

GENERAL ORDINANCE NO.10-2023

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 NO.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 BY AMENDING SAID MAP TO CHANGE CURRENT ZONE CLASSIFICATIONS TO THE “CU” COLLEGE AND UNIVERSITY ZONE CLASSIFICATIONS FOR THE PREMISES KNOWN AS 1229 MIDLAND AVENUE (CURRENTLY “MG”), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY “S-60”) AND 161 HAMPSHIRE ROAD (CURRENTLY “S-200”), YONKERS, NEW YORK AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 29 RESPECTIVELY.

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

Section 1. Recitals.

- (a) Petitioner, Sarah Lawrence College, filed a Petition dated November 15, 2022, to amend the Zoning Map of the City of Yonkers for the premises known as **1229 MIDLAND AVENUE (CURRENTLY “MG”), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY “S-60”) AND 161 HAMPSHIRE ROAD (CURRENTLY “S-200”), YONKERS, NEW YORK AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 29** to change the current Zone Classifications to the “CU” Colleges and University Zone Classification to allow the continuation of the existing structures and uses on the premises; and

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- (b) On December 13, 2022 the City Council adopted and circulated a resolution to declare its intent to act as Lead Agency in accordance with the provisions of 6 NYCRR Part 617 of the New York State Environmental Quality Review Act ("SEQRA"), in order to initiate a review process of the proposed amendments of the Zoning Map of the City of Yonkers; and
- (c) On December 13, 2022 the Yonkers City Council referred the Petition to the Yonkers Planning Board and to the Westchester County Planning Board for their review and recommendation in accordance with the provisions of sections 43-164 of the Yonkers City Code and 239-m of the General Municipal Law respectively; and
- (d) More than thirty (30) days have elapsed since the date the Petition and EAF were transmitted to the Involved Agencies, and the City Council has not received any written objection from any other Involved Agencies regarding the City Council's intent to act as lead agency for review of the Proposed Action; and
- (e) On January 3, 2023, the Westchester County Planning Board advised that it had no objection to the City Council acting as lead agency for review of the Proposed Action found that the Proposed Action was a matter of local concern; and
- (f) On February 8, 2023, the Yonkers Planning Board adopted a Resolution to forward a favorable recommendation to the Yonkers City Council on the Proposed Action; and
- (g) On March 28, 2023 the City Council assumed Lead Agency status for the review of the Proposed Action pursuant to SEQRA; and
- (h) On April 25, 2023 the City Council conducted a public hearing on the Petition in accordance with the requirements of Section 43-165 of the Zoning Ordinance; and
- (i) The Petition contains a full Environmental Assessment Form (the "EAF"); and
- (j) The Proposed Action has been classified 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"); and

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- (k) The City Council, as Lead Agency, has reviewed and considered the entire record, including Parts 1, 2 and 3 of the full environmental assessment form ("EAF"), the recommendations of the Yonkers 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
- (l) The City Council has identified and carefully considered the relevant areas of environmental concern to determine whether the Amendments and all related actions will result in any significant adverse environmental impacts in light of the criteria set forth in Section 617.7(c) of the SEQRA regulations; and
- (m) On May 9, 2023, based upon the Yonkers City Council's review of the EAF and supplemental materials and for the reasons set forth therein, the City Council adopted a Negative Declaration under SEQRA, as the Amendment will not result in any significant adverse impact on the environment, and that the preparation of an Environmental Impact Statement was not required; and
- (n) The City Council finds that the Project will continue the City's efforts to update and streamline the Zoning Code to reflect the long established College and University uses existing at the Subject premises as part of the Sarah Lawrence College Campus; and
- (o) The City Council desires to amend the Zoning Ordinance to incorporate the Amendments.


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Section 2. Amendments.

General Ordinance No. 4-2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, as follows: 1) Section 43-12 of the Zoning Code, entitled "Zoning Map" shall be amended to reclassify and rezone the real property located at **1229 MIDLAND AVENUE (CURRENTLY "MG"), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY "S-60") AND 161 HAMPSHIRE ROAD (CURRENTLY "S-200"), YONKERS, NEW YORK AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 29 RESPECTIVELY** as shown and designated on the Official Tax Map of the City of Yonkers, from their current zone district classifications to a "CU" zone district classification.

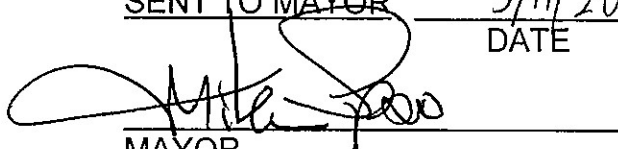
Section 3: This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 9, 2023. BY A VOTE OF 6-0. COUNCIL MEMBER WILLIAMS ABSENT.

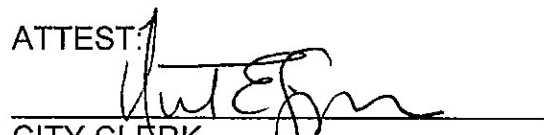

COUNCIL PRESIDENT

5-11-2023
DATE

SENT TO MAYOR 5/11/2023
DATE


MAYOR

APPROVED 5/12/23
DATE

ATTEST: 
CITY CLERK

5/15/23
DATE