

**APPENDIX B:**  
**Zoning**

**APPENDIX B-1:  
RM-1.5 Permitted Uses**

**District: RM-1.5**

<b>USE</b>	<b>TYPE</b>
"One family dwelling"	PP
"Two family dwelling"	PP
"Multi-family dwellings"	PP
The keeping of not more than one "roomer" per "dwelling unit" in a "one family dwelling" or "two family dwelling"	PA
The keeping of "household pets"	PA
"Minor accessory buildings"	PA
Customary indoor or outdoor athletic facilities, such as playfields or stadia, as accessory to a "private school," "university," "college" or seminary	SP
Non-profit "recreation facilities"	PA
Non-profit "recreation facilities" incident to places of worship	SP
Accessory "swimming pools" as regulated by Sections 4.4.24 and 6.7.3	SP
Accessory tennis courts, paddle tennis courts or other similar courts	SP
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP
Churches or other places of worship	PP
Sunday schools or other similar religious schools	PA
Parish houses or rectories	PA
Convents	PP
"Uses" of the City of White Plains	PP
"Uses" of other governments, subject to the requirements of Section 5.6	PP
"Public schools"	PP
"Private secondary or elementary schools"	SP
"Nursery schools" or "day care centers"	SP
"Nursery schools" or "day care centers" in conjunction with a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	PA
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP
"Universities," "colleges" or seminaries	SP
Dormitories as accessory to a "private school," "university," "college," seminary or convent	PA
"Domiciliary care facilities," "community residences" or "rooming houses"	SP
Libraries, museums or art galleries not operated for profit	SP
Office in residence of a "professional person" as regulated by Section 5.4.2	PA
Office space for physicians and dentists within the lowest "story" of a "multi-family dwelling" limited to not more than 50% of the "gross floor area" of that "story" and 10% of such area of the "building"	SP
Business, administrative or headquarters offices for "philanthropic institutions"	SP
"Customary home occupations" as regulated by Section 5.4.2	PA

**District: RM-1.5**

<b>USE</b>	<b>TYPE</b>
"Accessory electronic games"	PA
"Public utility buildings or structures"	SP
"Private garages," carports or open parking for private passenger vehicles	PA
Accessory parking adjoining business or industrial districts	SP
Neighborhood parking (See Section 6.7.13)	SP
"Parking lots" or "parking garages" of the City of White Plains or its Parking Department	PP

**KEY:**

- PP = Permitted Principal "Use";
- PA = Permitted "Accessory Use";
- SP = Special Permit "Use";
- (R-A), etc. = Prior District designation;
- \* = When in the Central Parking Area

**APPENDIX B-2:  
Proposed PRDD Zoning**

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “THE ZONING  
ORDINANCE OF THE CITY OF WHITE PLAINS” WITH RESPECT TO ESTABLISHING A  
NEW ZONING DISTRICT ENTITLED “PLANNED RESIDENTIAL DEVELOPMENT” AND  
MAPPING SAID DISTRICT.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Zoning Ordinance of the City of White Plains as adopted June 1, 1981 and as amended to date, be and it hereby is amended to establish a Planned Residential Development zoning district as follows:

A. Section 2.4 Definitions.

Section 2.4 is hereby amended by adding the following definitions in their appropriate alphabetical position:

“Planned Residential Development” - A diversified residential community comprised of multiple buildings in single or multiple ownerships arranged in a campus-like setting comprising a single “Development Site,” and providing a multitude of living situations for individuals and/or families including but not limited to the following uses: “Multi-family Dwelling,” “Assisted Living Facility,” academic housing, churches or other places of worship, or other housing or living facilities deemed appropriate by the Approving Agency, as well as ancillary and “accessory uses” customarily associated with and subordinate to such uses. Academic housing, including sleeping and living accommodations, shall not contain full kitchen facilities, but may contain kitchenettes. In no event, however, shall independent retail, restaurant, or other commercial uses be permitted in this District.

“Planned Residential Development District” - A special residential zoning district in which the “use,” dimensional standards and special regulations are set forth in Sections 3.9 and 5.10 hereof and apply to a single “Development Site” in its entirety.

B. Section 3.1 District Classifications.

Section 3.1 is hereby amended under the category “Residence Districts” to add a new line designated “Planned Residential Development” after the line designated “RM-0.35 Residential Multi-Family”.

C. Section 3.2 Zoning Map Establishment.

Section 3.2 is hereby amended to change the Zoning Map designation for the property known as Tax Map Parcel ID 125.52-2-5.1 from the RM-1.5 District designation to a new zoning district designation to be known as

the “Planned Residential Development District” (“PRDD”).

D. A new Section 3.9 “Planned Residential Development District” is hereby added to read as follows:

### 3.9 “Planned Residential Development District”

3.9.1 “Uses,” including a multitude of living situations for individuals and/or families such as the following: “Multi-family Dwelling,” “Assisted Living Facility,” academic housing, churches or other places of worship, or other housing or living facilities deemed appropriate by the Approving Agency, as well as ancillary and “accessory uses” customarily associated with and subordinate to such uses. Academic housing, including sleeping and living accommodations, shall not contain full kitchen facilities, but may contain kitchenettes. In no event, however, shall independent retail, restaurant or other commercial uses be permitted in this District.

3.9.2 “Planned Residential Development” “site plan” documents showing the design for the layout, arrangement and “use” of “structures” and land, including, but not limited to ancillary and “accessory uses,” and “accessory structures,” landscaping, roadways and site access which meet the requirements of Section 7.3 of this Ordinance and have been approved by the Common Council, shall be deemed to be an approved “site plan” for the “Planned Residential Development District.” Any amendments or changes to such “site plan” documents which are in conformance with all of the “use” and dimensional regulations of the “Planned Residential Development District” in which the “Planned Residential Development” is located shall be treated as amendments to an approved “site plan” in accordance with Section 7.7.2 of this Ordinance, provided that such amendments create no new non-conformity with the regulations of this Ordinance.

3.9.3 Any amendments or changes to such “site plan” documents which are not in conformance with the “use” and dimensional regulations of the “Planned Residential Development District” in which the “Planned Residential Development” is located shall be treated as amendments to the “Planned Residential Development District” in accordance with Section 12 of this Ordinance.

E. 1. Section 5.1 Schedule of Use Regulations.

Section 5.1 is hereby amended under “Uses”, RESIDENTIAL, to add a new line after the line designated Planned Senior Residential Development” - See Section 5.8” to read “Planned Residential Development” - See Section 5.10”.

2. Section 5.2 List of Use Regulations

Section 5.2 is hereby amended to add a new page and list entitled “District: Planned Residential Development,” with the column entitled “USE” listing “Planned Residential Development” and the column entitled

TYPE listing “see Section 5.10.

F. Section 5.3 Schedule of Dimensional Regulations: Residential

Section 5.3 is hereby amended to add a new line after the line for “Planned Senior Residential Development. - See Section 5.8” reading:

“Planned Residential Development” - See Section 5.10.

G. Section 5.4 Additional Regulations for Residential Districts - A new section numbered 5.4.1.8 is hereby added, reading as follows:

“5.4.1.8. For the “Planned Residential Development District” - see Section 5.10.

H. A new section numbered 5.10, entitled “Planned Residential Development” is hereby added, reading as follows:

5.10. “Planned Residential Development”

5.10.1. Purposes: A “Planned Residential Development District” is established in this Ordinance to promote the public health, safety, and welfare by facilitating the creation of a diversified community comprised of multiple buildings in single or multiple ownerships arranged in a campus-like setting comprising a single “Development Site,” and providing a multitude of living situations for individuals and/or families including but not limited to the following uses: “Multi-family Dwelling,” “Assisted Living Facility,” academic housing, churches or other places of worship, or other housing or living facilities deemed appropriate by the Approving Agency, as well as ancillary and “accessory uses” customarily associated with and subordinate to such uses, while ensuring orderly traffic circulation to the City’s road network and compatibility with surrounding land uses, and thereby achieving the objectives of the City’s Comprehensive Plan. It is the purpose of this section to encourage flexibility of design and development of land in a manner that suits the needs of a residential community. All development shall be undertaken in conformity with a site-specific Master Plan.

5.10.2 General Provisions: In harmony with the general purpose and intent of this Section, and in order to achieve the purposes of the “Planned Residential Development District,” a special set of regulations is established for such District, controlling “uses,” including ancillary and “accessory uses,” “height,” coverage and bulk, accessory parking facilities and accessory loading facilities. Such regulations are contained in this Section 5.10 and in other provisions of this Ordinance incorporated into this Section by cross-reference. All dimensional requirements shall apply



to the entire District as a single “development site” and are not applied to any individual areas notwithstanding subdivision or divided ownership of areas within the District. Subdivision and/or conveyance of any portion of the property by deed must be in conformance with the approved management plan required pursuant to Section 5.10.9 of this Section.

5.10.3 Uses: The permitted principal “uses” in the “Planned Residential Development District” include a combination of housing types as set forth in the definition of “Planned Residential Development,” including, but not limited to, “assisted living facilities,” memory care units, academic housing, multi-family residential dwellings, and churches or other places of worship, as well as ancillary and “accessory uses” customarily associated with and subordinate to such uses.

5.10.4 Density:

The densities for the permitted “uses” and “accessory uses,” based upon the entire “Development Site,” are as follows:

5.10.4.1. The maximum density for “multi-family housing” shall not exceed one dwelling unit for every 1,500 square feet of land area comprising the “development site.”

5.10.4.2 The maximum “floor area ratio” for academic housing shall not exceed 0.15.

5.10.4.3 The maximum “floor area ratio” for any combination of “assisted living” and memory care shall not exceed 0.15.

5.10.4.4 The maximum “floor area ratio” for all other non-residential uses shall not exceed 0.10.

5.10.4.5 The maximum “floor area ratio” for all non-residential, ancillary, and “accessory uses” shall not exceed 0.40.

5.10.4.6 Six (6%) percent of all “dwelling units” shall be made available for sale to, or rent by, households which are income qualified under the City’s Affordable Rental Housing Assistance Program or Affordable Home Ownership Program, in perpetuity.

5.10.5 Height: The maximum permitted “height” shall be as set forth below:

For any “building” located within a “Planned Residential Development,” the height of the buildings shall be such that a minimum distance must be provided from the State or County Road on which they front, thereby establishing a regimen that places the taller buildings a minimum distance back from such roadways:

<b>Maximum Height of Building at Set Distance</b>	<b>Minimum Distance from State or County Road</b>
50 feet	230 feet
80 feet	450 feet
140 feet	800 feet

For multi-family residential buildings with a side yard adjacent to a public street, the following limitations shall also apply to limit the height of the building at certain distances from the adjacent public street, thereby establishing step-backs of the building with the lower portions being closest to the public street:

<b>Maximum Vertical Distance of Building from the Elevation of the Closest Point of the Building to the Curb of the Nearest Public Street</b>	<b>Minimum Distance from nearest Public Street</b>
40 feet	60 feet
60 feet	100 feet
140 feet	120 feet – 160 feet

**5.10.6 “Lot Area”, “Frontage”, “Coverage” and “Yard” Requirements:**

5.10.6.1 The minimum required “lot area” for all “uses” including all ancillary “uses” and “accessory uses” in a “Planned Residential Development District” shall be 15 acres, provided, however that such minimum “lot area” shall apply to all “uses” on the entire “Development Site” and shall not be determined individually for each and every “use” separately. The minimum “frontage” shall be 500 feet located on a State or County road.

5.10.6.2 The “front yard” shall measure at least 200 feet in depth.

5.10.6.3 The “rear yard” shall measure at least 20 feet in depth.

5.10.6.4 Adjacent to residential “uses,” the side yard shall measure 30 feet in depth. Adjacent to non-residential uses, the side yard shall measure 20 feet in depth for ”Multi-family Dwelling” uses and 10 feet in depth for non-residential uses, except that the side yard may be reduced to 0 feet in depth for academic housing provided same is adjacent to university property which is being served by the academic housing. (Also see Section 5.10.5)

5.10.6.5 The maximum “building coverage” shall not exceed 25%

for all “buildings,” based upon the entire “development site.”

5.10.6.6 Dimensional requirements not otherwise specified shall be determined by the Approving Agency in connection with its approval of a site plan application.

5.10.7 Parking and Loading: Parking requirements for the uses permitted in the “Planned Residential Development District” shall be as follows:

5.10.7.1 For “assisted living facilities,” 0.4 spaces per unit.

5.10.7.2 For each “Multi-family Dwelling” unit, 1 space per unit plus ¼ space per bedroom.

5.10.7.3 For academic housing, the minimum number of “parking spaces” shall be determined by the Common Council as Approving Agency, and the Common Council may, at its sole discretion, permit all or a portion of the required parking to be provided on the property of the university being served by the academic housing, subject to the recording in the Westchester County Clerk’s Office of a legal instrument satisfactory to the Corporation Counsel assuring the continued existence of the parking on the university property for so long as the academic housing may remain in place.

5.10.7.4 For all other non-residential uses, the minimum number of “parking spaces” shall be determined by the Common Council as Approving Agency.

5.10.7.5 For an “Assisted Living Facility,” one loading space for every 100,000 square feet of “gross floor area”.

5.10.8 Master Plan: Any application for a “Planned Residential Development,” or an amendment thereto, shall be accompanied by a master plan for the total development of the entire “Development Site.” Such master plan shall be drawn to a scale of not less than 1” = 200' and shall include the following:

5.10.8.1 Terrain conditions on the property, to include topographic data with a maximum contour interval of two (2) feet, an indication of generalized soil types, and the location of existing water courses, wetlands, wooded areas, major rock outcroppings, and other significant existing features.

5.10.8.2 The proposed arrangement of “uses,” including the location, nature and general extent of areas to be developed and areas to be preserved as open space.

5.10.8.3 The general configuration of the road system planned to serve the property and a description of the Reciprocal Easement Agreement that will be recorded against the property for the benefit of the multiple uses to be constructed on the single “development site.”

5.10.8.4 The total gross area encompassed by the entire property, and approximate area to be occupied by each type of “use.”

5.10.8.5 The total number of “dwelling units” and facilities for each housing type proposed and the proposed breakdown of these “units” and facilities according to type.

5.10.8.6 A generalized time schedule for the staging and completion of the proposed “uses.”

5.10.8.7 A statement with respect to the relationship of this master plan to the “Comprehensive Plan,” explaining the reasons for any inconsistency between the two and the justification for any such inconsistency.

5.10.8.8 Such other additional information as deemed necessary by the Common Council to properly study and evaluate the Plan.

5.10.9 Management Plan. Prior to the issuance of any Certificates of Occupancy for an “assisted living facility” or any memory care units in a “Planned Residential Development” located in a “Planned Residential Development District,” the applicant for the “Planned Residential Development” or its designated agent shall submit to the approving agency a management plan describing the ownership and operation of the “Planned Residential Development,” which management plan is designed to assure the operation of all “uses” and accessory and ancillary “uses” in the “Planned Residential Development” in accordance with the requirements for a “Planned Residential Development District” as set forth in this Ordinance. The management plan shall also include a Reciprocal Easement Agreement with covenants regarding maintenance of the roadways, landscaping, etc.

5.10.9.1 The management plan shall include, among other things, the following:

5.10.9.1.1 The form of ownership and rights of occupancy and use of any assisted living component and the accessory uses thereto, and the rights and obligations of the individual assisted living unit owners under this ownership, including the rights of residents qualifying for residency on the basis of their relationship to an age qualified owner, if the age qualified owner is no longer in occupancy of the unit, as a primary residence. Submission of a copy of an offering plan approved by the New York State Attorney General shall satisfy this requirement;

5.10.9.1.2 The owner and operator of the “assisted living facility,” including proof that, if required, the operator is duly licensed by the appropriate New York State regulating agency;

5.10.9.1.3 Any easements, leases or license agreements by and among the uses;

5.10.9.1.4 A directory of names, addresses, contact persons, and contact numbers for all owners of the “Planned Residential Development,” excluding owners of any individual units, and of any licensed care provided providing services as part of the approved “Planned Residential Development.”

5.10.9.2 With respect to any “assisted living facility” located in a “Planned Residential Development,” the management plan shall include a description of the operation of each proposed “assisted living facility” including personnel, supervision, maintenance, and operating plans.

5.10.9.3 The management plan, along with a certification from the applicant that the management plan fulfills the requirements of this Section 5.10.9 shall be submitted to the approving agency for its review and approval prior to the issuance of any Certificates of Occupancy for the “Planned Residential Development.”

5.10.9.3.1 The approving agency shall have sixty (60) days to review and accept, accept with conditions, or reject, the management plan as in compliance with the requirements of this Section 5.10.9.

5.10.9.3.2 If changes to the management plan are required by the approving agency, the approving agency review of the management plan shall be extended by thirty (30) days from the receipt of the revised management plan.

5.10.9.4 No material changes shall be made in the management plan or in the operation of the “Planned Residential Development,” as described in an accepted management plan, except upon prior acceptance of the change by the approving agency.

5.10.9.4.1 All proposed changes to an accepted management plan, including changes in ownership, or changes in the identity of any licensed care provider for the “assisted living facility,” shall be submitted in writing to the Corporation Counsel.

5.10.9.4.2 The Corporation Counsel shall have thirty (30) days from the receipt of a written request for a change to an accepted management plan to issue a report to the approving agency that such change constitutes a material change in the accepted management plan. Failure to issue such report within the thirty (30) day period shall constitute approval of the change as a non-material change to the accepted management plan.

5.10.9.4.3 Where the Corporation Counsel has determined that a change to an accepted management plan constitutes a material change, the change shall be reviewed under the procedure set forth in Section 5.10.9.3 hereinabove.

5.10.9.5 The owner(s) of the uses operated within the “Planned Residential Development,” or their designated agents, shall submit annually to the Corporation Counsel, in a written form acceptable to the Corporation Counsel, a certification of compliance of the “Planned Residential Development” with the approved management plan.

5.10.9.6 A traffic management plan shall be submitted for review and approval by the approving agency as part of “site plan” review and approval, pursuant to Section 7 of this Ordinance.

5.10.10 Review and Approval Procedures: Any changes to an approved “Planned Residential Development District” shall be subject to Section 3.9 of this Ordinance.

I. Section 7.2 Approving Agencies

Section 7.2 is hereby amended by adding a new Section 7.2.1.7 to read as follows:

“7.2.1.7 “Planned Residential Development” in an approved “Planned Residential Development District” which district is in compliance with the regulations at Section 5.10 of this Ordinance.”

J. Section 8.3 Schedule of Parking and Loading Requirements

Section 8.3 is hereby amended in the Use category RESIDENTIAL to add a new subcategory designated “Planned Residential Development,” and under the column OTHER, to add the following:

0.4 per unit for “assisted living facility”.

1 per unit plus ¼ per bedroom for multi-family residential units.

for academic housing uses in an amount to be determined by the Common Council as approving agency.

for non-residential uses in an amount to be determined by the Common Council as approving agency.

and to add under the column MINIMUM NUMBER OF LOADING SPACES, the following: for every 100,000 sq. ft. of “assisted living facility” “use”: 1.

**APPENDIX B-3**  
**Draft Outline of PRDD Master Plan**

This Draft Management Plan Outline contains the items required by Section 5.10.9 of the Proposed Zoning. A final Management Plan must be approved by the Common Council prior to the issuance of any Certificates of Occupancy for an assisted living facility.

**1. DESCRIPTION OF PLANNED RESIDENTIAL DEVELOPMENT**

**1.1. SITE LAYOUT**

This section shall include a brief description of the Planned Residential Development (PRD) in general and shall include as an attachment the approved Master Plan for the PRD.

**1.2. RECIPROCAL EASEMENTS**

This section shall describe, and include as an attachment, the Reciprocal Easement Agreement that provides cross-access between the uses of the PRD as well as provides for the sharing of maintenance responsibilities.

**1.3. CONTACT INFORMATION**

This section shall include the names, addresses, contact persons, and contact phone numbers for the owners and operators of any use within the PRD, excluding any individual unit owner.

**2. ASSISTED LIVING FACILITY MANAGEMENT**

**2.1. FORM OF OWNERSHIP**

This section shall describe the form of ownership of the assisted-living facility, and any accessory uses thereto.

**2.2. OWNER/OPERATOR INFORMATION**

This section shall identify the owner and operator of the assisted-living facility and shall include, as an attachment, proof that the operator is licensed by the appropriate New York State regulating agency.

**2.3. DESCRIPTION OF OPERATION**

*2.3.1. Personnel*

This section shall describe the general personnel requirements of the assisted-living facility, including the role of on-Site supervisors.

*2.3.2. Operation*

This section shall describe the general operations of the assisted-living facility as those operations have the potential to impact resources outside of the facility. These include, but are not limited to: vehicular access and parking, including parking for special events/holidays; loading and deliveries; and, site and building security.

*2.3.3. Maintenance*

This section shall describe the maintenance plan for the improvements owned or operated by the operator of the assisted-living facility.

This section shall also describe the responsibilities of other owners within the PRD to maintain improvements within the parcel owned by the assisted-living facility and those improvements on which the assisted-living facility relies that are within the PRD, but outside of the parcel on which it is located. \*



**APPENDIX B-4:  
Zoning Use Comparison**

**Appendix B-4**  
**Zoning Use Comparison**

Use	RM-1.5	Proposed Zoning
"One family dwelling"	PP	##
"Two family dwelling"	PP	##
"Multi-family dwellings"	PP	PP
Housing or living facilities deemed appropriate by the Common Council for the PRDD	NP	PP
The keeping of not more than one "roomer" per "dwelling unit" in a "one family dwelling" or "two family dwelling"	PA	##
The keeping of "household pets"	PA	**
"Minor accessory buildings"	PA	**
Customary indoor or outdoor athletic facilities, such as playfields or stadia, as accessory to a "private school," "university," "college" or seminary	SP	**
Non-profit "recreation facilities"	PA	**
Non-profit "recreation facilities" incident to places of worship	SP	**
Accessory "swimming pools" as regulated by Sections 4.4.24 and 6.7.3	SP	**
Accessory tennis courts, paddle tennis courts or other similar courts	SP	**
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP	**
Churches or other places of worship	PP	PP
Sunday schools or other similar religious schools	PA	**
Parish houses or rectories	PP	**
Convents	PP	##
"Uses" of the City of White Plains	PA	##
"Uses" of other governments, subject to the requirements of Section 5.6	PA	##
"Public schools"	PP	NP
"Private secondary or elementary schools"	SP	NP
"Nursery schools" or "day care centers"	SP	NP
"Nursery schools" or "day care centers" in conjunction with a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	PA	**
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP	NP
"Universities," "colleges" or seminaries	SP	NP
Dormitories as accessory to a "private school," "university," "college," seminary or convent	PA	##
Academic Housing	NP	PP
"Domiciliary care facilities," "community residences" or "rooming houses"	SP	##
Assisted-living facilities/memory care	NP	PP
Libraries, museums or art galleries not operated for profit	SP	NP
Office in residence of a "professional person" as regulated by Section 5.4.2	PA	NP
Office space for physicians and dentists within the lowest "story" of a "multi-family dwelling" limited to not more than 50% of the "gross floor area" of that "story" and 10% of such area of the "building"	SP	NP
Business, administrative or headquarters offices for "philanthropic institutions"	SP	NP
"Customary home occupations" as regulated by Section 5.4.2	PA	**
"Accessory electronic games"	PA	**
"Public utility buildings or structures"	SP	**
"Private garages," carports or open parking for private passenger vehicles	PA	**
Accessory parking adjoining business or industrial districts	SP	NP
Neighborhood parking (See Section 6.7.13)	SP	NP
"Parking lots" or "parking garages" of the City of White Plains or its Parking Department	PP	NP
<b>Notes:</b> PP: Permitted Principal "Use" PA: Permitted "Accessory Use" SP: Special Permit "Use" NP: Not Permitted ## allowed if deemed appropriate by City of White Plains Common Council for PRDD ** allowed as an accessory use to a principally permitted use if clearly subordinate to such use <b>Sources:</b> White Plains Zoning Code Ordinance		