

PROPOSED LOCAL LAW A of 2019

A Proposed 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:

(Language in strike-through ~~abedefghijk~~ to be deleted; language in **bold** is to be added)

Section 1.

Chapter 342 of the Code of the Village of Mamaroneck is amended by adding section 342-84.3, as follows:

§ 342-84.3. 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, 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 unless extended the moratorium will expire on March 16, 2019 and that it will likely take an additional four months to consider and adopt the legislation necessary to effectuate the planning recommendations.
- B. The moratorium period as provided in section 342-84.2 of the Code of the Village of Mamaroneck is extended until July 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.