

VILLAGE OF BRIARCLIFF MANOR

The Village of Briarcliff Manor has not adopted the County model zoning ordinance for affordable housing. The Village has met slightly more than one-third of the roughly 140 affordable housing unit goal set by the County in its unadopted plan, which shows meaningful progress. But that still leaves in question how to build the additional 90 units called for (which translates into up to 900 housing units in mixed-income developments). In its residential districts, Briarcliff Manor provides next to no opportunity for new multifamily housing other than through the conversion of a house on a parcel of ten or more acres, and then only by special permit. In its commercial districts, Briarcliff Manor allows housing above stores, also by special permit. As-of-right multifamily housing is allowed only in a single zoning district (covering one percent of the Village's land area) as part of mixed-use development. The County, in its analysis, found no ready sites for affordable multifamily housing development. There are no incentives for affordable housing, except in connection with one small district that is already built out, and no mandates.

Model Zoning and County Benchmark

- The Village has not adopted the County's model affordable housing zoning regulations.
- The unadopted Affordable Housing Allocation Plan produced in 2005 by the County's planning department originally called for 141 affordable housing units in Briarcliff Manor, of which 49 have been built in the interim, yielding a net benchmark of approximately 90 units.

Zoning Ordinance

- Multifamily housing is permitted as-of-right in connection with mixed-use development in the Retail Business and Residential (B1A) district. The overall residential portion of the development must not exceed 80 percent of the gross floor area, and no ground floor dwelling units shall front on any public right-of-way. These restrictions effectively protect the ground-floor commercial character of the district.
- Multifamily housing, three-family housing and two-family housing are allowed by special permit in most of Briarcliff Manor (11 of 14 residential districts), but only for the conversion of an existing house on a parcel of ten or more acres, not for new developments.

Restrictive Practices

- In the residential districts, multifamily housing, three-family housing and two-family housing are allowed by special permit only in connection with conversion of an existing house on a parcel of ten or more acres.
- Accessory housing is prohibited in the five commercial districts, except for caretaker facilities for office complexes.

Incentives and Mandates

- The Village provides, in the Single-Family Residential (RT4B) district, a 50 percent density bonus in connection with housing developments in which 50 percent or more of the units are affordable. That district is built out.

Zoning Map, Development Pattern and Development Potential

- Only 2.4 percent of the Village's land area is occupied by multifamily housing, inclusive of two- and three-family housing.
- At present, out of the roughly 1,600 acres occupied by predominantly single-family housing, only two acres appear to have multifamily housing.
- All five of the areas zoned B1A, permitting as-of-right multifamily housing (representing roughly 50 acres, just one percent of the Village's area), appear to be effectively built out, with a residual potential for only two new units, if any.
- Housing values are sufficient to induce multifamily development and mixed-income housing if properly incentivized or mandated under zoning. The Village has a successful precedent involving a 50 percent density bonus in connection with the provision of affordable housing.

Master Plan

- The Village's master plan of 2007 calls for low-rise apartment buildings and townhouses in commercial areas.
- It also indicates that the Village should cooperate with Westchester County to develop "new criteria for affordable housing" – without explanation of what is meant by that.

Implications

- Without amending the zoning regulations and map, Briarcliff Manor effectively provides no opportunities for new multifamily development at all, almost certainly not a sufficient amount to accommodate the roughly 90-unit benchmark, let alone the several hundred units in connection with mixed-income housing (e.g., 900 units under a 90 percent market-rate / 10 percent affordable format, which represents the minimum affordable housing component under the County's model zoning ordinance).
- Given the spread between housing values and costs, zoning incentives should be sufficient to induce development; i.e., only under special circumstances would there be a need to employ financial subsidies such as those available from the County under the Settlement.
- Accessory units could be considered as a means to create new development of affordable housing, especially if allowed in accessory buildings (such as existing or "faux" garages).

BRIARCLIFF MANOR FACT SHEET

a. Total acreage of the Village	3,808 acres	100%
b. Total acreage in zoning districts where multifamily housing is permitted as-of-right	48.7 acres	1.3%
c. Undeveloped area in these zoning districts	0.3 acres	0.01%
d. Undeveloped area not subject to wetlands, floodplain and steep slopes	0.2 acres	0.01%
e. Order of magnitude area available for development*	0.2 acres	0.01%
f. Number of sites available for development	0*** sites	
g. Average size of sites	0*** acres	
h. Theoretical number of multifamily units that can be developed as-of-right	0 units	
i. Average selling price for multifamily (condo) units	\$460,000**	
j. Order of magnitude value for land, per condo unit	\$115,000	
k. Order of magnitude total cost of development, per condo unit	\$375,000	
l. Percent minority population (1.7% Black, 3.1% Hispanic)	5%	
m. Percent minority population in the zoning districts where multifamily housing is permitted as-of-right (1.3% Black, 3.0% Hispanic)	4%	
n. Number of units needed to meet the 2000-2015 Allocation Plan benchmark	92 units	
2015 Allocation	141 units	
Number of units created since 2000	49 units	

* After applying a factor of 80 percent to account for irregular site configuration, setbacks, building form restrictions, and the like.

** Regional value employed where data was not provided for the municipality, employing the County's definition of North, Central and South for what is meant as region. Weighted averages were calculated using available data for each region.

*** Available sites do not meet minimum lot requirements in Briarcliff Manor and have thus been excluded. Methodology II-C and II-D maps are also excluded from the County's submissions as a result.