

NEW ROCHELLE, NY
PUBLIC HEARING NOTICE
RE: PROPOSED AMENDMENT TO CHAPTER 331,
ZONING CODE – NB NEIGHBORHOOD BUSINESS DISTRICT

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, October 12, 2021, 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 331-56, NB
NEIGHBORHOOD BUSINESS DISTRICT, SECTION 331-56.1,
NB-2.0 NEIGHBORHOOD BUSINESS 2.0 DISTRICT, AND
SECTION 331-85.1 FIFTH AVENUE OVERLAY ZONE (FA), OF
CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW
ROCHELLE. (Rev.)

WHEREAS, self-storage facilities are permitted in numerous commercial zones throughout the city; and

WHEREAS, while there are benefits to this type of use, it can also be detrimental, especially in pedestrian oriented neighborhoods with residential development; and

WHEREAS, City staff recommends eliminating self-storage facilities as a special permit use from the Neighborhood Business and Neighborhood Business 2.0 districts; now, therefore

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-15, NB Neighborhood, 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. (See Article XII for body having jurisdiction to issue special permit.)

- (1) (Reserved)
- (2) Schools.
- (3) Catering establishments.
- (4) Motor vehicle filling and service stations as regulated by § 331-100.
- (5) Outdoor dining as regulated by § 331-95.
- (6) Public utility uses and structures as regulated by § 331-106.
- (7) Billiard halls as regulated by § 331-113.
- (8) Membership clubs as regulated by § 331-94.

[(9) Self-storage facilities.]

(9) (Reserved)

(10) Cellular antennas and associated facilities as per § 331-99.

(11) Car washes as regulated by § 331-105.

(12) Cabarets as accessory to a restaurant use shall be permitted when the NB District is located in the Cabaret Overlay Zone only as regulated by § 331-113.2.

(13) Discount variety stores as regulated by § 331-113.13.

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

Section 2. 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. (See Article XII for body having jurisdiction to issue special permit.)

(1) Schools.

(2) Catering establishments.

(3) Motor vehicle filling and service stations as regulated by § 331-100.

(4) Outdoor dining as regulated by § 331-95.

(5) Public utility uses and structures as regulated by § 331-106.

(6) Billiard halls as regulated by § 331-113.

(7) Membership clubs as regulated by § 331-94.

[(8) Self-storage facilities.]

(8) Reserved

(9) Cellular antennas and associated facilities as per § 331-99.

(10) Car washes as regulated by § 331-105.

(11) Cabarets as accessory to a restaurant use shall be permitted when the NB District is located in the Cabaret Overlay Zone only as regulated by § 331-113.2.

(12) Discount variety stores as regulated by § 331-113.13.

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

Section 3. Section 331-85.1 Fifth Avenue Overlay Zone (FA), of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-85.1. Fifth Avenue Overlay Zone (FA)

B. Permitted uses. [In addition to those u]Uses permitted by right in the underlying LI Light Industrial District with the exception of self-storage facilities[the following use shall be permitted by right in the Fifth Avenue Overlay Zone]:

[(1) Self-storage facility, only if totally new construction.]

C. Permitted uses on Fifth Avenue. In addition to those uses permitted by right in the underlying LI Light Industrial District, the following uses shall be permitted by right in the Fifth Avenue Overlay Zone, excluding self-storage facilities, provided they front on Fifth Avenue or are located within 200 feet of the intersections of Fifth Avenue with Portman Road or Valley Place, respectively:

- (1) Restaurants.
- (2) Restaurants, carry-out.
- (3) Banks.
- (4) Health clubs.
- (5) Self-service laundromats.
- (6) Dry cleaners where no dry cleaning is performed on the premises.
- (7) Multifamily apartment buildings.
- (8) Mixed-use commercial/residential with dwelling units located on the second floor and above.
- (9) Live-work units.
- (10) Retail sales and service establishments.

D. Special permit uses. All the uses allowed as special permit uses in the underlying LI Light Industrial District shall be allowed as special permit uses in the Fifth Avenue Overlay Zone, with the addition of self-storage facilities.

Matter underlined added.

Matter [bracketed] deleted.

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 by Resolution duly adopted on September 14, 2021.

Michelle Oliveros, City Clerk