

**A RESOLUTION OF THE CITY OF MOUNT VERNON CITY COUNCIL
ADOPTING AN ORDINANCE AMENDING THE CITY CODE TO EXTEND
THE EXPIRATION OF APPROVALS FROM THE CITY'S LAND USE BOARDS**

WHEREAS, the City Council of the City of Mount Vernon proposes to amend Chapter 10 (Architectural Review Board) and Chapter 267 (Zoning) of the Code of the City of Mount Vernon to extend the expiration of approvals from the City's Land Use Boards from two years to 30 months after the issuance of a building permit; and

WHEREAS, although one- and two-family residential projects can typically be completed within the presently allotted 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; and

WHEREAS, requiring applicants to return to multiple boards for approval extensions creates additional cost and burden for applicants and adds to the workload of the City's volunteer boards and the staff that serve them, and the City Council finds that it is necessary and desirable, as a matter of public policy, to allow applicants an additional six months (for a total of 30) to complete their construction projects and to help applicants avoid these extra costs, while still requiring construction to be completed within a reasonable timeframe; and

WHEREAS, the City Council, in conjunction with its Staff, prepared a draft "Ordinance to Amend Chapter 10 (Architectural Review Board) and Chapter 267 (Zoning) of the Code of the City of Mount Vernon to Extend the Expiration of Approvals from the City's Land Use Boards from Two Years to 30 Months" ("Code Amendment"); 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"), and no further review is required in accordance with SEQRA; and

WHEREAS, at a meeting of the City Council held August 13, 2025, the City Council scheduled a Public Hearing on the Code Amendment for September 10, 2025; and

WHEREAS, the City Council referred the Code Amendment to the Corporation Counsel and Planning Board, as well as the Westchester County Planning Board, for their respective reviews and reports; and

WHEREAS, the City Council duly published notice of a Public Hearing for the Code Amendment in three issues of the official newspaper for the City on August 25, 2025, August 29, 2025, and September 2, 2025; and

WHEREAS, by letter dated September 8, 2025, the Westchester County Planning Board issued its recommendations with respect to the Code Amendment pursuant to Sections 239-l and m of the General Municipal Law and Section 277.61 of the County Administrative Code; and

WHEREAS, as noted by the Westchester County Planning Board, although the clear and stated intent of the Code Amendment is to extend the expiration of all approvals from the City's Land Use Boards, the draft Code Amendment as initially drafted inadvertently omitted a reference to extending approvals set forth in Section 267-33A of the City Code, which pertains to special use permits, from two years to 30 months, which is a nonmaterial change that has been corrected in the Code Amendment annexed hereto;

WHEREAS, by memorandum dated September 10, 2025, the Planning Board of the City of Mount Vernon issued its comments with respect to the Code Amendment; and

WHEREAS, the Public Hearing was duly held at City Hall on September 10, 2025, at 7:00 P.M., and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the Code Amendment, and written comments were accepted for 10 days thereafter; and

WHEREAS, the City Council, after due deliberation, and having carefully considered the Mount Vernon Planning Board's and Westchester County Planning Board's recommendations, and the comments made at the Public Hearing and in written comments, finds that it is in the best interest of the City of Mount Vernon to adopt the Code Amendment as proposed; and

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby adopts and enacts the Code Amendment entitled "Ordinance to Amend Chapter 10 (Architectural Review Board) and Chapter 267 (Zoning) of the Code of the City of Mount Vernon to Extend the Expiration of Approvals from the City's Land Use Boards from Two Years to 30 Months," a copy of which is attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to (i) file a copy of this Resolution with the City Clerk, (ii) file a copy of this Resolution with the Planning Board, and (iii) file a copy of this Resolution with the Westchester County Planning Board pursuant to GML Section 239-m within thirty (30) days hereof; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Council Person

APPROVED AS TO FORM

THIS RESOLUTION
ADOPTED BY CITY COUNCIL

Assistant Corporation Counsel

President

Attest:

City Clerk

APPROVED

APPROVED
Dept. _____

Date

By
Mayor