

III

ZONING & LAND USE

**"The art of progress is to preserve
order amid change, change amid order "**

Alfred North Whitehead

3.0 ZONING & LAND USE

3.1 GOALS

Goals: Preserve and strengthen the integrity of the town's pattern of existing residential land use, while simultaneously supporting and encouraging compatible commercial land uses. Priority is given to enforcing existing residential zoning provisions and creatively enhancing commercial zoning provisions while providing adequate buffers and transitional areas between residential and non-residential areas.

3.2 EXISTING CONDITIONS

A. Land Use:

The town was
first permanently
settled in 1664

When first permanently settled in 1664, Eastchester occupied an area substantially larger than the area we are familiar with today, and included present day Bronxville, Tuckahoe and stretched to the south through Mt. Vernon and into the eastern portion of what is now the Bronx. Mt. Vernon, established in 1853 as a planned community, incorporated as a city in 1892. Three years later in 1895, old Eastchester in the Bronx was annexed to the City of New York. In 1898, the Village of Bronxville incorporated and the Village of Tuckahoe incorporated in 1908. Eastchester as we know it today assumed its present boundaries.

Eastchester
Covers 3.4
Square Miles

The incorporation of the villages severed the growing commercial hubs of Bronxville and Tuckahoe from the remainder of the town, coined "the Town Outside." The establishment of the two villages as separate and distinct geopolitical entities left the Town Outside without a concentrated central business district and, to a large degree, without a strong municipal identity.

Today, Eastchester covers 2,191.1 acres or 3.4 square miles. In terms of land area, the town ranks twentieth among Westchester Counties 43 municipalities, and represents less than one percent of the land area of the county.

Partially as a consequence of the town's lack of a common unifying identity, it evolved quite characteristically as a community of neighborhoods. The Comprehensive Plan has identified 19 distinct and identifiable neighborhoods which cover all of the residential areas of the town (Figures #3-1 & #3-2).

The town supports
19 separate residential
neighborhoods

75% of the town
is devoted to
residential land use

**Figure 3-1
Neighborhood Land Areas**

<i>Neighborhood</i>	<i>Area (in acres)</i>	<i>% of Total</i>
Garth Road	36.0	1.6
North Eastchester	116.7	5.3
Green Knolls - Greenvale	106.6	4.9
Wilmont Manor	185.8	8.5
Leewood	69.0	3.1
White Plains Road	51.3	2.3
Lake Isle	80.0	3.6
Interlaken/Waterside/ Channing Place	45.7	2.1
Oakridge	47.8	2.2
Crestwood	3.7	.2
Park Avenue	22.6	1.0
Waverly Heights	59.2	2.7
Huntley	73.6	3.4
Hickory Hill	34.4	1.6
California Ridge	68.2	3.1
Twin Lakes	82.2	3.7
Bronxville Manor	118.8	5.4
South Eastchester	141.1	6.5
Chester Heights	60.5	2.8
	1,403.3	100%

Figure 3-2

Residential Neighborhoods & Commercial Areas

- Residential Neighborhoods*
- Garth Road
 - North Eastchester
 - Green Knolls / Greenvale
 - Wilmont Manor
 - Leewood
 - White Plains Road
 - Lake Isle
 - Interlaken/Waterside/Channing Pl.
 - Oakridge
 - Crestwood
 - Park Avenue
 - Waverly Heights
 - Huntley
 - Hickory Hill
 - California Ridge
 - Twin Lakes
 - Bronxville Manor
 - South Eastchester
 - Chester Heights
- Commercial Areas*
- 1 Chester Heights
 - 2 Waverly Heights
 - 3 Town Center
 - 4 White Plains Road
 - 5 Brook Street
 - 6 North Eastchester
 - 7 Garth Road

TOWN OF EASTCHESTER
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Figure 3-3
Distribution of Neighborhood Land Areas by Use (in acres)

Neighborhood	Area	Res	Comm	Instit	Public	Park	Roads	Vac	Misc.
Garth Road	36.0 100%	22.2 61.7%	3.0 8.3%	-- --	-- --	1.6 4.4%	9.2 25.6%	-- --	-- --
North Eastchester	116.7 100%	80.1 68.6%	11.3 9.7%	.8 .7%	-- --	6.6 5.6%	16.1 13.8%	1.7 1.5%	-- --
Green Knolls-Greenvale	106.6 100%	74.0 69.4%	10.4 9.8%	8.9 8.3%	-- --	-- --	11.9 11.2%	1.4 1.3%	-- --
Wilmont Manor	185.8 100%	150.4 80.9%	8.8 4.7%	-- --	-- --	1.0 .5%	25.6 13.9%	-- --	-- --
Leewood	69.0 100%	50.5 73.2%	-- --	-- --	.6 .9%	5.8 8.4%	10.5 15.2%	-- --	1.6 2.3%
White Plains Road	51.3 100%	36.1 70.4%	2.7 5.3%	1.1 2.1%	-- --	.8 1.5%	5.3 10.3%	4.6 9.0%	.7 1.4%
Lake Isle	80.0 100%	66.1 82.7%	-- --	-- --	-- --	1.2 1.6%	6.5 8.1%	-- --	6.1 7.6%
Intelaken/Waterside /Channing Place	45.7 100%	42.4 92.8%	-- --	-- --	-- --	-- --	3.3 7.2	-- --	-- --
Oakridge	47.8 100%	37.7 78.9%	2.6 5.4%	.7 1.5%	1.0 2.1%	.2 .4%	4.9 10.2%	-- --	.7 1.5%
Crestwood	3.7 100%	2.9 78.4%	-- --	-- --	-- --	-- --	.8 21.6%	-- --	-- --
Park Avenue	22.6 100%	16.6 73.5%	2.9 12.8%	.5 2.2%	-- --	-- --	2.6 11.5%	-- --	-- --
Waverly Heights	59.2 100%	27.7 46.8%	9.9 16.8%	13.2 22.3%	1.2 2.0%	-- --	6.2 10.5%	.5 .8%	.5 .8%
Huntley	73.6 100%	41.5 56.4%	10.6 14.4%	9.7 13.2%	3.0 4.1%	.7 .9%	8.1 11.0%	-- --	-- --
Hickory Hill	34.4 100%	29.9 86.9%	-- --	-- --	-- --	-- --	4.5 13.1	-- --	-- --
California Ridge	68.2 100%	60.6 88.9%	-- --	-- --	-- --	-- --	7.6 11.1%	-- --	-- --
Twin Lakes	82.2 100%	61.5 74.8%	3.0 3.6%	-- --	-- --	10.9 13.3%	6.8 8.3%	-- --	-- --
Bronxville Manor	118.8 100%	87.5 73.7%	-- --	10.3 8.7%	-- --	-- --	15.6 13.1%	5.4 4.5%	-- --
South Eastchester	141.2 100%	123.0 87.1%	-- --	3.4 2.4%	.7 .55	-- --	14.1 10.0%	-- --	-- --
Chester Heights	60.5 100%	44.8 74.0%	2.7 4.5%	-- --	.3 .5%	5.0 8.3%	7.7 12.7%	-- --	-- --
Total	1,403.3 100%	1,055.5 75.2%	67.9 4.8%	48.6 3.5%	6.8 .5%	33.8 2.4%	167.3 11.9%	13.6 1.0%	9.6 .7%

Total represents land area in defined neighborhoods. Total does not include areas outside neighborhoods such as golf courses, county parks and some commercial areas.

Eastchester
supports 7
commercial areas

Eastchester's land use is predominantly residential. 1,055.5 acres or 75% of the town is devoted to residential use. Spatially, these residential uses are distributed throughout the town. Single family residential uses are present in all three sectors of the town. Figure #3-3 and Figure #3-4 provide a tabular and graphic representation of the town's existing land use.

Beyond the 19 neighborhoods, a number of commercial areas have evolved. Unlike the typical growth and development of a community outward from a common central district that provides commercial activities and higher density residential uses, Eastchester's commercial areas primarily developed in response to and in support of several trends and phenomenon, specifically:

- Increasing levels of through traffic on old Route 22;
- Clusters of commercial activity around existing or former rail stations, such as Garth Road, North Eastchester and Chester Heights;
- As "historic" central business districts, ie. Waverly Square;
- The advent of the automobile oriented shopping centers on Rte. 22.

The town has continually struggled to establish a single identifiable "town center" to serve as the functional, perceptual, and emotional focal point of the community.

Seven commercial areas have been separately identified:

Chester Heights. The Chester Heights commercial area is located along New Rochelle Road. The approximately three acre area supports retail, and service uses, as well as apartments, and has evolved into a self contained neighborhood center.

Waverly Heights. This area is the southerly extension of the Town Center commercial area, yet is separately distinguished because of the changing patterns of adjacent land use. The Waverly Heights commercial area is diverse in character, scale, appearance and use. Its prominent location and the juncture of several crossroads, makes this commercial area a focus of

revitalization efforts.

Town Center. The Town Center represents the central retail, service and governmental area of the town. Geographically located in the center of the town, these features combine to distinguish this area as the town's hub. The heart of this area is the White Plains Road/Mill Road intersection. The area incorporates the mixed use corridor that radiates north toward the High School and south toward the Main Street - White Plains Road split.

White Plains Road. This area, located on both sides of White Plains Road in the north-central part of town, supports the regionally important retail stores and other commercial uses within the Vernon Hills, Eastchester mall and Universal shopping centers. While supporting some neighborhood retail and service uses, the area draws users from the larger southern and central Westchester County areas.

Brook Street. This area encompasses a triangle of commercial land uses extending from White Plains Road west along the Brook Street corridor, and then back to the west along the north side of Montgomery Street. The area supports a diverse array of commercial activity ranging from neighborhood retail and service establishments, restaurants, offices, to a fairly large concentration of automotive repair facilities. The diversity of land uses in this area represents a challenge in adequately regulating the area.

North Eastchester. Located in the north-west corner of the North Eastchester neighborhood, this small commercial area provides neighborhood retail and service uses, as well as a number of multi-family apartments above storefronts.

Garth Road. At the northern tip of the Garth Road neighborhood, retail and other commercial uses begin to predominate. This pattern of land use continues and intensifies as it moves into the Scarsdale central business district. A large number of service uses

supporting the Garth Road neighborhood and the Scarsdale train station are located in this area.

These areas support a range of commercial activities, but are primarily devoted to neighborhood retail and service uses, offices, restaurants, and other similar uses that support the surrounding residential neighborhoods. Several regionally important commercial areas exist, particularly along White Plains Road and within the Brook Street neighborhood. The town in general however, does not play host to significant regional economic activity or employment centers.

These commercial districts occasionally support apartments above storefronts, and scattered transitional two and three-family homes along the fringes. In certain areas, larger multi-family apartment buildings are present within the commercial areas. Waverly Heights, which hosts the largest of the town's R-3 - Two Family Zones, supports the largest percentage of conforming two-family homes.

Outside the commercial areas, three primarily multi-family residential areas exist. The Garth Road neighborhood represents the northernmost multi-family neighborhood. The area supports 1,439 dwelling units in 19 buildings. In the central portion of town, the Waterside Close/Interlaken/Channing Place neighborhood, together with the Crestwood neighborhood represents the second major concentration of multi-family dwellings. Waverly Heights supports several major multi family buildings. Lastly, Chester Heights in the southern part of town hosts the Bronxville Ridge development on Oregon Road .

Beyond these logically organized areas, a number of non-conforming two and three family dwellings, and accessory apartments exist randomly throughout the town. Based upon field observations and recorded information such as census data, it is likely that a number of these non-conforming dwellings exist illegally.

B. Zoning:

The Town of Eastchester first adopted a zoning law on October 4, 1923. Since that time, the law has undergone

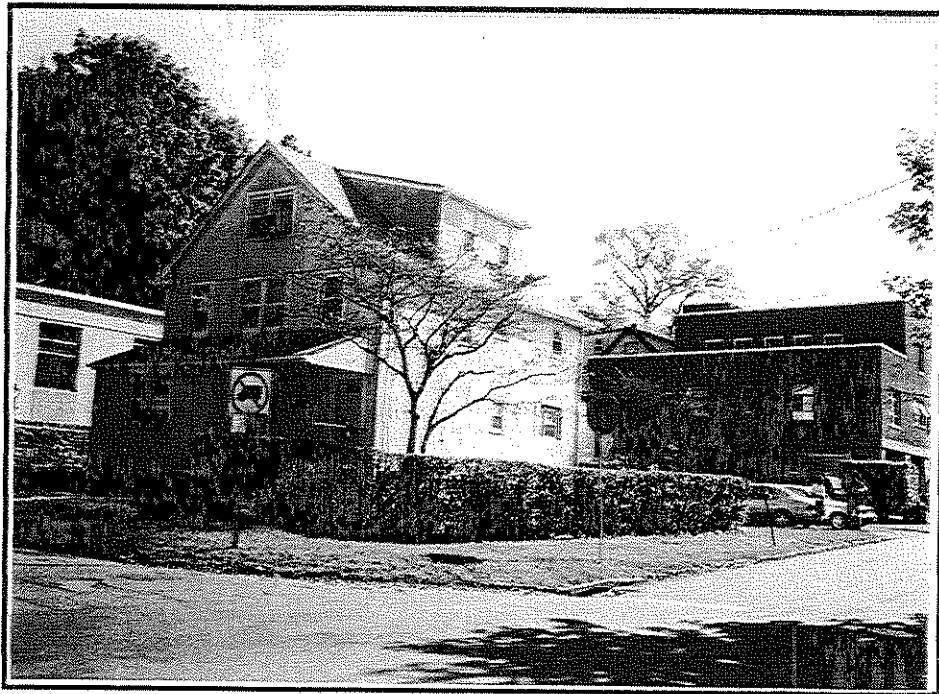
Eastchester
adopted its first
zoning law in 1923

numerous revisions culminating in the most recent recodification in 1987.

The Ordinance includes 13 residential districts, 4 commercial districts, and 1 transitional district. The town is zoned predominantly for residential use. Figure #3-5 portrays the existing zoning districts.

Residential zoning reflects three distinct land uses; single family, two-family and multi-family. Densities range from two dwellings per acre in the R-20 One Family Zone, to 124 units per acre in the M-350 multi-family zone.

The commercial zoning categories include a broad array of 21 permitted uses ranging from design shopping centers, retail, office to wholesale businesses. Additionally, 11 Special Permit uses are identified including such businesses as fast food restaurants. The physical zoning controls in the commercial districts are limited to yard setbacks, building height and building coverage. The typical commercial zoning control of Floor Area Ratio (F.A.R.) is not currently utilized by the town.



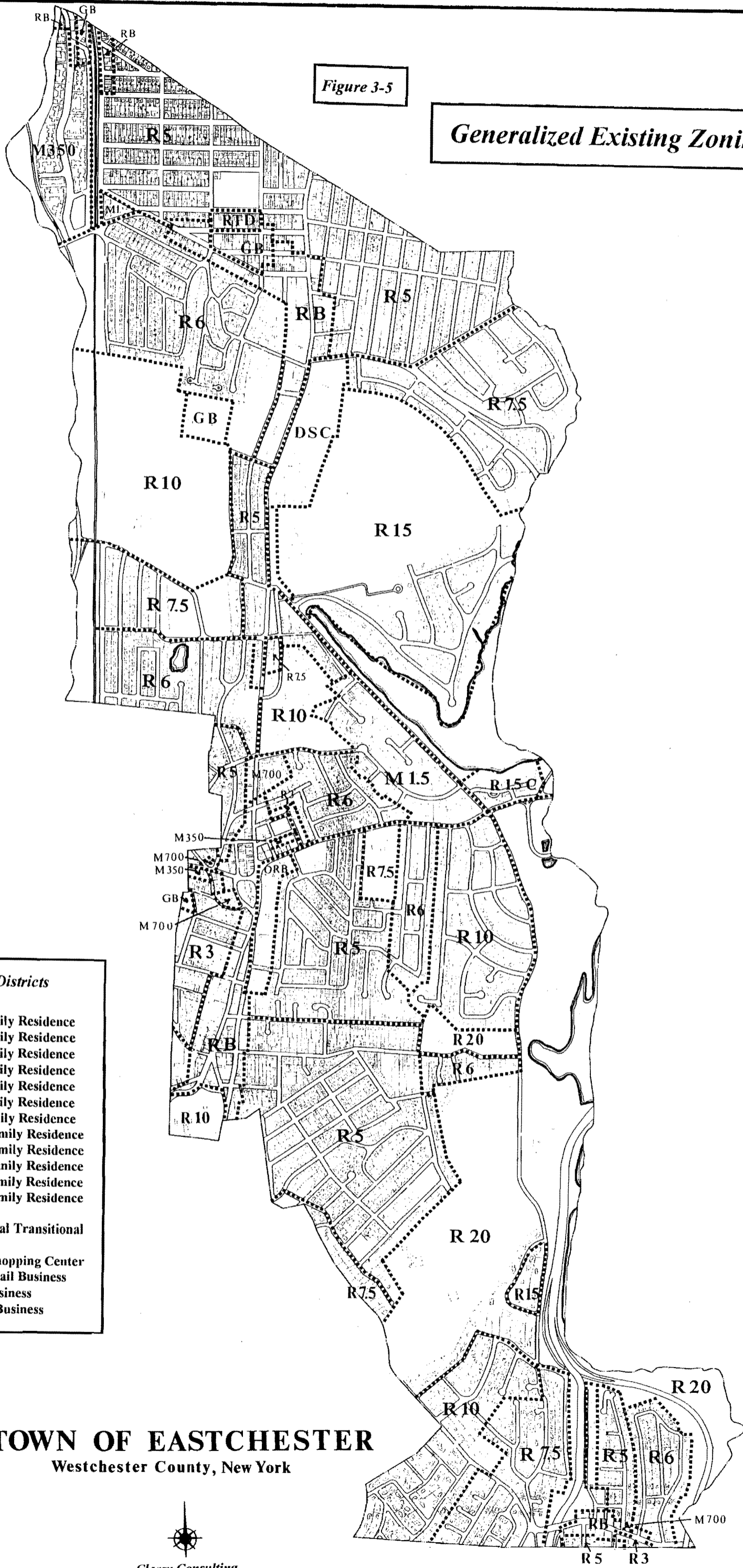
(Commercial - Residential Land Use Transition)

Figure 3-5

Generalized Existing Zoning

Zoning Districts	
R 20	One Family Residence
R 15	One Family Residence
R 10	One Family Residence
R 7.5	One Family Residence
R 6	One Family Residence
R 5	One Family Residence
R 3	Two Family Residence
M 2000	Multi-Family Residence
M 1500	Multi-Family Residence
M 1000	Multi-Family Residence
M 700	Multi-Family Residence
M 350	Multi-Family Residence
RTD	Residential Transitional
DSC	Design Shopping Center
ORB	Open Retail Business
RB	Retail Business
GB	General Business

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Eastchester's array of zoning controls serve as the primary mechanism for regulating the development of vacant land, as well as for controlling the redevelopment of previously utilized land. Redevelopment, and the adaptive reuse of land in Eastchester will become increasingly important in the future. This is particularly true for commercially zoned lands that are currently underutilized and able to support additional development.

The following table (Figure #3-6) reflects the generalized zoning regulations for the town of Eastchester.

Figure 3-6 Existing Zoning Requirements									
District	Permitted Use	Min Lot Per DU (sqft)	Coverage (%)	Frontage (Feet)	Front Yard (Feet)	1 Side Yard (Feet)	2 Side Yards (Feet)	Rear Yard (Feet)	Height (Story)
R-20	SF Res	20,000	13.5	120	35	18	38	34	2 ½
R-15	SF Res	15,000	23	100	30	14	30	32	2 ½
R-10	SF Res	10,000	24	100	30	14	30	25	2 ½
R-7.5	SF Res	7,500	27	75	30	12	24	25	2 ½
R-6	SF Res	6,000	30	60	30	10	20	25	2 ½
R-5	SF Res	5,000	31.5	50	30	8	17	25	2 ½
R-1.5	Attached SF Res	1,500	75	15	10	NA	NA	10	2 ½
R-3	2-Fam Res	3,000	28	60	30	8	17	25	2 ½
M-2000	MF Res	2,000	22	NA	40	24	40	25	2 ½
M-1500	MF Res	1,500	30	NA	35	23	46	50	2 ½
M-1000	MF Res	1,000	35	NA	25	22	44	30	3
M-700	MF Res	700	38	NA	22	22	44	30	4
M-350	MF Res	350	40	NA	20	20	40	30	6
DSC	Comm	NA	25	NA	50	20	40	25	50ft
ORB	Comm	NA	25	NA	50	10	20	50	3
RB	Comm	NA	60	NA	10	10	20	30	4
GB	Comm	NA	50	NA	10	12	24	30	3
RTD	Mixed	600	45	NA	20	20	40	30	3

C. Adjacent Municipality Zoning:

Eastchester is surrounded by six municipalities, each of which controls the use of land independently of its neighbors. As is the case in Eastchester, land use is primarily regulated through local zoning.

The majority of the land abutting the town is residentially zoned. However, commercial zoning is present in Scarsdale, and in Tuckahoe a large portion of industrially zoned land is located adjacent to the town boundary. The following table and figure summarize the zoning of adjacent municipalities.

*Figure 3-7
Adjacent Municipality Zoning*

Municipality	Zone	Permitted Use	Min Lot Area (Sqft)
Yonkers	S-200	SF Res	20,000
	S-75	SF Res	7,500
	S-60	SF Res	6,000
Tuckahoe	A-5	SF Res	5,000
	IND	Industrial	50% Coverage
Bronxville	AA	SF Res	15,000
Mt. Vernon	R-1A	SF Res	7,000
	R-1B	SF Res	4,500
New Rochelle	1-A	SF Res	10,000
	1-AA	SF Res	20,000
Scarsdale	A-5	SF Res	5,000
	A-3	SF Res	10,000
	Bus A&B	Comm	.8 - 2.0 F.A.R.

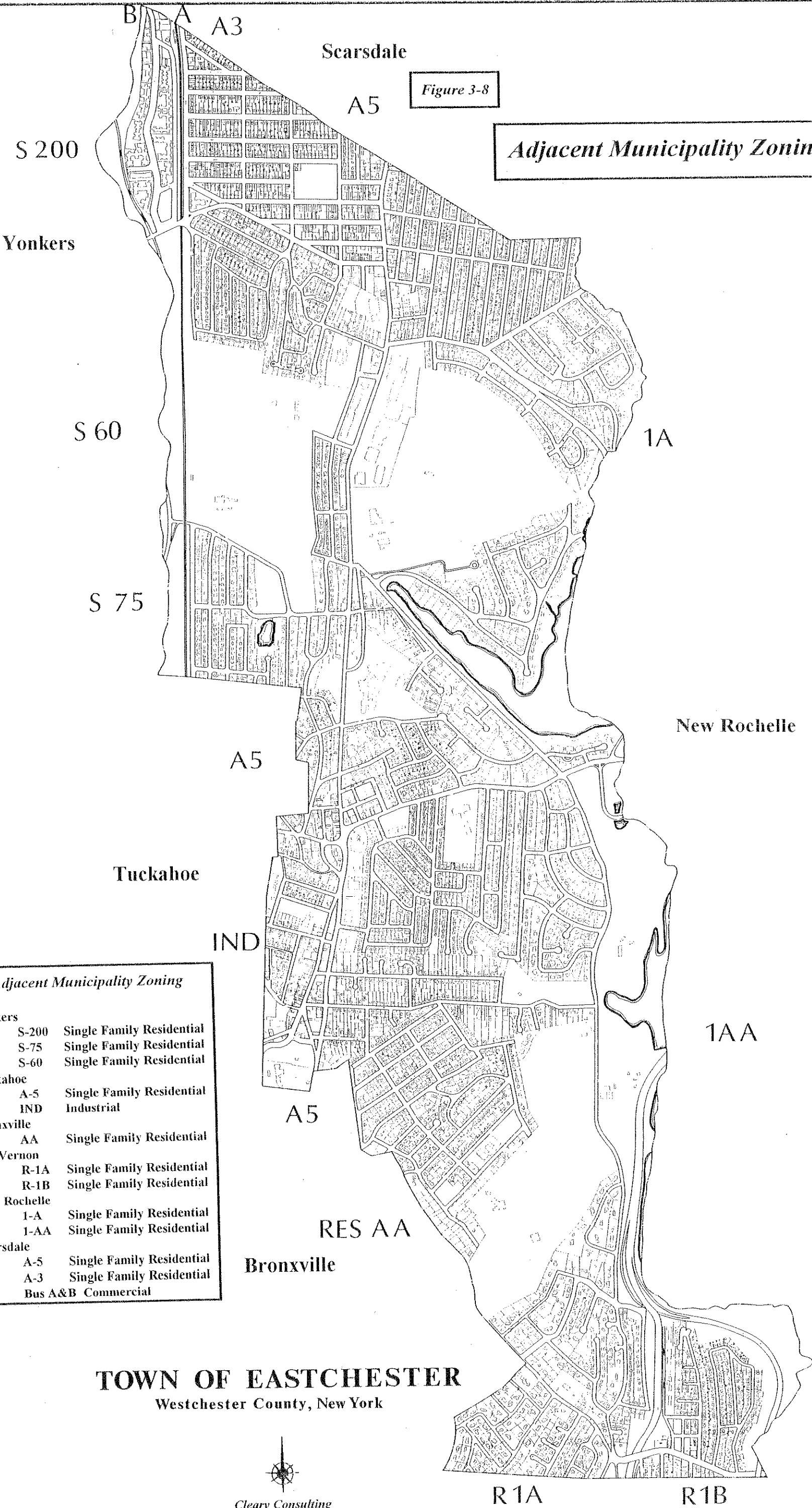
Incompatible industrially zoned land in the Village of Tuckahoe represents a land use conflict with residentially zoned land in Eastchester.

Figure 3-8

Adjacent Municipality Zoning

Adjacent Municipality Zoning	
Yonkers	
S-200	Single Family Residential
S-75	Single Family Residential
S-60	Single Family Residential
Tuckahoe	
A-5	Single Family Residential
IND	Industrial
Bronxville	
AA	Single Family Residential
Mt. Vernon	
R-1A	Single Family Residential
R-1B	Single Family Residential
New Rochelle	
1-A	Single Family Residential
1-AA	Single Family Residential
Scarsdale	
A-5	Single Family Residential
A-3	Single Family Residential
Bus A&B	Commercial

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3.3 POLICIES

A. Residential Land Use:

3A-1 Maintain the integrity of the town's fundamental residential character and unique pattern of density and mix of housing types.

3A-2 Maintain the existing housing stock through encouraging continued maintenance and building rehabilitation, increasing the energy efficiency of dwellings, and preserving unique architectural features, neighborhood amenities and characteristics.

3A-3 Enforce existing zoning and building code violations associated with the creation of illegal apartments.

3A-4 Assess the suitability of allowing the expansion of accessory apartment provisions.

3A-7 The town should maintain its existing array of zoning controls that allow for diversity in housing types and affordability.

3A-5 Identify substandard nonconforming dwellings and encourage their conformity or replacement with new housing opportunities or different legally permitted uses.

3A-6 The town should maintain its existing diversity of zoning controls that allow for diversity in housing types and affordability.

3A-7 Encourage the development of affordable, handicapped accessible, and senior housing opportunities, particularly in concentrated centers near public transportation opportunities, where these facilities can be suitably supported.

3A-8 Explore the use of density bonuses to achieve housing goals in designated areas.

3A-9 Improve circulation among neighborhoods and throughout the town.

3A-10 Assess the parking liabilities within each neighborhood and determine if land use practices (illegal apartments, home occupations etc.), demographic preferences (3+ cars per household), existing parking restrictions (no parking zones),

or physical constraints (widths of roadways) are responsible.

3A-11 Develop buffer provisions with the Village of Tuckahoe to mitigate the conflict between the industrial zoning in Tuckahoe, and the residential zoning on the Eastchester side of the municipal boundary.

3A-12 Identify inherent predominant physical features of each neighborhood and explore ways in which those features can be maintained in future development.

B. Commercial Land Use:

3B-4 Establish the "Town Center" as the commercial core of the community

3B-1 The town should improve the vitality of its commercial areas.

3B-2 Attract new businesses to the town to expand the town's tax base and increase employment opportunities.

3B-3 Expand and clarify commercial zoning definitions and categories.

3B-4 Establish the "Town Center" as the commercial core of the community.

3B-5 Promote the regional nature of the White Plains Road commercial corridor.

3B-6 Establish a package of incentives compiled and managed by the town, to improve retail and service facilities.

3B-7 Permit residential uses above retail stores (consistent with fire and building code requirements) to expand housing opportunities and increase the vitality of the commercial districts.

3B-8 Assess the adequacy and suitability of off-street and on-street parking opportunities at all commercial areas.

3B-9 Assure adequate traffic circulation and accessibility to the commercial areas.

3B-10 Develop separate and distinct identities among the seven commercial areas.

3C-1 Rewrite &
replace zoning use
classifications
adopted in 1955

3B-11 Develop sign control regulations to eliminate the visual clutter apparent in the commercial areas.

3B-12 Develop facade guidelines to assist in the private rehabilitation of commercial buildings.

3B-13 Establish standards for public space improvements, street furniture, street trees and landscaping, utilities etc.

3B-14 Identify architecturally/historically significant commercial structures and establish methods for their preservation.

3B-15 Develop site development guidelines and or zoning restrictions to provide proper transition and buffers between residential and non-residential uses.

C. Zoning:

3C-1 Rewrite and replace zoning use classifications originally established in 1955, to eliminate confusion and reflect current uses.

3C-2 Site Plan review standards should be revised to assure that they incorporate appropriate landscaping and site design considerations.

3C-3 Review site plan standards to assure that they give adequate consideration to both regional and local environmental conditions and goals.

3C-4 Add commercial FAR regulations.

3C-5 Address wholesale uses and box retailers.

3C-6 Adopt appropriate siting criteria for cellular antennas.

3C-7 Streamline review process for commercial uses in all commercial areas of the town.

3C-8 Rezone Town Center as such to emphasize its significance as the central core of the town.

3C-9 Offer incentives for investing or developing in Town Center.

3C-10 Assess the zoning of the golf courses to assure that if the use changes, and the land is developed, the allowable density is suitable. Siwanoy - R-20, Lake Isle - R-15, Leewood - R-10. Explore utilizing creative zoning techniques to preserve open space quality while also allowing for development, such as clustering, or partial development. As an alternative, rezone these areas as open space zones to maintain scarce open space resources and preserve the open space quality associated with the golf courses.

3C-11 Offer incentives for investing or developing in Town Center.