

NEW ROCHELLE
PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331
RE: OUTDOOR DINING, SCHEDULE OF OFF-STREET
PARKING AND LOADING SPACE REQUIREMENTS

NOTICE is hereby given that the Council of the City of New Rochelle, New York, will hold a Public Hearing pursuant to Chapter 331 of the Code of the City of New Rochelle, Section 237-m of the General Municipal Law of the State of New York, and Sections 277.61 and 277.71 of the County Administrative Code, on Tuesday, July 10, 2018, at 7:00 P. M., in the Council Chamber, City Hall, 515 North Avenue, New Rochelle, New York, on a proposed amendment to the City's Zoning Code, Chapter 331, as follows:

ORDINANCE AMENDING SECTION 331-95, OUTDOOR DINING, AND SECTION 331-126, SCHEDULE OF OFF-STREET PARKING AND LOADING SPACE REQUIREMENTS, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE.

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-95, Outdoor Dining, of the New Rochelle Zoning Code, is hereby amended as follows:

§ 331-95 Outdoor Dining.

- D. Off-street parking spaces shall be provided as required for restaurants in § 331-126 of this chapter, except that [where outdoor dining represents only a relocation of indoor seating and there is no increase in overall capacity of the restaurant or] where outdoor seating will be in the form of a sidewalk cafe on public property, no additional off-street parking need be provided. Further, no additional parking shall be required if restaurant is compliant with § 331-126D.(4)

Section 2. Section 331-126, Schedule of off-street parking and loading space requirements, of the New Rochelle Zoning Code, is hereby amended as follows:

§ 331-126 Schedule of off-street parking and loading space requirements.

- D. Effect on existing structures and uses. Structures and uses legally in existence or for which building permits have been issued prior to the effective date of this chapter shall not be subject to the parking or loading space requirements of this chapter, provided that any parking and loading facilities existing or approved to serve such structures or uses shall not in the future be reduced or redesignated to serve other structures or uses, except to the extent that they exceed such requirements. At the time of any enlargement, change or expansion of existing structures or uses in the future, the following requirements shall apply:

- (1) Required parking and loading facilities for that part of the structure or use which constitutes an enlargement or expansion shall be provided in accordance with all requirements of this chapter.
- (2) To the maximum extent deemed feasible and reasonable by the Planning Board, during site plan review and approval, parking and loading facilities shall also be provided to serve the existing portion of such structure or use that does not conform to all parking and loading space requirements of this chapter.
- (3) At the time of any change of use which would result in an increased off-street parking or loading space requirement, the additional parking and loading spaces so required shall be provided in accordance with all applicable requirements of this chapter.
- (4) The provisions in items § 331-126D(1)-(3), regardless of use, shall not apply to existing commercial spaces with less than two thousand square feet of gross floor area, and an occupancy that does not exceed 49 people.

Matter [bracketed] deleted.

Matter underlined added.

All persons interested are invited to attend said Public Hearing or submit written communications to the Interim City Clerk at or before the Public Hearing.

By order of the City Council dated June 19, 2018, pursuant to Resolution No. 131.

OMAR T. SMALL, INTERIM CITY CLERK