

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022



Committee of the Whole 6:30 P.M.
Stated Meeting 7:00 P.M.
City Council Chambers

TIME:_____

PRESENT: PRESIDENT OF THE COUNCIL
 LAKISHA COLLINS-BELLAMY

DISTRICT:

3	MAJORITY LEADER TASHA DIAZ
4	MAJORITY WHIP JOHN RUBBO
5	MINORITY LEADER MICHAEL B. BREEN

COUNCIL MEMBERS:

DISTRICT:

1	SHANAE V. WILLIAMS
2	CORAZON PINEDA- ISAAC
6	ANTHONY MERANTE

Recitation of the Pledge of Allegiance to the Flag followed by a minute of silence to invoke God's guidance and Blessing upon our deliberations.

Minutes of the stated meeting held on November 9, 2022 and Special Meeting held on November 15, 2022 approved on motion of Majority Leader Diaz.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1.	LOCAL LAW – AMENDING CHAPTER C, ARTICLE II, OF THE CHARTER OF THE COY ENTITLED “OFFICERS” IN RELATION TO TERMS LIMITS	7
2.	GENERAL ORDINANCE – AMENDING GENERAL ORDINANCE 4-2000, ALSO KNOWN AS CHAPTER 43 OF THE CODE OF THE COY, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE COY AND THE ACCOMPANYING ZONING MAP TO RECLASSIFY AND REZONE THE PROPERTIES LOCATED AT 312, 316, AND 322 WARBURTON AVENUE FROM BR DISTRICT TO B DISTRICT	8
3.	GENERAL ORDINANCE – AMENDING THE ZONING CODE OF THE COY AND ACCOMPANYING TABLES BY CREATING A NEW ZONING DISTRICT KNOWN AND DESIGNATED AS THE “LUDLOW MIXED-USE DISTRICT (L-MX)”	9/44
4.	SPECIAL ORDINANCE- AUTHORIZING ACCEPTANCE OF STATE GRANT FUNDING FROM NYS DEVELOPMENT AUTHORITY (NYSERDA) IN THE AMOUNT OF \$85,000 AND AMENDING THE COY GRANT BUDGET FOR PY 2022-23 GRANT FUNDING	45
5.	RES – TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE “SEQRA” RELATING TO AN AMENDMENT TO GENERAL ORDINANCE 4-2000, ALSO KNOWN AS THE ZONING MAP TO RECLASSIFY AND REZONE THE PROPERTIES LOCATED AT 312, 316, AND 322 WARBURTON AVENUE FROM BR DISTRICT TO B DISTRICT	46/47

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

INDEX (CONTINUED)

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
6.	RES – TO ADOPT THE LUDLOW MASTER PLAN	48/49
7.	RES – APPROVAL OF A SPECIAL USE PERMIT TO ALLOW FOR 24 HOUR OPERATIONS FOR AN EXISTING WALGREENS STORE AND PHARMACY AT 1230 NEPPERHAN AVE	50/51
8.	RES – APPROVING AN IMA BY AND BETWEEN THE COY AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY SERVICES FOR THE ELDERLY (CSE) TRANSPORTATION SERVICE FY 2022-23 GRANT FUNDING	52/53
9.	RES – APPROVING AN IMA BY AND BETWEEN THE COY AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY SERVICES FOR THE ELDERLY INFORMATION AND ASSISTANT SERVICE PY 2022-23 GRANT FUNDING	54/55
10.	RES – APPROVING AN AGREEMENT BETWEEN THE COY AND THE YONKERS POLICE BENEVOLENT ASSOCIATION	56

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

COMMUNICATIONS FROM CITY OFFICIALS

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

COMMUNICATIONS - GENERALLY

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

COMMITTEE OF THE WHOLE

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

LOCAL LAW

1. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A LOCAL LAW AMENDING CHAPTER C, ARTICLE II, OF THE CHARTER OF THE CITY OF YONKERS ENTITLED "OFFICERS" IN RELATION TO TERMS LIMITS

Be it enacted by the City Council of the City of Yonkers, as follows:

Section 1. Subsection C of Section C2-2 of Article II of the Charter of the City of Yonkers entitled "Terms of office, term limits", is hereby amended in part to read as follows:

Section C2-2. Terms of office, term limits.

C. Except as otherwise provided in this Section no person shall be eligible to be elected, appointed, or to otherwise continue to hold the office of mayor, city council president, or councilmember, after that person has been elected to that office for four (4) ~~three (3)~~ complete consecutive four (4) year terms, unless one complete term or more has elapsed since that person last held such office. In determining the number of consecutive terms a person has served:

(1) only terms commencing on or after January 1, 1995, shall be counted; and

(2) If the mayor, city council president or city council member resigns, vacates or is removed from office prior to the completion of a full term, he or she shall be deemed to have held that office for a full term for the purposes of this section of the Charter. No service for a partial term by any person elected or appointed to fill a vacancy shall be included in calculating the four (4) ~~three (3)~~ complete consecutive four (4) year terms.

Section 2. This local law shall take effect immediately in accordance with provisions of law and shall apply to all elections held on or after the date of its enactment.

INTRODUCER'S MEMORANDUM
SUBMITTED IN ACCORDANCE WITH SECTION § C4-6 OF THE CHARTER

SPONSOR(S): Council President Lakisha Collins-Bellamy

TITLE: A LOCAL LAW AMENDING CHAPTER C, ARTICLE II, OF THE CHARTER OF THE CITY OF YONKERS ENTITLED "OFFICERS" IN RELATION TO TERMS LIMITS

PURPOSE: This law extends term limits for elected officers from three (3) complete consecutive terms to four (4) complete consecutive terms.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1 of this Local Law amends the terms of office and extends term limits from three (3) complete consecutive terms to four (4) complete consecutive terms. Section 2 sets forth the effective date of this Local Law.

JUSTIFICATION: So that the voters of the City of Yonkers will not be restricted from voting for certain candidates for office that would otherwise be term limited.

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS: None.

CRIMINAL SANCTION IMPACT: None.

LEGISLATIVE HISTORY: [Amended 11-9-1982 by L.L. No. 17-1982; 11-4-1986 by L.L. No. 10-1986; 11-7-1989 by L.L. No. 17-1989; 11-8-1994 by L.L. No. 13-1994; 3-12-2002 by L.L. No. 10-2002; 9-4-2002 by L.L. No. 12-2002; 4-26-2005 by L.L. No. 1-2005; 10-30-2018 by L.L. No. 12-2018]

FISCAL IMPLICATIONS: No impact.

EFFECTIVE DATE: This local law shall take effect immediately in accordance with provisions of law and shall apply to elections held on or after the date of its enactment.

FISCAL IMPACT STATEMENT
SUBMITTED IN ACCORDANCE WITH SECTION §C4-6 OF THE CHARTER

SUBJECT: A LOCAL LAW AMENDING CHAPTER C, ARTICLE II, OF THE CHARTER OF THE CITY OF YONKERS ENTITLED "OFFICERS" IN RELATION TO TERMS LIMITS
☒ NO FISCAL IMPACT PROJECTED

BUDGET IMPACT

(To be completed by operating department and reviewed by Finance Department)

☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District

EXPENSES AND REVENUES

Total Current Year Cost: _____

Total Current Year Revenue: _____

Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations ☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount:\$ _____

Describe:

Potential Related Revenues: Annual Amount:\$ _____

Current Year:

Next 5 years:

Anticipated Savings: Annual Amount:\$ _____

Current Year:

Next 5 years:

FISCAL IMPACT

Potential for additional personnel: _____

Prepared By: Lakisha Collins-Bellamy
Title City Council President

Department: Council President's Office

Signature: _____

Reviewed By: John Liszewski (Commissioner)
FINANCE DEPARTMENT

Signature: _____/s/ John Liszewski _____

Date: November 9, 2022

If you need more space, attach additional sheets.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE

2. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE 4-2000, ALSO KNOWN AS CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS AND THE ACCOMPANYING ZONING MAP TO RECLASSIFY AND REZONE THE PROPERTIES LOCATED AT 312, 316 AND 322 WARBURTON AVENUE (ALSO KNOWN AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE CITY OF YONKERS AS BLOCK 2151, LOT 34; BLOCK 2151, LOT 31; AND BLOCK 2151, LOT 29, RESPECTIVELY) FROM BR DISTRICT (RESTRICTED BUSINESSES, RESIDENCES EXCLUDED) TO B DISTRICT (NEIGHBORHOOD BUSINESS AND APARTMENT HOUSES, MEDIUM DENSITY.

The City of Yonkers, in City Council convened, does hereby ordain and enact:

Section 1. Section 43-12 of the Zoning Code, entitled "Zoning Map" shall be amended to reclassify and rezone the real property located at 312, 316 and 322 Warburton Avenue, also known and designated on the official tax map of the City of Yonkers as Block 2151, Lot 34; Block 2151, Lot 31; and Block 2151, Lot 29, respectively from BR District to B District.

Section 2. This Ordinance shall take effect immediately.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE

3. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A GENERAL ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF YONKERS AND ACCOMPANYING TABLES BY CREATING A NEW ZONING DISTRICT KNOWN AND DESIGNATED AS THE “LUDLOW MIXED-USE DISTRICT (L-MX)”.

The City of Yonkers, in City Council convened, does hereby ordain and enact:

Section 1. Chapter 43 of the Code of the City of Yonkers, commonly known as the Zoning Code, is hereby amended, in part, by amending Table 43-1 entitled “Schedule of Use Regulations” to included two new columns to read as follows:

SEE ATTACHED TABLE 43-1

Section 2. Chapter 43 of the Code of the City of Yonkers, commonly known as the Zoning Code, is hereby amended, in part, by amending Table 43-3 entitled “Schedule of Dimensional Regulations for Residential Uses” to included a new column to read as follows:

SEE ATTACHED TABLE 43-3

Section 3. Chapter 43 of the Code of the City of Yonkers, commonly known as the Zoning Code, is hereby amended, in part by adding a new Article XX entitled “Ludlow Mixed-Use District (L-MX)” to read as follows:

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

ARTICLE XX
Ludlow Mixed-Use District (L-MX)

§ 43-236. Purpose statements.

The following districts comprise the Ludlow Mixed-Use District:

- A. Ludlow Mixed-Use (L-MX) District. The L-MX District includes a combination of industrial, commercial, and residential uses, centered around the Ludlow Metro-North train station. The area covered by the L-MX District is shown in Map E: L-MX District. The L-MX District is intended to support existing job-creating light industrial uses while also allowing mixed-use and residential buildings, encouraging flexibility to facilitate new development, and capitalizing on the train station to create a vibrant, transit-oriented district.
- (1) Key streets. The key streets of the L-MX District are shown in Map F: L-MX Key Streets. The purpose of key streets is to preserve and enhance the pedestrian-oriented commercial environment and promote economic development focused on active uses such as retail, restaurant, service and entertainment uses. To achieve this, regulations require certain ground-floor uses, a storefront design at the street level, and increased transparency requirements. Table 43-1: Schedule of Use Regulations includes a column that lists principal uses that are permitted on the ground floor on key streets. The following streets are designated as key streets in the L-MX District:

- (a) Ludlow Street between Riverdale Avenue and Bridge Street.

§ 43-237. Schedule of uses.

- A. Principal uses. The schedule of principal uses permitted within the L-MX District is shown in Table 43-1, Schedule of Use Regulations. Principal uses are allowed as permitted (P), permitted with supplemental standards (Ps), or special use (S). In addition, the following use regulations apply:

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

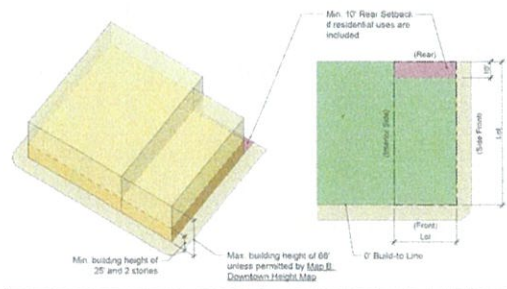
- (1) Within the L-MX District, certain uses are required on the ground floor of key streets in order to create a concentration of pedestrian-oriented uses. See § 43-236 and Map E for key street designations. Table 43-1, Schedule of Use Regulations shows those uses that are required on the ground floor of buildings along the key streets.
- B. Accessory uses. The schedule of accessory uses permitted within the L-MX District is shown in Table 43-7: Schedule of Accessory Uses. Accessory uses are allowed as permitted (P), permitted with supplemental standards (Ps), or special (S) uses.

§ 43-238. Dimensional standards.

A. Bulk and setback regulations.

- (1) Table 43-3, Schedule of Dimensional Regulations establishes the bulk and setback regulations for the L-MX District.

Figure 1: L-MX District Height and Setback Requirements

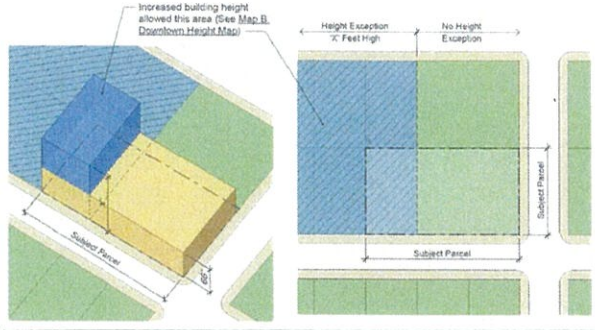


- B. Permitted height. Permitted height above the base height of 65 feet as shown in Map G: L-MX Height District Map, must meet the following standards:
- (1) Permitted height applies to the entire lot when the boundary matches the existing lot line on Map G showing lots existing at the time of passage of this ordinance.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 2: Ludlow Mixed-Use Height Calculation



- (2) The first 65 feet of height must be built to the required setbacks. Height above 65 feet must meet required and additional setbacks and is limited as show on Map G. Additionally, the building bulk is subject to the following maximum building footprints:
 - (a) Residential use: 12,000 square feet maximum tower footprint.
 - (b) Nonresidential use: 20,000 square maximum tower footprint.
 - (3) All structures above 65 feet in height must include a setback of a minimum of five feet on some portion of the building's side or side front facing façade.
 - (4) A tower must be sited a minimum of 60 feet from any other tower. This measurement is taken from the façade of the tower nearest to the façade of another tower.
- C. Incentive height bonus to encourage construction of commuter parking near the train station. For sites located at the intersection of Ludlow Street and Bridge Street, on the south side of Ludlow Street, the maximum permitted height may be increased from 65 feet to 100 feet for buildings that provide on-site commuter parking. The incentive height bonus applies to the following sites:
- (1) Block 166 Lot 5
 - (2) Block 165 Lot 1
 - (3) Block 165 Lot 30
 - (4) Block 165 Lot 31

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 3: Building footprint maximum above 65'

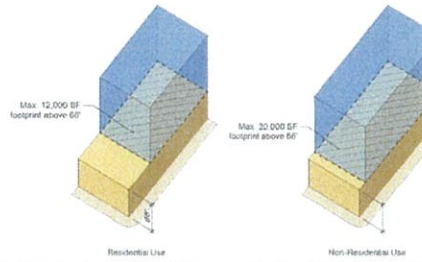


Figure 4: Minimum upper-story setback

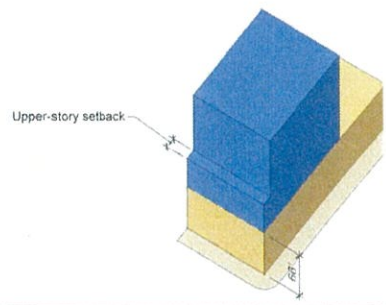
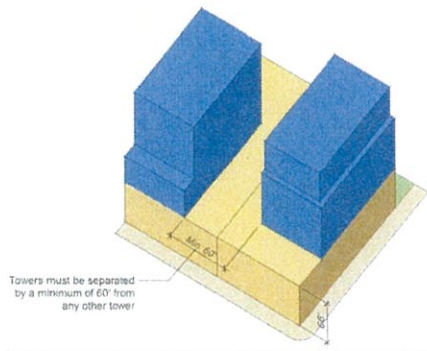


Figure 5: Required tower separation



§ 43-239. Green building requirement.

- A. The provisions of the City of Yonkers' green building standards apply to the construction, addition, alteration, enlargement, removal and demolition of every structure and any appurtenances connected or attached to such structures and to the site on which the structure is located, except that these provisions do not apply to detached and attached one- and two-family dwellings.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

§ 43-240. Design standards.

New buildings, structures, and uses in the L-MX District must meet the following design standards:

A. Nonresidential and mixed-use buildings. The following design standards apply to new nonresidential and mixed-use buildings:

(1) Façade articulation and massing.

- (a) Buildings must be designed with a defined base, middle and top.
- (b) Public entrances must be well defined and visible from the street.
- (c) Blank walls (walls without windows or doors) shall not face any street in the L-MX District. Any facades that face a street must be broken into bays, be designed with windows and doors, or otherwise designed to enliven the streets. Windows are required as part of any façade facing a street. In addition, facades must have at least two of the following architectural features to add interest to the building elevation:
 - [1] Change in wall or building plane of varying depths, at least two feet in depth and 18 inches in width, at least once every 30 feet for the length of the façade.
 - [2] Reveals and openings.
 - [3] Changes in color, texture and/or material.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 6: Base, middle & top facade articulation



Figure 7: Defined public entrances

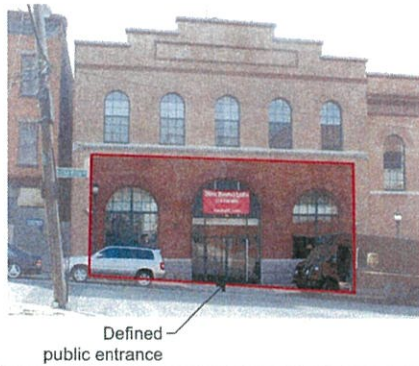


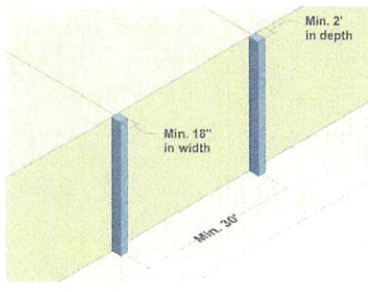
Figure 8: Articulation of facades facing a street



AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 9: Articulation of facades facing a street: Change in wall or building plan of varying depths



(d) The ground floor must be designed as follows:

- [1] A minimum ground floor height of 12 feet is required, as measured from grade to the second floor.
- [2] The ground floor must maintain a transparency of 50% in the façade facing the street. No more than 25% of any window or door, if the door is constructed of glass, may be covered with signage of any type.
- [3] Ground floor windows must be clear, untinted glass.
- [4] A minimum eighteen-inch-high knee wall is required in the façade facing the street. Knee walls are limited to a maximum height of 36 inches.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 10: Ground floor transparency requirements

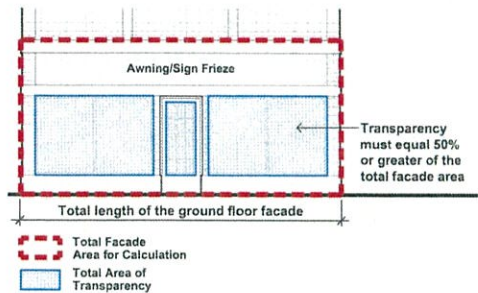
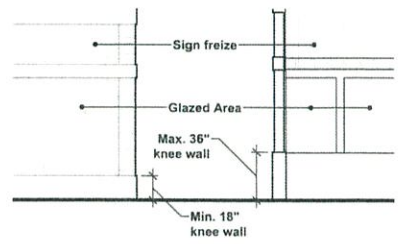


Figure 11: Required knee wall dimensions



- (e) Upper story façade articulation must reflect a similar rhythm and proportion to that of the ground floor façade.
- (f) Upper story windows must create a rhythm, either symmetrical or equally spaced, across the façade and, where appropriate, must be vertically aligned with the location of windows and doors on the ground floor. Tinting of upper story glass is limited to 20%.
- (g) The elevation of horizontal façade elements, such as cornices, belt courses, awnings, sign friezes and canopies, must generally align with those of surrounding buildings.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (h) The cornice height of new structures should match the cornice height of adjacent structures, where applicable.

Figure 12: Rhythm of upper story windows

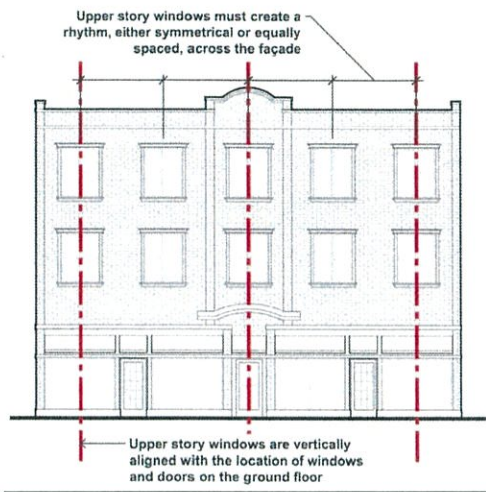
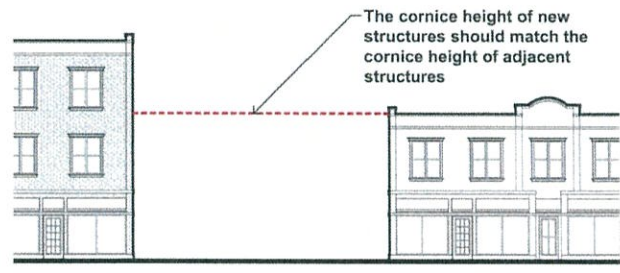


Figure 13: Alignment of horizontal facade elements

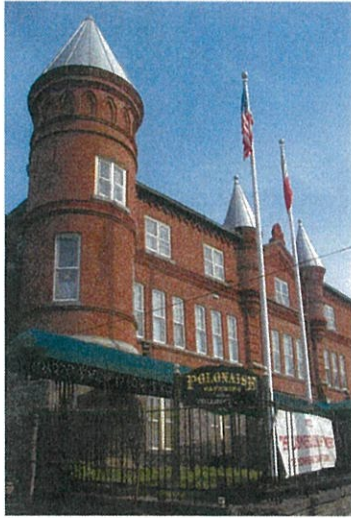


AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (i) Buildings located on corners at the intersections of Ludlow Street and Bridge Street, and Ludlow Street and Hawthorne Avenue must use architectural massing to define corners through prominent decorative features such as turrets, rounded facades, chamfered corners or other massing characteristics. Buildings located on other corners throughout the L-MX District at intersections not specified by this regulation are also encouraged to define corners through the same type of decorative architectural massing.

Figure 14: Architectural massing to define corners



- (2) Security gates. Security gates are discouraged in the L-MX District. If security gates are installed:
- (a) New construction and substantial improvement.
- [1] Security gates must be located on the inside of windows of any building constructed after the adoption of the L-MX District. For substantial renovation involving the replacement of the storefront, all security gates must be located inside of the windows.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- [2] When security gates are engaged, the screening must be designed to permit viewing into the business. Security gates must be of a lattice-type design. The lattice-type design must provide a minimum openness of 75% when engaged and allow for viewing inside the building when engaged.
- [3] Security gates must be opened, raised, or otherwise removed from view during business hours.

(b) Minor alterations.

- [1] When minor building rehabilitation requires replacement of security gates, new security gates must be of the seventy-five-percent open lattice-type design.
- [2] Replacement of any security gates requires lattice-type design. The lattice-type design must provide a minimum openness of 75% when engaged and allow for viewing inside the building when engaged.
- [3] When minor rehabilitation includes the exterior storefront, no new exposed hoods for security gates are permitted on the exterior of a storefront.
- [4] Security gates must be open, raised or otherwise removed from view during business hours.

B. Residential. The following design standards apply to new residential structures:

(1) Two-family.

- (a) Windows or other architectural features are required on all facades in order to avoid the appearance of blank walls and facades. Windows must be set into or projected out from the façade, in order to provide depth and shadow, and be of a consistent style. Porches, bay windows and special elements are required to vary the articulation along a street.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (b) The front entry must be a predominant feature on the front elevation of a home and be emphasized as an integral part of the building design with features such as front porches, raised steps and stoops, roof overhands, columns and decorative railings, to help create a protected entry area and enhance its appearance.
- (c) The pitch, design and scale of roofs of new dwellings should be similar to the roof forms of surrounding dwellings.

Figure 15: Articulated residential façade



Figure 16: Prominent residential front entry

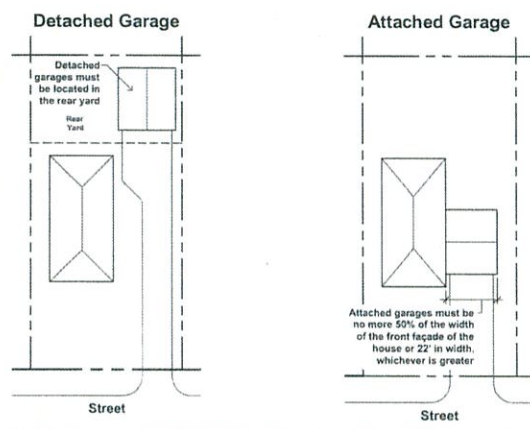


AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (d) Detached garages must be located in the rear yard. Front-loaded attached garages are limited to a garage door of no more than 22 feet in width or 50% of the width of the front façade of the house, as measured along the building line that faces the street, whichever is greater.

Figure 17: Permitted garage location



(2) Townhouse.

- (a) Townhouse developments are limited to a maximum of six attached townhouse units.
- (b) The front façade of townhouses must be articulated through windows, front porches, raised steps and/or stoops, projected entrances and overhangs to create substantial shadows and visual interest.
- (c) There must be a unifying architectural theme for a townhouse development. Each townhouse unit in the development must utilize a common vocabulary of architectural forms, elements, materials and colors. The townhouse development shall cause, by means of legal instruments acceptable to the approving agency and the Corporation Counsel of the City of Yonkers, there to be an agreement amongst the owners to maintain the original, approved architectural theme of the townhouses during the life of the development.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (d) Windows must be set back into or projected out from the façade, to provide depth and shadow, and be of a consistent style. In addition, three-dimensional elements, such as bay windows, should be incorporated to provide dimensional elements on a façade.
- (e) When the building adjacent is new construction it must respect the neighboring building.

Figure 18: Townhouse facade articulation



Figure 19: Unifying architectural theme



AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 20: Windows projected out from facade



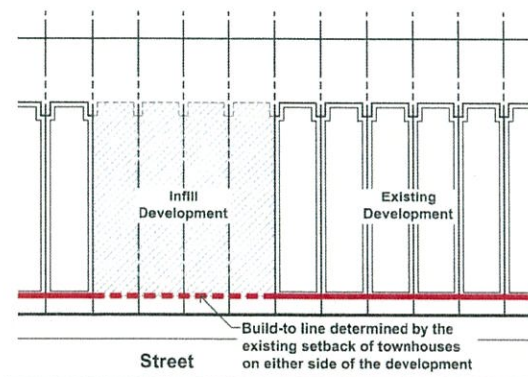
- (f) For flat roofs, cornices and parapets should be used to create architectural relief on the building facades.
- (g) The following standards must be met for the replacement of an individual townhouse unit within an existing townhouse development:
 - [1] The townhouse unit should be built at the established front setback of the development as a whole, as determined by the existing front setbacks of townhouses on either side.
 - [2] The townhouse unit should match the existing building heights as determined by adjacent townhouses on either side, with exceptions for accommodation of grade changes. Where grade changes occur, the rhythm of building heights within the overall development must be maintained.
 - [3] The townhouse unit should match or complement the roof form of the group on the front facade. If certain architectural details are common to the roof design of the street-facing facade of the townhouse development as a whole, such as cornices or dormers, the townhouse unit must include this in roof design.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- [4] The cornice height of the townhouse unit should match the cornice height of the townhouses on either side, with exceptions for accommodation of grade changes. Where grade changes occur, the rhythm of building cornice heights within the development as a whole must be maintained.
- [5] The townhouse unit should match the first-floor elevation and the rhythm of front entrances as determined by adjacent townhouses on either side, with accommodation for grade changes. Where grade changes occur, the rhythm of first-floor elevations and entrances within the development as a whole must be maintained.
- [6] The townhouse unit should match the fenestration pattern of the development as a whole.
- [7] Architectural features, such as porches, steps and stoops, cornices and bay windows, that are common to the townhouse development as a whole should be included and must match or complement the design and placement of the development.
- [8] Building materials should match those within the townhouse development as a whole.

Figure 21: Townhouse established front setback



AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 22: Townhouse matching existing heights

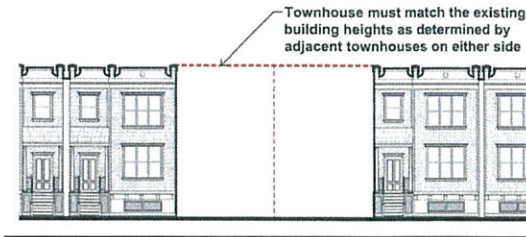


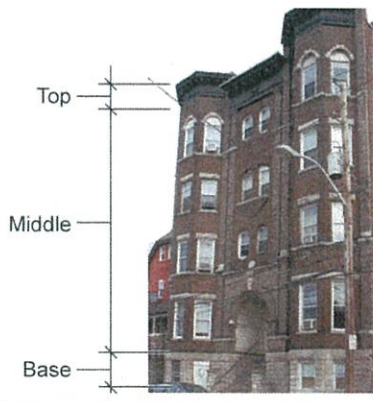
Figure 23: Matching building materials within a townhouse development



(3) Apartment house.

- (a) Structures must be designed with a defined base, middle and top.
- (b) Public entrances must be well defined and visible from the street.

Figure 24: Base, middle and top apartment house facade articulation



AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 25: Defined public entrance to apartment house



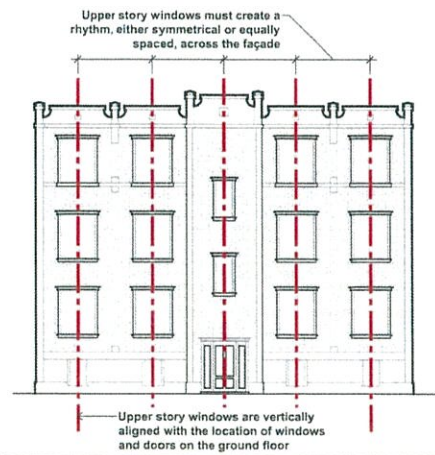
- (c) The building mass must be articulated to create substantial shadows and visual interest by including form-giving elements on all facades adjacent to a public street such as doors and windows, bay windows, balconies, terraces, projected entrances and overhands.
- (d) Facades adjacent to a public street must be designed to be viewed from multiple directions and, therefore, be designed with consistent building materials and treatment. There must be a unifying architectural theme for the entire residential development, utilizing a common vocabulary of architectural forms, elements, materials and colors.
- (e) Windows must be defined by one or more of the following to provide façade depth and shadow:
 - [1] Recessing windows in from the building wall.
 - [2] Projecting windows out from the façade.
 - [3] Using window trim to highlight windows.
 - [4] Using projecting sills and/or lintels.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (f) Upper story façade articulation must reflect a similar rhythm and proportion to that of the ground floor façade.
- (g) Upper story windows must create a rhythm, either symmetrical or equally spaced, across the façade, and, where appropriate, must be vertically aligned with the location of windows and doors on the ground floor. Tinting of upper story glass is limited to 20%.
- (h) The elevation of horizontal façade elements, such as cornices, belt courses, awnings, sign friezes and canopies, must generally align with those of surrounding buildings.
- (i) The cornice height of new structures should match the cornice height of adjacent structures, where applicable.
- (j) Buildings located on corners at the intersections of Ludlow Street and Bridge Street, and Ludlow Street and Hawthorne Avenue must use architectural massing to define corners through prominent decorative features such as turrets, rounded facades, chamfered corners or other massing characteristics. Buildings located on other corners throughout the L-MX District at intersections not specified by this regulation are also encouraged to define corners through the same type of decorative architectural massing.

Figure 26: Rhythm of upper story windows



AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

C. Industrial. The following design standards apply to new industrial structures.

(1) Façade articulation and massing.

(a) Windows are required as part of any façade facing a street. In addition, any facades that face a street must have at least two of the following architectural features to add interest to the building elevation:

[1] Change in wall or building plane of varying depths, at least two feet in depth and 18 inches in width, at least once every 30 feet for the length of the façade.

[2] Reveals and openings.

[3] Changes in color, texture and/or material.

(b) In multibuilding complexes, a comprehensive architectural concept is required. Various site components must be unified through the use of similar design features, construction, building material and color.

(c) The design of accessory buildings, such as security kiosks, maintenance buildings, and outdoor equipment enclosures must be incorporated into and compatible in design concept with the overall architectural concept.

(d) Predominant façade colors should be neutral or earth-tone colors. Primary colors, high-intensity colors, metallic or fluorescent colors, and black are prohibited as predominant façade colors. However, building trim areas may be brighter and include primary colors. Trim materials are those that are used for architectural elements and accent and shall not exceed a total of 30% of any façade.

(e) A minimum ground floor height of 12 feet is required, as measured from grade to the second floor.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 27: Industrial facade articulation



(2) Siting requirements.

- (a) Public entrances must be well defined and visible from the public street. The entry to office or guest facilities must have direct access from public street frontages or parking areas.
- (b) Storage structures must be sited towards the center or rear of the site to minimize impact on adjacent parcels and views from the street.
- (c) Service doors are discouraged on the front and side front facades of structures. Service doors must be integrated into the overall design of the building, and recessed and screened where possible.
- (d) Large expansive paved areas located between the street and building are prohibited. Small, multiple lots separated by landscape and buildings, or placement behind buildings, is required.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 28: Siting of public entrances

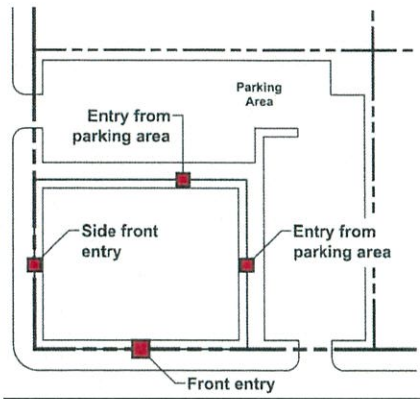


Figure 29: Separation of parking area into multiple lots



D. Mechanical equipment.

- (1) The location of mechanical equipment within the building is preferred and strongly encouraged.
- (2) Ground-based mechanical equipment is discouraged. Wherever possible, mechanical equipment must be contained within buildings or roof-mounted.
- (3) Roof-mounted mechanical equipment must be architecturally integrated into the design of the structure.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (4) All ground-based mechanical equipment, including, but not limited to, heating, ventilating, and air-conditioning units (HVAC), must be located only in the rear or interior side yard a minimum of five feet from any lot line. Ground-based mechanical equipment is prohibited within the front or side front yard. Ground-based mechanical equipment must comply with the City's Noise Ordinance.¹

E. Building material restrictions.

- (1) The following building materials are limited to use as trim and accent materials in the construction of the exterior façade of a structure within the L-MX District. Trim materials are those that are used for architectural elements and accent, and are limited to a total of 30% of any exterior façade and as further regulated by the Building and Fire Code of New York State:
- (a) Metal.
 - (b) EIFS/Dryvit.
 - (c) Fiberglass or plastics.
 - (d) Vinyl, aluminum or wood-slat siding.
 - (e) Concrete masonry unit (CMU).
 - (f) Exposed aggregate (rough finish) concrete wall panels.
 - (g) Reflective and mirror glass.
- (2) The following building materials are prohibited in the construction of the exterior façade of a structure within the Ludlow Mixed-Use Area:
- (a) Glass curtain wall systems.
 - (b) T-111 composite plywood siding.
 - (c) Large expanses of highly reflective wall surface material.

¹ Editor's Note: See Ch. 66, Noise.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (3) Corrugated metal is prohibited as a façade building material and a roof material. This prohibition does not include standing seam metal roofs.

§ 43-241. L-MX District parking requirements.

- A. Existing structures exempted. All structures existing as of the adoption, including alterations to the structure not increasing the gross square footage of the building or uses of the building or structure, existing in the L-MX District are exempt from providing new or additional off-street parking or loading spaces, provided that no existing off-street parking or loading spaces provided on the site shall be eliminated or reduced in number, and except that the location, size or layout of such existing spaces may only be changed in conjunction with the site plan review.
- B. New buildings and structures. All new structures in the L-MX District shall be required to provide parking in accordance with this section.
- (1) Required parking for uses in the L-MX District shall be taken from Table 43-4, Schedule of Parking Requirements.
- (2) Loading: New buildings and structures. All new structures shall be required to provide loading spaces in accordance with this table:

<u>Use</u>	<u>Minimum Number of Spaces</u>
<u>Commercial and private recreation uses, indoor</u>	<u>Up to 49,999 SF of GFA: none</u> <u>For 50,000 SF of GFA: 1</u> <u>Each additional 50,000 SF of GFA: 1</u>
<u>Offices (all types)</u>	<u>For offices over 50,000 SF of GFA:</u> <u>1 space, plus 1 space per 100,000 SF of GFA thereafter</u>
<u>Retail establishments, food and beverage stores, dry-cleaning establishments, personal service establishments, planned shopping centers, garden centers</u>	<u>Up to 20,000 SF of GFA: none</u> <u>Above 20,000 SF of GFA: 1</u> <u>Each additional 20,000 SF of GFA: 1</u>

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

<u>Restaurants, eating and drinking establishments, fastfood restaurants, banquet or catering facilities</u>	<u>Up to 10,000 SF of GFA: none</u> <u>For 20,000 to 30,000 SF of GFA: 1</u> <u>Each additional 20,000 SF of GFA: 1</u>
<u>Hotels</u>	<u>1 loading space for each hotel, but</u> <u>not less than 1 loading space for each 200 sleeping rooms or major</u> <u>fraction thereof, plus loading as per other uses</u>
<u>Apartment buildings, live/work units/buildings</u>	<u>For buildings with more than 50 apartments or live/work units: 1 space per building</u>
<u>Industrial, warehouse, storage or wholesale</u>	<u>Up to 10,000 SF of GFA: none</u> <u>From 10,000 to 30,000 SF of GFA: 1</u> <u>Each additional 20,000 SF of GFA: 1</u>
<u>NOTES:</u> <u>SF = square feet</u> <u>GFA = gross floor area</u>	

§ 43-242. L-MX District parking and access standards.

In addition to the parking requirements of Article X of the City's Zoning Ordinance, all new development in the L-MX District must meet the following parking and access regulations:

A. Off-street parking lots.

- (1) Location. Accessory off-street parking lots are prohibited in the front or side front setbacks.
- (2) Required landscape.
 - (a) General requirements. The following landscape is required for off-street parking in the L-MX District:
 - [1] Perimeter parking lot landscape is required for all parking lots and must be established along the edge of the parking lot.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- [2] Interior landscape is required for off-street parking lots of 20 or more spaces.
 - [3] All planting materials used must be of good quality and meet the American Standard for Nursery Stock, latest edition, as published by the American Nursery and Landscape Association, hereafter referred to as the "ANLA," for sizes, grading, root spread, dimension of root ball, and quality. The use of native species is encouraged. Size and density of plant material, both at the time of planting and at maturity, are additional criteria to be considered when selecting plant material. All landscape must use noninvasive species.
 - [4] All landscape materials must be installed in accordance with the current planting procedures established by ANLA. Planting material should be grown in a climate similar to or more severe than that of the City of Yonkers, typical of its species in branch structure, free of cultural or mechanical injury, insect eggs or their larvae and plant diseases, and is accompanied by certification of inspection from authorities having jurisdiction over use and shipment. All plant material must be installed so that soil is of sufficient volume, composition and nutrient balance to sustain healthy growth.
 - [5] All landscape must be maintained in good condition, present a healthy, neat and orderly appearance, and be kept free of weeds, refuse and debris.
- (b) Perimeter landscape. A perimeter landscape yard is required for all off-street parking lots, and the landscape treatment must run the full length of the parking lot where it abuts a street, excluding driveways and access points. The perimeter parking lot landscape yard must be improved as follows:

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- [1] The perimeter landscape yard must be a minimum of five feet in width.
 - [2] A single hedge row is required, planted with one shrub every 36 inches on center, spaced linearly. The shrubs must measure a minimum of 36 inches in height at planting and a minimum of 48 inches to a maximum of 60 inches in height at maturity. In addition, an ornamental fence a minimum of four feet in height is required along the perimeter landscape yard.
 - [3] Alternatively, a low wall the height of which provides effective screening to a maximum height of three feet may be used instead of shrubs and an ornamental fence. Where possible, plant materials must be installed between the sidewalk and the wall to provide a softening effect on the wall.
 - [4] All perimeter parking lot landscape areas must be protected with raised concrete, Belgian block or granite curbs.
- (c) Interior landscape. For off-street parking lots consisting of 20 or more spaces, interior parking lot landscape is required.
- [1] One parking lot island must be provided between every 10 contiguous parking spaces. As part of site plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, to be approved as part of the landscape plan, but the total number of island must be no less than the amount required: one island for every 10 spaces.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- [2] In addition to parking lot islands, additional landscaped areas must be provided within the interior of parking lots. All rows of parking spaces must terminate in a parking lot island or landscaped area. The minimum landscaped area, including parking lot islands, is 10% of the parking lot area. Perimeter parking lot landscape is not considered part of the ten-percent calculation and is not included in the area used to calculate the required 10%.
- [3] Parking lot islands or landscaped areas must be at least 125 square feet in area. However, parking lot islands must be the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row.
- [4] Parking lot islands or landscaped areas must be at least six inches above the surface of the parking lot and protected with concrete, Belgian block or granite curbing, except where designed to apply sustainable techniques allowing the flow and access of stormwater. Such islands and landscaped areas must be properly drained and irrigated as appropriate to the site conditions to ensure survivability.
- [5] Shade trees must be the primary plant materials used in parking lot islands and landscaped areas. One shade tree is required for every parking lot island or landscaped area. If the island extends the width of a double row, then two shade trees are required.
- [6] Shrubs must be planted within the parking island to provide a second layer of planting for visual interest.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- [7] A minimum of 75% of every parking lot island must be planted in live ground cover, perennials or ornamental grasses. Mulch is required to fill in planting areas for early growth protection until the ground cover is established and covers the planting area. It is encouraged to mulch bare areas for three to five years, or until the plant material is fully established in the parking islands.
- [8] Plant materials must not be installed to create visibility concerns for automobiles and pedestrians.

Figure 30: Parking lot landscape

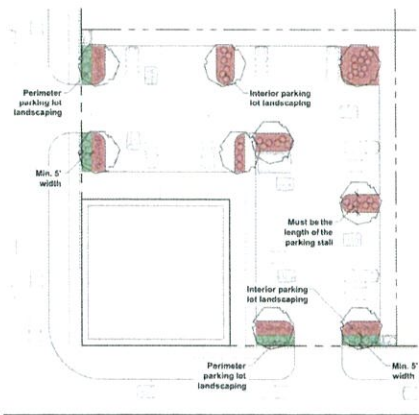


Figure 31: Raised curb design



AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

B. Parking structures.

(1) Ground-floor uses.

- (a) Parking structures on key streets (Map F) shall maintain ground-floor uses as required in Table 43-1, Schedule of Use Regulations.**
- (b) Parking structures on other streets within the L-MX District are encouraged to locate key street ground-floor uses from Table 43-1, Schedule of Use Regulations on the ground floor.**

Figure 32: Parking garage ground-floor uses



(2) Parking ramps.

- (a) On parking structure facades that front on key streets, the exterior articulation of internal vertical vehicle circulation, such as ramped portions of the structure used to access higher parking levels, are prohibited. Where internal ramps front on public streets, façade design and screening shall be required to mask the internal ramps.**
- (b) On parking structures that front other streets within the L-MX District, the exterior articulation of internal vertical vehicle circulation, such as ramped portions of the structure used to access higher parking levels, are discouraged. Where internal ramps front on other public streets, façade design and screening is encouraged to mask the internal ramps.**

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Figure 33: Screening of internal parking garage ramps

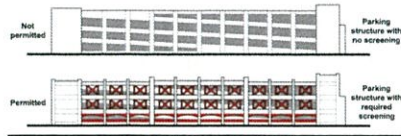
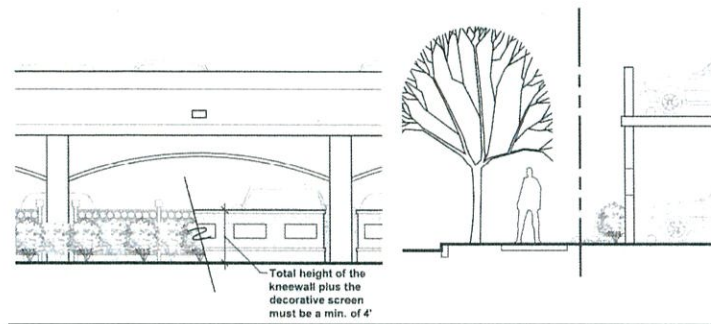


Figure 34: Ground floor parking structure screening



(3) Façade design.

- (a) The design of the façade that fronts on a public street shall include horizontal design elements, such as knee walls and cornices, which reflect the design of other structures in the Ludlow Mixed-Use Area.
- (b) On portions of the ground floor façade where parking spaces are visible, a decorative screen shall be required above the knee wall to screen traffic and pedestrians in the public right-of-way from headlight glare. The total height of the knee wall plus the decorative screen must be a minimum of four feet.
- (c) A parking structure accessory to a principal building shall be constructed with materials and design elements that reflect the principal building.
- (d) For parking structures with rooftop open-air parking, a parapet wall of four feet shall be required. Additional screening of rooftop open-air parking is encouraged in addition to the parapet wall.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

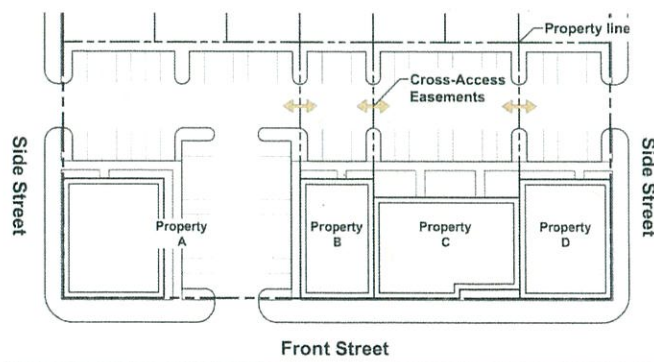
- C. Mechanical parking. All mechanical parking shall be located completely within a structure and meet the design standards for parking structures.
- D. Curb cuts and access.
- (1) Any new curb cuts proposed after the adoption of the L-MX District, requires site plan review and approval. Site plan review will consider the following site design standards in the review and approval of new curb cuts:
- (a) The location of new curb cuts will minimize potentially dangerous traffic movements and will not create a hazard for pedestrians.
- (b) The property owner has considered the use of alternate methods as a means to minimize curb cuts, including, but not limited to, cross-access easements and shared parking.
- (c) New curb cuts are discouraged on key streets (Map F) and may be permitted only after proof of efforts at access by curb cuts on other streets has been considered.
- (2) Single-family and two-family detached and attached dwellings located on corner lots must provide parking access from the side front setback. For the purposes of this provision, the side front setback is defined as the longer front setback. Access must be designed to minimize curb cuts along front setback along the block face.
- E. Cross-access easements.
- (1) Uses with adjacent parking areas are encouraged to provide a cross-access to allow circulation between sites. Joint-use driveways are encouraged where feasible. If cross-access is provided, as a condition of its approval, the approving agency requires a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such cross-access with the uses and structures that it serves.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

- (2) Cross-access easements must incorporate the following:
- (a) Internal circulation allows the smooth circulation of traffic between both parking lots and safe access to and from the street.
 - (b) Driveways shall meet City standards. No driveway may exceed 24 feet in width.
 - (c) Bump-outs and other design features are required to make it visually obvious that the abutting properties are tied together.
 - (d) A site plan is required for coordinated or shared parking areas.
- (3) Property owners who establish cross-access easements must:
- (a) Record an easement allowing cross-access to and from properties served by the joint-use driveways.
 - (b) Record a joint maintenance agreement defining the maintenance responsibilities of each property owner.

Figure 35: Cross-access easements



§ 43-243. Signs.

All signs in the L-MX District must meet the requirements of Chapter 47 of the City Code.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Section 4. The Zoning Map of the City of Yonkers is amended by changing the following Blocks and Lots to the zone districts as shown:

<u>Block & Lot</u>	<u>Zone District</u>
Block 146 Lots 5, 7 & 14	LM-X
Block 148 Lots 24, 27, 31, 33, & 35	M
Block 163 Lots 5, 6, 8, 9, 11, 12, 13.15, 16, 17, &18	LM-X
Block 163, Lots 20, 22, 23, 24, 26, 27, & 29	M
Block 164 Lots 9, 11, 13, 17, 18, 201, 203 204, & 206	LM-X
Block 164, Lots 26.27, 28.29, 30.31, 32.33 34.35	UR-MD
Block 165, Lots 18, 19.20, 21, 22, 23, 24, 26, 27, 28, & 30	UR-MD
Block 165, Lots 1, 4,12,16, & 31	LM-X
Block 166, Lot 5.15	LM-X
Block 167, Lot 3	LM-X
Block 168, Lot 1, 9, &13	LM-X
Block 169, Lots 1, 4, 13, 14, 15, 18, 27, 29, 30 32, 203, 204, 205, 206	LM-X
Block 171, Lots 1.14,23, 25, 26, 28, 29, 32, 33, 35, 37, 39, & 40	LM-X
Block 172, Lot 18	LM-X
Block 7000, Lot 5	LM-X

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

GENERAL ORDINANCE (CONTINUED)

Section 5. The attached maps, Proposed Zoning District and Proposed Height District Map, are incorporated into this General Ordinance.

Section 6. This Ordinance shall take effect immediately.

ZONING

43 Attachment 1

City of Yonkers Table 43-1
Schedule of Use Regulations

Use	District													
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	B	BA	CB	PMD	A & I
Residential Uses¹														
Apartment houses	--	--	--	--	--	--	P	P	P	P	P	P	P	P
Community residential facilities	--	--	--	--	--	--	S	S	S	S	S			
Community residential facilities for the disabled for up to 14 persons	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps			Ps
Nursing homes	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps			
Planned apartment complexes	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps		Ps	
Planned cluster developments	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps		Ps	
Planned townhouse complexes	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps		Ps	
Planned unit residential developments (PURDs)	--	--	--	--	--	--	S	S	S	S	S			
Planned urban redevelopments	--	--	--	--	--	--	S	S	S	S	S			S
Residential health-care facilities	--	--	--	--	--	--	S	S	S	S	S			
Row houses (single-family attached dwellings)	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps			
Senior citizen apartment houses	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps		Ps	
Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	P			P
Two-family detached dwellings	--	--	--	--	--	--	P	P	P	P	P			P
Two-family attached dwellings														P

P = Permitted use

Ps = Permitted, with supplemental requirements (see Article VI)

S = Permitted subject to special use requirements (see Article VII)

Notes:

¹ For Downtown District (D-MX, D-RT, UR-1D, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII

YONKERS CODE

Table 43-1 Schedule of Use Regulations

(Continued)

Use	District																					L- MX	L-MX Key Streets (Uses permitted on the ground floor)	
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	Cu	OL	BR	B	BA	CB	DW	GC	C	CM	IP	I			PMD
Public and Institutional Uses ¹	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Cemeteries and mausoleums	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Children's day camps	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Colleges/universities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Convents, monasteries and seminaries	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Governmental motor vehicle yards	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Government uses (non-City of Yonkers)	--	--	--	--	--	--	--	--	--	--	S	S	S	S	--	--	--	S	S	--	S	--	S	S
Hospitals	--	--	--	--	--	--	--	--	--	--	S	--	S	S	--	--	--	S	S	S	--	--	--	--
Medical establishments	--	--	--	--	--	--	--	--	--	--	P	--	P	P	P	P	P	P	P	P	P	P	--	--
Municipal uses (City of Yonkers)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Offices of philanthropic institutions	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parish houses	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Philanthropic institutions providing social services	--	--	--	--	--	--	--	--	--	--	--	S	S	S	S	--	P	S	S	--	--	--	--	S

P = Permitted use
Ps = Permitted, with supplemental requirements (see Article VII)
S = Permitted subject to special use requirements (see Article VII)

Notes:
1 For Downtown District (D-MX, D-IRT, UR-1.D, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII.

ZONING

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District																					L-MX MX	L-MX Key Streets (Uses permitted on the ground floor)	
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	Cu	OL	BR	B	BA	CB	DW	GC	C	CM	IP	I			PMD
Public and Institutional Uses¹ (Cont'd)																								
Places of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Private recreational clubs or community swimming pools	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Private clubs and community centers	--	--	--	--	--	--	S	S	S	S	--	--	S	S	--	--	--	--	--	--	--	--	--	--
Private marinas and seaplane landing docks	--	--	--	--	--	--	--	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Private not-for-profit recreational uses	S	S	S	S	S	S	S	S	S	S	--	--	--	--	--	S	--	--	--	--	--	--	--	S
Religious retreats	S	S	S	S	S	S	S	S	S	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Schools	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Utility substations	--	--	--	--	--	--	--	--	--	--	S	S	S	S	--	--	--	--	S	S	S	S	--	--

P = Permitted use
 Ps = Permitted, with supplemental requirements (see Article VII)
 S = Permitted subject to special use requirements (see Article VII)

Notes:

¹ For Downtown District (DMX, D-IRT, UR-1.D, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII.

YONKERS CODE

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District												L- MX	L-MX Key Streets (Use permitted on the ground floor)
	OL	BR	B	BA	CB	DW	GC	C	CM	IP	I	PMD	A & I	
Business, Commercial and Office Uses ^{1,3}														
Audio, radio, video and television stations and studios	Ps	--	--	--	Ps	Ps	Ps	Ps	Ps	Ps	Ps		Ps	
Banks and financial uses	P	P	P	P	P	P	P	P	P	P	--	P		P
Banquet and catering facilities	--	Ps	Ps	Ps	Ps	Ps	P	Ps	--	Ps	--	Ps		P
Building supply stores ¹	--	Ps	--	Ps	Ps	--	--	Ps	Ps	--	Ps		Ps	
Cabarets and nightclubs ²	--	Ps	--	--	Ps	Ps	--	Ps	--	--	--	Ps		P
Commercial recreation uses, indoor ²	--	--	--	P	P	--	--	P	P	--	--	P		P
Commercial recreation uses, outdoor ²	--	--	--	--	P	--	--	P	--	P	P	P		P
Commercial schools	P	P	P	P	P	P	P	P	P	P	P	P		P
Conference centers														
Day-care centers	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps		Ps
Department stores ²														
Drive-through banks	--	Ps	--	Ps	--	--	--	Ps	Ps	Ps	--	Ps		P
Drive-through restaurants	--	Ps	--	Ps	--	--	--	Ps	Ps	--	--			
Dry-cleaning establishments	--	Ps	Ps	Ps	Ps	--	--	Ps	Ps	--	Ps	Ps		
Eating and drinking establishments	--	P	P	P	P	P	P	P	P	P	P	P		P
Fast-food restaurants	--	P	P	P	P	P	--	--	--	--	--	P		P
Food and beverage stores	--	P	P	P	P	P	P	P	--	--	--	P		P
Funeral parlors or mortuaries	--	--	P	P	--	--	--	P	Ps	--	--			
Garden centers ²	--	Ps	--	--	Ps	--	--	Ps	Ps	--	--	P		
Health clubs and gymnasiums	--	P	P	P	P	P	P	P	--	--	--	P		P
Hotels	--	Ps	--	Ps	Ps	Ps	Ps	--	--	Ps	--	Ps		P

P = Permitted use

Ps = Permitted, with supplemental requirements (see Article VI)

S = Permitted subject to special use requirements (see Article VII)

Notes:

¹ Any business or commercial use which is open to the general public between 12:00 midnight and 6:00 a.m. shall be subject to a special use permit as provided for in § 43-74A of this chapter.

² Permitted only on a designated development site.

³ For Downtown District (D-MX, D-IRT, UR-LD, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII.

ZONING

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District													L-MX Key Streets (Uses permitted on the ground floor)
	OL	BR	B	BA	CB	DW	GC	C	CM	IP	I	PMD	A & I	
Business, Commercial and Office Uses ^{1,2} (Cont'd)														
Hotels, by special use permit	S	--	--	--	--	--	--	S	S	--	S	--	--	
Indoor markets	--	P	--	P	P	P	--	P	--	--	--	P	--	P
Live/work buildings	--	--	--	--	S	S	S	--	--	--	--	--	--	P
Medical establishments	P	P	P	P	P	P	P	P	P	P	P	P	--	P
Offices	P	P	P	P	P	P	P	P	P	P	P	P	--	P
Pawnshops and check-cashing stores	--	--	--	--	--	--	--	P	P	--	P	--	--	
Personal service establishments	--	P	P	P	P	P	P	P	P	--	--	P	--	P
Planned executive parks	S	--	--	--	--	--	--	--	S	S	--	--	--	
Planned mixed use										PS				
Planned neighborhood commercial development	--	--	--	--	--	--	--	--	S	--	--	--	--	
Planned shopping centers ²	--	PS	--	PS	P	--	--	PS	--	--	--	P	--	
Planned urban redevelopments	S	S	S	S	S	S	S	S	S	S	S	--	S	
Restaurants	--	P	P	P	P	P	P	--	--	--	--	P	PS	P
Retail establishments	--	P	P	P	P	P	P	--	--	--	--	P	PS	P
Retail craft uses	--	--	--	--	P	P	P	P	P	--	P	P	P	P
Sexually oriented businesses	--	--	--	--	--	--	--	--	S	--	S	--	S	
Supermarkets ²	--	S	S	S	S	--	--	S	--	--	--	P	--	S
Telephone switching facilities	--	--	--	--	P	P	P	P	P	P	P	P	P	
Theaters and movie theaters	--	P	--	--	P	P	P	P	--	--	--	P	--	P
Veterinary offices or hospitals	--	S	S	S	S	--	--	S	--	--	--	P	--	P
Wholesale price clubs and big-box retail stores ²	--	S	--	--	S	--	--	S	--	--	S	P	S	

P = Permitted use

PS = Permitted, with supplemental requirements (see Article VII)

S = Permitted subject to special use requirements (see Article VII)

Notes:

¹ Any business or commercial use which is open to the general public between 12:00 midnight and 6:00 a.m. shall be subject to a special use permit as provided for in § 43.74A of this chapter.

² Permitted only on a designated development site.

³ For Downtown District (D-MX, D-IRT, UR-LD, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII.

YONKERS CODE

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District												
	BR	B	BA	CB	DW	GC	C	CM	IP	I	PMD	A & I	L-MX L-MX Key Streets (Uses permitted on the ground floor)
Motor Vehicle Uses ^{1,2}													
Automobile rental establishments	Ps	--	Ps	Ps	Ps	Ps	Ps	Ps	--	--	Ps	Ps	Ps
Automobile repair shops	--	--	--	--	--	--	Ps	Ps	--	Ps	--	Ps	Ps
Automobile sales establishments	Ps	--	Ps	--	--	--	Ps	Ps	--	--	--	--	--
Automobile service stations	Ps	Ps	Ps	--	--	--	Ps	Ps	--	Ps	--	--	--
Automobile storage yards	--	--	--	--	--	--	Ps	Ps	--	Ps	--	--	--
Automobile supply and service stores	--	--	Ps	--	--	--	Ps	Ps	--	Ps	--	Ps	Ps
Automobile and/or truck body repair shops	--	--	--	--	--	--	--	--	--	--	--	Ps	Ps
Automobile washes	--	--	--	--	--	--	Ps	Ps	--	Ps	--	--	Ps
Convenience stores in conjunction with automobile service stations	S	S	S	--	--	--	S	S	--	S	--	S	--
Transport service businesses	--	--	--	--	--	--	Ps	Ps	--	Ps	--	--	--
Truck and bus depots, and rental, storage and sales establishments	--	--	--	--	--	--	Ps	Ps	--	Ps	--	--	--
Truck and bus service stations, and repair shops	--	--	--	--	--	--	Ps	Ps	--	Ps	--	Ps	Ps
Car sharing service office													Ps

P = Permitted use

Ps = Permitted, with supplemental requirements (see Article VI)

S = Permitted subject to special use requirements (see Article VII)

Notes:

¹ Any motor vehicle use which is open to the public between 12:00 midnight and 6 a.m. shall be subject to a special use permit as provided for in § 43-74A of this chapter.

² For Downtown District (D-MX, D-IRT, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII.

ZONING

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District										L-MX L-MX	L-MX L-MX	L-MX L-MX
	C	CM	HP	I	PMD	A & I	L-MX	L-MX	L-MX	L-MX	L-MX	L-MX	L-MX
Industrial, Warehouse and Storage Uses													
Breweries and microbreweries	P	P	P	P									
Building supply yards	Ps	Ps	--	Ps									
Commercial kennels	S	S	--	S									
Concrete batch plants, mixing or processing, but not manufacturing	--	--	--	P									
Construction and demolition debris transfer stations	--	--	--	S									
Dry-cleaning plants	S	S	--	S									
Heavy industrial uses	--	--	--	P									
Industrial parks	P	P	P	P									
Light industrial uses	P	P	P	P									
Medium industrial uses	P	P	P	P									
Mini-warehouse or self-storage warehouses	Ps	Ps	Ps	Ps									
Motor truck freight terminals and distribution centers	Ps	Ps	Ps	Ps									
Printing plant, photo lithography or reproduction establishments	P	P	P	P									
Quarries, and sand and gravel pits	--	--	--	S									
Research and development laboratories					P								
Rock crushing operations	--	--	--	S									
Stonecutter, monument works	P	P	P	P									
Telecommunications towers	--	S	S	S									
Testing laboratories and pilot plants	S	S	S	S									
Warehousing, storage and wholesaling of nonhazardous and nonflammable materials	P	P	P	P									
Industrial design uses													
Laboratories, research and development													
Industrial stadium													

P = Permitted use
Ps = Permitted, with supplemental requirements (see Article VI)
S = Permitted subject to special use requirements (see Article VII)

Notes:
For Downtown District (D-MX, D-IRT, UR-LD, UR-MD, UR-HD) use and dimensional regulations, see Article XVIII

YONKERS CODE

Table 43-1
Schedule of Use Regulations
(Continued)

Residential Accessory Uses	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	B	BA	CU	PMD	CB	A & I	L-MX
Amateur radio and TV towers	S	S	S	S	S	S	--	--	--	--	--	--	--	--	--	--
Decks and patios	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	--	--	--	P _S	P _S	--	P _S
Doghouses or structures accommodating pets	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	--	--	--	--	--	--	--
Family day care	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	P
Fences and walls	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	P _S
Garage and yard sales	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	--
Group family day-care homes	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	P
Home-based businesses	S	S	S	S	S	S	--	--	--	--	--	--	--	--	--	S
Home occupations	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	P _S
Parish houses	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	P _S
Piers, docks and boathouses	--	--	--	--	--	--	--	--	P _S	--	--	--	--	--	--	--
Pigeon raising coops	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	--	--	--	--	--	--	--
Radio and TV antennas	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	P _S
Refuse collection, storage and recycling facilities	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	P _S
Satellite antennas	S	S	S	S	S	S	S	S	S	S	S	S	P	S	--	S
Signs	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	P _S
Storage of recreational vehicles, campers, boats and motor vehicle trailers	P _S	P _S	P _S	P _S	P _S	P _S	--	--	--	--	--	--	--	--	--	--
Storage sheds, greenhouses and children's playhouses	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--
Swimming pools and bathhouses	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	--
Tennis courts and other sports courts	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	P _S	--	P _S
Exercise facilities – resident use only	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P

P = Permitted use
P_S = Permitted, with supplemental requirements (see Article VI)
S = Permitted subject to special use requirements (see Article VII)

ZONING

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District													A & I	L-MX
	CU	OL	BR	B	BA	CB	DW	GC	C	CM	IP	I	PMD		
Nonresidential Accessory Uses															
Amusement games and devices	Ps	--	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	--	--	Ps		Ps
Automatic teller machines	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	--	Ps		Ps
Awnings or canopies	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Bars or lounge areas serving liquor and brew pubs	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Christmas tree sales	--	--	Ps	Ps	Ps	Ps	Ps	--	Ps	Ps	--	Ps		Ps	Ps
Classroom for existing place of worship						Ps									
Fences and walls	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Greenhouses	--	--	Ps	Ps	Ps	--	--	--	Ps	Ps	--	Ps		Ps	Ps
Helistops or heliports														S	
Laboratories	Ps	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps		S	Ps
Live entertainment	--	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Live/work units	--	--	--	--	--	S	S	--	--	--	--	--			P
Loading berths or spaces	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Newspaper vending machines	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Outdoor dining areas	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Outdoor storage	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Railroad sidings	--	--	--	--	--	--	--	--	--	Ps	Ps	Ps		Ps	
Refuse collection, storage and recycling facilities	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Retail uses in conjunction with offices	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	
Satellite antennas	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S
Signs	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Soda or candy vending machines	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps
Cafeterias															Ps

P = Permitted use
Ps = Permitted, with supplemental requirements (see Article VI)
S = Permitted subject to special use requirements (see Article VII)

YONKERS CODE

Table 43-1
Schedule of Use Regulations
(Continued)

Use	District												
	CU	OL	BR	B	BA	CB	DW	GC	C	CM	IP	I	PMD
Nonresidential Accessory Uses (Cont'd)													A & I
Temporary flea markets or carnivals	--	--	--	--	--	--	--	--	Ps	Ps	Ps	Ps	Ps
Time and temperature signs			Ps	Ps					Ps	Ps			
Water tanks													P
													P

P = Permitted use
Ps = Permitted with supplemental requirements (see Article VI)
S = Permitted subject to special use requirements (see Article VII)

Table 43-1
Schedule of Use Regulations
(Continued)

[illegible]

PS = Permitted subject to special use requirements (see Article VII)

Notes:
1. See curb cut standards in the Ludlow Mixed-Use District, § 43-242, L-MX District parking and access standards.

ZONING

43 Attachment 3

City of Yonkers
Table 43-3
Schedule of Dimensional Regulations
for Residential Uses¹

Minimum Requirements for Residential Uses	District												L-MX
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	B	BA	CB	
• Lot area (square feet) Single- and two-family dwellings Multi-family dwellings	20,000 --	10,000 --	7,500 --	6,000 --	5,000 --	5,000 --	5,000 10,000	5,000 --	5,000 --	5,000 --	5,000 --	-- --	-- --
• Lot width (feet) Single- and two-family dwellings Multifamily dwellings	200 --	100 --	75 --	60 --	50 --	50 --	50 100	50 --	50 --	50 --	50 --	-- --	-- --
• Front yard (feet) Single- and two-family dwellings Multifamily dwellings	25 --	25 --	25 --	20 --	20 --	20 --	20 25	20 15	20 25	20 10	20 10	-- --	0 ⁸ --
• Rear yard (feet) Single- and two-family dwellings Multifamily dwellings	25 --	25 --	25 --	25 --	25 --	25 --	25 25	25 25	25 25	25 25	25 20	-- --	10 --
• Side yard; one/both (feet) Single- and two-family dwellings Multi-family dwellings	20/40 --	15/30 --	11/23 --	8/17 --	6/15 --	6/15 --	6/15 25/50	6/15 12/25	6/15 16/32	6/15 16/32	6/15 16/32	-- --	-- --
• Side front yard of corner lot (feet) Single- and two-family dwellings Multifamily dwellings	25 --	25 --	20 --	12 --	10 --	10 --	10 25	10 10	20 20	10 10	10 10	-- --	-- --
• Average lot area per family (square feet) Single-family dwellings Two-family dwellings Multifamily dwellings	20,000 -- --	10,000 -- --	7,500 -- --	6,000 -- --	5,000 -- --	5,000 2,500 --	5,000 2,500 1,000	5,000 2,500 800	5,000 2,500 --	5,000 2,500 --	5,000 2,500 --	-- -- --	-- -- --
• Gross floor area (square feet) Apartments	--	--	--	--	--	350	350	350	350	350	350	350	--

YONKERS CODE

□ Minimum Requirements for Residential Uses	District												
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	B	BA	CB	L-MX
• Building coverage (%) Single- and two-family dwellings Multifamily dwellings	30 --	30 --	35 --	40 --	40 --	40 --	40 40	40 40	40 40	40 40	40 40	-- 90 ⁴	<u>70</u>
• Height (stories/feet) Single- and two-family dwellings ² Multifamily dwellings	2½/35 --	2½/35 --	2½/35 --	2½/35 --	2½/35 --	2½/35 --	2½/35 3/35	2½/35 -/65	2½/35 -- ³	2½/35 --/35	2½/35 -- ³	-- --/50 ⁴	<u>65^{6, 7}</u>
• Floor area ratio Single- and two-family dwellings Base floor area ratio Portion of lot exceeding: 5,000 square feet ⁵ 6,000 square feet 7,500 square feet 10,000 square feet 20,000 square feet Multifamily dwellings	0.56 -- -- -- -- 0.38 --	0.56 -- -- -- -- 0.38 --	0.60 -- -- 0.40 -- -- --	0.68 -- 0.46 -- -- -- --	0.75 0.50 -- -- -- -- --	1.00 0.67 -- -- -- -- --	1.00 0.67 -- -- -- -- --	1.00 0.67 -- -- -- -- --	1.00 0.67 -- -- -- -- --	1.00 0.67 -- -- -- -- --	1.00 0.67 -- -- -- -- --	-- -- -- -- -- -- --	-- 5.00 ⁴

Notes:

¹ For the purposes of this schedule only:

- The dimensional requirements for single- and two-family dwellings in the schedule includes single-family detached dwellings and two-family detached dwellings as defined in this chapter.
- The dimensional requirements for multi-family dwellings in the schedule includes apartment houses, senior citizen apartment houses, nursing homes, residential health-care facilities and community residence facilities as defined in this chapter.
- The dimensional requirements for row houses (attached single-family houses) as defined in this chapter are in Article VI, Supplementary Use and Dimensional Regulations at § 43-34F.
- Dimensional requirements for planned residential developments are located in Article VI, Supplementary Use and Dimensional Regulations, and Article VII, Special Use Permits, as follows:
 - Planned apartment complexes: § 43-34C.
 - Planned cluster developments: § 43-34D.
 - Planned townhouse complexes: § 43-34E.
 - Planned unit residential developments: § 43-72B.
 - Planned urban redevelopment: § 43-72C.

E. The dimensional regulations contained in this chart shall not be controlling upon municipal uses.

² The minimum permitted height of a single- or two-family dwelling shall be one story or 15 feet, whichever is greater.

³ The maximum permitted height in the A and BA Districts shall be 1 1/2 times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be 1 1/2 times the width of the wider street right-of-way.

⁴ On a designated development site, the maximum permitted building coverage shall be 100%, the minimum height shall be two stories or 25 feet, whichever is greater, and the maximum height shall be 400 feet, and the maximum permitted floor area ratio shall be 6.00.

⁵ For single- and two-family dwellings, the floor area ratio for the lot area that exceeds the minimum lot size in that zone will be 0.67 of the zone's base floor area ratio.

⁶ Unless permitted height by § 43-238 and Map G: L-MX Height District Map.

⁷ Minimum building height, 25 feet and 2 stories

⁸ If a setback is provided, it must be 5 feet.

ZONING

City of Yonkers Table 43-3 Schedule of Dimensional Regulations for Nonresidential Uses⁷ [Amended 5-19-2009 by G.O. No. 3-2009]

Minimum Requirements for Nonresidential Uses	District									
	S-200	S-100	S-75	S-60	S-50	T	MG	M	A	L-MX
• Lot area (square feet)	20,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	--
• Lot width (feet)	200	150	150	150	150	150	150	150	150	--
• Front yard (feet)	25	25	25	20	20	20	25	25	25	0 ⁸
• Rear yard (feet)	25	25	25	25	25	25	25	25	25	10
• Side yard, one/both (feet)	12/24	12/24	12/24	12/24	12/24	12/24	12/24	12/24	12/24	--
• Side-front yard of corner lot (feet)	25	25	25	20	20	20	25	25	25	--
• Space between buildings on the same lot (feet)	15	15	15	15	15	15	40	40	40	--
Maximum Permitted for Nonresidential Uses										
• Building coverage (%)	30	30	35	40	40	40	40	40	40	70
• Height ⁹ (stories/feet)	2 1/2/35	2 1/2/35	2 1/2/35	2 1/2/35	2 1/2/35	2 1/2/35	3/36	3/36	-- ¹	65 ^{9, 10}
• Floor Area Ratio	0.75	0.75	0.80	0.90	1.00	1.00	1.00	1.20	1.25	--

Notes:

¹ The maximum permitted height in the A, BA and C Districts shall be 1 1/2 times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be 1 1/2 times the width of the wider street right-of-way.

² In the CB, DW and GC Districts, the minimum height shall be two stories or 25 feet, whichever is greater. In the CB District, the maximum height shall be 400 feet on a designated development site. In the GC District, the maximum height shall be 220 feet on a designated development site.

³ Exceptions to these requirements are provided for in § 43-330.

⁴ In the B and BA Districts, in the case of a building that is partly used for residential uses and partly for nonresidential uses, the maximum permitted lot coverage shall be 40% for all floors used in whole or in part for residential uses and 70% for all floors used exclusively for nonresidential uses. If only the first floor is used exclusively for nonresidential uses, the maximum permitted coverage of 70% of the lot area shall be limited to not more than 20 feet above the street, and above that level the 40% coverage limitation shall apply. For the purposes of this subsection, a private garage on the first floor may be construed as a nonresidential use.

⁵ The side yard setback in the B and BA Districts may be zero feet. However, when abutting a residential district, the side yard setback shall be a minimum of five feet.

⁶ The maximum permitted height in the I District shall be two times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be two times the width of the wider street right-of-way.

⁷ The dimensional regulations contained in this chart shall not be controlling upon municipal uses.

⁸ If a setback is provided, it must be 5 feet.

⁹ Unless permitted height by § 43-238 and Map G: L-MX Height District Map

¹⁰ Minimum building height, 25 feet and 2 stories

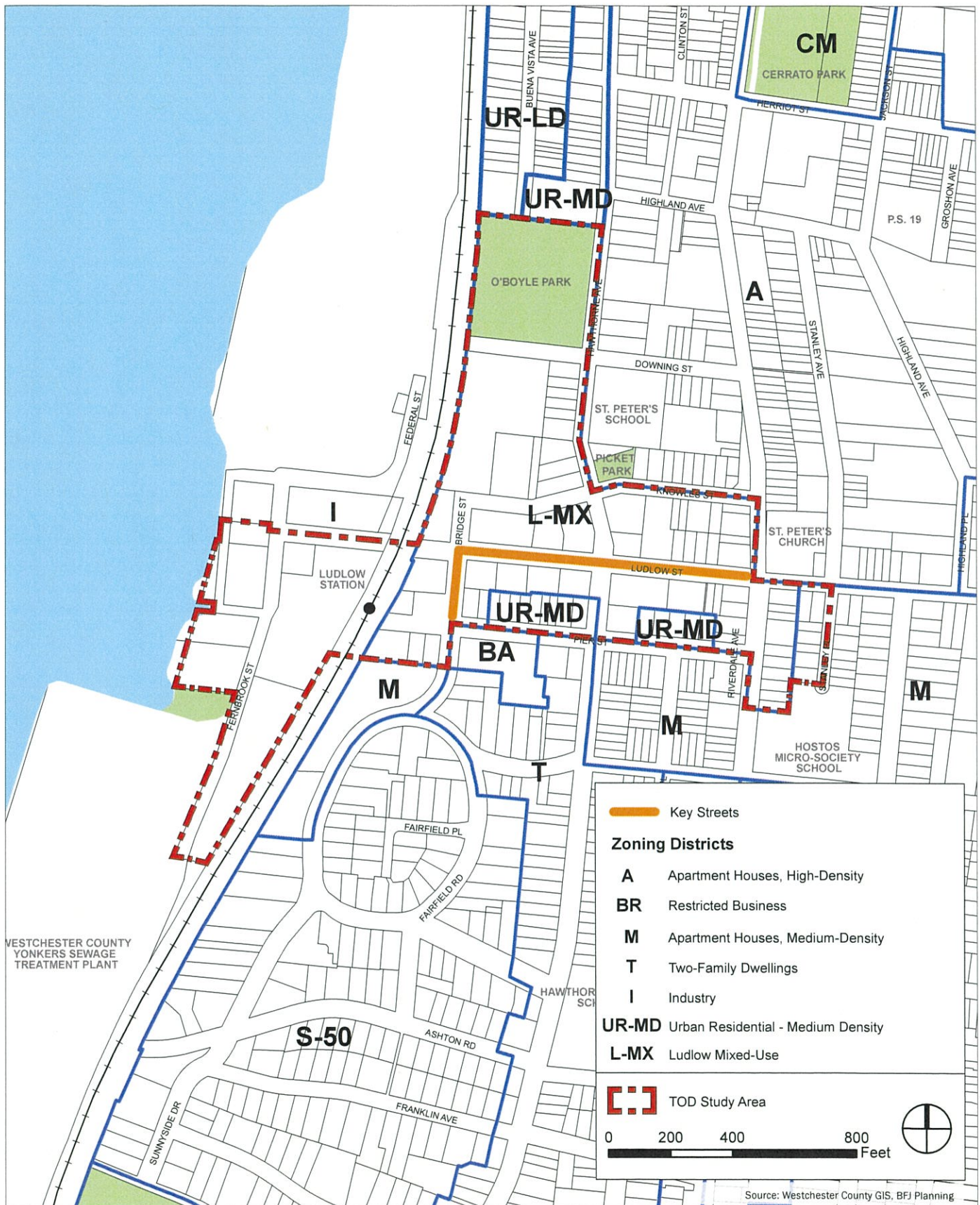
YONKERS CODE

City of Yonkers
Table 43-3
Schedule of Dimensional Regulations
for Nonresidential Uses⁷
(Continued)

Minimum requirements for Nonresidential Uses	District										
	Cu	OL	BR	B	BA	CB	DW	GC	CM	C	I
• Lot area (square feet)	15,000	7,500	10,000	--	--	--	--	--	10,000	--	175,000
• Lot width (feet)	150	75	100	--	--	--	--	--	100	--	250
• Front yard (feet)	25	25	25	10	10	--	--	--	20	--	50
• Rear yard (feet)	25	25	25	25	20	10 ⁸	10	10 ⁹	20	20	50
• Side yard, one/both (feet)	15/30	10/32	25/50	-- ⁵	-- ⁵	--	--	--	16/32	5/10	50/100
• Side-front yard of corner lot (feet)	25	25	25	--	--	--	--	--	20	--	50
• Space between buildings on the same lot (feet)	20	40	40	--	--	--	--	--	15	--	50
Maximums Permitted for Nonresidential Uses											
• Building coverage (%)	40	40	40	70 ⁴	70 ⁴	90 ⁸	90	90 ⁸	50	70	40
• Height ¹ (stories/feet)	3/39	3/45	--/48	--/35	--/35	--/50 ²	5/66 ³	--/100 ²	2/35	--/35	--/35
• Floor Area Ratio	1.25	0.8	1.50	1.50	5.00	5.00 ⁸	4.50	9.00	1.00	6.00	0.80

Notes:

- ¹ The maximum permitted height in the A, BA and C Districts shall be 1 ½ times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be 1 ½ times the width of the wider street right-of-way.
- ² In the CB, DW and GC Districts, the minimum height shall be two stories or 25 feet, whichever is greater.
- ³ Exceptions to these requirements are provided for in § 43-330.
- ⁴ In the B and BA Districts, in the case of a building that is partly used for residential uses and partly for nonresidential uses, the maximum permitted lot coverage shall be 40% for all floors used in whole or in part for residential uses and 70% for all floors used exclusively for nonresidential uses. If only the first floor is used exclusively for nonresidential uses, the maximum permitted coverage of 70% of the lot area shall be limited to not more than 20 feet above the street, and above that level the 40% coverage limitation shall apply. For the purposes of this subsection, a private garage on the first floor may be construed as a nonresidential use.
- ⁵ The side yard setback in the B, BA, and I Districts may be zero feet.
- ⁶ The maximum permitted height in the I District shall be two times the width of the street right-of-way on which it fronts. If it fronts on more than one street, the maximum permitted height shall be two times the width of the wider street right-of-way.
- ⁷ The dimensional regulations contained in this chart shall not be controlling upon municipal uses.
- ⁸ On a designated development site, there shall be no required rear yard; the maximum permitted building coverage shall be 100%, and the maximum permitted floor area ratio shall be 6.00.
- ⁹ On a designated development site, there shall be no required rear yard; the maximum permitted building coverage shall be 100%.



INTRODUCER'S MEMORANDUM
SUBMITTED IN ACCORDANCE WITH SECTION §C4-6 OF THE CHARTER

SPONSOR: Administration.

TITLE OF BILL: A GENERAL ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF YONKERS AND ACCOMPANYING TABLES BY CREATING A NEW ZONING DISTRICT KNOWN AND DESIGNATED AS THE "LUDLOW MIXED-USE DISTRICT (L-MX)".

PURPOSE: To create a new zoning district known as the Ludlow Mixed-Used District.

SUMMARY OF SPECIFIC PROVISIONS: This amendment modifies the zoning ordinance to add a new zoning district.

JUSTIFICATION: To create and codify a new zoning district known as Ludlow Mixed-Use District.

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS: None.

CRIMINAL SANCTION IMPACT: There will be no criminal consequences.

LEGISLATIVE HISTORY: None

FISCAL IMPLICATIONS: Positive indirect financial impact to the City's economy should uses flourish in this new zone.

EFFECTIVE DATE: Immediately.

SUBJECT: A GENERAL ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF YONKERS AND ACCOMPANYING TABLES BY CREATING A NEW ZONING DISTRICT KNOWN AND DESIGNATED AS THE "LUDLOW MIXED-USE DISTRICT (L-MX)".

☐ NO FISCAL IMPACT PROJECTED

BUDGET IMPACT

D) ☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District

E) EXPENSES AND REVENUES

Total Current Year Cost: _____

Total Current Year Revenue: _____

Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations

☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts:

Potential Related Operating Budget Expenses: Annual Amount:\$0

Describe:

Potential Related Revenues: Annual Amount:\$0

Current Year:

Next 5 years:

Anticipated Savings: Annual
Amount:\$ _____

Current Year:

Next 5 years:

F) FISCAL IMPACT

Potential for additional personnel: _____

Prepared By: J. Helen Aggrey

Title: 2nd Deputy Corporation Counsel

Department: Corporation Counsel

Signature: /s/ J. Helen Aggrey

Reviewed By: John Liszewski

FINANCE DEPARTMENT

Signature:

Date: _____, 2022

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022
SPECIAL ORDINANCE

4. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A SPECIAL ORDINANCE AUTHORIZING ACCEPTANCE OF STATE GRANT FUNDING FROM THE NEW YORK STATE ENERGY DEVELOPMENT AUTHORITY (NYSERDA) IN THE AMOUNT OF \$85,000 AND AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2022/2023.

The City of Yonkers hereby ordains and enacts:

Section 1: : NYS Energy and Research Development Authority (NYSERDA) under its Clean Energy Communities Program has awarded a Leadership Round grant of \$85,000 to the City of Yonkers to help fund the purchase and installation of Electric Vehicle charging stations.

Section 2: The City is not required to provide a local matching share.

Section 3: The purchase and installation of EV charging stations throughout the City is determined to be a "Type II" action under SEQRA and its implementing regulations, 6 NYCRR Part 617, which constitute actions determined not to have a significant effect on the environment and therefore requiring no further environmental review.

Section 4: The Mayor of the City or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may be necessary to effectuate the purposes hereof.

Section 5: The City's Grant Budget for fiscal year 2022/2023 is hereby amended by increasing revenues and appropriations for the Department of Public Works, as follows:

Estimated Revenues

NYSERDA Leadership EV	\$85,000
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Estimated Expenses

NYSERDA Leadership EV	\$85,000
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Section 6: This ordinance shall take effect immediately.

**INTRODUCER'S MEMORANDUM
SUBMITTED IN ACCORDANCE WITH SECTION §C4-6 OF THE CHARTER**

SPONSOR: Department of Public Works

TITLE OF BILL: A Special Ordinance authorizing acceptance of State grant funding from the New York State Energy and Research Development Authority (NYSERDA) under its Clean Energy Communities Program in the amount of \$85,000, and amending the City of Yonkers grant budget for fiscal year 2022/2023.

PURPOSE: Amend the grant budget to accept the grant funding.

SUMMARY OF SPECIFIC PROVISIONS: Same as above.

JUSTIFICATION: required to receive funding.

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS: N/A.

CRIMINAL SANCTION IMPACT: N/A.

LEGISLATIVE HISTORY: N/A

FISCAL IMPLICATIONS: Positive

EFFECTIVE DATE: Immediate.

SUBJECT: A SPECIAL ORDINANCE AUTHORIZING ACCEPTANCE OF NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) IN THE AMOUNT OF \$85,000, AND AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2022/2023.

☒ NO FISCAL IMPACT PROJECTED

BUDGET IMPACT

A) ☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District

B) EXPENSES AND REVENUES

Total Current Year Cost: _____

Total Current Year Revenue: _____

Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations ☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts:

Potential Related Operating Budget Expenses: Annual Amount: \$0

Describe:

Potential Related Revenues: Annual Amount: \$0

Current Year:

Next 5 years:

Anticipated Savings: Annual

Amount: \$ _____

Current Year:

Next 5 years:

C) FISCAL IMPACT

Potential for additional personnel: _____

Prepared By: Jason Baker

Title: Deputy Commissioner

Department: Public Works

Signature: /s/ Jason Baker

Reviewed By: John Liszewski
FINANCE DEPARTMENT

Signature: /s/ John Liszewski

Date: _____

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION

5. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A RESOLUTION TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”) RELATING TO AN AMENDMENT TO GENERAL ORDINANCE 4-2000, ALSO KNOWN AS CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS, AND THE ACCOMPANYING ZONING MAP TO RECLASSIFY AND REZONE THE PROPERTIES LOCATED AT 312, 316 AND 322 Warburton Avenue (also known and designated on the official tax map of the City of Yonkers as Block 2151, Lot 34; Block 2151, Lot 31; and Block 2151, Lot 29, respectively) from BR District (Restricted Businesses, Residences Excluded) to B District (Neighborhood Business and Apartment Houses, Medium Density).

WHEREAS, there is pending before the City Council, a proposed amendment to the Zoning Ordinance of the City of Yonkers to reclassify and rezone the properties located at 312, 316, and 322 Warburton Avenue (also known and designated on the official tax map of the City of Yonkers as Block 2151, Lot 34, Block 2151 Lot 31, and Block 2151, Lot 29, respectively) from BR District to B District (the “Amendment”); and

WHEREAS, the Amendment and all related actions (the “Proposed Action”) have been classified as an Unlisted Action as an Unlisted Action under the State Environmental Quality Review Act, §8-0101 et. Seq. of the Environmental Conservation Law and the regulations promulgated thereunder (“SEQRA”), requiring the City Council to comply with the requirements of SEQRA as regards an Unlisted Action; and

WHEREAS, the City Council, as Lead Agency, has reviewed and considered the entire record, including environmental assessment form (“EAF”), the recommendation of the Planning Board and the Westchester County Department of Planning, together with the criteria set forth in Section 617.7(c) of the SEQRA regulations; and

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION (CONTINUED)

WHEREAS, The City Council has identified and carefully considered the relevant areas of environmental concern to determine whether the Proposed Action will result in any significant adverse environmental impacts in light of the criteria set forth in Section 617.7(c) of the SEQRA regulations;

NOW, THEREFORE, BE IT RESOLVED, by the Yonkers City Council that based upon the City Council's review of the EAF and supplemental materials and for the reasons set forth therein, the City Council hereby adopts a Negative Declaration under SEQRA, that the Amendments will not result in any significant adverse impact on the environment, and that the preparation of an Environmental Impact Statement is not required; and

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

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION

6. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

RESOLUTION OF THE CITY COUNCIL TO ADOPT THE LUDLOW
MASTER PLAN

WHEREAS, on or about October 2019, the City Council of the City of Yonkers ("City Council") was presented with a proposal to rezone the Ludlow area to allow the Ginsburg Development Companies to develop two sites at Downing Street ("Bridge Street/Ludlow Point") and Pier Street ("YPA-70 Pier Street") and to provide for the redevelopment of the area in accordance with the proposed Ludlow Master Plan a/k/a Ludlow Community Plan; and

WHEREAS, the City Council, pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law (collectively "SEQRA"), and acting as Lead Agency, issued a positive declaration for the proposed action and determined that a Draft Generic Environmental Impact Statement ("DGEIS") would be required prior to consideration of the proposed action; and

WHEREAS, on March 23, 2021, the City Council accepted the DGEIS as adequate and complete for required public comment; and

WHEREAS, a public hearing on the DGEIS was held on May 11, 2021, with written comments accepted until May 27, 2021; and

WHEREAS, a Final Generic Environmental Impact Statement ("FGEIS") was prepared and accepted by the City Council on February 8, 2022 whereby the FGEIS, which incorporated relevant comments made during the course of public review, was distributed to all involved and interested agencies pursuant to SEQRA and made available to the public; and

WHEREAS, a public hearing on the FGEIS was held on March 1, 2022 so as to provide a further opportunity for receipt of any outstanding concerns from the community; and

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION (CONTINUED)

WHEREAS, the City Council, as lead agency, adopted Resolution No. 111-2022 for the adoption of the SEQRA Findings Statement on September 28, 2022 for the Ludlow Master Plan following the completion of the FGEIS; and .

WHEREAS, pursuant to said resolution, the proposed Ludlow Master Plan, zoning text change and zoning district map change were forwarded to the Planning Board of the City of Yonkers ("Planning Board") for its review and recommendation; and

WHEREAS, at its October 12, 2022 meeting, the Planning Board found that the proposed Ludlow Master Plan has put forward a form based zoning to be known as the Ludlow Mixed Use ("L-MX") District whereby a wide variety of uses will be allowed in the Ludlow corridor and adjacent streets ranging from residential to retail to medium industrial, with the form of the buildings being the major controlling factor, which along with the other two zoning amendments will serve to solve existing zoning problems in the community, including on Pier Street, and Stanley Place, south of Ludlow Street, east of Riverdale Avenue; and

WHEREAS, the Planning Board, having determined that the proposed Master Plan and proposed zoning ordinance and zoning map amendments will be beneficial to the Ludlow community and the City of Yonkers, made a favorable recommendation to the City Council on the proposed L-MX zoning, text change, zone map changes, and the adoption of the Ludlow Master Plan; and

WHEREAS, the City Council finds and determines that the proposed form based Ludlow Mixed Use (L-MX) zoning as presented in the proposed Ludlow Master Plan as well as the other proposed zoning amendments are necessary and appropriate as a guide to future municipal action affecting future redevelopment of the Ludlow community within the City of Yonkers; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YONKERS, that the City Council hereby approves and adopts the Ludlow Master Plan; and be it further

RESOLVED, that this resolution shall take effect immediately.

SPONSOR'S MEMORANDUM

SPONSOR: Councilman John Rubbo

TITLE OF BILL: RESOLUTION OF THE CITY COUNCIL TO ADOPT THE
LUDLOW MASTER PLAN

PURPOSE: To enable proper future development

SUMMARY OF SPECIFIC PROVISIONS: see above

JUSTIFICATION: comprehensive land use changes to address the evolving needs of the
community

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS: N/A

CRIMINAL SANCTION IMPACT: N/A

LEGISLATIVE HISTORY: N/A

FISCAL IMPLICATIONS: Neutral

EFFECTIVE DATE: as per resolution

FISCAL IMPACT STATEMENT**SUBMITTED IN ACCORDANCE WITH SECTION §C4-6 OF THE CHARTER****SUBJECT:** A RESOLUTION OF THE CITY COUNCIL TO ADOPT THE LUDLOW MASTER PLAN**X** NO FISCAL IMPACT PROJECTED**BUDGET IMPACT**

(Completed by operating department and reviewed by Finance Department or Council Staff)

A) ☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District

B) EXPENSES AND REVENUES

Total Current Year Cost: \$0Total Current Year Revenue: \$0Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount: \$ _____

Describe:

Potential Related Revenues: Annual Amount: \$ _____

Current Year:

Next 5 years:

Anticipated Savings: Annual Amount: \$ _____

Current Year:

Next 5 years:

C) FISCAL IMPACT

Potential for additional personnel: _____

Prepared By: Hon. John Rubbo

Title: councilmemberDepartment: City Council

Signature: _____

Reviewed By: _____

_____ DEPARTMENT

Signature: _____

Date: _____

If you need more space, attach additional sheets.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION

7. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

RESOLUTION OF THE CITY COUNCIL TO APPROVE A SPECIAL USE PERMIT TO ALLOW FOR 24 HOUR OPERATIONS FOR AN EXISTING WALGREENS STORE AND PHARMACY AT SECTION 3, BLOCK 3182, LOT 5, ON THE PROPERTY KNOWN AS 1230 NEPPERHAN AVENUE, PURSUANT TO ARTICLE VII OF THE YONKERS ZONING ORDINANCE

WHEREAS, the owner of the Walgreens property located at 1230 Nepperhan Avenue, also known as Section 3, Block 3182, Lot 5 on the Official Tax Map of the City of Yonkers, has submitted an application for a Site Plan Review and a Special Use Permit, to allow for a 24 hour operations at an existing Walgreens store and pharmacy to the Planning Board, which application was approved by the Yonkers Planning Board in accordance with Article VII and Article IX of the Zoning Code of the City of Yonkers; and

WHEREAS, upon review of the application and the record, this City Council believes it to be in the best interest of the City to grant said application; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled, that the proposed Special Use Permit should be granted and;

BE IT FURTHER RESOLVED, that upon the record and findings of the Planning Board, with respect to the application submitted by the property owner, for a Special Use Permit, for a 24 hour use of the Walgreens store and pharmacy at Section 3, Block 3182, Lot 5 on the Official Tax Map of the City of Yonkers, at the property known as 1230 Nepperhan Avenue, Yonkers, New York, pursuant to Article VII and Article IX of the Zoning Code of the City of Yonkers, the decision and actions of the Planning Board of the City of Yonkers are hereby approved, and this approval is subject to any conditions set forth in the decision of the Planning Board and;

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION (CONTINUED)

BE IT FURTHER RESOLVED, that all of the conclusions, findings and conditions contained in the October 12, 2022 resolution of the Yonkers Planning Board are hereby incorporated by reference and made a part hereof; and

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

SPONSOR: ADMINISTRATION

TITLE OF BILL: A RESOLUTION APPROVING A SPECIAL USE PERMIT TO PERMIT 24 HOUR OPERATIONS FOR WALGREENS STORE AND PHARMACY AT 1230 NEPPERHAN AVENUE, ALSO KNOWN AS SECTION 3, BLOCK 3182 LOT 5 ON THE OFFICIAL TAX MAP OF THE CITY OF YONKERS..

PURPOSE: To allow for 24 hour operations

SUMMARY OF SPECIFIC PROVISIONS: This legislation approves the decision of the Planning Board to allow for 24 hour operations for retail store and pharmacy.

JUSTIFICATION: 24 hour operation of the pharmacy will serve to meet the needs of the citizens of the City of Yonkers and the general public.

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS: None.

CRIMINAL SANCTION IMPACT: N/A

LEGISLATIVE HISTORY: No legislative history.

FISCAL IMPLICATIONS: There is no fiscal impact to the City if this law is enacted.

EFFECTIVE DATE: This resolution will take effect immediately.

SUBJECT: : X NO FISCAL IMPACT PROJECTED

TITLE: A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW 24 HOUR OPERATIONS FOR STORE AND PHARMACY AT 1230 NEPPERHAN AVENUE, ALSO KNOWN AS SECTION 3, BLOCK 3182 LOT 5 ON THE OFFICIAL TAX MAP OF THE CITY OF YONKERS.

BUDGET IMPACT

(To be completed by operating department and reviewed by Finance Department)

A) ☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District

B) EXPENSES AND REVENUES

Total Current Year Cost: _____ *Total Current Year Revenue:* _____

Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations

☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount:\$ _____

Describe:

Potential Related Revenues: Annual Amount:\$ _____

Current Year: Next 5 years:

Anticipated Savings: Annual Amount:\$ _____

Current Year:Next 5 years:

C) FISCAL IMPACT: (Cost to acquire lands)

Prepared By: Corporation Counsel

Title: _____

Department: LAW

Signature: _____

Reviewed By: FINANCE DEPARTMENT

Signature: /s/ John Liszewski, Commissioner

Date: 10/ /2022

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION

8. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

RESOLUTION APPROVING AN INTER-MUNICIPAL AGREEMENT BY AND BETWEEN THE CITY OF YONKERS AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY SERVICES FOR THE ELDERLY (“CSE”) TRANSPORTATION SERVICE PY 2022-23 GRANT FUNDING

WHEREAS, New York State Office of the Aging has provided the County of Westchester (the “County”) with certain grant funding, which the County desires to pass through to the City of Yonkers (the “City”); and

WHEREAS, the City wishes to enter into certain inter-municipal agreements (each an “IMA”) with the County to accept/implement said grant funding; and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipal corporations and districts to enter into agreements for the performance of various functions.

NOW, THEREFORE, BE IT RESOLVED, that the City be and hereby is authorized to enter into IMAs with the County to accept CSE Transportation Service PY 2022-23 grant funding in an approximate amount of \$43,770, and requiring a City match in an amount not to exceed \$18,759; and

RESOLVED, that the IMA for Transportation funding are authorized for one (1) one-year term; and be it further

RESOLVED, that the above constitutes a “Type II” action under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environment review; and be it further

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION (CONTINUED)

RESOLVED, that Mayor or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof; and be it further

RESOLVED, that this resolution will take effect immediately.

INTRODUCER'S MEMORANDUM
SUBMITTED IN ACCORDANCE WITH SECTION §C4-6 OF THE CHARTER

SPONSOR
Office of the Aging

TITLE OF BILL

RESOLUTION APPROVING AN INTER-MUNICIPAL AGREEMENT BY AND BETWEEN THE
CITY OF YONKERS AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY
SERVICES FOR THE ELDERLY ("CSE") TRANSPORTATION SERVICE PY 2022-23 GRANT
FUNDING

PURPOSE
Necessary to enter into IMA with Westchester County in order to receive case management
grant funding

SUMMARY OF SPECIFIC PROVISIONS
Same as above.

JUSTIFICATION
The grant funding will benefit the residents of the City.

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS
positive

CRIMINAL SANCTION IMPACT
None

LEGISLATIVE HISTORY
None

FISCAL IMPLICATIONS
None/Neutral

EFFECTIVE DATE
Immediate

TITLE OF BILL

RESOLUTION APPROVING AN INTER-MUNICIPAL AGREEMENT BY AND BETWEEN THE
CITY OF YONKERS AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY
SERVICES FOR THE ELDERLY ("CSE") TRANSPORTATION SERVICE PY 2022-23 GRANT
FUNDING

☒ FISCAL IMPACT PROJECTED

BUDGET IMPACT

A) ☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District
☐ Grant Budget

B) EXPENSES AND REVENUES

Total Current Year Cost: _____.

Total Current Year Revenue: _____.

Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations

☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses:

Annual Amount: \$ _____ 0 _____

Describe:

Potential Related Revenues: Increased tax revenue

Annual Amount: \$ _____ 0 _____

Current Year:

Next 5 years:

Anticipated Savings:

Annual Amount: ☐

Current Year:

Next 5 years:

C) FISCAL IMPACT

Potential for additional personnel: \$ _____ 0 _____

Prepared By: Kelly Chiarella
Title:
Department: OFA
Signature: /s/ Kelly Chiarella

Reviewed By: Finance Department
Signature: /s/ John Liszewski

Date:

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION

9. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

RESOLUTION APPROVING AN INTER-MUNICIPAL AGREEMENT BY AND BETWEEN THE CITY OF YONKERS AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY SERVICES FOR THE ELDERLY INFORMATION AND ASSISTANCE SERVICE PY 2022-23 GRANT FUNDING

WHEREAS, New York State Office of the Aging has provided the County of Westchester (the "County") with certain grant funding for the provision of information and assistance services, which the County desires to pass through to the City of Yonkers (the "City"); and

WHEREAS, the City wishes to enter into an inter-municipal agreement ("IMA") with the County to accept/implement said grant funding; and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipal corporations and districts to enter into agreements for the performance of various functions.

NOW, THEREFORE, BE IT RESOLVED, that the City be and hereby is authorized to enter into an IMA with the County to accept CSE INFORMATION AND ASSISTANCE Service PY 2022-23 grant funding in an approximate amount of \$65,277 and requiring a City match in an amount not to exceed \$27,977; and

RESOLVED, that the IMA is authorized for one (1) one-year term; and be it further

RESOLVED, that the above constitutes a "Type II" action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environment review; and be it further

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION (CONTINUED)

RESOLVED, that Mayor or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof; and be it further

RESOLVED, that this resolution will take effect immediately.

INTRODUCER'S MEMORANDUM
SUBMITTED IN ACCORDANCE WITH SECTION §C4-6 OF THE CHARTER

SPONSOR

Office of the Aging

TITLE OF BILL

RESOLUTION APPROVING AN INTER-MUNICIPAL AGREEMENT BY AND BETWEEN THE
CITY OF YONKERS AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY
SERVICES FOR THE ELDERLY INFORMATION AND ASSISTANCE SERVICE PY 2022-23
GRANT FUNDING

PURPOSE

Necessary to enter into IMA with Westchester County in order to receive case management grant funding

SUMMARY OF SPECIFIC PROVISIONS

Same as above.

JUSTIFICATION

The grant funding will benefit the residents of the City.

IMPACT OF REGULATION ON BUSINESS AND INDIVIDUALS
positive

CRIMINAL SANCTION IMPACT

None

LEGISLATIVE HISTORY

None

FISCAL IMPLICATIONS

None/Neutral

EFFECTIVE DATE

Immediate

TITLE OF BILL

RESOLUTION APPROVING AN INTER-MUNICIPAL AGREEMENT BY AND BETWEEN THE
CITY OF YONKERS AND THE COUNTY OF WESTCHESTER TO ACCEPT COMMUNITY
SERVICES FOR THE ELDERLY INFORMATION AND ASSISTANCE SERVICE PY 2022-23
GRANT FUNDING

☒ NO FISCAL IMPACT PROJECTED

BUDGET IMPACT

A) ☐ General Fund ☐ Board of Education ☐ Special Revenue fund or District
☐ Grant Budget

B) EXPENSES AND REVENUES

Total Current Year Cost: _____.

Total Current Year Revenue: _____.

Source of Funds (Check one): ☐ Current Appropriations ☐ Additional Appropriations

☐ Transfer of Existing Appropriations ☐ Fee/Fine/Tax/Other (Explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses:

Annual Amount: \$ _____ 0 _____

Describe:

Potential Related Revenues: Increased tax revenue

Annual Amount: \$ _____ 0 _____

Current Year:

Next 5 years:

Anticipated Savings:

Annual Amount: ☐

Current Year:

Next 5 years:

C) FISCAL IMPACT

Potential for additional personnel: \$ _____ 0 _____

Prepared By: Kelly Chiarella
Title:
Department: OFA
Signature: /s/ Kelly Chiarella

Reviewed By: Finance Department
Signature: /s/ John Liszewski
Date:

If you need more space, attach additional sheets

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

RESOLUTION

10. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF YONKERS AND THE YONKERS POLICE BENEVOLENT ASSOCIATION

WHEREAS, the City of Yonkers and the Yonkers Police Benevolent Association have agreed to a successor collective bargaining agreement for the period July 1, 2019 through June 30, 2024; and

NOW, THEREFORE, BE IT RESOLVED that the successor collective bargaining agreement dated November 4, 2022 between the City of Yonkers and the Yonkers Police Benevolent Association for the period July 1, 2019 through June 30, 2024, as stated in the attached Memorandum of Agreement, is hereby approved; and

BE IT FURTHER RESOLVED, that the above constitutes a “Type II” action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 22, 2022

COMMITTEE REPORTS