LEGISLATION

RESOLUTION DECLARING LEAD AGENCY STATUS RELATIVE TO THE PROPOSED ORDINANCE AMENDING SECTION 331-4, SPECIFIC TERMS DEFINED, SECTION 331-47, DMU DOWNTOWN MIXED USE DISTRICT, SECTION 331-48, DMUR DOWNTOWN MIXED USE URBAN RENEWAL DISTRICT, SECTION 331-54, MUFE MIXED USE FAMILY ENTERTAINMENT DISTRICT, SECTION 331-57, DB DOWNTOWN BUSINESS DISTRICT, SECTION 331-87, APPROVING AGENCIES, SECTION 331-113.10, CRAFT BEVERAGE PRODUCTION FACILITIES, AND ADDING SECTION 331-113.12, TASTING ROOMS, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE, AND RELATED MAP AMENDMENTS.

WHEREAS, this City Council hereby wishes to declare itself to be the Lead Agency with respect to the environmental review of the actions to amend Section 331-4, Specific Terms Defined, Section 331-47, DMU Downtown Mixed Use District, Section 331-48, DMUR Downtown Mixed Use Urban Renewal District, Section 331-54, MUFE Mixed Use Family Entertainment District, Section 331-57, DB Downtown Business District, Section 331-87, Approving Agencies, adding Section 331-113.12, Tasting Rooms, of Chapter 331, Zoning, of the Code of the City Of New Rochelle, and related map amendments; and

WHEREAS, this City Council finds the Proposed Action to be an Unlisted Action pursuant to SEQRA; and

WHEREAS, the Department of Development has prepared and submitted an Environmental Assessment Form (EAF) for the Proposed Action, on file for inspection with the City Clerk's Office; now, therefore,

BE IT RESOLVED that this City Council hereby declares itself to be the lead agency with respect to the proposed amendment and directs that the proposed amendment be sent to the Planning Board and the Westchester County Planning Department for review and recommendation.

LEGISLATION

ORDINANCE AMENDING SECTION 331-4, SPECIFIC TERMS DEFINED, SECTION 331-47, DMU DOWNTOWN MIXED USE DISTRICT, SECTION 331-48, DMUR DOWNTOWN MIXED USE URBAN RENEWAL DISTRICT, SECTION 331-54, MUFE MIXED USE FAMILY ENTERTAINMENT DISTRICT, SECTION 331-57, DB DOWNTOWN BUSINESS DISTRICT, SECTION 331-87, APPROVING AGENCIES, SECTION 331-113.10, CRAFT BEVERAGE PRODUCTION FACILITIES, AND ADDING SECTION 331-113.12, TASTING ROOMS, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE, AND RELATED MAP AMENDMENTS.

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.

TASTING ROOM <u>(ACCESSORY)</u>
A portion of a craft beverage production facility which is used for the consumption of products made by the on-site business, or in collaboration with the on-site business.

<u>TASTING ROOM</u>
<u>An establishment which is used for the consumption and sale of products made in accordance with the New York State Farm Brewery Law. Said products may be produced on-site or off-site. The establishment may also include other uses such as dining and retail.</u>

Section 2. Section 331-47, DMU Downtown Mixed Use District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-47. DMU Downtown Mixed Use District.

C. Uses allowed by special permit.

<u>(18)</u> <u>Tasting rooms as regulated by § 331-113.12</u>

Section 3. Section 331-48, DMUR Downtown Mixed Use Urban Renewal District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-47. DMUR Downtown Mixed Use Urban Renewal District.

C. Uses allowed by special permit

(13) Tasting rooms as regulated by § 331-113.12.

Section 4. Section 331-54, MUFE Mixed Use Family Entertainment District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ 331-54A. MUFE Mixed Use Family Entertainment District.

C. Uses allowed by special permit.

(10) Tasting rooms as regulated by § 331-113.12.

Section 5. Section 331-57, DB Downtown Business District, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ Section 331-57. DB Downtown Business District.

C. Uses allowed by special permit.

(15) Tasting rooms as regulated by § 331-113.12.

Section 6. Section 331-87, Approving Agencies, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§ Section 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:

(gg) Tasting rooms as regulated by § 331-113.12.

Section 7. Section 331-113.10, Craft Beverage Production Facilities, of Chapter 331, Zoning, of the Code of the City of New Rochelle, is hereby amended as follows:

§ 331-113.10. Craft beverage production facilities.

A. The use shall include a commercial component comprised of at least one of the following:

(1) Accessory [T]tasting room to serve only products made by the on-site business, or in collaboration with the on-site business.

Section 8. Section 331-113.12, Tasting Rooms, is hereby added to Chapter 331, Zoning, of the Code of the City of New Rochelle as follows:

§ 331-113.12. Tasting rooms.

The Planning Board may approve a tasting room where such use is permitted by special permit, subject to the following requirements:

A. Tasting room to serve only products made under the provisions of the New York State Farm Brewery Law. Alcoholic beverages shall be limited to beer, cider, mead and wine.

B. Total gross floor area shall be less than 1,000 square feet.

C. Total occupancy shall not exceed 49 people.

D. Accessory uses may include the following:

(1) Retail sales of merchandise in accordance with the New York State Farm Brewery Law.
(2) Restaurants.

E. The hours of operation shall be determined by the Planning Board at the time of consideration for special permit, but shall not extend beyond 11 p.m. Sunday through Thursday and 1 a.m. Friday and Saturday.

F. The location of such use shall be in accordance with the New York State Liquor Authority regulations.

G. A tasting room shall not be within 150 feet of another tasting room. This restriction may be waived if the Planning Board determines that a tasting room in closer proximity to another tasting room would not result in an excessive number of drinking establishments for that neighborhood.

H. If provided, off-street parking and loading shall comply with the standards set forth in Article XIV. Tasting rooms shall comply with the standard for restaurants and catering halls.

I. All businesses shall obtain all appropriate approvals including, but not limited to, the City of New Rochelle and the New York State Liquor Authority.

Matter underlined added.
Matter [bracketed] deleted.

ATTACHMENTS:

1. EAF
2. Tasting Room Zoning Map