

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, ZONING,
RE: UNION AVE. NEIGHBORHOOD BUSINESS HOSPITAL (NBH) ZONING
CLASSIFICATION

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 331-4, SPECIFIC TERMS DEFINED; SECTION 331-28, PURPOSES STATED; ARTICLE VII, USES IN MIXED USE DISTRICTS; ARTICLE IX, DIMENSIONAL AND OTHER REQUIREMENTS; SECTION 331-87, APPROVING AGENCIES, SECTION 331-88, PROCEDURE; ARTICLE XII: SPECIAL PERMIT USES; SECTION 331-126, SCHEDULE OF OFF-STREET PARKING AND LOADING SPACE REQUIREMENTS; SECTION 331-128, DESIGN AND LAYOUT; AND SECTION 133-1, ENUMERATION OF FEES, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE (NEIGHBORHOOD BUSINESS - HOSPITAL).

BE IT ORDAINED by the City of New Rochelle:

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

§331-4. Specific terms defined.

TANDEM PARKING

Storage of two vehicles for the same dwelling unit, regardless of how configured, that requires moving [at least] one vehicle parked in a space in order to reach the other [and move another] vehicle parked in [out of] another parking space.

Section 2. Section 331-28, Purposes Stated, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§331-28. Purposes stated.

In addition to the general purposes of this chapter as set forth in Article I, the following specific purposes are set forth for Residence, Mixed Use, Commercial/Manufacturing Districts and Floating and Overlay Zones:

(B) NB-H Neighborhood Business-Hospital

(9) For the NB-H Neighborhood Business-Hospital District, to encourage the development, redevelopment and continuation of retail, personal service, office, medical office and related facilities, and residential uses to serve neighborhood residents, health care workers and families. The zone is also established to be complimentary to the nearby hospital facility. To that end, the zone is designed to encourage medical uses that will support, and be compatible with the hospital, and also encourage greater residential development.

Section 3. Article VII, Uses in Mixed Use Districts, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby by adding the following:

§331-54.2. NB-H Neighborhood Business-Hospital

See §331-28B(9)

A. Permitted principal uses.

- (1) All uses permitted by right in the NB Neighborhood Business District (see §331.56(A)).
- (2) Clinical or Medical Laboratory.
- (3) Community Facility.
- (4) Day-Care Center.
- (5) Dispensaries.
- (6) Dormitories related to medical use educational facilities.
- (7) Educational facilities related to medical uses.
- (8) Medical Care Facility.
- (9) Medical and Dental Offices.
- (10) Medical Laboratory.
- (11) Mixed-use with multifamily located above commercial uses as set forth in this Section (§ 331-54.2).
- (12) Multifamily Dwelling, including Senior Citizen Housing.
- (13) Research and Development.
- (14) Residential Care Facility.

B. Permitted accessory uses.

- (1) All permitted accessory uses permitted in the H Hospital District (see § 331-46B.)
- (2) All permitted accessory uses permitted in the NB Neighborhood Business District (see §331.56B).

C. Uses allowed by special permit.

- (1) All permitted accessory uses permitted in the H Hospital District (see § 331-46C.)
- (2) All permitted accessory uses permitted in the NB Neighborhood Business District (see §331.56C).
- (3) Tandem Parking: Notwithstanding any off-street parking requirements in Article XIV to the contrary in multifamily housing developments within the NB-H District, the Building Official may permit 50% “Tandem Parking” by Special Permit, applied for annually, pursuant to Section 331-87(D) and Section 331-113.9.

Section 4. Article IX, Dimensional and Other Requirements, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby by adding the following:

§331-73.2. NB-H Neighborhood Business-Hospital District.

See §331-28B(9) and 331-54.2.

A. Dimensional requirements.

- (1) Maximum building height shall be seven (7) stories or 75 feet.
- (2) Maximum permitted floor area ratio (FAR) shall be 4.0.
- (3) The maximum permitted lot coverage shall be 70% for all buildings and 90% for all impervious surfaces.
- (4) Yard setbacks: The minimum front yard setback shall be 5 feet unless waived by the Planning Board to line up with adjacent buildings. Buildings shall be setback 20 feet on a side yard and 30 feet on a rear yard to any adjacent residentially zoned parcel.

B. Off-Street parking requirements.

- (1) Refer to Article XIV of this chapter.
- (2) Where provided on-site, parking is prohibited from being located between a principal building and a municipal right-of-way, except for a corner lot, which may permit parking between a building and a street along one frontage, and parking to the side of the building on another frontage.

Section 5. 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.

- D. Building Official. The Building Official shall have the authority to approve special permit applications pursuant to Article XXI and Section 331-54.2.C(3).

Section 6. Section 331-88, Procedure, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§331-88. Procedure.

- A. Application. Applicants shall submit a preliminary special permit use application to the Bureau of Buildings prior to formal submission of a complete special permit use application to the approving agency, except [for] that valet operations subject to Article XXI and Tandem Parking subject to Section 331-54.2.C(3), [which] are not subject to this subsection of the code. All formal applications shall be submitted to the approving agency in advance of the meeting at which they are to be considered in accordance with the appropriate procedure. An application shall be considered officially submitted at such meeting, provided that the approving agency determines such application to be complete. If not, such application shall be rejected. The special permit application shall include an

application for site plan, including required fees associated with such site plan review, which meets the requirements of § 331-117, as well as a written statement describing the nature of the proposed use and how it will meet the requirements of this chapter. If such special permit application involves only interior changes to building with no changes to use or exterior changes to building, a site plan application shall not be required.

Section 7. 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:

§331-113.9. Tandem Parking.

A. A special permit application for Tandem Parking shall include the following:

1. Name, address and telephone number of the owner of the subject development to be served by Tandem Parking, and, if applicable, the name and address of the property manager. The application shall include a telephone number that will allow City officials to contact with the property owner/manager 24 hours a day.
2. A written explanation for the need for Tandem Parking.
3. A scaled drawing of the location and limits of the proposed Tandem Parking, including a parking layout depicting the maximum possible amount of parking, and a circulation plan.
4. Tandem Parking Application Fee (see City Of New Rochelle Code 133-1): \$1,000 per Tandem Parking space requested.

B. Special Permits issued by the Building Official under this Chapter shall specify the following:

1. The name and address of the property owner/manager.
2. The location and limits of the Tandem Parking.
3. Any additional restrictions or requirements regarding the location or operation of the Tandem Parking.
4. Identification tag requirements for Tandem Parking users.
5. The permit expiration date.
6. Any other conditions on the permit.

Section 8. 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 is hereby amended as follows:

§331-126. Schedule of off-street parking and loading space requirements.

(3) Alternate locations. Required off-street parking facilities shall be provided on the same lot with the structure or use which they serve, except as follows:

(d) This section shall not apply to off-street parking being addressed through Article XXI or Section 331-54.2.C(3) of this code.

Section 9. Section 331-128, Design and layout, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§331-128. Design and layout.

C. Tandem parking. Tandem parking spaces may be permitted by the Planning Board to satisfy a portion of the minimum required parking space requirement in parking areas containing 25 or more spaces, provided the following conditions are met:

(3) This section shall not apply to off-street parking being addressed through Section 54.2.C(3) of this code.

Section 10. Section 133-1, Enumeration of fees, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§133-1. Enumeration of fees.

Code Section	Type of Fee	Amount
§331-113	Tandem Parking	Application Fee: \$1,000 per tandem parking space

requested.

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 February 9, 2016, pursuant to Resolution No. 24.

Bennie F. Giles, III, City Clerk