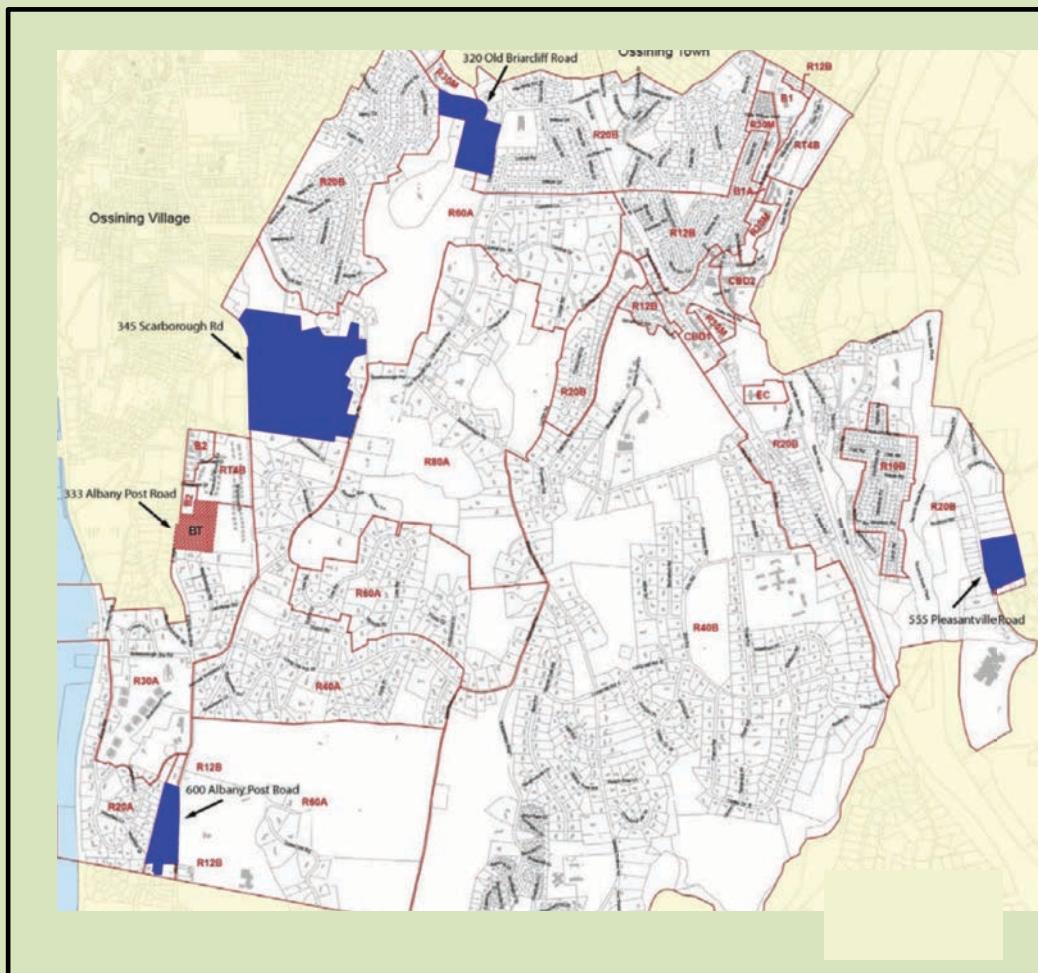


# Village of Briarcliff Manor

## B/BT Zone Study



February 2020



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**I. INTRODUCTION:**

Cleary Consulting has been retained by the Village of Briarcliff Manor to review and evaluate prior work prepared regarding the potential to rezone 5 properties located within the B (Planned Office Building and Laboratory) and BT (Business Transition) districts, and to develop specific rezoning recommendations to advance the goals and objectives of the Village.

**II. BACKGROUND:**

The Village's land use pattern is overwhelming dominated by single-family residences. Various open space uses comprise the next largest land use category, with commercial uses comprising a very small portion of Briarcliff's land use pattern. These commercial areas are limited to Pleasantville Road and North State Road in the northeast portion of the Village, and along the Albany Post Road in the west. These commercial areas, which generally support traditional retail and service uses, are augmented by 5 parcels located within the B and BT districts that supported office and research laboratory uses. These B/BT properties played a historically fundamental role in the Village's pattern of land use, tax base and employment sector (Figure 1).

Figure 2, which is the Village's official map from the late 1990's, graphically illustrates the limited extent of the commercial areas in the Village (shown in red). Figure 3 is the land use map from the 2007 Comprehensive plan, which provides greater detail of the various land use categories, but continues to illustrate the same geographic limitations of the commercial areas.

The 2007 Comprehensive Plan identified 168 acres of land supporting commercial land uses, of which 83 acres<sup>1</sup> (or approximately 50%) was comprised of *Executive Office/Research Lab* uses – or the B/BT parcels.

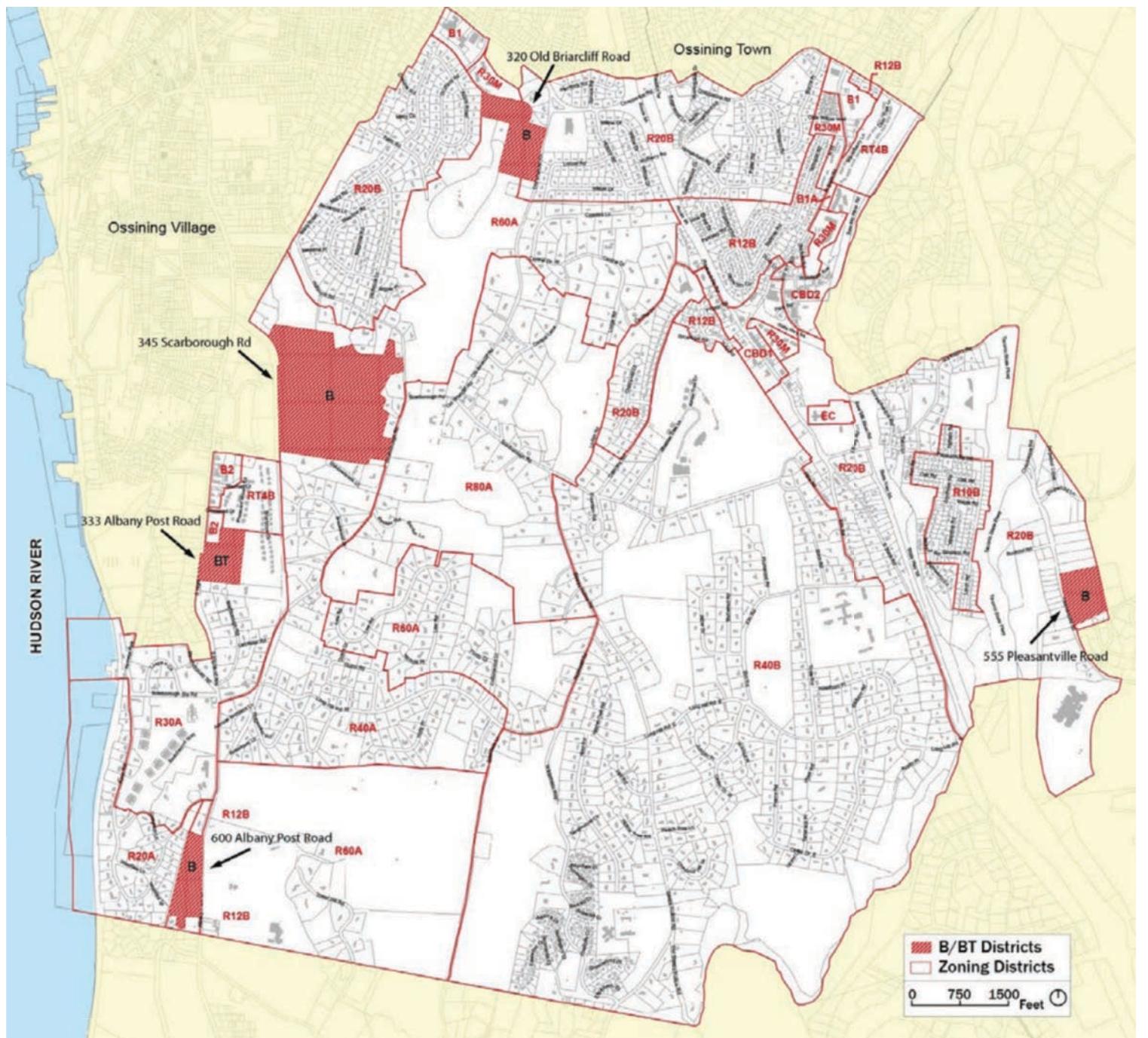
Interestingly, the 2007 Comprehensive Plan noted that the land area devoted to *Executive Office/Research Lab* uses had already decreased by 41 acres (67%) between 2007 and 1977. A harbinger of things to come.

Since the 2007 Comprehensive Plan, three major corporate tenants have moved out of the Village. These corporations occupied a majority of the land area previously devoted to *Executive Office/Research Lab* uses in the B/BT districts (Philips Labs – 97 acres, Sony – 9.4 acres and Mearl – 16.8 acres. A total of 123.2 acres).

In 2007, all commercial uses comprised 4.7% of the Village land use, today that number has decreased to approximately 3.0%.

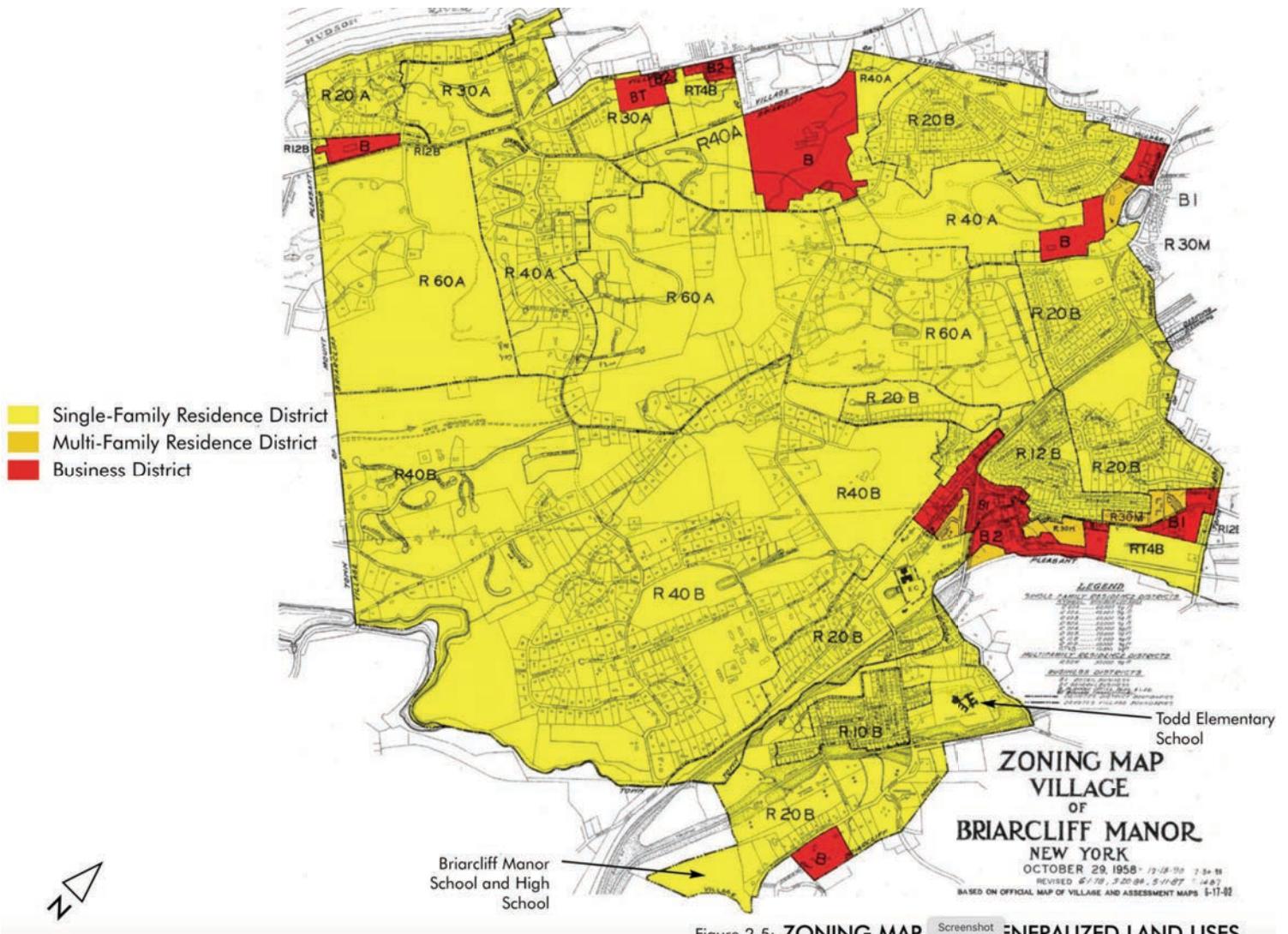
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<sup>1</sup> Parcels owned by the corporations, but not developed or vacant (another 62.4 acres) were not included in the total land area identified in the 2007 Comprehensive Plan.



Source: BJF

Scale: As Shown	B & BT Zoned Parcels	Figure 1
 Cleary Consulting		



*Source: Village of Briarcliff Manor*

Scale:  
N.T.S.

**Official Map - Circa 1990's**

W N  
S E

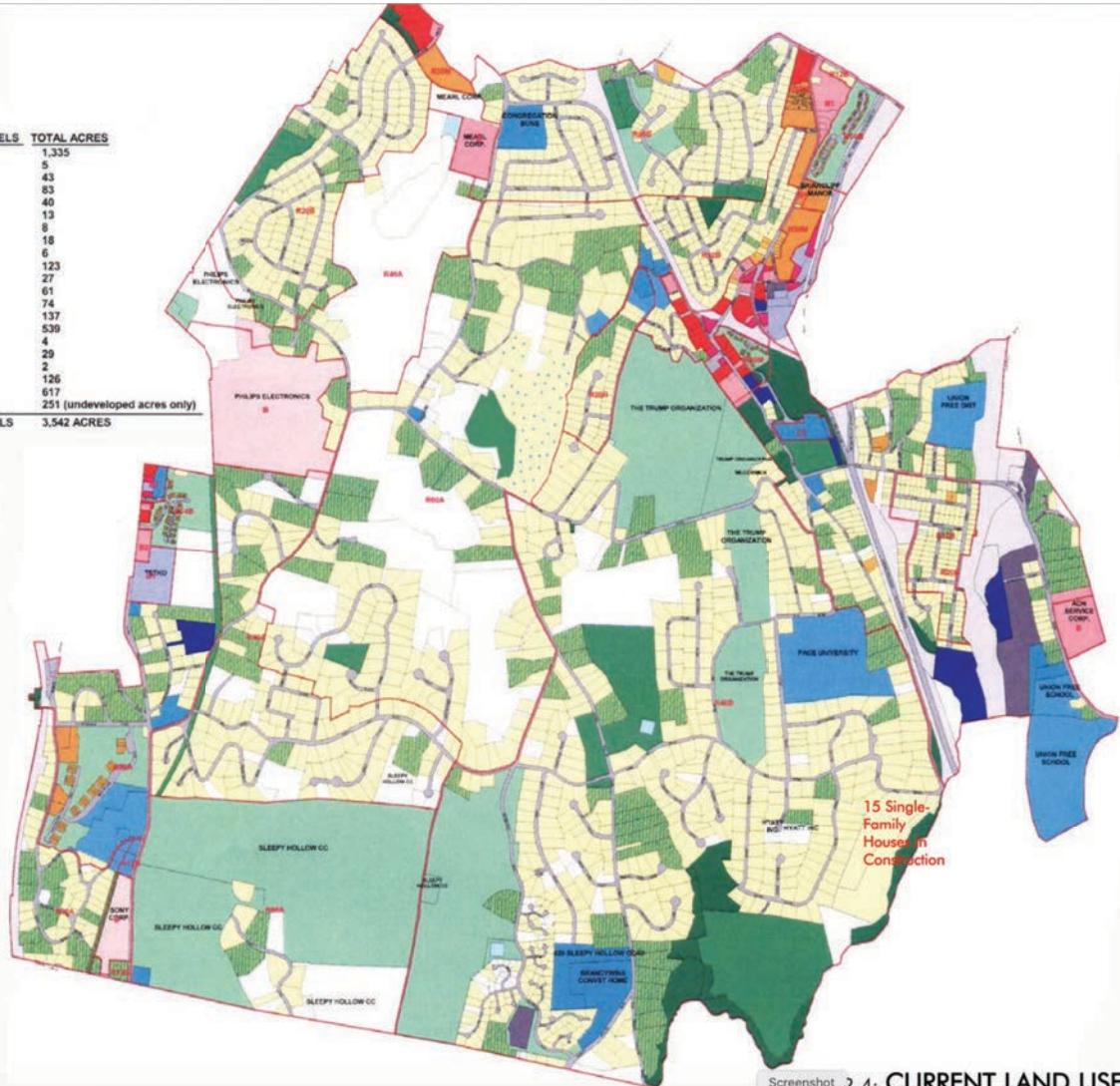
Figure  
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### Legend

■ Parcels  
■ Zoning District Boundaries

#### LAND USE CATEGORIES (1998 - 2004 data)

	TOTAL PARCELS	TOTAL ACRES
Single-Family Residence	1,690	1,335
Two-Family	16	5
Multifamily	260	43
Executive Office/Research Laboratory	2	33
Business/Professional Office	25	40
Retail/Service	9	13
General Commercial	21	8
Light Industry	8	18
Automotive	12	6
Public/Private School	12	123
Public Institution	10	27
Private Institution	17	61
Public Open Space	19	74
Public Rec/Active Recreation	14	137
Private Recreation	20	539
Watershed	5	4
Public Utility	7	29
Public Parking	3	2
Streets & Highways	27	126
Undeveloped	186	617
Oversized Single-Family Lots	173	251 (undeveloped acres only)
TOTALS	2,536 PARCELS	3,542 ACRES



Source: BJF

Scale:  
N.T.S.



## Comprehensive Plan Land Use Map



Figure  
3

**III. COMPREHENSIVE PLAN – B/BT DISTRICT ADDENDUM:**

Recognizing that the 2007 Comprehensive Plan did not adequately address the consequences of the loss of the B/BT uses, an Addendum to the Comprehensive Plan was adopted in 2017.

The Addendum revised the language regarding the existing condition of the B/BT parcels, incorporated provisions recognizing the changing market conditions, and emphasizing that any reuse of the sites must take into consideration existing neighborhood conditions, infrastructure limitations, traffic impacts, environmental constraints etc. The Addendum emphasized the need for flexibility in any proposed zoning amendments and included a list of potential additional uses that should be considered, as follows:

- Multi-Tenant Office
- Biomedical
- Medical/Dental Office
- Self-Storage Facilities, located on a County or State road
- Retail/Shopping Center, located on a County or State road
- Hotel, located on a County or State road
- Light manufacturing – of appropriate type and located on a County or State road
- Mixed-Use developments, in appropriate locations
- Single-Family Residential
- Multi-Family Residential, with an appropriate scale and density

A new goal for the business districts was added:

*“Provide an appropriate level of flexibility of use, bulk and density to allow for appropriate and sustainable redevelopment and/or reuse of the Villages B/BT zoned properties.”*

**IV. B ZONE ADVISORY COMMITTEE REPORT:**

The 2017 B Zone Advisory Committee Report was a thorough, well considered and articulated summary of the issues facing the B/BT zones and included a series of specific recommendations (attached as Appendix C).

This report builds on the work of the B Zone Advisory Committee, and provides a more in-depth assessment of the potential zoning solutions for the B/BT parcels.

**V. A GENERAL APPROACH OUTLINED:**

The Village has advanced the exercise of addressing the B/BT zone “problem” through formal actions such as the Comprehensive Plan Addendum, and through the work of the B Zone Advisory Committee. These efforts all point toward the need to modify the antiquated and ineffectual zoning governing the B and BT zones. Defining the precise

manner to modify this zoning is the subject of this study, and is being accomplished under the umbrella of a temporary moratorium on all applications for development in the B and BT zones. An action that is necessary to ensure that undesirable uses are not considered without the benefit of a complete zoning analysis and study.

## **VI. ISSUES TO CONSIDER:**

The B Zone Advisory Committee Report identified many of the issues that must be wrestled with in order to solve the B/BT zoning challenge. Many bear repeating, and further commentary and other issues are also necessary to consider.

### **1. Existing Land Use Pattern**

All 5 B/BT sites are predominately surrounded by residential uses. They all tend to be somewhat isolated, with 333 Albany Post Road, 600 Albany Post Road and 555 Pleasantville Road having some relationship to near-by non-residential uses.

This represents something of a land use challenge, as the prior uses were in many ways one-off's, and not part of a broader, identifiable pattern of land use. If surrounding land use were used as precedent, all five sites would likely revert to support residential use. Such an outcome would undermine the Village's commercial tax base, and ability to attract appropriate commercial uses.

Plugging these gaps in the Village's pattern of land use is therefore dependent upon a number of additional factors, beyond the surrounding pattern of existing land use, as more fully described below.

### **2. Commercial Tax Base**

The abandonment and/or under-utilization of the five commercial properties are not, in and of themselves, detrimental to the predominantly residential character of the community. The impact is of course, related to the erosion of the tax base, loss of jobs and economic activity.

Given the fact that so little of the Village supports commercial uses (approximately 5% of the land in the Village is zoned for commercial use, and approximately 3% of Village's land use consists of commercial uses), the loss of any commercially zoned property is consequential.

### **3. Site Context**

Land use is but one component in the overall context of a parcel of land. Natural features and environmental constraints, access and available infrastructure has a significant impact.

Access is one factor by which the 5 sites can be distinguished. State and County roads are thoroughfares capable of accommodating higher volumes of traffic,

when compared to local roads. This fact reinforces the assumption that higher density developments can be accommodated if located along a County or State roadway. Of the 5 B/BT sites, 3 are located on a County or State Road:

- 333 Albany Post Road (US Route 9)
- 600 Albany Post Road (US Route 9)
- 555 Pleasantville Road (CR 401)

**4. Prior Use Impact Thresholds:**

While finding new uses or “repurposing” a site that supported a prior use is challenging, importantly, each site already has a development footprint – not only relating to the physical footprint of a building, parking lots and associated site improvements, but also one related to its use and operation - in terms of traffic trip generation, the provision of off-street parking, water demand, wastewater generation, etc.

Appendix A identifies the peak use operation footprint for each site, which serves as a baseline for analyzing future potential uses. Additionally, Appendix A also includes a build-out projection for each site, which documents the amount of additional gross square footage that could be constructed under existing development regulations.

**5. Impact on Municipal Services:**

All land uses are not the same when it comes to the demand on municipal services. The prior laboratory uses may have had unique Fire Department requirements. New uses, such as an assisted living facility, may place more of a demand on EMS services. Approval criteria can be developed that include, but are not limited to mandatory fire protection measures, fire and emergency service access and circulation measures, hydrant locations, site security measures, solid waste and medical waste collection, etc.

**6. Preservation of Open Space:**

In addition to historically providing the majority of the Village’s large-scale commercial use, the 5 sites in the B/BT zones were uniquely developed as attractive corporate campuses that encompassed in some cases, large areas of open space. This open space serves multiple purposes, from preserving existing wildlife habitat, protecting larger tracts of wooded areas including larger specimen trees, facilitating stormwater recharge, and establishing a character that is unique to Briarcliff. Open space should be recognized as a valued resource, and regulated accordingly, and not haphazardly as a left-over by-product.

## **VII. WESTCHESTER'S REPURPOSING TREND:**

The current building phase of development occurring throughout Westchester County reflects a return to traditional development patterns (Transit Oriented Developments in the downtowns surrounding train stations), and the reclamation and repurposing of office and R&D facilities that moved out to the suburbs to escape New York City's problems in the second half of the twentieth century. The ebb tide of recent decades returned many corporate uses to New York City, leaving the ageing, technologically antiquated suburban office parks in perilous straits.

Recently, suburban areas have again gained popularity with certain uses. The repurposing of sites that were formally the commercial cornerstones of many Westchester communities, have once again become economically viable. Some examples:

- Rivertown's Square, Dobbs Ferry (mixed use development, retail theater, fitness and residential) – former Akzo Nobel office and laboratory.
- Boyce Thompson, Yonkers (mixed use development, restaurants, retail office, ambulatory care) – former plant research institute.
- Chappaqua Crossing, Chappaqua (mixed use development, retail, restaurant fitness and residential) – Former Readers Digest headquarters
- Edge on Hudson, Sleepy Hollow (mixed use development, hotel, retail main street, office, over 1,000 residences) – former GM assembly plant.
- Carraway, Harrison (421 apartments, restaurant) – 2 former Platinum Mile office buildings
- Lifetime Fitness, Harrison (Health club) – former Gannett newspaper office and printing plant
- Wegmans Supermarket, Harrison (125,000 sq ft Supermarket) – 3 former Platinum Mile office buildings
- 19 Skyline Drive, Hawthorne (New York Medical College) – former office building
- 555 White Plains Road, Tarrytown (Self-storage, fitness) – former office building
- Memorial Sloan Kettering, Harrison (Cancer treatment center) – former Verizon building.

- Fordham University, Westchester Campus, Harrison (University) – former Platinum Mile office building

In addition, a significant amount of general office space has been converted to support medical uses and ambulatory care facilities, including facilities for WestMed, Scarsdale Medical Group, Montefiore Hospital, Hospital for Special Surgery among others.

### **VIII. EXISTING B AND BT ZONING:**

The existing B – Planned Office Building and Laboratory zoning district and the BT – Business Transitional zoning district, share a number of elements, including the list of permitted uses, which are as follows:

#### **Permitted Principal Uses:**

- Office building
- Research laboratory

#### **Permitted Special Permit Uses:**

- Multiple tenant office building
- Wireless telecommunication service facilities

#### **Permitted Accessory Uses:**

- Private garage or parking area
- Signs
- Multiple tenant uses
- Dwelling spaces for caretakers, watchmen, etc.
- Residential guest facilities, for transient visitors to a principal office or research lab use.
- Maintenance shops, gate houses, enclosed storage facilities, transformer stations and buildings housing mechanical equipment.

These uses are regulated by the following zoning controls:

<b>Table 1</b> <b>B &amp; BT Zoning Regulations</b>									
Zone	Lot Area	Lot Width	% of Lot Occupied	Front Yard	Side yard	Side yard (both)	Rear Yard	Accessory Bldg. Setbacks	Height
B	400,000 sqft	100'	10%	100'	100'	200'	100'	100'	60'
BT	400,000 sqft	100'	20% of minimum 10% of remainder	100'	100'	200'	100'	100'	40'

Of the 5 sites addressed in this study, all meet the applicable B or BT zoning regulations, with the exception of 600 Albany Post Road, where the existing building does not comply with front and rear yard setbacks. The North Building at 555

Pleasantville Road actually straddles the lot line between the two parcels that comprise the site, but as both parcels are in common ownership, it is understood that the two parcels have been merged for the purposes of zoning.

**IX. REEVALUATING PERMITTED USES:**

In light of the recognition by the Village that the parcels in the B/BT zone are under-utilized, and cognizant of the repurposing trend occurring across the County, expanding the array of permitted uses in the B and BT zone has not only become obvious, but a necessity.

**BT – Business Transition District:**

First, it is necessary to determine if the permitted uses in the B and BT zones should remain identical.

The Village supports 4 B zoned parcels and only one BT zoned parcel (333 Albany Post Road). As documented more thoroughly in the Individual Site Analysis in Appendix A, all 4 B zoned sites are located primarily in residential areas. 333 Albany Post Road on the other hand, is located along a heavily developed commercial corridor, and while residential areas abut the site to the south, it is clearly part of a logical progression and transition to the commercial areas located to the north.

***Recommendation:***

- ✓ De-couple the permitted uses of the B and BT zoning districts.

While 333 Albany Post Road supports a viable use (a data center), and its previous use was a medical instrument company, it exhibits characteristics that make it attractive for redevelopment. The existing B/BT uses are fairly limited, and do not take into account the site's situation along the Post Road's commercial corridor. Expanding the permitted uses at this site, in a manner consistent with the balance of the corridor, while respecting adjacent residential uses, is logical.

***Recommendation:***

- ✓ Add to the list of permitted uses for the BT district – “Any principal use permitted in a retail business district and subject to the same requirements.”

**B - Planned Office Building and Laboratory District:**

The 4 sites in the B district share certain common characteristics, but are also quite different – perhaps most importantly with regard to their relationship to surrounding properties and neighborhoods. As a result, uses that may be acceptable in one area, may not be suitable in another.

In 2017-2018, BFJ evaluated possible amendments to the B/BT district to accommodate single-family residential and multi-family residential uses. The BFJ study recommended that the density parameters of adjacent residential zones to be carried onto the B/BT zoned parcels. No other uses were contemplated in their analysis. Under this approach, the following residential development was envisioned<sup>2</sup>:

- 320 Old Briarcliff Road – 94 multi-family units
- 600 Albany Post Road – 81 multi-family units
- 555 Pleasantville Road – 87 multi-family units
- 345 Scarborough Road – 95 single-family units

In total, 357 new residential units were envisioned.

This represents one approach to potentially redeveloping the 4 B zoned parcels. Section X. below offers alternate approaches to considering only residential development.

Furthermore, virtually all of the prior work by the Village expressed a clear preference and desire to preserve the commercial opportunities (and tax base) of the B/BT zoned parcels. Therefore, this study includes non-residential uses as well.

As noted in Section III. above, the Comprehensive Plan Addendum recommended that the following uses be considered in the B/BT districts.

- Multi-Tenant Office
- Biomedical
- Medical/Dental Office
- Self-Storage Facilities, located on a County or State road
- Retail/Shopping Center, located on a County or State road
- Hotel, located on a County or State road
- Light manufacturing – of appropriate type and located on a County or State road
- Mixed-Use developments, in appropriate locations
- Single-Family Residential
- Multi-Family Residential, with an appropriate scale and density

This list remains useful today, but requires refinement to reflect changing market impacts, conditions and land use trends.

First, the medical/dental office use needs clarification. The consequences of the Affordable Care Act, insurance company limitations and restrictions on the length of hospital stays and the consolidation trend of small practitioners into larger medical

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<sup>2</sup> The analysis excluded 333 Albany Post Road, as it was identified as an occupied commercial use.

groups based on a hospital, has shifted many procedures from hospitals to outpatient, ambulatory facilities. As such, the traditionally understood medical/dental office use has expanded greatly, requiring new definitions.

Secondly, as the well documented “retail apocalypse” continues to change the face of our shopping centers, malls and downtowns, the traditional “retail” land use definition must also change. First-class retail uses will survive in viable, strong locations. However, secondary markets with geographic impediments, and second rung tenants will become increasingly challenged. Many communities that do not support prime retail market areas are retrenching and consolidating their retail cores. Additionally, many communities are moving to incorporate “experiential retail.” Under this model, retail uses are combining with various activities to provide a broader retail experience. For example, a traditional kitchen/cookware retailer now offers cooking classes where students can purchase the utensils used in the class. An athletic footwear store provides a small basketball court where sneakers can be sampled. A pet store offers dog obedience classes, etc.

Traditional retail spaces are also being utilized for active experiential uses. Note the prevalence of fitness clubs, personal training facilities, cigar lounges and even the extreme examples of axe throwing and rock-climbing businesses (which slip into the retail classification by selling gear and souvenir type paraphernalia).

In these instances, traditional retail zoning provisions, off-street parking requirements, etc., are no longer applicable, and require fresh approaches to zoning regulation.

Again, the Comprehensive Plan Addendum identified a number of potentially viable uses, however since the time of the adoption of the Addendum, additional uses have come into play. Based on a survey of recent repurposing projects in the County, conversations with real estate professionals, and the experiences in other communities, the following uses have been most active in seeking locations in the region:

- Mixed-use developments
- Assisted living facilities
- Highly amenitized rental apartments targeted to empty nesters and millennials
- Self-storage facilities
- Institutional uses
- Medical office, out-patient and ambulatory care facilities
- Hotel
- Conference center/event space
- Fitness club, training facilities
- Biotech facilities
- Experiential retail uses

A number of these uses overlap those recommended in the Addendum.

**X. TARGETING USES:**

Not all of the potentially viable uses noted above are appropriate in the B zone, or if appropriate in some areas, perhaps not uniformly throughout all of the B zoned areas.

Based on the Individual Site Analysis included in Appendix A, the following uses are suitable for consideration at the various B/BT sites.

**1. 345 Scarborough Road:**

This is the largest of the B/BT zoned properties, contains significant environmental constraints, and is surrounded by low-density residential uses, and is accessed from a collector street (not an arterial roadway). Unless access is created through the adjacent properties to the west to the Albany Post Road, re-use of this site should reflect the residential nature of the surrounding neighborhoods as a primary use.

Potential uses:

- Single family residential
- Low density multi-family residential
- Mixed-use developments
- CT assisted living facility
- CT townhouse development
- Places of worship
- Institutions of higher learning
- Nursery school
- R&D, biomedical and biotech facilities
- Data storage
- Conference center/event space
- Wireless telecommunication services facility

**2. 600 Albany Post Road:**

This site is well situated to accommodate a broader array of potential uses. It has direct access from the Albany Post Road, which is a major arterial roadway, and is located in an area where the land use varies. Redevelopment also represents an opportunity to correct existing inadequate drainage conditions. This site is also adjacent to the Old Croton Aqueduct.

**Recommended Potential Uses:**

- Office
- R&D, biomedical and biotech facilities
- Mixed-use developments

- Highly amenitized apartments
- Self-storage facilities
- Museum or art gallery
- Nursery schools
- Medical office, outpatient and ambulatory care facilities
- Conference center/event space
- Clubs, lodges and recreational facilities
- Fitness club, training facility
- Retail, shopping center
- Light manufacturing uses
- Wireless telecommunication services facility

**3. 320 Old Briarcliff Road:**

The northwestern portion of this site exhibits significant environmental constraints, and Old Briarcliff Road is only a collector street, so high traffic volumes could not be supported at this location. The adjacent intersection also exhibits limitations that impact traffic operating conditions. However, a degree of land use variability exists in the area, and the site's proximity to the Chilmark Shopping Center and the nearby commercial uses, suggest that a broader array of uses may be suitable at this site.

Any modification to the zoning of this site should be cognizant of the very large vacant property adjacent to, and to the south – and the precedent modifying the zoning of this site would create vis-a-vis the adjacent property.

**Recommended Potential Uses:**

- Single family residential
- CT townhouse development
- Places of worship
- Institutions of higher learning
- Nursery school
- Office
- R&D, biomedical and biotech facilities
- Mixed-use developments
- Highly amenitized apartments
- Light manufacturing uses
- Wireless telecommunication services facility

**4. 555 Pleasantville Road:**

This site supports the Briarcliff Corporate Campus, and while underutilized, it is occupied and viable. While complete redevelopment of the site is a possibility and should not be foreclosed, the more likely scenario is the reuse of the existing buildings to accommodate new or additional uses.

**Recommended Potential Uses:**

- Office
- R&D, biomedical and biotech facilities
- Mixed-use developments
- Self-storage facilities
- Medical office, outpatient and ambulatory care facilities
- Hotels
- Conference center/event space
- Fitness club, training facility
- Light manufacturing uses
- Places of worship
- Institutions of higher learning
- Clubs, lodges and recreational facilities
- Hospital
- Nursery schools
- Museum or art gallery
- Wireless telecommunication services facility

**5. 333 Albany Post Road:**

This site in the B/BT zones is fully occupied by a data center, which is a very low impact use. However, it is also one of the two sites on the Albany Post Road that is well situated to accommodate a broader array of potential uses. The pattern of land use intensifies to the north (into the Village of Ossining) justifying an expansion in permitted uses.

**Recommended Potential Uses:**

- Any principal use permitted in a Retail Business District, and subject to the same bulk, area and dimensional requirements.

**XI. COMMENTARY ON OFFICE, R&D AND BIOTECH USES:**

The collapse of the Westchester office market devastated the B/BT zones in Briarcliff. The logical impulse to abandon these office and R&D uses in search of more viable uses is obvious. However, it is important to bear in mind the inroads made by the biotech field in the County – particularly in areas quite close to Briarcliff.

Most notably, Regeneron's remarkable growth at the Eastview Campus (the former Union Carbide headquarters) that straddles the Greenburgh and Mount Pleasant municipal boundary, and elsewhere has been breathtaking. Regeneron recently purchased the Eastview Campus, and occupies 80% of the space in that campus. They have also purchased the adjacent 100-acre parcel in Greenburgh and plan to construct another 9 buildings. Regeneron, and other companies, such as Acorda Therapeutics in Ardsley have established this portion of the County as a biotech hub.

Additionally, 3 million square feet of biotech and supportive space is proposed on property owned by Westchester County, north of the Medical Center in Valhalla, known as the “North 60.” It is anticipated that this development will firmly anchor the burgeoning biotech industry in the County.

The question raised by all of this specialized development is, will it generate further demand for additional office, R&D and biotech space (creating a focus for new demand for the B/BT sites), or will it isolate all the demand to existing locations like Eastview and the North 60.

Unfortunately, this question will not be answered for years to come. But it is an important consideration in the Village’s decisions regarding the ultimate disposition of the 5 existing office and R&D campuses.

## **XII. MODIFYING THE B AND BT DISTRICTS:**

The B - Planned Office Building and Laboratory zoning district was crafted to accommodate large office and laboratory campuses. The loss of those facilities has triggered this exercise to repurpose those sites to new and perhaps previously unanticipated uses. New zoning is necessary, and jerry-rigging the existing B zoning is clearly inadequate. A zoning district’s designation should accurately reflect the uses allowed within the district.

### ***Recommendation:***

- ✓ In recognition that the B zone will be expanded to accommodate a broader range of uses beyond the old office and lab uses, rename the district from “B - Planned Office Building and Laboratory” to “Complementary Use Transition” designated as “CT.” A new letter designation is recommended to distinguish the existing “B” designation – which implies a *business* focus, from the new “CT” designation, which allows for a broader range of uses, including residential and institutional uses.

As this study recommends preserving the BT district, utilizing a similar naming taxonomy is logical. BT and CT share a classification unity. The name “Complementary Use Transition” embraces several planning principals – that new uses must be *complimentary* with surrounding uses, and by virtue of this, they create a logical transition among zoning districts.

### ***Recommendation:***

- ✓ As each of the 4 B zoned sites are distinct, warranting separate, independent zoning controls, differentiate the new Complementary Use Transition - CT zoning district into 4 subdistricts, defined as CT-1, CT-2, CT-3 and CT-4.

These districts correspond to the following sites (Figure 4):

- CT-1 – 345 Scarborough Road
- CT-2 – 600 Albany Post Road
- CT-3 – 320 Old Briarcliff Road
- CT-4 – 555 Pleasantville Road

The BT zone is unique, and in fact covers only a single parcel in the Village. Because of this, the BT district zoning designation can remain intact as a stand-alone district, covering the 333 Albany Post Road site.

**Recommendation:**

- ✓ Revise §220-6 M. of the Village's Zoning Code as follows - “Special Use in a ~~Planned Office Building and Laboratory B District~~ **Complementary Use Transition CT District** - or a Business Transitional BT District.”

**Recommendation:**

- ✓ Delete §220-6 M. (1) of the Village's Zoning Code as this section refers to the conversion of a single tenant office use to a multiple tenant office use. As no single tenant office uses remain in the B or BT zones, this provision can be eliminated.

**Recommendation:**

- ✓ Insert new Special Permit standards in place of §220-6 M. (1), as established in section XIII. A. 1 – 9 below.

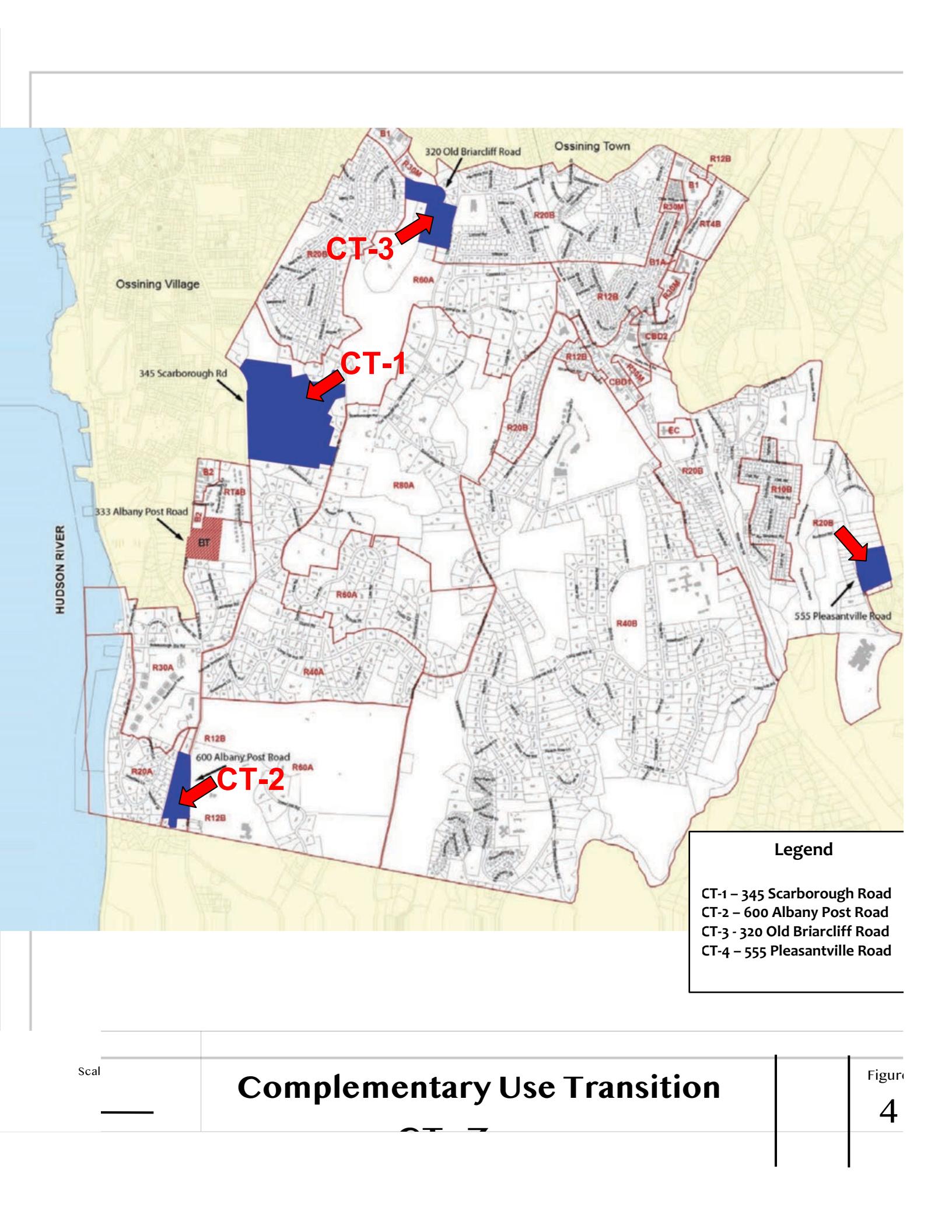
Currently, §220-5 governing the Planned Office and Laboratory District includes a section (§220-5 B.) which sets forth procedures for amendments to the Village Zoning Map to “place any lot or tract of land in the Planned Office and Laboratory District.” As the purpose of this exercise is to repurpose and salvage the existing B zoned sites, specific provision to create *additional* B zoned sites are unnecessary. Moreover, the Comprehensive Plan Addendum and the B Zone Advisory Committee Report both recommended limiting the extent of the existing B zones.

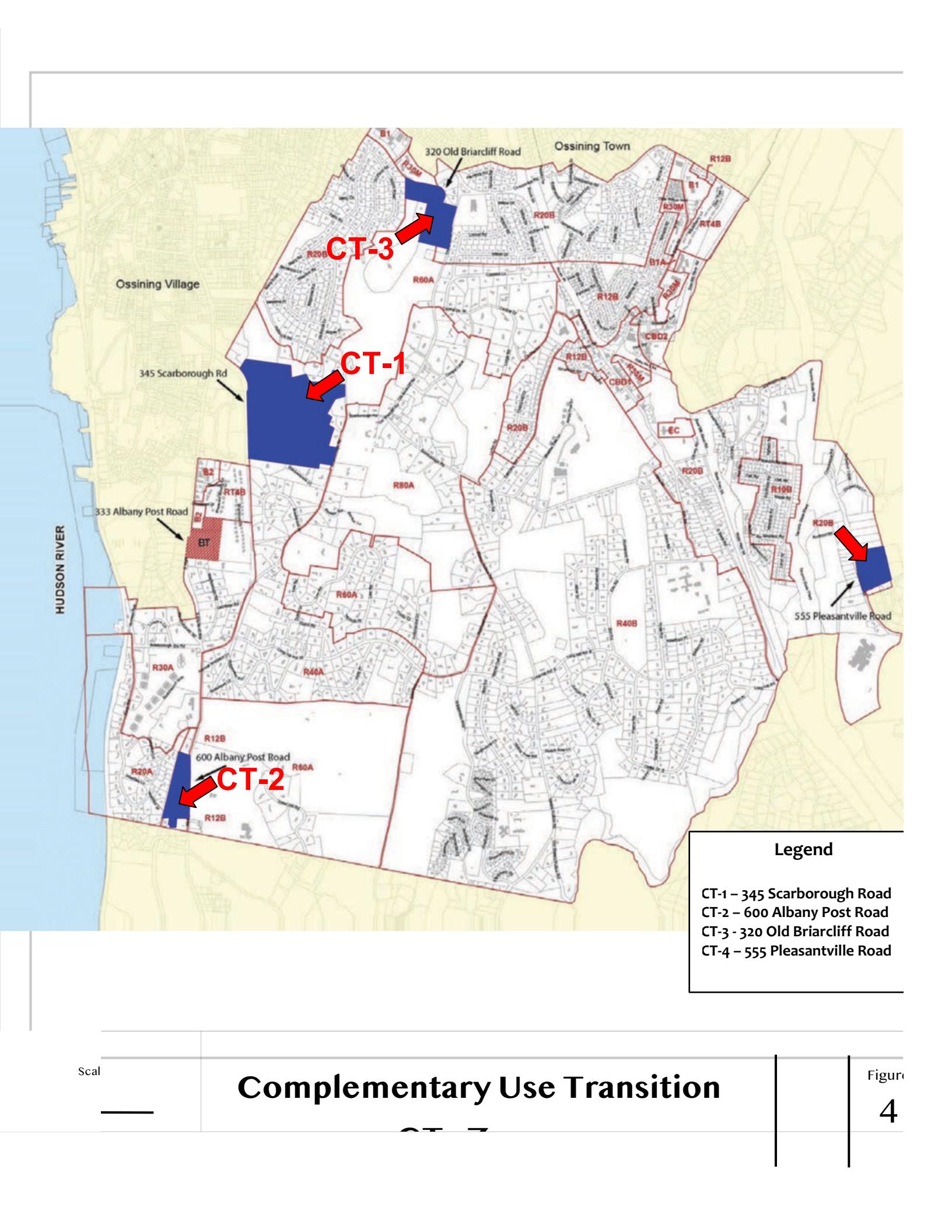
**Recommendation:**

- ✓ Delete §220-5 B. which established procedures for rezoning property to the B zone.

**XIII. NEW CT DISTRICT ZONING REGULATIONS:**

Not only do each of the 5 sites in this study warrant a different array of possible uses – each of those uses require different types of zoning regulations and dimensional and bulk controls. For example, the front yard setback for a mixed-use development would be very different than that for a single-family home.





**Recommendation:**

- ✓ Replace “B” with “CT” in §220, Attachment 4.

All new uses in the CT districts would all be classified as “Special Permit Uses” subject to approval by the Village Board, and not “Permitted Uses” that are allowed as-of-right. As such, new Special Permit criteria is required.

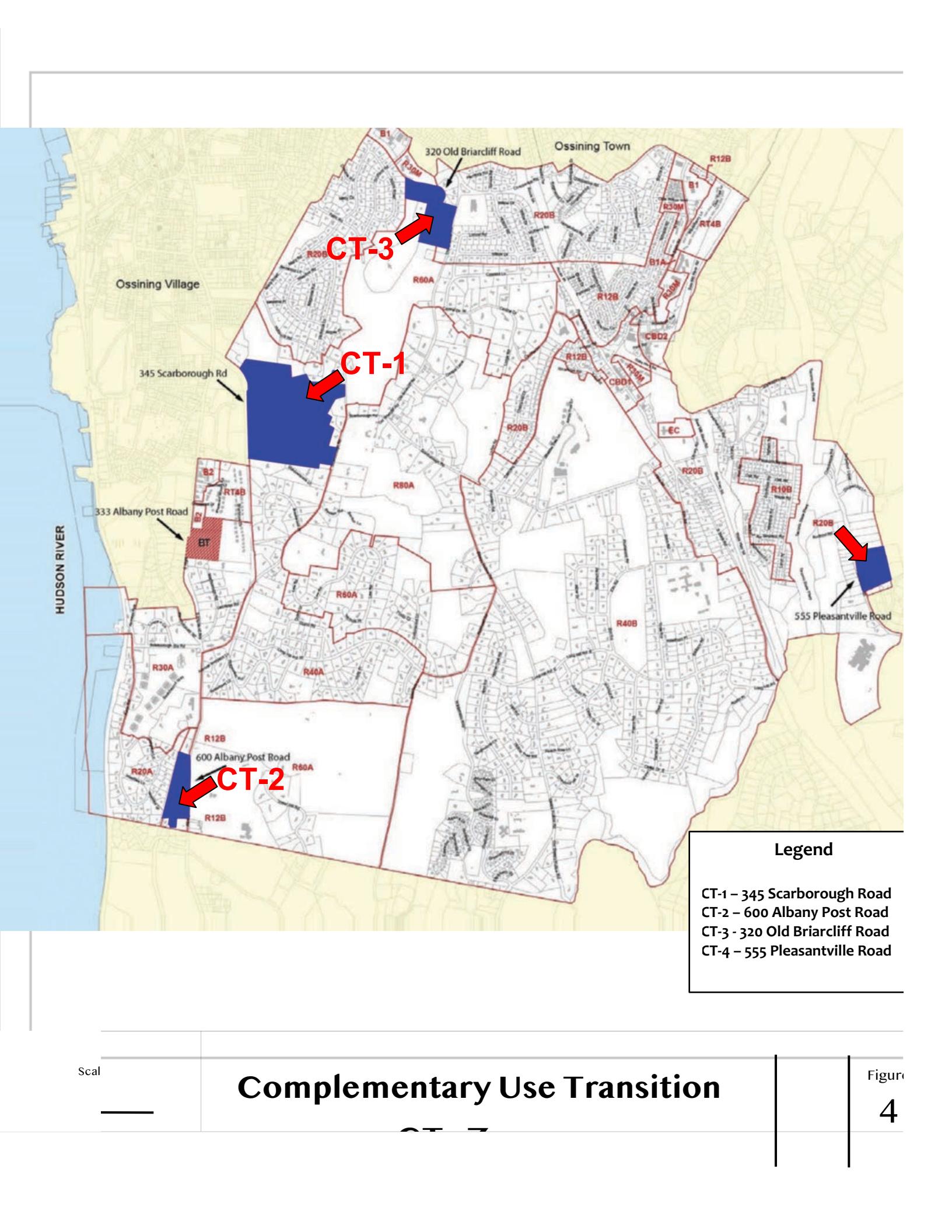
Two sets of Special Permit criteria are recommended. The first relates to more general criteria applicable to all sites in the B (proposed CT) district. The second set of criteria is more explicit and relates to specific uses and sites.

**A. Special Permit General Criteria Applicable to all CT Districts:**

Recommended Special Permit General Criteria applicable to all CT districts. These criteria can be inserted at §220-6 M. (1) where the existing conversion of single tenant to multi-tenant provisions are recommended to be deleted. The review of these criteria would be made part of the application process.

**§220-6 M. Special uses in Complementary Use Transition CT zoning districts.**

- (1) In all Complimentary Use Transition CT districts, the following special permit general criteria shall apply:**
  - a) The use will not prevent or substantially impair either the reasonable and orderly use of the reasonable and orderly development of other properties in the neighborhood.
  - b) The health, safety, welfare, comfort, convenience and order of the Village will not be adversely affected by the proposed use.
  - c) Such use will be in harmony with and promote the general purposes and intent of this chapter.
  - d) The site is particularly suitable for the location of such use in the community.
  - e) The site area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation thereof.
  - f) A marketing study shall be provided demonstrating that a viable and robust market exists for the proposed use.



- g) An infrastructure and utility study shall be provided demonstrating that the infrastructural and utility network serving the site is in good working order, and that adequate capacities exist to support the proposed use. This study shall include an Inflow and Infiltration (I&I) analysis, and shall document how I&I will be reduced by a 3:1 ratio, either on or in the immediately vicinity of the site, or elsewhere in the Village.
- h) A traffic study shall be provided documenting existing traffic operating conditions in the vicinity of the site, potential traffic related impacts of the proposed use, and necessary mitigation measures. This study shall include measures to enhance public transit to and from the site.
- i) A municipal service impact study shall be provided, documenting impacts of the proposed use on municipal services.
- j) No Special Permit use shall be permitted that creates an opportunity to assemble additional parcels, thereby expanding the use to adjacent properties, unless such use is already permitted on the adjacent property, or the assembled property historically operated as a single use.
- k) Environmentally constrained areas, consisting of slopes above 25%, wetlands and wetland buffers, streams and bodies of water, shall be deducted from the buildable area of any parcel being considered for a Special Permit. The Village Board may allow for environmentally constrained lands to be restored to the buildable area of a parcel, if an environmental resource mitigation plan is provided which documents specific mitigation measures, protection techniques, restoration or rehabilitation methods, either on or off-site, that adequately protects the environmental resource.
- l) Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within required parking lots or within the required minimum front yard. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.
- m) Parking areas shall be designed to avoid the impression of large-scale paved areas. Parking stalls shall not be located within the minimum front yard, or within 50' from any property line. All parking areas shall be screened and buffered by landscaping. A minimum 10' landscaped strip shall abut all parking areas, consisting of staggered evergreen plantings. Additionally, landscaped islands shall be

provided in all parking lots containing 25 or more spaces, at a ratio of 15 square feet per parking space. This landscaping shall include shade trees to reduce the heat island effect resulting from large paved areas. To reduce impervious surface coverage, pervious pavers may be utilized in less heavily trafficked portions of the parking lots, but not in travel aisles, subject to the approval of the Village Board

## **B. CT District Criteria for Specific Uses:**

It is noted that §220-6 (Special Permit Uses) includes specific regulations for certain uses, which in every case are limited to residence districts. The proposed CT zones allow for residential and non-residential uses, so those provisions established in §220-6 J would not apply. As a result, additional Special Permit criteria are required for the various uses that would be allowed in the new CT district:

### **1. Single-Family Residential and Low-Density Multi-Family Residential**

The recommended Special Permit provisions advanced by BFJ in 2017 and the density blending approach addressed by the B Zone Committee presents a logical method of regulating single family and multi-family residences in the B/BT zones. However, given that a broader array of uses may also be appropriate, an alternative approach may be warranted.

The zoning approach recommended herein simplifies the BFJ and B Zone Committee approach by utilizing the lowest density of the adjacent residential zoning, coupled with new Special Permit regulations, standards and restrictions.

**Recommendation:**

- ✓ It is recommended that wetland areas and water bodies also be deducted from the density yield.

Given the physical characteristic of the B zone sites, cluster subdivision is the preferred method of subdividing the properties, in order to minimize environmental impacts and preserve open space.

**Recommendation:**

- ✓ All subdivision applications for residential use shall be required to submit a cluster subdivision alternative as well – even if the desire is the development a conventional subdivision. The Village will then determine the viability of the cluster plan.

**2. Office and R&D Facilities**

The optimum outcome for the Village would be for all 5 sites to be reused in a similar manner to their previous uses. Unfortunately, the Village has had virtually no success in this regard. However, as noted above in Section XI, the rapid evolution of the biotech field in the County offers some hope that biotech and R&D type uses may return to one or more of these sites. As a result, eliminating these uses is imprudent and unnecessary.

**Recommendation:**

- ✓ It is recommended that the existing 3 permitted uses in the B zone (Office Building, Research Laboratory and Multi-Tenant Office), remain intact.

**3. Biomedical/Biotech Facilities**

Biomedical and biotech facilities are often included within the Research Laboratory zoning use classification. However, the Definition section of the Zoning Code (§220-2) includes an explicit definition for a Research Laboratory, which appears to have been created with computer and electronics applications in mind, and does not necessarily precisely align with biomedical and biotech uses. This can be addressed by a modification to the existing Research Laboratory definition.

**Recommendation:**

- ✓ Amend the Research Laboratory definition as follows:

*Research Laboratory – A building for experimentation in pure or applied research, design, development and production of prototype machines or devices, or of new products and uses necessary thereto; wherein products are not manufactured or assembled primarily for wholesale or retail sale wherein commercial servicing or repair of commercial products is not performed, and where there is no display of any materials or products for sale, and any technological application that uses biological science and systems, living organisms, genetics or derivatives thereof, to make or modify products or processes for specific use or to treat or prevent diseases.*

**4. Mixed-Use Developments:**

Mixed-use development incorporates residential use with various non-residential uses. Mixed-use development may be appropriate on 4 of the 5 sites; however, their development requires additional regulation.

**Recommendation:**

- ✓ Limit non-residential commercial uses to smaller scale operations that would support the residential component of the development (such as convenience retail, service or food/restaurant uses), and not uses that would detract from or compete with local shopping districts.

**Recommendation:**

- ✓ The off-street parking requirement for the non-residential uses be reduced from that required in §220-12, to reflect the fact that most customers would reside in the development.

**5. Highly Amenitized Rental Apartments Targeted to Empty Nesters and Millennials**

The multi-family development discussed in #1 above, as well as the residential component of mixed-use developments discussed in #4 above, can be regulated in such a way to encourage their occupancy by empty nesters and younger individuals just entering the housing market (or electing to reside in an apartment setting).

The obvious advantage of this housing type is the reduced impact on the school system, and the corresponding reduction in the demand on municipal services.

**Recommendation:**

- ✓ The following special permit provisions are recommended:
  - No more than 10% of the units shall consist of 3 or more bedrooms.
  - A minimum of 10% of the building's gross floor area shall be devoted to interior amenity space.
  - No outdoor children's play apparatus shall be permitted.
  - Individual interior secure storage spaces shall be provided at a ratio of 50 square feet per dwelling unit.

**6. Self-Storage Facilities:**

The recent construction of new apartment developments in the region, has resulted in a corresponding demand for self-storage facilities. Well-designed facilities can integrate into existing neighborhoods. However, old model facilities, with their orange garage doors, create obvious impacts. These uses are low intensity uses, with little municipal service demands. These uses however, require specific regulation.

**Recommendation:**

- ✓ Specific special permit provisions are recommended that address bulk and height, building appearance, maximum and minimum storage unit sizes, use restrictions, security requirements, accessibility, etc.

**7. Senior Housing Facilities:**

Senior housing facilities are typically grouped into 3 broad categories:

- Active Adult/Independent Living Facilities
- Assisted Living Facilities
- Nursing Home

**Recommendation:**

- ✓ Develop specific zoning criteria for senior housing uses; including:
  - Minimum lot area
  - Density related to beds per acre
  - Maximum occupancy cap
  - Building coverage provisions.
  - Off-street parking provisions
  - ADA accessibility
  - Open space requirements
  - Pick-up and drop off provisions

**8. Institutional Uses:**

The “institutional use” land use category is typically quite broad, and precisely which uses fall within this category varies widely from community to community. As a result, the institutional uses themselves have developed expectations regarding their use status – which can lead to misunderstandings regarding their permissibility.

While the Village’s recent experience with the departure of Pace University suggests that institutional uses may not favor the Village, the 5 B/BT sites (which are basically campus-like properties) are actually all particularly well suited to support various institutional uses. In recent years, a number of institutional uses have moved into sites throughout the region. Furthermore, institutional uses are somewhat immune to the ebb and flow of real estate cycles, suggesting that these uses may seek to be located in the Village at any time. As a result, prudent planning requires that these uses be properly addressed.

The “Definition” section of the Zoning Code (§220-2) defines only 2 “institutional uses” (i.e. hospitals and nursery schools). The Special

Permit Uses section of the code (§220-6), identifies seven other “institutional uses”:

- Places of worship
- Institutions of higher learning
- Clubs, lodges or recreational facilities, not operated for gain
- Nursing home
- Hospital or other philanthropic institutions
- Nursery school
- Museum or art galleries

These uses are permitted in all residential zones, and by extension, in the B1, B1A, B2, CB1 and CB2 districts – or all the zoning districts in the Village, except the B and BT districts. It is therefore necessary to determine which institutional uses are suitable in the new CT districts, and to then determine if the existing Special Permit provisions of §220-6 remain applicable.

**Recommendation:**

- ✓ It is recommended that each institutional use be separately defined and established as a Special Permit use in the appropriate CT district.

**Recommendation:**

- ✓ The following presents the proposed establishment of institutional uses in the four CT zones, and the BT zone:

- CT-1:
  - Places of worship
  - Institutions of higher learning
  - Nursery school
- CT-2:
  - Clubs, lodges or recreational facilities not operated for gain
  - Hospital or other philanthropic institutions
  - Nursery school
  - Museum or art gallery
- CT-3:
  - Places of worship
  - Institutions of higher learning
  - Nursery school
  - Group home

- CT-4:
  - Places of worship
  - Institutions of higher learning
  - Clubs, lodges or recreational facilities not operated for gain
  - Hospital or other philanthropic institutions
  - Nursery school
  - Museum or art gallery

***Recommendation:***

- ✓ Specific special permit provisions for each institutional use are set forth in Appendix D.

**9. Medical Office, Out-Patient and Ambulatory Care Facilities**

The market for medical office space, and the rapid expansion of out-patient and ambulatory care facilities have been very active throughout the County. These uses have re-tenanted many vacant or underutilized office buildings, or have significantly renovated them to accommodate current medical standards.

What has become apparent is that the traditional off-street parking requirements for these uses no longer apply. These uses generate much higher trip generation rates, as the time allocated for doctor/patient visits is compressed by technological advances, or by insurance company limitations.

Currently, no specific off-street parking requirement exists in the Zoning Code for medical office uses. A provision exists for a medical use in a residence; however, that provision would not apply in this instance.

The standard office parking requirement of 1 space/250 square feet of gross floor area, or 1 space per employee as established in §220-12 C. (13) would apply. Given the experience at other medical and out-patient facilities, a higher parking requirement is necessary, or the implementation of a parking management plan, which may include valet parking. Also, medical uses that charge for parking in suburban areas (a common practice in more urban areas), have also created problems with parking.

***Recommendation:***

- ✓ Establish specific off-street parking requirements for medical office, out-patient and ambulatory care facilities. Adjust ratios to reflect more intensive trip generation patterns.

**Recommendation:**

- ✓ Allow for the provision of parking management plan to accommodate variations in parking solutions, tailored to a particular parcel – including measures such as valet parking.

**Recommendation:**

- ✓ A parking lot gate or attendant utilized to implement a payment system shall be prohibited. Payment systems are not per-se prohibited, but if utilized cannot be implemented in a manner that effects traffic flow (in-lobby pay systems may be appropriate).

**10. Hotels:**

The County has been long underserved by hotels. Ten pending applications in various communities may serve to fill this need. However, a hotel use, particularly what is known as a “boutique hotel” may be a viable use within the B/BT zones. Boutique hotels are generally smaller, one-off, luxury facilities in unique or intimate settings with full-service accommodations.

**Recommendation:**

- ✓ The following Special Permit provisions are recommended:
  - Limit the number of guest rooms to 150.
  - Limit the height to 3 stories.
  - Require an on-site restaurant.
  - Establish appropriate setbacks in the CT-1 and CT-3 districts to mitigate impacts to adjacent residential uses.
  - Off-street parking shall be located within 100' of the ground floor entrance.

**11. Conference Center/Event Space**

A small-scale conference center, or specialty event space is a use that has been successful in re-occupying former office sites. Large scale facilities should be avoided. It is conceivable that this use may work in conjunction with a boutique hotel.

**Recommendation:**

- ✓ The following Special Permit provisions are recommended:
  - Limit the square footage of the facility to accommodate modest scale events.
  - Ensure traffic generation associated with the facility is not excessive. Limit to arterial street access.

**12. Fitness Club, Training Facilities:**

Fitness clubs and training facilities have been rapidly expanding, particularly in areas where traditional retail spaces have failed. Larger scale facilities however, generate high volumes of traffic, and would not be suitable in predominately residential areas.

**Recommendation:**

- ✓ Permit Fitness Clubs and Training Facilities as a Special Permit use as follows:
  - Develop off-street parking requirements adequate to address the operational characteristics of the facility.
  - Limit outdoor training activities to designated, enclosed areas.

**13. Retail/Shopping Center and Experiential Retail Uses:**

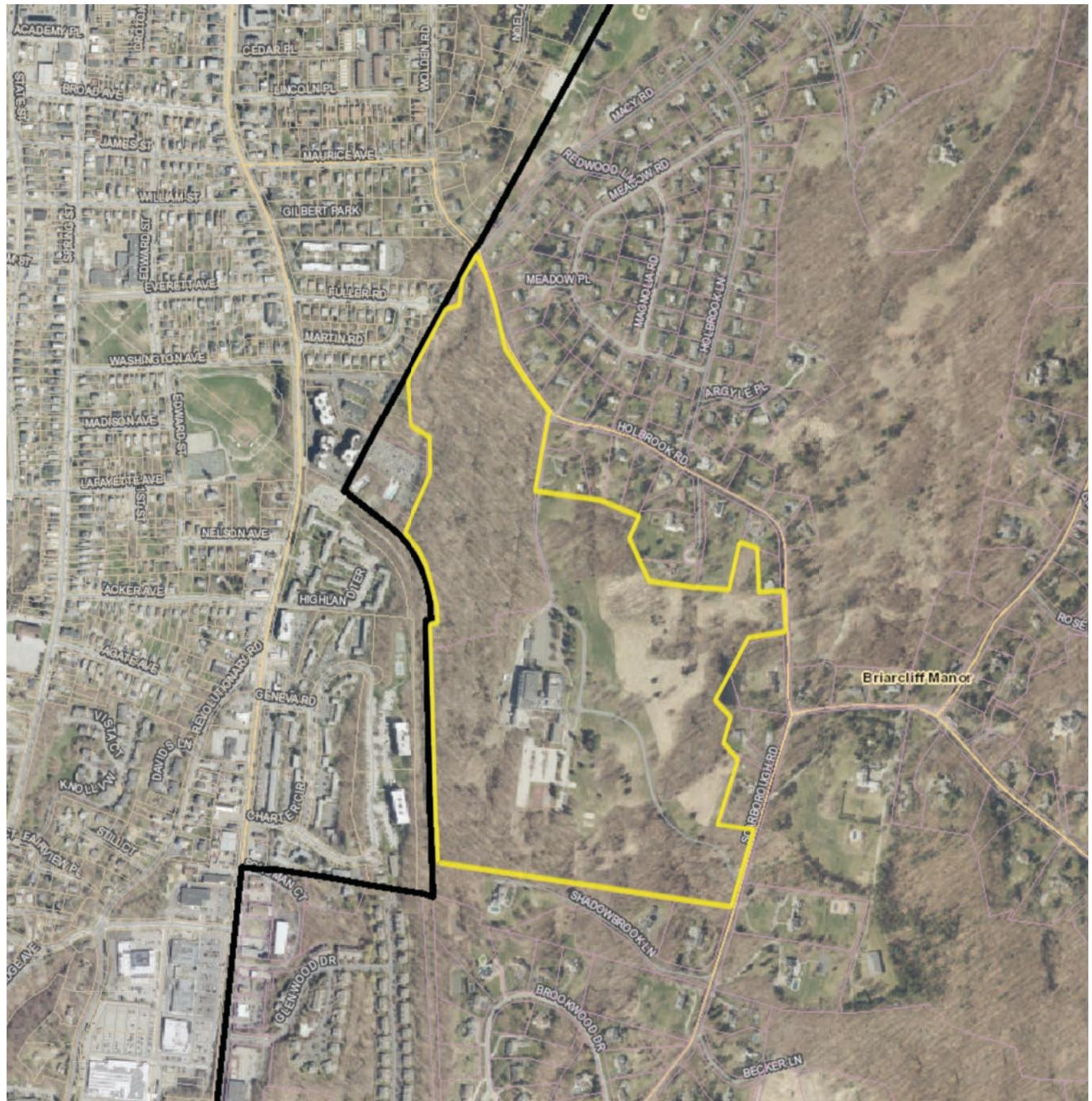
Generally, retail use would be inconsistent with the primarily residential character surrounding most of the B/BT sites. These uses are also struggling, so it is unlikely that they would seek a location outside of a traditional retail core area. However, 333 Albany Post Road is located adjacent to an established retail area, and the Arcadia Shopping Center. The potential for a retail use at this location is a possibility.

**14. Light Manufacturing Uses:**

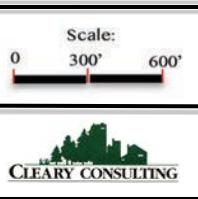
Very few light manufacturing uses have been established in the area in a long time. These uses are often viewed as being relatively benign, and beneficial to the local tax base. While extremely unlikely, including this use would not be disruptive.

**XIV. FLEXIBILITY:**

Repurposing the 5 sites involves a projection into what may occur in the future. Future prognostications are often overwhelmed by unforeseen circumstances and changing events. Also, a number of the successful repurposing activities of other communities involved flexibly modifying existing rules to accommodate unanticipated uses. Therefore, provisions to adjust rules, regulations and procedures, as necessary, should be incorporated into any new zoning, based on a system that is clearly defined and equitable.



Source: Westchester County Municipal Tax Parcel Viewer



## 345 Scarborough Road Site Boundary Map

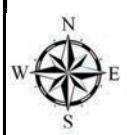
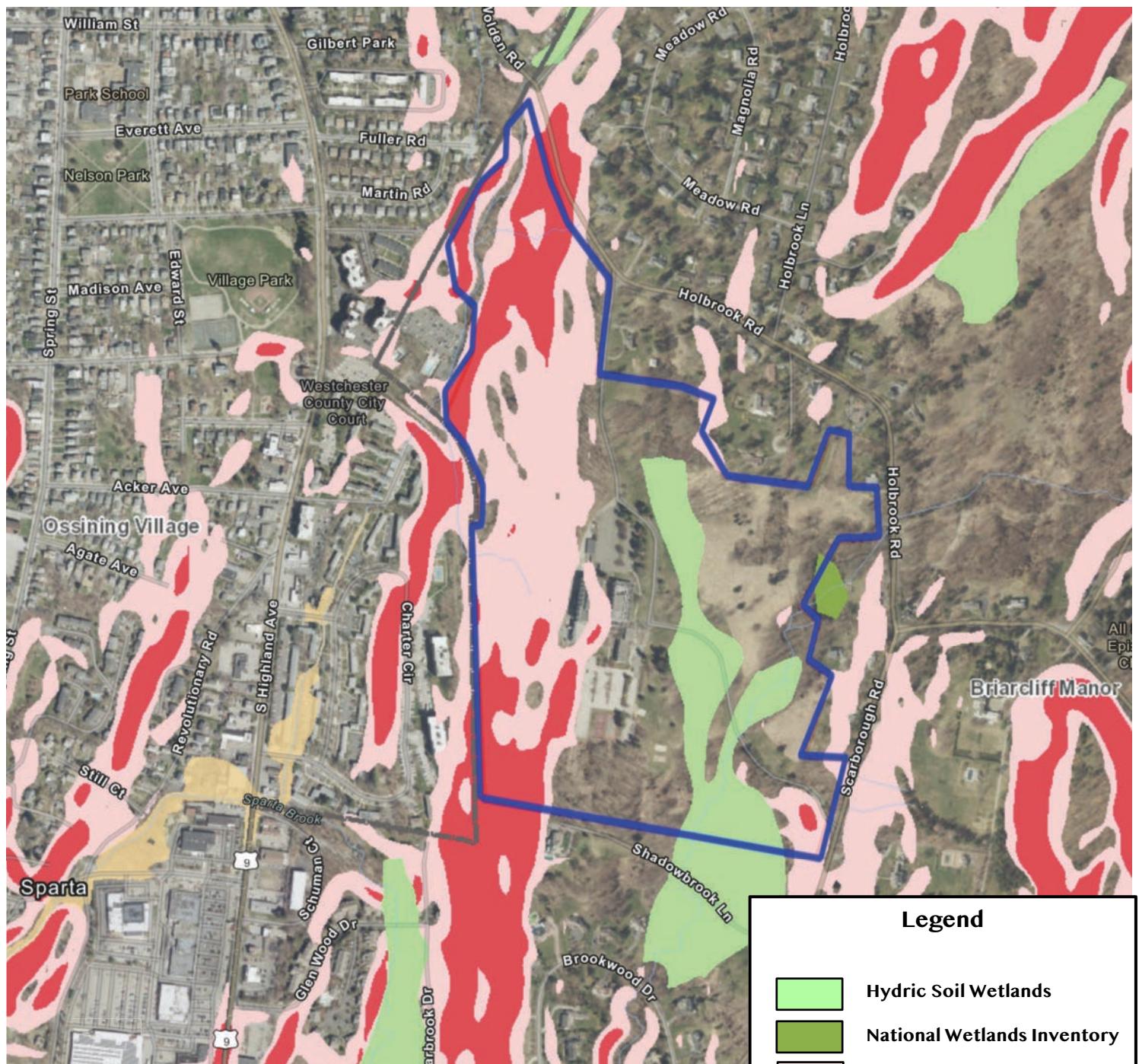


Figure  
5



Source: Westchester County GIS Service Center



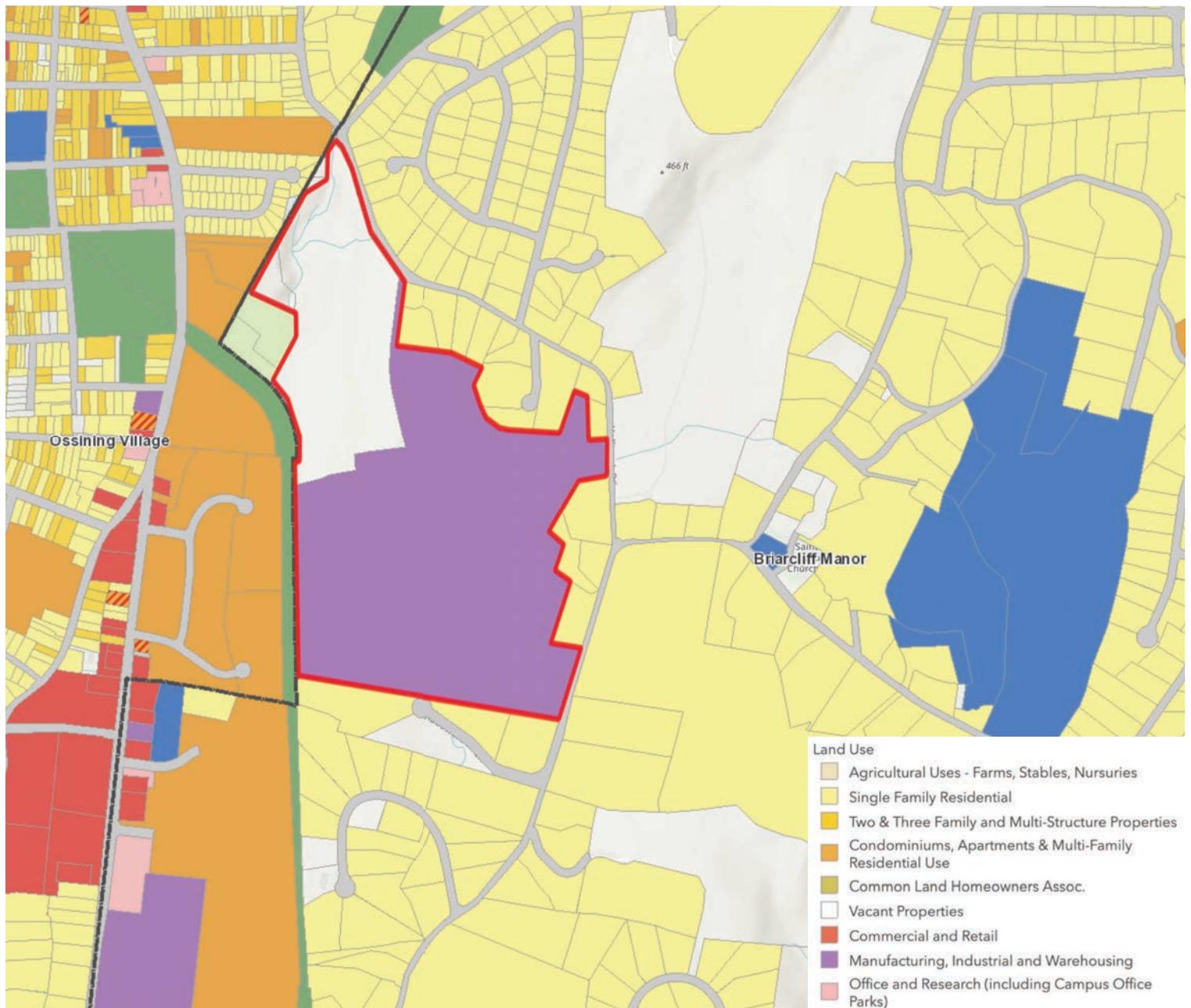
## 345 Scarborough Road Environmental Constraints Map



Figure  
6

## **APPENDIX A**

### **Individual Site Analyses**



Source: Westchester County GIS Service Center

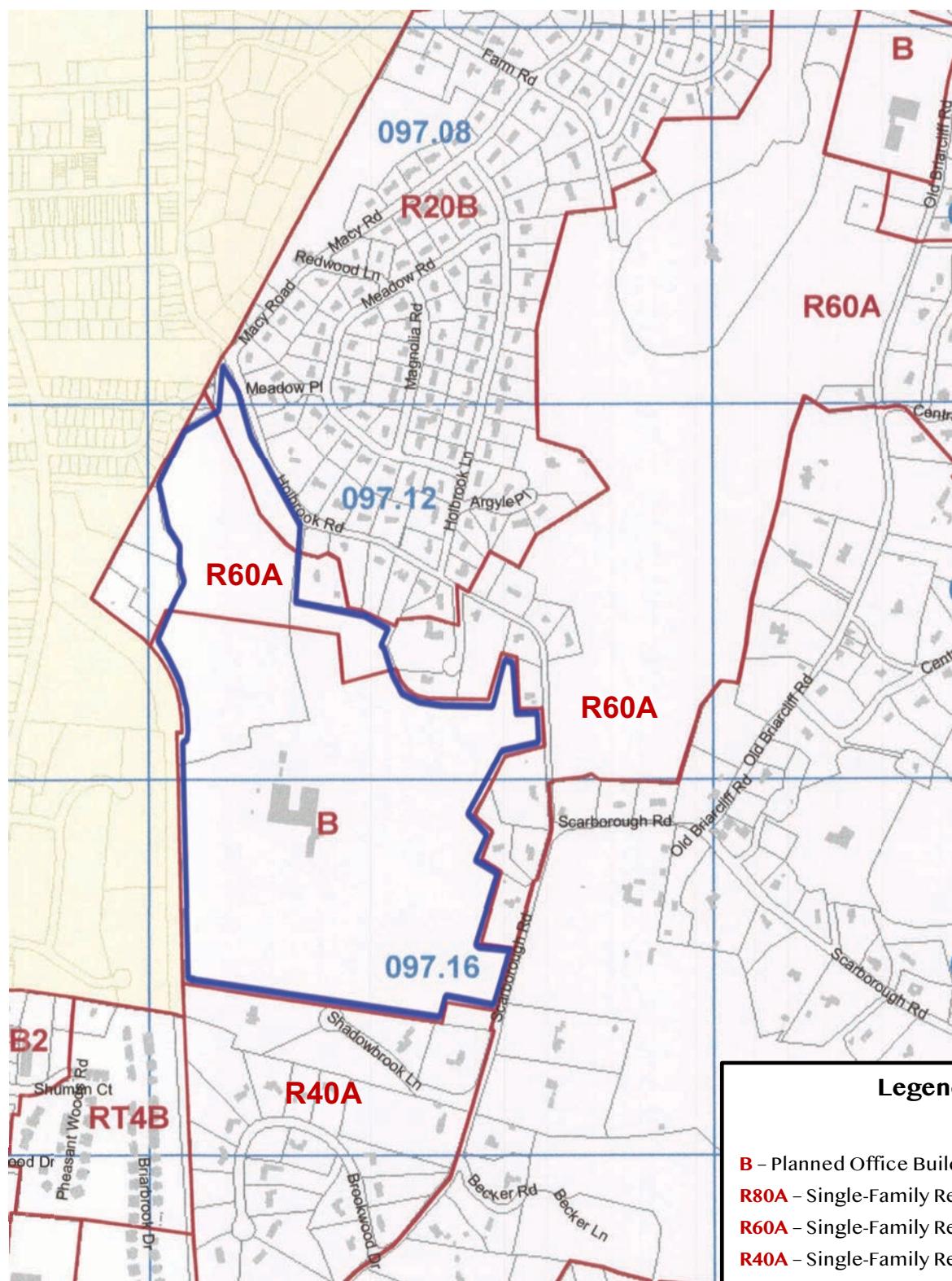
Scale:  
0 300' 600'

## 345 Scarborough Road

### Land Use Map



Figure  
7



Source: Village of Briarcliff Manor Zoning Map

Scale:  
0 300' 600'

CLEARY CONSULTING

## 345 Scarborough Road Zoning Map



Figure  
8

## **Individual Site Analyses**

The following narrative provides a site-specific analysis of the existing conditions and development potential of each of the 5 parcels. Table 1 summarizes this analysis. Much of the technical data presented in this analysis was compiled by the Village's Engineering Department.

### **1. 345 Scarborough Road (Formerly Philips Labs)**

#### **a. Site Location:**

This property, which is the largest of the 5 study sites, is located in the central, western edge of the Village, adjacent to the Village of Ossining. The site consists of two main parcels, the larger (southern) parcel is 78.2 acres and contains the former Philips Labs building and associated improvements, and the smaller (northern) parcel is 17.4 acres, and is undeveloped. 2 smaller parcels totaling approximately 2 acres, are situated in the northeast corner of the site. In total the site encompasses 97.7 acres (Figure 5).

#### **b. Existing Site Improvements:**

This site was occupied by Philips Labs until they vacated the site in 2015 and moved to Cambridge, Massachusetts. The existing 2-3 story building covers a building footprint of 59,400 square feet, and consists of a total 180,000 square feet. The building is located in the center of the site, setback off Scarborough Road by more than 1,200 feet.

The building is accessed off Scarborough Road, and Holbrook Road and is supported by approximately 500 off-street parking spaces in two lots on the north and south sides of the building. Impervious pavement covers approximately 209,590 square feet.

A separate parcel, owned by Philips Labs located in the northeast corner of the site, supports an existing single-family residence.

The site has historical significance as the former Speyer Estate.

#### **c. Environmental Constraints:**

As illustrated on Figure 6, the existing building, parking lots and associated improvements are located in the least environmentally constrained portion of the site.

East of the building, Sparta Brook and pond, and a surrounding wetland system stretch across the length of the site. West of the building approximately 25% of the site consists of moderately steep slopes, which are flanked by areas of very steep slopes, comprising approximately 12%

of the site, situated on the northern and southern ends of the site. The site's Paxton Fine Sandy Loam soils pose no significant development limitations.

While a fair portion of the eastern side of the site has traditionally been maintained as manicured lawn, the majority of the western side of the site, including the entire northern third of the site is wooded and undeveloped, suggesting high habitat value.

The site drains to the east, toward Sparta Brook.

**d. Surrounding Land Use:**

Figure 7 documents that the north, east and south sides of the site are bounded by low density single-family residential areas.

The site is located on the Village of Ossining municipal boundary. Land uses on the Ossining side of the site consist of the Old Croton Aqueduct, followed by several large-scale residential housing developments; including the immediately adjacent 7-story Jefferson House apartments, the High Meadows garden apartment Co-Ops, and the Highland Terrace apartments.

**e. Surrounding Zoning:**

Figure 8 documents the existing zoning of the site and surrounding area. The majority of the site, including most of the parcel supporting the existing building and improvements, is located in the B - Planned Office Building and Laboratory district. However, approximately half of the undeveloped northern parcel is located in the R60A district, and a strip fronting along Holbrook Road lies within the R20B district.

**f. Infrastructure:**

The site is served by municipal water and sewer services. 4 water service accounts exist for this property. The water supply system serving the site is looped and has adequate volume and pressure.

Sanitary wastewater is collected in a local gravity sewer system located towards the rear of the site, where it is conveyed to the Ossining Treatment Plant.

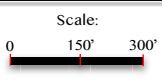
A gas main was noted from mark-outs on Holbrook Road.

**g. Access:**

Access to the site is provided from Shadow Brook Lane, which is essentially a driveway serving this site, from Scarborough Road, which



Source: Westchester County Municipal Tax Parcel Viewer



## 600 Albany Post Road Site Boundary Map



Figure  
9

is classified as a Major Collector street. A large two-way boulevard curb cut is located in the southeast corner of the site on Scarborough Road, and Shadow Brook Lane runs through the site to where it intersects Holbrook Road in the north at another large two-way boulevard curb cut. Holbrook Road is classified as a Local Street.

Although bounded by the aqueduct, it does appear physically possible to create an access connection from the site to the west, through or past the apartment complexes in Ossining, to connect to the Albany Post Road.

**h. Peak Use Operational Footprint:**

When the Philips Lab facility was in at peak operation, the 180,000 square foot building accommodated some 300 employees. Associated impacts were:

- Daily traffic volume = 1,460 trips<sup>3</sup>
- Peak hour traffic volume = 193 trips<sup>4</sup>
- Water demand = 18,000 gpd<sup>5</sup>
- Wastewater generation = 18,000<sup>6</sup>

**i. Build-Out Under Existing Zoning**

The potential build-out under existing zoning is calculated by applying the primary density control factor established for the B zoning district, or building area (Building Area = the sum of the combined total gross floor areas of all floors in principal and accessory buildings shall not exceed 40% of the lot area).

40% of the 97.7 acre site results in a permissible gross floor area of 1,702,325 square feet.

If the environmentally constrained lands (wetlands and steep slopes over 25%) are deducted from the lot area (97.7 acres – 23 acres = 74.7 acres), then the permissible gross floor area would be reduced to 1,301,573 square feet.

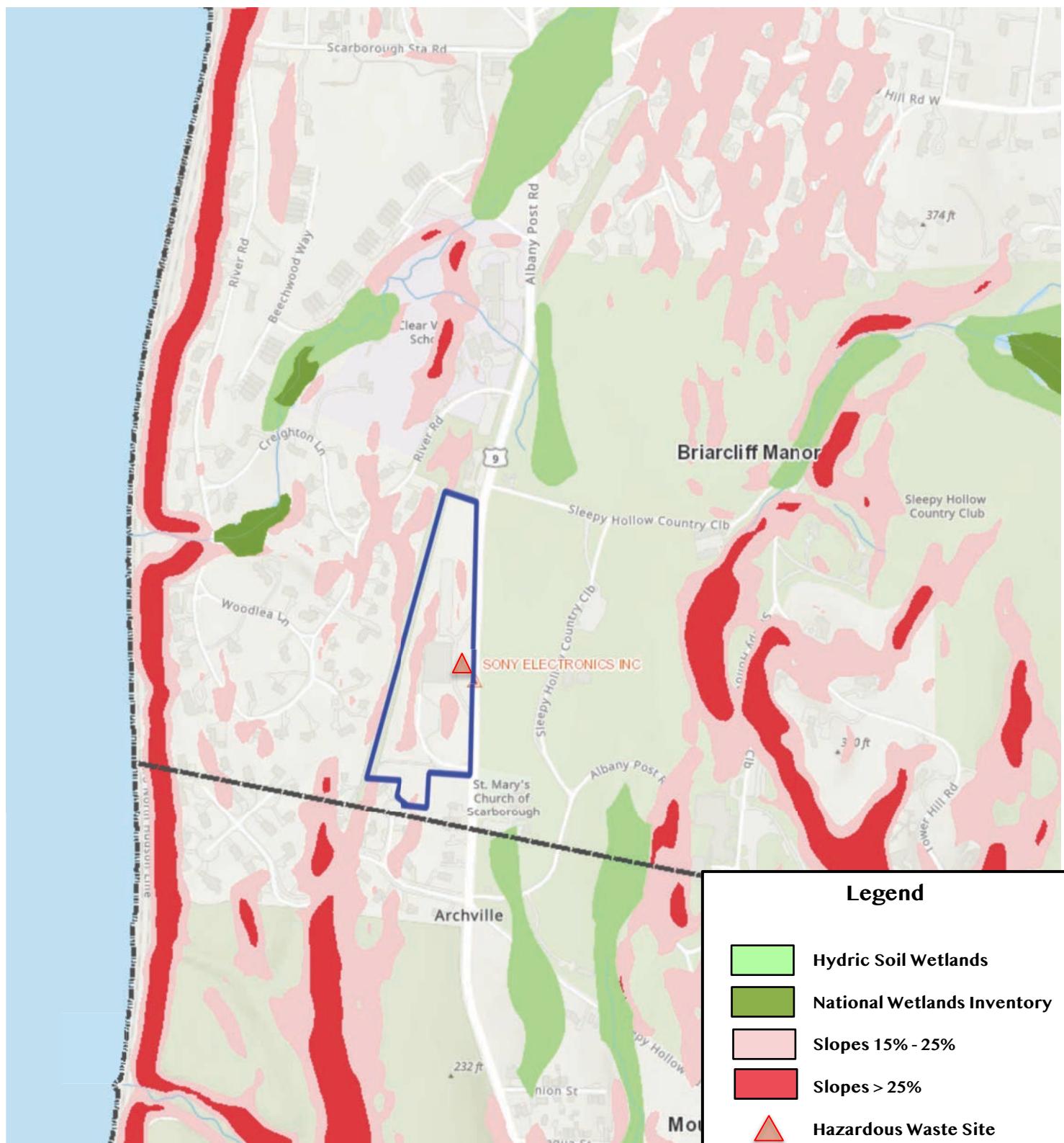
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<sup>3</sup> ITE Trip Generation Rate for R&D Center - 8.11/1,000 sqft/day.

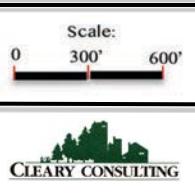
<sup>4</sup> ITE Trip Generation rate for R&D Center - 1.07/1,000 sqft/peak hour.

<sup>5</sup> NYC CEQR Technical Manual – commercial/office use = .10 gpd/sqft.

<sup>6</sup> Assume wastewater generation equivalent to water demand.



Source: Westchester County GIS Service Center



## 600 Albany Post Road Environmental Constraints Map



Figure  
10



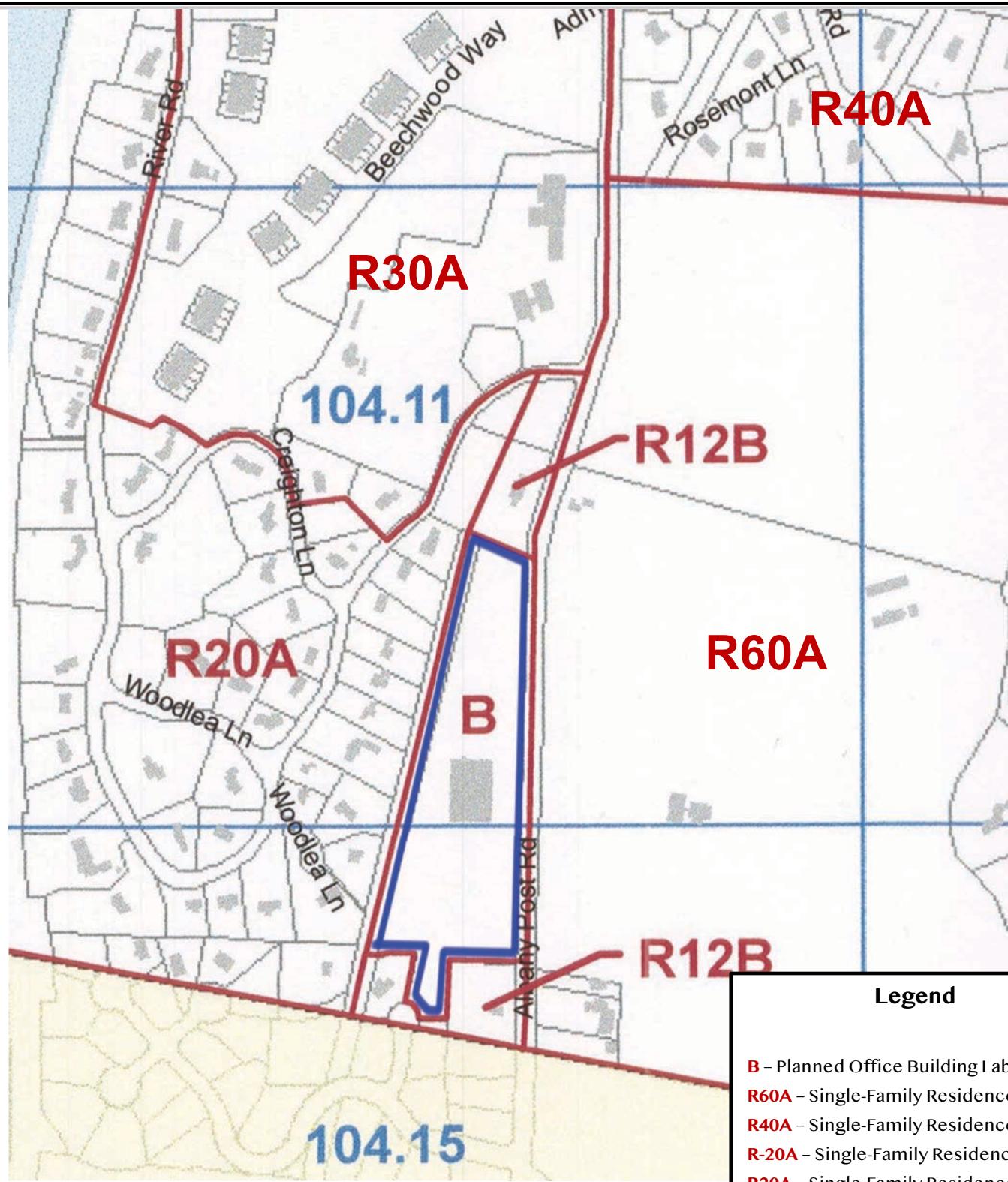
Source: Westchester County GIS Service Center

Scale:  
0 300' 600'

## 600 Albany Post Road Land Use Map



Figure  
11



Source: Village of Briarcliff Manor Zoning Map

Scale:  
0 150' 300'

## 600 Albany Post Road Zoning Map



Figure  
12

**j. Summary of Main Issues:**

- The large size of this parcel affords significant repurposing or redevelopment potential.
- Over 1/3 of this parcel supports environmental features and provides a valuable open space resource, warranting some degree of protection or preservation.
- The site is a commercial enclave located within a firmly established low density residential area.
- The land use to the west of the site (in the Village of Ossining) reflects a much higher intensity, suggesting that orienting commercial development toward the west (potentially including providing site access to US Route 9) is logical.
- Residential redevelopment of the site would need to respect the low-density residential character of the neighborhoods located to the north, east and south.

**2. 600 Albany Post Road (Formerly SONY Corporation)**

**a. Site Location:**

The former SONY corporation site is located in the Scarborough section of the southwest portion of the Village, on the west side of Route 9, across from the Sleepy Hollow Country Club (Figure 9). The site is 9.4 acres in size

**b. Existing Site Improvements:**

This site was originally occupied by American Airlines and then by the SONY corporation. The site has nearly 1,000 feet of frontage along the Albany Post Road, and the two-story, 49,000 square foot building is set into the slope of the site, but is visible as a one-story building (with its unique roof stricture) from the Albany Post Road. The building is currently vacant.

Two paved parking areas and interior driveways cover approximately 30,000 square feet of impervious surface. The parking area north of the building accommodates approximately 80 parking spaces, and the area on the south side of the building, while not striped, would accommodate a similar number of spaces.

The site's Albany Post Road frontage is maintained as open lawn, interspersed with larger individual trees, and some shrub plantings along the driveway.

A wooded buffer, approximately 50' in depth is present along the rear property line, adjacent to the Old Croton Aqueduct Trail.

**c. Environmental Constraints:**

As illustrated on Figure 10, the site is relatively free of severe environmental constraints, with approximately 25% supporting slopes of between 15% and 25%.

The site has also been identified on the NYSDEC Spill Incident Database. 2 spills have been reported, one in 1988 involving a tank test failure and a spill of #2 fuel oil, and one in 1992 involving a diesel spill. Both spills were remediated.

The site's Paxton Fine Sandy Loam soils pose no significant development limitations.

**d. Surrounding Land Use:**

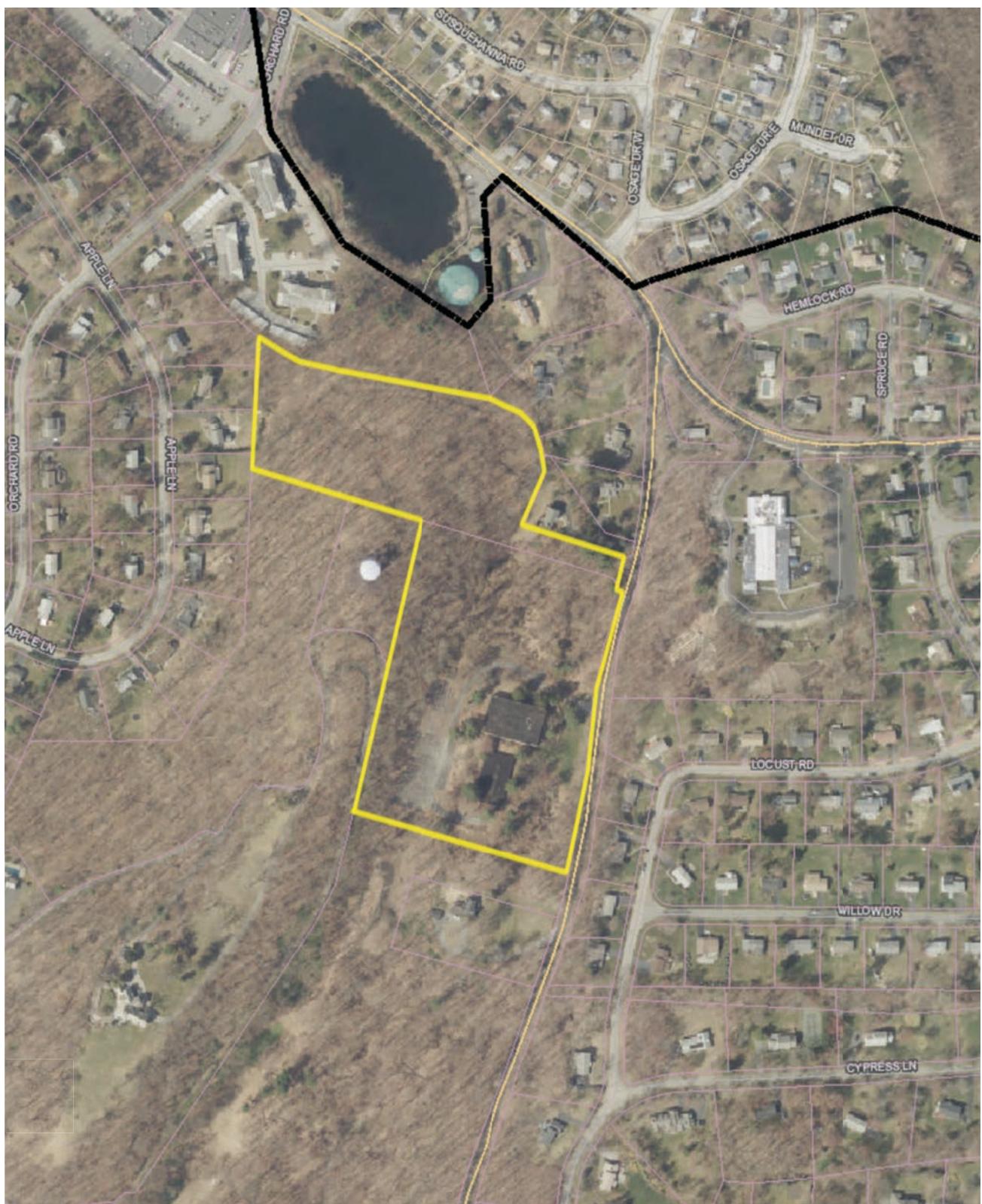
As documented in Figure 11, the Sleepy Hollow Country Club is located on the opposite side of the Albany Post Road, east of the site. To the north, the site is bounded by The Clearview School. The Old Croton Aqueduct Trail runs along the entire western edge of the site, with single family residences beyond to the west, as well as to the south, where the site abuts the Town of Mount Pleasant municipal boundary.

**e. Surrounding Zoning:**

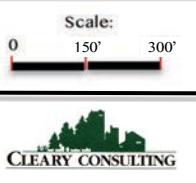
Figure 12 documents that the site is located wholly within a B district that corresponds to the boundaries of the site. Properties immediately to the north and south are located in the R12B single-family zoning district (minimum lot areas of 12,000 square feet). The Sleepy Hollow Country Club across the Post Road lies within the R60A zoning district (minimum lot areas of 60,000 square feet), and the single-family neighborhood located to the west lies within the R20A zoning district (minimum lot areas of 20,000 square feet).

**f. Infrastructure:**

The site is served by municipal water and sewer services. 2 water service accounts exist for this property. The water supply system serving the site has adequate volume and pressure.



Source: Westchester County Municipal Tax Parcel Viewer



## 320 Old Briarcliff Road Site Boundary Map



Figure  
13

Sanitary wastewater is collected in a local gravity sewer system located towards the rear of the site, where it is conveyed to the Ossining Treatment Plant.

The existing stormwater management system includes daylights, and the facilities are inadequate.

**g. Access:**

Access to the site is provided from two driveways. The southern driveway affords two-way access, and also extends beyond the site to the west, to serve two separate private residences. The northern driveway also provides two-way ingress and egress, but intersects the Albany Post Road at a very sharp angle. Curb cut access to this site is on US Route 9 (which is classified as a Principal Arterial roadway), and is regulated by the NYSDOT.

**h. Peak Use Operational Footprint:**

When utilized by SONY, the site operated as an office/research facility. The operation of the 49,000 square foot building resulted in the following impacts:

- Daily traffic volume = 397 trips<sup>7</sup>
- Peak hour traffic volume = 52 trips<sup>8</sup>
- Water demand = 4,900 gpd<sup>9</sup>
- Wastewater generation = 4,900<sup>10</sup>

**i. Build-Out Under Existing Zoning**

The potential build-out under existing zoning is calculated by applying the primary density control factor established for the B zoning district, or building area (Building Area = the sum of the combined total gross floor areas of all floors in principal and accessory buildings shall not exceed 40% of the lot area).

40% of the 9.4 acre site results in a permissible gross floor area of 163,786 square feet.

No significant environmental constraints would limit the development potential of the site. However, the site is relatively narrow, and pinches

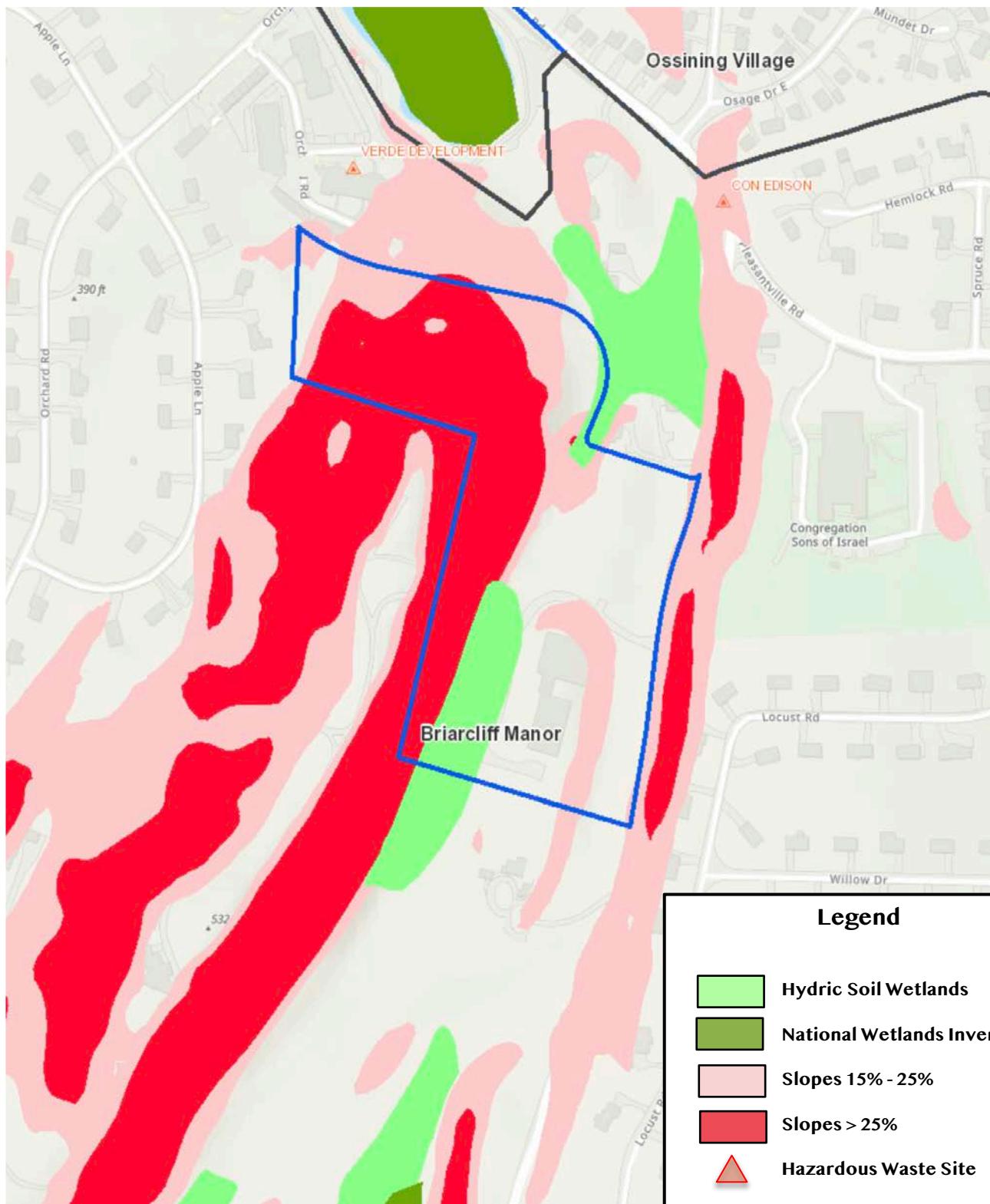
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<sup>7</sup> ITE Trip Generation Rate for R&D Center - 8.11/1,000 sqft/day.

<sup>8</sup> ITE Trip Generation rate for R&D Center - 1.07/1,000 sqft/peak hour.

<sup>9</sup> NYC CEQR Technical Manual – commercial/office use = .10 gpd/sqft.

<sup>10</sup> Assume wastewater generation equivalent to water demand.



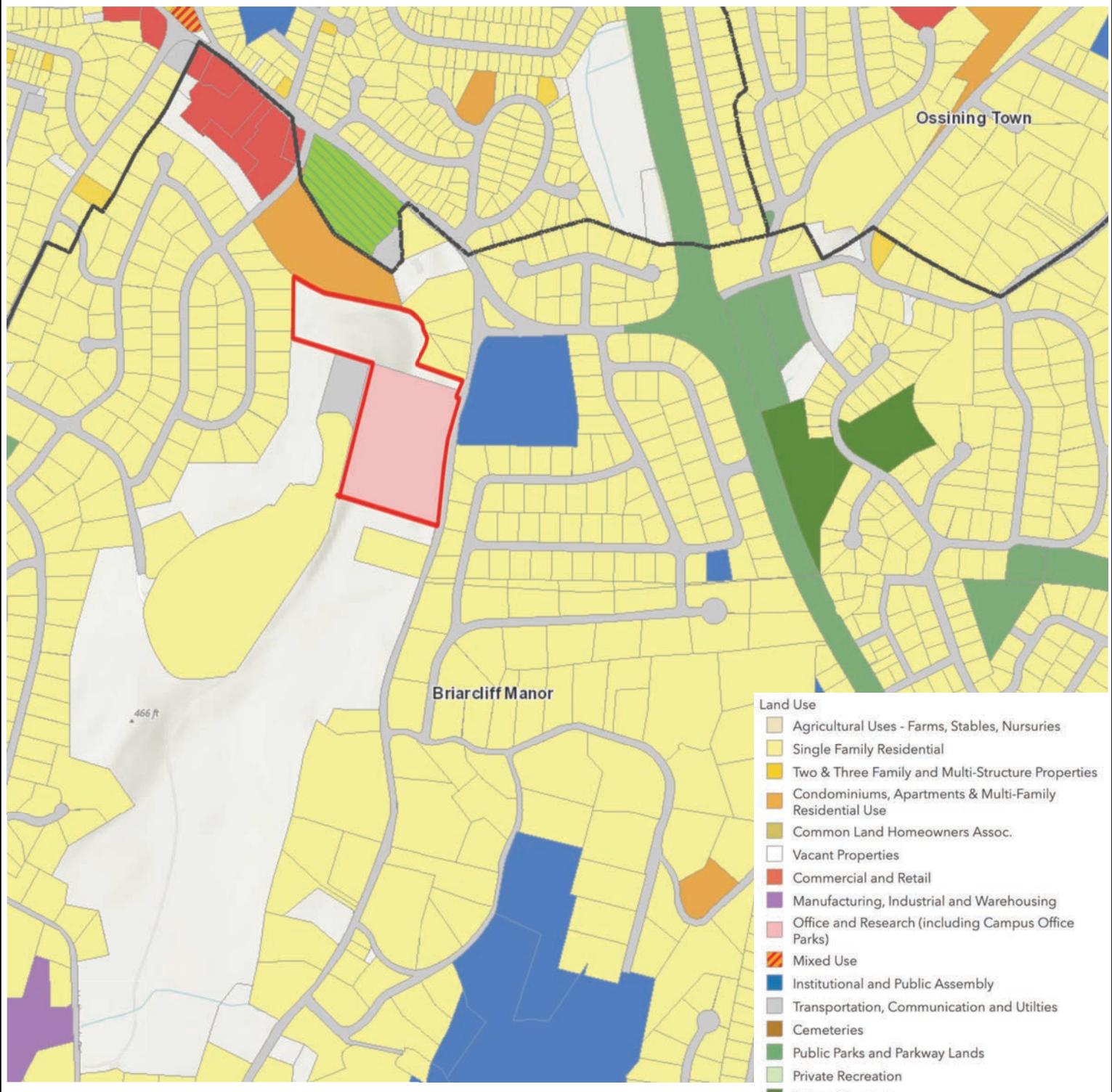
Source: Westchester County GIS Service Center



## 320 Old Briarcliff Road Environmental Constraints Map



Figure  
14



Source: Westchester County GIS Service Center

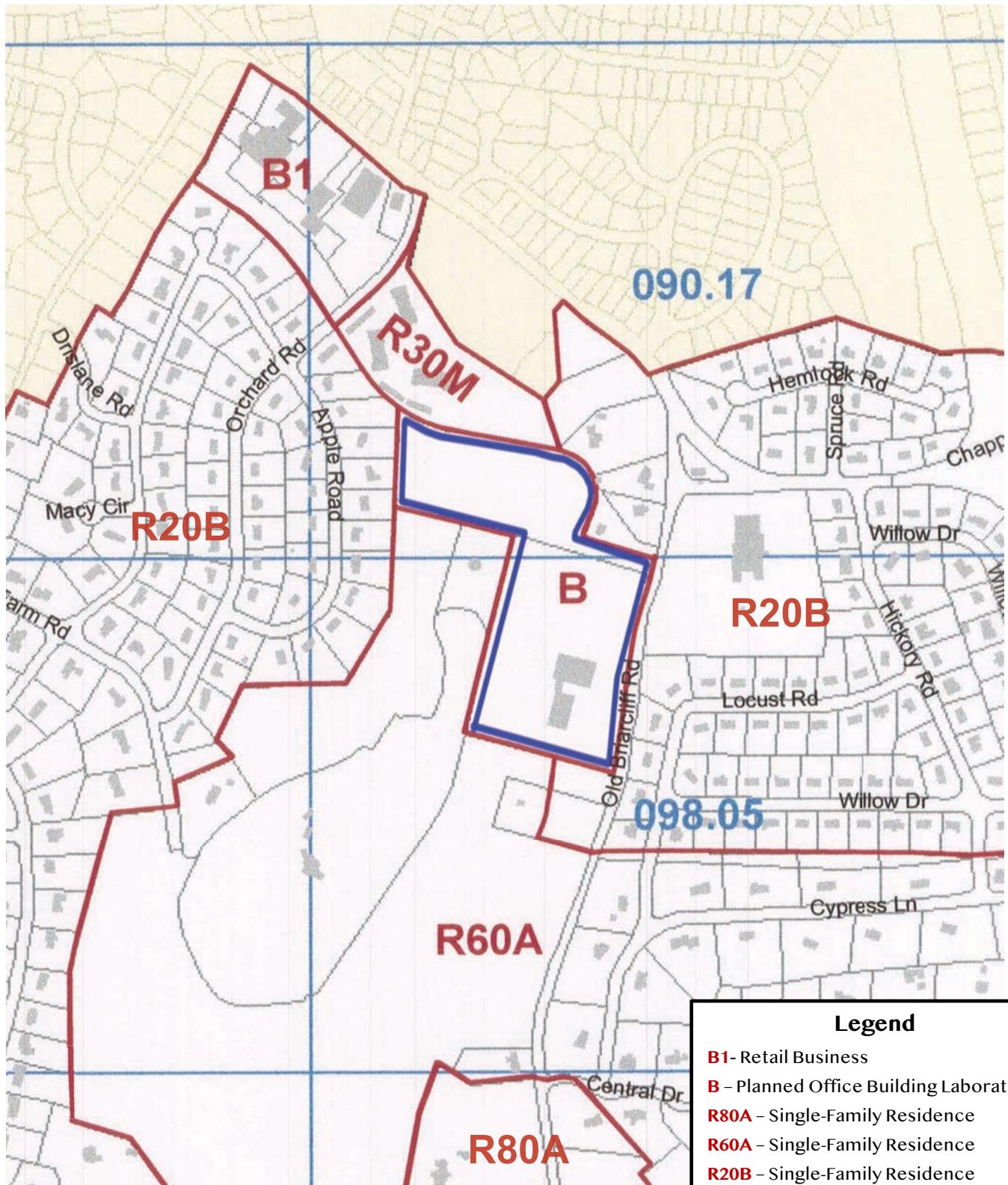
Scale:  
0 300' 600'

## 320 Old Briarcliff Road

### Land Use Map



Figure  
15



Scale:  
0 200' 400'

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## 320 Old Briarcliff Road Zoning Map



Figure  
16

toward the north, reducing the area of the building envelope (the 100' front and rear yard setbacks exacerbate this condition)

**j. Summary of Main Issues:**

- The site is generally free of significant environmental constraints.
- The land use surrounding the site is varied, indicating that multiple uses may be suitable.
- The Albany Post Road is a Principal Arterial roadway, which has the capacity to accommodate larger volumes of traffic, including commercial traffic.
- Redevelopment of the site can also address existing inadequate stormwater drainage conditions.

**3. 320 Old Briarcliff Road (Formerly Mearl Corporation)**

**a. Site Location:**

This site, which was formerly owned by the Mearl Corporation, and was also used by Burns Security and has been vacant for over a decade. The site is located in the north end of the Village, just south of the Ossining Reservoir, and water tank (Figure 13). The site is composed of two tax parcels. The southern parcel is 9.93 acres in size and supports the building and associated site improvements. The northern parcel is 6.42 acres in area, and is vacant and undeveloped. In total, the site is 16.3 acres in size.

**b. Existing Site Improvements:**

The site has approximately 640 feet of frontage along Old Briarcliff Road. Two adjacent buildings are located on the site. The smaller, southern building is one-story in height, and the larger northern building is two-stories tall. Combined, both buildings have a footprint of 25,500 square feet, and contain a gross floor area of 55,500 square feet.

An existing approximately 150 space parking lot is located behind the buildings, which is accessed via a single, two-way ingress/egress driveway curb cut onto Old Briarcliff Road, located north of the main building. The site supports a total of approximately 60,000 square feet of paved impervious surface.

The site's frontage is maintained as lawn, and the balance of the developed portion of the site is wooded.

The site has historical significance, as it was once part of the Everit Macy Estate.

**c. Environmental Constraints:**

As illustrated on Figure 14, the majority of the western portion of the site exhibits significant environmental constraints, including a wetland area immediately behind the buildings, and very steep slopes in excess of 25% across approximately 25% of most of the northwestern portion of the site.

The site's Charlton-Chatfield Complex and Rayham Silt Loam soils have various development limitations.

**d. Surrounding Land Use:**

As documented in Figure 15, the site is bounded by single-family homes to the east that back up to Old Briarcliff Road, and front on Locust Road to the east. To the northeast of the site is the Congregation Sons of Israel Temple.

Adjacent to the site's undeveloped, vacant dog-leg that extends to the north, is the Village water tank, and beyond that is the Village of Ossining water tank, and Ossining Reservoir, as well as the garden apartments located on Orchard Road.

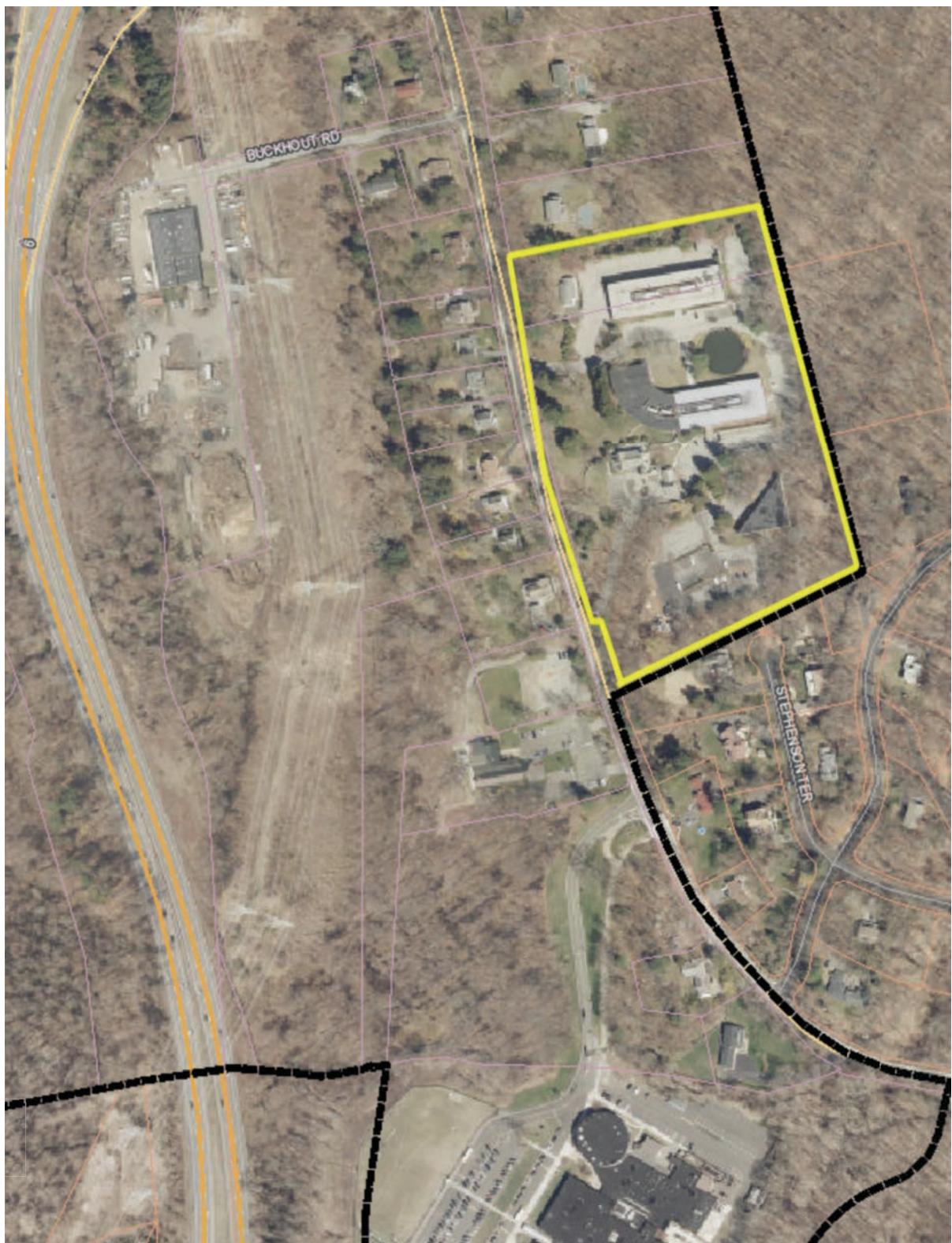
Immediately south of the site is a large (over 125 acre) vacant and undeveloped parcel.

**e. Surrounding Zoning:**

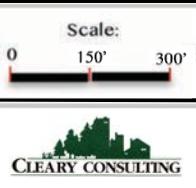
Figure 16 documents that the site is located wholly within a B district that corresponds to the boundaries of the site. Properties immediately to the east are located in the R20B single-family zoning district (minimum lot areas of 20,000 square feet). The vacant property to the south is zoned R60A (minimum lot areas of 60,000 square feet). The garden apartments to the northwest are located in the R30M multi-family residence district (one of only 4 multi-family zoned areas in the Village), and the western edge of the site is also bounded by the R20B zone.

**f. Infrastructure:**

The site is served by municipal water and sewer services. 2 water service accounts exist for this property. The water supply system serving the site has adequate volume and pressure, and is located adjacent to a transmission main.



Source: Westchester County GIS Service Center



## 555 Pleasantville Road Site Boundary Map



Figure  
17

Sanitary wastewater is collected in a local gravity sewer system, where it is conveyed to the Saw Mill River Treatment Plant.

Stormwater from this site drains to the north, toward Ossining Reservoir.

**g. Access:**

Access to the site is provided from a two-way egress/ingress driveway curb cut on Old Briarcliff Road, located on the north side of the existing two-story main building. Old Briarcliff Road is classified as a Major Collector roadway.

**h. Peak Use Operational Footprint:**

Mearl used this site as an office/research facility. The 55,500 square foot building resulted in the following impacts:

- Daily traffic volume = 450 trips<sup>11</sup>
- Peak hour traffic volume = 59 trips<sup>12</sup>
- Water demand = 5,550 gpd<sup>13</sup>
- Wastewater generation = 5,550<sup>14</sup>

**i. Build-Out Under Existing Zoning**

The potential build-out under existing zoning is calculated by applying the primary density control factor established for the B zoning district, or building area (Building Area = the sum of the combined total gross floor areas of all floors in principal and accessory buildings shall not exceed 40% of the lot area).

40% of the 16.3 acre site results in a permissible gross floor area of 284,011 square feet.

If the environmentally constrained lands (wetlands and steep slopes over 25%) are deducted from the lot area (16.3 acres – 5 acres = 11.3 acres), then the permissible gross floor area would be reduced to 196,891 square feet.

**j. Summary of Main Issues:**

- Over half the site exhibits significant environmental constraints.

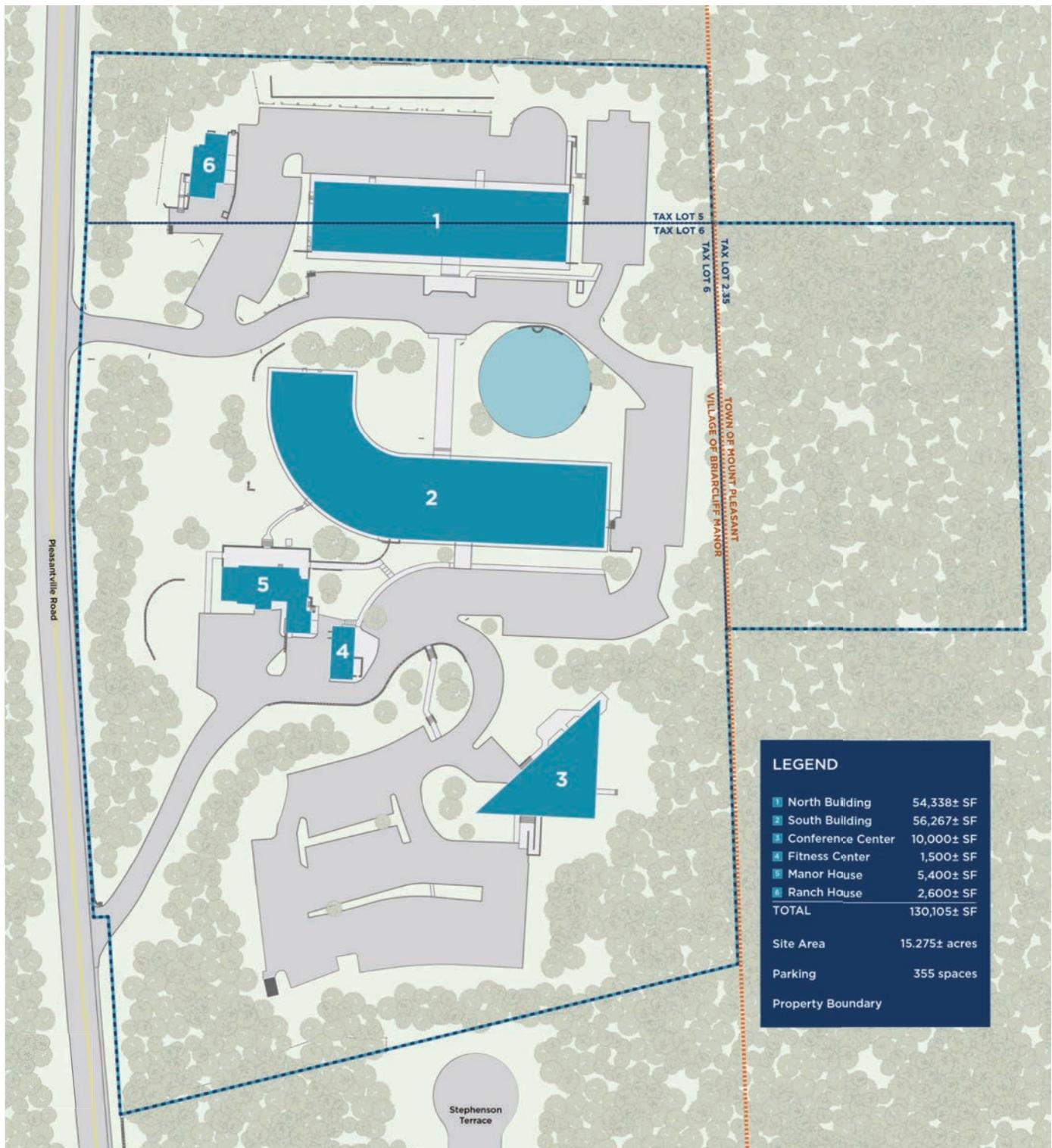
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<sup>11</sup> ITE Trip Generation Rate for R&D Center - 8.11/1,000 sqft/day.

<sup>12</sup> ITE Trip Generation rate for R&D Center - 1.07/1,000 sqft/peak hour.

<sup>13</sup> NYC CEQR Technical Manual – commercial/office use = .10 gpd/sqft.

<sup>14</sup> Assume wastewater generation equivalent to water demand.



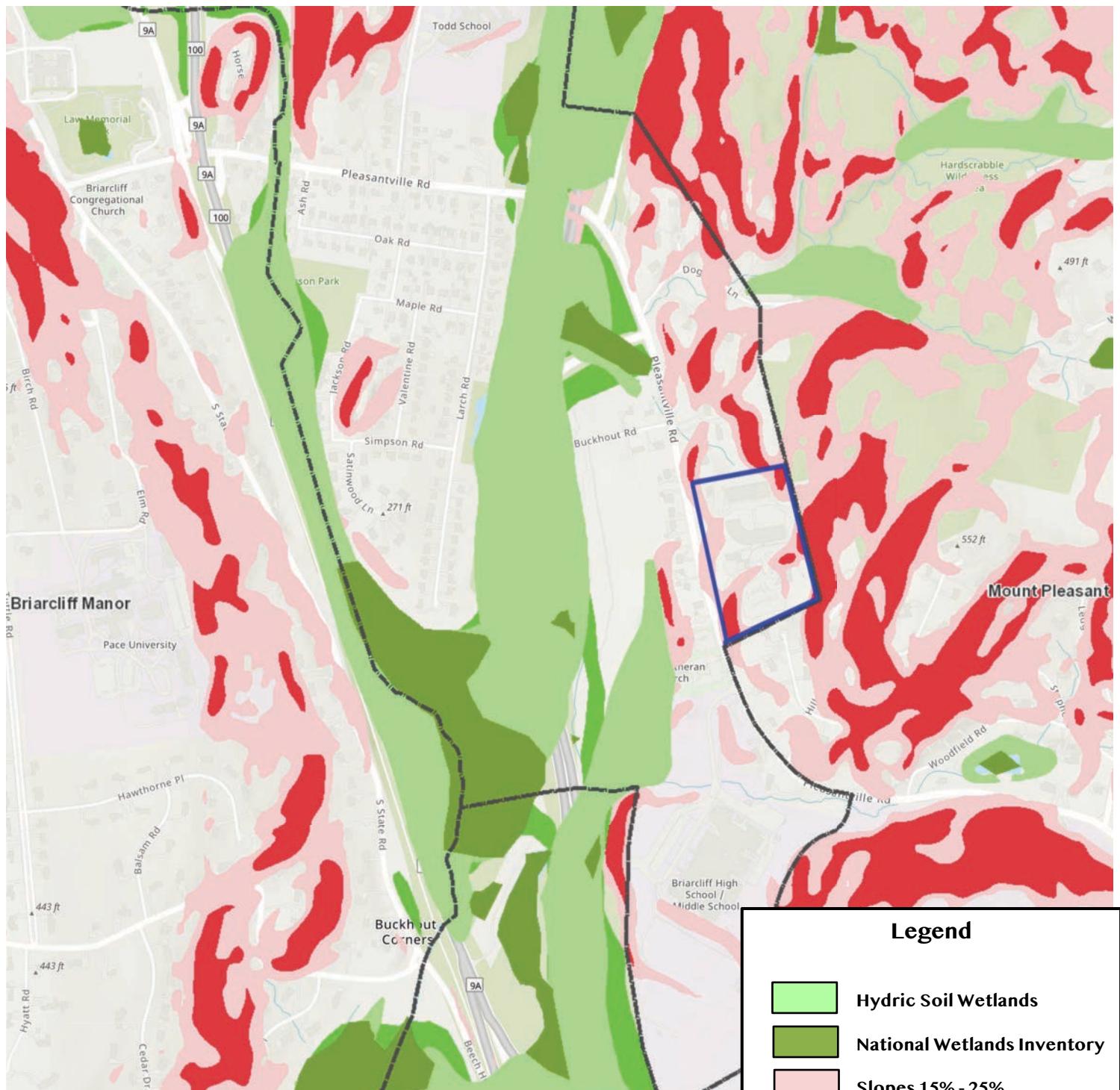
Scale:  
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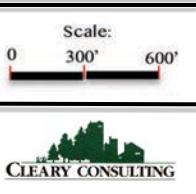
## 555 Pleasantville Road Existing Buildings & Improvements



Figure  
18



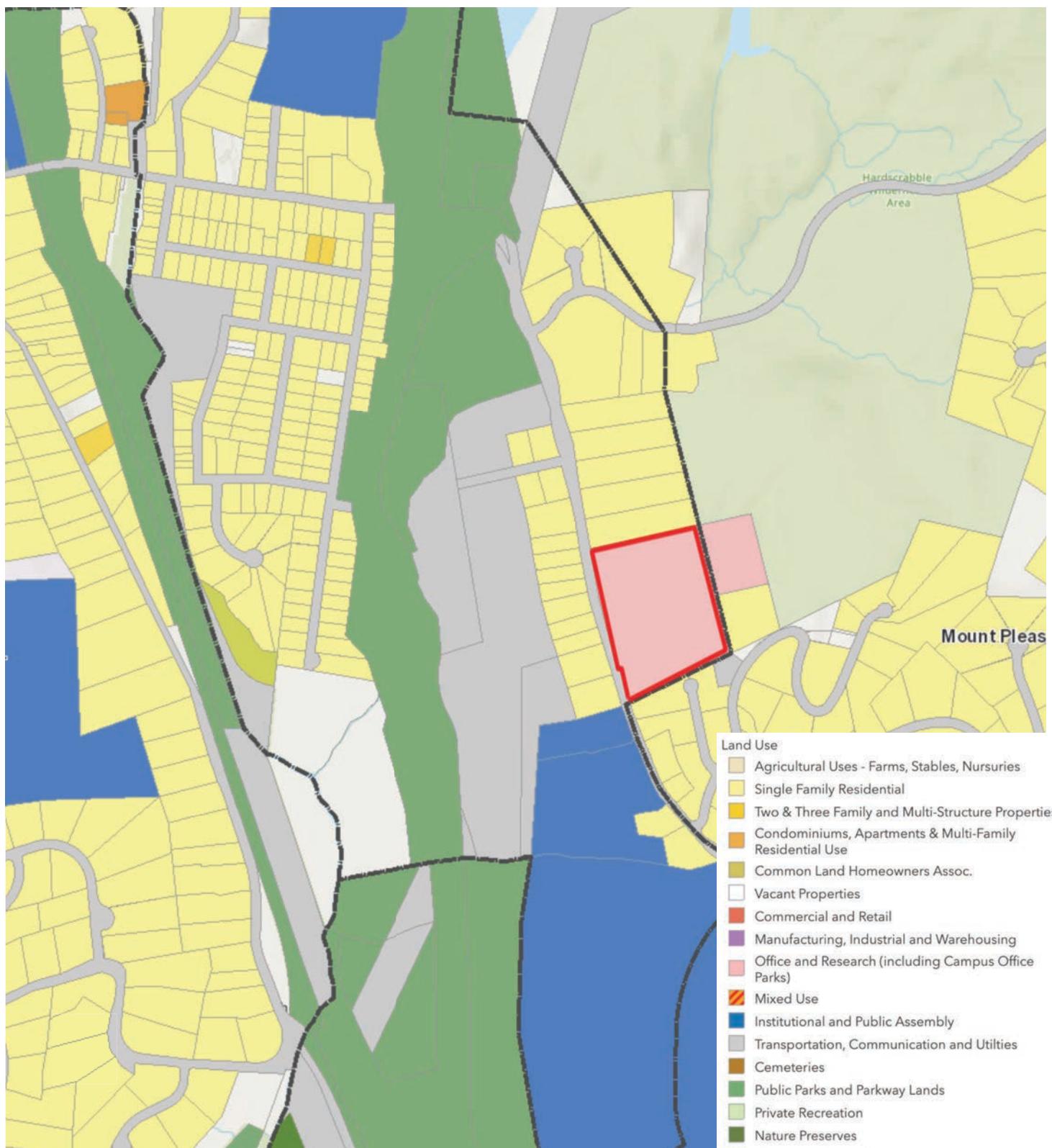
Source: Westchester County GIS Service Center



## 555 Pleasantville Road Environmental Constraints Map



Figure  
19



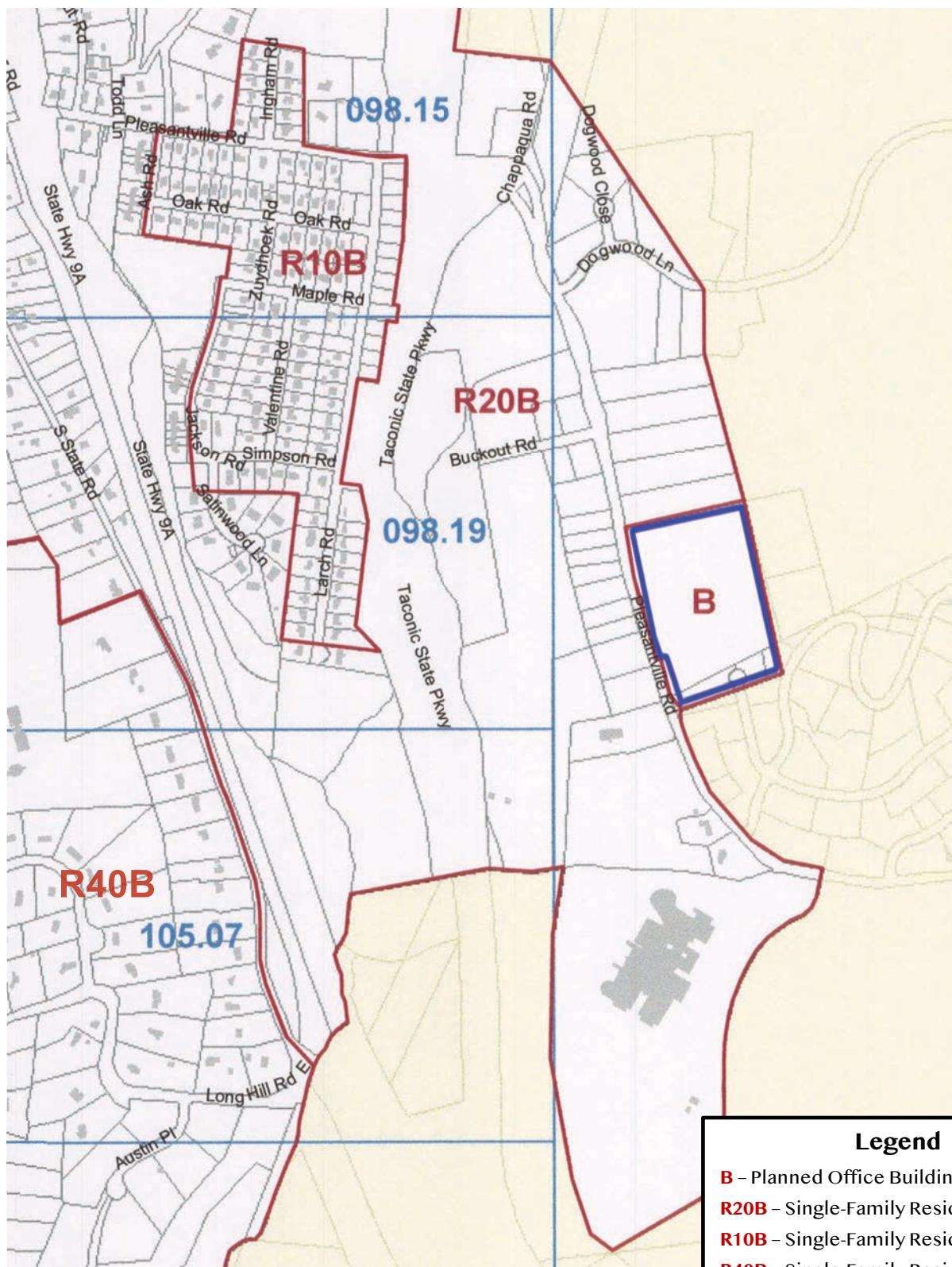
Scale:  
0 300' 600'

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## 555 Pleasantville Road Land Use Map



Figure  
20



Source: Village of Briarcliff Manor Zoning Map

**Legend**

- B** – Planned Office Building Laboratory
- R20B** – Single-Family Residence
- R10B** – Single-Family Residence
- R40B** – Single-Family Residence



**555 Pleasantville Road**  
**Zoning Map**



Figure  
**21**

- The undeveloped northern portion of the site is undisturbed offering high quality habitat values – including the enhanced value of its connection to the 124+ acres of vacant land to the south, which creates meaningful wildlife corridors and non-fragmented habitat.
- Variability in surrounding land uses indicates that various land uses may be suitable at this location.
- While Old Briarcliff Road is classified as a Major Collector, it is a narrow, two lane roadway.
- The parcel immediately adjacent to this site (to the south) is a large, (>124 acres) vacant and undeveloped parcel. The Village should be cognizant that assembling the subject site with this adjacent parcel would afford significant development potential.

#### **4. 555 Pleasantville Road (Corporate Center)**

##### **a. Site Location:**

This site is located in the central, eastern edge of the Village, abutting the Town of Mount Pleasant municipal boundary, and the Hardscrabble Wilderness Area located to the east, and on the opposite side of Pleasantville Road from the Village's DPW facility (Figure 17).

The site is composed of two tax parcels. The northern parcel (98.20-1-5) is 2.0 acres in size and the southern parcel (98.20-1-6) is 10.7 acres in size. In total, the portion of the site located in the Village of Briarcliff Manor is 12.7 acres in size.

A third vacant, 2.4-acre undeveloped parcel, under the same ownership, is located to the rear of the site, in the Town of Mount Pleasant.

##### **b. Existing Site Improvements:**

The site, known as the Briarcliff Corporate Campus, has approximately 900 feet of frontage along Pleasantville Road. The site supports 6 separate buildings:

- North Building – 54,338 sqft
- South Building – 56,267 sqft
- Conference Center – 10,000 sqft
- Fitness Center – 1,500 sqft
- Manor House – 5,400 sqft
- Ranch House – 2,600 sqft

As documented on Figure 18, the two main 3-story office buildings are supported by the four accessory buildings on a campus-like setting. In total, the site supports a building footprint of 55,860 square feet and a total of 130,105 square feet of gross floor area.

Off-street parking areas are located throughout the site, providing 355 off-street parking spaces. Two access driveways serve the site off Pleasantville Road, each generally serving the north and south buildings respectively.

The site's frontage along the main, northern driveway is maintained as lawn, interspersed with large specimen trees and landscaping. The site frontage becomes more wooded towards the south.

The Manor House is a historically significant structure.

**c. Environmental Constraints:**

As illustrated on Figure 19, the site is generally free of significant environmental constraints.

The site is bounded to the east by the Hardscrabble Wilderness Area, and west of the site are significant wetland areas and floodplains surrounding the Pocantico River and its tributaries.

The site's Charlton-Chatfield Complex soils have various development limitations.

**d. Surrounding Land Use:**

Figure 20 displays the existing land use conditions in the vicinity of the site. All of the parcels immediately adjacent to the site support single-family residences. Just south of the site, across Pleasantville Road is Briarcliff High School (and the Pace University campus further south). North of the High School is the Faith Lutheran Brethren Church, and behind the adjacent string of 10 single-family homes, the Village's DPW facility is situated, accessed off Buckout Road.

**e. Surrounding Zoning:**

The site is located wholly within a B district that corresponds to the boundaries of the site (Figure 21). All of the areas surrounding the site are located in the R2oB single-family zoning district, requiring minimum lot areas of 20,000 square feet.

**f. Infrastructure:**

The site is served by municipal water and sewer services. 7 water service accounts exist for this property. The water supply system serving the site has adequate volume and pressure.

Sanitary wastewater is collected in a semi-private gravity sewer system which flows toward the High School, where it is conveyed to the Saw Mill River Treatment Plant. This sewer system has been identified as inadequate.

The site has an inadequate stormwater drainage system.

**g. Access:**

Access to the site is provided from two, two-way egress/ingress driveway curb cuts onto Pleasantville Road. The northern driveway intersects Pleasantville Road at right-angles, and has adequate sight distances. The southern driveway intersects Pleasantville Road at a sharp angle, and has limited sight distances to the north due to the grade of the roadway. Pleasantville Road is classified as a Minor Arterial roadway.

**h. Peak Use Operational Footprint:**

The site currently operates as a corporate office campus. Records indicate that the leasable space on the site is 40% occupied. Utilizing the total square footages of all of the buildings on the site (including the accessory buildings that provide ancillary uses such as a fitness center, conference center, etc.), the 130,105 square foot cumulative gross floor area resulted in the following impacts:

- Daily traffic volume = 1,054 trips<sup>15</sup>
- Peak hour traffic volume = 139 trips<sup>16</sup>
- Water demand = 13,010 gpd<sup>17</sup>
- Wastewater generation = 13,010<sup>18</sup>

**i. Build-Out Under Existing Zoning**

The potential build-out under existing zoning is calculated by applying the primary density control factor established for the B zoning district, or building area (Building Area = the sum of the combined total gross

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<sup>15</sup> ITE Trip Generation Rate for R&D Center - 8.11/1,000 sqft/day.

<sup>16</sup> ITE Trip Generation rate for R&D Center - 1.07/1,000 sqft/peak hour.

<sup>17</sup> NYC CEQR Technical Manual – commercial/office use = .10 gpd/sqft.

<sup>18</sup> Assume wastewater generation equivalent to water demand.

floor areas of all floors in principal and accessory buildings shall not exceed 40% of the lot area).

40% of the 12.7 acre site results in a permissible gross floor area of 221,285 square feet.

If the environmentally constrained lands (wetlands and steep slopes over 25%) are deducted from the lot area (12.7 acres – 3.1 acres = 9.6 acres), then the permissible gross floor area would be reduced to 167,270 square feet.

Given that this site currently supports partially occupied buildings, as well as a historically significant building, it would be anticipated that full redevelopment would be unlikely, but rather the site may be repurposed to accommodate more viable different uses to increase the occupancy of the existing buildings.

**j. Summary of Main Issues:**

- This site supports underutilized, but operational office uses.
- The site is surrounded by single-family residences, but some non-residential uses in the vicinity create some variability in the land use pattern.
- Pleasantville Road is classified as a Minor Arterial, and supports higher volumes of traffic, and connections to Route 9A, the Saw Mill River Parkway, and the Pleasantville commercial district to the east.

**5. 333 Albany Post Road**

**a. Site Location:**

This site is located in the west, central edge of the Village, abutting the Village of Ossining municipal boundary which runs down the center of the Albany Post Road (Figure 22).

The site is designated as Tax ID 97.19-2-2, and is 11.4 acres in size. composed of two tax parcels.

**b. Existing Site Improvements:**

The site was formerly operated by Wustof, a knife manufacturer. Currently the site is occupied by the SHA Data Center. The property has 800 feet of frontage along the east side of the Albany Post Road, and

supports a 1-2 story building with a 52,700 square foot footprint, containing 67,850 square feet of gross floor area.

Approximately 20,000 square feet of paved access driveway and parking areas support the building. Approximately 30 designated off-street parking spaces are located around the building, and a separate satellite parking lot for approximately 75 vehicles is located on the southern end of the site. The site access driveway loops behind the building, providing access to the rear of the site.

A rise in elevation along the site's frontage, and existing fairly heavy vegetation, obscures views of the building from the Albany Post Road.

**c. Environmental Constraints:**

Figure 23 documents the site's environmental constraints. Areas of steep slopes flank the building on the east and west, and a remnant pond is present along the site's frontage within the wooded area.

Sparta Brook, and the associated surrounding wetlands run along the eastern edge of the site. Charlton Loam and Charlton-Chatfield Complex soils on-site have various development limitations.

**d. Surrounding Land Use:**

The site is located in an area where the land use is transitioning from the lower density single-family uses to the south in Briarcliff, and the more intensive residential and commercial uses to the north in the Village of Ossining (Figure 24).

Immediately south as well as west of the site across the Albany Post Road, are single-family homes. To the rear (east) of the site is the Scarborough Glen condo development. Immediately to the north is the Briarcliff Manor Office Building, the site of the former Landmark Diner and other office and commercial uses. Across the Albany Post Road (in the Village of Ossining) is the Arcadian Shopping Center.

**e. Surrounding Zoning:**

This site is located in the BT – Business Transition zoning district (Figure 25). The majority of the site is located wholly within the BT district, with the exception of a 3,000 square foot rectangular piece that extends south, which is located in the R30A district.

The zoning to the south and east of the site is R30A (30,000 square foot minimum lot area). The RT4B – Single-Family Residence district is located to the north east (minimum lot areas – 7,260 sqft to 10, 890

sqft), and the B2 – General Business including Light Industry district is located to the north, along the Albany Post Road.

**f. Infrastructure:**

The site is served by municipal water and sewer services. 2 water service accounts exist for this property. The water supply system serving the site has adequate volume and pressure and includes a looped distribution main.

Sanitary wastewater is collected in a local gravity sewer system which flows toward the Village of Ossining, where it is conveyed to the Ossining Treatment Plant.

The site has a dated stormwater drainage system, including a detention pond that has not been adequately maintained. The system is problematic and leaks.

**g. Access:**

Access to the site is provided from a boulevard driveway, with separate ingress and egress travel lanes. The curb cut is located at the crest of a hill on the Albany Post Road. Good sight distances are available to the north and south and two, two-way egress/ingress driveway curb cuts onto Pleasantville Road. The Albany Post Road is classified as a Principal Arterial roadway.

**h. Peak Use Operational Footprint:**

The site currently operates as a data center. This use requires few employees. The uses permitted in the BT district are the same for the uses permitted in the B district. As the current use operates far below the permissible thresholds, the office/R&D use is used to calculate the peak use operational footprint. The operation of the 67,850 square foot building would result in the following impacts:

- Daily traffic volume = 550 trips<sup>19</sup>
- Peak hour traffic volume = 72 trips<sup>20</sup>
- Water demand = 6,785 gpd<sup>21</sup>
- Wastewater generation = 6,785<sup>22</sup>

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<sup>19</sup> ITE Trip Generation Rate for R&D Center - 8.11/1,000 sqft/day.

<sup>20</sup> ITE Trip Generation rate for R&D Center - 1.07/1,000 sqft/peak hour.

<sup>21</sup> NYC CEQR Technical Manual – commercial/office use = .10 gpd/sqft.

<sup>22</sup> Assume wastewater generation equivalent to water demand.

**i. Build-Out Under Existing Zoning**

The potential build-out under existing zoning is calculated by applying the primary density control factor established for the BT zoning district, or building area (Building Area = the sum of the combined total gross floor areas of all floors in principal and accessory buildings shall not exceed 25% of the lot area).

25% of the 11.4-acre site results in a permissible gross floor area of 124,146 square feet.

If the environmentally constrained lands (wetlands and steep slopes over 25%) are deducted from the lot area (11.4 acres – 2.8 acres = 8.6 acres), then the permissible gross floor area would be reduced to 93,654 square feet.

**j. Summary of Main Issues:**

- This is fully utilized as a data center.
- This site's location on the Albany Post Road, proximity to adjacent commercial uses, excellent access and roadway capacity, indicates that this site can be utilized more intensely.
- The relatively small size of this parcel, the existing environmental constraints, and restrictions of the BT zoning district, limit the site's redevelopment potential.

## **APPENDIX B**

### **Individual Site Analyses Summary Table**

INDIVIDUAL SITE ANALYSIS SUMMARY TABLE						
Parcel Attribute		345 Scarborough Road	600 Albany Post Road	320 Old Briarcliff Road	555 Pleasantville Road	333 Albany Post Road
Parcel Tax Identification		97.16-1-1, 97.12-1-9, 97.12-1-10, 97.12-1-11	104.11-1-40	98.05-1-9, 90.17-1-45	98.20-1-6, 98.20-1-5	97.19-2-2
Parcel Owner		Ridgewood Briarcliff Owner LLC	T5 @ New York LLC	Emigrant Bank	Briarcliff Property Group LLC	333 Soith Highland LLC
Zoning		B	B	B	B	BT
Total Acreage		97.7 acres	9.4 acres	16.3 acres	12.7 acres	11.4 acres
Building(s) Footprint		59,400 sqft	49,000 sqft	25,500 sqft	55,860 sqft	52,700 sqft
Building(s) Total Square Footage		180,000 sqft	49,000 sqft	55,500 sqft	132,750 sqft	67,850 sqft
Pavement		209,590 sqft	30,000 sqft	60,000 sqft	~125,000 sqft	20,000 sqft
Geology & Soils		Paxton Fine Sandy Loam	Paxton Fine Sandy Loam	Chatfield- Chatfield Complex/Raynham Silt Loam	Charlton- Chatfield Complex	Charlton Loam/Charlton- Chatfield Complex
Topography & Slopes	15% - 25%	25%	25%	12%	33%	25%
	> 25%	12%	0%	25%	25%	25%
Wetlands		Yes – Headwaters of Sparta Brook	None	Yes - Behind Building, Along Western Property Line	None	Yes – Along rear Property Line
Surface Water Drainage		Positive Drainage to Sparta Brook	Inadequate Facilities, Daylights	Drains North Towards VOS, Reservoir	Inadequate Drainage Facilities	Dated Stormwater Pond, Problematic, Leaks
Traffic & Transportation	Public Transportation	None	On Bus Route	Near Bus Route	On Bus Route	On Bus Route
	Roadway Classification	Major Collector/Local Street	Principal Arterial	Major Collector	Minor Arterial	Principal Arterial
	Prior Use Peak Traffic Generation <sup>23</sup>	1,460 Trips/Day 193 Trips/Peak Hour	397 Trips/Day 52 Trips/Peak Hour	450 Trips/Day 59 Trips/Peak Hour	1,054 Trips/Day 139 Trips/Peak Hour	550 Trips/Day 72 Trips/Peak Hour
Utilities & Infrastructure	Treatment Plant	Ossining Treatment Plant	Ossining Treatment Plant	Saw Mill River Treatment Plant	Saw Mill River Treatment Plant	Ossining Treatment Plant
	Existing Sewer Conditions	Medium Office Use	Very Low Usage	Low Use	Medium Office use	Very Low Usage
	Sewage Disposal/Capacity	Local Gravity Collection Towards VOS System, Towards Rear	Local Gravity Collection	Local Gravity Collection	Semi-Private Gravity System Towards BHS, Inadequate	Local Gravity Collection Towards VOS System
	Prior Use Peak Sewage Generation	18,000 gpd	4,900 gpd	5,550 gpd	13,010 gpd	6,785 gpd
	Water Consumption, Current Status	Vacant, No Usage	Vacant, No Usage	Vacant, No Usage	Partially Vacant, Medium Usage	High Usage
	Water Accounts	4	2	2	7	2

<sup>23</sup> ITE Trip Generation rates

### **Specific Recommendations**

In summary of this report, below is a list of itemized specific action items the Committee is recommending to the Board of Trustees:

- Allow for additional specified uses in the B Zone through special use permit or other comprehensive review method.
- Revise the schedule limiting use to address these new uses.
- Revise the review/submission process of the B Zone to allow more ample process time as well as to be more in line with current regulations including SEQRA.
- Reduce the maximum allowable building height to 35' regardless of setbacks. Grandfather existing structures that do not conform.
- Grow the commercial tax base. Encourage appropriate commercial uses to retain the minimal existing commercial tax base. Ensure a healthy long term mix of commercial to residential taxpayers in the Village.
- Allow for mixed use developments or residential in appropriate locations and intensity.
- Ensure new developments are self-sustaining(responsible for their own services) and will not place a strain on municipal resources/infrastructure. If a particular resource will be strained due to a specific use mitigating measures should be mandated.
- Protect the quality of life for residents of the Village.
- Enact policies that will ensure a good mix of uses throughout the Village while taking into consideration any undeveloped parcels which may not be currently designated B Zone.
- Look for opportunities to provide onsite recreational services through the approval/development process that would be available and provide benefit to Village residents.

- Implement a maintenance and/or performance bond requirement or other mechanism to ensure long term compliance with Village mandates and approvals, even if ownership changes.
- Institute a recreational fee for the creation of new living units – recommended at \$5,000 per unit. Allow for a reduction or elimination of this fee if a developer is providing an amenity to the Village of comparable or greater dollar value.
- Mandate at least 10% of the lot area of any site be preserved for open space and maintained by the property owner.
- Ensure public views of properties remain relatively unchanged by requiring existing screening/features to remain in place and/or new screening to be added.
- Preserve historic/locally important features or structures.
- Protect natural resources such as steep slopes, trees and other features.
- Prevent future assemblages of property from being designated B Zone.
- Preserve the overall character and appearance of the Village and ensure large wooded tracts remain as a prominent feature of the Village landscape.
- Allow for flexibility with regards to the schedule limiting use to encourage uses that are in line with the Village's goals for well-located sites/uses. Set limits on how much flexibility can be granted by the Board.
- Ensure any residential uses are developed in harmony with surrounding districts. Implement a perimeter lot line calculation method to determine residential density for a particular site. Allow for flexibility in density if the developer is willing to incorporate a significant commercial aspect to the development and is enhancing the Village's goals. Set an upper limit of 2 times the calculated density to prevent future overdevelopment. Consider a lower density calculation for undevelopable land(stEEP SLOPES, WETLANDS) to ensure a property does not appear overdeveloped.
- Recognize and analyze the impact any changes that are made could have on the entire Village and ensure said changes do not negatively impact the Village as a whole or change its nature/character.

	Water Availability	Adequate Volume & Pressure Looped	Adequate Volume & Pressure	Adequate Volume & Pressure, Adjacent to Transmission Main	Adequate Volume & Pressure	Adequate Volume & Pressure Looped Distribution Main
Prior Use Peak Water Demand	18,000 gpd	4,900 gpd		5,550 gpd	13,010 gpd	6,785 gpd
Solid Waste Disposal	Private	Private		Private	Private	Private
Historic Resources	Speyer Estate	--		Part of Former Everit Macy Estate	Manor House	--
Visual Resources	Brick Wall Perimeter/ River Views	--		VOS Reservoir Park		Hudson River Views
Potential Build-Out	1,301,573 sqft	163,786 sqft		196,891 sqft	167,270 sqft	93,654 sqft

## **APPENDIX C**

### **B Zone Advisory Committee Recommendations**

## **APPENDIX D**

### **Proposed Zoning Text Amendments**

### **Zoning Text Amendments**

The following specific zoning text amendments are necessary to implement the recommendations outlined above.

All text to be deleted is indicated in ~~red Arial text and struck through~~.

All proposed text is indicated in blue Arial text and underlined.

#### **1. §220-3 - Replace Existing B – Planned Office Building and Laboratory – District with CT – 1 – 4 – Complimentary Use Transition Districts.**

It is recommended that the antiquated B - Planned Office Building and Laboratory zoning district be replaced with the 4 new CT Complementary Use Transition zoning districts.

#### **§ 220-3 Districts and maps.**

A. Districts. For the purpose of this chapter the Village of Briarcliff Manor is hereby divided into the following classes of districts:

##### **Single-Family Residence Districts**

R80A	Minimum lot area: 80,000 square feet
R60A	Minimum lot area: 60,000 square feet
R40A	Minimum lot area: 40,000 square feet
R40B	Minimum lot area: 40,000 square feet
R30A	Minimum lot area: 30,000 square feet
R20A	Minimum lot area: 20,000 square feet
R20B	Minimum lot area: 20,000 square feet
R12B	Minimum lot area: 12,000 square feet
R10B	Minimum lot area: 10,000 square feet
RT4B	Minimum lot area: 7,260 square feet to 10,890 square feet

##### **Multifamily Residence Districts**

R30M	Minimum lot area: 5,000 square feet
EC	Eldercare Community Residence District

##### **Business Districts**

B1	Retail Business
B1A	Retail Business and Residential
B2	General Business, including light industry
<del>B</del>	<del>Planned Office Building and Laboratory</del>
BT	Business Transitional
CT1	<u>Complementary Use Transition 1</u>
CT2	<u>Complementary Use Transition 2</u>
CT3	<u>Complementary Use Transition 3</u>

## CT4

## Complementary Use Transition 4

## Central Business Districts

CB1	Central Business District 1
CB2	Central Business District 2

2. **Table 3 – Permitted Principal and Accessory Uses (Commercial)**

The recommendation to replace the B - Planned Office Building and Laboratory zoning district with the 4 new CT Complementary Use Transition zoning districts must be reflected in the table of permitted uses appended to the rear of the Zoning Code.

Currently, Table 3 combines the B and BT districts, which share identical lists of permitted uses. These zones must be de-coupled and the BT zone deleted.

Additionally, as recommended in Section IX. of this study, the BT district would now stand alone, and encompasses only a single parcel (333 Albany Post Road). The long-term viability of that site would benefit from expanded potential future uses. As such, the addition of the uses allowable in the Retail Business Districts is recommended.

1	2	3
Class of District and Symbol	Permitted Principal Uses	Permitted Accessory Uses
Planned Office Building and Laboratory B and Business Transitional BT	<p>The following are the only principal uses permitted in respective districts designated to the left hereof:</p> <ol style="list-style-type: none"> <li>1. Office building or buildings conforming with the meaning given in the definition of "office building" in § 220-2, in one ownership or tenancy, or owned or tenanted by separate subsidiaries of the same corporation.</li> <li>2. Research laboratory conforming with the meaning given in the definition of "research laboratory" in § 220-2 of this chapter, and with the supplemental provisions and regulations contained in § 220- 5C(1) hereof.</li> <li>3. Multiple tenant office use under § 220-6L subject to special permit use approval.</li> <li>4. Wireless telecommunication services facility, subject to special permit approval by the Planning Board pursuant to the special requirements of § 220-6J(13).</li> <li>5. <u>Any principal use permitted in a Retail Business District, and subject to the same bulk, area and dimensional requirements.</u></li> </ol>	<p>The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts:</p> <ol style="list-style-type: none"> <li>1. Private garage or private parking area, and off-street loading units, pursuant to the applicable provisions of § 220-12.</li> <li>2. Signs. Maximum area of 12 square feet at each entrance to the premises and not closer than 20 feet to the street line. Provisions for lighting shall be the same as in General Business B2 Districts.</li> <li>3. Multiple-tenant use under § 220-6L subject to special permit use approval for the building(s), which building(s) may include office, professional office, and medical and dental office, provided that the medical and dental offices do not exceed 30% of the available space within the building(s).</li> <li>4. Dwelling spaces for caretakers or other resident employees, watchmen and their families.</li> <li>5. Residential guest facilities, commensurate with the reasonable requirements for transient</li> </ol>

		<p>visitors to principal office buildings or research laboratories.</p> <p>6. Maintenance shops, gate houses, enclosed storage facilities, transformer stations, and buildings housing mechanical equipment.</p>
Complimentary Use Transition CT-1	<p><u>The following principal uses are permitted by Special Permit, as set forth in §220-6 M:</u></p> <ol style="list-style-type: none"> <li>1. Single family residential</li> <li>2. Low density multi-family residential</li> <li>3. Mixed-use developments</li> <li>4. CT assisted living facility</li> <li>5. CT townhouse development</li> <li>6. Places of worship</li> <li>7. Institutions of higher learning</li> <li>8. Nursery school</li> <li>9. R&amp;D, biomedical and biotech facilities</li> <li>10. Data storage</li> <li>11. Conference center/event space</li> <li>12. Wireless telecommunication services facility</li> </ol>	<p><u>The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts:</u></p> <ol style="list-style-type: none"> <li>1. <u>Private garage or private parking area, and off-street loading units, pursuant to the applicable provisions of § 220-12, unless otherwise modified in §220-6 M.</u></li> <li>2. <u>Signs. Maximum area of 12 square feet at each entrance to the premises and not closer than 20 feet to the street line. Provisions for lighting shall be the same as in General Business B2 Districts, unless otherwise modified in §220-6 M.</u></li> </ol>
Complimentary Use Transition CT-2	<p><u>The following principal uses are permitted by Special Permit, as set forth in §220-6 M:</u></p> <ol style="list-style-type: none"> <li>1. Office</li> <li>2. R&amp;D, biomedical and biotech facilities</li> <li>3. Mixed-use developments</li> <li>4. Highly amenitized apartments</li> <li>5. Self-storage facilities</li> <li>6. Museum or art gallery</li> <li>7. Nursery schools</li> <li>8. Medical office, outpatient and ambulatory care facilities</li> <li>9. Conference center/event space</li> <li>10. Clubs, lodges and recreational facilities</li> <li>11. Fitness club, training facility</li> <li>12. Retail, shopping center</li> <li>13. Light manufacturing uses</li> <li>14. Wireless telecommunication services facility</li> </ol>	<p><u>The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts:</u></p> <ol style="list-style-type: none"> <li>2. <u>Private garage or private parking area, and off-street loading units, pursuant to the applicable provisions of § 220-12, unless otherwise modified in §220-6 M.</u></li> <li>3. <u>Signs. Maximum area of 12 square feet at each entrance to the premises and not closer than 20 feet to the street line. Provisions for lighting shall be the same as in General Business B2 Districts, unless otherwise modified in §220-6 M.</u></li> </ol>
Complimentary Use Transition CT-3	<p><u>The following principal uses are permitted by Special Permit, as set forth in §220-6 M:</u></p> <ol style="list-style-type: none"> <li>1. Single family residential</li> <li>2. CT townhouse development</li> <li>3. Places of worship</li> <li>4. Institutions of higher learning</li> <li>5. Nursery school</li> <li>6. Office</li> <li>7. R&amp;D, biomedical and biotech facilities</li> <li>8. Mixed-use developments</li> <li>9. Highly amenitized apartments</li> <li>10. Light manufacturing uses</li> <li>11. Wireless telecommunication services facility</li> </ol>	<p><u>The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts:</u></p> <ol style="list-style-type: none"> <li>1. <u>Private garage or private parking area, and off-street loading units, pursuant to the applicable provisions of § 220-12, unless otherwise modified in §220-6 M.</u></li> <li>2. <u>Signs. Maximum area of 12 square feet at each entrance to the premises and not closer than 20 feet to the street line. Provisions for lighting shall be the same as in General Business B2 Districts, unless otherwise modified in §220-6 M.</u></li> </ol>
Complimentary Use Transition CT-4	<p><u>The following principal uses are permitted by Special Permit, as set forth in §220-6 M:</u></p>	<p><u>The following are the only accessory uses permitted in the respective districts designated</u></p>

	<ol style="list-style-type: none"> <li>1. <a href="#">Office</a></li> <li>2. <a href="#">R&amp;D, biomedical and biotech facilities</a></li> <li>3. <a href="#">Mixed-use developments</a></li> <li>4. <a href="#">Self-storage facilities</a></li> <li>5. <a href="#">Medical office, outpatient and ambulatory care facilities</a></li> <li>6. <a href="#">Hotels</a></li> <li>7. <a href="#">Conference center/event space</a></li> <li>8. <a href="#">Fitness club, training facility</a></li> <li>9. <a href="#">Light manufacturing uses</a></li> <li>10. <a href="#">Places of worship</a></li> <li>11. <a href="#">Institutions of higher learning</a></li> <li>12. <a href="#">Clubs, lodges and recreational facilities</a></li> <li>13. <a href="#">Hospital</a></li> <li>14. <a href="#">Nursery schools</a></li> <li>15. <a href="#">Museum or art gallery</a></li> <li>16. <a href="#">Wireless telecommunication services facility</a></li> </ol>	<p><a href="#">to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts:</a></p> <ol style="list-style-type: none"> <li>1. <a href="#">Private garage or private parking area, and off-street loading units, pursuant to the applicable provisions of § 220-12, unless otherwise modified in §220-6 M.</a></li> <li>2. <a href="#">Signs. Maximum area of 12 square feet at each entrance to the premises and not closer than 20 feet to the street line. Provisions for lighting shall be the same as in General Business B2 Districts, unless otherwise modified in §220-6 M.</a></li> </ol>
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220 - Table 4 – Permitted Lot Sizes, Setbacks, Height Requirements must also be revised to eliminate the BT zone and add the 4 CT zones

1	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Lot Limitations													Building Limitations								
Key	Min. Size of Lot	Maximum % of Lot to be Occupied		Minimum Yard Dimensions in Feet from Lot Lines to Principal Bldg.					Minimum Yard Dimensions in Feet from Lot Lines to Accessory Bldg.					Maximum Height				Maximum Gross Area of Ground Floor in SqFt			
				Principal Bldg.	Front	Side (One)	Side (Both)	Rear	Principal Bldg.	Street Line	Side Lot Line	Rear lot Line	Stories	Feet	Slope Roof	Flat Roof	1 Story	1 ½ Story	2 or 2 ½ Story		
Area in Sq Ft	Lot Width	Principal Bldg	Accessory Bldg	Front	Side (One)	Side (Both)	Rear	Principal Bldg.	Street Line	Side Lot Line	Rear lot Line	Stories	Feet	Slope Roof	Flat Roof	1 Story	1 ½ Story	2 or 2 ½ Story			
B	400,000	100	10% Combined	100	100	200	100	-	400	400	400	-	60	60	60	-	-	-	-		
BT	400,000	100	20% min, 10% combined	100	100	200	100	-	100	100	100	-	40	40	40	-	-	-	-		
CT1									Refer to §220-6 M												
CT2									Refer to §220-6 M												
CT3									Refer to §220-6 M												
CT4									Refer to §220-6 M												

### 3. §220-5 - Delete Planned Office Building and Laboratory Zoning District and Replace with Complimentary Use Transition Districts:

Currently, §220-5 establishes the purpose, procedures and regulations governing the existing B zoning district, as well as a lengthy process for adding sites to the B district. As the purpose of this exercise is to repurpose the 4 existing vacant or underutilized B zone sites, there is no practical need to include language that guides the addition of property to the B zone. Moreover, as the B zoning district is proposed to be replaced by 4 new CT zoning districts, this section should be replaced with language tailored to the intent and purpose of the new CT zones. All of the language regarding adding properties can be safely deleted.

#### ~~§ 220-5 Planned Office Building and Laboratory B District.~~

~~A. Statement of purpose. This chapter recognizes that it is necessary to the orderly economic development of the Village of Briarcliff Manor to encourage the use of property for office buildings of a proprietary character occupied by a single owner or tenant, and research laboratory buildings similarly occupied, erected in accordance with suitable standards, and at appropriate locations and supported by accessory uses considered appropriate.~~

**B. Procedure on applications.**

(1) Before any petition shall be taken up for consideration by the Board of Trustees for an amendment to the Zoning Map, Village of Briarcliff Manor, New York, October 29, 1953, as amended, for the purpose of placing any lot or tract of land in a Planned Office Building and Laboratory B District, the applicant or his agent shall first file an application with the Planning Board, which application shall include, to the extent deemed appropriate by the Planning Board:

- (a) Site plan showing total acreage involved, dimensions and place of buildings, contours of the ground elevation at not more than five-foot intervals, arrangement of proposed streets and driveways, layout of off street parking and loading areas with their capacity stormwater drainage system, sewage disposal system, water supply system and landscaping plan.
- (b) Gradients of all streets and driveways.
- (c) Grading plan for the entire tract.
- (d) Preliminary floor plans, sections, and elevations of all proposed buildings.
- (e) Detailed statement of the uses to which all proposed buildings and open lands are to be devoted, with estimate of the number of employees to be employed at any one time, and statement as to whether more than one shift is to be used.
- (f) Evidence that the applicant has clear title in fee simple to the entire tract of land, or alternately that applicant has executed a formal contract to purchase such tract, contingent only upon its being rezoned to the Planned Office Building and Laboratory B District.
- (g) Applicant's covenant in proper form for recording, and to run with the land, that if the application is granted and the Zoning Chapter and Zoning Map are amended pursuant thereto by the Board of Trustees, any application for a building permit subsequently filed with respect to such tract shall comply substantially with the information contained in such application for the change of zone.

(2) Within 45 days after an application has been filed, the Planning Board shall, after notice given in the manner provided by law, hold a public hearing on such application and related documents described in Subsection B(1) above.

(3) In its deliberations on such application, the Planning Board shall give due weight and consideration to the following:

- (a) Reports of the Village Engineer and Fire Chief.
- (b) Estimate of traffic generated by the proposed development during peak hours, and capacity of existing streets and highways to accommodate such traffic, as a surcharge upon existing and prospective traffic volumes from other generators, and report of Chief of Police with respect thereto.

(c) The sufficiency of the street frontage of the tract for the purpose of providing adequate entrances and exits, adequacy of access and driveways and provision for interior circulation of vehicles and pedestrians.

(d) The quality of the architectural features of building design which are subject to public view from any public place; and their attractiveness and harmony of style and appearance, and the functional plans of individual buildings and their relationship to other buildings in the same ownership.

(e) The appropriateness of the landscaping plan and the attention given to conservation of existing trees.

(f) The adequacy of parking areas and the landscaping thereof.

(4) Within 60 days after an application has been filed, the Planned Board shall make written recommendation to the Village Board of Trustees with respect thereto.

(5) Within 45 days after receipt of the recommendation from the Planning Board, the Board of Trustees shall, after notice given in the manner provided by law, hold a public hearing with respect to the application. If after such public hearing, the Board of Trustees determines that the application shall be granted, it shall thereupon amend the Zoning Chapter and the Zoning Map which is a part thereof by classifying the tract covered by the said application as a Planned Office Building and Research Laboratory B District.

**C. Supplemental provisions and regulations.**

(1) Use.

(a) No research laboratory shall be permitted which may be expected to cause offensive noises, gases, fumes, odors or vibrations beyond the boundaries of its tract; nor to involve any operation which presents a hazard to the general public; nor to discharge waste products of a character creating a nuisance.

(b) No animal quarters other than in the principal building or a fully enclosed accessory building shall be permitted.

(c) On sites entirely or partly within an existing nonresidential district and having frontage on and direct access to state highways, designated Business Transitional (BT) as provided in Subsection C(6) below, substantial portions of the floor area may be used for warehouse and storage purposes in the interest of controlling the generation of traffic. The establishment of said warehouse or storage use as a principal or accessory use shall be subject to a finding by the Planning Board that said use can be accommodated in a safe and aesthetically satisfactory manner.

(d) No personal care, medical or dental office shall be permitted, except as otherwise set forth in § 220-6 and the related Schedule Limiting the Use of Buildings; provided, however, that medical research laboratory use shall not be prohibited.

(2) Height. Notwithstanding the maximum height limitations contained in the schedule, the building height may be increased one foot for each three additional feet that it is set back from all lot lines; provided, however, that in no case shall such building exceed 75 feet in height.

(3) Building area. The sum of the combined total gross floor areas of all floors in principal and accessory buildings shall not exceed 40% of the lot area.

(4) Loading. Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within parking lots for passenger vehicles or within the required minimum front yard. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.

(5) Parking units. Parking units may not be located within the minimum front yard. The side and rear yards may be used for parking units except that no parking unit may be located wholly or partly within 50 feet from any property line. Parking areas shall be landscaped attractively with trees and shrubbery along their boundaries and between rows of parking units, when appropriate, and shall be screened by trees and shrubbery from adjacent properties.

(6) Building coverage. Notwithstanding other provisions in this § 220-5 regulating Planned Office Building and Laboratory B District development and the standards for said district listed in § 220-5, sites which qualify for Planned Office Building and Laboratory B District use and which lie wholly or in part within a nonresidential district or districts shall be designated Business Transitional (BT) and permitted a building coverage as follows:

- (a) If at least 20% of the minimum lot size (400,000 square feet) listed in Column 4 of the schedule is comprised of nonresidential district(s), that portion of the site comprising the minimum lot size and located having frontage and access to a state highway, may be developed at a maximum intensity of 20% coverage of the minimum lot size.
- (b) Any additional lands on the site in excess of the minimum lot size shall be developed at an intensity no greater than 10% coverage.
- (c) The sum of the combined total gross floor areas of all floors in principal and accessory buildings shall not exceed 25% of the lot area, so as to reduce building bulk and related traffic and functional ramifications.
- (d) The maximum building height shall be reduced from that allowed in the B District to a maximum potential height of 40 feet, also so as to reduce bulk factors.

**§220-5 Complementary Use Transition District.**

- A. Statement of Purpose. This chapter recognizes that the properties in the Village of Briarcliff Manor that are located within the CT1, CT2, CT3 and CT4 zoning districts are unique in their location, configuration, environmental constraints, relationship to surrounding uses, access, infrastructure and prior use. Repurposing these properties to support their reuse in an appropriately scaled, sustainable and economically viable manner that is complimentary with surrounding uses, is the goal of the Village.
- B. All uses permitted in the CT zoning districts are established as Special Permit Uses, subject to the regulatory controls and standards set forth in §220-6 M.

**4. §220-6 M. – Delete Special Permit Use Criteria for Single Tenant Office Uses**

This section establishes specific Special Permit criteria to allow for the conversion of a single tenant office use to a multiple tenant office use. As no single tenant office uses remain in the B or BT zones, and therefore no conversions could occur, this provision can be eliminated.

**M. Special use in a Planned Office Building and Laboratory B District or a Business Transitional BT District.**

~~(1) Conversion of single tenant office use to multiple tenant office use. On sites of 20 acres or less, the conversion of existing single tenant office facilities and permitted accessory uses to permit use and occupancy by multiple tenants, provided that:~~

~~(a) The site either:~~

~~[1] Has frontage on, or principal access to, a roadway under state or county jurisdiction; or~~

~~[2] Is located within one mile of a limited access highway under state jurisdiction by travel over the roadway on which the site fronts and from which it is accessed, except that where the building(s) to be converted to multiple tenant use consists of less than 100,000 square feet of non-warehouse space, such site may be located up to 2.5 miles from such limited access highway by travel over any roadway(s).~~

~~(b) The grounds and exterior of all buildings be maintained in conformity with the prevailing standards of the surrounding neighborhood, particularly with regard to signage and lighting;~~

~~(c) A minimum of 10% of the total number of parking spaces on the site are reserved for the exclusive use of visitors, in such locations as are determined by the Planning Board;~~

~~(d) Food service is available at the site for the use of the tenants in accordance with the site plan required to be submitted under Subsection D, provided that such food may be prepared on or off site and provided, further, that where the building to be converted to multitenant use consists of less than 50,000 square feet of non-warehouse space, the Planning Board may waive this requirement.~~

(e) The employee population of the entire site shall not exceed one employee per 250 gross square feet of floor area of the principal office building or buildings as identified on the site plan required to be submitted under Subsection D;

(f) The owner/landlord of the site shall within 10 days prior to the commencement of occupancy of any tenant, or as part of any application for a building permit to demise a tenant space, as the case may be, certify to the Building Inspector the maximum employee population of that tenant and of the then total employee population of the site, and shall also annually certify the total employee population of the site;

(g) The site plan required to be submitted under Subsection D shall contain a notation which recites all of the conditions set forth herein and any other conditions of the special permit which may be imposed by the Village Board; and

(h) A traffic study, if required by the Village Board, be provided to analyze the potential traffic impacts of multiple tenant use on the road system which services the site.

## 5. Revised §220-2 – Definitions – To Include New Uses

Several new uses are proposed, requiring that their definitions be added to §220-2.

**CT ASSISTED LIVING FACILITY** – Distinct from an Eldercare Community, a CT Assisted Living Facility reflects the unique characteristics of the CT zone, and shall operate pursuant to certification by the New York State Department of Health.

**CT TOWNHOUSE DEVELOPMENT** - A cluster or grouping of townhouse units located in a CT zoning district containing no less than two or more than six townhouse dwelling units contiguous to one another. A Townhouse dwelling unit shall consist of an attached, privately owned single-family dwelling unit which is a part of and adjacent to other similarly owned single-family dwelling units that are connected to but separated from one another by a common party wall having no doors, windows, or other provisions for human passage or visibility.

**MIXED-USE DEVELOPMENT** – A use combining multi-family residences with either retail, experiential retail, retail service, restaurant, carry-out food establishment, theater, health club, nursery school, tutoring or general practice walk-in medical clinic uses into a single building or group of buildings and a unified site design and configuration that shares access, parking, utility infrastructure and associate amenities.

**HIGHLY AMENITIZED APARTMENTS** – A high-quality multi-family building that incorporates significant amenities. To be classified as a highly amenitized apartment building, at least four of the following amenities must be included; concierge services, fitness center, on-site personal training, fitness and wellness classes, business center and co-working spaces, cyber lounge, game room, swimming pool, shuttle bus, private outdoor open space, communal outdoor open space, assigned parking, movie theater, high speed WiFi, dry cleaning services, secure bicycle storage, smart thermostats and apartment appurtenances, keyless unit electronic entry, washer and dryers in all units, sound-proof music/jam room with piano, electric car charging stations, valet parking package storage room.

**SELF-STORAGE FACILITY** – A building or group of buildings within a controlled access or fenced environment divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers or other residential uses.

**EXPERIENTIAL RETAIL** – A retail use that offers customers an in-store opportunity for physical interactive engagement with a product or service.

**RESEARCH LABORATORY** – A building for experimentation in pure or applied research, design, development and production of prototype machines or devices, or of new products and uses necessary thereto; wherein products are not manufactured or assembled primarily for wholesale or retail sale wherein commercial servicing or repair of commercial products is not performed, and where there is no display of any materials or products for sale, and any technological application that uses biological science and systems, living organisms, genetics or derivatives thereof, to make or modify products or processes for specific use or to treat or prevent diseases.

**DATA STORAGE FACILITY** – A facility dedicated to house computer systems and associated components to support business continuity by supplying redundant data storage, infrastructure, power supply, communications, and security devices.

## **6. Add New Special Permit Uses for CT1, CT2, CT3 and CT4 Districts**

This section of the code reflects the regulatory substance of the new CT zones.

These new provisions can be inserted in place §220-6 M, which is recommended to be deleted.

This initial section sets forth the general special permit criteria that apply to *all* uses in *all* the new CT districts.

**§220-6 M. Special uses in Complementary Use Transition CT zoning districts.**

(1) In all Complimentary Use Transition CT districts, the following special permit general criteria shall apply:

- n) The use will not prevent or substantially impair either the reasonable and orderly use of the reasonable and orderly development of other properties in the neighborhood.
- o) The health, safety, welfare, comfort, convenience and order of the Village will not be adversely affected by the proposed use.
- p) Such use will be in harmony with and promote the general purposes and intent of this chapter.
- q) The site is particularly suitable for the location of such use in the community.
- r) The site area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation thereof.
- s) A marketing study shall be provided demonstrating that a viable and robust market exists for the proposed use.
- t) An infrastructure and utility study shall be provided demonstrating that the infrastructural and utility network serving the site is in good working order, and that adequate capacities exist to support the proposed use. This study shall include an Inflow and Infiltration (I&I) analysis, and shall document how I&I will be reduced by a 3:1 ratio, either on or in the immediately vicinity of the site, or elsewhere in the Village.
- u) A traffic study shall be provided documenting existing traffic operating conditions in the vicinity of the site, potential traffic related impacts of the proposed use, and necessary mitigation measures. This study shall include measures to enhance public transit to and from the site.
- v) A municipal service impact study shall be provided, documenting impacts of the proposed use on municipal services.
- w) No Special Permit use shall be permitted that creates an opportunity to assemble additional parcels, thereby expanding the use to adjacent properties, unless such use is already permitted on the adjacent property, or the assembled property historically operated as a single use.
- x) Environmentally constrained areas, consisting of slopes above 25%, wetlands and wetland buffers, streams and bodies of water, shall be deducted from the buildable area of any parcel being considered for a Special Permit. The Village Board may allow for environmentally constrained lands to be restored to the buildable area of a parcel, if an environmental resource mitigation plan is provided which documents specific mitigation measures, protection techniques, restoration or rehabilitation methods, either on or off-site, that adequately protects the environmental resource.
- y) Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within required parking lots or within the required minimum front yard. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.

z) Parking areas shall be designed to avoid the impression of large-scale paved areas. Parking stalls shall not be located within the minimum front yard, or within 50' from any property line. All parking areas shall be screened and buffered by landscaping. A minimum 10' landscaped strip shall abut all parking areas, consisting of staggered evergreen plantings. Additionally, landscaped islands shall be provided in all parking lots containing 25 or more spaces, at a ratio of 15 square feet per parking space. This landscaping shall include shade trees to reduce the heat island effect resulting from large paved areas. To reduce impervious surface coverage, pervious pavers may be utilized in less heavily trafficked portions of the parking lots, but not in travel aisles, subject to the approval of the Village Board

The following section sets forth the specific special permit criteria that apply to the various individual special permit uses in the CT1, CT2, CT3 and CT4 districts respectively.

**(2) Specific special permit criteria applicable for all uses in the CT1 District:**

a) **Single family residential**

- i. The bulk, area and dimensional requirements of the R60A District shall apply.
- ii. The requirement to provide a market study pursuant to §220-6 M (1 f.) shall not apply, unless otherwise required as part of the SEQRA review process.
- iii. If a conventional subdivision is proposed, a cluster subdivision alternative is required to be simultaneously submitted.
- iv. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.

b) **Low density multi-family residential**

- i. The bulk, area and dimensional requirements of the R30M District shall apply, except that:
  - 1. The minimum lot size shall be 60 acres.
  - 2. The maximum density shall not exceed 2.5 units/acre.
  - 3. Maximum height shall not exceed 3 stories.
- ii. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.

c) **Mixed-use developments**

- i. The bulk, area and dimensional requirements of the R30M District shall apply, except that:
  - 1. The minimum lot size shall be 60 acres.
  - 2. The maximum density shall not exceed 3.0 units/acre.
  - 3. Maximum height shall not exceed 3 stories.
- ii. Supportive neighborhood retail use, designed to accommodate the needs of residents in the development, shall be permitted, provided it not exceed 15,000 gross square feet of floor area.
- iii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The Village Board may reduce the off-street parking requirement for supportive neighborhood retail uses by up to 50% to reflect the proximity of the retail use to parking already provided for on-site residents.
- iv. No retail use signage shall be visible from Scarborough Road, with the exception of the inclusion of identification signage on a single monument sign located at the main site

access driveway. This monument sign shall not exceed six (6) feet in height, and shall not internally illuminated.

v. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.

d) **CT assisted living facilities**

- i. The minimum lot size shall be 60 acres.
- ii. A CT assisted living facility may consist of one or more buildings containing multiple dwelling units and common areas including senior care services.
- iii. The maximum density shall not exceed 2 beds per gross acre.
- iv. The maximum principal building coverage shall not exceed 30%.
- v. The maximum accessory building coverage shall not exceed 5%.
- vi. The maximum impervious surface coverage shall not exceed 60%.
- vii. A minimum 100' undisturbed vegetated buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
- viii. The maximum height shall not exceed three stories or 40 feet. Any portion of said building that is within 250 feet of an adjacent residential property line, shall not exceed 2 ½ stories or 30 feet.
- ix. The maximum length of a CT assisted living building shall not exceed 300 feet.
- x. All principal buildings shall be setback a minimum of 150' from all property lines.
- xi. If multiple buildings are proposed, minimum distance of twice the height of the taller building shall be maintained between buildings.
- xii. No off-street parking shall be permitted within 100 feet of all property lines. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
- xiii. 0.5 off-street parking spaces shall be provided for each bed in an ALB.
- xiv. 1 loading space shall be provided for the first 50 beds, and 1 additional loading space for each additional 100 beds.
- xv. A CT assisted living facility shall contain adequate living and sleeping area(s) and a private bathing facility or shower. Kitchenettes are permitted within the units, provided that adequate safety features are included in the design of such facilities. A kitchenette shall permit microwave ovens for cooking purposes but shall prohibit gas stoves, ovens, hot plates or any other device that maintains an open flame or exposed heated surface capable of creating a potential fire hazard.
- xvi. A CT assisted living facility may include the following in addition to individual residential units:
  1. Living area(s) for the common use of the residents, adequate in location, number, size, variety and amenities to satisfactorily serve the needs of such residents. Such living areas may include but not be limited to living rooms, TV rooms, libraries, music rooms, activity rooms and multipurpose rooms.
  2. Dining area(s) for the common use of the residents, adequate in location, number, size and amenities to satisfactorily serve the needs of such residents, and in which all meals shall be served to all residents on a daily basis.
  3. Central commercial kitchen adjacent to and from which food service is provided to the common dining room(s). Central commercial kitchen facilities shall provide appropriate venting and odor control in addition to noise attenuation meeting the requirements of § 146.
  4. Indoor and outdoor passive recreational areas for the common use of the residents. The minimum permitted usable outdoor open space on a lot containing an senior housing/assisted living single residence building shall be provided at a ratio of 100 square feet of outdoor open space for each individual assisted living unit.
  5. Lavatory facilities located near the common room(s) for the use of residents and guests.

6. Laundry facilities for the residents' personal use.
7. Linen and housekeeping services.
8. Personal-care services that need not be provided by licensed personnel, including, but not limited to, assistance with dressing, bathing, eating, ambulation and general supervision.
9. Twenty-four-hour availability of on-site responsible staff person(s).
10. A central kitchen on each floor of the building for the residents' personal use, provided that adequate safety features are included in the design of such facility.
11. An area proximate to the main entrance to the ALR that provides safe, properly sited, convenient and canopy protected access to transportation modes for residents, including but not limited to a shuttle bus, taxi, ride-sharing and jitney services.
- xvii. Adequate exterior lighting shall be provided to ensure safe pedestrian and vehicular travel around the site. Such lighting shall be shielded from the view of all surrounding properties and streets.
- xviii. Operation plan. The applicant shall submit a preliminary operation plan identifying proposed services to be provided, staffing requirements and proposed leases or sale arrangements with residents. If dwelling units are offered for sale, the preliminary operation plan must outline a procedure for resale of units. The preliminary operation plan shall include a policy on continuing care arrangements for residents who become unable to reside in the facility due to changed physical or mental condition. A statement shall be included detailing the nature and extent of regulation to be provided by the State of New York and County of Westchester with reference to statutes and laws as appropriate. Facilities not regulated by the State of New York shall not qualify for the special permit. The operator of the senior housing/assisted living facility shall be required to submit an update of the operation plan and regulatory statement on an annual basis as a condition of the special permit.
- xix. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.

**e) CT townhouse development**

- i. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 400,000 square feet
  2. Lot width at front yard setback – 100 feet
  3. Maximum Building Coverage – 15%
  4. Maximum Impervious Surface Coverage – 25%
  5. Front Yard Setback – 100 feet
  6. Side Yard Setback – 50 feet
  7. Rear Yard Setback – 100 feet
  8. Maximum Height, Principal Building – 2 ½ stories/35 feet
- ii. Off-street parking shall be provided in accordance with §220-12, except that:
  1. 1.5 off-street parking spaces shall be required for each dwelling unit.
  2. 5 off-street parking spaces shall be required per 1,000 square feet of clubhouse gross floor area.
- iii. The maximum density shall not exceed 15 dwelling units per gross acre.
- iv. A minimum 75' undisturbed vegetated buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
- v. A minimum distance of ½ the height of the taller building shall be maintained between buildings.
- vi. No off-street parking shall be permitted within 100 feet of all property lines. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.

**f) Places of worship**

- i. Sanctuary buildings and buildings accommodating public assembly shall be setback a minimum of 200' from all property lines.
- ii. Accessory residential buildings shall be setback a minimum of 100' from all property lines.
- iii. Principal building coverage shall not exceed 10%.
- iv. Off-street parking shall be provided in accordance with §220-12.
- v. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- vi. Ancillary uses such as schools, food pantries or soup kitchens, clothing or food drop boxes or non-affiliated social service activities (AA, drug rehabilitation, counseling services, etc.) or leasing spaces to other outside groups or organizations is prohibited, unless specifically authorized by the Village Board.
- vii. In areas proximate to neighboring residences, noise resulting from public address systems, bells, chimes, clarions, calls to prayer, etc., shall adhere to the Village Noise Ordinance (Chapter 146) to the extant practicable, and to respect the peace and tranquility of adjacent residential neighbors.
- viii. Exterior site lighting shall not exceed 0 foot-candles along all property lines, except at the entrance driveway, where it shall not exceed 1 foot-candle.
- ix. During holidays, special occasions and when higher than normal attendance is anticipated, special traffic control measures shall be implemented, in coordination with the Village of Briarcliff Manor Police Department.
- x. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xi. The requirement to provide a market study pursuant to §220-6 M (1 f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**g) Institutions of higher learning**

- i. An institution of higher education operated in accordance with the Education Law of the State of New York.
- ii. The Site for an institution of higher learning shall have a minimum site area of 50 acres, plus five acres for each 100 enrolled students in excess of 500 students.
- iii. All buildings shall be setback from all property lines by at least 200 feet.
- iv. The maximum principal building coverage shall not exceed 20%.
- v. The maximum accessory building coverage shall not exceed 5%.
- vi. The maximum impervious surface coverage shall not exceed 60%.
- vii. Maximum building height:
  1. Buildings located between 200 feet and 300 feet from property lines – 2 ½ stories/30 feet.
  2. Buildings located between 301 feet and 500 feet from property lines – 3 stories/40 feet.
  3. Buildings located more than 501 feet from property lines – 4 stories/50 feet.
- viii. Athletic fields, grandstands and bleachers shall be setback from all property lines by at least 300 feet, and shall be screened and buffered by robust landscaping.
- ix. Noise generated by outdoor events, concerts and athletic activities shall fully comply with the Village of Briarcliff manor Noise Ordinance (Chapter 146), and extensive outdoor public address systems are prohibited.
- x. The minimum distance between buildings shall be twice the height of the taller building.
- xi. Dormitories or dwellings shall be limited exclusively to students, teachers or other members of the staff of the institution of higher learning. A dormitory or dwelling shall not subsequently be sold or rented as private residence or for any other legal use unless the building and any required lot surrounding it shall meet all regulations of the R60A district.
- xii. Off-street parking shall be provided in accordance with §220-12, except that:

1. 1 off-street parking space shall be provided for each teacher and other staff member of the institution of higher learning and 1 additional space for each 5 students. For auditoriums, gymnasiums, grandstands and other gathering places, 1 off-street parking space shall be provided for each 5 seats. The Village Board may approve the design of a parking area to serve more than one use, provided that such uses will require parking facilities at different times. Parking areas shall be located at least 75 feet from all property lines.
- xiii. Access and interior drives on the school site shall be located so as to prevent unnecessary traffic on local residential streets and to avoid unsafe conditions and traffic congestion.
- xiv. Suitable fencing, landscaping and screening shall be provided to prevent any nuisance to surrounding properties and to protect the students attending the school.
- xv. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xvi. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**h) Nursery school**

- i. A nursery school shall comply with the provisions of §220-6 J (10) and/or (10A); except that:
  1. The minimum lot area shall be 5 acres.
  2. The enclosed outdoor play space shall be located not less than 100 feet from any side or rear lot line.
- ii. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.

**i) R&D, biomedical & biotech facilities**

- i. No research laboratory shall be permitted which may be expected to cause offensive noises, gases, fumes, odors or vibrations beyond the boundaries of its tract; nor to involve any operation which presents a hazard to the general public; nor to discharge waste products of a character creating a nuisance.
- ii. Pilot plants for the testing of manufacturing, processing or fabrication methods or for the testing of products or materials shall be permitted only as accessory to a research laboratory, and in no case shall more than 30% of the total floor area be devoted to such uses. No materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said laboratory research, design or experimental work.
- iii. No manufactured or commercial explosives or hazardous chemicals shall be kept, maintained or stored on said premises except in small quantities for laboratory research, design or experimental use, and then only in compliance with all applicable federal, state and local safety statutes. An inventory of all such materials shall be complied, updated regularly and supplied to the Fire Department annually.
- iv. Animals may be kept or maintained when necessary for laboratory research, design or experimental work in a vivarium or similar facility, but only after specific authorization by the Village Board, which shall limit the number and kind of animals, designate the place for keeping of such animals, impose regulations recommended by the County Health Department and provide for suitable safeguards, including fencing and landscaping, to protect the public health, safety and welfare.
- v. Warehouse use shall only be permitted if a determination is made by the Village Board that such use will not result in an adverse traffic condition, as defined by a reduction in adjacent intersection Level-of-Service by one classification (i.e. A to B or C to D, etc.).

- vi. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.
- vii. Buildings shall be setback a minimum of 150' from all property lines.
- viii. Maximum building height:
  - 1. Buildings located between 200 feet and 300 feet from property lines – 2 ½ stories/30 feet.
  - 2. Buildings located between 301 feet and 500 feet from property lines – 3 stories/40 feet.
  - 3. Buildings located more than 501 feet from property lines – 4 stories/50 feet.
- ix. The maximum principal building coverage shall not exceed 15%.
- x. The maximum accessory building coverage shall not exceed 2%.
- xi. The maximum impervious surface coverage shall not exceed 30%.
- xii. Loading. Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within parking lots or within the required yards. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.
- xiii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The required number of off-street parking spaces shall be 1 space for each 400 square feet of gross floor area.
- xiv. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.

**j) Data storage**

- i. The minimum lot size shall be 60 acres.
- ii. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.
- iii. Buildings shall be setback a minimum of 150' from all property lines.
- iv. Maximum building height:
  - 1. Buildings located between 200 feet and 300 feet from property lines – 2 ½ stories/30 feet.
  - 2. Buildings located more than 301 feet from property lines – 3 stories/40 feet.
- v. The maximum principal building coverage shall not exceed 15%.
- vi. The maximum accessory building coverage shall not exceed 2%.
- vii. The maximum impervious surface coverage shall not exceed 30%.
- viii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The required number of off-street parking spaces shall be 1 space per employee.
- ix. Any extraordinary utility demands shall be identified, and an assessment regarding the adequacy of existing services, or required upgrades, shall be provided.
- x. Antennas used to transmit or receive data shall be setback from all property lines by 350 feet, and shall be fully screened and buffered by robust landscaping from all adjacent residences and public streets or viewpoints.

**k) Conference center/event space**

- i. The minimum lot size shall be 60 acres.
- ii. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.
- iii. Buildings shall be setback a minimum of 150' from all property lines.
- iv. Maximum building height shall not exceed 2 ½ stories/30 feet.
- v. The maximum principal building coverage shall not exceed 10%.
- vi. The maximum accessory building coverage shall not exceed 2%.
- vii. The maximum impervious surface coverage shall not exceed 25%.

viii. Off-street parking shall be provided in accordance with §220-12, and that this use shall comply with the minimum required parking established for “theater, auditorium, stadium or other place of public assembly, including a place of worship.”

I) **Wireless Telecommunication Services Facilities**

i. Subject to compliance with the requirements of §220-6 J (13)

**(3) Specific special permit criteria applicable for all uses in the CT2 District:**

a) **Office**

i. The following dimensional regulations shall apply:

1. Minimum Lot Size – 200,000 square feet
2. Lot width at front yard setback – 100 feet
3. Building Coverage – 10%
4. Principal Building Front Yard Setback – 50 feet
5. Principal Building Side Yard Setback (one) – 75 feet
6. Principal Building Side Yard Setback (total of two) – 150 feet
7. Principal Building Rear Yard Setback – 75 feet
8. Accessory Building Front Yard Setback – 50 feet
9. Accessory Building Side Yard Setback (one) – 25 feet
10. Accessory Building Side Yard Setback (total of two) – 50 feet
11. Accessory Building Rear Yard Setback – 75 feet
12. Maximum Height, Principal Building – 40 feet
13. Maximum Height, Accessory Buildings – 15 feet

ii. Off-street parking shall be provided in accordance with §220-12.

b) **R&D, biomedical & biotech facilities**

i. No research laboratory shall be permitted which may be expected to cause offensive noises, gases, fumes, odors or vibrations beyond the boundaries of its tract; nor to involve any operation which presents a hazard to the general public; nor to discharge waste products of a character creating a nuisance.

ii. Pilot plants for the testing of manufacturing, processing or fabrication methods or for the testing of products or materials shall be permitted only as accessory to a research laboratory, and in no case shall more than 30% of the total floor area be devoted to such uses. No materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said laboratory research, design or experimental work.

iii. No manufactured or commercial explosives or hazardous chemicals shall be kept, maintained or stored on said premises except in small quantities for laboratory research, design or experimental use, and then only in compliance with all applicable federal, state and local safety statutes. An inventory of all such materials shall be complied, updated regularly and supplied to the Fire Department annually.

iv. Animals may be kept or maintained when necessary for laboratory research, design or experimental work in a vivarium or similar facility, but only after specific authorization by the Village Board, which shall limit the number and kind of animals, designate the place for keeping of such animals, impose regulations recommended by the County Health Department and provide for suitable safeguards, including fencing and landscaping, to protect the public health, safety and welfare.

v. Warehouse use shall only be permitted if a determination is made by the Village Board that such use will not result in an adverse traffic condition, as defined by a reduction in adjacent intersection Level-of-Service by one classification (i.e. A to B or C to D, etc.).

vi. Buildings shall be setback a minimum of 100' from all property lines.

vii. Maximum building height – 40 feet.

viii. The maximum principal building coverage shall not exceed 15%.

ix. The maximum accessory building coverage shall not exceed 2%.

x. The maximum impervious surface coverage shall not exceed 65%.

- xi. Loading. Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within parking lots or within the required yards. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.
- xii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The required number of off-street parking spaces shall be 1 space for each 400 square feet of gross floor area.
- xiii. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.

**c) Mixed-use developments**

- i. The bulk, area and dimensional requirements of the R30M District shall apply, except that:
  - 1. the minimum lot size shall be 400,000 square feet.
  - 2. The maximum density shall not exceed 15.0 units/acre.
  - 3. Maximum height shall not exceed 3 stories.
- ii. Supportive neighborhood retail use, designed to accommodate the needs of residents in the development, shall be permitted, provided it not exceed 15,000 gross square feet of floor area.
- iii. If retail, experiential retail, retail service, restaurant, carry-out food establishment, theater, health club, nursery school, tutoring or general practice walk-in medical clinic use or combination thereof are proposed that front on, and are oriented toward the Albany Post Road, that also accommodate non-resident public customers, the maximum permitted gross floor area may be increased to 60,000 square feet, provided the space is demised to accommodate 3 or more tenant spaces. A single tenant shall not be permitted, with the exception of a supermarket use, which may occupy the entire 60,000 square feet.
- iv. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The Village Board may reduce the off-street parking requirement for supportive neighborhood retail uses by up to 50% to reflect the proximity of the retail use to parking already provided for on-site residents.
  - v. Off-street parking shall apply to each separate non-residential use.
  - vi. A mixed-use development may have separate driveways that access the residential and commercial components.

**d) Highly amenitized apartments**

- i. In order to be classified as a highly amenitized apartment use, a project must include at least 5 of the following:
  - 1. Concierge services
  - 2. Fitness center
  - 3. On-site personal training, fitness and wellness classes
  - 4. Business center and co-working spaces
  - 5. Cyber lounge
  - 6. Game room
  - 7. Swimming pool
  - 8. Shuttle bus
  - 9. Private outdoor open space
  - 10. Communal outdoor open space
  - 11. Assigned parking
  - 12. Movie theater
  - 13. High speed WiFi
  - 14. Dry cleaning services
  - 15. Secure bicycle storage
  - 16. Smart thermostats and apartment appurtenances
  - 17. Keyless unit electronic entry
  - 18. Washer and dryers in all units

19. Sound-proof music/jam room with piano
20. Electric car changing stations
21. Valet parking
22. Package storage room
- ii. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 400,000 square feet
  2. Minimum dwelling unit size – 950 square feet.
  3. Lot width at front yard setback – 100 feet
  4. Building Coverage – 10%
  5. Principal Building Front Yard Setback – 100 feet
  6. Principal Building Side Yard Setback (one) – 100 feet
  7. Principal Building Side Yard Setback (total of two) – 200 feet
  8. Principal Building Rear Yard Setback – 100 feet
  9. Accessory Building Front Yard Setback – 100 feet
  10. Accessory Building Side Yard Setback (one) – 100 feet
  11. Accessory Building Side Yard Setback (total of two) – 200 feet
  12. Accessory Building Rear Yard Setback – 100 feet
  13. Maximum Height, Principal Building – 4 stories/45 feet
  14. Maximum Height, Accessory Buildings – 1 story/15 feet
- iii. Off-street parking shall be provided in accordance with §220-12.
- iv. No more than 10% of the units shall consist of 3 or more bedrooms.
- v. A minimum of 10% of the building's gross floor area shall be devoted to interior amenity space.
- vi. Individual interior secure storage space shall be provided at a ratio of 50 square feet per dwelling unit.

e) **CT assisted living facilities**

- i. The minimum lot size shall be 60 acres.
- ii. A CT assisted living facility may consist of one or more buildings containing multiple dwelling units and common areas including senior care services.
- iii. The maximum density shall not exceed 2 beds per gross acre.
- iv. The maximum principal building coverage shall not exceed 30%.
- v. The maximum accessory building coverage shall not exceed 5%.
- vi. The maximum impervious surface coverage shall not exceed 60%.
- vii. A minimum 100' undisturbed vegetated buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
- viii. The maximum height shall not exceed three stories or 40 feet. Any portion of said building that is within 250 feet of an adjacent residential property line, shall not exceed 2 ½ stories or 30 feet.
- ix. The maximum length of a CT assisted living building shall not exceed 300 feet.
- x. All principal buildings shall be setback a minimum of 150' from all property lines.
- xi. If multiple buildings are proposed, minimum distance of twice the height of the taller building shall be maintained between buildings.
- xii. No off-street parking shall be permitted within 100 feet of all property lines. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
- xiii. 0.5 off-street parking spaces shall be provided for each bed in an ALB.
- xiv. 1 loading space shall be provided for the first 50 beds, and 1 additional loading space for each additional 100 beds.
- xv. A CT assisted living facility shall contain adequate living and sleeping area(s) and a private bathing facility or shower. Kitchenettes are permitted within the units, provided that adequate safety features are included in the design of such facilities. A kitchenette shall permit microwave ovens for cooking purposes but shall prohibit gas stoves, ovens,

hot plates or any other device that maintains an open flame or exposed heated surface capable of creating a potential fire hazard.

xvi. A CT assisted living facility may include the following in addition to individual residential units:

1. Living area(s) for the common use of the residents, adequate in location, number, size, variety and amenities to satisfactorily serve the needs of such residents. Such living areas may include but not be limited to living rooms, TV rooms, libraries, music rooms, activity rooms and multipurpose rooms.
2. Dining area(s) for the common use of the residents, adequate in location, number, size and amenities to satisfactorily serve the needs of such residents, and in which all meals shall be served to all residents on a daily basis.
3. Central commercial kitchen adjacent to and from which food service is provided to the common dining room(s). Central commercial kitchen facilities shall provide appropriate venting and odor control in addition to noise attenuation meeting the requirements of § 146.
4. Indoor and outdoor passive recreational areas for the common use of the residents. The minimum permitted usable outdoor open space on a lot containing an senior housing/assisted living single residence building shall be provided at a ratio of 100 square feet of outdoor open space for each individual assisted living unit.
5. Lavatory facilities located near the common room(s) for the use of residents and guests.
6. Laundry facilities for the residents' personal use.
7. Linen and housekeeping services.
8. Personal-care services that need not be provided by licensed personnel, including, but not limited to, assistance with dressing, bathing, eating, ambulation and general supervision.
9. Twenty-four-hour availability of on-site responsible staff person(s).
10. A central kitchen on each floor of the building for the residents' personal use, provided that adequate safety features are included in the design of such facility.
11. An area proximate to the main entrance to the ALR that provides safe, properly sited, convenient and canopy protected access to transportation modes for residents, including but not limited to a shuttle bus, taxi, ride-sharing and jitney services.

xvii. Adequate exterior lighting shall be provided to ensure safe pedestrian and vehicular travel around the site. Such lighting shall be shielded from the view of all surrounding properties and streets.

xviii. Operation plan. The applicant shall submit a preliminary operation plan identifying proposed services to be provided, staffing requirements and proposed leases or sale arrangements with residents. If dwelling units are offered for sale, the preliminary operation plan must outline a procedure for resale of units. The preliminary operation plan shall include a policy on continuing care arrangements for residents who become unable to reside in the facility due to changed physical or mental condition. A statement shall be included detailing the nature and extent of regulation to be provided by the State of New York and County of Westchester with reference to statutes and laws as appropriate. Facilities not regulated by the State of New York shall not qualify for the special permit. The operator of the senior housing/assisted living facility shall be required to submit an update of the operation plan and regulatory statement on an annual basis as a condition of the special permit.

xix. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.

**f) Places of worship**

- i. Sanctuary buildings and buildings accommodating public assembly shall be setback a minimum of 75' from the front property line and 100 feet from all side and rear property lines.
- ii. Accessory residential buildings shall be setback a minimum of 50' from all property lines.
- iii. Principal building coverage shall not exceed 10%.
- iv. Off-street parking shall be provided in accordance with §220-12.
- v. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- vi. Ancillary uses such as schools, food pantries or soup kitchens, clothing or food drop boxes or non-affiliated social service activities (AA, drug rehabilitation, counseling services, etc.) or leasing spaces to other outside groups or organizations is prohibited, unless specifically authorized by the Village Board.
- vii. In areas proximate to neighboring residences, noise resulting from public address systems, bells, chimes, clarions, calls to prayer, etc., shall adhere to the Village Noise Ordinance (Chapter 146) to the extant practicable, and to respect the peace and tranquility of adjacent residential neighbors.
- viii. Exterior site lighting shall not exceed 0 foot-candles along all property lines, except at the entrance driveway, where it shall not exceed 1 foot-candle.
- ix. During holidays, special occasions and when higher than normal attendance is anticipated, special traffic control measures shall be implemented, in coordination with the Village of Briarcliff Manor Police Department.
- x. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xi. The requirement to provide a market study pursuant to §220-6 M (1 f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**g) Institutions of higher learning**

- i. An institution of higher learning shall comply with the provisions of §220-6 J (2);
- ii. An institution of higher education operated in accordance with the Education Law of the State of New York.
- iii. The Site for an institution of higher learning shall have a minimum site area of 5 acres, plus 2 acres for each 100 enrolled students in excess of 500 students.
- iv. All buildings shall be setback a minimum of 75' from the front property line and 100 feet from all side and rear property lines..
- v. The maximum principal building coverage shall not exceed 15%.
- vi. The maximum accessory building coverage shall not exceed 2%.
- vii. The maximum impervious surface coverage shall not exceed 55%.
- viii. Maximum building height – 3 stories;
- ix. Athletic fields, grandstands and bleachers shall be setback from all property lines by at least 200 feet, and shall be screened and buffered by robust landscaping.
- x. Noise generated by outdoor events, concerts and athletic activities shall fully comply with the Village of Briarcliff manor Noise Ordinance (Chapter 146), and extensive outdoor public address systems are prohibited.
- xi. The minimum distance between buildings shall be twice the height of the taller building.
- xii. Dormitories or dwellings shall be limited exclusively to students, teachers or other members of the staff of the institution of higher learning. A dormitory or dwelling shall not subsequently be sold or rented as private residence or for any other legal use unless the building and any required lot surrounding it shall meet all regulations of the R60A district.
- xiii. Off-street parking shall be provided in accordance with §220-12, except that:
  1. 1 off-street parking space shall be provided for each teacher and other staff member of the institution of higher learning and 1 additional space for each 5 students. For auditoriums, gymnasiums, grandstands and other gathering

places, 1 off-street parking space shall be provided for each 5 seats. The Village Board may approve the design of a parking area to serve more than one use, provided that such uses will require parking facilities at different times. Parking areas shall be located at least 50 feet from all property lines.

- xiv. Access and interior drives on the school site shall be located so as to prevent unnecessary traffic on local residential streets and to avoid unsafe conditions and traffic congestion.
- xv. Suitable fencing, landscaping and screening shall be provided to prevent any nuisance to surrounding properties and to protect the students attending the school.
- xvi. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xvii. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**h) Self-storage facilities**

- i. The Site for a self-storage facility shall have a minimum site area of 400,000 square feet.
- ii. All buildings shall be setback a minimum of 75' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 12%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 50%.
- vi. Maximum building height – 4 stories
- vii. The use is limited to individual storage units or compartments.
- viii. Storage units shall be a minimum of 50 square feet and shall not exceed 300 square feet.
- ix. Storage units shall not be used for manufacture, fabrication, processing, vehicle or equipment repair or similar activities or to conduct retail sales of any kind or any other commercial activity on the site.
- x. No outside storage shall be permitted.
- xi. No electrical outlets are permitted within individual storage units.
- xii. The building shall be designed to have an architectural character that is harmonious with the surrounding neighborhood, and minimizes the historically negative appearance of such facilities. Building colors shall be neutral or earth-tone and shall not call attention to the use. Exterior walls visible from a public street shall not include metal as the primary material.
- xiii. All self-storage facilities shall include continuous video surveillance of all indoor and outdoor common areas.
- xiv. The hours of access to a self-storage facility shall be restricted to between 6:00 AM and 10:00 PM.
- xv. No more than 25% of all garage or roll up doors serving individual storage units shall be located parallel to the public street upon which the site has frontage, to minimize visual impacts.
- xvi. No less than 20% of the front façade facing the Albany Post Road shall consist of a non-reflecting glazing material.
- xvii. Where windows are provided, the interior space visible from the public perspective shall be treated so as to present a neutral commercial appearance (and not visible storage units).
- xviii. Fencing shall be masonry, wrought iron, steel, wood or aluminum and shall be painted or vinyl coated with colors that compliment the building. High-security fencing, razor ribbon or similar materials is prohibited.
- xix. All multi-story self-storage facilities shall have elevators.

xx. No more than 10% of individual storage units shall be directly accessible from the exterior of the building. 90% of all units shall only be accessible from the interior of the building.

xxi. The self-storage facility shall contain sprinklers.

**i) Museum or art gallery**

- i. A museum or art gallery shall comply with the provisions of §220-6 J (11); except that:
  1. A for-profit museum or art gallery shall have a minimum site area of 200,000 square feet.
  2. All buildings shall be setback a minimum of 75' from the front property line and 100 feet from all side and rear property lines.
  3. The maximum principal building coverage shall not exceed 10%.
  4. The maximum accessory building coverage shall not exceed 2%.
  5. The maximum impervious surface coverage shall not exceed 40%.
  6. Maximum building height – 2 stories
  7. Off-street parking shall be provided in accordance with §220-12, except that:
    - a) The off-street parking requirement shall be 10 spaces plus 1 additional space per 350 square feet of floor area above 2,000 square feet. This provision shall supersede §220-6 J (11) (b).

**j) Nursery school**

- i. A nursery school shall comply with the provisions of §220-6 J (10) and/or (10A); except that:
  1. The minimum lot area shall be 5 acres.
  2. The enclosed outdoor play space shall be located not less than 100 feet from any side or rear lot line.

**k) Medical office, outpatient and ambulatory care facilities**

- i. The Site for a medical office, outpatient and ambulatory care facility shall have a minimum site area of 200,000 square feet.
- ii. All buildings shall be setback a minimum of 75' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 10%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 40%.
- vi. Maximum building height – 3 stories
- vii. Off-street parking shall be provided in accordance with §220-12, except that:
  1. The off-street parking requirement shall be 1 space per 200 square feet of gross floor area or 4 space per patient room, whichever is greater.
  2. The Village Board may approve a parking management plan that modifies §220-12 that includes features such as shared or valet parking.
- viii. A patient pick up drop off area shall be provided, that is located outside travel aisles, fire lanes, and in close proximity to the primary building entrance. This area shall accommodate a minimum of three vehicles and also be sized to accommodate an ambulance.
- ix. The primary building entrance shall be protected by a weatherproof enclosure or canopy.
- x. Pedestrian circulation through the parking lot shall be well organized, and a minimum of one protected pedestrian pathway, located outside vehicle travel lanes shall be provided to the primary building entrance. All crossings of vehicle travel lanes shall occur within a crosswalk defined by paint, alternative paving, raised surface or other measures. All pedestrian circulation pathways shall be ADA compliant.
- xi. Pedestrian pathways shall be adequately lighted and appropriately signed.

**I) Conference center/event space**

- i. The Site for a conference center/event space shall have a minimum site area of 400,000 square feet.
- ii. All buildings shall be setback a minimum of 75' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 10%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 40%.
- vi. Maximum building height – 2 stories
- vii. Off-street parking shall be provided in accordance with §220-12, and shall comply with the provision for “theater, auditorium, stadium or other place of public assembly, including a place of worship.”
- viii. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- ix. Areas for outdoor events or activities shall be specifically defined by landscaping, fencing or other measures, and shall not be located closer than 100 feet from any property line.
- x. Noise generated by outdoor events, shall fully comply with the Village of Briarcliff Manor Noise Ordinance (Chapter 146).
- xi. The facility shall be designed to be fully ADA compliant.
- xii. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.

**m) Clubs, lodges and recreational facilities**

- i. Clubs, lodges and recreational facilities shall comply with the provisions of §220-6 J. (6); except that:
  1. The Board of Appeals referenced in (a) is hereby replaced with the Village Board.
  - ii. The maximum principal building coverage shall not exceed 5%.
  - iii. The maximum accessory building coverage shall not exceed 1%.
  - iv. The maximum impervious surface coverage shall not exceed 20%.
  - v. Maximum building height – 2 stories
  - vi. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
  - vii. Areas for outdoor events or activities shall be specifically defined by landscaping, fencing or other measures, and shall not be located closer than 100 feet from any property line.
  - viii. Noise generated by outdoor events, shall fully comply with the Village of Briarcliff Manor Noise Ordinance (Chapter 146).

**n) Fitness club, training facilities**

- i. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 200,000 square feet
  2. Lot width at front yard setback – 100 feet
  3. Building Coverage – 10%
  4. Principal Building Front Yard Setback – 50 feet
  5. Principal Building Side Yard Setback (one) – 75 feet
  6. Principal Building Side Yard Setback (total of two) – 75 feet
  7. Principal Building Rear Yard Setback – 75 feet
  8. Accessory Building Front Yard Setback – 50 feet
  9. Accessory Building Side Yard Setback (one) – 25 feet
  10. Accessory Building Side Yard Setback (total of two) – 50 feet
  11. Accessory Building Rear Yard Setback – 75 feet
  12. Maximum Height, Principal Building – 40 feet
  13. Maximum Height, Accessory Buildings – 15 feet

- ii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. 5 off-street parking spaces shall be provided for each 1,000 square feet of gross floor area.
  - ii. If an outdoor swimming pool is proposed, it shall be setback from all property lines by a minimum of 75 feet, and shall be fully enclosed by solid wood or vinyl fencing and robust landscape screening.
  - iv. Outdoor public address systems or amplified music is prohibited.
- o) **Retail, shopping center**
  - i. Permitted uses within a retail shopping center include retail, experiential retail, retail service, restaurant, carry-out food establishment, theater, health club, nursery school, tutoring, general practice walk-in medical clinic.
  - ii. The following dimensional regulations shall apply:
    - 1. Minimum Lot Size – 200,000 square feet
    - 2. Lot width at front yard setback – 100 feet
    - 3. Building Coverage – 10%
    - 4. Principal Building Front Yard Setback – 50 feet
    - 5. Principal Building Side Yard Setback (one) – 75 feet
    - 6. Principal Building Side Yard Setback (total of two) – 150 feet
    - 7. Principal Building Rear Yard Setback – 75 feet
    - 8. Accessory Building Front Yard Setback – 50 feet
    - 9. Accessory Building Side Yard Setback (one) – 25 feet
    - 10. Accessory Building Side Yard Setback (total of two) – 50 feet
    - 11. Accessory Building Rear Yard Setback – 75 feet
    - 12. Maximum Height, Principal Building – 30 feet
    - 13. Maximum Height, Accessory Buildings – 15 feet
  - iii. The off-street parking requirement for a retail shopping center shall be composed of combination of the requirements for each individual use.
  - iv. Off-street parking shall be provided in accordance with §220-12, except that:
    - 1. The parking requirement for a general practice walk-in medical clinic shall be 1 space per 200 square feet of gross floor area or 4 space per patient room, whichever if greater.
    - 2. The parking requirement for a health club shall be 5 spaces for each 1,000 square feet of gross floor area.
    - 3. The parking requirement for a tutoring use shall be 2 spaces for each tutor.
  - v. No more than one primary site entrance shall be permitted. This entrance shall be sited in consultation with the NYSDOT, and a traffic light warrant analysis shall be provided to determine if a traffic signal is required.
- p) **Light manufacturing uses**
  - i. Light manufacturing uses, which may include fabrication, processing, converting, altering, assembling or handling of products, shall document to the satisfaction of the Village Board that the operation will not result in:
    - 1. The dissemination of dust, smoke, observable gas or fumes, odor, noise, vibration or excessive light beyond the immediate vicinity of the building in which such use is conducted.
    - 2. Menace by reason of fire, explosion or other physical hazard, including radiation or electrical disturbance.
    - 3. A harmful discharge of waste materials.
    - 4. Unusual traffic hazards or congestions due to the type of vehicles utilized.
  - ii. Office use is permitted as accessory component to the light manufacturing use, and shall not occupy more than 25% of the gross floor area.
  - iii. The following uses are specifically prohibited:
    - 1. Retail sales to the general public.
    - 2. The slaughtering or processing of animals, fowl or fish or component thereof or manufacture of any commodity, a major part of which is animal or fish matter.

3. The manufacture of heavy chemicals such as, but not necessarily limited to, acids or other corrosives, ammonia and caustic soda; the manufacture of basic or semi-finished chemicals such as, but not necessarily limited to, cellulose products, resins, dyestuffs, glues, vegetable, animal or mineral fats or oils, explosives, soaps and detergents, fertilizers, combustible gases and asphalt and tar products; the manufacture or production of primary metals or alloys in ingot or stock form; the manufacture or production of cement, plaster and their constituents, matches, paints, linoleum and oilcloth, rubber and rubber products.
- iv. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 200,000 square feet
  2. Lot width at front yard setback – 100 feet
  3. Building Coverage – 10%
  4. Principal Building Front Yard Setback – 50 feet
  5. Principal Building Side Yard Setback (one) – 100 feet
  6. Principal Building Side Yard Setback (total of two) – 100 feet
  7. Principal Building Rear Yard Setback – 100 feet
  8. Accessory Building Front Yard Setback – 50 feet
  9. Accessory Building Side Yard Setback (one) – 25 feet
  10. Accessory Building Side Yard Setback (total of two) – 50 feet
  11. Accessory Building Rear Yard Setback – 75 feet
  12. Maximum Height, Principal Building – 30 feet
  13. Maximum Height, Accessory Buildings – 15 feet
- v. Off-street parking shall be provided in accordance with §220-12, except that:
  1. The parking requirement for a light manufacturing use shall be 1 space per 1,000 square feet of gross floor area, or 1 space per employee, whichever is greater.
- vi. Ventilators, skylights, water tanks, bulkheads, chimneys, necessary mechanical appurtenances and similar features not used for human occupancy and usually carried above the roof level may extend an additional 15 feet above the roof level of a building, but the total area of all such features shall not exceed 25% of the roof area. The height of chimneys for heating and power houses and the height of individual water towers may be increased above the limitations of this section, provided that these structures are set back an additional 100 feet from all property lines for each additional 20 feet of height or part thereof. The height limitations of this section shall not apply to radio antennas when accessory to the principal use, except that no more than one such antenna shall be erected on any site, and the height of such an antenna shall not exceed 100 feet above the ground.
- vii. When multiple light industrial buildings are proposed, the distance between any two buildings shall be at least equal twice the height of the taller of said buildings.
- viii. The building shall be designed to have an architectural character that is harmonious with the surrounding neighborhood, and minimizes the historically negative appearance of such facilities. Exterior walls visible from a public street shall not include metal as the primary material.

q) **Wireless Telecommunication Services Facilities**

- i. Subject to compliance with the requirements of §220-6 J (13)

**(4) Specific special permit criteria applicable for all uses in the CT3 District:**

a) **Single family residential**

- i. The bulk, area and dimensional requirements of the R60A District shall apply.
- ii. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.
- iii. If a conventional subdivision is proposed, a cluster subdivision alternative is required to be simultaneously submitted.

iv. A minimum 100' undisturbed wooded buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities.

**b) Places of worship**

- i. Sanctuary buildings and buildings accommodating public assembly shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
- ii. Accessory residential buildings shall be setback a minimum of 50' from all property lines.
- iii. Principal building coverage shall not exceed 10%.
- iv. Off-street parking shall be provided in accordance with §220-12.
- v. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- vi. Ancillary uses such as schools, food pantries or soup kitchens, clothing or food drop boxes or non-affiliated social service activities (AA, drug rehabilitation, counseling services, etc.) or leasing spaces to other outside groups or organizations is prohibited, unless specifically authorized by the Village Board.
- vii. In areas proximate to neighboring residences, noise resulting from public address systems, bells, chimes, clarions, calls to prayer, etc., shall adhere to the Village Noise Ordinance (Chapter 146) to the extant practicable, and to respect the peace and tranquility of adjacent residential neighbors.
- viii. Exterior site lighting shall not exceed 0 foot-candles along all property lines, except at the entrance driveway, where it shall not exceed 1 foot-candle.
- ix. During holidays, special occasions and when higher than normal attendance is anticipated, special traffic control measures shall be implemented, in coordination with the Village of Briarcliff Manor Police Department.
- x. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xi. The requirement to provide a market study pursuant to §220-6 M (1 f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**c) Institutions of higher learning**

- i. An institution of higher learning shall comply with the provisions of §220-6 J (2);
- ii. An institution of higher education operated in accordance with the Education Law of the State of New York.
- iii. The Site for an institution of higher learning shall have a minimum site area of 5 acres, plus 2 acres for each 100 enrolled students in excess of 500 students.
- iv. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines..
- v. The maximum principal building coverage shall not exceed 20%.
- vi. The maximum accessory building coverage shall not exceed 2%.
- vii. The maximum impervious surface coverage shall not exceed 55%.
- viii. Maximum building height – 3 stories:
- ix. Athletic fields, grandstands and bleachers shall be setback from all property lines by at least 200 feet, and shall be screened and buffered by robust landscaping.
- x. Noise generated by outdoor events, concerts and athletic activities shall fully comply with the Village of Briarcliff manor Noise Ordinance (Chapter 146), and extensive outdoor public address systems are prohibited.
- xi. The minimum distance between buildings shall be twice the height of the taller building.
- xii. Dormitories or dwellings shall be limited exclusively to students, teachers or other members of the staff of the institution of higher learning. A dormitory or dwelling shall not subsequently be sold or rented as private residence or for any other legal use unless the building and any required lot surrounding it shall meet all regulations of the R60A district.

- xiii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. 1 off-street parking space shall be provided for each teacher and other staff member of the institution of higher learning and 1 additional space for each 5 students. For auditoriums, gymnasiums, grandstands and other gathering places, 1 off-street parking space shall be provided for each 5 seats. The Village Board may approve the design of a parking area to serve more than one use, provided that such uses will require parking facilities at different times. Parking areas shall be located at least 50 feet from all property lines.
  - xiv. Access and interior drives on the school site shall be located so as to prevent unnecessary traffic on local residential streets and to avoid unsafe conditions and traffic congestion.
  - xv. Suitable fencing, landscaping and screening shall be provided to prevent any nuisance to surrounding properties and to protect the students attending the school.
  - xvi. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
  - xvii. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**d) Nursery school**

- i. A nursery school shall comply with the provisions of §220-6 J (10) and/or (10A); except that:
  - 1. The minimum lot area shall be 5 acres.
  - 2. The enclosed outdoor play space shall be located not less than 100 feet from any side or rear lot line.

**e) Office**

- i. The following dimensional regulations shall apply:
  - 1. Minimum Lot Size – 350,000 square feet
  - 2. Lot width at front yard setback – 100 feet
  - 3. Building Coverage – 15%
  - 4. Principal Building Front Yard Setback – 100 feet
  - 5. Principal Building Side Yard Setback (one) – 100 feet
  - 6. Principal Building Side Yard Setback (total of two) – 200 feet
  - 7. Principal Building Rear Yard Setback – 100 feet
  - 8. Accessory Building Front Yard Setback – 75 feet
  - 9. Accessory Building Side Yard Setback (one) – 25 feet
  - 10. Accessory Building Side Yard Setback (total of two) – 50 feet
  - 11. Accessory Building Rear Yard Setback – 75 feet
  - 12. Maximum Height, Principal Building – 40 feet
  - 13. Maximum Height, Accessory Buildings – 15 feet
- ii. Off-street parking shall be provided in accordance with §220-12.

**f) R&D, biomedical & biotech facilities**

- i. No research laboratory shall be permitted which may be expected to cause offensive noises, gases, fumes, odors or vibrations beyond the boundaries of its tract; nor to involve any operation which presents a hazard to the general public; nor to discharge waste products of a character creating a nuisance.
- ii. Pilot plants for the testing of manufacturing, processing or fabrication methods or for the testing of products or materials shall be permitted only as accessory to a research laboratory, and in no case shall more than 30% of the total floor area be devoted to such uses. No materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said laboratory research, design or experimental work.

- iii. No manufactured or commercial explosives or hazardous chemicals shall be kept, maintained or stored on said premises except in small quantities for laboratory research, design or experimental use, and then only in compliance with all applicable federal, state and local safety statutes. An inventory of all such materials shall be compiled, updated regularly and supplied to the Fire Department annually.
- iv. Animals may be kept or maintained when necessary for laboratory research, design or experimental work in a vivarium or similar facility, but only after specific authorization by the Village Board, which shall limit the number and kind of animals, designate the place for keeping of such animals, impose regulations recommended by the County Health Department and provide for suitable safeguards, including fencing and landscaping, to protect the public health, safety and welfare.
- v. Warehouse use shall only be permitted if a determination is made by the Village Board that such use will not result in an adverse traffic condition, as defined by a reduction in adjacent intersection Level-of-Service by one classification (i.e. A to B or C to D, etc.).
- vi. Buildings shall be setback a minimum of 100' from all property lines.
- vii. Maximum building height – 40 feet;
- viii. The maximum principal building coverage shall not exceed 20%.
- ix. The maximum accessory building coverage shall not exceed 2%.
- x. The maximum impervious surface coverage shall not exceed 65%.
- xi. Loading. Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within parking lots or within the required yards. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.
- xii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The required number of off-street parking spaces shall be 1 space for each 400 square feet of gross floor area.
- xiii. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.

**g) Mixed-use developments**

- i. The bulk, area and dimensional requirements of the R30M District shall apply, except that:
  - 1. The minimum lot size shall be 350,000 square feet.
  - 2. The maximum density shall not exceed 12.0 units/acre.
  - 3. Maximum height shall not exceed 3 stories.
- ii. Supportive neighborhood retail use, designed to accommodate the needs of residents in the development, shall be permitted, provided it not exceed 10,000 gross square feet of floor area.
- iii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The Village Board may reduce the off-street parking requirement for supportive neighborhood retail uses by up to 50% to reflect the proximity of the retail use to parking already provided for on-site residents.

**h) Highly amenitized apartments**

- i. In order to be classified as a highly amenitized apartment use, a project must include at least 4 of the following:
  - 1. Concierge services
  - 2. Fitness center
  - 3. On-site personal training, fitness and wellness classes
  - 4. Business center and co-working spaces
  - 5. Cyber lounge
  - 6. Game room
  - 7. Swimming pool
  - 8. Shuttle bus
  - 9. Private outdoor open space
  - 10. Communal outdoor open space

11. Assigned parking
12. Movie theater
13. High speed WiFi
14. Dry cleaning services
15. Secure bicycle storage
16. Smart thermostats and apartment appurtenances
17. Keyless unit electronic entry
18. Washer and dryers in all units
19. Sound-proof music/jam room with piano
20. Electric car changing stations
21. Valet parking
22. Package storage room

- ii. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 350,000 square feet
  2. Minimum dwelling unit size – 950 square feet.
  3. Lot width at front yard setback – 100 feet
  4. Building Coverage – 10%
  5. Principal Building Front Yard Setback – 100 feet
  6. Principal Building Side Yard Setback (one) – 100 feet
  7. Principal Building Side Yard Setback (total of two) – 200 feet
  8. Principal Building Rear Yard Setback – 150 feet
  9. Accessory Building Front Yard Setback – 100 feet
  10. Accessory Building Side Yard Setback (one) – 100 feet
  11. Accessory Building Side Yard Setback (total of two) – 200 feet
  12. Accessory Building Rear Yard Setback – 100 feet
  13. Maximum Height, Principal Building – 3 stories/35 feet
  14. Maximum Height, Accessory Buildings – 1 story/15 feet
- iii. Off-street parking shall be provided in accordance with §220-12.
- iv. No more than 10% of the units shall consist of 3 or more bedrooms.
- v. A minimum of 10% of the building's gross floor area shall be devoted to interior amenity space.
- vi. Individual interior secure storage space shall be provided at a ratio of 50 square feet per dwelling unit.

- i) **CT townhouse development**
  - i. The following dimensional regulations shall apply:
    1. Minimum Lot Size – 400,000 square feet
    2. Lot width at front yard setback – 100 feet
    3. Maximum Building Coverage – 15%
    4. Maximum Impervious Surface Coverage – 25%
    5. Front Yard Setback – 100 feet
    6. Side Yard Setback – 50 feet
    7. Rear Yard Setback – 100 feet
    8. Maximum Height, Principal Building – 2 ½ stories/35 feet
  - ii. Off-street parking shall be provided in accordance with §220-12, except that:
    1. 1.5 off-street parking spaces shall be required for each dwelling unit.
    2. 5 off-street parking spaces shall be required per 1,000 square feet of clubhouse gross floor area.
  - iii. The maximum density shall not exceed 15 dwelling units per gross acre.
  - iv. A minimum 75' undisturbed vegetated buffer setback shall be preserved around the perimeter of the existing parcel. The only permitted encroachment into this buffer shall be for access roadway(s), and utilities. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
  - v. A minimum distance of ½ the height of the taller building shall be maintained between buildings.

- vi. No off-street parking shall be permitted within 100 feet of all property lines. The Village Board may reduce this setback to no less than 50 feet if adequate screening and buffering is provided.
- j) **Light manufacturing uses**
  - i. Light manufacturing uses, which may include fabrication, processing, converting, altering, assembling or handling of products, shall document to the satisfaction of the Village Board that the operation will not result in:
    - 1. The dissemination of dust, smoke, observable gas or fumes, odor, noise, vibration or excessive light beyond the immediate vicinity of the building in which such use is conducted.
    - 2. Menace by reason of fire, explosion or other physical hazard, including radiation or electrical disturbance.
    - 3. A harmful discharge of waste materials.
    - 4. Unusual traffic hazards or congestions due to the type of vehicles utilized.
  - ii. Office use is permitted as accessory component to the light manufacturing use, and shall not occupy more than 25% of the gross floor area.
  - iii. The following uses are specifically prohibited:
    - 1. Retail sales to the general public.
    - 2. The slaughtering or processing of animals, fowl or fish or component thereof or manufacture of any commodity, a major part of which is animal or fish matter.
    - 3. The manufacture of heavy chemicals such as, but not necessarily limited to, acids or other corrosives, ammonia and caustic soda; the manufacture of basic or semi-finished chemicals such as, but not necessarily limited to, cellulose products, resins, dyestuffs, glues, vegetable, animal or mineral fats or oils, explosives, soaps and detergents, fertilizers, combustible gases and asphalt and tar products; the manufacture or production of primary metals or alloys in ingot or stock form; the manufacture or production of cement, plaster and their constituents, matches, paints, linoleum and oilcloth, rubber and rubber products.
  - iv. The following dimensional regulations shall apply:
    - 1. Minimum Lot Size – 500,000 square feet
    - 2. Lot width at front yard setback – 100 feet
    - 3. Building Coverage – 10%
    - 4. Principal Building Front Yard Setback – 100 feet
    - 5. Principal Building Side Yard Setback (one) – 100 feet
    - 6. Principal Building Side Yard Setback (total of two) – 100 feet
    - 7. Principal Building Rear Yard Setback – 100 feet
    - 8. Accessory Building Front Yard Setback – 100 feet
    - 9. Accessory Building Side Yard Setback (one) – 25 feet
    - 10. Accessory Building Side Yard Setback (total of two) – 50 feet
    - 11. Accessory Building Rear Yard Setback – 75 feet
    - 12. Maximum Height, Principal Building – 30 feet
    - 13. Maximum Height, Accessory Buildings – 15 feet
  - v. Off-street parking shall be provided in accordance with §220-12, except that:
    - 1. The parking requirement for a light manufacturing use shall be 1 space per 1,000 square feet of gross floor area, or 1 space per employee, whichever is greater.
  - vi. Ventilators, skylights, water tanks, bulkheads, chimneys, necessary mechanical appurtenances and similar features not used for human occupancy and usually carried above the roof level may extend an additional 15 feet above the roof level of a building, but the total area of all such features shall not exceed 25% of the roof area. The height of chimneys for heating and power houses and the height of individual water towers may be increased above the limitations of this section, provided that these structures are set back an additional 100 feet from all property lines for each additional 20 feet of height or part thereof. The height limitations of this section shall not apply to radio antennas when accessory to the principal use, except that no more than one such

antenna shall be erected on any site, and the height of such an antenna shall not exceed 100 feet above the ground.

vii. When multiple light industrial buildings are proposed, the distance between any two buildings shall be at least equal twice the height of the taller of said buildings.

viii. The building shall be designed to have an architectural character that is harmonious with the surrounding neighborhood, and minimizes the historically negative appearance of such facilities. Exterior walls visible from a public street shall not include metal as the primary material.

**k) Wireless Telecommunication Services Facilities**

i. Subject to compliance with the requirements of §220-6 J (13)

**(5) Specific special permit criteria applicable for all uses in the CT4 District:**

**a) Office**

i. The following dimensional regulations shall apply:

1. Minimum Lot Size – 400,000 square feet
2. Lot width at front yard setback – 100 feet
3. Building Coverage – 12%
4. Principal Building Front Yard Setback – 100 feet
5. Principal Building Side Yard Setback (one) – 100 feet
6. Principal Building Side Yard Setback (total of two) – 200 feet
7. Principal Building Rear Yard Setback – 100 feet
8. Accessory Building Front Yard Setback – 75 feet
9. Accessory Building Side Yard Setback (one) – 25 feet
10. Accessory Building Side Yard Setback (total of two) – 50 feet
11. Accessory Building Rear Yard Setback – 75 feet
12. Maximum Height, Principal Building – 60 feet
13. Maximum Height, Accessory Buildings – 15 feet

ii. Off-street parking shall be provided in accordance with §220-12.

**b) R&D, biomedical & biotech facilities**

i. No research laboratory shall be permitted which may be expected to cause offensive noises, gases, fumes, odors or vibrations beyond the boundaries of its tract; nor to involve any operation which presents a hazard to the general public; nor to discharge waste products of a character creating a nuisance.

ii. Pilot plants for the testing of manufacturing, processing or fabrication methods or for the testing of products or materials shall be permitted only as accessory to a research laboratory, and in no case shall more than 30% of the total floor area be devoted to such uses. No materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said laboratory research, design or experimental work.

iii. No manufactured or commercial explosives or hazardous chemicals shall be kept, maintained or stored on said premises except in small quantities for laboratory research, design or experimental use, and then only in compliance with all applicable federal, state and local safety statutes. An inventory of all such materials shall be complied, updated regularly and supplied to the Fire Department annually.

iv. Animals may be kept or maintained when necessary for laboratory research, design or experimental work in a vivarium or similar facility, but only after specific authorization by the Village Board, which shall limit the number and kind of animals, designate the place for keeping of such animals, impose regulations recommended by the County Health Department and provide for suitable safeguards, including fencing and landscaping, to protect the public health, safety and welfare.

v. Warehouse use shall only be permitted if a determination is made by the Village Board that such use will not result in an adverse traffic condition, as defined by a reduction in adjacent intersection Level-of-Service by one classification (i.e. A to B or C to D, etc.).

- vi. Buildings shall be setback a minimum of 100' from all property lines.
- vii. Maximum building height – 60 feet;
- viii. The maximum principal building coverage shall not exceed 20%.
- ix. The maximum accessory building coverage shall not exceed 2%.
- x. The maximum impervious surface coverage shall not exceed 65%.
- xi. Loading. Access for trucks and service vehicles shall include loading bays adjacent to or within buildings, which bays shall not be located within parking lots or within the required yards. The minimum dimensions of a loading bay shall be 10 feet in width by 30 feet in depth and 14 feet in height.
- xii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The required number of off-street parking spaces shall be 1 space for each 400 square feet of gross floor area.
- xiii. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.

**c) Mixed-use developments**

- i. The bulk, area and dimensional requirements of the R30M District shall apply, except that:
  - 1. the minimum lot size shall be 400,000 square feet.
  - 2. The maximum density shall not exceed 15.0 units/acre.
  - 3. Maximum height shall not exceed 3 stories.
- ii. Supportive neighborhood retail use, designed to accommodate the needs of residents in the development, shall be permitted, provided it not exceed 10,000 gross square feet of floor area.
- iii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The Village Board may reduce the off-street parking requirement for supportive neighborhood retail uses by up to 50% to reflect the proximity of the retail use to parking already provided for on-site residents.

**d) Self-storage facilities**

- i. The Site for a self-storage facility shall have a minimum site area of 400,000 square feet.
- ii. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 12%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 50%.
- vi. Maximum building height – 4 stories
- vii. The use is limited to individual storage units or compartments.
- viii. Storage units shall be a minimum of 50 square feet and shall not exceed 300 square feet.
- ix. Storage units shall not be used for manufacture, fabrication, processing, vehicle or equipment repair or similar activities or to conduct retail sales of any kind or any other commercial activity on the site.
- x. No outside storage shall be permitted.
- xi. No electrical outlets are permitted within individual storage units.
- xii. The building shall be designed to have an architectural character that is harmonious with the surrounding neighborhood, and minimizes the historically negative appearance of such facilities. Building colors shall be neutral or earth-tone and shall not call attention to the use. Exterior walls visible from a public street shall not include metal as the primary material.
- xiii. All self-storage facilities shall include continuous video surveillance of all indoor and outdoor common areas.
- xiv. The hours of access to a self-storage facility shall be restricted to between 6:00 AM and 10:00 PM.

- xv. No more than 25% of all garage or roll up doors serving individual storage units shall be located parallel to the public street upon which the site has frontage, to minimize visual impacts.
- xvi. No less than 20% of the front façade facing Pleasantville Road shall consist of a non-reflecting glazing material.
- xvii. Where windows are provided, the interior space visible from the public perspective shall be treated so as to present a neutral commercial appearance (and not visible storage units).
- xviii. Fencing shall be masonry, wrought iron, steel, wood or aluminum and shall be painted or vinyl coated with colors that compliment the building. High-security fencing, razor ribbon or similar materials is prohibited.
- xix. All multi-story self-storage facilities shall have elevators.
- xx. No more than 10% of individual storage units shall be directly accessible from the exterior of the building. 90% of all units shall only be accessible from the interior of the building.
- xi. The self-storage facility shall contain sprinklers.

**e) Medical office, outpatient and ambulatory care facilities**

- i. The Site for a medical office, outpatient and ambulatory care facility shall have a minimum site area of 400,000 square feet.
- ii. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 15%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 50%.
- vi. Maximum building height – 3 stories
- vii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. The off-street parking requirement shall be 1 space per 200 square feet of gross floor area or 4 space per patient room, whichever is greater.
  - 2. The Village Board may approve a parking management plan that modifies §220-12 that includes features such as shared or valet parking.
- viii. A patient pick up drop off area shall be provided, that is located outside travel aisles, fire lanes, and in close proximity to the primary building entrance. This area shall accommodate a minimum of three vehicles and also be sized to accommodate an ambulance.
- ix. The primary building entrance shall be protected by a weatherproof enclosure or canopy.
- x. Pedestrian circulation through the parking lot shall be well organized, and a minimum of one protected pedestrian pathway, located outside vehicle travel lanes shall be provided to the primary building entrance. All crossings of vehicle travel lanes shall occur within a crosswalk defined by paint, alternative paving, raised surface or other measures. All pedestrian circulation pathways shall be ADA compliant.
- xi. Pedestrian pathways shall be adequately lighted and appropriately signed.

**f) Hotels**

- i. The Site for a hotel shall have a minimum site area of 400,000 square feet.
- ii. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 20%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 60%.
- vi. Maximum building height – 3 stories.
- vii. A hotel shall have no more than 150 guest rooms.
- viii. A hotel shall be limited to usual hotel activities as defined herein and accessory uses incidental to the operation of the hotel, and of the same general character, including

but not limited to the following, provided that all accessory uses are planned as an integral part of the hotel and located on the same site:

1. One dwelling unit with or without kitchen facilities for the use of the hotel manager and/or caretaker and family.
2. Restaurants, lounges and banquet rooms serving either hotel guests exclusively or the general public, provided that no music or other sound is audible beyond the lot on which the use is located.
3. Fitness and recreational facilities including pools, courts, play areas, game and recreation rooms.
4. Automobile parking garages.
5. Office space.
6. Business center
- ix. Hotel sleeping rooms shall not be interconnected by interior doors in groups of more than two.
- x. Each sleeping room shall have an area, exclusive of bathroom and closet space, of a minimum of 225 square feet.
- xi. Off-street parking shall be provided in accordance with §220-12, except that:
  1. 1 off-street parking space shall be provided for each guest room.
  2. If a restaurant, lounge or banquet rooms are provided, additional off-street parking shall be provided in accordance with §220-12.

**g) Conference center/event space**

- i. The Site for a conference center/event space shall have a minimum site area of 400,000 square feet.
- ii. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
- iii. The maximum principal building coverage shall not exceed 10%.
- iv. The maximum accessory building coverage shall not exceed 2%.
- v. The maximum impervious surface coverage shall not exceed 40%.
- vi. Maximum building height – 2 stories
- vii. Off-street parking shall be provided in accordance with §220-12, and shall comply with the provision for “theater, auditorium, stadium or other place of public assembly, including a place of worship.”
- viii. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- ix. Areas for outdoor events or activities shall be specifically defined by landscaping, fencing or other measures, and shall not be located closer than 100 feet from any property line.
- x. Noise generated by outdoor events, shall fully comply with the Village of Briarcliff Manor Noise Ordinance (Chapter 146).
- xi. The facility shall be designed to be fully ADA compliant.
- xii. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.

**h) Fitness club, training facilities**

- i. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 400,000 square feet
  2. Lot width at front yard setback – 100 feet
  3. Building Coverage – 10%
  4. Principal Building Front Yard Setback – 100 feet
  5. Principal Building Side Yard Setback (one) – 100 feet
  6. Principal Building Side Yard Setback (total of two) – 200 feet
  7. Principal Building Rear Yard Setback – 100 feet
  8. Accessory Building Front Yard Setback – 100 feet

9. Accessory Building Side Yard Setback (one) – 50 feet
10. Accessory Building Side Yard Setback (total of two) – 100 feet
11. Accessory Building Rear Yard Setback – 100 feet
12. Maximum Height, Principal Building – 40 feet
13. Maximum Height, Accessory Buildings – 15 feet
- ii. Off-street parking shall be provided in accordance with §220-12, except that:
  1. 5 off-street parking spaces shall be provided for each 1,000 square feet of gross floor area.
  2. Off-street parking shall be located within 100' of the ground floor entrance.
- iii. If an outdoor swimming pool is proposed, it shall be setback from all property lines by a minimum of 150 feet, and shall be fully enclosed by solid wood or vinyl fencing and robust landscape screening.
- iv. Outdoor public address systems or amplified music is prohibited.

i) **Light manufacturing uses**

- i. Light manufacturing uses, which may include fabrication, processing, converting, altering, assembling or handling of products, shall document to the satisfaction of the Village Board that the operation will not result in:
  1. The dissemination of dust, smoke, observable gas or fumes, odor, noise, vibration or excessive light beyond the immediate vicinity of the building in which such use is conducted.
  2. Menace by reason of fire, explosion or other physical hazard, including radiation or electrical disturbance.
  3. A harmful discharge of waste materials.
  4. Unusual traffic hazards or congestions due to the type of vehicles utilized.
- ii. Office use is permitted as accessory component to the light manufacturing use, and shall not occupy more than 25% of the gross floor area.
- iii. The following uses are specifically prohibited:
  1. Retail sales to the general public.
  2. The slaughtering or processing of animals, fowl or fish or component thereof or manufacture of any commodity, a major part of which is animal or fish matter.
  3. The manufacture of heavy chemicals such as, but not necessarily limited to, acids or other corrosives, ammonia and caustic soda; the manufacture of basic or semi-finished chemicals such as, but not necessarily limited to, cellulose products, resins, dyestuffs, glues, vegetable, animal or mineral fats or oils, explosives, soaps and detergents, fertilizers, combustible gases and asphalt and tar products; the manufacture or production of primary metals or alloys in ingot or stock form; the manufacture or production of cement, plaster and their constituents, matches, paints, linoleum and oilcloth, rubber and rubber products.
- iv. The following dimensional regulations shall apply:
  1. Minimum Lot Size – 400,000 square feet
  2. Lot width at front yard setback – 100 feet
  3. Building Coverage – 10%
  4. Principal Building Front Yard Setback – 100 feet
  5. Principal Building Side Yard Setback (one) – 100 feet
  6. Principal Building Side Yard Setback (total of two) – 200 feet
  7. Principal Building Rear Yard Setback – 100 feet
  8. Accessory Building Front Yard Setback – 100 feet
  9. Accessory Building Side Yard Setback (one) – 75 feet
  10. Accessory Building Side Yard Setback (total of two) – 150 feet
  11. Accessory Building Rear Yard Setback – 75 feet
  12. Maximum Height, Principal Building – 30 feet
  13. Maximum Height, Accessory Buildings – 15 feet
- v. Off-street parking shall be provided in accordance with §220-12, except that:

1. The parking requirement for a light manufacturing use shall be 1 space per 1,000 square feet of gross floor area, or 1 space per employee, whichever is greater.
- vi. Ventilators, skylights, water tanks, bulkheads, chimneys, necessary mechanical appurtenances and similar features not used for human occupancy and usually carried above the roof level may extend an additional 15 feet above the roof level of a building, but the total area of all such features shall not exceed 25% of the roof area. The height of chimneys for heating and power houses and the height of individual water towers may be increased above the limitations of this section, provided that these structures are set back an additional 100 feet from all property lines for each additional 20 feet of height or part thereof. The height limitations of this section shall not apply to radio antennas when accessory to the principal use, except that no more than one such antenna shall be erected on any site, and the height of such an antenna shall not exceed 100 feet above the ground.
- vii. When multiple light industrial buildings are proposed, the distance between any two buildings shall be at least equal twice the height of the taller of said buildings.
- viii. The building shall be designed to have an architectural character that is harmonious with the surrounding neighborhood, and minimizes the historically negative appearance of such facilities. Exterior walls visible from a public street shall not include metal as the primary material.

j) **Places of worship**

- i. Sanctuary buildings and buildings accommodating public assembly shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
- ii. Accessory residential buildings shall be setback a minimum of 50' from all property lines.
- iii. Principal building coverage shall not exceed 10%.
- iv. Off-street parking shall be provided in accordance with §220-12.
- v. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- vi. Ancillary uses such as schools, food pantries or soup kitchens, clothing or food drop boxes or non-affiliated social service activities (AA, drug rehabilitation, counseling services, etc.) or leasing spaces to other outside groups or organizations is prohibited, unless specifically authorized by the Village Board.
- vii. In areas proximate to neighboring residences, noise resulting from public address systems, bells, chimes, clarions, calls to prayer, etc., shall adhere to the Village Noise Ordinance (Chapter 146) to the extant practicable, and to respect the peace and tranquility of adjacent residential neighbors.
- viii. Exterior site lighting shall not exceed 0 foot-candles along all property lines, except at the entrance driveway, where it shall not exceed 1 foot-candle.
- ix. During holidays, special occasions and when higher than normal attendance is anticipated, special traffic control measures shall be implemented, in coordination with the Village of Briarcliff Manor Police Department.
- x. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xi. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.

k) **Institutions of higher learning**

- i. An institution of higher learning shall comply with the provisions of §220-6 J (2);
- ii. An institution of higher education operated in accordance with the Education Law of the State of New York.
- iii. The Site for an institution of higher learning shall have a minimum site area of 5 acres, plus 2 acres for each 100 enrolled students in excess of 500 students.

- iv. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines..
- v. The maximum principal building coverage shall not exceed 20%.
- vi. The maximum accessory building coverage shall not exceed 2%.
- vii. The maximum impervious surface coverage shall not exceed 55%.
- viii. Maximum building height – 3 stories:
- ix. Athletic fields, grandstands and bleachers shall be setback from all property lines by at least 200 feet, and shall be screened and buffered by robust landscaping.
- x. Noise generated by outdoor events, concerts and athletic activities shall fully comply with the Village of Briarcliff manor Noise Ordinance (Chapter 146), and extensive outdoor public address systems are prohibited.
- xi. The minimum distance between buildings shall be twice the height of the taller building.
- xii. Dormitories or dwellings shall be limited exclusively to students, teachers or other members of the staff of the institution of higher learning. A dormitory or dwelling shall not subsequently be sold or rented as private residence or for any other legal use unless the building and any required lot surrounding it shall meet all regulations of the R60A district.
- xiii. Off-street parking shall be provided in accordance with §220-12, except that:
  - 1. 1 off-street parking space shall be provided for each teacher and other staff member of the institution of higher learning and 1 additional space for each 5 students. For auditoriums, gymnasiums, grandstands and other gathering places, 1 off-street parking space shall be provided for each 5 seats. The Village Board may approve the design of a parking area to serve more than one use, provided that such uses will require parking facilities at different times. Parking areas shall be located at least 50 feet from all property lines.
- xiv. Access and interior drives on the school site shall be located so as to prevent unnecessary traffic on local residential streets and to avoid unsafe conditions and traffic congestion.
- xv. Suitable fencing, landscaping and screening shall be provided to prevent any nuisance to surrounding properties and to protect the students attending the school.
- xvi. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.
- xvii. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.

**I) Clubs, lodges and recreational facilities**

- i. Clubs, lodges and recreational facilities shall comply with the provisions of §220-6 J. (6); except that:
  - 1. The Board of Appeals referenced in (a) is hereby replaced with the Village Board.
- ii. The maximum principal building coverage shall not exceed 5%.
- iii. The maximum accessory building coverage shall not exceed 1%.
- iv. The maximum impervious surface coverage shall not exceed 20%.
- v. Maximum building height – 2 stories
- vi. The entrance to all off-street parking lots shall be from an internal driveway, and not from a public street.
- vii. Areas for outdoor events or activities shall be specifically defined by landscaping, fencing or other measures, and shall not be located closer than 100 feet from any property line.
- viii. Noise generated by outdoor events, shall fully comply with the Village of Briarcliff Manor Noise Ordinance (Chapter 146).

**m) Hospital or other philanthropic institutions**

- i. A hospital or other philanthropic institution shall comply with the provisions of §220-6 J (8).

- ii. The minimum lot area shall be 400,000 square feet.
- iii. The requirement to provide a market study pursuant to §220-6 M (1) f.) shall not apply, unless otherwise required as part of the SEQRA review process.
- iv. One sign not exceeding 25 square feet in area indicating only the name of the facility shall be permitted facing each public street. Such sign shall not be closer than 10 feet to any lot line, shall not project more than eight feet in height above grade and shall not be illuminated except indirectly.

**n) Nursery school**

- i. A nursery school shall comply with the provisions of §220-6 J (10) and/or (10A); except that:
  - 1. The minimum lot area shall be 400,000 square feet.
  - 2. The enclosed outdoor play space shall be located not less than 100 feet from any side or rear lot line.

**o) Museum or art gallery**

- i. A museum or art gallery shall comply with the provisions of §220-6 J (11); except that:
  - 1. A for-profit museum or art gallery shall have a minimum site area of 250,000 square feet.
  - 2. All buildings shall be setback a minimum of 100' from the front property line and 100 feet from all side and rear property lines.
  - 3. The maximum principal building coverage shall not exceed 10%.
  - 4. The maximum accessory building coverage shall not exceed 2%.
  - 5. The maximum impervious surface coverage shall not exceed 40%.
  - 6. Maximum building height – 2 stories
  - 7. Off-street parking shall be provided in accordance with §220-12, except that:
    - a) The off-street parking requirement shall be 10 spaces plus 1 additional space per 350 square feet of floor area above 2,000 square feet. This provision shall supersede §220-6 J (11) (b).

**p) Wireless Telecommunication Services Facilities**

- i. Subject to compliance with the requirements of §220-6 J (13)