

PUBLIC HEARING NOTICE  
RE: PROPOSED AMENDMENT TO ZONING CODE  
CHAPTER 331-45, ADDITIONAL REGULATIONS FOR RESIDENCE DISTRICTS

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 239-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, January 12, 2021, at 7:00 P. M.**, on the proposed amendment, as follows:

ORDINANCE AMENDING SECTION 331-45, ADDITIONAL REGULATIONS FOR RESIDENCE DISTRICTS, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE. (Intro. 12/1/20; Public Hearing 1/12/21)

WHEREAS, in order to add clarification to the code and to eliminate confusion, the City Code is updated from time to time; and

WHEREAS, the National Fire Protection Association ("NFPA") has updated their criteria and offered clarity with respects to placement of outdoor emergency generators in relationship to a wood frame structure, whereas the City Code requires a 5'-0" distance separation; and

WHEREAS, in the past the City Code was aligned with NFPA criteria, which has now been updated; and

WHEREAS, in order to remain consistent with NFPA criteria, the attached update to Section 331-45 I (2) is recommended; now, therefore

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-45, Additional regulations for residence districts, of Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended to read as follows:

§ 312-45. Additional regulations for residence districts.

C. Office of professional person in residential districts. In all residential districts and dwelling units, an office of a professional person may be established subject to the following:

(2) Such profession is carried on as incidental to the residential use of the premises by a resident thereof and does not occupy more than 25% of the [ground] floor area or 500 square feet, whichever is less, in the principal dwelling or an accessory building on the lot.

I. Permanent outdoor emergency energy-generation systems installation for the exclusive use of a one-family residence located on the property. In view of the small acreage of one-

family residential properties in the City of New Rochelle, the following conditions are imposed on the issuance of building permits for the permanent siting of outdoor emergency energy-generation systems. Such building permits shall not be required for portable emergency energy generators.

- (2) The emergency energy-generation system shall not be located in any required front yard setback, but cannot be constructed within 10 feet of any rear lot line or within six feet of any side lot line. Location in the rear of the residence located on the property shall be preferred so as to minimize visibility of the system from adjoining properties and the street. [No]Emergency energy-generating systems shall be [placed] installed [within five feet] as per manufacturers specifications and NFPA standards but in no case be installed less than 2' from a wood framed structure if installed with a rated enclosure and no less than 5' without a rated enclosure as per NFPA standards [of any wood frame building or structure].

Matter [bracketed] deleted.

Matter underlined added.

By order of the City Council by resolution duly adopted on December 1, 2020.

Michelle Oliveros  
City Clerk

Due to the ongoing COVID-19 public health crisis the City Council will not be able to accommodate any in-person public attendance or participation for Citizens to be Heard or Public Hearings. Citizens to be Heard and Public Hearings will be broadcast live on the City's website and cable public access channel on television (Optimum Channel 75 / Verizon Channel 28). In addition, the City Council will allow the public to provide oral comments in real time via telephone or virtually through Microsoft Teams. For more information visit [www.newrochelleny.com/cityclerk](http://www.newrochelleny.com/cityclerk) or call (914) 654-2159.