

NEW ROCHELLE
PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO CHAPTER 331, "ZONING" CODE ,
RE: NORTH AVENUE

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 9, 2010, 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 SECTIONS 331-5, ENUMERATION OF DISTRICTS, 331-28, MIXED USE DISTRICT; AND ADDING SECTIONS 331-54.1 AND 331.76.1, NORTH AVENUE ZONE, OF CHAPTER 331, ZONING, OF THE NEW ROCHELLE ZONING CODE.

BE IT ORDAINED by the City Council of the City of New Rochelle:

Section 1. Section 331-5, Enumeration of Districts, of Chapter 331, Zoning, of the New Rochelle Zoning Code, is hereby amended by adding the following:

North Avenue Zone

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

§ 331-28 Purposes Stated

B. Mixed Use Districts

- (8) For the NA North Avenue Zone, to encourage mixed-use redevelopment and private investment to revitalize the North Avenue Corridor, recognizing its function as a gateway into the downtown and a neighborhood business corridor serving adjacent residential neighborhoods and the Iona College Campus.

Section 3. Section 331-54.1, North Avenue Zone, of Chapter 331, Zoning, of the New Rochelle Zoning Code, is hereby added as follows:

§ 331-54.1. North Avenue Zone

See § 331-28B(8)

A. Permitted Principal Uses.

- (1) Dwelling units located on the second floor and above only, including living/loft or office arrangements as regulated by § 331-72C of this chapter.
- (2) Business, professional, or governmental offices.
- (3) Stores and shops exclusively for sales at retail or the performance of customary personal services.

- (4) Manufacture of products for retail sale on the premises only, provided that not more than five persons shall be so employed at any one time, and provided further that not more than 30% of the gross floor area of any establishment be so used.
- (5) Retail laundries or retail dry cleaners.
- (6) Banks.
- (7) Restaurants.
- (8) Restaurants, carry-out.
- (9) Dance studios, martial arts studios, aerobic exercise studios.
- (10) Community purpose buildings.
- (11) Houses of worship.
- (12) Business or trade school, to be located above first floor.
- (13) Medical care facilities.

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) Amusement devices as regulated by Chapter 86 of the Code.
- (3) Satellite earth station or dish antennas as regulated by §331-24, but only when accessory to a permitted principal use on the lot on which it is located.

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

- (1) Day-care centers.
- (2) Schools.
- (3) Catering establishments.
- (4) Outdoor dining as regulated by §331-95.
- (5) Billiard halls as regulated by §331-113.

(6) Wireless telecommunications facilities as per §331-99.

(7) Off-street parking facilities.

Section 4. Section 331.73.1, North Avenue Zone, of Chapter 331, Zoning, of the New Rochelle Zoning Code, is hereby added as follows:

§331.73.1 North Avenue Zone

See §§331-28B(8) and 331-46 to 331-54.1

A. Dimensional Requirements.

- (1) The maximum building height shall be three (3) 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) Buildings must have rear yard setbacks of twenty (20) feet.
- (6) Commercial buildings in the NA district must front on North Avenue and provide suitable screening to any residential uses that abut commercial properties.

B. Off-street parking requirements. Refer to Article XIV of this chapter.

Section 5. The Schedule of Dimensional Regulations Non-Residence Districts, of Chapter 331, Zoning, of the New Rochelle Zoning Code, is hereby amended as shown on the attachment.

Matter in [brackets] omitted.

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 September 15, 2010, pursuant to Resolution No. 135 duly adopted.

Bennie F. Giles, III, City Clerk

ZONING

331 Attachment 3

City of New Rochelle

Schedule of Dimensional Regulations

Nonresidence Districts

[Amended 12-1-2007 by Ord. No. 294-2007]

District/Use	Floor Area Ratio	Maximum Dimensional Requirements				Minimum Dimensional Requirements		
		Building Height (stories)	Height (feet)	Coverage Buildings	Impervious Spaces	Front (feet)	Side Yards ¹ (feet)	Rear (feet)
C-1M General Commercial Modified	1.0	2	30	100%	100%	—	—	—
NB Neighborhood Business	0.5	2	30	50%	95%	—	—	—
DB Downtown Business	2.0 ²	6 ²	70 ²	90%	100%	—	—	—
MUFE Mixed Use Family Entertainment	3.0	12	250	100%	100%	—	—	—
NA North Avenue	2.0	3	40	70%	90%	—	—	20
LSR Large-Scale Retail	1.0	—	50	70%	100%	—	—	—
LI Light Industry	1.0	2	40	60%	90%	—	—	—
I Industry	2.0	3	40	70%	100%	—	—	—

- NOTES:
- Where any parcel is contiguous to a residence district, an abutting rear yard shall be minimum of 30 feet and abutting side yards shall be a minimum of 20 feet.
 - In the DB District, increased FAR and Height may be granted by the City Council, in its sole and absolute discretion, pursuant to the Downtown Density Bonus (DDB) Standards in Chapter 331.