

NEW ROCHELLE, NY
PUBLIC HEARING NOTICE
RE: PROPOSED AMENDMENT TO CHAPTER 331,
ZONING CODE,
RE: ELECTRIC VEHICLE CHARGING STATIONS

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 239-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, February 4, 2020*, at 7:00 P. M., in the Council Chamber, City Hall, 515 North Avenue, New Rochelle, New York, on the proposed amendment, as follows:

ORDINANCE AMENDING SECTION 331-4, SPECIFIC TERMS DEFINED, SECTION 331-45, ADDITIONAL REGULATIONS FOR RESIDENCE DISTRICTS, SECTION 331-46, HOSPITAL DISTRICT, SECTION 331-47, DMU DOWNTOWN MIXED USE DISTRICT, SECTION 331-48, DMUR DOWNTOWN MIXED USE URBAN RENEWAL DISTRICT, SECTION 331-54, MUFE MIXED USE FAMILY ENTERTAINMENT DISTRICT, SECTION 331-54.1, NA-NORTH AVENUE ZONE DISTRICT, SECTION 331-55, C-1M GENERAL COMMERCIAL MODIFIED DISTRICT, SECTION 331-56, NB NEIGHBORHOOD BUSINESS DISTRICT, SECTION 331-56.1, NB-2.0 NEIGHBORHOOD BUSINESS 2.0 DISTRICT, SECTION 331-57, DB DOWNTOWN BUSINESS DISTRICT, SECTION 331-58, LSR LARGE SCALE RETAIL DISTRICT, SECTION 331-58.1, LSR-1 LARGE SCALE RETAIL DISTRICT, SECTION 331-59, LI-LIGHT INDUSTRY DISTRICT SECTION 331-87, APPROVING AGENCIES, AND ADDING SECTION 331-115.4, ELECTRIC VEHICLE CHARGING STATIONS, 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 331-4, Specific Terms Defined, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§331-4. Specific terms defined.

CHARGING SPACE

Space for an electrical vehicle to stand while charging its battery.

COMMERCIAL EV CHARGING STATION

Charging station for the use of the public located on a property used for purposes other than residential uses.

ELECTRIC VEHICLE (EV) CHARGING STATION

Equipment used for the primary purpose of the transfer of electric energy (by conductive or inductive means) to a battery or other energy source in an EV.

PERSONAL EV CHARGING STATION
EV charging station accessory to a residential use.

Section 2. Section 331-45, Additional regulations for residence districts, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§331-45. Additional regulations for residence districts.

A. Regulation of accessory uses. Permitted accessory uses are clearly identified for each zoning district in §§331-30 through 331-44 of this chapter. The following are additional standards that apply to accessory uses in all zoning districts.

(1) In all districts.

(e) Unless installed inside the garage, the Personal EV charging station shall not be located in the required front yard, and shall be placed at least 6 feet away from side property lines and 10 feet away from the rear property line.

(f) Outdoor Personal EV charging station shall not reduce the required width of a driveway or the required width and length of a required parking space.

Section 3. Section 331-46, H Hospital District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

C. Uses allowed by special permit.

(8) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 4. Section 331-47, DMU Downtown Mixed Use District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-47. DMU Downtown Mixed Use District.

C. Uses allowed by special permit.

(20) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 5. Section 331-48, DMUR Downtown Mixed Use Urban Renewal District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-47. DMUR Downtown Mixed Use Urban Renewal District.

C. Uses allowed by special permit

(15) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 6. Section 331-54, MUFE Mixed Use Family Entertainment District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-54A. MUFE Mixed Use Family Entertainment District.

C. Uses allowed by special permit.

(12) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 7. Section 331-54.1, NA-North Avenue Zone District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-54.1. NA-North Avenue Zone District.

C. Uses allowed by special permit

(14) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 8. Section 331-55, C-1M - General Commercial Modified District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

C. Uses allowed by special permit

(11) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 9. Section 331-56, NB Neighborhood Business District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-56, NB Neighborhood Business District.

C. Uses allowed by special permit

(14) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 10. Section 331-56.1, NB-2.0 Neighborhood Business 2.0 District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-56.1, NB-2.0 Neighborhood Business 2.0 District

C. Uses allowed by special permit

(13) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 11. Section 331-57, DB Downtown Business District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-57. DB Downtown Business District.

C. Uses allowed by special permit.

(17) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 12. Section 331-58, LSR Large Scale Retail District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-58. LSR Large Scale Retail District.

C. Uses allowed by special permit.

(8) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 13. Section 331-58.1, LSR-1 Large Scale Retail District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-58.1. LSR-1 Large Scale Retail District.

C. Uses allowed by special permit.

(7) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 14. Section 331-59, LI-Light Industry District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-59. LI-Light Industry District.

C. Uses allowed by special permit.

(11) Commercial EV Charging Stations as regulated by § 331-115.4.

Section 15. Section 331-87, Approving Agencies, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-87. Approving agencies

B. Planning Board

(1) The Planning Board shall have authority to approve the following listed special permit uses, in addition to any other specially permitted uses not specifically identified in this section:

(ii) Electric Vehicle Charging Stations as regulated by § 331-115.4.

Section 16. Section 331-115.4, Electric Vehicle Charging Stations, is hereby added to Chapter 331, Zoning, of the Code of the City of New Rochelle as follows:

§ 331-115.4. Electric Vehicle Charging Stations

The Planning Board may approve an Electric Vehicle Charging Station where such use is permitted by special permit, subject to the following requirements:

- A. Landscaping, screening, lighting and hours of operation shall be subject to the review and approval of the Planning Board.
- B. Each EV station shall be provided with a charging space the dimensions, access and design of which shall comply with the zoning requirements and design standards of a parking space.
- C. Queuing for a charging station shall not obstruct a drive aisle.
- D. There shall be no limit to the number of charging stations.
- E. Charging spaces may be provided in lieu of the required parking spaces by no more than 5 percent of the minimum required parking as set forth in Section 331-126.
- F. The use shall comply with all other zoning requirements applicable.

Matter underlined added

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 January 14, 2020, pursuant to Resolution No. 2.

Michelle Oliveros, City Clerk