



CITY OF RYE
1051 BOSTON POST ROAD
RYE, NY 10580

REGULAR MEETING OF THE CITY COUNCIL
Council Chambers, City Hall
Wednesday, November 4, 2026
6:30 p.m. Executive Session
7:00 p.m. Public Session

If you wish to address the Council, kindly sign in with the Clerk by completing the Speaker Form.

The Mayor and Councilmembers are happy to meet with residents at City Hall. Check the City website for the “office hours” schedule at <https://www.ryeny.gov/government/city-council>.

AGENDA

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| 1. Call to Order | <i>Mayor</i> |
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EXECUTIVE SESSION I (6:30 PM)

- | | |
|---|---|
| 2. Matters covered under NYS Public Officers Law Article 7 §105 | <i>Corporation
Counsel/City
Manager</i> |
| a. Personnel | |
| b. Potential Acquisition of Property | |
| c. Litigation | |

WELCOME (7:00 PM)

- | | |
|--|----------------------|
| 3. Pledge of Allegiance and Welcome to the Public | <i>Mayor</i> |
| 4. Roll Call | <i>Clerk</i> |
| 5. Spotlight | <i>Mayor</i> |
| a. Presentation by County Legislator Anant Nambiar | <i>Anant Nambiar</i> |
| b. Proclamation thanking Lucy Burkoff for her service to Friends of Rye
Town Park | <i>Mayor</i> |
| c. Mayor’s update on land use initiatives | <i>Mayor</i> |
| 6. Hearing of the Public on Non-Agenda Items | <i>Mayor</i> |
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ACTION ITEMS

- | | |
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| 7. Consent Agenda | <i>Clerk</i> |
| a. Approval of the Minutes of the City Council Meeting of October 21, 2026 | |
| b. Approval of a request from SOUL RYEDERS for the use of City streets for the 5 th annual half-marathon and 5K fundraising event on Sunday, May 23, 2027, from 7:30 AM to 11:30 AM | |
| c. Adoption of resolution to participate in the 2026 Tree City Program | |
| d. Authorization for City Manager to execute an agreement with Artheon Inc., formerly Laberge Group | |
| 8. Items Removed From the Consent Agenda (if any) | <i>Mayor</i> |
| 9. Appointments to Board and Commissions | <i>Mayor</i> |

PRESENTATION AND DISCUSSION/PUBLIC HEARINGS

- | | |
|---|--------------------------------------|
| 10. Presentation of the FY 2027 budget by the City Manager and City Comptroller | <i>City Manager/City Comptroller</i> |
| 11. Set a public hearing on the FY 2027 budget for December 2, 2026, City Council meeting | <i>City Manager/City Comptroller</i> |
| 12. Set a public hearing to adopt a Local Law to override the State tax levy limitations, if necessary, for December 16, 2026, City Council meeting | <i>City Manager/City Comptroller</i> |
| 13. Set a public hearing for November 18, 2026, City Council Meeting to extend Local Law No. 3 of 2026 which enacted a moratorium in the City of Rye temporarily prohibiting the review, processing or approval of any application in: 1) the Central Business District; 2) the B-1 and B-2 Districts adjoining the Central Business District; and 3) multi-family buildings involving 6 or more units until March 31, 2027 | <i>Corporation Counsel</i> |

INFORMATION

- | | |
|-------------------------------|---------------------|
| 14. Councilmember Reports | <i>Deputy Mayor</i> |
| 15. Old Business/New Business | <i>Mayor</i> |

A LOOK AHEAD

(Not for discussion at this meeting)

- | |
|--|
| 16. Possible Future Agenda Meeting items |
| a. CBD Design Standards workshop |
| b. Update on Natural Resource Inventory presentation |
| c. Update on Cellular Phone Service Analysis and Plan presentation |
| d. Flood workshop |

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- e. Budget workshops
 - f. Update on Traffic and Pedestrian Safety Analysis
 - g. Rye Art Center
 - h. Gagliardo Park Follow-up

EXECUTIVE SESSION II (If Necessary)

17. Matters covered under NYS Public Officers Law Article 7 §105

*Corporation
Counsel/City
Manager*

- a. Personnel
- b. Potential Acquisition of Property
- c. Litigation

ADJOURNMENT

Unless otherwise stated, if the Council adjourns into executive session, it will then adjourn without further public session.

The next regular meeting of the City Council will be held on Wednesday, November 18, 2026, at 6:30 p.m. for executive session and 7:00 pm for the public session at City Hall.

City Council meetings are available live at www.ryeny.gov/home under Rye TV Government Videos, on Cablevision Channel 75 and Verizon Channel 39, and on demand, indexed by agenda item, on the City website at <https://www.ryeny.gov/government/city-council>.



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Nathan, Mayor

AGENDA ITEM: Presentation by County Legislator Anant Nambiar.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council hear the presentation.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Nathan, Mayor

AGENDA ITEM: Proclamation thanking Lucy Burkoff for her service to Friends of Rye Town Park.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Mayor and Council recognize the work and achievements of Lucy Burkoff.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Nathan, Mayor

AGENDA ITEM: Mayor's update on Land use initiatives.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council hear the Update.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Approval of the Minutes of the City Council Meeting of October 21, 2026.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council review and approve the meeting minutes.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: See the attached October 21, 2026 meeting minutes.

UNAPPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held at City Hall on October 21, 2026, at 7:00 P.M.

PRESENT:

JOSH NATHAN, Mayor
MARION ANDERSON
EMILY BALDWIN
KEITH CUNNINGHAM
JAMIE JENSEN
AMY KESAVAN
Councilmembers

ABSENT:

JAMES WARD, Councilperson

ALSO ATTENDING:

BRIAN SHEA, CITY MANAGER
KRISTEN WILSON, CORPORATION COUNSEL

The Council convened at the City Hall at 7:06 P.M. The meeting was streamed live at www.ryeny.gov for public viewing.

WELCOME

1. [Pledge of Allegiance](#)

Mayor Nathan led the Pledge of Allegiance.

2. [Roll Call](#)

The City Clerk called the roll, and there was a quorum.

3. [Spotlight](#)

a. In a Heartbeat: Pediatric Screenings

Councilperson Kesavan discussed an upcoming event on November 11, 2026 that offers free cardiac screening to our youth.

b. Annual Report on Conservation Commission/Advisory Council (CC/AC)

CC/AC Chairperson, Tracy Stora, gave an overview of the committee's mission.

4. [Report of the City Manager](#)

City Manager Brian Shea updated the City Council on various items.

5. [Hearing of the Public on Non-Agenda Items](#)

- Ruth Moss, White Plains, Cell towers in Rye

ACTION ITEMS

6. [Consent Agenda](#)

- a. Approval of the Minutes of City Council Meetings of October 7, 2026.
- b. Amendment to Employee Separation Agreement

On motion by Councilperson Jensen, seconded by Councilperson Kesavan, and unanimously carried, it was:

RESOLVED to approve all Consent Agenda items.

7. [Items Removed from Consent Agenda](#)

Consideration of a request for the use of City streets on Saturday, October 31, 2026, on portions of Harding Drive and Lasalle Avenue for a neighborhood block party from 4:45 PM to 6:00 PM.

On motion by Councilperson Cunningham, seconded by Councilperson Kesavan, and unanimously carried, with Councilperson Baldwin recusing herself, it was:

RESOLVED to approve the block party request.

8. Appointments to Board and Commissions

No appointments were made.

PRESENTATION AND DISCUSSION/PUBLIC HEARINGS

9. [Consideration to open a public hearing to amend Chapter 191, Article “Traffic Regulations” of the Code of the City of Rye, by amending § 191-9 “Left turns” to prohibit left turns from Apawamis Avenue onto Milton Road from 2:30 p.m. to 3:30 p.m. and 7:30 a.m. to 8:30 a.m. when school is in session and to prohibit left turns at the high school parking lot exit and Milton Road from 7:30 a.m. to 8:30 a.m. when school is in session Monday through Friday.](#)

On motion by Councilperson Jensen, seconded by Councilperson Kesavan, and unanimously carried, it was:

RESOLVED to open the public hearing.

UNAPPROVED MINUTES – Regular Meeting - City Council
October 21, 2026

On motion by Councilperson Anderson, seconded by Councilperson Kesavan, and unanimously carried, it was:

RESOLVED to close the public hearing.

On motion by Councilperson Cunningham, seconded by Councilperson Jensen , it was:

RESOLVED to amend Chapter 191, Article “Traffic Regulations” of the Code of the City of Rye, by amending § 191-9 “Left turns” to prohibit left turns from Apawamis Avenue onto Milton Road from 2:30 p.m. to 3:30 p.m. and 7:30 a.m. to 8:30 a.m. when school is in session and to prohibit left turns at the high school parking lot exit and Milton Road from 7:30 a.m. to 8:30 a.m. when school is in session Monday through Friday.

Adopted by the following vote:

ROLL CALL

AYES: Councilpersons Anderson, Baldwin, Cunningham, Kesavan, Jensen, Ward, Mayor Nathan

NAYS: None

ABSENT: Councilperson Ward

10. [Presentation by the Rye Art Center](#)

Eric Soufer of the Rye Art Center Board gave an update on the redesign of the proposed new structure.

INFORMATION

7. [Councilmember Reports](#)

Councilmembers discussed overgrown shrubbery throughout the City limiting visibility.

8. Old Business – New Business

There was nothing discussed.

[ADJOURNMENT](#)

On motion of Councilperson Baldwin, seconded by Councilperson Kesavan, and with the Council in favor, the meeting was adjourned at 8:20 P.M.

Respectfully submitted,

Noga Ruttenberg, City Clerk



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Approval of a request from SOUL RYEDERS for use of City streets for the 5th annual half-marathon and 5K fundraising event on Sunday, May 23, 2027, from 7:30 AM to 11:30 AM.

FOR THE MEETING OF:

November 4, 2025

RECOMMENDATION: That the Council consider the request.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: See the attached request letter and course map from Soul Ryeders.



October 16, 2026

Josh Nathan, Mayor
Councilmembers

Marion Anderson
Keith Cunningham
Jamie Jensen
Amy Kesavan
James Ward
Emily Baldwin

Dear Mayor Nathan and Rye City Councilmembers,

On behalf of SOUL RYEDERS, a 501(c)3 non-profit based in Rye, NY, and in my role as Executive Director, I am respectfully requesting permission to hold our fifth annual Half Marathon & 5K event on Sunday, May 23, 2027. This past May 17th, SOUL RYEDERS held its fourth annual Half Marathon & 5K and had a turnout of over 1,600 participants crossing the finish line.

The final approved and certified course in 2025 was created to prioritize the safety of our participants and the community as well as eliminate flood prone areas. We will continue to engage Playland, the City of Rye, the Rye Police Department, the Rye Fire Department and the Westchester County Police as integral partners throughout our planning process. We are focused on the goal of ensuring our Half Marathon & 5K is an event that highlights the important work we provide and showcases the best of Rye.

The half marathon course continues to include some streets in the Village of Port Chester. I am updating both the Village Manager and the Port Chester Police Department and will present the event to the Village of Port Chester Board of Trustees.

Our goal is to create a safe, successful and sustainable event with your support. Thank you for your consideration.

Regards,

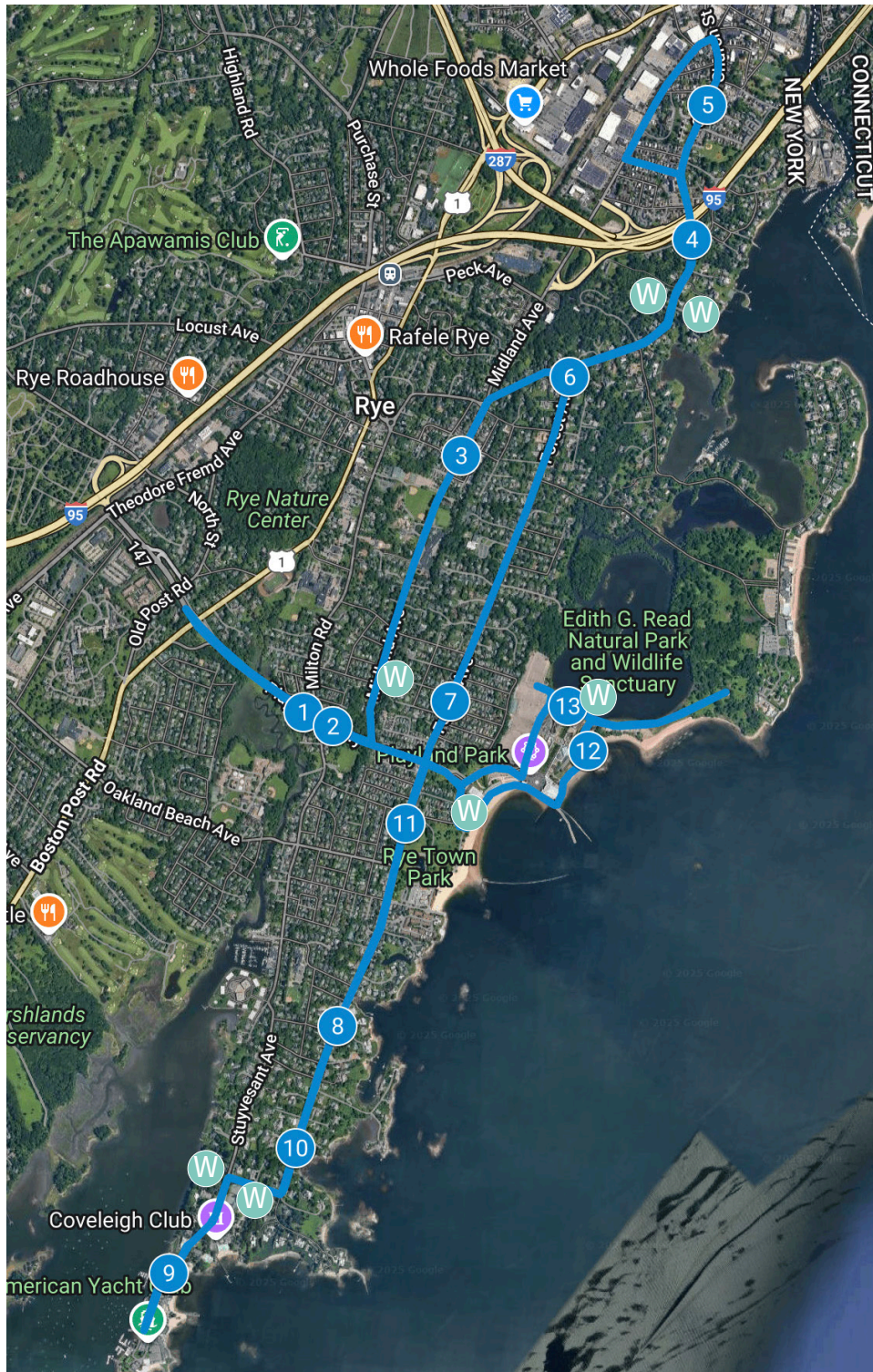
Heidi Ki
Executive Director

SOUL RYEDERS
1091 Boston Post Road, Rye, NY 10580
soulryeders.org
soul@soulryeders.org



NY25003JRG

HALF MARATHON





CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Adoption of resolution to participate in the 2026 Tree City program.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council consider the resolution and acknowledge the application submission to enable the City to participate in the Tree City program this year.

IMPACT: ☒ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND:

For 24 years, the City of Rye has been declared a Tree City. The Tree City USA program provides communities with a four-step framework to maintain and grow their tree cover. It also gives the City an avenue to celebrate our work, showing residents, visitors, and the entire country that we're committed to the mission of environmental change. The four-step framework includes:

1. Maintaining a tree board or department
2. Having a community tree ordinance
3. Spending at least \$2 per capita on urban forestry
4. Celebrating Arbor Day



CITY OF RYE

RESOLUTION TO PARTICIPATE IN THE 2026 TREE CITY PROGRAM

WHEREAS, the Tree City USA program has been greening up cities and towns across America since 1976 and is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees; and

WHEREAS, trees in our community increase property values, enhance the vitality of our business areas and neighborhoods, beautify our community, provide wildlife habitat, clean the air we breathe, moderate temperatures, provide shade, produce oxygen, and sequester carbon dioxide; and,

WHEREAS, the City has been recognized as a Tree City USA by the National Arbor Day Foundation for over 20 years; and,

WHEREAS, becoming a Tree City connects a community to a network of other communities that care about their trees;

NOW, THEREFORE, BE IT RESOLVED that the City of Rye has applied to be designated a Tree City again in 2026.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Authorization for City Manager to execute an agreement with Artheon Inc., formally LaBerge Group.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council approve the authorization.

RESOLVED the City Manager is Authorize to Execute Assignment of Contracts with Artheon Inc.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: See the attached Consent to Assignment letter from LaBerge Group.

October 9, 2026
VIA EMAIL & MAIL

Mr. Brian Shea, City Manager
City of Rye
1051 Boston Post Road
Rye, New York 10580

Re: Consent to Assignment of Contracts with Artheon Inc.

Dear Mr. Shea:

We are pleased to announce that Laberge Group will be transitioning and combining our firm into (the "**Transaction**") Artheon, Inc., a New York corporation ("**Artheon**"). Pursuant to the Transaction, we are requesting your consent of assignment for the contracts listed on Schedule 1 (together with all Amendments, Work Orders and Purchase Orders executed thereunder, the "**Contracts**") to transfer to Artheon (the "**Assignment**").

By countersigning this letter, you (i) give your consent to the assignment of the Contracts (ii) waive any notice requirements in connection with the Assignment and agree that you will not exercise any termination or other rights you may have under the Contracts that arise solely by virtue of the Transaction, or Assignment of the Contracts, and (iii) acknowledge and agree that the Agreement will continue in full force as currently in effect following the consummation of the Transaction.

Please note that except as expressly set forth herein, your consent and this letter will not amend, modify or otherwise affect the terms and conditions of the Contracts as the Contracts will remain in full force and effect with Artheon assuming the obligations to perform it pursuant to its terms.

If the foregoing is acceptable to you, please have the appropriate authorized person sign this letter below and return it as soon as possible to the following address with a .pdf copy via email to the attention of:

Nicole T. Allen, A.I.C.P.
Artheon Inc. c/o Laberge Group
4 Computer Drive W
Albany, NY 12205

We thank you in advance for your cooperation and kindly request your prompt response. Should you have any questions or require further information, please feel free to contact the Artheon representative coordinating this consent process, Jon Raybould, Vice President of Business Operations or Neelima Choudary

AGREED AND ACCEPTED:
City of Rye

By: _____
Printed Name: _____
Title: _____
Date: _____

Very Truly Yours,

ARTHEON



Nicole T. Allen, A.I.C.P.

Director of Planning & Community Development



Anand Paluri, P.E.

President/CEO

October 9, 2026
VIA EMAIL & MAIL

Mr. Brian Shea, City Manager
City of Rye
1051 Boston Post Road
Rye, New York 10580

Re: New Opportunities with Laberge Group

Dear Mr. Shea:

We are pleased to share exciting news about the future of our organization and what it means for you. This fall, Laberge Group will begin combining our operations with our new parent company, Artheon, Inc. (Artheon). This combination allows Laberge Group to expand the capabilities we can provide with a deeper pool of resources and expanded technical expertise, while providing the level of service you are accustomed to.

What This Means for You

- Your projects, teams, and points of contact will remain the same.
- The quality and responsiveness you expect will continue without disruption.
- By December 1, 2026, you will notice updates to employee email addresses. Please note that existing Laberge Group email addresses will remain active and continue to send and receive messages.
- Laberge Group will remain a legal entity during this interim period as we complete contractual transitions.

Entity Information

Laberge Group
NY Certificate of Authorization No.: 0021396
EIN: 13-5532148

Artheon, Inc.
NY Certificate of Authorization No.: 0023939
EIN: 11-2049537

Our Mission

At Artheon, our mission remains steadfast:

Deliver transformative infrastructure solutions that strengthen communities, drive sustainable growth, and accelerate our people's careers — combining local knowledge with national expertise.

We would like to move our contracts to Artheon over the following months, with a target completion date of December 1, 2026. Attached please find a "Consent to Assignment" letter for your review and execution after any required authorization. Attached is a sample resolution for the Board's use in authorizing this consent.

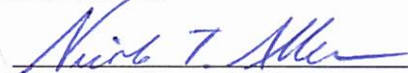
Thank you for your continued trust and partnership. We are proud to carry forward the legacy of Laberge Group into this next chapter as Artheon — built on legacy, driven by purpose.

Very Truly Yours,

ARTHEON



Anand Paluri, P.E.
President/CEO



Nicole T. Allen, A.I.C.P.
Director of Planning & Community Development

Encs.
NTA: mae

Schedule 1

The Contracts

This assignment is intended to apply to all open contracts between the parties, including but not limited to the contracts listed below:

1. GENERAL SERVICES AGREEMENT by and between CITY OF RYE and Artheon Inc.
2. ADDENDUM 2026012-00 FOR 2026 GRANT MANAGEMENT by and between CITY OF RYE and Artheon Inc. (Laberge Group Project No. 2026012).

**THE UNIVERSITY OF THE STATE OF NEW YORK
EDUCATION DEPARTMENT**

THIS IS TO CERTIFY THAT HAVING MET THE REQUIREMENTS OF SECTION 7210 OF THE
EDUCATION LAW AND IN ACCORDANCE THEREWITH THIS CERTIFICATE OF AUTHORIZATION
IS GRANTED WHICH ENTITLES

**ARTHEON INC
20TH FLOOR
1 TOWER CENTER BLVD
EAST BRUNSWICK, NJ 08816-0000**

TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN THE STATE OF NEW YORK FOR
THE PERIOD 03/01/2026 TO 02/28/2029.



**CERTIFICATE NUMBER
0023939**


**BETTY ROSA
COMMISSIONER OF EDUCATION**



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Presentation of the FY 2027 budget by the City Manager and City Comptroller.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council hear the presentation.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: This is an annual message.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Set a public hearing on the FY 2027 budget for December 2, 2026, City Council meeting.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council set the public hearing.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: This is an annual hearing.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Set a public hearing to adopt a Local Law to override the State tax levy limitation, if necessary, for December 16, 2026, City Council meeting.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Mayor and the Council consider setting a public hearing to adopt a Local Law to override the State enacted tax levy limitation.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: New York State enacted a 2% tax cap on June 24, 2011. A provision in the law allows a municipality to override this tax cap under certain provisions including:

- Local governments may override the tax levy limit only by first passing a local law that allows for the tax levy limit to be exceeded.
- This override vote requires a 60 percent vote of the total voting power of the governing body to pass.
- In a case where a weighted vote is used to pass the budget, the override will require a 60 percent weighted vote of the local government's governing body.
- The override vote must precede the vote on adoption of the budget although both votes may occur on the same day.

See attached draft Local Law.

LOCAL LAW NO. _____-2026

**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the City Council of the City of Rye as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Rye to adopt a budget for the fiscal year commencing January 1, 2027 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The City Council of the City of Rye, County of Westchester, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2027 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Set a public hearing for November 18, 2026, City Council Meeting to extend Local Law No. 3 of 2026 which enacted a moratorium in the City of Rye temporarily prohibiting the review, processing or approval of any application in: 1) the Central Business District; 2) the B-1 and B-2 Districts adjoining the Central Business District; and 3) multi-family buildings involving 6 or more units until March 31, 2027.

FOR THE MEETING OF:

November 4, 2026

RECOMMENDATION: That the Council consider setting the public hearing.

IMPACT: ☒ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other

BACKGROUND: See the attached draft local law.

CITY OF RYE

LOCAL LAW NO. __ OF 2026

A Local Law extending the current a six-month moratorium for an additional three and a half (3 ½) months in the City of Rye temporarily prohibiting the review, processing or approval of any application in: 1) the Central Business District; 2) the B-1 and B-2 Districts adjoining the Central Business District; and 3) multi-family buildings involving 6 or more units.

WHEREAS, on February 26, 2025, the Rye City Council unanimously adopted a resolution creating a committee consisting of members of the Planning Commission, Board of Architectural Review, Board of Appeals and Landmarks Advisory Committee called the Central Business District Design Review Committee (the “CBD DRC”); and

WHEREAS, the intent and goal of creating the CBD DRC was to draft a report that defined the Central Business District’s significant physical characteristics and suggest legislative or other regulatory strategies for future development that promotes suitable and appropriate development scale, mass and building arrangement and other aesthetic qualities; and

WHEREAS, the CBD DRC delivered its Final CBD Report to the City Council in June 2025; and

WHEREAS, the Final CBD Report contained several recommendations, one of which was to retain a design consultant to develop guidelines that show architectural and building design considerations preferred and discouraged in the Central Business District (“CBD”); and

WHEREAS, on April 15, 2026, the City Council issued a request for proposals (RFP) for architectural and design review standards consistent with this recommendation; and

WHEREAS, since the adoption of the moratorium, the City has selected a professional design firm and has been working with them to develop design guidelines; and

WHEREAS, the City is in the process of reviewing the recommendations for legislative updates based on the Codes and Ordinances Review that focuses on flood resiliency; and

WHEREAS, the City is also reviewing the updated Natural Resources Inventory; and

WHEREAS, the City is continuing to embark on a comprehensive plan review process, but the City Council acknowledges that there are some community concerns that merit more immediate attention and potential action and which the City is in the process of reviewing; and

WHEREAS, the City expects that it may require up to an additional three and a half (3 ½) months to consider the aforementioned issues and prepare any necessary legislative amendments.

NOW, THEREFORE, Be It Enacted by the City Council of the City of Rye as follows:

Section 1. Findings and Purpose.

The City Council finds that there are several areas within the City that are characterized by distinct historic, architectural and community character, or are located in flood prone areas, or represent areas where the current zoning regulations no longer reflect the current vision and needs of the City. The City Council wishes to follow the recommendations delivered to the City Council in the Final CBD Report dated June 5, 2025, and ensure that properties are developed (and redeveloped) consistent with any recommendations. As such, the City Council hereby determines that, absent the imposition of a temporary moratorium, development activity could occur during the pendency of the creation of design review standards that may foreclose or undermine the City's ability to implement well-considered, cohesive, and context-sensitive design standards tailored to the CBD.

The goals of the City Council include, but are not limited to: 1) the overall development of the City; 2) preserving and enhancing the character of its CBD and adjoining business districts, specifically the gateways to the City and their surrounding areas; and 3) ensuring that the appropriate land use mechanisms are in place to allow for flexibility in design of structures to promote flood resilient developments while ensuring that the health, welfare and safety of its residents can be maintained.

The City Council also finds that pursuant to 6 NYCRR 617.5(c)(36), the adoption of a moratorium on land development is a Type II action under the New York State Environmental Quality Review Act ("SEQRA") precluding the need for further environmental review.

Section 2. This Local Law shall apply to the processing of any application pending or submitted to the City Building Department or City Planning Commission, Board of

Appeals or Board of Architectural Review (hereinafter “Discretionary Board”), as limited as follows:

- Any permit or application review by a Discretionary Board proposing the full or partial building demolition of more than 300 square feet of floor area or an increase of existing floor area by more than ten percent (10%) for any building located in the B-2 District or abutting B-1 District Zoning Districts.
- Any building permit or application review by a Discretionary Board proposing six (6) or more multi-family units.

Section 3. Exceptions.

This local law shall not apply to:

- A. Emergency repairs necessary to protect public health or safety as determined by the Building Department, Fire Department or other emergency services.
- B. This local law shall not apply to any application or permit associated with Osborn Home.

Section 4. Appeals/waiver.

- A. An aggrieved property owner may petition the City Council for a waiver, and the City Council shall have the discretion to grant such waiver, or as much relief as the City Council may determine to be necessary and appropriate. In determining the suitability of a waiver under this section, the City Council shall consider the following factors:
 - 1. Severe and substantial hardship to the petitioner, which hardship is demonstrably greater than any harm to the general public welfare that would result from the granting of the waiver. The property owner shall have the burden of demonstrating to the City Council that a waiver is warranted due to such severe and substantial hardship and that such hardship was not the result of an act or omission by the applicant or property owner. In considering this factor, the City Council may request information regarding alternatives that the Applicant has considered or whether there are additional long-term plans; and
 - 2. The project’s harmony (or lack thereof) with the existing character of the community as a whole and the area of the community in which the property is located; and

3. Whether the application for which the relief is requested is consistent with any recommendations, or conclusions which may be drawn from any comprehensive review or study at the time of the requested waiver; and
4. Whether the applicant is in compliance with all other City Code requirements with respect to its City's operations within the City; and
5. Whether the application for which the relief is requested is consistent with any proposed regulations, if and as such proposed regulations may exist at the time of the public consideration.

B. Waiver procedure. Upon submittal of a written petition to the City Clerk by the property owner or applicant seeking a waiver of this moratorium and supported by such documentation as the applicant deems relevant, the City Council shall consider such petition at a regularly scheduled City Council meeting. The City Council may refer such petition to any City board, commission or other professional for its review and comment. The City Council shall render its decision in writing, either granting or denying the petition.

C. It shall be within the discretion of the City Council to grant, in whole or in part, grant with conditions, or deny, the petition for relief from the terms of this moratorium. In granting a waiver, in whole or in part, the City Council must find that the waiver will not substantially conflict with the purpose of this Local Law.

D. If the City Council does grant a waiver, in whole or in part, the Applicant must still submit an application for the requested permit to the appropriate board or commission and proceed through the necessary review process set forth in the Rye City Code.

Section 5. Length of Time. Early Termination or Extension of this Local Law

This extended moratorium shall be in effect until March 31, 2027. In the event any new Local Law which addresses the substantive issues set forth herein, should be enacted and adopted by the City Council prior to the date that the moratorium imposed by this Local Law expires, then in that event, the moratorium imposed by this Local Law shall expire on the date such new Local Law takes effect in accordance with § 27 of the Municipal Home Rule Law.

In like manner, if more than six (6) months have passed since the implementation of this Local Law, and it is determined by a finding of the City Council that an extension of this moratorium is required, then the City Council by resolution, may extend this moratorium for such a period of time as it deems necessary in order to further the purposes of this law up to and including an additional 180 days from the date of the original expiration of this Local Law.

Section 6. Conflicts with State Statutes and Authority to Supersede

A. To the extent any provisions of this Local Law are in conflict with or are construed as inconsistent with the provisions of New York State Law, this Local Law shall control. The City Council adopts this local law pursuant to authority in the New York State Constitution, Article IX, Section 2; Section 10 of the New York State Municipal Home Rule Law; Section 10 of the Statute of Local Governments; the relevant provisions of the General City Law of the State of New York; and the general police power vested with the City of Rye to promote the health, safety and welfare of all residents and property owners in the City.

B. During the time that this law is in effect, it shall take precedence over and shall be considered controlling over contrary laws, ordinances and provisions. It is the intent of the City Council, pursuant to its authority under section 10 and section 22 of the Municipal Home Rule Law, to supersede inconsistent provisions of the New York State General City Law and the City of Rye Zoning Code.

- a. In particular, it is the intent of the City Council, pursuant to authority under Sections 10 and 22 of the Municipal Home Rule Law, to supersede inconsistent provisions of the New York State General City Law and the City of Rye City Code relating to the time limits in connection with zoning and planning determinations and with respect to the jurisdiction and authority of the Board of Appeals with respect to hearing variances or waivers related to this local law.

Section 7. Severability

If any part of this Local Law is deemed by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Local Law.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing with the New York Secretary of State.