

PUBLIC HEARING NOTICE
 PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331
 RE: SCHEDULE OF OFF-STREET PARKING AND LOADING
 SPACE REQUIREMENTS (CENTRAL PARKING AREA)

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, October 9, 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 133-1, ENUMERATION OF FEES, OF CHAPTER 133, FEES, 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 (CENTRAL PARKING AREA)

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 133-1, Enumeration of fees, is hereby amended as follows:

Section 133-1 Enumeration of Fees.

Code Section	Type of Fee	Amount
§331-126[E(2)(b)] H.(6)	Residential fee in lieu of parking in central parking area, for dwelling unit including living/loft use, per parking space not provided on site:	
	<u>1 to 6 dwelling unit development</u>	<u>\$1,000.00</u>
	<u>7 to 10 dwelling unit development</u>	<u>\$2,000.00</u>
	<u>11 to 20 dwelling unit development</u>	<u>\$6,000.00</u>
	<u>More than 20 dwelling unit development</u>	<u>\$10,000.00*</u>
	<u>Annual fee in perpetuity for projects with more than 20 dwelling units (unless a one-time payment is provided)</u>	<u>[\$1,000.00]</u>
	<u>*\$20,000 per space (for each parking space not provided on site) if no annual fee will be provided.</u>	

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

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

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>	<u>Minimum Number of Loading Spaces</u>
<u>Residential</u>		
<u>1-family dwelling</u>	<u>2 per dwelling unit</u>	<u>1, which may be utilized for parking within requirements of the Zoning Chapter. Area shall be designated on site plan as to size and height, and its feasibility shall be acceptable to the Building Official.</u>
<u>2-family dwelling</u>	<u>2 per dwelling unit</u>	
<u>Multifamily dwelling</u>	<u>1.25 per dwelling unit, plus .25 for each bedroom; in the CPA¹ District, 1.0 per dwelling unit</u>	
<u>Attached dwelling unit, townhouse</u>	<u>In other than the PUD-AH District or the CPA¹: 1.25 per dwelling unit, plus 0.4 per bedroom; in the PUD-AH District: 1 per dwelling unit; in the CPA¹: 1 per dwelling unit</u>	
<u>Bed-and-breakfast</u>	<u>In addition to residential component, 1 per each room rented</u>	
<u>Rooming house</u>	<u>1 per 2 guest rooms</u>	
<u>Senior citizen housing</u>	<u>In other than the PUD-AH District: 0.06 per dwelling unit; 0.4 for publicly assisted senior citizen housing; in the PUD-AH District, for multifamily senior citizen assisted-living residences: 0.3 per dwelling unit; in the PUD-AH District, for medical support facilities: 1 per 350 square feet of gross floor area</u>	
<u>Independent living residences</u>	<u>In the CPA¹: 0.5 per dwelling unit; elsewhere: 0.65 per dwelling unit</u>	
<u>Adult care facilities</u>	<u>In the CPA¹: 0.20 per bed</u>	
<u>Athletic facilities accessory to private school, university or college</u>	<u>1 per 10 seats</u>	

<u>Beach club</u>	<u>1 per 3 seats in area(s) of public assembly and 1 per 100 square feet for other uses (conference room, manager's office, etc.)</u>	
<u>Billiard hall</u>	<u>1 per billiard or pool table</u>	
<u>Bowling alley</u>	<u>In CPA¹: 2 per lane; elsewhere: 4 per lane</u>	
<u>Club, golf</u>	<u>1 per 3 seats in area(s) of public assembly and 1 per 100 square feet for other uses (conference room, manager's office, etc.)</u>	
<u>Commercial indoor recreation facility and health club</u>	<u>In CPA¹: 1 per 350 square feet of GFA; elsewhere: 1 per 200 square feet of GFA</u>	<u>Up to 10,000 square feet: 1; for each additional 100,000 square feet or major portion thereof: 1 additional</u>
<u>Golf driving range</u>	<u>1 per tee</u>	
<u>Indoor wall or rock climbing facility</u>	<u>In CPA¹: 1 per 350 square feet of GFA; elsewhere: 1 per 250 square feet of GFA</u>	<u>0 to 10,000 square feet: none; 10,000 to 100,000 square feet: 1; for each additional 100,000 square feet or major portion thereof: 1 additional</u>
<u>Marina</u>	<u>1 per 200 square feet of GFA (not used for storage), plus 1.0 per slip</u>	<u>At least 20% of the parking spaces required shall be 9.5 feet by 35 feet in size to accommodate cars with trailers, except when the marina is accessory to multifamily dwelling and no boat-launching facility is provided, where no such loading space parking shall be required</u>
<u>Skating rink</u>	<u>1 per 1,000 square feet of rink area</u>	
<u>Squash, handball, racquetball and similar courts</u>	<u>In CPA¹: 1 per court; elsewhere: 2 per court</u>	
<u>Tennis courts</u>	<u>In CPA¹: 2 per court; elsewhere: 4 per court</u>	
<u>Theaters</u>	<u>In CPA¹: 1 per 5 seats; elsewhere: 1 per 3 seats</u>	
<u>Semipublic</u>		
<u>Church or other places of worship</u>	<u>1 per 5 seats in the sanctuary, and for additional accessory areas and/or uses, parking shall be provided as set forth in this chapter</u>	

<u>College or university</u>	<u>1 for each faculty member, plus 1 per 3 employees, plus 1 per each 3 students not residing on campus</u>	
<u>Congregate care facility, domiciliary care facility</u>	<u>0.45 per bed</u>	<u>0 to 30 beds: none; 31 to 100 beds: 1; 101 to 200 beds: 2; over 200 beds: 3</u>
<u>Hospital</u>	<u>1.25 per bed, plus 1 per 400 square feet of GFA of any outpatient clinic</u>	<u>1 per 100,000 square feet of GFA or major portion thereof</u>
<u>Group home</u>	<u>1 per 5 residents, plus 1 per employee</u>	
<u>Student Residences</u>	<u>In CPA¹: 1 per 3 student resident beds</u>	
<u>Civic/Institutional use</u>	<u>In CPA¹: 1 per 500 square feet of GFA</u>	
<u>Community Facilities</u>		
<u>Library</u>	<u>In CPA¹: 1.3 per 1,000 square feet of GFA; elsewhere: 3.3 per 1,000 square feet of GFA</u>	
<u>Schools</u>		
<u>Nursery and day care</u>	<u>In other than CPA¹: 1 per 4 children, plus 1 per employee; in CPA¹: 1 for every 2 employees</u>	
<u>Elementary (Grades K-8)</u>	<u>1 for each faculty member, plus 1 per each 3 staff members and 1 per each 30 students</u>	
<u>Secondary (Grades 9-12)</u>	<u>1 for each faculty member, plus 1 per each 3 staff members and 1 per each 10 students</u>	
<u>Commercial</u>		
<u>Adult-oriented business</u>	<u>1 per 3 seats or 6 per 1,000 square feet of GFA, whichever is greater</u>	
<u>Animal hospital</u>	<u>In CPA¹: 1 per 500 square feet of GFA; elsewhere: 1 per 350 square feet of GFA</u>	<u>Greater than 5,000 square feet: 1</u>
<u>Bank</u>	<u>6 per 1,000 square feet of GFA, plus 5 queuing spaces per drive-up window</u>	

<u>Bar, cabaret and nightclub</u>	<u>1 per 3 seats or 6 per 1,000 square feet of GFA, whichever is greater</u>	
<u>Clinical laboratory</u>	<u>1 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 500 square feet of GFA</u>	<u>0 to 5,000 square feet: none; 5,000 to 75,000 square feet or major portion thereof; 1 additional</u>
<u>Car wash</u>	<u>6 queuing spaces per bay, plus 0.80 per employee</u>	
<u>Convenience store</u>	<u>1 per 100 square feet of GFA</u>	
<u>Funeral parlor</u>	<u>For assembly rooms: 1 per 100 square feet of GFA or 1 per 3 seats, whichever is greater, plus 1 per commercial vehicle kept on the lot</u>	<u>1 for each hearse</u>
<u>Hotel</u>	<u>Within the CPA¹: 0.8 per guest room, plus additional spaces as required for other uses; elsewhere: 1 per guest room, plus additional spaces as required for other uses</u>	<u>1 for the first 100 units, plus 1 for each additional 100 units or major portion thereof, plus additional spaces as required for other uses</u>
<u>Martial arts studio, dance studio and aerobic exercise studio</u>	<u>1 per 150 square feet of GFA</u>	<u>1 to 5,000 square feet: none; 5,000 to 15,000 square feet: 1</u>
<u>Motor vehicle dealership</u>	<u>Sales: 1 per 300 square feet of GFA; service: 5 for the first service bay and 2 per every service bay thereafter; in the C-1M Zone, 5 for each service bay; 1 per 2 employees</u>	<u>1 a minimum of 50 feet in length is required</u>
<u>Motor vehicle filling station</u>	<u>1 per pump island, plus 5 per service bay</u>	
<u>Motor vehicle rental agency</u>	<u>1 per 100 square feet of GFA in addition to spaces required for the storage of vehicles for rent</u>	
<u>Motor vehicle service and/or body repair facility</u>	<u>5 for the first service bay and 2 for every bay thereafter</u>	

<u>Office: business, professional, governmental</u>	<u>In CPA¹: 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA</u>	<u>0 to 5,000 square feet: none; 5,000 to 75,000 square feet or major portion thereof: 1 additional</u>
<u>Office: medical/dental</u>	<u>In CPA¹: 1 per 350 square feet of GFA; elsewhere: 1 per 250 square feet of GFA</u>	
<u>Office: in residence of professional person</u>	<u>2, plus spaces required for residence</u>	
<u>Restaurant and catering halls</u>	<u>1 per 3 seats or 1 per 150 square feet of GFA, whichever is greater</u>	
<u>Restaurant, carry-out</u>	<u>Same as above</u>	
<u>Restaurant, fast-food</u>	<u>1 per 80 square feet of GFA</u>	
<u>Retail laundry or dry cleaner</u>	<u>2.5 per 1,000 square feet of GFA</u>	
<u>Retail, national brand establishment</u>	<u>In CPA¹: 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA</u>	<u>0 to 5,000 square feet: none; 5,000 to 15,000 square feet: 1; 15,000 to 30,000 square feet: 2; 30,000 to 60,000 square feet: 3; 60,000 to 100,000 square feet: 4; each additional 50,000 square feet or major portion thereof: 1 additional</u>
<u>Retail, store, shop, and personal service establishments</u>	<u>In CPA¹: 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA</u>	<u>0 to 5,000 square feet: none; 5,000 to 15,000 square feet: 1; 15,000 to 30,000 square feet: 2; 30,000 to 60,000 square feet: 3; 60,000 to 100,000 square feet: 4; each additional 50,000 square feet or portion thereof for other than retail use occupying a total of not less than 140,000 square feet of GFA in the DMU District: 1 additional; each additional 100,000 square feet or portion thereof of retail use occupying a total of not less than 140,000 square feet of GFA in the DMU District, as determined by the Planning Board in connection with site plan approval</u>
<u>Accessory to multifamily residential development</u>	<u>1 per 1,000 square feet of GFA</u>	
<u>Retail, large-scale</u>	<u>In CPA¹: 1 per 400 square feet of GFA; elsewhere: 1 per 200 square feet of GFA</u>	<u>Same as above</u>

	<u>Retail, membership club</u>	<u>In CPA¹: 1 per 400 square feet of GFA; elsewhere: 1 per 250 square feet of GFA</u>	<u>Same as above</u>
<u>Industrial</u>	<u>Light industrial</u>	<u>0.80 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 1,000 square feet of GFA</u>	<u>From 0 to 25,000 square feet: 1; from 25,001 to 40,000 square feet: 2; from 40,001 to 60,000 square feet: 3; from 60,001 to 100,000 square feet: 4; for each additional 50,000 square feet or major portion thereof: 1</u>
	<u>Self-storage facility</u>	<u>1 per 100 storage units</u>	<u>1 per 500 storage units</u>
	<u>Manufacturing, fabrication, finishing or assembling of products</u>	<u>0.80 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 1,000 square feet of GFA</u>	<u>Same as above</u>
	<u>Wholesale business, storage, distribution, or warehousing</u>	<u>0.80 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 2,000 square feet of GFA</u>	<u>Same as above</u>

NOTES:

¹ CPA: Central Parking Area (See Zoning Map and Section 331-126H for eligibility.)

- E. Alternate methods of complying with parking and loading requirements.
- (1) Parking requirements as provided in this chapter may otherwise be satisfied for any new construction, new use or change of use where the nearest entrance of such new construction, new use or change of use is located within 1,350 feet, measured along public streets, of a municipal parking garage or a municipal parking lot, and where the applicant demonstrates that such garage or lot can accommodate the required parking for such new construction, new use or change of use, by submission of proof based upon available permit spaces and lot usage, which submission shall be reviewed by the City official responsible for municipal parking facilities. Where it is determined that the required parking cannot be accommodated, then the applicant shall either seek a variance from the Board of Appeals on Zoning or otherwise provide the required parking. Notwithstanding the foregoing, within the Central Parking Area, as shown on the Zoning Map and further defined in Section 331-126H, no new residential construction, new residential use, or change of use to residential, which includes any dwelling unit including living/loft use, shall be eligible to have its parking requirements satisfied by the provisions of this Subsection E(1) except pursuant to the residential fee-in-lieu procedure set forth in Subsection [E(2)] H.(6) below.

- [(2) Residential fee-in-lieu. Within the Central Parking Area, as shown on the Zoning Map, an applicant required to provide off-street parking for new residential construction, new residential use or change of use to residential may, as an alternative to providing the requisite facilities on site, request permission from the City Council to make a cash payment to the City of New Rochelle Parking Fund, subject to the following conditions:]
- [(a) The City Council may, accept such fees to replace a portion or all of the required parking spaces which cannot be provided on site. Where appropriate, the City Council may require the submission of studies and plans by the applicant demonstrating that practical considerations preclude the provision of such parking spaces on site. Notwithstanding the foregoing, acceptance of a residential fee-in-lieu by the City Council for more than 10 dwelling units of new residential construction, new residential use or change of use to residential shall in no event be for more than 35% of the required parking for such construction or use, and shall only be made in the sole and absolute discretion of the City Council following review and comment by the Commissioner of Development.]
- [(b) The amount of the fee-in-lieu required shall be as set forth in Chapter 133, Fees.]
- [(c) By acceptance of the fee-in-lieu, the City Council shall determine that the City already has or will provide parking of a type, location and quantity appropriate for the particular use within a reasonable period of time, taking into account the existing supply and demand for parking in the area of said use and/or that it has or will provide public transportation improvements to reduce off-street parking demand in the Central Parking Area. The City Council in determining whether to accept the fee-in-lieu, may also take into account as a factor whether the applicant has provided Affordable Housing as part of its development under Article XIX herein.]
- [(d) The fee-in-lieu payment shall be placed in the City of New Rochelle Parking Fund, the expenditure of revenues from which shall be limited exclusively to capital improvements designed to increase the quantity and/or the quality of parking spaces available to serve properties within the Central Parking Area and/or for public transportation improvements to reduce off-street parking demand in the Central Parking Area.]
- [(e) Parking permits option agreements. In the event the City Council accepts a residential fee-in-lieu under § 331-126E(2) to replace a

portion or all of the required parking spaces under this chapter, the City Council may approve a parking permits option agreement for a term not to exceed 31 years from issuance of the first temporary or permanent certificate of occupancy for the residential use, for a specified number of nonexclusive location residential parking permits for residents of the site having the residential use. The number of such parking permits shall not exceed the number of parking spaces for which a residential fee-in-lieu has been accepted by the City Council. Such parking permits shall, throughout the term of the option, be issued on the same terms, conditions, and rates for other residential parking permits in the vicinity of the site having the residential use.]

- [(f) Notwithstanding the foregoing, a property owner in the Central Parking Area which proposes a change of use to not more than a total of 10 dwelling units on a Building Lot, which Lot cannot satisfy all its residential parking requirements on-site, shall make a fee-in-lieu cash payment, without City Council approval, to the City of New Rochelle Parking Fund, in amount as set forth in Chapter 133, Fees. Upon payment of such fee, the residential parking requirements for such Lot shall be deemed satisfied.]

- [(g) Notwithstanding the foregoing, in the Central Parking Area (CPA) when a property owner is proposing a new residential use or a change of use to residential which includes any dwelling units, including living/loft use, such property owner shall be eligible to have its requisite parking requirements reduced for up to 100 dwelling units when the proposed project meets the conditions in Subsection E(2)(a) through (f) as set forth above and shall demonstrate compliance with the following:]
 - [(1) The property owner shall provide proof that there is adequate capacity at an existing City-owned, municipal parking facility; and]

 - [(2) The proposed project is located within 500 feet of such existing municipal parking facility; and]

 - [(3) The property owner shall provide a legal instrument reviewed and approved by the Corporation Counsel to provide for the required residential parking in perpetuity; and]

 - [(4) The property owner shall be required to include parking permits in the fee charged for rent; and]

[(5) The property owner shall be able to utilize this provision to provide the parking for a maximum of 100 dwelling units.]

H. Parking within the Central Parking Area.

- (1) Eligibility: Only those developments that are (a) located within the Downtown Overlay Zone and (b) fulfill the minimum requirements of the Downtown Overlay Zone are eligible to utilize the [preferred] parking standards of the Central Parking Area [as] defined in §331-126H [and designated as Central Parking Area (CPA) standards in § 331-126].

- (2) Potential Reductions of Required Parking Spaces. In the Central Parking Area, as set forth in Section 331-126H.(1) above, where applicants can demonstrate that certain additional off-street parking space reductions are justified, the minimum number of parking spaces required to be provided by an applicant seeking Site Plan approval may be reduced. The following parking space reductions from the total requirements may be granted by the Planning Board where an applicant demonstrates to the Board the following parking reductions are justified:

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

By order of the City Council dated September 12, 2018, pursuant to Resolution No. 165.

OMAR T. SMALL, INTERIM CITY CLERK