

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, "ZONING"
RE: VARIOUS ZONING TEXT CHANGES
(COLLEGE RELATED 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, June 11, 2013, 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 AMENDING VARIOUS SECTIONS OF CHAPTER 331, ZONING, OF THE NEW ROCHELLE ZONING CODE.

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-4 Definitions, of Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended by adding the following:

§ 331-4 Definitions

COLLEGE RELATED USE (Ordinance No. 39-2013) – uses customarily accessory to a college or university including classrooms, laboratories, administrative offices and residential halls and/or dormitories.

RESIDENCE HALL (Ordinance No. 39-2013) - A building or part thereof where group sleeping accommodations are provided in one (1) room, or in a series of closely associated rooms, which may or may not include shared kitchen and/or bathroom facilities for persons not members of the same family group. Under joint occupancy and single management, and associated with a college or university as in college dormitories or fraternity houses.

Section 2. Section 331-54.1 North Avenue Zone, of Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended by adding the following:

§ 331.54.1. North Avenue Zone.

C. Uses allowed by special permit (see Article XII for body having jurisdiction to issue special permit).

(10) College related uses within 1,500 feet from the main college entrance of the college and/or university to which use is accessory provided the standards and conditions as regulated by and in accordance with § 331-113.7 are met.

Section 3. Section 331-73.1, North Avenue Zone, of Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended as follows:

§ 331-73.1. North Avenue Zone.

A. Dimensional Requirements

- (1) The maximum building height shall be three stories or 40 feet, whichever is lower.
- (2) The maximum permitted floor area ratio (FAR) shall be 2.0.
- (3) The maximum permitted building coverage shall be 70%.
- (4) The maximum permitted lot (impervious surface) coverage shall be 90%
- (5) Building must have rear yard setbacks of [20] 30 feet where the property abuts a residential district [or use].
- (6) Commercial buildings in the NA district must front on North Avenue and provide suitable screening to any residential uses that abut commercial properties.
- (7) Off-street parking requirements. Refer to Article XIV of this chapter.

Section 4. Section 331-57, Downtown Business District, of Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended as follows:

§ 331-57. Downtown Business District.

(16) College related uses [within 1,500 feet of the college and/or university's main administrative building].

Section 5. Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended by adding the following:

§ 331-113.7. College Related Uses in the North Avenue Zone.

The Planning Board may approve a college related use where such use is permitted by special permit, subject to the following requirements:

- (a) Floor Area Ratio (FAR) is 6.0
- (b) Maximum building height shall be seven (7) stories with a maximum height of eighty (80) feet for any building that fronts along North Avenue. Maximum building height shall be five (5) stories with a maximum height of sixty (60) feet for any building that does not front along North Avenue but is part of a parcel or aggregate of multiple parcels with the minimum required frontage on North Avenue.
- (c) Building Coverage shall be a maximum of 90%.
- (d) Any proposal for a college related use submitted pursuant to this section, shall be primarily oriented toward North Avenue and shall have a minimum frontage on North Avenue of one hundred (100) feet.

- (e) Impervious surface coverage shall be a maximum of 90%. If the aggregate parcel is greater than one (1) acre in size all the rules and regulations promulgated by the New York State Department of Environmental Conservation (NYSDEC) shall be complied with in its entirety.
- (f) Residential uses shall be permitted on the first floor for parcels that do not have frontage on North Avenue.
- (g) The parking standard shall be one (1) parking space per three (3) students. However, the Planning Board may modify such parking requirement upon submission by the applicant of a parking study and if necessary, the Planning Board may hire a consultant to review the submitted study and to make recommendations as to appropriate parking standards for the application. Upon consideration of the submitted parking studies, the Planning Board shall determine the parking standard for the proposal. In no event shall the parking standard be less than one (1) parking space per five (5) students unless students in the Residence Hall are prohibited from having vehicles. In such case, the parking standard may be permitted to be provided at a ratio no less than one (1) parking space per eight (8) students. The applicant shall submit proof to the Planning Board demonstrating the proposed implementation and enforcement of the vehicle prohibition policy for said Residence Hall.
- (h) Parking for any retail use or other permitted uses in the North Avenue (NA) zone shall be one (1) space per 350 Square Feet.
- (i) The college shall be required to manage any Residence Hall which shall provide for the enforcement of all the college regulations related to residential life. A copy of all said policies shall be submitted to the Planning Board for review.

Matter [bracketed] deleted.

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 May 21, 2013, pursuant to Resolution No. 98.

Bennie F. Giles, III, City Clerk