

City of New Rochelle, N.Y.

Introduced On: 2/9/16; P. 14 3/8/16

Introduced By:

Held:

Adopted:

No. 75

Council Members Louis J. Trangucci,
Moved: Albert A. Tarantino, Jr., Jared R.

(and) Rice, Ivar Hyden, Barry R. Fertel,

Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci	✓			
2nd	Tarantino	✓			
3rd	Rice	✓			
4th	Hyden	✓			
5th	Fertel	✓			
6th	Fried	✓			
Mayor	Bramson	✓			

Approved As To Form:

Chief of Staff for Policy and Government Affairs/Corporation Counsel

Rev. 3.1.1.1

SUBJECT
OR
TITLE }

ORDINANCE AMENDING SECTION 331-4, SPECIFIC TERMS DEFINED; SECTION 331-28, PURPOSES STATED; AMENDING ARTICLE VII, USES IN MIXED USE DISTRICTS, BY ADDING SECTION 54.2 NB-H NEIGHBORHOOD BUSINESS-HOSPITAL; AMENDING 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; SECTION 133-1, ENUMERATION OF FEES, AND AMENDING THE NEW ROCHELLE ZONING MAP, FORMING PART OF CHAPTER 331, ZONING, MAPPING THE PROPOSED NB-H ZONING DISTRICT, AND CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES LOCATED ALONG UNION AVENUE 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


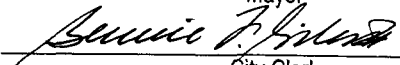
Storage of two vehicles for the same dwelling unit, regardless of how configured, that requires moving [at least] one vehicle parked in a space in order to reach the other [and move another] vehicle parked in [out of] another parking space.

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:

Authenticated and certified this

15th day of March, 2016

3/2/16

Mayor

 City Clerk


§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 amended 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 amended 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.
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- 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
<u>§331-113</u>	<u>Tandem Parking</u>	<u>Application Fee: \$1,000 per tandem parking space requested.</u>

Section 11. The New Rochelle Zoning Map, forming part of the New Rochelle Zoning Code, is hereby amended by creating and mapping a new Zoning District (Section 54.2) Union

Avenue Neighborhood Business Hospital (NB-H) and changing the zoning classification of certain properties located along Union Avenue as shown on the attached Schedule A.

Matter [bracketed] deleted
Matter underlined added

Authenticated and certified)
this 15th day of Mar., 2016)

NOAM BRAMSON, Mayor
BENNIE F. GILES, III, City Clerk

SCHEDULE "A"

SECTION	BLOCK	LOT	PRINT_KEY	ST_NBR	ST_NAM	SUFFIX	LOC_ZIP	FULL_ADDRE
004	1227	022	4-1227-0022		Union	Ave	10801	Union Ave
004	1227	021	4-1227-0021	94	Union	Ave	10801	94 Union Ave
004	1245	022	4-1245-0022	108	Union	Ave	10801	108 Union Ave
004	1242	025	4-1242-0025	144	Union	Ave	10801	144 Union Ave
004	1269	023	4-1269-0023	165	Union	Ave	10801	165 Union Ave
004	1269	001	4-1269-0001	177	Union	Ave	10801	177 Union Ave
004	1221	016	4-1221-0016	76	Union	Ave	10801	76 Union Ave
004	1221	015	4-1221-0015	78	Union	Ave	10801	78 Union Ave
004	1221	014	4-1221-0014	80	Union	Ave	10801	80 Union Ave
004	1267	045	4-1267-0045	170	Webster	Ave	10801	170 Webster Ave
004	1247	032	4-1247-0032	97	Union	Ave	10801	97 Union Ave
004	1246	031	4-1246-0031	123	Union	Ave	10801	123 Union Ave
004	1247	033	4-1247-0033	99	Union	Ave	10801	99 Union Ave
004	1242	021	4-1242-0021	150	Union	Ave	10801	150 Union Ave
004	1267	033A	4-1267-0033.A	67	First	St	10801	67 First St
004	1246	001	4-1246-0001	129	Union	Ave	10801	129 Union Ave
004	1227	018	4-1227-0018	100	Union	Ave	10801	100 Union Ave
004	1245	014	4-1245-0014	122	Union	Ave	10801	122 Union Ave
004	1229	001	4-1229-0001	81	Union	Ave	10801	81 Union Ave
004	1247	030	4-1247-0030	93	Union	Ave	10801	93 Union Ave
004	1247	031	4-1247-0031	95	Union	Ave	10801	95 Union Ave
004	1267	047	4-1267-0047	158	Webster	Ave	10801	158 Webster Ave
004	1247	028	4-1247-0028	66	Warren	St	10801	66 Warren St
004	1247	001	4-1247-0001	103	Union	Ave	10801	103 Union Ave
004	1246	025	4-1246-0025	109	Union	Ave	10801	109 Union Ave
004	1246	027	4-1246-0027	113	Union	Ave	10801	113 Union Ave
004	1247	028A	4-1247-0028.A	87	Union	Ave	10801	87 Union Ave
004	1246	029	4-1246-0029	117	Union	Ave	10801	117 Union Ave
004	1246	033	4-1246-0033	125	Union	Ave	10801	125 Union Ave
004	1243	025	4-1243-0025	70	Charles	St	10801	70 Charles St
004	1243	027	4-1243-0027	139	Union	Ave	10801	139 Union Ave
004	1243	028	4-1243-0028	143	Union	Ave	10801	143 Union Ave
004	1243	030	4-1243-0030	147	Union	Ave	10801	147 Union Ave
004	1269	028	4-1269-0028	171	Union	Ave	10801	171 Union Ave
004	1243	002	4-1243-0002	187	Webster	Ave	10801	187 Webster Ave
004	1221	013	4-1221-0013	82	Union	Ave	10801	82 Union Ave
004	1269	027	4-1269-0027	169	Union	Ave	10801	169 Union Ave
004	1243	001	4-1243-0001	155	Union	Ave	10801	155 Union Ave
004	1227	024	4-1227-0024	88	Union	Ave	10801	88 Union Ave
004	1227	023	4-1227-0023	92	Union	Ave	10801	92 Union Ave
004	1242	023	4-1242-0023	148	Union	Ave	10801	148 Union Ave
004	1245	021	4-1245-0021	112	Union	Ave	10801	112 Union Ave
004	1245	020	4-1245-0020	114	Union	Ave	10801	114 Union Ave
004	1245	018	4-1245-0018		Union	Ave	10801	Union Ave
004	1242	028	4-1242-0028	132	Union	Ave	10801	132 Union Ave
004	1242	026	4-1242-0026	142	Union	Ave	10801	142 Union Ave
004	1267	034	4-1267-0034	176	Union	Ave	10801	176 Union Ave
004	1267	037	4-1267-0037	172	Union	Ave	10801	172 Union Ave
004	1267	039	4-1267-0039	164	Union	Ave	10801	164 Union Ave
004	1267	042	4-1267-0042	176	Webster	Ave	10801	176 Webster Ave
004	1267	043	4-1267-0043	166	Webster	Ave	10801	166 Webster Ave
004	1267	049	4-1267-0049	156	Webster	Ave	10801	156 Webster Ave
004	1267	051	4-1267-0051	150	Webster	Ave	10801	150 Webster Ave
004	1247	027A	4-1247-0027.A	70	Warren	St	10801	70 Warren St