

ZONING

220 Attachment 3

Village of Briarcliff Manor

Table 3

Permitted Principal and Accessory Uses (Commercial)

[Amended 3-21-1996 by L.L. No. 4-1996; 5-15-1997 by L.L. No. 2-1997; 3-3-2005 by L.L. No. 1-2005; 1-19-2006 by L.L. No. 3-2006; 2-19-2009 by L.L. No. 3-2009; 10-20-2010 by L.L. No. 4-2010; 1-20-2011 by L.L. No. 1-2011; 3-16-2011 by L.L. No. 2-2011; 3-30-2015 by L.L. No. 1-2018; 5-17-2017 by L.L. No. 1-2017; 12-15-2020 by L.L. No. 1-2021; 9-28-2021 by L.L. No. 16-2021; 7-16-2024 by L.L. No. 10-2024]

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Class of District and Symbol	Permitted Principal Uses	Permitted Accessory Uses
CT1 and CT3	The following are the only principal uses permitted with a special permit in respective districts designated to the left hereof: 1. Clubs, lodges, recreation facilities 2. Conference center/event space 3. Data storage 4. Fitness clubs, training facilities 5. Hotels 6. Light manufacturing (experiential retail as accessory use) 7. Medical office, outpatient and ambulatory care facilities 8. Museum or art gallery 9. Office 10. Private institutions of higher learning 11. Research laboratory, biomedical and biotech facilities	The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts: 1. Private garage or private parking area, and off-street loading units, pursuant to the applicable provisions of § 220-12. 2. Signs. Maximum area of 12 square feet at each entrance to the premises and not closer than 20 feet to the street line. Provisions for lighting shall be the same as in General Business B2 Districts. 3. Dwelling spaces for caretakers or other resident employees, watchmen and their families, and only as incidental accessory housing associated with the principal use thereof. 4. Residential guest facilities, commensurate with the reasonable requirements for temporary transient visitors to principal use facility, where any individual's length of stay shall not exceed any portion of six months in any one calendar year. 5. Maintenance shops, gate houses, enclosed storage facilities, transformer stations, and buildings housing mechanical equipment. 6. Solid fences or walls, not more than four feet in height in the front yard, and/or not more than six feet in height in the rear and/or side yards, provided such fences or walls do not adversely affect the clear vision along any street. Wire or open fences up to six feet in height, which do not obstruct light or the circulation of air, in any yard. If a side yard abuts a road, such as on a corner lot, the height of a solid fence or wall along such road shall not be greater than four feet in height. All fences or walls must be inside all lot lines. The finished or more attractive side of any fence or wall must face abutting properties. The Building Inspector shall determine which side of the fence or wall meets these criteria in the case of a dispute. 7. Solar farms subject to § 220-6M and solar energy collectors each regulated by Chapter 178, and incident to commercial use, not operated for gain, and located in the rear or side yard, conforming to setbacks of the principal building, or roof mounted. 8. Wireless telecommunications service facilities as regulated by § 220-9.4. 9. Short-term executive housing, consistent with § 220-6M(2)(q).
CT2, CT4, and CT5	The following are the only principal uses permitted with a special permit in respective districts designated to the left hereof: 1. Clubs, lodges, recreation facilities 2. Conference center/event space 3. Data storage 4. Fitness clubs, training facilities 5. Hospital 6. Hotels 7. Light manufacturing (experiential retail as accessory use) 8. Medical office, outpatient and ambulatory care facilities 9. Museum or art gallery 10. Nursery school 11. Office 12. Private institutions of higher learning 13. Research laboratory, biomedical and biotech facilities 14. Retail (including experiential retail), shopping center 15. Self-storage facilities 16. Specialty warehouses	

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Class of District and Symbol	Permitted Principal Uses	Permitted Accessory Uses
Retail Business B1	The following are the only principal uses permitted in respective districts designated to the left hereof: 1. A fully enclosed structure containing retail, personal service, restaurant, or carry-out food establishment, performance of customary personal service or services clearly incident to retail sales, primarily for the convenience of the inhabitants of the Village and the immediate locality; provided, however, that no fabricating or assembling shall be permitted which would be offensive, obnoxious, or detrimental by reason of vibration, dust, fumes, odor, noise, lights or traffic generation and resultant congestion, and provided further, however, that no such retail establishment, or a designed group of establishments, shall be permitted to have a floor area used for merchandising or personal service in excess of that which, under this chapter, requires 100 off-street parking spaces, unless a special use permit therefor is approved by the Board of Trustees, pursuant to § 220-6K(4), allowing any such floor area in excess of such 100 off-street parking space requirement. 2. Business, banking or professional office or studio, telephone exchange or school conducted for gain. 3. Restaurant, club, cafe, lodging house or other place for the sale of food or beverages to be consumed on the premises or a carry-out food establishment, but in either case not including a lunch wagon, refreshment place or stand with open-air or outside counter or curb service, but this exclusion of lunch wagons and refreshment places and stands shall not prevent an establishment otherwise complying with this section from serving meals at tables on a porch or terrace attached to and constituting a part of the principal building 4. Theater, motion picture theater, assembly hall, mortuary or funeral home. 5. Self-service or hand laundries. 6. Outdoor display and sale of merchandise by religious, charitable or service organizations not operated for gain upon application to the Board of Trustees which may grant a special permit for a period not exceeding 30 days subject to such reasonable conditions as the Board of Trustees may see fit to impose. 7. Wireless telecommunication services facility, subject to special permit approval by the Planning Board pursuant to the special requirements of § 220-7J(13).	1. A The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts: (a) One or more signs for each building establishment, relating solely to the business or profession conducted on the premises and not exceeding in aggregate area 1 1/2 square feet per foot of lineal frontage of the facade of the particular business establishment in or on which it is located; the preceding limitation shall include all signs located inside of a building or structure within six feet of a show window or entrance, that are arranged and intended to be visible from the exterior of the building or structure, but shall not apply to temporary paper signs attached to store windows for a period of not more than seven days as commonly used in the conduct of a retail business; provided, however, that such temporary paper signs shall not be illuminated by lighting devices. (b) Exterior signs shall not project above the highest level of the vertical wall of the building facade on which they are located and shall not project more than 12 inches from the front, rear, or side wall of any building. If illuminated, such sign shall emit only steady white light of constant intensity or shall be illuminated by a steady white light from front or back. Such illuminated signs shall not be operated between the hours of 9:00 p.m. and 8:00 a.m., except that when the establishment is open to the public after 9:00 p.m., such business shall be permitted to operate such signs until the hour of closing. 2. All uses, including storage of materials, equipment and products for sale or otherwise shall be within enclosed buildings, except sidewalk cafes and sidewalk vending shall be permitted as provided for in Chapter 186, Article IV. 3. Dish antennas, two feet or less in diameter, as permitted in Residence Districts.

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Retail Business and Residential B1A	The following are the only principal uses permitted in respective districts designated to the left hereof: - Any principal use permitted in a retail business district and subject to the same requirements. - Multifamily dwellings: (i) provided that the overall residential portion of the building does not exceed: [a] 80% of the gross floor area of the building or group of buildings; or [b] if all of the dwelling units in the multifamily dwellings are affordable AFFH units, 85% of the gross floor area of the building or group of buildings; and (ii) provided that no ground floor dwelling units shall front on any public right-of-way.	The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts: Any accessory use permitted in a retail business district and subject to the same conditions.
General Business B2	The following are the only principal uses permitted in respective districts designated to the left hereof: - Any principal use permitted in a retail business district and subject to the same requirements. - Any use for which a special permit is required in any other district. - Motor vehicle sales room, repair shop, gasoline filling station or public garage, but no display of vehicles for sale or for hire shall be permitted outdoors. - Experimental laboratory, printing plant, shop for making or assembling articles, provided no machinery or process is used which emits dust, smoke, odor, fumes, noise, or vibration or nuisance. - Wholesale business, including indoor storage of building materials, cold storage plant, ice plant, ice cream plant or bakery. - Greenhouses and the raising or selling of nursery products on four acres or more of land, provided such nursery products are grown on the premises. - The preceding notwithstanding causes other, the following uses or activities are specifically prohibited: - The slaughtering or processing of animals or fish, including the component parts thereof, or the manufacture of any commodity the principal ingredient of which is animal or fish matter, provided that nothing herein contained shall be construed to prevent the sale of animals or fish as food stuff or the preparation therefrom of food products for sale at retail on the premises.	The following are the only accessory uses permitted in the respective districts designated to the left hereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts: - Any accessory use permitted in a retail business district and subject to the same conditions, except sidewalk cafes and sidewalk vending as provided for in Chapter 186, Article IV, shall not be permitted. - Outdoor storage of lumber, building materials and coal. - Underground storage of motor vehicle fuels. Storage of other combustibles for sale, not exceeding 500 gallons in all for liquid combustibles or liquid fuels, subject to the approval of the Fire Chief with respect to amount, placement, precautions taken against fire and explosion, methods of handling and any other matters having to do with the extent of the hazard connected therewith. - Storage of liquefied petroleum gases is permitted but only in charged containers, not filled on the premises but stored, warehoused or handled for resale in container capacities suitable for delivery to consumers or in delivery tank trucks of not more than 1,300 gallons capacity. Storage of such gases in charged containers shall not total more than 15,000 gallons (65,000 pounds) kept on the premises of any establishment at any one time. All such containers and installations shall conform to the applicable standards and specifications of the National Board of Fire Underwriters. - Dwelling unit and/or multifamily dwelling are prohibited. - No outdoor storage shall exceed 25% of the lot area devoted to the permitted principal use. Such outside storage shall be screened from general off-site view with evergreen landscaping, fencing and/or structures in accordance with and subject to additional requirements which may be established by the Planning Board in site plan review and approval. Said storage area shall not be closer to any lot line than the front yard setback requirement of a principal use in the B-2 District. Maximum fence height shall be limited to 12 feet and storage at any point within the storage area shall not be greater than one foot less than the height of the fence. In an effort to minimize any adverse impact of said storage area upon adjacent land and development, the Planning Board may increase, but not decrease the restrictiveness of these requirements and may designate the specific location of the storage area on the lot.

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General Business B2 (continued)	(b) The manufacture of heavy chemicals (such as, but not limited to, acids or other corrosives, ammonia and caustic soda); the manufacture of basic or semifinished chemicals (such as, but not limited to, cellulose products, resins, dye-stuffs, glues, vegetable, animal or mineral fats or oils, explosives, soaps and detergents, fertilizers, combustible gases and asphalt and tar products); the manufacture or production of cement or plaster and their constituents, matches, paints, linoleum, oil-cloth, rubber and rubber products. (c) Any other similar use or purpose which will create waste gases or liquids or conditions of hazard, smoke, fumes, noise, vibration, odor or dust and thus tend to be detrimental to the quiet, peace, comfort, convenience, safety or general welfare of the community. (d) Junkyards, storage or baling of scrap paper, rags or metal, auto wrecking and house trailers. (e) The maintenance, storage, or repair of garbage or refuse collection vehicles of any type or weight used in the operation of a refuse or garbage collection and carting business or any other similar use or purpose. 8. Single-family residence and/or multifamily dwelling are prohibited.	7. All uses, including storage of materials, equipment and products for sale or otherwise, except as otherwise set forth in this Schedule of Permitted Accessory Uses for the B2 District, shall be within enclosed buildings, except that the temporary outdoor display of merchandise for sale may receive site plan approval by the Planning Board, provided that such merchandise is kept within a fully enclosed building overnight and that the outdoor display area does not exceed 10% of the gross interior floor space of such establishment.
Central Business 1 CB1	The following are the only principal uses permitted in respective districts designated to the left thereof: - Any principal use permitted in a Retail Business District, subject to the same requirements; except that office and other professional uses shall be permitted both on the ground and upper floors of buildings in conjunction with residential uses, which shall be permitted only as designated below. - Multifamily dwellings; provided that any residential use is limited to the upper floor(s) of the building and no multifamily dwelling contain more than two bedrooms per unit. - Any special use permitted in a Retail Business District and subject to the same requirements. - For site plan and/or subdivision approval, all development plans shall comply, as interpreted by the Planning Board, with the design recommendations of the Village of Briarcliff Manor Comprehensive Plan for the "West Downtown: Pleasantville Road" (pages 101 through 111) dated November 2007 and as updated by the Village. Any deviation from the design guidelines deemed necessary will require review and approval by the Board of Trustees and shall be based upon a written justification to be included in any approval.	The following are the only accessory uses permitted in the respective districts designated to the left thereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts: Any accessory use permitted in a Retail Business District and subject to the same requirements.

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Central Business 2 CB2	The following are the only principal uses permitted in respective districts designated to the left thereof: - Any principal use permitted in a General Business District and subject to the same requirements; except that office and other professional uses shall be permitted both on the ground and upper floors of buildings in conjunction with residential uses, which shall only be permitted as designated below. - Multifamily dwellings, provided that: - The overall residential portion of the building does not exceed 80% of the gross floor area of the building or buildings - No ground floor dwelling units shall front any public right-of-way; - No multifamily dwelling shall contain more than two bedrooms per unit. - The use of buildings and land and the location, arrangement and size of buildings is in conformance with Attachment 3 and Attachment 4 of the Zoning Law; and - The amount of off-street parking and loading and unloading space is provided as specified in § 220-12 of the Zoning Law. - Any special use permitted in any other district and subject to the same requirements. - The preceding notwithstanding, any use or activity that is prohibited in a General Business District is specifically prohibited in respective districts designated to the left thereof.	The following are the only accessory uses permitted in the respective districts designated to the left thereof, and normally incident to the permitted uses set forth in Column 2 for such respective districts: Any accessory use permitted in a General Business District and subject to the same requirements.

NOTE:

Principal or accessory uses for any CT district in any table should not be considered hierarchical, and their placement within the table does not imply any CT zone is more or less restrictive than other zones in the same table.