

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 September 24, 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