

NEW ROCHELLE
PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, "ZONING"
RE: ACCESSORY ANIMAL HUSBANDRY USES

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, March 13, 2012, at 7:30 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 REPEALING SECTIONS 89-16 THROUGH 89-17.2
OF ARTICLE VI, FARM ANIMALS, OF CHAPTER 89, ANIMALS,
AND AMENDING CHAPTER 331, ZONING, OF THE CODE OF
THE CITY OF NEW ROCHELLE.

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Code of the City of New Rochelle is hereby amended by repealing Sections 89-16 through 89-17.2 of Article VI, Farm Animals, of Chapter 89, Animals, of the Code of the City of New Rochelle.

Section 2. 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:

(aa) Accessory animal husbandry uses as regulated by Section 331-113.7.

Section 3. 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.

(J) Accessory animal husbandry uses are permitted by special permit in all residence districts as regulated by Section 331-113.7.

Section 4. Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended by adding the following:

§ 331-113.7 Accessory animal husbandry uses.

The Planning Board may issue a special permit for accessory animal husbandry uses in accordance with the following requirements:

1. No person shall keep, permit, harbor or raise a farm animal including but not limited to those of the equine, swine, bovine, and ruminant species, on a parcel of land comprising less than two acres with not less than one acre of land for each such animal and such animals shall not be kept or permitted to roam within 50 feet from the property line of an adjacent residential property.
2. All animals shall be kept in an enclosed structure from dusk to dawn.
3. No person shall feed in the open any domestic or wild fowl, birds or animals except in such manner so as to prevent the scattering of feed or seed upon the ground or ground level which can or will provide food for rodents, insects, vermin or other pests. Storage containers used for feed or seed shall be kept secure and closed at all times. At no time may any feed, seed, garbage or trash be stored outside in plastic bags or other non-rodent-proof containers.
4. Chickens may be permitted on lots less than two acres in compliance with the following additional criteria:
 - a. Not more than six chickens in the aggregate and no roosters.
 - b. Such chickens shall not be kept or maintained for commercial use or sale.
 - c. All such chickens shall be kept in secure pens or otherwise under the continuous control of their owners to prevent them from leaving the property.
 - d. Any buildings, pens or other structures housing such chickens shall be located a minimum distance from the side or rear property lines as determined by the Planning Board. All such buildings, pens or other structures shall not exceed in the aggregate 10% of the total lot area of the property. However, such pens shall be a minimum of 15 square feet or 5 square feet per bird, whichever is greater.

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 February 21, 2012, pursuant to Resolution duly adopted.

Bennie F. Giles, III, City Clerk

