Appendix A

Business Areas in Briarcliff Manor

- CBD Concept Plan: West Downtown and East Downtown
- Other Retail Areas
- Office and Business Areas

BUSINESS AREAS

While commercial land uses occupy only about five percent of the Village's land area, this component of Village life is important to the tax base, to creating a genuine small town character organized around a downtown and to providing employment for local residents. A variety of shops and businesses are concentrated in three retail areas while office buildings and campuses are located on scattered sites throughout the Village, on or near major roads. The offices present very few problems for the Village; the greatest concern with these is to keep them in Briarcliff as long as they present few traffic or other neighborhood impacts. The downtown, which is the central business district (CBD) is located along Pleasantville Road and North State Road. This area presents some difficulties in terms of economic liveliness, mix of land uses and businesses, parking and pedestrian circulation, overall design quality, and physical size.

The Downtown

During the visioning phase of the Comprehensive Planning process, residents expressed strong support for the downtown (also known as the CBD, or central business district) to remain focused on serving the needs of the local community, rather than transforming itself into a destination or comparison shopping location. Yet, many residents believe there is a need to increase the variety and quality of retail in the Village's CBD to better support the needs of residents and improve the character of the downtown.

Previous Downtown Plans. In November 2002, Saccardi & Schiff prepared the Briarcliff Manor CBD Blight Study focusing on both sides of Pleasantville Road in the downtown area and the northeastern portion of the downtown across Route 9A. The study determined that, based on the number of vacancies and underutilized properties, level of disrepair, incompatible land uses, unsafe conditions, and unsightly visual conditions, there were sufficient blighting conditions in these areas to warrant urban renewal treatment pursuant to Article 15 of New York State Law. At the time of the study, the vacancies at the former A&P site and the small strip retail center at the intersection of Route 9A and North State Road represented a significant blighting influence in the downtown.

Other studies have been done on behalf of the Village to improve the quality, design and economic viability of the downtown. Strategies include the parking and circulation recommendations of the Area Site Plans: East and West Sides of Pleasantville Road, and far-ranging redevelopment recommendations of the F.P. Clark CBD Plan, and recent Village Streetscaping Plan for Pleasantville Road.

Brief descriptions of these plans are provided below.

Area Site Plans: East and West Sides of Pleasantville Road. An area site plan entitled Potential for Coordinated Parking East Side of Pleasantville Road ("The East Side Plan") was prepared in the late 1980s by Frederick P. Clark Associates, at the request of the Planning Board. This study guides the implementation of Section 220-12 (C)(7) Off-Street Parking and Off-Street Loading of the Village Zoning Code in the study area. The East Side Plan covers the east side of Pleasantville Road in the CBD north of the Municipal Building to North State Road. The code provisions state:

In order to promulgate safety and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require written assurance and/or deed restrictions, satisfactory to the Village Attorney, binding the owner and his heirs and assignees to maintain and permit such internal access and circulation and inter-use of parking facilities.

These plans largely focus on the transportation aspects of the roadway. The plan has been used by the Village ever since as a design guide for proposed development within the plan's study area and as a general reference for areas beyond the study area.

In 1996, a similar plan was prepared and adopted for the west side of Pleasantville Road, covering a second study area, the area between Poplar Road and Wachovia Bank. The purpose of the West Side Plan was to formally extend the principles and objectives of the East Side Plan to the balance of the Pleasantville Road B1 District.

The goals of both the West Side and East Side Plans are:

- Maximize safety and efficiency of pedestrian and vehicular traffic;
- Optimize the number of parking spaces and the efficiency of their use;
- Maximize the development potential and marketability of individual lots; and
- Strengthen the commercial core and character of the CBD as the Village Center through implementation of a generalized area site plan identifying building locations, sidewalks, parking and circulation, curb cuts, lighting and recommended landscaping.

Specific objectives of the plans are:

- Interconnection and coordination of parking areas between adjacent lots;
- Minimization of the number of curb cuts on Pleasantville Road;
- Identification and encouragement of building construction, expansion and/or relocation toward a full and efficient usage of each lot (east side), or "build-to line" (west side);
- Improvement of pedestrian connections from parking areas to the street (east side);
- Establishment of a continuous, landscaped and lighted, 4-5 foot wide sidewalk on Pleasantville Road (west side);
- Reduction of the number of vehicular trips and turning movements in the CBD; and
- Reduction of the potential for pedestrian and vehicular conflict, and encourage pedestrian travel within the CBD.

CBD Plan: Plan for a New Downtown. In 1998, F. P. Clark prepared a CBD Plan Study on behalf of the Village. The study's overall objective is to spur redevelopment of the Old Route 100 Area (block bound by Route 9A, North State, Woodside and Route 100) as a "New Downtown" and extension of the Pleasantville Road pattern. Implementation of the plan requires consolidation and coordination of existing properties to achieve the desired pattern of development, one which would contribute positively to the character and identity of the Village. The New Downtown concept had a number of detailed recommendations that are incorporated into the concept plan for the CBD in this Comprehensive Plan.

Village Streetscaping Plan. In May 2006, the Westchester County Department of Planning, Division of Design, developed a conceptual Streetscape Plan for Pleasantville Road in the CBD. It was developed using site surveys, application of urban design principles, and information from several documents, including guidelines developed by the Village's Beautification Committee and design concepts for the shopping center across 9A. The Streetscape Plan includes recommendations regarding locations for improved landscaping, new curbs, new crosswalks, additional lighting, signage and trash receptacles. The landscape features recommended in the county's plan have been incorporated into the concept plan for the CBD in this Comprehensive Plan.

The improvements described in the recent and prior planning efforts focus on the strength of each area in the CBD, east and west of 9A, and are a mix of measures that require private and public initiative. This Comprehensive Plan supports the goals and recommendations of

these studies. Thus the following Concept Plan for the CBD draws upon the above prior planning recommendations and the results of the public outreach efforts for this plan.

CBD Concept Plan

Defining the CBD Area. To develop a concept plan for the CBD, the boundaries of the CBD need first to be defined. This plan proposes that the full extent of the commercial area be called the CBD, with two discrete sub-areas: the traditional downtown, also known as west of 9A, and the North State Road area, also known as east of 9A, or the New Downtown. In this way, the Village's central business district comprises not just retail, but offices, services, municipal buildings and public spaces, and a few houses – a traditional mix of land uses historically found in downtowns. It may help to formally name the two areas to link them better and to provide each with a distinct identity: West Downtown and East Downtown or Village Center and Village East are possibilities. This concept plan refers to Pleasantville Road as West Downtown and the North State Road area as East Downtown.

West Downtown: Pleasantville Road

Figure 2-16 showed the existing land uses and other features in the downtown. Figure 3-1, Existing Conditions: Site Plan, shows both east and west sides of Pleasantville Road with the current layouts of parking, buildings, trees, curb cuts, and driveways. This view focuses on a length of street bracketed by The Patio/mixed-use building on the east side and the Getty gas station on the west side. These structures are labeled on the drawing.

The buildings on the east side keep a close street wall along the sidewalk, creating a traditional downtown urban design. The west side buildings are a different design model, more suburban than urban in style: the four buildings are pulled back from the street, each building provides its own parking, the parking areas occupy the front yards of the lots and are not interconnected, and there is no continuous sidewalk. In between the buildings is a stand-alone parking lot.There are nine curb cuts to serve the four buildings and one parking lot.

Figure 3-2 shows the same length of road as the previous drawing. The east side remains as it is today in terms of building footprint. The west side, however, is new. This side of the street now has the pocket park proposed by the county, and three new buildings. The layout of the new buildings mirrors the traditional design across the street. The buildings form a street wall along a new, continuous sidewalk. The parking lots are placed behind the buildings, and are interconnected. The nine curb cuts are reduced to two, flanking either side of the new buildings. There is also a pedestrian alley, and possibly a path through the park, leading to the rear parking.

A steady line of street trees shades the sidewalk. The existing mid-block pedestrian crosswalk is shifted to line up with the pocket park. The crosswalk near The Patio lines up with a building edge across the street, and thus one of the entrances to the rear parking. This allows for safe, direct, and efficient access for shoppers. The third existing crosswalk – near the intersection with North State Road – is also improved. First, the redevelopment drawing eliminates the four curiously located parking spaces between the parking access and North State. The sidewalk is made continuous here, so the Pleasantville and the North State sidewalks are finally connected. Street trees are planted to replace the parking spaces. These actions allow the pedestrian crossing to be improved across North State Road, linking the Birritella site to both the west and east sides of Pleasantville Road. North State is shown with a small splitter island, providing refuge for walkers crossing this busy intersection.

The total footprint of the three new buildings is about 17,000 square feet. There are 77 off-street parking spaces, and ten on-street ones. This contrasts with the existing 51 off-street spaces and five on-street,

an increase of about 30 spaces. Parking is more plentiful, and can be used more efficiently.

Figure 3-3 is an oblique aerial view (called an axonometric). It shows the same length of street, once redeveloped, in a larger context. The viewer can see Pleasantville Road from the post office on the south end up to North State Road. Various structures are labeled to help orient the viewer: the Wachovia Bank, the post office, Village Hall, The Patio building, and the proposed pocket park. The drawing shows the new buildings, with their street wall close to sidewalk and trees, mirroring the existing traditional style across the street. This drawing has an additional new building, across the street from the post office. On land owned by the village, there is the possibility of constructing a small building whose design would serve as a gateway for the downtown.

Figure 3-4 shows existing and proposed elevations on the west side of Pleasantville Road. The undistinguished west side is shown in the top photo, from the florist to the gas station. Once this stretch is redeveloped, the east and west side complement one another. On either side of the pocket park is a new building. These can be 1.5 or two-story structures, with offices or apartments over the retail floor. The architectural style draws upon the new traditional style established across the street. The sidewalk is continuous, and a few more trees are planted to supplement the existing ones.

Figure 3-5 shows existing and proposed elevations on the east side of Pleasantville Road. *Top photo:* The east side of Pleasantville Road is currently a line of full-tenanted shops in an ordinary, one-story building. The roof is a monolithic brown shingle, with no architectural interest. *Bottom montage:* The "brown roof" building is redeveloped. The building grows from just one to 1.5 and two stories. Second floor space can be used for offices or apartments, making redevelopment a market reality. The style draws from both the Tudor-like adjacent building and The Patio. These existing attractive buildings provide inspiration for façade colors, building materials, and fenestration details that create a coherent design for the downtown. The roofline now is varied. The use of recesses, awnings, balconies, and dormers visually reduce the building's scale. These elements, the prominent display windows, and the existing wide sidewalk, shade trees, and pedestrian-scaled lamps create a pleasant walking and shopping experience.

Figure 3-6 shows the east side of the shopping street, both as it is now and redeveloped, looking south. The bell tower of The Patio building can be seen in the center of the drawing. The two-story building's size, mix of tenants, and traditional brick style fit with The Patio. The varied roofline, second story, façade recesses, awnings, balconies, and generous display windows all contribute to an improved urban design. There is also a better visual connection between the mature height of the street trees and the building, once a second story is added.

The final figures 3-7 and 3-8 provide a comparison of Pleasantville Road as it is today and as it could be. Streetscape improvements should be implemented along the full length of Pleasantville Road to create a unified design for the downtown. Parking lots should be interconnected, with pedestrian passages connecting parking to the sidewalk. Design controls will ensure that new construction and major renovations work together for the good of the downtown experience. Ground floors should be filled with businesses providing goods and services, while the upper floors could be apartments or offices.

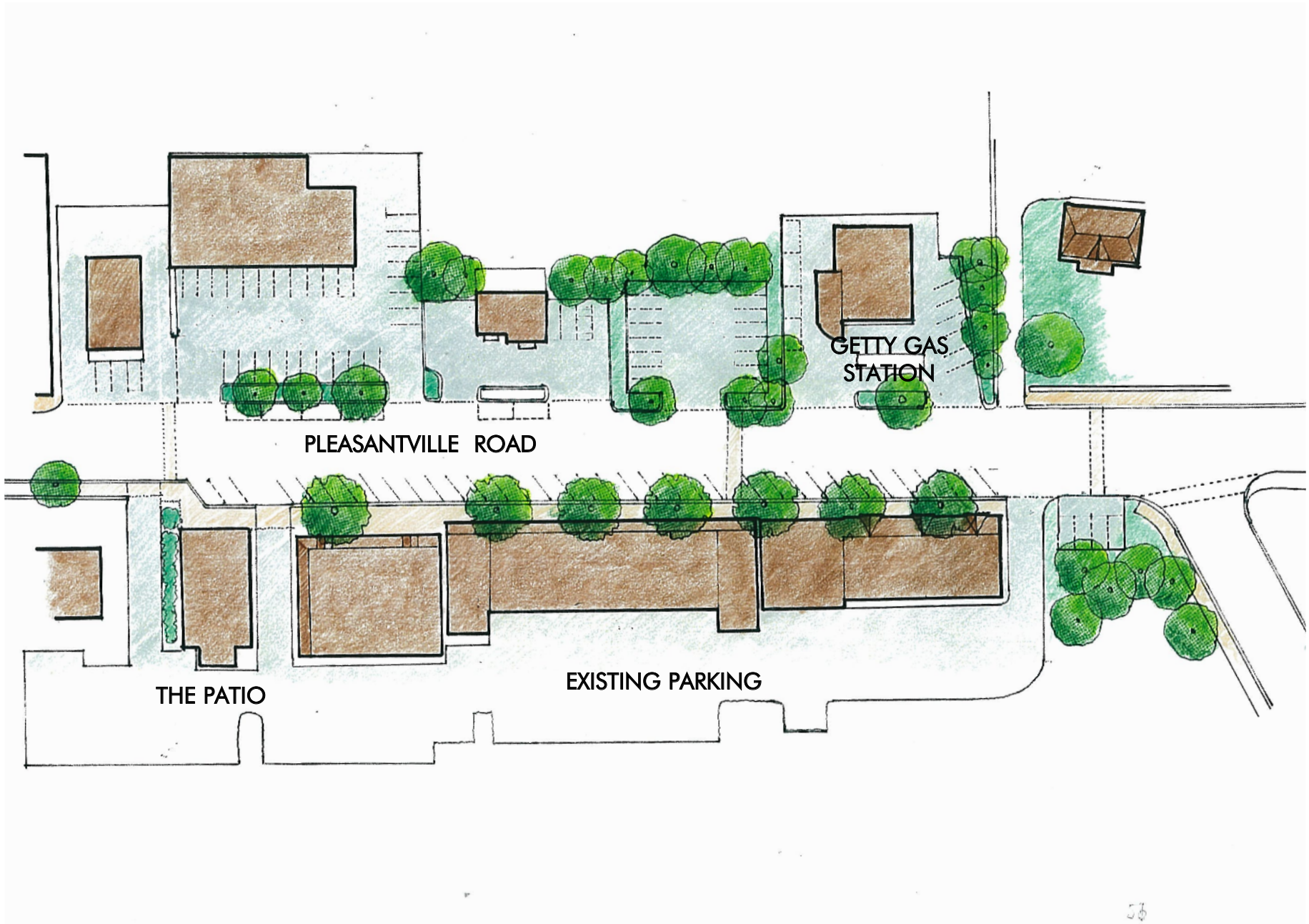

Figure 3-1: **EXISTING CONDITIONS ON PLEASANTVILLE ROAD, SITE PLAN**

0 70 ft 140 ft

BFJ Planning

0 70 ft 140 ft

BFJ Planning

Figure 3-2 : **PLEASANTVILLE ROAD WITH REDEVELOPMENT ON WEST SIDE**

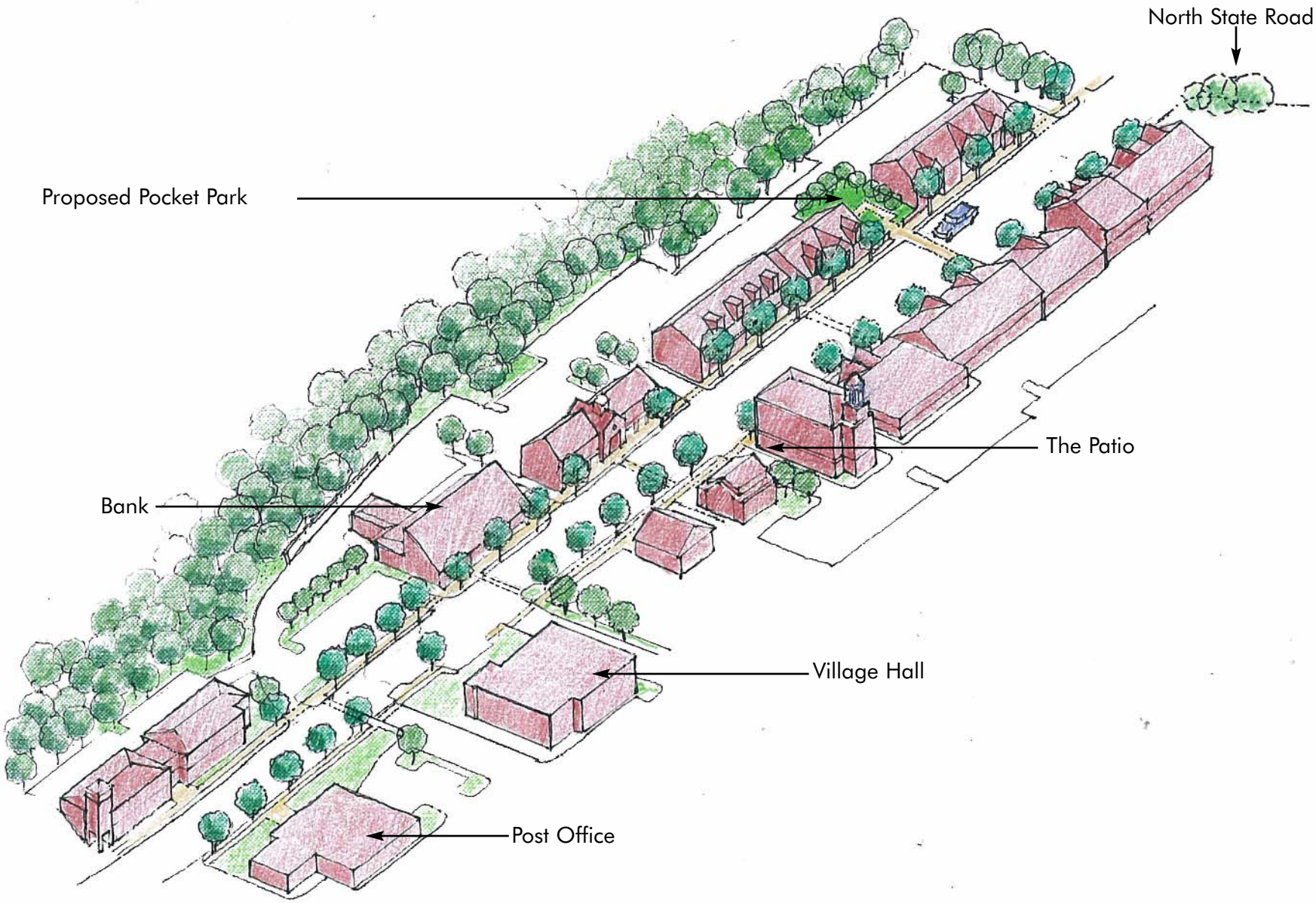

Figure 3-3 : **PLEASANVILLE ROAD WITH REDEVELOPMENT, AXONOMETRIC**

Existing Conditions: West Side, Pleasantville Road

Possible Redevelopment Showing Proposed Pocket Park : West Side, Pleasantville Road

Figure 3-4 : **EXISTING & PROPOSED ELEVATION**

Existing Conditions: East Side, Pleasantville Road

Redevelopment Study: East Side, Pleasantville Road

Figure 3-5 : **EXISTING & PROPOSED ELEVATION**

Sketch showing possible two story development on east side of Pleasantville Road

Figure 3-6 : **PROPOSED DEVELOPMENT**

Figure 3-7: EXISTING CHARACTER OF PLEASANTVILLE ROAD
VIEW LOOKING TOWARDS NORTH STATE ROAD

Figure 3-8: REDEVELOPED CHARACTER OFPLEASANTVILLE ROAD
VIEW LOOKING TOWARD NORTH STATE ROAD

Design Standards. Currently, there are no architectural standards in the zoning code to regulate the appearance of commercial buildings or to upgrade the look of tired buildings. The Comprehensive Plan recommends that West Downtown's zoning be structured so that both uses and design are regulated. This can be done through a code-writing technique called form-based coding. In a form-based code, the text regulates uses, area, and bulk – the traditional standard components of zoning districts – but adds to these design requirements which are presented in text and in illustrations. Such controls would apply to new construction and to major renovations, additions, and retrofits.

Streetscaping. The illustrated concept plan incorporates the County's streetscape plan. The proposed pocket park and crosswalks are shown, along with trees and brick sidewalks. The County's plan, as amended and adopted by the Village, should be considered part of the Comprehensive Plan.

Sidewalks in Downtown and Leading to Downtown. The existing pedestrian network leading to and within downtown is incomplete. Long stretches of road are without sidewalks and parts of the roadway are lined with partial sidewalks. Sidewalks connecting the downtown with adjacent neighborhoods should be continuous and properly maintained. Within the downtown, the discontinuity of sidewalks is largely caused by the presence of numerous driveways and the incompatible design of certain parking lots. The concept plan for West Downtown incorporates the County's streetscaping plan which provides for sidewalks of consistent width and materials.

On-Street and On-Site Parking, Shared Parking and Lot Connections. The West Downtown concept plan includes both on-street and on-site parking. The existing on-street parking and existing angled parking on the east side of Pleasantville Road should remain to provide customer parking for the stores. As new development is built to the lot lines along Pleasantville Road, linked parking lots would be located to the rear of the buildings to provide shared parking for the mixes of uses. Cars would access the rear lots through shared entries from Pleasantville Road. These parking areas should be designed and sited in a manner that enhances pedestrian access and circulation from the parking area to the retail uses. Portions of parking lots located directly on Pleasantville Road should be screened from the street with trees, shrubs and/or fencing. The interior of the lots should include planting strips and tree islands to reduce the impact of parked cars.

Merchant and Employee Parking. In the CBD, where parking resources are limited, priority should be given to shoppers for the most convenient parking spaces. Merchants and employees should not park in front of stores, either in on-street spaces or in the off-street parking areas that currently exist on the west side of Pleasantville Road. Each business in the CBD should provide parking for merchant and employee either in back of the building or in an off-site location relatively close to the store.

Zoning. The zoning boundaries may need to be modified to reflect the recommendations of the adopted Comprehensive Plan, with modified use, area, and bulk controls and design controls. Such a new district could be called, simply, CBD-1 or CBD West for West Downtown and CBD-2 or CBD East for East Downtown. If future needs of the Villagers require services that cannot be fulfilled by current business or CBD districts then the Village should investigate expansion of the CBD into adjacent and contiguous properties. From a planning perspective this is the most economically viable path.

East Downtown

The Comprehensive Plan supports the "New Downtown" plan created by F.P. Clark Associates, but recommends a different name as this area should not be seen as a competitor to the traditional downtown on Pleasantville Road. (Figure 3-9). The overall objective is to identify this area as one discrete economic development location and to prompt

Figure 3-9: **CBD PLAN FOR EAST DOWNTOWN**

BFJ Planning

source: *F.P. Clark Associates, 2000*

greater circulation and site layout efficiency and more handsome design. As with the West Downtown/Pleasantville Road Concept Plan described just above, the plan involves a mix of urban design, circulation, and rezoning measures. The East Downtown plan has significantly more circulation changes than the West Downtown plan, whose circulation focus is on pedestrian access and safety, and parking connections.

This concept plan also involves significantly more changes in parcelization. Where the West Downtown concept plan builds upon the existing parcel structure, the East Downtown plan requires the consolidation and coordination of existing properties to achieve the desired pattern of development. The benefit of these significant, long-range changes would be a revitalized commercial area with larger building footprints and on-site parking than can be created along Pleasantville Road. This area is located directly off Route 9A, and so has a good location attribute for offices. (Most small-scale retail should remain situated in the shopper-oriented West Downtown.)

Circulation. The East Downtown plan covers what is known as the Old Route 100 Area, the block bound by Route 9A, North State Road, Woodside Avenue, and Route 100). It is designed to create a traditional fully connected street network. Old Route 100 is eliminated in favor of an internal boulevard. The F.P. Clark plan has two options: one shows access from Route 9A onto the internal boulevard, with additional access from North State Road, and the other shows the only access limited to North State Road. In both options, North State Road is given two entrances into the redeveloped area, one at a centrally located point and the other at Woodside Avenue. Parking areas are interconnected and located to the side and rear of buildings.

Pedestrian Circulation between West of 9A and East of 9A. Route 9A separates West Downtown from East Downtown. At its intersection with North State Road, Route 9A has two travel lanes in each direction in addition to left turn lanes. The width of the roadway, combined with the speed of the cars traveling along the arterial, creates a physical and psychological divide between the two sides of Route 9A. The Beautification Committee notes that there is a lack of pedestrian priority at this intersection which discourages pedestrian activity.

During neighborhood meetings and in survey responses, residents indicated support for a vehicle and pedestrian bridge across Route 9A to provide a safe means for pedestrians to cross Route 9A and connect the two parts of the downtown. The Village has analyzed the feasibility of a boulevard for pedestrians and vehicles bridging over Route 9A. The boulevard would have no egress to Route 9A. The Village would be required to coordinate with the New York State Department of Transportation (NYSDOT) who control Route 9A and who are scheduled to complete a study of Route 9A in 2008.

There are improvements that could be made in the short term. Improving the landscape and streetscape along North State Road could increase pedestrian safety and activity. Curb cuts and sidewalks could be installed on the north side of North State Road along the Birrittella building to match the existing sidewalks that currently exist on the south side of North State Road. Other improvements, including pedestrian scale lighting, plantings, street furniture and central business district signage would further enhance the overall pedestrian experience. To improve pedestrian safety in the intersection, in conjunction with NYSDOT, the Village should examine the need for signal timing adjustments and the need to upgrade the existing crosswalks.

Design Standards. In the F.P. Clark plan, the main unnamed boulevard is designed as a Main Street. It has street trees, sidewalks, and cross walks. All choices of building and paving material should foster a distinct sense of place that remains connected with Briarcliff Manor's overall identity. The building blocks are larger than those found on Pleasantville Road, but should not be large enough to attract large big-box retailers, hotels, or entertainment. All road frontages are landscaped. Parking lies to the side and rear of buildings.

Rezoning. This area currently lies in two zoning districts. The B1 district abuts North State Road and Route 9A, and covers the shopping center that houses Mrs. Green's and Starbucks. The B2 area covers the small office building sector around Woodside Avenue and Park Road.

The proposed land uses are retail, office, park, housing, and a municipal complex, to house government offices, police, and the courthouse. The housing is a mix of single family townhouses and/or condominiums, multi-family residential, and second floor apartments. To encourage redevelopment, the Comprehensive Plan recommends zoning changes nearly identical to those in the F.P. Clark plan to achieve this. Land east of Woodside Avenue would remain zoned B2. The rest of the land in the concept study area, now zoned B1 and B2, would be rezoned to one distinct and separate district. Automotive, warehousing, storage and contracting businesses would be made non-conforming and therefore not allowed to expand.

These uses would not be eliminated, but over time, they would be replaced with permitted retail, office and residential uses. While the F.P. Clark study recommended an overlay district, the Comprehensive Plan calls for an entirely new underlying district, perhaps called CBD-2. Elements of such a new district are presented below:

- **Incorporate the Concept Plan into Form-Based Coding.** The new zoning must have text and illustrations that make clear to development applicants and all reviewing boards the preferred concept for the area's future. In this way, incremental development (parcel by existing parcel) will ultimately lead to the preferred concept. A single developer could also undertake the full project in phases, also according to the concept plan.

- **Require a Mix of Land Uses.** The new zoning could allow a limited amount of retail, as this area is appropriate for a large drugstore or mid-size grocery store. However, the primary land use in East Downtown would be office, mixed business, retail and residential. Residences could complement the fiscal and social elements of the development. There are already houses in the larger area; more residences in attached or multi-family structures would strengthen the desirability of this area for living and provide the Village overall with more variety in its housing stock. Parking could be shared with daytime office employees and customers, as would other amenities such as the proposed park.

- **Reduce Parking Requirements.** The district would have its own parking standards. With coordinated development, parking requirements can be made more efficient through shared or joint use parking. These reductions in parking standards provide an incentive to developers to meet the desired development balance. Parking requirements could be based on total lot area, floor area, mix of uses, design, and amenities.

- **Tailor Permitted Floor Area to Site Potential.** The F.P. Clark study found that the development potential of the underlying B1 zoning is larger than what can realistically be achieved on the site. The new zoning district would have carefully tailored floor area ratios for each use (commercial, retail, office, and housing). This would present "truth in zoning," encouraging reasonable development programs from applicants. Specifying the maximum permitted floor area and enforcing restrictions on the minimum and maximum size of uses would ensure that the desired level of development is achieved. The zoning controls should indicate the maximum allowable building coverage per building and the maximum dimensions per building. The maximum coverage and dimensions should be less than required for a big box tenant, yet large enough for a specialty market and/or other potential anchor uses.

The Comprehensive Plan notes here that the Squires shopping center (east side of North State Road; also zoned B1) should remain zoned B1. Development on this highly constrained site is similar to other B1 areas in Briarcliff Manor. It functions relatively well as a small strip-mall

shopping center but requires greater aesthetic improvement. The site would benefit from the adoption of commercial design controls and parking lot landscaping standards for renovations.

Retail Areas Outside the CBD: Chilmark and Chappaqua Road Shopping Centers

This plan recommends that these areas remain zoned B1 but that greater design control be exercised over exteriors, signs, and parking lot landscaping. The adoption of design controls will enable the Planning Board to insist on improved aesthetics. New design controls should be written such that both new development and major renovations and expansions are subject to such controls.

Office and Business Areas

Office and business areas, including stand alone offices, offices on North State Road and Route 9 and laboratories should remain as zoned, with the addition of commercial design controls aimed at new construction and major renovations. Businesses are important contributors to the Village's municipal tax. The businesses areas are well-located – while Philips Laboratories, the property formerly known as Mearl, and the Briarcliff Corporate Campus are located in residential areas, they are close to arterials that take employee traffic directly out of the local street network. This plan recommends that when the Mearl site is redeveloped and plans are submitted for full occupation of the site, the Village should examine the traffic implications on nearby intersections.

Appendix B

GLOSSARY OF TERMS USED IN THE COMPREHENSIVE PLAN

The following terms are used in the Briarcliff Manor Comprehensive Plan, and were used in discussions during the planning process. The definitions come from Well Grounded: Using Local Land Use Authority to Achieve Smart Growth. This book was published by Pace University's Environmental Law Institute in 2001, and was written by John R. Nolon, the institute's director.

Affordable Housing. Housing developed through some combination of zoning incentives, cost-effective construction techniques, and governmental subsidies which can be rented or purchased by households who cannot afford market-rate housing in the community.

Buffer. A designated area of land that is controlled by local regulations to protect an adjacent area from the impacts of development.

Capital Budget. Construction projects including public buildings, roads, street improvements, lighting, parks, and their improvement or rehabilitation paid for under the community's capital budget.

Central Business District. The traditional business core of a community, characterized by a relatively high concentration of business activity within a relatively small area. The CBD is usually the retail and service center of a community. Because of its compactness, there is usually an emphasis on pedestrian traffic in the CBD.

Cluster Subdivision. The modification of the arrangements of lots, buildings, and infrastructure permitted by the zoning law to be placed on a parcel of land to be subdivided. This modification results in the placement of buildings and improvements on a part of the land to be subdivided in order to preserve the natural and scenic quality of the remainder of the land.

Comprehensive Plan. A written document that identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of the community.

Conservation Easement. A voluntary agreement between a private landowner and a municipal agency or qualified not-for-profit corporation to restrict the development, management, or use of the land. The agency holds the interest and in empowered to enforce its restrictions against the current landowner and all subsequent owners of the land.

Critical Environmental Area (CEA). A specific geographic area designated by a state or local agency as having exceptional or unique environmental characteristics. In establishing a CEA, the fragile or threatened environmental conditions in the area are identified so that they will be taken into consideration in the site-specific environmental review under the New York State Environmental Quality Review Act.

Density. The amount of development permitted per acre on a parcel under the zoning law. The density allowed could be, for example, four dwelling units per acre or 40,000 square feet of commercial building floor per acre.

Incentive Zoning. A system by which zoning incentives are provided to developers on the condition that specific physical, social, or cultural benefits are provided to the community. Incentives include increases in the permissible number of residential units or gross square footage of development, or waivers of the height, setback, use, or area provisions of the zoning ordinance. The benefits to be provided in exchange may include affordable housing, recreational facilities, open space, day-care facilities, infrastructure, or cash in lieu thereof.

Intermunicipal Agreements. Compacts among municipalities to perform functions together that they are authorized to perform independently. In the land use area, localities may agree to adopt compatible comprehensive plans and ordinances, as well as other land use regulations, and to establish joint planning, zoning, historic preservation, and conservation advisory boards or to hire joint inspection and enforcement officers.

Land Trust. A not-for-profit organization, private in nature, organized to preserve and protect the natural and man-made environment by, among other techniques, holding conservation easements that restrict the use of real property.

Master Plan. A term used synonymously by many to refer to a comprehensive plan. The statutory, official name for the community's written plan for the future is the comprehensive plan.

Mixed Use. In some zoning districts, multiple principal uses are permitted to coexist on a single parcel of land. Such uses may be permitted, for example, in neighborhood commercial districts, where apartments may be developed over retail space.

Multi-Family Housing. Most zoning maps contain districts where multi-family housing is permitted by the zoning law. Under the zoning district regulations, buildings with three or more dwelling units are permitted to be constructed, such as garden apartments or multi-story apartment buildings.

Open Space. Open space includes any area that is characterized by natural scenic beauty or whose condition or quality is such that it will enhance the present or potential value of surrounding developed lands or enhance the conservation of natural or scenic resources or preserve the community's historic character.[1] The term open space is now generally used to mean undeveloped land that has had its development potential legally and permanently removed, in favor of keeping the land undeveloped or "open." Such land is usually also described as set aside, dedicated, designated, or preserved. The open space may or may not be owned or acquired by the municipality, as it may be controlled by a land trust or homeowners association. (BFJ Planning).

Planned Unit Development. An overlay zoning district that permits land developments on several parcels to be planned as single units and to contain both residential dwellings and commercial uses. It is usually available to landowners as a

[1] Well Grounded, p. 348

mixed-use option to single uses permitted as-of-right by the zoning ordinance.

Recreational Zoning. The establishment of a zoning district in which private recreational uses are the principal permitted uses. The types of recreational uses permitted include swimming, horseback riding, golf, tennis, and exercise clubs open to private members who pay due and user fees or to the public on a fee basis.

Restrictive Covenant. An agreement in writing and signed by the owner of a parcel of land that restricts the use of the parcel in a way that benefits the owners of adjacent or nearby parcels. *See* "Conservation Easement."

SEQRA. The New York State Environmental Quality Review Act requires local legislatures and land use agencies to consider, avoid, and mitigate significant environmental impacts of the projects that they approve, the plan or regulations they adopt, and the projects they undertake directly.

Steep Slopes. "Slope is the rate of change in elevation between two points in a given area. Slope is measured by: (1) determining the difference in elevation between two points (the rise), and (2) dividing the elevation by the horizontal distance between the two points (the run)." Briarcliff Manor Village Code Section 220-15 as currently written limits development on a slope of 25% or more. Development is also limited, but somewhat less so, on land having 15 – 25% grade.

Special Use Permit. Special uses are allowed in zoning districts, but only upon the issuance by the Board of Trustees of a special use permit subject to conditions designed to protect surrounding properties and the neighborhood from the negative impacts of the permitted use. Also called conditional use permit, special exception permit, and special permit.

Wetlands. Wetlands may be either freshwater or tidal. They are typically marked by waterlogged or submerged soils or support a range of vegetation peculiar to wetlands. They provide numerous benefits for human health and property as well as critical habitat for wildlife, and are generally regulated by federal, state, or local laws.