

**VILLAGE OF IRVINGTON**  
**2018 COMPREHENSIVE PLAN**  
**UPDATE**

May 2018

## **ACKNOWLEDGMENTS**

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## CHAPTER 1

### BACKGROUND, PURPOSE, AND PLANNING PROCESS

#### Background and Purpose

The Village of Irvington has prepared a Comprehensive Plan Update (the “CPU” or “Update”) to its 2003 Comprehensive Plan (the “2003 Plan”), which, like its predecessor document, will serve as a policy guide for future growth and development in the Village. The overall mandate of the 2003 Plan was:

*To examine and provide potential alternatives to the Board of Trustees regarding the land use and growth management initiatives the Village should follow in the future in order to preserve the existing character of the Village, to protect the health, safety, environment, and quality of life enjoyed by Irvington residents, to mitigate the effects of rapid growth expansion, to protect environmentally sensitive areas, including our inland watercourses, to preserve open spaces and to create new green spaces, with special sensitivity to our scenic vistas and historic landscapes.<sup>1</sup>*

The 2003 Plan was prepared against a backdrop of significant development pressure, which could potentially impact the Village’s valuable natural and scenic resources, as well as its small-town historic character. It developed a series of goals for the Village and plans for implementation of those goals. Many of the implementation measures were taken soon after the Plan’s adoption. Others were acted on in the ensuing years. Others remain active goals. A list of the 2003 Plan’s recommendations and their status is included in Chapter 3 of this Update.

The current Update is prepared to better guide and promote responsible development in targeted areas of the Village, as well as to modernize certain Village Code provisions to properly regulate land use in a contemporary setting and changing economy.

#### The Planning Process and Public Engagement

For the current CPU process, the Village crafted a bottom up approach to involve and activate the public. Public involvement in the planning process is one of the keys to the successful implementation of the Plan’s goals and action items. Residents, elected officials and key stakeholders provided valuable input and insights throughout the CPU process. The Village Board, which has the ultimate approval authority to adopt the Update, selected the Comprehensive Plan Committee, which would be responsible for the overall process. The Board decided that the Comprehensive Plan Committee should include the Village Board along with the Chairpersons of the Planning Board, Zoning Board of Appeals and Board of Architectural

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<sup>1</sup> *Village of Irvington Comprehensive Plan, 2003, p. 6*

Review. Throughout the process, the Comprehensive Plan Committee was assisted by the Village Administrator, the Village Attorney, and David B. Smith of Planning & Development Advisors.

Early on in the process a number of issues were identified as important to address. They fell into four rough categories:

- (1) **The Broadway Corridor** – Over the past several years there have been redevelopment proposals for large parcels along the Broadway Corridor. Given the existing zoning, proposals to the Village always included some form of petition for amendments to the Zoning Code. Most proposals did not move forward, in significant part, due to the lack of clear direction from the community on the reuse of these parcels. One of the main purposes for commencing the Comprehensive Plan Update process was to help the community settle on the appropriate zoning for the larger properties along the Broadway corridor, particularly on the eastern side of Broadway north of Main Street.
- (2) **Downtown** – Irvington’s downtown area is a successful mixture of historic residential and commercial uses anchored by mass transit and with very little vacancy along its retail storefronts. The downtown has issues similar to other historic Hudson River villages relative to parking constraints and limited opportunities for new development. There are several Village owned properties (e.g., Department of Public Works, Fire Station) that have limitations related to their present use and that could be redeveloped to address identified needs in the Village (e.g., additional parking, affordable housing). Finding an appropriate area to relocate these uses still needs to be determined.
- (3) **Code Modernization** – In the intervening fourteen plus years since the Comprehensive Plan was adopted, economic, technological, social and environmental conditions that affect land use have changed significantly. More people work from home, more adult children remain at their parents’ homes, the internet has made it easy for people to advertise and rent out their houses. Current zoning regulations do not adequately address these changes in lifestyle. The Zoning Code needs to be updated with respect to home occupations, and consideration should be given to whether it should be amended to permit bed-and-breakfasts (B&Bs) and Airbnbs. Additionally, heightened concern for sustainability demands that development regulations be updated to address low-impact stormwater design, steep slopes, and clustering.
- (4) **Historic Irvington** – Irvington’s history and the manner in which the Village has developed over time have created the unique sense of place that distinguishes the community from its neighbors. The preservation of Irvington’s historic mansions and other historically and architecturally significant buildings and structures was a major focus of concern.

The CPC formed four Working Groups to address the topic areas identified above. The Village reached out to the entire Village and non-resident interested stakeholders to solicit their participation in the process. More than three dozen citizens joined the Comprehensive Plan Update process. Over the next several months:

- On February 15, 2017, the CPC conducted an open house and provided attendees with a summary of the Working Group topic areas. Attendees stated their preferred Working Group, and the CPC did its best to accommodate their preferences. Each Working Group was chaired by at least one member of the CPC.
- On March 4, 2017, all of the Working Groups convened at the Irvington Senior Center and began to flesh out issues to be addressed. In addition, each Working Group began the process of establishing its own timetable for review and identification of issues. This included opportunities for interviews with key stakeholders and field visits to selected locations throughout the Village.
- Over the next two and one half months, the Working Groups met on their own to discuss the issues with which they were charged. At the conclusion of their meetings, each group prepared a report and recommendations.
- On May 17, 2017, a meeting of the CPC was held at which each of the Working Groups presented its recommendations to the other Working Groups and the public at large. These presentations provided the CPC with the background necessary to begin the process of assessing and prioritizing goals and action items for implementation. The reports of the Working Groups are annexed to this Comp Plan Update as Exhibit A.

At this point in the process, the CPC took the lead in reviewing and evaluating the many proposed Goals/Action Items presented by the Working Groups.

- On June 13 and June 20, 2017, the CPC held public meetings to review in detail each of the proposed Goals/Action Items and discuss which should be included as part of the CPU. A list of 50 recommendations was agreed on and made available to the public. This list is annexed to the Comp Plan Update as Exhibit B.
- On July 13, 2017, the CPC held a public meeting to review the progress to date and garner public input on the proposed recommendations.
- Throughout the summer months of 2017, the Village conducted surveys on specific topics that seemed to generate more controversy than others. The ten topics that were surveyed were: (1) rezoning the Broadway corridor, particularly



north of Main Street; (2) replacing the DPW facility with a combination residential/commercial building; (3) deciding on how to use the Astor Street parking lot when the lease with Metro North expires; (4) deciding on what to do with the firehouse lot if the firehouse is relocated; (5) permitting parties, tours and other events at historically significant residences; (6) permitting bed-and-breakfasts; (7) permitting short term rentals such as Airbnb; (8) permitting garages to be used for additional living space, studios and similar uses; (9) permitting beekeeping and raising chickens; and (10) limiting the height of retaining walls anywhere on the property to 6-1/2 feet. There was robust response to the surveys. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

- During September, October and November, 2017, the CPC met several more times to discuss these ten topics and the survey results and to formulate final recommendations on them. The CPC also reviewed the recommendations from the 2003 Comprehensive Plan and decided which of the non-fully-implemented recommendations should be carried forward to the Comprehensive Plan Update.
- A draft Comprehensive Plan Update was drafted and circulated to the Comprehensive Plan Committee at the end of January 2018.
- On February 15, 2018, the CPC met to finalize the draft CPU.
- The draft Comprehensive Plan Update was circulated to the public, and posted to the Village's website, beginning February 26, 2018.
- On March 5, 2018, the Board of Trustees began the State Environmental Quality Review Act (SEQRA) process by accepting a Draft Generic Environmental Impact Statement (DGEIS) and setting a public hearing on the DGEIS and the Update for March 21, 2018. Written comments were invited until April 11, 2018.
- A public hearing on the Comprehensive Plan Update and the DGEIS was held on March 28, 2018. (A snow storm prevented the March 21<sup>st</sup> meeting.)
- Approximately 33 letters and e-mails were received before the written comment period closed on April 11, 2018.

In addition to the six public meetings on the Comprehensive Plan Update, a number of publicly noticed Comprehensive Plan Committee meetings, and the individual on-line surveys on selected topics, all discussed above, the Village web-site was used as a platform to update the public, afford access to information and provide the public with a point of contact for asking questions and submitting comments.

## CHAPTER 2

### POPULATION

#### Population Trends, 1970-2015

Estimates from the 2015 United States Census Bureau's 5 Year American Community Survey show Irvington's population at 6,540, representing a 1.9 % increase from the 2010 Census, but a 1.4 % decrease from the 2000 Census. (Table 2.1) Despite these minor fluctuations, the population has remained close to 6,000 persons, as it has since 1970. The population has grown by 13 % since 1980, with the greatest growth (9.9 %) occurring between 1980 and 1990. The 2015 population figures were lower than the growth projected in the 1979 Comprehensive Plan, which predicted 7,000 residents by 1995 and 8,588 by 2035.

**Table 2.1**  
**Irvington Population Change, 1970 – 2015**

Year	Population	Percent Change
1970	5,878	--
1980	5,774	-1.8
1990	6,348	9.9
2000	6,631	4.5
2010	6,420	-3.2
2015	6,540	1.9

Sources: US Census Bureau; 1988 Irvington Land Use Plan;  
American Community Survey 2015 (5 Year Estimates)

Beginning in 2005-06, the Irvington Union Free School District saw the start of a trend of declining enrollment that would continue until 2012-13, with enrollment dropping from 1,998 in 2005-06 to 1,747 in 2011-12. Total enrollment grew by 3.1% during the 2012-13 school year; however, the trend of declining enrollment continued in 2013-14. (Table 2.2) Despite this decline, the school district remains at capacity in terms of classroom space.<sup>2</sup>

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<sup>2</sup> Telephone interview with T. Douglas of the Irvington Union Free School District

**Table 2.2**  
**Irvington Union Free School District Enrollment, 2002/2003 – 2016/2017**

<b>School Year</b>	<b>Enrollment</b>	<b>Percent Change</b>
2002-2003	1,922	--
2003-2004	1,974	2.7
2004-2005	1,998	1.2
2005-2006	1,959	-2.0
2006-2007	1,961	0.1
2007-2008	1,942	-1.0
2008-2009	1,888	-2.8
2009-2010	1,799	-4.7
2010-2011	1,780	-1.1
2011-2012	1,747	-1.9
2012-2013	1,801	3.1
2013-2014	1,774	-1.5
2014-2015	1,758	-0.9
2015-2016	1,741	-1.0
2016-2017	1,747	0.3

Source: Irvington Union Free School District

**Age Distribution**

The demographic trend in Irvington between 2000 and 2015 is that of a population that is getting older. (Table 2.3) This is due in large part to: decreases in the percentage of the following age groups: 9 and under, and 25 to 44 year olds; along with increases in the percentage of age groups 45 to 64 and 85 plus. (Table 2.3) As a result, the Village median age increased from 39.7 in 2000 to 45.4 in 2015. The “echo boom” children, born in the 1980s and 1990s, now known as “Millennials,” are part of a county and regional trend of decreasing young adult population who decided, for a variety of reasons, not to stay in the communities where they grew up. Between 2000 and 2015, the percentage of 25 to 34 year olds decreased by 4.8% and the percentage of 35 to 44 year olds decreased by 5.9%. As a result of losses in these age groups, which include the highest number of new parents, there has been a subsequent 3.1% decrease in the percentage of the population under 5 years old and a decrease of 2.4% in the 5 to 9 year old age group. The age groups that have made the largest gains in the percentage of total population between 2000 and 2015 have been 45 to 54 year olds, which increased from 16.4% to 20.8% of the population; 55 to 64 year olds, which increased from 9.9% to 15% of the population; and 85+, which more than doubled, from 1.4% to 3.4% of the population.

**Table 2.3**  
**Irvington Age Distribution, 2000 – 2015**

<i>Age</i>	<b>2000 % of Total</b>	<b>2010 % of Total*</b>	<b>2015 % of Total*</b>	<b>(% Change, 2000 – 2015)</b>
Under 5	7.8	4.7	4.7	-3.1
5 to 9	8.5	6.6	6.1	-2.4
10 to 14	8.2	9.6	9.1	+0.9
15 to 24	7.6	9.9	12.2	+4.6
25 to 34	10.2	7.4	5.4	-4.8
35 to 44	17.9	12.2	12.0	-5.9
45 to 54	16.4	19.1	20.8	+4.4
55 to 64	9.9	15.3	15.0	+5.1
65 to 74	7.3	8.1	6.9	-0.4
75 to 84	4.8	5.1	4.3	-0.5
85+	1.4	1.9	3.4	+2.0
<b>Median Age</b>	<b>39.7</b>	<b>44.6</b>	<b>45.4</b>	

Sources: US Census Bureau, 1990, 2000, and 2010 data; American Community Survey 2015 (5 Year Estimates)

\* May not total due to rounding

### **Racial Composition**

The racial composition of Irvington’s population has become slightly less non-Hispanic White and more Hispanic or Latino and Asian. (Table 2.4) Between 2000 and 2015, the non-Hispanic White population decreased from 86.3% to 80.4%, and the Hispanic or Latino population increased from 3.8% to 7.5%. Asians remain the largest minority population, increasing from 7% in 2000 to 9.8% of the population in 2015.

**Table 2.4**  
**Irvington Racial Composition, 2000 – 2015**

	<b>2000 % of total</b>	<b>% 2010*</b>	<b>% 2015*</b>	<b>(% Change 2000-2015)</b>
White (Non-Hispanic)	86.3	82.9	80.4	-5.9
-Black (Non-Hispanic)	1.4	1.4	0.8	-0.6
American Indian and Alaska Native (Non-Hispanic)	0.1	0.1	0.1	0.0
Asian (Non-Hispanic)	7.0	7.8	9.8	+2.8

	<b>2000 % of total</b>	<b>% 2010*</b>	<b>% 2015*</b>	<b>(% Change 2000-2015)</b>
Native Hawaiian and Other Pacific Islander (Non-Hispanic)	0.0	0.0	0.0	(--)
Some Other Race (Non-Hispanic)	0.2	0.2	0.0	-0.2
Two or More Races (Non-Hispanic)	1.4	1.4	1.3	-0.1
Hispanic Or Latino	3.8	6.2	7.5	+3.7

Sources: U.S. Census Bureau, 1990, 2000, and 2010 data; American Community Survey 2015 (5 Year Estimates)

\* May not total due to rounding

## Households and Families

In 2015, the Village had 2,370 households<sup>3</sup>, a 2.1% decrease from 1990 and a 5.9% decrease from 2000. The average household size increased from 2.59 to 2.70 between 1990 and 2015, and the average family size remained fairly stable, increasing from 3.03 to 3.13 from 1990 to 2015 and decreasing slightly to 3.10 by 2015. (Table 2.5)

Households are categorized as family and non-family subgroups. Single-occupant households are considered “non-family.” Families continue to be the dominant household type in the Village, constituting 82.1% of all households, up from 72% in 2000 and 69.2% in 2010. This increase represents a departure from the nationwide trend of a declining percentage of family households that had been recorded from 1990 to 2010.

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<sup>3</sup> The U.S. Census Bureau’s definition of a “household” is: “all persons who occupy a housing unit.” Its definition of a “family” is: “a group of two people or more (one of whom is the householder) related by birth, marriage or adoption and residing together.” The term “household” contains both family and non-family subgroups.

**Table 2.5**  
**Irvington Households and Families, 2000 – 2015**

	<b>2000</b>	<b>2010</b>	<b>2015</b>	<i>(% Change 2000/2015)</i>
Total Households	2,518	2,528	2,370	-5.8
Families	1,813	1,749	1,946	+7.3
<i>As % of Total Households</i>	72	69.2	82.1	+10.1
Non-Family	705	779	424	-39.8
<i>As % of Total Households</i>	28	30.8	17.9	-10.1
Average Household	2.60	2.51	2.70	+3.8
Average Family Size	3.13	3.13	3.10	-0.01

Sources: U.S. Census Bureau, 2000, and 2010 data  
American Community Survey 2015 (5 Year Estimates)

According to the 2015 American Community Survey, 88.3% of Irvington families are headed by married couples. Most single householder families are headed by women. More than half of all families have children under the age of 18. These numbers are consistent with household and family composition in Irvington in 1990 and 2000. (Table 2.6)

Among the non-family households, 88.1% have a single occupant; of those living alone, 54% are over the age of 65.

**Table 2.6**  
**Types of Households, 2000 – 2015**

	<b>2000</b>	<b>2010</b>	<b>2015</b>	<i>(% Change 2000/2015)</i>
<b>Family Households</b>				
Married Couple Families	1,565	1,477	1,719	+16.3
<i>Percent of Total</i>	86.3	84.4	88.3	+2.0
Female Householder Families	192	211	193	0.0
<i>Percent of Total</i>	10.6	12.1	9.9	-0.7
Male Householder Families	56	61	34	-60.0
<i>Percent of Total</i>	3.1	3.5	1.7	-1.4

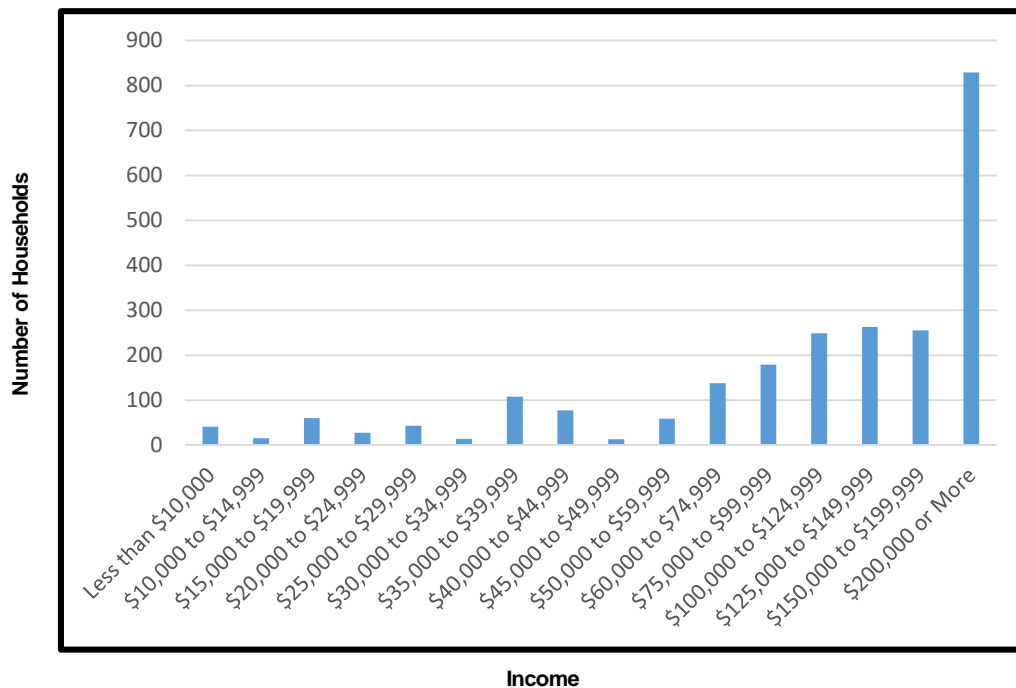
	2000	2010	2015	(% Change 2000/2015)
Families Living with own children <18	950	905	1,005	+5.7
<i>Percent of Total</i>	<i>52.4</i>	<i>51.7</i>	<i>51.6</i>	<i>-0.8</i>
<b>Non-Family Households</b>				
Living Alone	613	686	411	-67.0
<i>Percent of Total</i>	<i>87</i>	<i>88.1</i>	<i>96.9</i>	<i>+9.9</i>
65 and over	238	314	222	-6.8
<i>Percent of Total</i>	<i>38.8</i>	<i>45.8</i>	<i>54</i>	<i>+15.2</i>

Sources: U.S. Census Bureau, 1990, 2000, and 2010 data; American Community Survey 2015 (5 Year Estimates)

### Income and Poverty Levels

Table 2.7 illustrates Irvington’s household income distribution as reported in the 2015 census. Irvington’s 2015 median household income was \$138,051, representing an increase of \$41,584 from the 2000 median of \$96,457 and an increase of \$73,193 from the 1990 median of \$64,858. By comparison, Westchester County’s 2015 median income was \$83,958 for households.

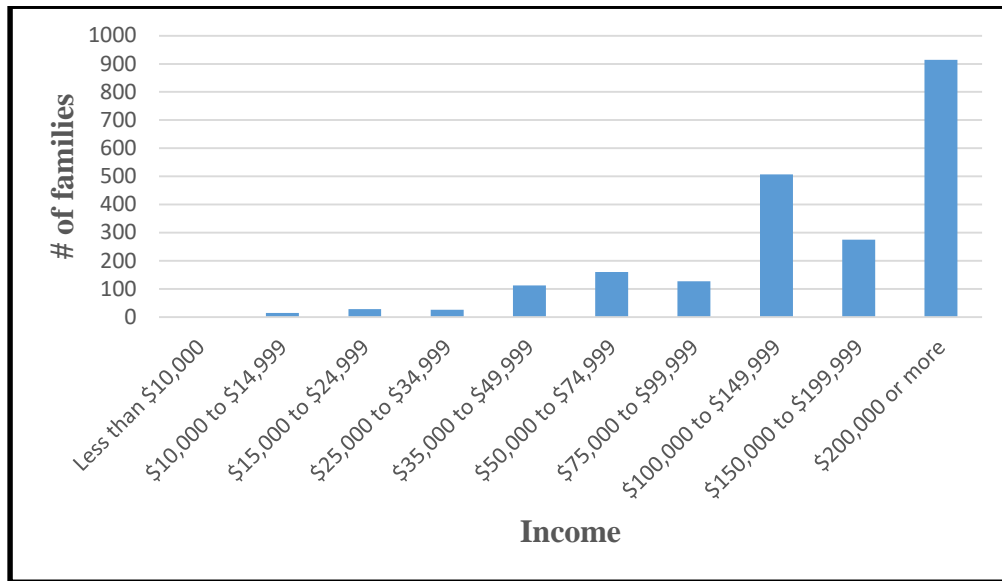
**Table 2.7**  
**Household Income Distribution, 2015**



Source: US Census

Table 2.8 illustrates Irvington’s family income distribution as reported in the 2015 census. The median income in 2015 was \$162,864, an increase of \$41,929 from the 2000 median of \$120,895 and an increase of \$83,974 from the 1990 median of \$78,850.<sup>4</sup> Westchester County’s 2015 median income was \$108,108 for families.

**Table 2.8**  
**Family Income Distribution, 2015**



Source: US Census

While Irvington has a high standard of living, some residents live in poverty. The Census Bureau measures poverty by using a set of money income thresholds that vary by family size and composition. If a family’s total income is less than the threshold, then the family, and every individual in it, is considered poor. In 2015, the thresholds were set at \$12,082 for a single person and \$24,257 for a family of four.

According to 2015 American Community Survey data, approximately 176 Irvington residents, or 2.7% of the population, live in poverty. This figure comprises all members of the household. This figure represents a slight decline from 2000, when 201 Irvington residents or 3.1% of the population, lived in poverty, but it is slightly higher than 1990, when 137 residents, or 2.2% of the population lived in poverty.

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<sup>4</sup> Family income is typically higher than household income due to the presence of dual incomes and the generally more stable finances of families.



## Housing Tenure and Values

Between 2000 and 2010, Irvington experienced a slight growth (2.5%) in the number of housing units and an increase in the vacancy rate, from 3.2 to 6.3%.

**Table 2.8**  
**Housing Characteristics**

	<b>2000</b>	<b>2010</b>	<i>(% Change 2000/2010)</i>
Total Housing Units	2,601	2,668	+2.5
Owner Occupied	2,518	2,528	+0.3
Vacant	83	140	+68

Sources: U.S. Census Bureau, 1990, 2000, and 2010 data; American Community Survey 2015 (5 Year Estimates)

The value and cost of homes have continued to rise in Irvington since 2000, surpassing County-wide median rents and costs. According to the 2015 5 Year American Community Survey, the Village's median value for all owner-occupied housing units was \$633,900, and the median gross rent was \$1,786. The same data for Westchester County shows the median value for all owner-occupied housing units was \$506,904, and the median gross rent was \$1,364.

## CHAPTER 3

### ACTIONS TAKEN SINCE 2003 COMPREHENSIVE PLAN

#### Implementation of Recommendations of 2003 Comprehensive Plan

As stated earlier, many of the recommendations of the 2003 Comprehensive Plan were implemented immediately upon adoption of the 2003 Plan. Most of those related to preserving the built character and scale of the Village and protecting its green spaces, natural resources, open space areas and scenic corridors. Other recommendations, such as designating the Main Street area as a historic district and adopting a landmarks ordinance, were implemented after a number of years of consultation and discussion. Other recommendations are ongoing or have been carried forward in this Comprehensive Plan Update.

The status of each of the recommendations in the 2003 Comprehensive Plan is listed in the following matrix:

Original Comp Plan Recommendation	Status
<b>Land Use and Development</b>	
Amend cluster provision to increase the flexibility and open space mechanisms contained in the ordinance.	Legislation enacted
Address potential infill housing development by amending coverage provisions to focus on the principal structure on the subject lot. Review existing Zoning Code regulations governing frontage and flag lots, and if necessary, amend Code to prohibit such lots. Examine and clarify village regulations regarding frontage requirements for new construction.	Legislation enacted
Amend portions of the Village Code to encourage below-market-rate housing by, for example, increasing allowable density within specific parameters for below-market-rate housing or permitting housing in areas currently not zoned for such use.	Legislation enacted. Additional efforts are on-going to promote affordable housing.
Amend provisions regarding the imposition of recreation fees on lot subdivisions to increase such fees and establish a fund to, among other things, acquire and maintain open spaces, improve recreation facilities, and fund Village-wide transportation improvements.	Legislation enacted
Protect the scenic qualities of Broadway and the Old Croton Aqueduct by requiring a deeper, landscaped buffer for all new lots created through subdivision of property.	Legislation enacted

<b>Original Comp Plan Recommendation</b>	<b>Status</b>
Preserve historic ambiance of the Village by creating an historic district and landmarks ordinance and designating the Main Street area as an historic district.	Legislation enacted
Amend the Subdivision Ordinance to require protection and mapping of stone walls throughout Village.	Legislation enacted to protect stone walls.
Review existing protections provided by the Resource Protection Ordinance (Article XV) for environmental and natural features such as wetlands and watercourses. If necessary, enact a wetlands/watercourses ordinance and explore additional ordinances such as ridgeline development and erosion and sediment controls.	Legislation enacted, except for ridgeline development controls. Ridgeline recommendation carried forward to Comprehensive Plan Update (CPU).
Create a parks and recreation zone for the Village's major public and private recreation areas, such as the Ardsley Country Club.	Legislation enacted
Rezone the southwest portion of the Village, Matthiessen Park, and other properties to require larger lot sizes of up to 2.0 acres per lot, to preserve open space and density patterns.	Legislation enacted
Demap zoning on land beneath the Hudson River and prohibit transfer of development rights to developable upland areas.	Partially open
Examine existing permit and approval process for issues such as subdivision approval, building permits and others, and, where lawful, enact provisions limiting time for which such permits and/or approvals are valid.	Legislation enacted

<b>Transportation</b>	
Update Village official maps to show dedicated public thoroughfares and de-map paper roads that do not forward Village goals.	Open item
Work with state officials to lower the speed limit along Broadway.	Done
Study the feasibility of improving the Dow's Lane corridor.	Done
Work with the School District to create the "Link Road" access at the High School, in case of an emergency.	Open item
Require the construction of sidewalks on new roads, where appropriate.	On-going

<b>Original Comp Plan Recommendation</b>	<b>Status</b>
Post and enforce the new dirt-bike/all-terrain-vehicle ordinance.	Done
Discuss the reopening of Field Point Drive with its owners.	Open item
Improve pedestrian access to the waterfront.	On-going. Carried forward to CPU.
Continue to support the County's Hudson RiverWalk initiative.	On-going. Carried forward to CPU.
Extend the network of bicycle-friendly trails.	On-going
Place bike racks at high-traffic locations.	Open item. Carried forward to CPU.
Empanel a Transportation Committee to study various traffic, parking, and safety issues.	Ad-Hoc Transportation Committee appointed and report filed in 2005. The 2005 Report dealt with many, but not all, traffic, parking, and safety issues. The Village implemented nearly all recommendations contained in the report.

<b>Open Space and Parks</b>	
Enact a cluster ordinance that will enable the preservation of open space and natural resources on parcels being developed for residential uses.	Legislation enacted
Explore additional opportunities to purchase areas with significant natural or open space resources using Village bond money, and public and private funds.	On-going
Enhance the scenic corridors along Broadway and the Old Croton Aqueduct Trail by deepening the buffer requirement on properties that can be developed in the future.	Legislation enacted
Improve trail links between open space areas by formally designating and mapping trails and providing additional parking at trail entrances and Village parks.	Done
Link the Village trails to the regional trail network in the eastern portion of the Village.	Open item
Support efforts to maintain and preserve the Old Croton Aqueduct Trail and examine ways to improve safety where the Aqueduct intersects village streets.	On-going

<b>Original Comp Plan Recommendation</b>	<b>Status</b>
Update Village list of dedicated parkland, adopted in February 1989, to include Village-owned property in eastern portion of the Village.	Open item
Locate a suitable site or sites for Village recreation fields, examine the possibility of constructing a dog park, and study the possibility of constructing a community pool.	Not implemented. Committee studied but never implemented.
Preserve the Village’s open space character by continuing to publicize and encourage the use of conservation easements on private property.	On-going
Continue to work with other villages, towns, the County, and the State to preserve open space on a regional level.	On-going
Adopt a new recreation zone for Village-owned property and other sites.	Legislation enacted

<b>Main Street Area and the Waterfront</b>	
Preserve the historic character of the Main Street and waterfront areas by designating them as historic districts.	Legislation enacted
Protect the built scale of the Main Street area by enacting a zoning amendment to restrict large-scale development, and regulate the height and bulk of renovations or new construction.	Legislation enacted to limit height
Preserve the Main Street and other views of the Hudson River by designating it a scenic viewshed; develop provisions to address obstacles and intrusions on the viewshed.	Legislation enacted
Encourage additional mixed-use opportunities along South Astor Street, specifically at the Department of Public Works site and the Trent Building.	Open item. Carried forward to CPU.
Continue exploring methods to improve safety and traffic flow on Main Street.	On-going

Original Comp Plan Recommendation	Status
Explore opportunities to improve pedestrian access to the waterfront, such as by designating a pedestrian pathway along the road to the Scenic Hudson Park, by creating a streetscape along West Main Street, and by constructing a second pedestrian overpass to the west side of the railroad tracks, south of the Main Street area, as listed on the Governor’s Task Force on Access to the Estuary. A second vehicular access point, to accommodate emergency vehicles and improve access to waterfront areas, should also be considered.	On-going
Eliminate industrial zoning within the Village.	Legislation enacted

**Additional Actions Taken by the Village in Response to Post-2003 Concerns**

There were several significant events since the 2003 Comprehensive Plan, which were not anticipated, but which required responsive measures by the Board of Trustees. These included the Westchester County Affordable Housing Settlement Agreement in 2009, the 2008 financial crisis, and the potential sale of several of the large Broadway properties. In addition, over the last 10 years, a heightened interest in the historic character of the Main Street area and in pedestrian safety led the Village Board to create committees and hire consultants to focus on those areas of concern and develop long-range plans to address them. Finally, in 2016, the Town of Greenburgh completed its first reassessment of real property in 60 years, which resulted in very significant tax increases throughout the Village, particularly for older homes. Several of the recommendations of the Comprehensive Plan Update are addressed to making it possible for people to remain in their homes despite the new tax burden, so as to maintain the age and income diversity that presently exists in the Village. Each of these events and concerns is discussed below.

**A. Affordable Housing Settlement**

In 2009, Westchester County entered into an agreement with the U.S. Department of Housing and Urban Development to settle a lawsuit that alleged that the County had failed to affirmatively further fair housing while applying for and accepting federal funds that required such action. The settlement required that by December 31, 2016, the County develop 750 units of fair and affordable housing in 31 municipalities referred to as “eligible,” because, according to the 2000 census, the majority of these communities had an African-American population of less than 3% and a Hispanic population of less than 7%. These communities included Irvington. The Housing Settlement Agreement did not include a required distribution among the 31 “eligible” municipalities.

As indicated in the matrix above, the 2003 Comprehensive Plan did include as one of its goals encouraging below-market-rate housing. This had long been a goal of the Village, which, in the late 1990's entered into a public-private partnership with a developer of affordable housing, which built 22 affordable rental units in a building shared by the Irvington Public Library.

The 2009 Settlement Agreement brought a new urgency to that goal, and the Village Board immediately started work on legislation to require that affordable housing be included in any new housing development. Once the County provided the model affordable housing ordinance (which required approval by the federal monitor), the Village enacted a new article to the Zoning Code, §§ 224-173 through 224-187.1, which requires that in all residential developments of five units or more, at least one and not less than 10% of the units must be affordable. (Alternatively, a greater number of smaller affordable units may be provided, as long as the total square footage of the units meets the 10% requirement.) In 2016, this requirement resulted in six affordable units being included in a 27-unit townhouse development being constructed at 30-40 South Broadway (previously the site of the Foundation for Economic Education).

Additionally, the Board of Trustees created the Irvington Housing Committee and charged it with the goal of:

engag[ing] the community in ways that encourage meaningful support for affordable housing. This may include an open dialogue with the community on the benefits of affordable housing, the creation of robust legislation to encourage meaningful development of affordable housing, working with policy leaders to ensure that present and future policies further these goals, the identification and development of potential sites for affordable housing, and any other activities that promote affordable housing.

Upon the recommendation of the Irvington Housing Committee, and as its first legislative act of 2016, the Board of Trustees adopted an Accessory Apartment law (Zoning Code, §§ 224-200.1 through 224-204), which allows single-family houses to include as a special permit use an accessory apartment. Later that year, the Board of Trustees enacted another law to permit in-law apartments (for family members and caregivers) in single-family houses. Among the goals of these laws was to provide economic support for residents of moderate means and to encourage diversity in the population of the Village. Those goals have become even more important in light of (a) the significant tax increases many residents are faced with since the 2016 Town of Greenburgh property revaluation and, (b) beginning in 2018, the drastic limitation on deducting property taxes from federal income taxes.

The creation of affordable housing in the Village continues to be a priority of the Village Board.

## **B. 2008 Financial Crisis**

The 2008 Financial Crisis is widely regarded as the worst economic downturn since the Great Depression. Some of the causes and effects of the Financial Crisis had direct impacts on local government finances and operations, notably the sharply increasing costs of natural resources and the impaired access to financial debt markets. In the years leading up to the Financial Crisis, the cost of fossil fuels like oil and natural gas increased substantially. Crude oil tripled in price between 2007 and 2008, peaking at nearly \$150 per barrel. Refined gasoline peaked at over \$4 per gallon in July 2008. These exceptionally high prices brought about a renewed focus on climate change and a greater urgency regarding energy conservation.

Starting in 2006, the Village pursued a comprehensive package of energy conservation measures by attempting to enter into an energy performance contract. Had the contract measures been implemented, there would have been significant energy savings and a lowering of greenhouse gas emissions. However, the planned projects could not be completed due, in large part, to the lack of available financing in an illiquid debt market. In recent years, the Village has undertaken energy conservation projects that have the highest impact on energy usage. Those projects include the conversion of all street and internal office lighting to light emitting diode (LED) technology and the use of an all-electric vehicle for parking enforcement.

Also, in response to the renewed focus on climate change, in the fall of 2007, the Board of Trustees convened a group of volunteer citizens to form the Climate Protection Task Force. By July 2008 after nearly a year of study, the Climate Protection Task Force produced a report containing numerous recommendations for the Village to address climate change. Their report is available on the Village web site at [www.irvingtonny.gov/documentcenter/view/686](http://www.irvingtonny.gov/documentcenter/view/686).

In 2012, the Village became a New York State Climate Smart Community when the Board of Trustees formally adopted the Climate Smart Pledge. In doing so, the Village committed to combating climate change, setting goals to reduce greenhouse gas emissions, and reducing the overall demand for energy by Village government operations. Subsequently, in 2014, the Board of Trustees adopted an Environmental Action Plan which laid out a specific set of action items based on the principles embodied in the Climate Smart Pledge. The Environmental Action Plan is included as Exhibit F.

## **C. Potential Change in Ownership of the Large Properties on Broadway**

At the time the 2003 Comprehensive Plan was written, several large properties on the east side of North Broadway, north of Strawberry Lane, were occupied by long-time uses, and no one anticipated any imminent change in ownership of those properties. Even though most of the area was zoned 1F-20<sup>5</sup> (requiring a minimum lot size of 20,000 square feet), the properties were developed with far less density and coverage than was permitted by that zoning. Abbott House,

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<sup>5</sup> Two small portions of the area of concern were zoned 1F-10 and 1F-5.



for example, was an institutional use located on 17.3 acres; the Maxon building is located on a roughly 5-acre lot; and the big white house office building is situated on an 8.1 acre lot. All of these buildings have deep setbacks from Broadway, and the “underdevelopment” of the properties resulted in significant open space along the eastern side of the northern Broadway corridor.

Some 10 years later, however, several of those properties went on the market for sale and faced potential changes in use. Because the Board of Trustees was concerned about preserving the open space character of the neighborhood and reducing the density of potential development, in April 2011, the Village retained Turner Miller Group (“Turner”) to prepare a Planning Analysis, to determine whether rezoning the area in question to one-acre zoning would be consistent with the Comprehensive Plan. In April 2013, Turner concluded that the 2003 Comprehensive Plan, although it did not address this area specifically, “supports the rezoning of the study area parcels from their respective zoning designations to 1F-40.”

In November 2013, the Board of Trustees adopted a local law amending the zoning map to rezone the parcels 1F-40. None of the rezoned lots was rendered non-conforming by this upzoning.

#### **D. Renewed Focus on Main Street Area**

One step in the implementation of the 2003 Comprehensive Plan was to create an Ad Hoc Historic District Committee, which was appointed in September 2003, with the purpose of making recommendations to the Board of Trustees for proposed legislation and guidelines for the preservation of the “Main Street Historic Area.”

The foundational work of that first committee led to a re-formed and re-tasked Historic District Committee in 2011. This group held public informational sessions and completed an application to the New York State Office of Parks, Recreation and Historic Preservation (SHPO) to create the Irvington Historic District, which included Main Street, the intersecting side streets, and the waterfront vicinity. The Main Street Historic District was certified by SHPO in 2013. A map of the Irvington Historic District is shown in Exhibit C.

The following year the “Irvington Historic District” was listed on the National Register of Historic Places. The approved application for designation, which lists all of the historically significant (“contributing”) buildings and the architectural or historical features that led to their inclusion on the list, can be viewed at <http://www.nps.gov/nr/feature/places/pdfs/13001095.pdf>.

Being listed on the National Register or certified by SHPO does not, standing alone, preserve the resources in the Historic District nor require special administrative treatment of them. In order to insure preservation, the Village must enact legislation to preserve it. The Village retained Stephen Tilly, Architect, a firm with a specialty in historic preservation, to assist the Historic District Committee in developing guidelines to protect the Historic District.

In 2015, while the design guidelines were being developed, the Board of Trustees amended the Zoning Code to require approval by the Board of Architectural Review for the demolition of all or a substantial portion of a designated building in the Historic District. See Irvington Code §§ 224-196 through 224-200.

In 2017, the Historic District Committee presented the Board of Trustees with the Irvington Historic District Design Guide & Recommendations (“Design Guide”). In order to insure appropriate preservation measures, along with respect for individual property rights, the Village Board adopted a resolution to accept the Design Guide in June 2017, with the express intent that it “serve as a useful tool, not a regulatory document, for the Architectural Review Board to use in considering applications in the Irvington Historic District.” The resolution and Design Guide can be found on the Village’s website at [www.irvingtonny.gov/documentcenter/view/8439](http://www.irvingtonny.gov/documentcenter/view/8439).

The focus on the historic character of the Main Street area led the Board of Trustees to consider other contributions that could be made to the downtown, such as providing business support, creating a walkable community and social spaces, preserving trees, managing stormwater, improving pedestrian safety and upgrading street furniture. To assist it, the Village retained Saratoga Associates, created a citizens’ advisory group, and held a series of public forums. In 2014, Saratoga Associates presented their recommendations to the Board of Trustees. This document, the Main Street Streetscape Master Plan, has been referred to in numerous successful grant applications that have resulted in completed, as well as anticipated, improvements in the Main Street area, including the Aqueduct Crossing Project, ADA compliant pedestrian crossings, sidewalk benches, tree wells and a Theater District improvement project. The Streetscape Plan can be found on the Village’s website at [www.irvingtonny.gov/documentcenter/view/7266](http://www.irvingtonny.gov/documentcenter/view/7266).

#### **E. Renewed Interest in Pedestrian Safety**

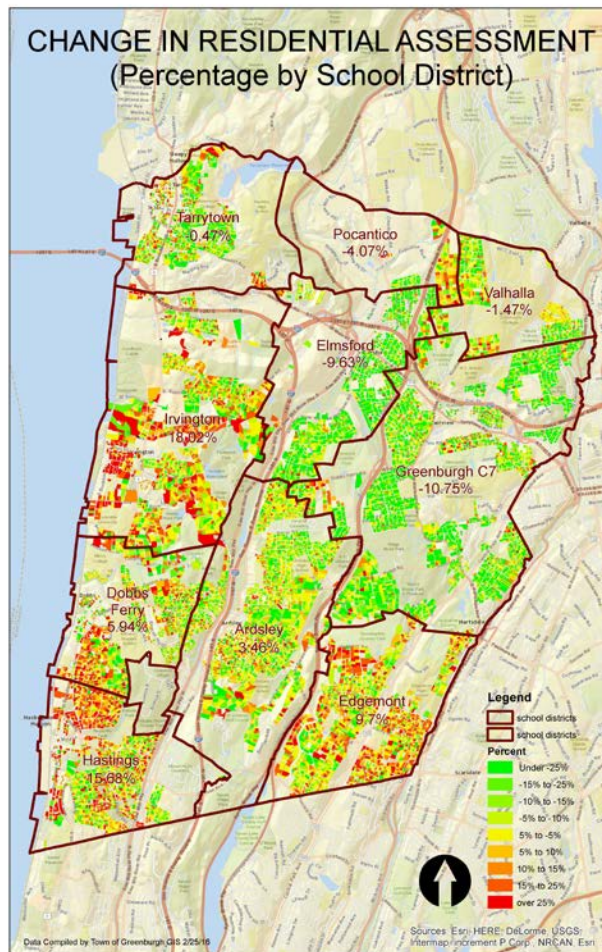
Related to the renewed focus on the Downtown, and in response to several pedestrian accidents on Broadway and Main Street, a group of Village leaders formed a Traffic Calming Committee, which met several times with the Board of Trustees and developed a list of recommendations to improve pedestrian safety throughout the Village, particularly on Main Street, Broadway, Station Road, Harriman Road and Cyrus Field Road. The recommendations ranged from installing 15-mph school zone and warning signs, to repainting the crosswalks over Main Street to make them more visible, to enhancing safety at the Station Road tunnel. The Board of Trustees has implemented a number of the recommendations and is working on others.

## F. 2016 Revaluation

In spring 2016, the Town of Greenburgh completed the first reassessment it had done in more than half century of the properties in the Town. The community hit the very hardest by the reassessment was Irvington, where the aggregate property evaluations rose by 18% (see Figure 1 below). The assessments of individual properties, particularly older homes west of Broadway, rose by much greater percentages. This resulted in very substantial property tax increases for many properties in Irvington. Some residents saw their property taxes go up 40%, 50%; for a few unfortunate residents, their tax bills more than doubled.

Helping residents remain in their homes in spite of this new tax burden was one of the underlying goals of the Comprehensive Plan Update process. Several of the recommendations in the CPU are directed at permitting residents to supplement their income, remain in their homes, and thereby maintain the age and income diversity that presently exists, particularly in the older neighborhoods in the Village.

**Figure 1**



## CHAPTER 4

### RECOMMENDED GOALS/ACTION ITEMS

This chapter contains the final recommendations of the Comprehensive Plan Committee, which, as discussed in Chapter 1, were based largely on the recommendations of the four CPC Working Groups. (The complete reports of the Working Groups are included in Exhibit A of this Update.) For the more controversial of the recommendations, the CPC also considered the results of the surveys on the ten topics on which the Village at large was polled.

The final recommendations of the Comprehensive Plan Committee are organized by subject area:

- A. Future Development of the Broadway Corridor,
- B. Modernizing the Zoning Code to Reflect 21st-Century Trends,
- C. Updating the Zoning Code to Be More Environmentally Sensitive,
- D. Optimizing the Use of Village-Owned Property,
- E. Protecting the Character and Scale of the Main Street Area,
- F. Alleviating Parking Issues in the Downtown, and
- G. Preserving and Enhancing the Historic Character of the Village.

For the recommendations that engendered more debate, this chapter explains in some detail which specific issues the recommendation is addressing, and how the CPC came to its final recommendation. Where a Village-wide survey was done on an issue, the results of the survey responses are summarized.

For the issues on which there was unanimous agreement, most of the recommendations are self-explanatory and are listed as “Additional recommendations.” Finally, the goals of the 2003 Comprehensive Plan that still remain open, and that the CPC believed should still be pursued, are listed as “Continuing goals from the 2003 Comprehensive Plan.”

## **A. Future Development of the Broadway Corridor**

*Goal/Action Item A1: The zoning of the large lots on the east side of Broadway, north of Strawberry Lane and south of the MF District at the northern end of Broadway, should be amended to reflect the current and historic uses of those properties.*

### **Existing conditions and issues**

The Broadway Corridor is the Village's main north/south arterial, extending the full length of the Village, and is, therefore, the gateway into and out of the Village. As stated by the Broadway Corridor Working Group, "it plays a major role in the future of the Village and the Village's efforts to maintain the small town, open space character that has made Irvington the unique and desirable place it is to live, play and work." The Broadway Corridor contains most of the remaining undeveloped and underdeveloped land in the Village.

The Broadway Corridor includes 1F-10, 1F-20, 1F-40 and 1F-80 One-Family Residence Districts, several stretches of the Multifamily (MF) Residence District, and a small stretch of the Business (B) District (at the intersection with Main Street). The MF and B parcels are fully developed. In the 1F-40 and 1F-80 Districts, however, there are a number of large underutilized tracts of land. The Zoning Code's permitted uses in one-family residence districts include detached one-family dwellings and a number of special permit uses, including places of worship, schools, libraries, museums, art galleries and community center buildings. Significantly, some of the larger parcels are occupied by uses that are not currently permitted by the Zoning Code, principally office and institutional uses, but are legal either because a use variance was issued or the use is a legally pre-existing non-conformity.

The principal goal of the Broadway Corridor Working Group – which was ultimately adopted by the entire Comprehensive Plan Committee – was to have the Broadway Corridor remain much as it is now in appearance. The Working Group focused on the Nevis/Columbia property, along with the large lots on the east side of Broadway north of Strawberry Lane, *i.e.* 76 North Broadway (currently occupied by Maxon), 100 North Broadway (Abbott House), 88-94 North Broadway (the big white house) and 106 North Broadway. It was the opinion of both the Working Group and the CPC that the 1F-80 zoning of the Columbia/Nevis property was consistent with that goal. Discussion, therefore, focused on the north-of-Strawberry properties. A map of the properties north of Strawberry Lane is shown in Exhibit D.

With respect to those properties, the Comprehensive Plan Committee recommended that the zoning be amended to reflect the current and historic uses of those properties. The problem with the current underlying residential zoning of those properties is that it does not mirror the actual uses; the current zoning permits only single-family detached houses and, by special permit, church and cultural uses. If the properties were re-developed as single-family residential, the open space and existing topography would be greatly compromised.

## **Survey results**

Virtually all of the respondents to the survey agreed that the Broadway corridor should remain as it is developed now, that is, with a mix of residential, commercial and institutional uses, and with the large properties retaining their deep setbacks and open landscapes.

Although the survey did not ask about particular uses, it did ask open ended questions about uses that should be permitted and uses that should not be allowed. The results were evenly split on most possibilities. For example, a good number of the responses were that any new development should be purely residential. Of these, they were evenly split between those who wanted to see single family houses on large lots and those who thought multifamily development was appropriate. As many people stated that they would like to see assisted living permitted as people who opposed assisted living proposals. For the respondents who believed future development should be commercial, most thought the uses should be smaller scale, but others thought any commercial use should be permitted. Opinion was evenly divided as to medical uses, retail uses, and restaurants. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

## **Action plan**

In order to maintain the properties on the northeast portion of the Broadway Corridor roughly as they are used now, a new zoning district should be created for them, perhaps Multi-Family/Commercial/ Institutional. Permitted uses that the Comprehensive Plan Committee came up with were: multi-family residential (including single-family attached, but clustered in order to maximize open space), assisted living facilities (of a fixed density), office, research and design, art galleries, municipal uses, museums, schools, private clubs, boutique hotels, bed and breakfasts, and restaurants. Permitted uses should not include retail. Medical offices or facilities should be allowed only by special permit, and only for medical uses that would not negatively impact area traffic.

The zoning should include incentives for preserving historic structures, providing affordable housing, and furnishing other public amenities.

These uses should all be special permit uses, and a planner should be retained to develop appropriate zoning regulations for each of the uses. As part of this process, a community-wide design workshop should be conducted to consider conceptual level design alternatives to address concerns about buffering, visual impacts, building placement and clustering.

*Goal/Action Item A2: New development on Broadway should require the provision of sidewalks if there is room and if there is linkage or potential linkage to other sidewalks.*

### **Existing conditions and issues**

A sidewalk extends along the west side of Broadway the entire length of the Village, from Sunnyside Lane south to Mercy College Drive. There are intermittent sidewalks of varying width along the east side of Broadway at the following locations: from Immaculate Conception Church south to Sycamore Lane; from Harriman Road south to Dows Lane; and from E. Clinton Avenue south to the driveway on the north side of the Hamilton Gardens Apartments. A map of sidewalks along Broadway is shown in Exhibit E.

There are a variety of factors that limit the potential inclusion of sidewalks along the east side of Broadway, including steep slopes, lack of adequate right-of-way, the presence of utility poles and traffic signage, historically significant or unique trees within the right-of-way, and stone walls, which help to define the character of the corridor.

Nevertheless, certain development of the larger sites on the east side of Broadway, especially commercial and multi-family development, should require sidewalks and crosswalks to get bus passengers safely across Broadway.

### **Action plan**

- (1) Prepare a graphic depicting the existing location of the sidewalk system along the Broadway corridor.
- (2) Prepare a detailed evaluation of the eastern portion of Broadway to depict where it would be feasible to create sidewalks, taking into account restrictions relating to topography, stone walls, existing structures and mature trees.
- (3) As part of the potential rezoning associated with the Broadway corridor, certain incentives could be offered or requirements made as part of the project approvals that could create new sidewalks or make connections to existing ones.
- (4) Require the provision of sidewalks in commercial and multi-family development on the large properties on the east side of Broadway.

### **Additional recommendations**

*A3: Irvington should continue to cooperate with the other Rivertowns to support improvements that promote traffic calming, where appropriate, and safety, especially for pedestrians and bicyclists.*

## **B. Updating the Zoning Code's Permitted Uses to Reflect Current Usage and 21<sup>st</sup> Century Trends**

*Goal/Action Item B1: Amend the Zoning Code to permit bed-and-breakfasts as a special permit use on Main Street and on Broadway.*

### **Existing conditions and issues**

The Zoning Code currently does not permit bed-and-breakfasts, or any type of inn, in the business or residential districts. A recommendation of the Code Modernization Working Group was to permit bed-and-breakfasts as long as parking and traffic issues are adequately addressed. The Comprehensive Plan Committee agreed that the use was appropriate for the Village; but, in recognition of the fact that bed-and-breakfasts are a commercial use, recommended that they be limited to the properties along Main Street and Broadway.

### **Survey results**

Village residents were surveyed as to whether bed-and-breakfasts and Airbnb rentals should be permitted in the Village. Most responses focused on Airbnb rentals. The several responses that did address bed-and-breakfast establishments thought that they should be permitted. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

### **Action plan**

- (1) Amend the Zoning Code to permit bed-and-breakfasts as a special permit use, along Main Street and Broadway. A key requirement of the special permit should be that adequate parking be available.
- (2) In addition, the Village Code should be amended to impose a hotel tax on bed-and-breakfasts, as permitted by the 2016 amendment to the New York State Tax Law.



*Goal/Action Item B2: Enact a law to permit and regulate short term rentals in residences.*

### **Existing conditions and issues**

A number of owners of one- and two-family houses in the Village are renting out rooms in their houses, or their entire houses, on a short term basis through web sites like Airbnb and VRBO. Some of the rentals are sporadic; others occur regularly. Although the Zoning Code does permit the renting out of *one* room to a boarder in one-family houses, for the most part, it does not address short-term rentals (STRs). Therefore, the STRs are taking place without regulation.

Additionally, some residents have used Airbnb to rent out their houses for parties, weddings and other social events. When these rentals have been brought to the attention of the Village, the property owners are advised that such commercial use of their property is not permitted in a residential district. Enforcement measures are then taken.

The Code Modernization Working Group recognized that these short-term rentals are a 21<sup>st</sup> century reality and have benefits for the property owner (helping homeowners with financial burden of house, meeting guests), the guests (having an affordable, charming place to stay), and the Village (bringing tourists to the Village). It, therefore, recommended that the Code be amended to permit and regulate them for short-term lodging – but not party or special event – use. The Comprehensive Plan Committee agreed and discussed at length how strictly they should be regulated. Their final recommendation was not to require a special permit for the use, but to require that the rentals be registered with the Village and to establish a framework of regulating them, to assure that the properties being rented meet certain minimum safety and regulatory requirements, thereby protecting the character of the neighborhood, property owners, renters of such housing, and neighboring residents. The CPC also recommended that a limit be set on the number of rental days and/or potential guests in any one property.

### **Survey results**

One hundred fourteen residents responded to the survey on Airbnbs. Roughly 2/3 of the respondents thought that they should be permitted. Of these, roughly 2/3 thought there should be restrictions on the use; the other 1/3 thought the use should be permitted without regulation. One-third of respondents believed that Airbnb should not be allowed in the Village, but most of their objections were to short term rentals being used to host parties, weddings and other social events. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

### **Action plan**

The Zoning Code should be amended to permit short-term-rentals, but only for short-term lodging use, not for parties or other social events. The Board of Trustees should enact a set of regulations for short term rentals, which should include the following requirements:

- registration of the property being rented;
- a limit on the number of properties that might be registered at any one time, perhaps by neighborhood;
- a limit on the number of rentals and/or potential guests per property;
- demonstration of compliance with state and local building, fire and other safety requirements;
- proof of insurance covering the rental;
- adequate off-street parking;
- payment of a fee to the Village, to offset administrative costs;
- owner occupancy of the property (although not necessarily during the time it is being rented); if the owner is not staying at the property, a local contact person must be identified to the Village.

The law regulating the STRs should impose a substantial fine for failing to register and comply with the regulations.

*Goal/Action Item B3: Modernize the Zoning Code's provisions on home occupations in residential districts.*

### **Existing conditions and issue**

The Comprehensive Plan Committee recognized that advances in technology, decentralization of the work place, and changes in home-based businesses and home occupations have rendered traditional regulation of home occupations, including those in the Irvington Zoning Code, over-restrictive in some ways and under-restrictive in others. The Zoning Code should be amended to accommodate the demand for and growth in home-based businesses while protecting community character and the health, safety and welfare of neighbors in residential zoning districts.

### **Action plan**

Amend § 224-8.B(1) of the Zoning Code to modernize the regulation of home occupations. Registration with the Village Clerk should not be required of all home occupations. If the home occupations do not involve regular visits by customers, clients or employees, and do not have

other indicia of the occupation, they should be permitted as of right. For home occupations that do involve regular customer visits, there should be some review process. For both types of home occupations, the list of requirements in § 224-8.B(1) seems appropriate.

*Goal/Action Item B4: Amend the Zoning Code to permit garages to be used for more than the storage of automobiles.*

### **Existing conditions and issue**

The Zoning Code, as currently written, provides that garages in single-family districts be used only “for passenger automobiles.” The Code does not permit a garage to be used as a home office, artist studio, or other personal use. The Code Modernization Working Group recommended that this limitation on the use of garages be relaxed. This was one of the recommendations on which residents were polled, and the survey results showed general agreement with the recommendation. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

### **Action plan**

The Comprehensive Plan Committee’s final recommendation was that the Zoning Code be amended to permit garages to be used for other uses permitted in a residential district, such as a home office, artist studio, home recreation use – but only if:

- (1) The garage meets the New York State Building Code requirements for the use.
- (2) The additional use of the garage still meets the requirements of the Zoning Code, including FAR limitations.
- (3) After deducting the number of parking spaces included in the garage, the property still meets the Zoning Code’s requirements for off-street parking spaces.
- (4) The garage use is solely for the resident of the primary residence; it cannot be rented out for a non-automobile use.

The CPC also believed that such use of a garage should be subject to some review process.

The CPC believed that an accessory apartment should be permitted in a garage if all the Code requirements for an accessory apartment are met.

*Goal/Action Item B5: Amend the Zoning Code to permit beekeeping on properties large enough to insulate neighboring residents from the hives.*

**Existing conditions and issue**

The Zoning Code currently permits as an accessory use in residential districts: “The keeping of a reasonable number of customary household pets and not more than one horse or one cow on each three acres of land but excluding the commercial breeding of animals.” [§ 224-8.B(4)]

Neither beekeeping nor raising chickens, which have become more popular hobbies in recent years, would be permitted under that provision. The Code Modernization Working Group recommended that both beekeeping and chicken raising be permitted in single-family districts.

Residents were polled on both activities, and the survey results were evenly mixed. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

The Comprehensive Plan Committee did not come to a consensus on whether residents should be able to raise chickens in single-family districts. As to beekeeping, however, the CPC believed that it should be permitted on properties large enough and/or configured in such a way that the hives could be located far enough from neighboring properties so as not to create a nuisance or danger to the surrounding neighborhood.

**Action plan**

Amend the Village Code to permit beekeeping on single-family residential lots if the lots are large enough and/or configured in such a way that the hives are sufficiently far from neighboring residences so as not to create a nuisance or danger to the surrounding neighborhood. The amendment should require the registration of beehives and include regulations on beekeeping. (The Village of Ossining’s Code provisions on beekeeping are a good model.)

**Additional recommendations:**

*B6: Amend the Zoning Code to include small breweries and distilleries as permitted uses in the Business (B) and Waterfront (WF) Districts.*

*B7: Amend the Zoning Code to prohibit renting out garages if it would result in an additional vehicle parking on the street.*

## **C. Amending the Zoning Code to Make Development More Environmentally Sensitive**

*Goal/Action Item C1: The Zoning Code should be amended to encourage the use of pervious materials for patios, walkways and driveways.*

### **Existing conditions and issue**

In calculating permitted coverage, the Zoning Code treats all surface materials used in driveways, patios, and walkways the same – whether they are impervious materials or permeable materials, such as stone or grass pavers. (Note that for single-family houses, the driveway is not included in the coverage calculation.) So a 20 x 20 patio of permeable pavers is charged with the same coverage as a 20 x 20 concrete patio. (The type of material used might well affect the engineer's stormwater retention requirements, but the coverage calculation stays the same.)

It would be beneficial to a reduction in stormwater runoff and improvement in water quality if the Zoning Code offered an incentive to developers to use permeable materials where possible.

### **Action plan**

Amend the Zoning Code to provide that, in calculating coverage for development other than single-family residences, a credit be given for the use of permeable material, taking into account the ability of the material to allow infiltration as a percentage of rainfall. A site development plan that includes pervious materials must be accompanied by a management plan that would effectively maintain the permeability of the material.

*Goal/Action Item C2: The Zoning Code should be amended to limit development on steep slopes.*

### **Existing conditions and issue**

Steep slopes are a sensitive environmental feature that pose particular issues for land development, being highly susceptible to erosion and land slippage. Additionally, steep slopes provide scenic views for neighboring areas, and extensive earthwork and removal of vegetation may negatively impact their appearance and environmental value.

The Zoning Code, in its Resource Protection regulations, deducts the area of steep slopes on a site in determining how many lots can be created on the site. However, once the number of lots is determined, there are no numerical limitations on how much of the steep slope can be developed or disturbed. Nor does the Zoning Code include any standards for development on steep slopes, other than its general site development standards.

A number of municipalities in Westchester County have enacted steep slope legislation that either prevents development on the steep slope or limits how much of the steep slope can be disturbed.

### **Action plan**

Study steep slope legislation from other municipalities and amend the Zoning Code to include regulations to protect steep slopes.

**NOTE:** The Comprehensive Plan Committee considered another Working Group recommendation relating to steep slopes, that is, limiting the height of retaining walls anywhere on the property to 6-1/2 feet in height. The CPC ultimately decided not to enact such a limit, but to leave it to the Planning Board to determine the acceptable height of a retaining wall during the site plan review process, as the Board does currently.

*Goal/Action Item C3: The cluster provisions of the Zoning Code should be amended to reduce the minimum lot sizes for clustered developments, so as to permit more flexibility.*

### **Existing conditions and issue**

Section 224-88 of the Zoning Code, enacted pursuant to the 2003 Comprehensive Plan, permits cluster development in residential districts. Among its provisions is a set of minimum lot sizes and yard requirements for cluster projects in each of the zoning districts. For example, in the 1F-40 District, for a standard (non-clustered) lot, the minimum lot size is 40,000 sf; lot width, 150 feet; lot depth, 150 feet; front yard, 50 feet; side yard, 25 feet; and rear yard, 40 feet. If the lot is part of a cluster, however, the minimum dimensions are reduced to lot size of 20,000 sf; width, 100 feet; depth, 125 feet; front yard, 35 feet; side yard, 15 feet; and rear yard, 35 feet.

While the dimensions for the clustered lots are somewhat smaller, they do limit flexibility in layout. In some situations, even smaller lots and further reduced setbacks might result in a more environmentally sensitive arrangement of lots. (It is important to note that, under both the Irvington Zoning Code and New York State Village Law, the *total* number of lots created in a cluster subdivision may not exceed the number that could be created in a conventional subdivision.)

### **Action Plan**

Amend § 224-88 of the Zoning Code to reduce the minimum lot size and dimensions for clustered lots. The underlying density should not be increased.

*Goal/Action Item C4: Provide a minimum time before applicants can apply for a variance after receiving an area variance or site development plan approval.*

### **Existing conditions and summary**

It has become common practice for developers to get site development plan approval for houses and amenities that are built to the maximum zoning requirements (*i.e.*, maximum coverage and FAR allowed, minimum yard requirements). Often the site plans for these houses do not include easily anticipated accessory structures or amenities, such as swimming pools or patios. In many of these cases, the homeowner comes back to the Planning Board, within a short time after buying the house, for approval to add such an amenity, and most often a variance is required. The variance would not have been necessary had the lot not been initially developed to the maximum the Zoning Code allows. The result is either that the homeowner cannot obtain the feature s/he desires (if the variance is denied) or s/he obtains a variance from the Zoning Board of Appeals, resulting in more coverage of the site than the Zoning Code permits.

### **Action plan**

Amend the Zoning Code to provide that an applicant may not seek an area variance for a period of five years after site development plan approval or after a prior area variance.

*Goal/Action Item C5: The Village should educate property owners on how to maintain watercourses and wetlands.*

### **Existing conditions and summary**

The Village's Environmental Action Plan has identified an initiative to start a program to assist private property owners with clearing debris out of stream channels and flood plains. The Westchester County Department of Planning has materials and other resources available as part of a stormwater education and outreach program (<http://planning.westchestergov.com/soil-water-conservation> ).

### **Action plan**

Educate property owners on the proper techniques for watercourse maintenance. Coordinate with Westchester County Department of Planning (as part of its Aquatic Restoration Program) or other stormwater management resources (Westchester County Soil and Water Conservation District).

**Additional recommendations:**

*C6: The Planning Board should encourage swales, rain gardens and similar measures for stormwater management.*

*C7: In reviewing site plans, the Planning Board should require applicants to make all reasonable efforts to preserve trees and shrubs of historic or unique value.*

*C8: Electric vehicle charging stations should be installed at various locations in the Village.*

*C9: All new municipal buildings and structures should be built to LEED Silver standard (but not necessarily certified), and additions and renovations to municipal buildings should be sustainable.*

*C10: A municipal policy should be developed to encourage the use of alternative energy.*

*C11: The Village should continue its efforts to implement the Environmental Action Plan, adopted in November 2014. (Annexed to this Comp Plan Update as Exhibit F)*

**Continuing goals from 2003 Comprehensive Plan**

*C12: Bike racks should be installed at various locations in the Village.*

*C13: Consider legislation protecting ridgelines.*

*C14: Continue to support Westchester County's RiverWalk project.*



## **D. Optimizing the Use of Village-Owned Property**

*Goal/Action Item D1: Once the firehouse is moved (for reasons discussed below), the Village should retain the Main Street lot on which it is located and use it for municipal purposes, rather than sell it for private development.*

### **Existing conditions and issue**

In December of 2012 the Village retained Mitchell Associates Architects (MAA) to perform a study to evaluate the space needs of the Fire Department and to determine if those needs could be met at the current Main Street site. The original intent of the study presumed that it was reasonable to remain at the existing site.

MAA worked with a Design Committee made up of Fire Department members and completed a comprehensive needs assessment that defined the spaces required for the Department to function properly and safely. This document included descriptions and diagrams for each proposed space, and a spreadsheet that summed up the size of building that would house these spaces. A schematic plan was developed for a Main Street facility and a total project cost analysis was provided based on a brick and mortar analysis from MAA's estimator.

The result of the analysis was that:

1. Renovations and additions to the existing station that meet the program needs were not feasible given the physical constraints of the site.
2. Demolishing the existing station and building new at the same site was possible, but not recommended.
3. The Village should consider several potential alternative sites MAA identified within the Village.

The Village has yet to find an appropriate site for the new firehouse. When it does, however, the question arises of what to do with the existing fire house and the lot on which it is located.

### **Survey results**

The results of the survey on this issue were mixed. Although many residents did not want to see the firehouse moved, they did have widely divergent opinions on how the property should be used if it did move. Twenty-seven respondents thought it should be used for a parking lot or garage; 24 did not want it used for parking. Equal numbers of respondents (roughly 10 each) thought it should be redeveloped as: (a) mixed residential/commercial, (b) retail, and (c) a recreational or community use. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

## **Action plan**

The Comprehensive Plan Committee discussed whether to sell the lot to a private party, but concluded that the potential financial gain would not be sufficient for the Village to forgo its potential use for municipal purposes. Presently, the only municipal use the CPC envisioned was parking, either a lot or a garage. The CPC recognized, however, that it may be many years before a site for a new firehouse is identified and the firehouse built – by which time other municipal needs may surface. The recommendation, therefore, is for the Village to retain ownership of the firehouse lot.

*Goal/Action Item D2: Move the DPW facility to another location in the Village and sell the site for development of a combination residential/professional/limited retail building, with community enhancements and with residential entrances on Buckhout Street and access to commercial spaces on South Astor.*

## **Existing conditions and issue**

The existing Department of Public Works facility is too small to accommodate the operations of the Department. For example, equipment is stored outdoors, and material storage is scattered throughout the Village. A new location for the DPW is being sought, and a determination must be made about how to use the ~1.05 acre site.

The DPW facility is located at a strategic location in the Village: adjacent to the Metro North train station and close to the downtown retail district and public amenities (library, senior center, parks). In addition, it commands beautiful river views, all combining to make it a highly desirable location for an attractive multi-use residential and commercial development with community enhancements. Conversion of this underutilized property would not only create new housing opportunities and help vitalize the downtown, it would produce significant income, both in the sale of the property and in generation of tax revenue. Office space in this location would likely attract employees who commute by rail, who would patronize lower and mid-Main Street businesses without increasing vehicular traffic.

## **Survey results**

Residents were surveyed on how they would like to see the DPW site developed. The greatest number of respondents stated a preference for residential use, either purely residential or a combination of residential and commercial. Many respondents specified that the housing should be affordable. The next highest number wanted to see it used for parking; many of these preferred a parking garage; others, parking associated with a commercial or residential use. A number of residents did state, however, that the site should not be used solely for parking. A significant number of residents stated that the property should be used for retail, restaurants and

other commercial uses. Several specified that any future use should be tax producing. Complete survey results can be viewed at [www.irvingtonny.gov/compplan](http://www.irvingtonny.gov/compplan).

### **Action plan**

The Village should continue in its efforts to find a new location for the DPW facility. Concurrently, it should establish a working group of resident, government, and business representatives to determine how best to develop a combination residential/professional/limited retail building, with residential entrances on Buckhout Street and access to commercial spaces on South Astor. (Under existing provisions in the Village Code, the construction of new residential units would generate the creation of affordable units.) Employee parking, residential parking, business specific parking and community parking should be carefully planned. In addition, pocket seating areas and other community enhancements along Astor Street should be included so as to reinforce that the area is an extension of Main Street rather than a separate business zone.

*Goal/Action Item D3: Appoint a working group to study the creation of a transit-oriented zoning district that would include all of the properties fronting on South and North Astor Street.*

### **Existing conditions and issue**

The Village owns several properties along Astor Street, which may change uses within the coming years, including the parking lot on the corner of Main and North Astor Streets and the DPW site on South Astor Street. The Village also owns part of the Burnham Building and the parking lot south of it. The Village's plans for the DPW are discussed above.

The Astor Street lot is currently at-grade and accommodates approximately 26 spaces. Given that there is an elevation change of approximately 10 feet from the Astor Street entrance to the easterly property line, it is possible to create a deck of additional parking on top of the existing lot. Each location would have its own access, with the deck access off Main Street and the at-grade access from Astor Street. This would approximately double the number of parking spaces.

The Astor Street parking lot is currently being leased to Metro North to manage commuter parking, with parking there limited to Irvington residents. The lease will come up for renewal in 2019. (At the time this Update is written, Metro North still has a waiting list for commuter parking.)

Residents were surveyed as to how they thought the Astor parking lot should be used. Forty-six percent responded that it should be used for commuter parking; 15%, for non-commuter residents; 10%, for business patrons, 3%, for business employees, and 26%, for other uses. In response to whether a parking deck might be a good use for the site, 63% answered yes; 32% answered no, and 5% were undecided.

The Comprehensive Plan Committee also considered the other properties along both South and North Astor Streets and believed that the entire area should be studied in order to develop it as a transit oriented development (TOD). The goal of TODs is to discourage automobile use by creating compact, pedestrian-oriented, mixed-use communities centered around high quality mass transit. Transit oriented development contributes to resolution of the serious and growing problems of climate change and global energy security by creating dense, walkable communities that greatly reduce the need for driving, parking and energy consumption.

TODs focus the community around the transit station, making it a center of activity. Within a TOD, particularly around the station, uses are developed in a compact configuration to allow for more variety. Variety and interest make walking more comfortable and perceived distances shorter for pedestrians. Different uses, storefront windows, architectural detail, and street amenities create diversity in activities, sights, and possibilities. Auto-oriented amenities such as parking, driveways, and large-scale signage are restrained, allowing the car to function within the district, but not overwhelm it. Parking lots are moved to the rear of lots to avoid interrupting the street frontage. Driveways are aggregated and placed away from heavily traveled pedestrian streets and the station area to minimize pedestrian/vehicle conflicts. Retail and services catering to pedestrians are encouraged at street-level to create an active streetscape. Street amenities such as continuous sidewalks, lower-scale lighting, seating and dining areas, waste and recycling receptacles, planters, and trees make the sidewalk environment more comfortable for users giving them a sense that they belong on the street.

TODs have been popular among real estate developers, who recognize that they meet the high demand for quality urban places served by mass transit systems.

A characteristic of Astor Street that makes it even more desirable for development is that the topography of the area makes it possible to have denser development that does not block views of the Hudson River.

### **Action plan**

Create a working group of resident, government, MTA, and business representatives to work with planning and design professionals to develop standards and zoning (or a master plan) for a transit oriented development zone along Astor Street that achieves as many of the TOD features as practicable. In addition to the typical TOD standards, specific standards that should be incorporated in such a zone in Irvington are: it should be primarily residential; it should provide affordable housing; it should contribute to diversity; development should be designed to reduce, or at a minimum not exacerbate, flooding in the area; it should provide parking to meet the demands of the existing downtown development.

The CPC believed that multi-tiered parking should be considered, because the topography of the area permits it to be developed without causing visual issues.

**Additional recommendations**

*D4: Prioritize pedestrian access to Scenic Hudson Park and Bridge Street with pedestrian bridge over the railroad tracks.*

*D5: Evaluate opportunities to use the Village Reservoir for active recreation uses.*

## **E. Protecting the Character and Scale of the Main Street Area**

### **Existing conditions**

The Downtown Working Group considered preserving the unique character of Irvington and its built scale of paramount importance. It recognized that Main Street business locations are almost fully rented, that the Village has no interest in chain stores in the downtown, that new businesses have been able to establish themselves quickly, and that market forces seem to be working. It recommended that the Village should enhance the “community connectedness of Main Street,” and create an environment that continues to attract business to the Village.

### **Action plan**

The specific recommendations the Working Group made, with which the Comprehensive Plan Committee agreed, are:

*E1: Continue to preserve the character and built scale of the Main Street area.*

*E2: Continue to protect views of the Hudson River from Main Street.*

*E3: Continue implementation of the Main Street Streetscape Master Plan. The Main Street Streetscape Plan can be viewed at [www.irvingtonny.gov/streetscape](http://www.irvingtonny.gov/streetscape).*

*E4: Consider a fund for Main Street improvements (including creation of parking) with income from six-hour metered commuter parking near the station, commercial fees in lieu of parking, resident parking stickers and parking enforcement.*

*E5: Consider a marina and boat docking (including tour boats) at the waterfront to provide non-vehicular access to restaurants and encourage further use of West Main Street.*

### **Continuing goals from the 2003 Comprehensive Plan**

*E6: Efforts should be made to eliminate utility lines constructed above ground on Main Street, perhaps in connection with utility replacement.*

## **F. Alleviating Parking Issues in the Downtown**

### **Existing conditions and issues**

The Downtown Working Group recognized that a creative approach was needed to find the balance between protecting parking for the residents of the area and meeting the need for commercial parking.

### **Action plan**

Its recommendations, with which the Comprehensive Plan Committee concurred, are:

*F1: Consider better usage of the Aqueduct parking lot and the Broadway parking lot, to ease parking congestion on Main Street.*

*F2: Explore other opportunities to create additional parking and the feasibility of underground parking.*

*F3: Test out a jitney van service on Main Street, from the train station to Broadway.*

*F4: Consider valet parking for restaurants by using church parking lots (with their permission) in evenings.*

*F5: Study the possibility of compact car parking zones to improve visibility at corners, as well as to increase available parking spaces on Main Street.*

Recommendations of the Code Modernization Working Group pertaining to parking, which the CPC also agreed with, are:

*F6: Amend the parking regulations in the Village Code to prohibit parking commercial and oversized vehicles during the daytime on the side streets off Main Street. (This prohibition would not include parking while engaged in normal business.)*

*F7: Amend the parking regulations of the Village Code to prohibit overnight parking of commercial vehicles in the Business District except in designated areas.*

## **G. Preserving and Enhancing the Historic Character of the Village**

*Goal/Action Item G1: Historically or architecturally significant properties should be permitted to include two use categories, museum and one-family residence. In addition, the special permit requirements for museums in the Zoning Code should be modified to be more comprehensive.*

### **Existing conditions and issue**

Both residences and museums (by special permit) are permitted in the one- and two-family residential districts in the Village. The two uses, however, are not permitted on the same property. There are a few residences in the Village that would be appropriate for the dual use of museum and residence. Such house museums exist in many places in Europe as well as in the United States in Savannah and Charleston, for example.

While a special permit is required for a museum, the requirements do not include any provisions for off-street parking.

### **Action plan**

1. Amend the Zoning Code to permit museums and residences to co-exist in the same house.
2. The special permit provisions for museums should be revised to include parking requirements.

### **Additional recommendations**

*G2: The Board of Trustees should create and use historic building markers or plaques with a consistent style.*

*G3: The Village should adopt procedures to reduce the time and expense of processing applications for renovation projects in the Historic District.*

*G4: The Village should work with property owners to designate properties as landmarks and to qualify for the best possible tax treatment.*

*G5: The Village should support efforts of neighborhoods or areas considering applications for historic district designation.*

*G6: The Board of Trustees should encourage and support Village and regional events that highlight historic sites and points of interest.*



### **Continuing goals from the 2003 Comprehensive Plan**

*G7: The Zoning Code should be amended to recognize the built reality of the Historic District and reduce the need for automatic Zoning Board applications for variances.*

**NOTE:** The CPC also recommended that the Village “enact a local landmarks law, which would authorize the Board of Trustees to designate buildings, structures, markers or other objects as local landmarks,” provided the property owner consents to the designation. A local landmarks law was already being considered by the Board of Trustees, which adopted it on January 18, 2018.