals to applicants which expire if construction has not been completed within 2 years of the issuance of a building permit. In recent months, however, this has led to a number of requests for time extensions for situations where work was not completed within 2 years.

While 1- and 2-family residential projects can typically be completed within two years after receiving a building permit, anticipated changes to the City's zoning after the completion of the comprehensive plan will likely lead to more multi-family or commercial projects which have the potential to take longer to construct. To bring applicants back in front of multiple boards for approval extensions creates additional cost and burden for applicants and adds to the workload of our volunteer boards and the staff that serve them. We believe that allowing applicants an additional 6 months to complete their construction projects will help applicants avoid these extra costs, while still requiring construction to be completed within a reasonable timeframe.

Specifically, we recommend the following sections of the municipal code be amended as follows:

§ 267-49 **Expiration.**
A variance granted under this chapter shall automatically expire if a building permit for construction in accordance with the plans for which such variance was granted has not been issued within one year of the date of the variance and if all construction is not completed within ~~**two years**~~ **[30 months]** of the date of issuance of the building permit, or if both have not occurred within such other time limits as may be established by the Board of Appeals in connection with its decision. Such time limits shall be tolled by any judicial proceedings to review the Board's decision.

§ 267-36(D) **Expiration.**. Unless otherwise specifically set forth by the Planning Board in connection with its approval of a site plan, such approval shall expire if a building permit is not issued within one year from the date of approval and if

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all construction work is not completed within ~~**two years**~~ **[30 months]** of the date of issue of such permit. Upon application to the Planning Board, extensions totaling a maximum of 12 months may be granted to each of these time periods, for appropriate cause. Such time limits shall be tolled by any judicial proceedings to review the Board's decision.

§ 10-8(E) **Expiration.**. Unless otherwise specifically set forth by the Architectural Review Board in connection with its approval of a certificate of appropriateness, such approval shall expire if a building permit is not issued within one year from the date of approval and if all construction work is not completed within ~~**two years**~~ **[30 months]** of the date of issue of such permit. Upon application to the Architectural Review Board, extensions totaling a maximum of 12 months may be granted to each of these time periods for appropriate cause. Such time limits shall be tolled by any judicial proceedings to review the Architectural Review Board's decision.

We thank the City Council for your support in addressing the needs in the city. I am available to address any questions or concerns you may have regarding this request.

Sincerely,

JAMES RAUSSE, FAICP, WEDG

cc: Mayor Shawyn Patterson-Howard
Comptroller Darren M. Morton
Malcolm Clark, Chief of Staff