

PUBLIC HEARING NOTICE  
PROPOSED AMENDMENT TO CHAPTER 331, ZONING,  
RE: ONE FAMILY WATERFRONT RESIDENCE 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 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 8, 2016, at **7:00 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 331-33, R1-WF-10 ONE-FAMILY WATERFRONT RESIDENCE DISTRICT; ARTICLE XII: SPECIAL PERMIT USES; SECTION 331-87, APPROVING AGENCIES; AND SCHEDULE OF DIMENSIONAL REGULATIONS RESIDENCE DISTRICTS, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE (WATERFRONT ZONING).

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-33, R1-WF-10 One-Family Waterfront Residence District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-33. R-WF-10 One-Family Waterfront Residence District.

See §331-28A(5).

A. Permitted principal uses.

- (1) One-family dwellings.
- (2) Public schools.
- (3) Existing universities, colleges and private schools not regulated by § 331-91.
- (4) Existing waterfront related clubs as regulated by § 331-45D.
- (5) Houses of worship.

B. Permitted accessory uses.

- (1) Uses and structures which are clearly incidental and customarily accessory to the permitted principal use on the lot on which they are located.
- (2) For owner-occupied dwellings only, the renting out of not more than one non-housekeeping room to not more than two persons.
- (3) Private swimming pools as regulated by § 331-17.

- (4) Sports courts, play structures, sheds, doghouses, fences, walls, gate houses, other structures as regulated by §331-14A.
- (5) Home occupations and office of professional person as regulated by § 331-45B and C.
- (6) The parking of up to four licensed motor vehicles on a transient basis as regulated by Article XIV.
- (7) The storage of boats, camper trailers, motor homes, pickup coaches, and travel trailers as regulated by § 331-18.
- (8) The keeping of household pets as defined by § 331-4.
- (9) Satellite earth stations and dish antennas as regulated by § 331-98.
- (10) Family care and group family care as regulated and licensed by a federal or state agency.

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

- (1) Multifamily dwellings as regulated by § 331-115.1.
- (2) The establishment of new or the expansion of existing universities, colleges and private school campuses as regulated by § 331-91.
- (3) Amateur radio towers as regulated by § 331-97.
- (4) Cellular transmission antennas as regulated by § 331-99.
- (5) Public utility uses and structures as regulated by § 331-106.
- (6) Accessory uses for all uses permitted by special permit.
- (7) Playgrounds, sports courts, swimming pools, tennis courts and recreation buildings owned by a neighborhood association for the exclusive use of members of such association, provided that no entertainment, live or mechanical, or the use of outdoor public address systems or excessive exterior public lighting shall be permitted.

Section 2. Article XII: Special Permit Uses, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended by adding the following:

§ 331-115.1 Special Permit Uses in the R-WF District.

Multifamily uses in the R-WF District.

1. Multifamily Uses subject to the following requirements. For the purposes of calculating the below dimensional regulations of this Section 331-115.1, the site area shall be based on the net area above the mean high water elevation in accordance with Section 331-20.1.
  - a) For the portion of the lot within 150 feet of either a single-family residential zoning district (R1), the lot line of a lot containing a single-family residential building, public park or public road:
    - (a) Maximum building height shall not exceed 35 feet and two stories.

- (b) Density shall not exceed 4 units per acre for the area within such 150' setback.
  - (c) Side yard setbacks shall be a minimum of 24 feet each; combined 50 feet.
- b) For the portion of the lot not within 150 feet of either a single-family residential zoning district (R1), the lot line of a lot containing a single-family residential building, public park or public road:
- (a) Maximum building height shall not exceed 60 feet and five stories.
  - (b) Density shall not exceed 7.5 units per acre for the area that is beyond such 150' setback.
  - (c) At the discretion of the Building Official, an additional five feet of building height shall be allowed if required to elevate the building above the FEMA base flood elevation (100 year flood).
  - (d) Rear yard setbacks shall be a minimum of twenty feet.
- c) For all multifamily uses in the R-WF district:
- (a) Building coverage shall not exceed 35%.
  - (b) Impervious coverage shall not exceed 50%.
  - (c) A minimum of 20% of the lot area shall be dedicated as open space on site and shall be filed and recorded in a restrictive covenant as approved by the Corporation Counsel.
  - (d) Floor Area Ratio shall not exceed 0.5. Notwithstanding anything in Section 331-115.1A(3)(c) to the contrary, additional development potential in the form of a Floor Area bonus of 0.15 above the maximum permitted Floor Area Ratio of 0.5 shall be earned for a project when such project includes a contiguous area of open space in excess of 1.5 acres, which 1.5 acres of contiguous open space is in addition to the minimum 20% open space of lot area required by subsection 331-115.1.A(3)(c).
  - (e) Lot area per dwelling unit shall be a minimum of 5,500 SF per unit.
  - (f) Must comply with the New Rochelle Flood Protection Regulations and FEMA requirements.
  - (g) Must reasonably comply with Waterfront Edge Design Guidelines (WEDG) or equivalent as determined by the Planning Board.
- d) Waterfront access must be provided or payment in lieu must be paid into a waterfront access fund.
- (a) A minimum of 50% of linear frontage of any zoning lot must be reserved for public open space providing access to the water as approved by the Commissioner of Development or in the alternative, payment in lieu must be made.
  - (b) Payment in lieu fee is determined on a per unit basis, initially set at \$10,000 per unit and adjusted by the City Council as needed. A payment in lieu fee will be reduced by the cost of off-site improvements that

provide a public benefit as approved by the Commissioner of Development.

Section 3. 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) Multi-family Uses in R-WF-10 District.

Section 4. The Schedule of Dimensional Regulations Residence Districts, of Chapter 331, Zoning, of the New Rochelle Zoning Code, is hereby amended as shown on the attachment.

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 9, 2016, pursuant to Resolution No. 22 .

Bennie F. Giles, III, City Clerk