

HOUSING OSSINING TECHNICAL PAPER #2

Regulatory Assessment



Submitted to the Village of Ossining

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INTRODUCTION

In February 2017, the Village of Ossining commenced *Housing Ossining*, a six-month multidisciplinary study focused on the identification of housing policies that would best meet the diverse housing needs of present and future residents. Kevin Dwarka LLC, a New York City based land use and economic consulting firm, was engaged to analyze the village's housing needs, review best practices and formulate a broad set of housing policy strategies. Formulated with the help of extensive community input, the study culminated with the completion of four technical papers:

- Technical Paper #1: Quantitative Analysis
- Technical Paper #2: Regulatory Assessment
- Technical Paper #3: Community Engagement Record
- Technical Paper #4: Policy Framework

This document serves as the second technical paper focused on the assessment of the Village's local regulations. Although the regulations of the Town of Ossining, New York State, and the federal government were also studied, this paper focuses specifically on the regulatory environment of the Village of Ossining. Section 1 synthesizes relevant plans with an emphasis on the Comprehensive Plan. Section 2 summarizes the Village's policies with regard to overnight parking, housing, land use approval, and code enforcement. Finally, Section 3 offers an exhaustive analysis of the Village's zoning code including the various incentives, requirements, and barriers affecting the provision, spatial distribution, and density of housing within the Village.

SECTION 1: VILLAGE PLANS

Village of Ossining Comprehensive Plan (2009)

The Village of Ossining adopted an update to their comprehensive plan in 2009. The comprehensive plan was the product of a multi-year public engagement effort, including public meetings, stakeholder interviews, and a housing survey in 2005 that collected information from over 1,400 respondents. The plan was divided into six topic areas: The Waterfront, The Downtown Crescent and Economic Development, Transportation, Sustainable Infrastructure, Affordable Housing, and Neighborhood Quality of Life. The objectives and implementation recommendations of the entire plan were reviewed with an eye towards how the planning framework would specifically affect housing development, preservation, and maintenance within the community. Through this review, seven themes emerged as the way in which the comprehensive plan specifically dictates the state and affordability of housing within the village: density, infill development and adaptive reuse, mixed-use development, affordability measures, overcrowding, design regulations, and household income.

Density

The regulation of density allows a locality to concentrate services and maximize land values with increased density, while restricting density in other areas to protect natural habitats and neighborhood character. In regards to affordable housing supply, the designated residential density of an area significantly impacts the typology and number of housing units that can be built. Accordingly, the Village of Ossining's Comprehensive Plan contains recommendations for both increased and restricted density in particular areas.

The comprehensive plan specifically recommends restricting land use density in two areas within the village. First, the Conservation Development District (“CDD”), which sits in the northern portion of the village in between Route 9 and the waterfront, is singled out as a zone suitable for lower densities than the rest of the waterfront in order to preserve the unique natural environment of the area such as wetlands, steep slopes, the Old Croton Aqueduct and trail, and unique natural habitats. Largely as a precaution for resident safety, the comprehensive plan also discourages increased density in the village’s floodplains.

It is worth noting that although the Village has a significant portion of land designated for single-family residential, which inherently maintains lower residential densities, the preservation of these districts is not explicitly addressed in the comprehensive plan. The only exception is the discussion of the existence of illegal conversions of single-family homes into two-family and multi-family residences, and the resulting overcrowding and perceived nuisances which negatively affect the neighborhood quality of life.

On the other hand, increased residential densities are explicitly encouraged within the waterfront area and surrounding the Ossining Train Station. In the waterfront area, the comprehensive plan recommends an allowance of higher densities on identified brownfield redevelopment sites to make these parcels more viable for redevelopment by offsetting the high cost of remediation. In addition to brownfield sites, allowances for greater density are advised on large parcels in the proposed Northern Waterfront District (PW-a) and Central Waterfront Hillside District (PW-c) as a means of incentivizing the provision of public amenities in exchange for higher density. The third proposed waterfront sub district, Central Waterfront Transit Oriented District (PW-b), is suggested as a prime location for increased density and reduced parking requirements to facilitate walkable mixed use development around the train station.

In addition to permitting new higher density development along the waterfront and surrounding the Ossining Train Station, the comprehensive plan also recognizes a disconnect between permitted density in the downtown area, according to the existing zoning code, and what actually exists. At the time that the comprehensive plan was being written, the existing zoning did not allow for the construction of buildings with density and bulk consistent with buildings already existing in the downtown. Instead, variances had to be applied to almost every proposed development so that the character and scale of new buildings harmonized with existing ones. The plan therefore advocates for a review of existing zoning in the downtown, and appropriate changes to increase density where appropriate to minimize the necessity of zoning variances and resulting administrative overhead. The proposed Village Center District, discussed in further detail later in this chapter, was adopted to address this issue by increasing the allowable maximum building height and reducing setbacks. It was also recommended by the comprehensive plan that density bonuses be allotted for specific developments that further the vision and objectives of the plan, such as adaptive reuse and the supply of affordable housing.

Infill Development & Adaptive Reuse

The Village of Ossining Comprehensive Plan states plainly, within its “Village Overview” chapter, that Ossining is essentially fully developed, apart from “obsolescent uses and infill sites.” These vacant and/or underutilized sites, concentrated largely within the downtown area and waterfront district, represent the best opportunities for future housing development and redevelopment. As such, the comprehensive plan makes specific recommendations for how the Village should go about maximizing the opportunity of these sites, while maintaining a vibrant and cohesive community environment.

The comprehensive plan identified the waterfront district as an asset within the community that is specifically ripe for both adaptive reuse and new infill development on underutilized parcels. Objective 6 within the waterfront chapter notes the community's desire to preserve historical buildings along the waterfront. The allotment of a density bonus in exchange for the protection and reuse of historic buildings is recommended as one incentive that can be adopted within the Village's zoning regulations. The plan highlights the redevelopment of the Vireum property, which was converted into a new condominium building, as a prime example of how the village's historical character can be maintained while simultaneously adding to the community's housing supply.

Also within the waterfront area, the Station Plaza North (SP-n) District across from the train station, is also designated as a prime location in which a specific scale of infill development should be encouraged. The plan establishes a preference for infill development in this area to occur on small parcels, rather than large-scale development via land assemblage, to ensure that the area remains pedestrian-friendly at a smaller, human scale.

Finally, with the objective of enhancing the character of the downtown, Market Square and parking lots at the intersection of Spring and Main street are identified as suitable locations for new infill development (Chapter 4, Strategy 3.3). Infill development on these specific parcels should be encouraged in order to establish a continuous streetscape composed of ground floor commercial retail development with residential or office uses on the upper floors.

Mixed Use

In Chapter 4, the Downtown Crescent & Economic Development, Objective 2 - Strategy 2.9 (Promote Mixed Use) recommends that the Village Board "adjust the zoning code to encourage residential as conditional use" in the downtown. While encouraging mixed-use, Objective 6 aims to ensure that this development is optimally designed to create a pedestrian friendly environment. For example, the comprehensive plan proposes the addition of a Village Center District (VC), that would be created with the intention "providing opportunities for upstairs residences or offices in the downtown so as to encourage street life" throughout the day.

Affordability

Due to the Village's pressing need for affordable housing¹, the Ossining Comprehensive Plan designates an entire chapter to the affordable housing issue. The vision of Chapter 7, affordable housing, is to protect Ossining's social diversity by providing housing opportunities for young families, long-time residents, people employed within the Village and seniors. The plan approaches the issue of affordable housing supply through two mechanisms: regulated affordability and the diversification of housing typologies. Objectives include preserving and upgrading existing housing, incentivizing the creation new affordable housing, establishing the administrative capacity to properly manage and monitor affordable units, and establishing an affordable housing fund. The chapter specifically recommends the addition of a "sizable number of affordable housing units" and identifies support for the Village's Affordable Housing Policy adopted in April 2006 as one means of achieving this objective.

¹ Ossining's need for affordable housing was calculated using four estimations: the number of overcrowded units; the number of substandard units; the number of households on the affordable housing waiting list; and the number of affordable units set to expire between 2006 and 2011

Within the objective of creating new affordable housing (Chapter 7 Objective 2), the comprehensive plan recommends that any adopted housing legislation establish a preference for on-site development of affordable housing, particularly for multi-family housing or large-scale, single-family developments with ten or more units. To incentivize the provision of regulated affordable units for households of lower incomes than mandated, the comprehensive plan also recommends the allocation of additional density bonuses for developments that include units affordable to households of lower incomes, such as 60% AMI. Additionally, Strategy 2.3 aims to encourage new affordable housing development by taking into account the limited sales values of affordable developments and having the assessor assess the property accordingly.

The comprehensive plan also aims to ease the affordable housing issue by simply increasing the supply of housing within the Village. The downtown and economic development chapter proposes the addition of two new downtown zoning districts, Neighborhood Center Districts (NC-1 and NC-2), in order to “provide a diverse range of housing types within neighborhood centers while retaining businesses as the main use in NC districts.”

Objective 5 within the affordable housing chapter notes that the Westchester Housing Allocation only identifies areas with “jobs and bus transportation” as areas that should be targeted for affordable development. The Village’s Comprehensive Plan notes that Metro-North stations should also be identified as a target area.

Overcrowding

Approximately 1,000 of Ossining’s roughly 8,250 occupied housing units (according to Census 2000) were overcrowded – representing a significant 12 percent of all units. The Building Department issued violations to over 250 separate addresses in 2005 and 2006 for lack of certificates of occupancy, as well as for other violations often associated with overcrowding, such as excessive noise, too many parked vehicles, and maintenance issues.

The narrative within the comprehensive plan singles out one trend as a significant contributor to Ossining’s overcrowding issues - an increase over the last decade in subdivisions of single-family homes to two-family homes and multifamily apartments. During public engagement events, some community members voiced concern that the increase in illegal conversions, and the resulting overcrowding of units, “were furthermore unsanitary and unsightly, lead to Building Code violations, and associated with nuisance crimes like noise, trash and graffiti, as well as inconveniences like parking shortages and congested roadways.” Other participants voiced additional issues with overcrowding, including low quality of life, strain on schools, lower property values due to the secondary effects stated above, and potential displacement of long-time residents since illegal overcrowding generates higher rental income.

The comprehensive plan recognizes that a lack of affordable housing in the community contributes to the occurrence of illegal residential conversions and overcrowding. Strategies for addressing the supply of affordable housing are addressed throughout the plan, but the chapter on Neighborhood Quality of Life specifically contains two objectives that aim to address the issue of overcrowding in residential units through regulatory manner. In working towards an objective to alleviate Ossining’s residential overcrowding problems (Chapter 8, Objective 5), the plan notes that illegal conversions of single- and two-family homes are clear violations of the Zoning & Building Codes, and thus advocates for increased inspections by the building department and an increased fine structure to negatively reinforce the illegal

conversion of housing units. Objective 6 recommends revising residential zone districts to address overcrowding by making all two-family uses conditional, including new homes, within Two-Family Residence Districts (T).

Chapter 7 on affordable housing attempts to visualize the overcrowding issue by mapping the percentage of houses with more than one person by room using 2000 census data. There is no clear pattern shown, but it could be said that there is slightly more crowding, by proxy of persons per room, in the southern portion of the Village. Specifically, the residential neighborhood between Havell Street and Dale Ave north of Route 9, and the residential neighborhood west of Route 9 and north of Main Street both have a high percentage (15%) of households with more than one person living in a single room.

Design Regulations

Design regulations play a key role in dictating the aesthetic appeal and appropriateness of future development in any community. While important for maintaining the character of a community, too strict design guidelines can also constrain new development through high costs of renovations or expensive design features. For example, the plan recognizes that the WD, MF, and PRD design requirements actually have the effect of encouraging single uses due to excessive setback requirements that are “inconsistent with the mixed-use, pedestrian-oriented form of development appropriate for an active, pedestrian-oriented area.” In order for the Village to successfully encourage infill development and an increased supply of affordable housing, it is important for the Village to strike the right balance in governing design regulations.

In the chapters concerning the downtown and neighborhood quality of life, the comprehensive plan recommends that the Village adopt a set of design guidelines to be used by the Board of Architectural Review. The design guidelines are recommended to ensure that infill development and renovations within the Downtown Ossining Historic District are aesthetically compatible with the overall character of downtown. Clearly defined design guidelines are also heralded in Chapter 4, economic development, as a way to make Ossining a welcoming environment for development by allowing more predictability for applicants and developers in the development approval process. Additionally, the plan states that attractive design of affordable housing is important to ensure that property values of surrounding neighborhoods are not negatively affected.

Local Income Levels

While the comprehensive plan makes recommendations for mixed-income development (Chapter 7) and transit-oriented development (Chapter 3), as a means of diversifying housing opportunities for a variety of ages and income levels, the plan does not discuss strategies for improving residents’ income as a means of increasing the amount that households are able to spend on housing. Ossining’s median household income of \$52,200 in 2000 was approximately 18 percent less than Westchester County’s median of \$63,600. It was also identified that most households earning less than the median income in Ossining in 2000 were households younger than 35 years old and households older than 65 years old.

The introduction of the plan specifically defines the affordability gap as a “discrepancy between median income and median home price, is due to a variety of factors that come down to the basic fact that increases in household incomes have not kept pace with housing costs.” However, the comprehensive plan only presents strategies for addressing one aspect of the equation, housing supply. Initiatives to

better connect residents with workforce development and fair-wage jobs could serve to further improve the affordability issue in Ossining by improving residents' ability to *afford* housing.

Market Square and Parking Lot Redevelopment Possibilities Report (2014)

The Market Square Redevelopment Report was the culmination of a multi-year study by a collective consulting team, Downtown Revitalization Group, focused on the redevelopment potential of four underutilized parcels in the Village of Ossining's downtown. At the central intersection of Main Street and Spring Street, the team presented ten redevelopment schemes with the intent of inspiring developer interest and catalyzing downtown revitalization. The schemes present new urbanism design typologies and concepts of public space that are in line with national best practices, as well as financial feasibility assumptions that may be useful metrics for the Village of Ossining when considering mixed use development projects, and the practical levels of affordability associated with such development, in the future. The study also includes zoning analysis and parking assessment.

The existing four sites are largely surface parking with setback structures. Thus, the redevelopment proposal intends to create a vibrant community space shaped by mixed-use development, and townhouse residential with ground floor retail, which would create a continuous street wall and active streetscape. The consulting team worked with the Village on multiple revisions, settling on Scheme 7 and Scheme 10 as the final preferred scenarios. The two final scenarios are very similar except that the development intensity proposed in Scheme 7 is permitted as-of-right by the Village's zoning code, whereas Scheme 10 would require zoning waivers to allow greater density and floor area of development than is currently permitted within the zoning code.

Table 1. Market Square Proposed Redevelopment Schemes (2014)

Scheme	Proposed Land Use Plan	Affordability Component	Notes
Scheme 1	Residential: 70,620 sq. ft. (53 Units) Retail: 19,398 sq. ft. Public Space: 14,579 sq. ft. Parking Spaces: 74	5 units	Two five story buildings with basement level parking, connected by a three-story bridge. Townhouses at Market Square.
Scheme 2	Residential: 65,493 sq. ft. (47 Units) Retail: 19,384 sq. ft. Public Space: 22,307 sq. ft. Parking Spaces: 64	5 units	One five-story building with basement level parking, townhouse buildings at Market Square, and restaurant in triangle.
Scheme 3	Residential: 70,620 sq. ft. (53 Units) Retail: 22,406 sq. ft. Public Space: 14,579 sq. ft. Parking Spaces: 74	5 units	One large five-story building with basement level parking Townhouses at Market Square. Close street between block C and D.
Scheme 4	Residential: 99,599 sq. ft. (79 Units) Retail: 19,398 sq. ft. Public Space: 14,579 sq. ft. Parking Spaces: 89	8 units	Five-story buildings with basement level parking connected to ten-story tapered building at triangle via three level bridge. Townhouses at Market Square.
Scheme 5	Residential: 99,599 sq. ft. (75 Units) Retail: 19,398 sq. ft. Public Space: 15,241 sq. ft. With existing Square: 20,876 sq. ft. Parking Spaces: 77	8 units	Two four-story residential buildings, GF retail, with basement parking. Public space at triangle and Market Square.
Scheme 6	Residential: 90,804 sq. ft. (70 Units) Retail: 20,640 sq. ft. Public Space: 22,039 sq. ft. Parking Spaces: 96	7 units	Ten-story building with rooftop and basement parking, townhouse buildings at Market Square, public space at triangle and beneath plaza.
Scheme	Residential: 86,580 sq. ft. (75 Units)	7 units total	Buildings are four stories with

7	Retail: 21,990 sq. ft. Public Space: 22,039 sq. ft. Parking Spaces: 62	3 one-bedroom units, and 2 two- and three-bedrooms affordable at 80%AMI.	basements and below grade parking.
Scheme 8	Residential: 92,225 sq. ft. (71 Units) Retail: 29,752 sq. ft. Public Space: 16,626 sq. ft. Parking Spaces: 84	7 units	Buildings are five and seven stories tall, with below grade parking under two development lots and public cultural space underneath the plaza.
Scheme 9	Schematic drawing only. Buildout analysis not completed in report.		
Scheme 10	Residential: 101,921 sq. ft. (84 Units) Retail: 23,355 sq. ft. Public Space: 16,626 sq. ft. Parking Spaces: 83	8 units total 4 one-bedroom units, 3 two-bedroom units, and 2 three-bedroom unit at 80%AMI	Buildings are five and seven stories tall, tapered to allow light and air into intersection, with below grade parking under two development lots as well as public space.

Local Waterfront Revitalization Program (LWRP), (Amended, 2011)

The Village's LWRP provides guidance and regulation on the preservation and development of the village's three-mile riverfront west of Route 9. Within the four major issues identified at the beginning of the LWRP, increased housing construction is cited as a major contributing factor to overcrowding in railroad parking lots and local road congestion. Secondly, the LWRP highlights the redevelopment of the waterfront into a mixed-use district, inclusive of open space and affordable housing, as the fourth major issue facing the community.

The Village's Environmental Advisory Council (EAC) is charged with administering the LWRP to ensure protection of coastal habitat areas and to guide future development in the waterfront area so that environmental concerns are taken into account. The EAC is also designated as an interested agency for the review of Environmental Impact Statements under State Environmental Quality Review Act (SEQRA) regulations.

Village of Ossining Architectural Design Guidelines (2011)

The Village of Ossining Architectural Design Guidelines document was published in 2011 as a tool for local officials and developers to use as a framework when planning projects within the Village of Ossining's Historic downtown. The document notes that the Village's Downtown Historic District is largely compiled of two to four story masonry structures of the late 19th Century, with ground floor commercial and housing on the upper floors. While discussion within the guidelines focuses largely on existing structure facades, placement, and ornamentation, only minor references are made to the existing and desired uses within these buildings in the historic district.

Discussion of the neighborhoods adjacent to the historic district, however, provides greater detail regarding the preferred housing typologies and densities for the surrounding area. The guidelines observe that neighborhoods adjacent to the historic districts contain a great diversity of housing typologies, and demonstrate "ways of making good-looking low rise, medium density housing from extended frontages to two and three family houses." As the Village of Ossining considers appropriate design for new housing development, these examples can be utilized as templates for maintaining the existing community character. While the actual structures of these buildings may not demand stringent preservation due to the loss of original materials over the years, unique design features such as "the procession of front porches, decorated gable ends, and modeled roof shapes" give the neighborhoods a distinct character and should therefore be given consideration and weight in future residential planning and review.

Furthermore, the guidelines recommend that “wholesale demolition or interruptions of scale (the “Big House” or “McMansion” phenomenon) should be discouraged or prohibited” and that excessive walling off or landscaping measures should be discouraged as they detract from the street and community cohesion. Many of these recommendations are codified within the various districts of the zoning resolution.

[Main Street and Waterfront Plan \(Revised, 1995\)](#)

This document was mentioned in the Village E-Code within the section discussing the Planned Waterfront and Railway Development (PWRD) Overlay. It was stated that the document was completed by Christopher Chadbourne & Associates, but the document could not be located online.

SECTION 2: VILLAGE POLICIES

Overnight Parking Policies

Like many communities, the Village regulates overnight parking in its residential areas. In order to obtain an overnight parking permit in the Village of Ossining, an application must be filled out and returned to Village Hall by mail or by hand along with all of the requested documents including vehicle registrations and documents establishing residency or another connection to Ossining. The applicant must pay a \$75 fee for application. The application is reviewed by the Finance Department, the Police Department, and the Building Department which certify that the applicant has valid registration, has paid all their fines, and is not otherwise in poor standing with the Village. If the applicant meets the criteria for hardship and the aforementioned checks, the application is approved and a sticker granting the parking permission is sent to the applicant. However, the granting of such a sticker is not limited by the number of households in a given multi-family unit.

Village of Ossining Housing Policy Statement (2006)

In 2006 the Village of Ossining Board of Trustees released a housing policy statement outlining current issues within the local rental and sale housing markets, the risks these issues pose to the community, and the Village's respondent strategy for addressing these issues. The Housing Policy Statement was eventually codified within Chapter 62 of the Village Code in 2009.

The Village Board supports its assessment of housing issues and need in the community using 2000 Census data on household size, income, home values, and vacancy rates, as well as current rental and home prices from Westchester Residential Opportunities, and affordable housing waiting lists. In its review of existing conditions contributing to housing issues, the Board also highlights average salaries amongst employees of the local school district, Village employees and police officers. Within the policy statement, the enumerated issues include a critically low vacancy rate of 3%, high rental costs for units of all sizes, the slow growth of salaries and household income compared to increasing housing cost, the high cost of homeownership in the region and village, an undersupply of existing affordable units, and the impending expiration of a proportion of those units, which will further exacerbate the housing deficit.

The Board recognizes the threat that these issues place on the Village's ability to maintain diversity within the community, provide housing for aging residents as well as the returning children of local families, and house civil servants and the local workforce on which the community depends. Furthermore, the shortage of affordable housing in the Village is also identified as a large contributor to issues of overcrowding and substandard living environments.

In order to combat these issues and the potential of their undesirable outcomes, the Board established a three-pronged strategy. The proposed affordable housing provision states that all new developments of a certain size must either (1) provide a percentage of affordable housing units on-site, (2) provide affordable housing off-site if on-site development is not feasible, or lastly, if the prior two options are not feasible, (3) make a payment in lieu of development to the Affordable Housing Fund.

The regulation is applicable to all new single-family and multi-family developments of 6 units or more and mandates a 10% affordability component. The 10% of units that are made affordable must be affordable to households making 80% of the Westchester County median income or less. There are also stipulations established within the policy to ensure that the affordable units are not easily

distinguishable from the market rate units in the building based on size, distribution, or quality of materials.²

If a developer cannot provide the affordable housing component on-site or off-site for reasons demonstrated to the Village, a contribution must be made to the Affordable Housing Fund. The buyout fee is calculated on a case-by-case basis, accounting for land, construction, and soft costs. The Fund revenue is not limited purely towards the construction of new affordable housing, but can also be used towards other measures that address housing affordability, such as down payment assistance and housing preservation.³

Developments that meet the affordability requirement on site for households making 80% AMI or less are eligible for a density bonus equal to the total number of affordable units provided. If a developer makes 10% of total units affordable to low income households making 60% AMI or less, the developer is eligible for an additional density bonus equal to 5% of the total number of market rate units originally proposed.⁴

The original 2006 policy statement proposed establishing a local preference component “to the extent the law allows” for Village employees and residents. This provision did not make it into the codified regulation.

Streamlining the Land Use Approval Process Report (2014)

Pace Land Use Law Center was hired by the Village of Ossining to evaluate the current land development approval process in the Village. Pace’s primary assessment states, despite a relatively small municipal staff, the Village of Ossining maintains an efficient development approval process, with the average application approved within three months. Larger residential development can move fast through the approval process when compared to many surrounding localities. For example, the approval process for AvalonBay project took 22 months.

While application approvals are generally completed in a timely manner, delayed responses to information requests from various boards and code violations were identified as two challenges faced by the Village. The following six recommendations were made by Pace to address these issues and further improve the Village’s already efficient land development approval process.

RECOMMENDATION
(1) Increase Public Awareness of Land Development Approval Process
Increase Information on Departmental Websites (i.e. monthly application reports, links to meeting minutes, expanded FAQs, and project document logs)
Televise Planning & Zoning Board Meetings
Create Pamphlet of Land Development Approval Process
(2) Phase in an Electronic Submission Requirement for Type 1 and Unlisted Actions under SEQRA
(3) Increase Staff Capacity for the Building & Planning Departments
Hire Additional Staff
Use Escrow Accounts to Engage Additional Outside Professionals
(4) Increase Efficiency in Architectural Design Guideline Enforcement
Expand Historic District Exemption Lists
Create Pre-Approved Consent List

² <http://ecode360.com/14056337>

³ <http://ecode360.com/14056367>

⁴ <http://ecode360.com/14056346>

Eliminate Need for Joint Review
(5) Exempt Certain Projects from Board of Architectural Review process
(6) Adopt a Local SEQRA Type II List

Code Enforcement Policies and Regulatory Reforms (Current)

The Village of Ossining, like many localities throughout the state, informs the administration of its property maintenance and building code regulations from a variety of resources at the local, state, and international level. On a global level, the International Code Council (“ICC”) issues a multivolume guidance series, which establishes standards for property maintenance and code enforcement. Many of the standards and procedure set forth by the ICC have been incorporated into the New York State Uniform Fire Prevention and Building Code (“The NYS Uniform Code”). In designing Chapter 162 of the Village Code, the Village of Ossining has looked to both documents to inform local regulations regarding property maintenance and building code requirements. Chapter 162 of the Village Code, titled Housing/Property Maintenance and Building Code Administration, dictates local requirements for building size, light and ventilation, plumbing, heating, and electrical components, as well as occupant responsibilities and code enforcement procedures. In addition to Chapter 162, Chapter 270 (Zoning) of the Village Code also contains regulations applicable to building requirements, such as the definition of terms and minimum dwelling unit size. Other applicable references include Chapter 62 (Affordable Housing), Chapter 91 (Building Construction), Chapter 133 (Fire hazard Inspections), and Chapter 182 (Nuisances).

The Village Code, as it applies to property maintenance, has been amended and evolved over the past 60 years. In 1967 the Village of Ossining Board of Trustees approved Local Law 1-1967, titled the “Housing Code of the Village of Ossining.” On June 5, 1973, LL1-1967 was repealed and replaced by Local Law 3-1973, known as the “Housing and Property Maintenance Code of the Village of Ossining.” Subsequent to the adoption of LL3-1973, the Village Code was re-codified and provisions of the local law were incorporated into the first rendition of Chapter 162. Since its codification in 1973, Chapter 162 has been subsequently amended in 1979, 1994, 1999, 2015 and most recently in 2017 with LL3-2017. Many of the amendments have sought to modernize the code with incorporation of contemporary living standards, safety requirements, and term definitions. Amendments have also been made to ensure that the Village Code remains in compliance with the NYS Uniform Code, which sets minimum standards for all localities within the state of New York.

Two of the most pressing building code issues currently faced by the Village of Ossining concern local code enforcement and occupancy limitations. Each section below outlines the regulations currently referenced by the Village of Ossining to address these two issues.

As previously mentioned, Chapter 162 of the Village Code establishes standards, regulations and procedures for addressing housing and property maintenance, and the administration of the building code. While the Village of Ossining has adopted the NYS Uniform Code in full, Chapter 162 has historically remained referential to the state code rather than incorporating language and standards verbatim. One exception to this trend was made with the adoption of Local Law 3-2017, which incorporates Part 1203.3 of the NYS Uniform Code into Chapter 162 of the Village Code. The language of Part 1203.3 of the NYS Uniform Code, titled “Minimum features of a program for administration and enforcement of the Uniform Code,” was incorporated in its entirety specifically to overhaul local code

enforcement procedures to meet state standards. Based on the adoption of LL3-2017, the Village Code now stipulates that although a person or entity maintains the full 30 days to comply with an Order to Remedy, code enforcement personnel may now require that efforts to remedy the violation must *begin* immediately.

In regard to the prevalence of overcrowding within the Village of Ossining, Chapter Four of the ICC's International Property Maintenance Code ("IPMC"), which governs space requirements and occupancy limitations for occupying a structure, can be looked to for regulation guidance. Section 404.4.1, bedroom and living room requirements, states that every living space shall contain no less than 120 square feet and every bedroom shall contain no less than 70 square feet. Additionally, every bedroom occupied by more than one person shall offer a minimum of 50 square feet of floor area per occupant. Section 404.5 further requires that in units of 6 or more occupants, a minimum of 150 square feet of living room space shall be provided in addition to the bedroom requirements stipulated in section 404.4.1. Specific requirements are identified for efficiency or studio units, which have a maximum occupancy of three persons, with minimum clear floor area ranging from 120 to 320 square feet based on the number of occupants.

SECTION 3: VILLAGE ZONING REGULATIONS

Zoning Districts in Village of Ossining

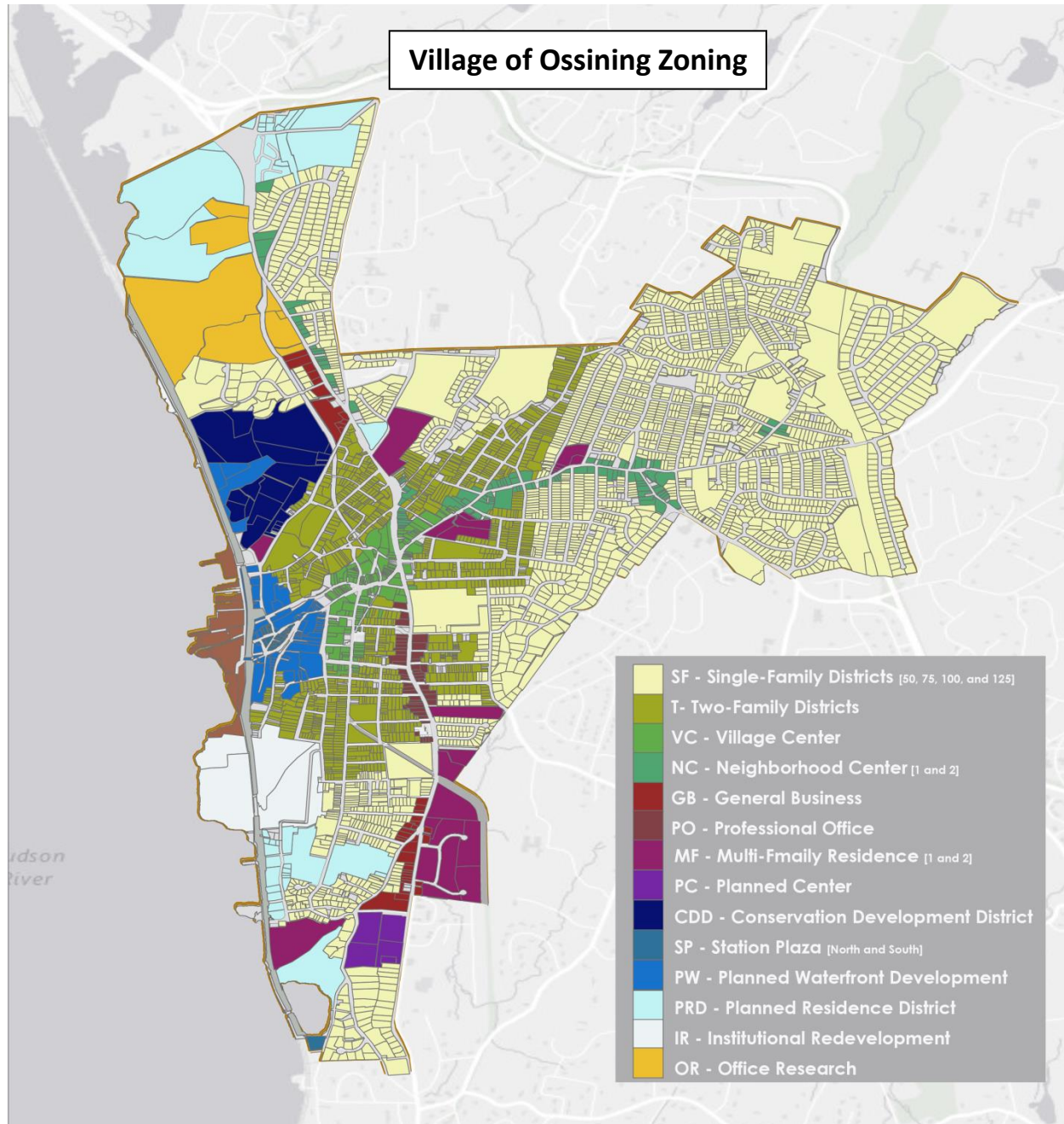
The Village of Ossining contains twenty-three traditional zoning districts and two overlay districts. Eight districts are classified as residential with the remaining classified as business and mixed use districts. The zoning was updated in 2009 at which time a few zones were split into multiple new zones to allow for more specific and nuanced regulations. The following districts appear on the table below but are excluded from the analyses that follow because they do not permit residential uses: Planned Center District (PC), General Business District (GB), Office Research District (O-R), and Station Plaza South District (SP-S).

Residential Districts	
S-125, S-100, S-75 and S-50	Single-Family Residence Districts
T	Two-Family Residence District
MF-1 and MF-2	Multifamily Residence Districts
PRD	Planned Residence District
Business and Mixed-Use Districts	
PC	Planned Center District
NC-1 and NC-2	Neighborhood Center Districts
VC	Village Center District
GB	General Business District
P-O	Professional Office District
O-R	Office-Research District
CDD	Conservation Development District
SP-N	Station Plaza North District
SP-S	Station Plaza South District
RDD	Riverfront Development District
PW	Planned Waterfront District
PW-a	Northern Waterfront Subdistrict
PW-b	Central Waterfront — Transit-Oriented Subdistrict
PW-c	Central Waterfront — Hillside Subdistrict
IR	Institutional/Redevelopment District

Source: Village of Ossining

Zoning Map

This map displays the zoning designation of each parcel in the village. Certain categories of zoning with similar goals and permitted development have been given the same color to simplify the map.



Comparative Analysis

Use Regulations

The following section outlines permitted residential uses within various residential, business, and mixed-use districts as indicated within the existing zoning code for the Village of Ossining.

PERMITTED USE TABLE												
	S-125 S-100 S-75 S-50	T	MF-1 MF-2	PRD	PO	NC-1 NC-2	VC	SP-N	CDD	IR	RDD	PW
Single-Family (Detached)	P	P	P	P	P	C	C	C	C	C	SP	C
Single-Family (Attached)			P	P	P	C	C	C	C	C	SP	C
Two-Family (Attached)			P	P	C	C	C	C	C	C	SP	C
Two-Family (Detached)		C	P	P	C	C	C	C	C	C	SP	C
Multifamily			P		C	C	C	C	C	C	SP	C
Accessory												
Senior Living	C	C	C	C		C	C	C	C	C	SP	C
Office Live-Work					C	C	C	C	C	C	SP	C

Note:

P: Permitted

CP: Conditionally Permit

SP: Permitted as a Special Use

Design and Development Standards

Below are the form regulations for buildings in each of the zoning districts that allow residential uses. IR was left out of the analysis because it is not anticipated that redevelopment will occur on the Sing-Sing Correctional Facility in the near future.

DESIGN & DEVELOPMENT STANDARDS TABLE																	
District	S-125	S-100	S-75	S-50	T	MF-1, MF-2	PO	PRD ⁵	NC-1	NC-2	VC	SP-N	CDD	RDD	PW-a	PW-b	PW-c
Minimum Lot Area (Sq. Ft.)	15,000	10,000	7,500	5,000	7,500	40,000	10,000	N/A	N/A	N/A	N/A	N/A	2 Acres	40,000	40,000		10,000
Minimum Lot Width (ft.)	125	100	75	50	75	150	100	100 / 200*									
Minimum Front Yard (ft.)	45	30	30	30	30	40	25	20 / 40*	10	Max 15	Max 10	Max 10	30	Max. ⁶ 15	20 feet of any street 15 feet of any lot line		15
Minimum Rear Yard	45	40	30	30	30	MF-1: 35 MF-2: 25	20	40	20	20			30	50 ft ⁷			20
Minimum Side Yard (one/both)	30/60 ⁸	20/45 ²	12/28 ²	8/18 ²	12/28 ²	30/60	10/20 ²	20/45	10 ⁴	10 ⁹			30/60	10/20			10 each
Maximum Building Height (ft./stories)	35/2.5	35/2.5	35/2.5	35/2.5	35/2.5	MF-1: 35/2.5 MF-2: 70/6	35/2.5	35/2.5	36/3	36/3	48/4	48/4	48/4	36/3	72/6	48/4 ₁₀	48/4 ¹¹
Min. Distance between buildings (ft.)													35	40	30	50	25
Minimum Parking Setback (ft.)													30	10	10	10	

⁵ Asterisks (*) in PRD column indicate requirements for attached housing in the PRD, which are available only with incentives

⁶ For all properties facing Westerly Road

⁷ For all properties abutting the riverfront

⁸ Lots with a greater width than the minimum lot width must have both side yard setbacks equal to 40% of the lot width with each side yard equaling a minimum of 45% of both side yard setbacks.

⁹ Only for lots abutting residential

¹⁰ No building shall extend more than 1.0 story or 16ft above Market or Hunter Streets.

¹¹ No building shall exceed 220 feet above sea level

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DESIGN & DEVELOPMENT STANDARDS TABLE																	
District	S-125	S-100	S-75	S-50	T	MF-1, MF-2	PO	PRD ⁵	NC-1	NC-2	VC	SP-N	CDD	RDD	PW-a	PW-b	PW-c
Minimum Livable Floor Area Per Unit (sq. ft.)	1,000	900	850	800	800	450 studio 600 1br 750 2br 250 each additional bedroom	800	Detached: 900 Two-family: 750 Attached: 600*	450 studio 600 1br 750 2br 250 each additional bedroom				450 studio 600 1br 750 2br 250 each additional bedroom Minimum Required Bedroom Mix: 10% 1br or studio 20% 2br				
Max. Building Coverage	20%	25%	30%	30%	30%	20%	25%	30%	40%	50%	100%	100%	30%	50%	40%	40%	50%
Max. Impervious Coverage	30%	35%	40%	40%	40%	60%	35%	60%	70%	80%	100%	100%	50%	70%	60%	60%	70%
Buffer abutting Resi. (ft.)								10 / 20*	10	10	10	10	25				
Residential Density (units per acre)						MF-1/MF-2 ¹² 1 bedroom: 3,600/1,000 2 bedroom: 4,000/1,500 3 bedroom: 4,200/3,000 4+ bedroom: 4,500/3,600		6 / 6-8*					6-8	16	15 ¹³		

¹² Density in Multi-Family Residence Districts is governed by minimum lot area per unit in square feet

¹³ With special permit application, baseline density is 22 units per acre up to 32 units per acre pursuant to Section 270-23 of Village Code

Parking Regulations

Appendix C of the Village of Ossining's regulating code identifies the minimum parking requirements for developments within each of the Village's zoning districts.

REQUIRED MINIMUM PARKING COMPARATIVE MATRIX												
	S-125 S-100 S-75 S-50	T	MF-1 MF-2	PRD	PO	NC-1 NC-2	VC	SP-N	CDD	IR	RDD	PW
Efficiency Unit or Studio	N/A	N/A	1.25	1.5 +.4/unit	2	1.25	1	1	1.25	1.25	1	1
1 bedroom	2	2	1.5	2 +.4/unit	2	1.5	1	1	1.5	1.5	1	1
2+ bedroom	2	2	2	2 + 0.4/unit ¹⁴	2	2	1.5	1.5	2	2	1.5	1.5

¹⁴ Requires 2.4 spaces for 2-bedroom unit, plus 0.5 spaces for each additional bedroom

Zoning district profiles

Single Family Residence Districts (S-125, S-100, S-75, S-50)

Purpose of District

To maintain the character, scale, and density of existing single-family residential neighborhoods in the Village of Ossining consistent with the protection and promotion of public health, safety and general welfare. To encourage homeowners to maintain and improve their properties in keeping with the character of the surrounding neighborhood. (§ 270-9)¹⁵

Location in Village

Single Family Residence districts are spread out across the Village. However, they are by far the dominant zoning districts governing land area in the northeastern portion of the Village.

Permitted Uses

Within the Single-Family Residence districts, single-family detached units are the only residential units permitted as-of-right. Senior living residential developments are conditionally permitted if (a) the proposed parcel is larger than 3.0 acres, (b) the maximum height of the proposed building does not exceed 35 feet or 2.5 stories, and (c) the parking and building dimensions meet specific setback and coverage standards.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Live-Work
P						C	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within Single-Family Residence districts. All lots in single-family districts with a width greater than the specified minimum lot width must have both side yard setbacks equal to 40% of the lot width with each side yard equaling a minimum of 45% of both side yard setbacks.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density ¹⁶ (Max Units Per Acre)
S-125	15,000	35 / 2.5	20	2.9
S-100	10,000	35 / 2.5	25	4.4
S-75	7,500	35 / 2.5	30	5.8
S-50	5,000	35 / 2.5	30	8.7

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
N/A	2	2

¹⁵ <http://ecode360.com/6427118#6427118>

¹⁶ Density for single-family units is calculated by dividing 43,560 (total number of square feet within an acre) by the minimum lot area of each district. It should be noted that the calculated residential is a maximum, and likely an over-estimation, due to the fact that parcel dimensions, setbacks, and other development standards would likely not allow for the full buildout of each parcel.

Two Family Residence District (T)

Purpose

To maintain the character, scale and density of existing two-family neighborhoods in the Village of Ossining consistent with the protection and promotion of public health, safety and general welfare. To encourage property owners to maintain and improve their properties in keeping with the character of the surrounding neighborhood. (§ 270-10)¹⁷

Location in Village

There are four Two Family Residence Districts located within the Village of Ossining. These districts are clustered towards the center of the Village, bordering the edges of the Village Center District (VC). The most northern T district is relatively expansive, covering a large swath of land north of Croton Avenue from the waterfront to Pine Avenue.

Permitted Uses

Within the Two-Family Residence district, the only residential land use permitted as-of-right are single-family detached units. It is unusual and worth noting two-family residences are not allowed as-of-right within the Two-Family Residence District. Two-family detached units and senior living units are conditional residential uses and are only allowed if (a) the parcel in question is larger than 3.0 acres, (b) the maximum height of the building does not exceed 35 feet or 2.5 stories, and (c) the parking and building dimensions meet specific setback and coverage standards as outlined in [Appendix, B Table 2](#) and [Appendix C, Table 3](#).

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Live-Work
P			C			C	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within Two-Family Residence districts. All lots in two-family districts with a width greater than the minimum lot width must have both side yard setbacks equal to 40% of the lot width with each side yard equaling a minimum of 45% of both side yard setbacks.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (Max Units Per Acre)
T	7,500	35 / 2.5	30	5.8

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
N/A	2	2

¹⁷ <http://ecode360.com/6427160#6427160>

Multi-Family Residence District (Mf-1, Mf-2)

Purpose

To accommodate the need for denser and more compact housing types in appropriate locations within the Village. To maintain the character and scale of existing multifamily housing developments in the Village of Ossining consistent with the protection and promotion of public health, safety and general welfare. (§ 270-11)¹⁸

Location in Village

There are seven MF-1 and four MF-2 Multi-Family Residence Districts located within the Village of Ossining. The MF-2 districts are relatively small and thus cover a minimal amount of land area within the Village. The MF-2 districts are spread across the center of the Village, but typically border either MF-1 or T districts. The seven MF-1 districts are clustered to the south and east of Sing Sing Correctional Facility, and just north of the Village Center district.

Permitted Uses

Multi-Family Residence Districts are the only districts in the entire Village that permit multi-family development as-of-right. Within the two districts, senior living developments, as a conditional residential use, are only allowed if (a) the parcel in question is larger than 3.0 acres, (b) the maximum height of the building does not exceed 35 feet or 2.5 stories, and (c) the parking and building meet specific setback and coverage standards.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Live-Work
P	P	P	P	P		C	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within Multi-Family Residence districts. All lots in multi-family districts with a width greater than the specified minimum lot width must have both side yard setbacks equal to 40% of the lot width with each side yard equaling a minimum of 45% of both side yard setbacks.

Multi-family districts are further regulated by a handful of standards that are not explicitly applied to other districts within the Village. First, if more than one multifamily building exists on a single parcel, a minimum distance of 25 or 1.5 times the height of the tallest building must be maintained between the two principal buildings, whichever is more. Additionally, there is a minimum open space requirement per unit (i.e. 1 bedroom – 200 sq. ft.; 2 bedrooms – 300 sq. ft.; 3 bedrooms – 400 sq. ft.; 4 or more bedrooms – 600 sq. ft.) and 25% of the total required open space must be equipped and active landscaped recreation area(s).

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land)	Minimum Lot Area Per Unit (square feet)
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¹⁸ <http://ecode360.com/6427165#6427165>

			Area)	
MF-1	40,000	35 / 2.5	20	1 bedroom - 3,600 2 bedroom - 4,000 3 bedroom - 4,200 4+ bedrooms - 4,500
MF-2	40,000	70 / 6	20	1 bedroom - 1,000 2 bedroom - 1,500 3 bedroom - 3,000 4+ bedrooms - 3,600

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1.25	1.5	2

Planned Residence District (PRD)

Purpose

To maintain residential developments constructed in the PRD District prior to the effective date of Local Law No. 3-2009. To provide for the development of remaining undeveloped lands within the PRD District while preserving the natural features of development sites, including wetlands, steep slopes, hilltops and ridgelines, views to and from the Hudson River, trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value. To ensure compatibility between new planned residential development and surrounding existing neighborhoods. (§ 270-12)¹⁹

Location in Village

There are five Planned Residence Districts within the Village of Ossining. Two PRD designations are in the southern portion of the Village surrounding the Sparta Historic District. Another large PRD zone is in the northwest extent of the Village, and two smaller districts are located near Dale Cemetery and Claremont Elementary School along Route 9.

Permitted Uses

Planned Residence Districts permit single-family and two-family residential units, both attached and detached, as-of-right. Senior living developments, as a conditional residential use, are only allowed if (a) the parcel in question is larger than 3.0 acres, (b) the maximum height of the building does not exceed 35 feet or 2.5 stories, and (c) the parking and building meet specific setback and coverage standards.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Live-Work
P	P	P	P			C	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within Planned Residence districts. In addition to the regulations shown below, all lots in PRD districts with a width greater than the specified minimum lot width must have both side yard setbacks equal to 40% of the lot width with each side yard equaling a minimum of 45% of both side yard setbacks. Height is capped at 10 feet above the west curb for buildings on Hudson Street.

The Planning Board may allow a greater density of attached dwelling units within a structure upon a finding that permitting such additional units will not cause a significant adverse effect or impact on the

¹⁹ <http://ecode360.com/6427170#6427170>

physical or environmental conditions on the site or in the neighborhood. Additionally, developers may apply for 10% density bonuses in exchange for providing certain amenities (i.e. public parks and open space, historic preservation, green building practices, brownfield remediation, etc.), but must remain within maximum density units stated below.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (Max Units Per Acre)
PRD	N/A	35 / 2.5	30	Detached: 6 Attached: 6-8

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1.5 plus 0.4/unit	2 plus 0.4/unit	2 plus 0.4/unit

Professional Office District (PO)

Purpose

To accommodate a mix of residential and commercial uses within appropriately scaled buildings along South Highland Avenue. To minimize impacts from commercial uses on the surrounding residential neighborhoods. To maintain the historic character of the large homes on South Highland Avenue that have been converted to nonresidential use. (§ 270-17)

Location in Village

There is only one Professional Office District currently located within the Village of Ossining. The PO District hugs the Route 9 corridor, also referred to as South Highland Avenue, for approximately 2,000 feet between Waller Avenue and Washington Avenue, just north of the Village Center District.

Permitted Uses

The PO district permits residential units due to its objective to accommodate a mix of both residential and commercial uses along South Highland Avenue, and to act as a buffer between commercial uses and surrounding primarily residential areas. However, the higher-density conditional residential uses indicated below are only allowed if (a) the parcel in question is larger than 3.0 acres, (b) the maximum height of the building does not exceed 35 feet or 2.5 stories, and (c) the parking and building meet specific setback and coverage standards outlined in the following section on Design and Development Standards.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Live-Work
P	P	C	C	C			C

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within Professional Office Districts. In addition to the regulations shown below, all lots in Professional Office Districts with a width greater than the minimum lot width designated must have both side yard setbacks equal to 40% of the lot width with each side yard equaling a minimum of 45% of both side yard setbacks.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density ²⁰ (Max Units Per Acre)
P-O	10,000	35 / 2.5	30	4.4

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
2	2	2

Neighborhood Center Districts (Nc-1, Nc-2)

Purpose

To provide locations for neighborhood-serving businesses in close proximity to residential districts to minimize the need for travel to run daily errands and to protect and promote the health, safety and welfare of Village residents. To encourage neighborhood-serving businesses to cluster along designated corridors within the Village to promote business corridor identity and facilitate comparison shopping. To provide for a diverse range of housing types within neighborhood centers while retaining businesses as the main uses in NC Districts. To aid in the implementation of a parking strategy for each NC district to minimize the impacts of vehicular traffic in and around residential districts. (§ 270-14)²¹

Location in Village

Seven Neighborhood Center Districts exist within the Village of Ossining. These districts are largely linear in shape and clustered along Route 9 and Upper Croton Avenue, and are always bordered by residential zones such as Single-Family Residence districts, Two-Family Residence Districts, and Multi-Family Districts.

Permitted Uses

All residential uses are conditional in Neighborhood Center Districts, with residential units only permitted above nonresidential units. Thus, ground floor or basement residential uses are not permitted within the district.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Live-Work
C	C	C	C	C		C	C

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within Neighborhood Center Districts. In addition to the regulations shown below, residential dwelling units in NC districts are not permitted as a ground floor use and must have a separate main entrance from the nonresidential use on which they sit.

²⁰ Residential Density is calculated by dividing 43,560 (total number of square feet within an acre) by the minimum lot area required in P-O Districts. It should be noted that the calculated residential is a maximum, and likely an over-estimation, due to the fact that parcel dimensions, setbacks, and other development standards would likely not allow for the full buildout of each parcel.

²¹ <http://ecode360.com/14065210#14065210>

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (max Units Per Acre)
NC-1	N/A	36 / 3	40	N/A
NC-2	N/A	36 / 3	50	N/A

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1.25	1.5	2

Village Center District (VC)

Purpose

To preserve historic downtown Ossining as the center of village life. To promote increased business activity in downtown Ossining by permitting uses and levels of intensity that are greater than elsewhere in the Village. To provide opportunities for residential uses in downtown Ossining to encourage street life during the day and evening. (§ 270-15)²²

Location in Village

The sole Village Center District is centered around the intersection of Main Street and Spring Street, and the junction of Route 9, Croton Avenue, and Broadway. The district covers the central area downtown, including Market Square, Ossining Public Library, and many municipal offices.

Permitted Uses

All residential uses are conditional in the Village Center District, with residential units only permitted above nonresidential units. Thus, ground floor or basement residential uses are not permitted within the district.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Work	Live-
C	C	C	C	C		C	C	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing in the Village Center District. In addition to the regulations shown below, residential dwelling units the VC district are not permitted as a ground floor use and must have a separate main entrance from the nonresidential use on which they sit. Additionally, the Village Center is the only district besides Station Plaza North that allows for 100% building lot coverage and establishes a maximum 10-foot front yard setback. Maximum lot coverage and restricted front yard setbacks ensure that building footprints maximize the full land area parcel, creating a consistent pedestrian environment and avoiding negative space along the street edge by encouraging a street wall that is flush with the sidewalk.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (max Units Per Acre)
VC	N/A	48 / 4	100	N/A

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1	1	1.5

Station Plaza North District (SP-N)

Purpose

To encourage mixed-use development on small properties near the Metro-North train station that will protect and promote the adaptive reuse of existing architecturally noteworthy buildings. To increase business near the train station by permitting uses that promote activity around the train station. To provide opportunities for residential uses downtown to encourage street life during the day and evening. (§ 270-20)

Location in Village

The Station Plaza North District is a relatively small district, covering less than 250,000 square feet, centered around the Ossining Train Station. The district is bordered by two waterfront districts (PW-b and PW-c) and rail alignment and RDD district to the west.

Permitted Uses

All residential uses are conditional in the Station Plaza North District, with residential units only permitted above nonresidential units. Thus, ground floor or basement residential uses are not permitted within the district.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Work	Live-
C	C	C	C	C		C	C	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within the Station Plaza North District. In addition to the regulations shown below, residential dwelling units in the SP-N district are not permitted as a ground floor use and must have a separate main entrance from the nonresidential use on which they sit. Additionally, the Station Plaza North District is the only district besides Village Center that allows for 100% building lot coverage and establishes a maximum 10-foot front yard setback. Maximum lot coverage and restricted front yard setbacks ensure that building footprints maximize the full land area parcel, creating a consistent pedestrian environment and avoiding negative space along the street edge by encouraging a street wall that is flush with the sidewalk.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (max Units Per Acre)
SP-N	N/A	48 / 4	100	N/A

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1	1	1.5

Conservation Development District (CDD)

Purpose

To provide for development that is low density and will protect the aesthetics, natural resources and environmental features of the remaining undeveloped lands within the CDD District, including preserving natural features of development sites such as wetlands, steep slopes, hilltops, ridgelines, views to and from the Hudson River, trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value.

Protecting the water quality of the streams and watercourses leading into the Hudson River, including fish, wildlife and natural vegetation; requiring the use of best management practices with respect to protection of water quality, stormwater management and erosion and sediment control; minimizing construction on or regrading of steeply sloped areas; enhancing the aesthetics of these natural resources to the greatest extent practicable by protecting scenic views. (§ 270-19)

Location in Village

There is only one Conservation Development District located within the Village of Ossining. The district is in the northwest portion of the village, sited between the waterfront and Route 9. The CDD is bordered by a Single-Family Residence District and a Two-Family Residence District.

Permitted Uses

All residential uses are conditional in the Conservation Development District. Conditional residential uses are only allowed if (a) the parcel in question is larger than 3.0 acres, (b) the maximum height of the building does not exceed 35 feet or 2.5 stories, and (c) the parking and building meet specific setback and coverage standards.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Work	Live-Work
C	C	C	C	C		C		C

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within the Conservation Development District. Parcels within CDD are subject to a minimum open space requirement of 25% of the total lot area, and no more than half of the parcel width may be occupied by buildings, walls, or fences taller than 36 inches. Each structure on a parcel within the CDD is also

regulated by a maximum width of 75 feet. These additional regulations have largely been put in place to provide open space and protect viewsheds of the Hudson River.

Similar to PRD zones, developers with proposed projects in the CDD zone may apply for 10% density bonuses in exchange for providing certain amenities (i.e. public parks and open space, historic preservation, green building practices, brownfield remediation, etc.), but must remain within the maximum density. The 10% bonus is awarded for each amenity provided.

	Minimum Lot Area (Acres)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (max Units Per Acre)
CDD	2	48 / 4	30	6-8

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1.25	1.5	2

Riverfront Development District (RDD)

Purpose

To establish a carefully-designed mixed-use development plan for the riverfront area that will implement the planning goals and objectives of the Comprehensive Plan and the Local Waterfront Revitalization Plan and protect the environment and public health, safety and general welfare of the community. A portion of the district is also governed by the Planned Waterfront and Railway Development (PWRD) Overlay, established to encourage water-dependent and water-enhanced uses and promotion and development of mixed residential, retail, commercial and open space uses on the waterfront. (§ 270-22)

Location in Village

There is only one Riverfront Development District located within the Village of Ossining. The RDD encompasses the harbor area west of Ossining Train Station.

Permitted Uses

All residential land uses are permitted by special permit only within the Riverfront Development District. However, within the PWRD multiple-dwelling units with up to three bedrooms per unit, including buildings for condominium, fee simple, cooperative or rental occupancy are permitted.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Work	Live-
SP	SP	SP	SP	SP		SP	SP	

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within the Riverfront Development District. Parcels within RDD are subject to a minimum open space requirement of 15% of the total lot area, and no more than half of the parcel width may be occupied by buildings, walls, or fences taller than 36 inches. Each structure on a parcel within the RDD is also regulated by a maximum width of 75 feet. These additional regulations have largely been put in place to provide open space and protect viewsheds of the Hudson River.

	Minimum Lot Area (Acres)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (max Units Per Acre)
RDD	40,000	48 / 4	50	16
PWRD	N/A	80	50	48

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1	1	1.5

Planned Waterfront Districts (PW-A, PW-B, PW-C)

Purpose

To establish a carefully designed mixed-use development plan for the waterfront area that will implement the planning goals and objectives of the Comprehensive Plan, and the Local Waterfront Revitalization Plan, and protect and promote the environment and public health, safety and general welfare of the community. (§ 270-23)

Location in Village

All three Planned Waterfront Districts are located along the rail alignment and former industrial waterfront. The PW districts are located in close proximity to the Ossining Train Station, and thus are often regulated according to best practices of transit-oriented development.

Permitted Uses

All residential uses are conditional in the three Planned Waterfront Districts.

single-family (detached)	single-family (attached)	two-family (attached)	two-family (detached)	multifamily	Accessory	Senior Living	Office Work	Live-Work
C	C	C	C	C		C		C

Design and Development Standards

The following development standards affect the design, density, and placement of residential housing within the Planned Waterfront Districts. Parcels within PW Districts are subject to a minimum open space requirement of 15% of the total lot area, and no more than half of the parcel width may be occupied by buildings, walls, or fences taller than 36 inches. Each structure on a parcel within a PW District is also regulated by a maximum width of 75 feet. These additional regulations have largely been put in place to provide open space and protect viewsheds of the Hudson River.

On parcels with a total lot area of three acres or more, developers with proposed projects in the PW zones may apply for one or more density bonuses in exchange for providing certain amenities (i.e. public parks and open space, historic preservation, green building practices, brownfield remediation, etc.), but must remain within the maximum density. Bonuses may range from 22 to 32 units per acre at the discretion of the Planning Board.

	Minimum Lot Area (Square Feet)	Maximum Building Height (Feet / Stories)	Maximum Building Coverage (Percentage of Total Land Area)	Residential Density (max Units Per Acre)
PW-a	40,000	72 / 6	40	15
PW-b	40,000	48 / 4	40	15
PW-c	10,000	48 / 4	50	15

Parking Regulations

Efficiency Unit or Studio	1 bedroom	2+ bedroom
1	1	1.5