

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, ZONING
RE: MOTOR VEHICLE DEALERS

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, November 12, 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 SECTION 331-4, SPECIFIC TERMS DEFINED, SECTION 331-102, MOTOR VEHICLE DEALERSHIP, AND 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.

WHEREAS, City staff has identified the need to regulate the expansion of motor vehicle dealerships, particularly with respect to vehicle storage, building orientation and employee parking; and

WHEREAS, many auto dealerships are located along Main Street/Boston Post Road in a C-1M zoned district, and it is important to the city that a design standard is created and maintained which respect the businesses and the neighboring residential uses; now therefore,

BE IT ORDAINED by the City of New Rochelle:

Section 1. § 331-4, Specific Terms Defined, of the New Rochelle Zoning Code, is hereby amended as follows:

§ 331-4. Specific Terms Defined.

MOTOR VEHICLE DEALERSHIP

[An establishment primarily engaged in enclosed and accessory outdoor retail sale of new automobiles, and which may include as accessory uses one or more of the following: the sale of parts and accessories for said new automobiles; the sale of used automobiles; and minor service, vehicle preparation and repair work (excluding primary uses allowed for a motor vehicle body repair shop).]

An establishment primarily engaged in enclosed and accessory outdoor retail sale of new automobiles. The primary use shall include the showroom, interior display and storage of vehicles, offices, interior service and repair, vehicle preparation and repair work, the sale of parts and accessories for said new automobiles and the required parking for any primary use, which at a minimum shall include parking for employees, customers, sales, offices and repair services. Accessory uses shall include one or more of the following:

the sale of used automobiles, the exterior storage of vehicles, and the required parking for any accessory use (excluding primary uses allowed for a motor vehicle body repair shop).

Section 2. § 331-102, Motor Vehicle Dealership, of the New Rochelle Zoning Code, is hereby amended as follows:

§ 331-102. Motor Vehicle Dealership.

The Planning Board shall approve a special permit for a motor vehicle dealership, provided the following conditions are met:

- A. The minimum lot frontage along a public street shall be 150 feet with a lot depth of no less than 100 feet, and the minimum lot area shall be ½ acre.
- B. Landscaping, screening and buffer areas shall be provided in accordance with the more stringent of the two following sections; §331-119.1B and 331-130 of this chapter.
- C. Parking shall be provided in accordance with Article XIV of this chapter.
- D. All exterior lighting shall be designed and oriented so as to minimize the visual impact upon adjacent and nearby residential properties. A photometric plan shall be submitted for review by the Building Official.
- E. The hours of operation shall be limited to 6:00 AM to 9:00 PM.
- F. No exterior public address system shall be permitted.
- G. No exterior display of banners, pennants, ribbons, or other similar temporary advertising materials shall be permitted in any outdoor sales area.
- H. Employee parking provided on site as required by Article XIV of this Chapter shall be designated by signage indicating “this space reserved for employees.” Parking areas designated for employees shall not be used for vehicle storage, repair or finishing work, display, or customer parking.
- I. The required customer parking shall be designated by signage indicating “this space is reserved for customers.” Parking areas designated for employees shall not be used for vehicle storage, repair or finishing work, display or employee parking.
- J. For new construction, all vehicle storage and required parking shall be located in the rear of the building as permitted by this Code.

K. All vehicle storage and required parking shall be screened from the street and from the abutting properties. All site and perimeter landscaping required by 331-119.1 and/or 331-130 shall be native, non-invasive species, drought resistant and shall be planted to a minimum height of 36 inches. In addition to any required landscaping pursuant to 331-119 and/or 331-130, the dealership shall design and construct a second landscape buffer strip set back 30 feet from the interior edge of the required perimeter landscaping. This second landscape buffer strip shall be a maximum of ten (10) feet in width. Five percent (5%) of the vehicles for sale may be placed in front of the second landscape buffer and behind the required perimeter landscaping buffer for display. This is in addition to any interior landscaping that may be required by 331-119.1 and/or 331-130.

L. The building design shall address and relate to the scale, massing, setbacks and materials in relationship to neighboring properties and the neighborhood in general. The proposal shall be reviewed by the Peer Architectural Review Committee.

M. The hours of loading and unloading of vehicles shall be determined by the Planning Board. All loading and unloading shall occur on the subject site and not in or on the public right-of way.

N. Vehicles to be repaired or services shall not be parked or stored on any street, alley or public right-of-way.

O. Service bay doors shall not face residentially zoned districts and/or uses.

P. All motor vehicle dealerships shall be subject to an annual inspection by the Building Official or his designee.

Section 3. § 331-126, Schedule of Off Street Parking and Loading Space Requirements, of the New Rochelle Zoning Code, is hereby amended as follows:

Use	Minimum Number of Parking Spaces	Minimum Number of Loading Spaces
Motor Vehicle Dealerships	Sales: 1 per 300 square feet of GFA Service: <u>5 for the first service bay and 2 per every service bay thereafter; 1 per 2 employees; 1 loading space a minimum of 50 feet in length is required.</u>	

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 October 21, 2013, pursuant to Resolution No. 171.

Bennie F. Giles, III, City Clerk