

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☐ Town ☒ Village

(Select one.)

of Mamaroneck

FILED
STATE RECORDS

JUL 29 2019

DEPARTMENT OF STATE

Local Law No. 2 of the year 2019

A local law to extend the moratorium on the acceptance, processing and approval of applications
(Insert Title)
concerning multi-family developments or subdivisions which would result in three or
more residences, amending Chapter 342 of the Code of the Village of Mamaroneck
(Zoning).

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☒ Village

(Select one.)

of Mamaroneck as follows:

Please see attached:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2019 of the ~~(County)(City)(Town)(Village)~~ of Mamaroneck was duly passed by the Board of Trustees on July 22, 2019, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2019, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

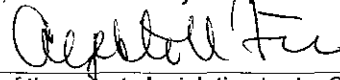
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: July 23, 2019

LOCAL LAW 2- 2019

A LOCAL LAW TO EXTEND THE MORATORIUM ON THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS CONCERNING MULTI-FAMILY DEVELOPMENTS OR SUBDIVISIONS WHICH WOULD RESULT IN THREE OR MORE RESIDENCES, AMENDING CHAPTER 342 OF THE CODE OF THE VILLAGE OF MAMARONECK (ZONING).

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

Section 1.

Chapter 342 of the Code of the Village of Mamaroneck is amended by adding section 342-84.4, as follows:

- § 342-84.4. Extension of temporary moratorium on multifamily dwellings and certain subdivisions of land.
- A. The Board of Trustees finds and determines that section 342-84.1 of the Code of the Village of Mamaroneck became effective on April 16, 2018 and was extended by Village Code § 342-84.2 and § 342-84.3, that since enacting the moratorium the Board of Trustees has retained a planning consultant firm to analyze the concerns that are the basis for the moratorium, that the consulting firm has reviewing existing zoning, created three models for forecasting school enrollment by housing type, estimated the fiscal impacts of current land uses to the Village and the school districts, calculated the maximum development potential by parcel, applied a fiscal impacts analysis based on the anticipated changes in use type by property and proposed potential zoning changes for the Board of Trustees to consider, that since extending the moratorium until July 31, 2019, the Board of Trustees has considered several drafts of proposed legislation and has received comments on the proposed legislation from the Planning Board, the Zoning Board of Appeals and the Harbor and Coastal Zone Management Commission, that further revisions to the proposed local law may be required and that unless extended the moratorium will expire on July 31, 2019 and that it will likely take an additional one month to consider and adopt the legislation necessary to effectuate the planning recommendations.
- B. The moratorium period as provided in § 342-84.3 of the Code of the Village of Mamaroneck is extended until August 31, 2019.

Section 2.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 3.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3). It supersedes the provisions of the Village Law, including those provisions which provide for the approval of a land use application on the basis of the passage of time, and the Code of the Village of Mamaroneck, including those provisions which authorize or require the approval of a land use application, to the extent that they are inconsistent with this local law.

Section 4.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.