



Recommended Zoning Language
VES Residential and Mixed Use Zones

The zoning recommendations below are suggestive in furthering the vision of the VES Design Guidelines. These are not in exact language for adopting an amendment, but rather specific language recommendations and approaches. This is intended as an easier way for the public and landowners to grasp the changes outside of a formal amendment.

The recommendations are intended to further the following policy goals set out for the VES zone:

- Mixed Use in the northern portion,
- Conservation Subdivision in the southern portion,
- Creation of Village Streets and interconnectivity within the zone rather than individual curb cuts from Route 20,
- A village character that is a porous, softened urban form,
- Protection of natural resources identified in the zone through site performance,
- Conservation of the identified viewshed,
- Walkable and bikeable neighborhoods that are interconnected,
- Continuation of the traditional architecture found in the village.

Zoning is never final. It is always something to continually improve upon as the community changes over time. It is important to keep in mind that zoning is sometimes almost entirely proscriptive, or open ended, or somewhere in between. The value of this project is the descriptive Design Guidelines that provide a vision for the area created in a community-based process. The zoning is a backstop, a minimum standard from which developers should be able to improve upon with actual construction projects.



VES Residential Zone Requirements

Purpose. Property in the VES Residential Zone shall be developed utilizing the provisions of this section.

The provisions of the VES Residential Zone are intended to promote Traditional Neighborhood Development patterns and provide for a diversity of Dwelling types, age groups, and income levels, in a manner consistent with the variety of existing Dwellings in the area and with traditional village building and site development patterns.

Design Guidelines and Standards

All development and re-development of Lots and property in VES shall comply with the VES Design Guidelines to the extent practicable, including:

Landscape Design. Any proposed development or re-development subject to a building permit or review under this Ordinance shall include a landscape and planting plan that includes:

1. A map or sketch of existing vegetation to be retained or removed.
2. A detailed landscape plan that includes a list of the number, type and location of proposed vegetation.
3. A narrative or drawing demonstrating how the development or re-development will preserve Protected Conservation Area and existing natural features including mature trees, tree canopies, land forms, existing topography and vegetation.

Density. Maximum gross density in the VES Residential District shall be ten (10) dwelling units per acre subject to other provisions of this Ordinance.

Permitted Principal Uses:

1. Dwelling, Single-Family
2. Dwelling, Two-Family
3. Dwelling, Townhouse

4. Dwelling, Multi-Family

Up to 40% of new units may be in Two-Family. When Two-Family or Multiple-Family Dwellings are proposed, they shall be integrated architecturally and in scale with the same streetscape as Single-Family Dwellings, and not isolated in separate areas of the VES Residential District.

Permitted Accessory Uses and Structures:

1. Private garages for the parking of motor vehicles of residents.
2. Customary accessory Structures to residential uses including, but not limited to, private swimming pools, hot tubs, storage buildings, greenhouses, pet shelters.
3. Home Occupations

Design and Dimension Requirements:

- 1) Protected Conservation Area:
 - (a) Unless the Conservation Analysis finds otherwise, at least 30% of the zone shall be set aside as Protected Conservation Area based upon the VES Design Guidelines. Additional protected Conservation Area may be in the form of easements or restrictive covenants over privately owned lots.
 - (b) Not less than 10% of the site shall be used for Open Space in a form that is integrated into the residential neighborhood and accessible to the public, such as a central green, neighborhood squares or commons, tot lots, a community park, or any combination of the above consistent with the VES Design Guidelines. The remainder of Open Space shall be private yards, stormwater facilities and the like.
- 2) Blocks: Streets shall be designed consistent with the Design Guidelines for the VES Residential zone. The intention is to create blocks that are generally rectilinear in shape, a modified rectilinear shape, such as curves, or another regularly repeating, distinct geometric shape. Amorphously shaped blocks are discouraged, except where topographic or other conditions such as Protected Conservation Areas necessitate such a configuration. To the greatest extent possible, blocks shall be designed to have a maximum length of 480 feet. Lanes, pathways or alleys may bisect blocks.
- 3) Street Layout: The street layout shall form an interconnected system of streets primarily in a rectilinear grid pattern, modified to avoid a monotonous repetition of the basic street/block pattern. The use of

cul-de-sacs and other streets with a single point of access is prohibited. Lots served by a shared driveway may be created by variance. To the greatest extent possible, streets shall be designed to have a maximum length of 480 feet from intersection to intersection, and, to the greatest extent possible, shall either continue through an intersection, or terminate in a “T” intersection or mini roundabout directly opposite the center of a building, a Open Space area, or a view into a peripheral Open Space area.

- 4) Sidewalks and Pathways: Consistent with the VES Design Guidelines a sidewalk and/or pathway network shall be provided throughout the development that interconnects all Dwelling units with non-residential Structures, common Open Spaces, Protected Conservation Areas and adjacent development. The pedestrian circulation system shall include crosswalks where appropriate, and include gathering/sitting areas and provide benches, landscaping, and other street furniture where appropriate.
- 5) Minimum Lot Area: 5,000 square feet.
- 6) Maximum Building Lot Area: 20,000 square feet
- 7) Minimum Lot Width at Building Line: 40 feet.
- 8) Maximum Lot Width at Building Line: 80 feet.
- 9) Design Standards: Variations in the principal Structure position and orientation may be considered and the following standards shall apply:
 - a. The front of all principal buildings on new blocks or streets shall be aligned along a “build-to line,” which is a line parallel to the front lot line and set back a fixed distance. The build-to line shall be established at the time of subdivision approval, consistent with the VES Design Guidelines and shall be between 5 and 40 feet from the edge of the sidewalk. Actual construction of building may be within 10% of the build-to line.
 - b. The street façade of all buildings shall extend along a minimum of 40% of the lot width at the build-to line.
 - c. 60% of houses in a subdivision of five or more lots shall have front porches, which shall extend along a minimum of 50% of the street façade and be at least eight feet deep.

- d. For porches the proposed designs and materials will substantially similar, as determined by the Planning Board to traditional architectural elements found in the Village of Cazenovia.
- e. Detached garages located behind the home or attached garages with garage doors facing the rear yard are the preferred garage configurations. Garage doors shall be in similar character and style as the principal structure.
- f. Attached garages with garage doors perpendicular to the front façade are permitted, provided that the materials and massing of the sidewall of the garage facing the street are residential in character, and are compatible with the primary structure.
- g. Attached garages with garage doors running parallel to the front façade of the home are only permissible where lot conditions prohibit a perpendicular garage configuration. Under these conditions, garage doors must be set back at least fifteen (15) feet behind the principal plane of the front façade.
- h. 1/3 of the floor area of all principal buildings shall be on the second story OR a 1-story house shall use Universal Design principles in its construction.
- i. Snout houses are prohibited.
- j. Rear yard setbacks:
 - i. 30 feet minimum, 50 feet maximum for principal Structure and 5 feet for accessory Structures excluding garages;
 - ii. Detached Garages (rear entrance): maximum 20 feet from alley or lane, minimum 5 feet
- k. Side yard: Minimum separation of 15 feet between principal Structures, maximum separation of 30 feet. Principle Buildings may be constructed on or near the lot line if an adequate adjustment is made to the neighboring building and this is done for the purpose of creating variety in lot sizes and arrangements. Buildings may utilize shared wall construction with zero setbacks. Steps, bay windows, porches and chimneys may encroach up to three feet into a required side yard. Porches may encroach eight feet in front of a build-to line. There shall be no electric or gas meters, compressors, garbage cans between the front of a building and the front lot line.
- l. All utilities must be located underground to the extent practicable. Any utilities located above ground must have adequate vegetative screening.



10) Maximum Impervious Coverage: 40 percent limit per building lot.

11) Minimum Frontage: Lots must have frontage either on a street or on an alley or a shared driveway. Dwellings served by rear lanes may front directly onto parks or greens, which shall be designed with perimeter sidewalks.

12) Maximum Building Height: 35 feet

Uses Allowed by Special Use Permit.

The following uses are allowed with a Special Use Permit issued by the village planning board:

1. Church and other religious institution
2. Bed-and-Breakfast Establishment
3. Bed-and-Breakfast Home
4. Recreation Facility
5. Educational Facility
6. Lodge or Club.

Approval Required.

No site preparation or construction shall commence until site plan approval and or subdivision approval has been granted by the Planning Board. The Planning Board has full discretion to approve or deny applications for proposed projects within the VES Residential zone based on compliance with the standards herein.

Conservation Analysis

The purpose of these regulations is to achieve a balance between well-designed commercial or residential development, meaningful Protected Conservation Area conservation, natural resource protection, and the continuation of cultural and local scenic values. The implementation of the regulations is intended to protect tracts of environmentally sensitive and scenically significant undeveloped land, including road corridors and buffer areas, in order to maintain the historic land use patterns and implement the "Comprehensive Plan - Village and Town of Cazenovia." Conservation analysis in coordination with site planning results in the protection and preservation of contiguous Protected Conservation Area and important scenic and environmental resources.

An applicant shall prepare a Conservation Analysis Site Plan. This plan shall contain site specific inventory maps, description of the land, and an analysis of the conservation value of various site features. The conservation analysis shall show lands with conservation value, including but not limited to the following:

- DEC and Army Corps of Engineers wetlands
- Stream corridors and intermittent and perennial watercourses
- Ponds and lakes
- FEMA designated 100-year floodplains
- Steep slopes (average grade >15% over >5000 square feet of contiguous area).
- Vegetative Buffer areas necessary for screening and framing new development
- Unfragmented forest land, trees 12 inches diameter at breast height (dbh) or larger (which may be shown as individuals or in groupings).
- Land exhibiting present or potential, historic, ecological, agricultural, forest, water resource, scenic, or other natural resource value.
- Farmland in an agricultural district
- USDA prime soils and soils of agricultural significance
- Existing trail corridors
- Local scenic view sheds
- Public water supply watersheds, wellhead zones
- Park and recreation land, and historic and archaeological sites.
- Stone walls
- Public and private rights-of-way
- Utility easements
- Other lands exhibiting present or potential future historic, ecological, agricultural, water resource, scenic or other natural resource value, as determined by the Planning Board.

Guidance for these resources may be found in, among other plans, the Comprehensive Plan or published adopted Protected Conservation Area or farmland protection plans.

The Applicant is strongly advised to meet with the Cazenovia Advisory Conservation Commission (CACC) for assistance in preparation of its conservation analysis.



The Conservation Analysis Site Plan shall be submitted to the Planning Board for review of the applicant’s identification of valuable natural and manmade resources on the property. The conservation analysis shall describe the importance and the current and potential conservation value of all land on the site. In the course of its review, the Planning Board shall indicate to the applicant which of the lands identified as being of conservation value are most important to preserve.

The outcome of the conservation analysis and the Planning Board’s determination shall be incorporated as an integral part of the preparation of the Final Site Plans. The Final Site Plans shall show land to be permanently preserved by a conservation easement, as well as recommended conservation uses, ownership, and management guidelines for such land.

The final determination as to which land has the most conservation value and should be protected from development shall be made by the Planning Board. The Planning Board shall make written findings identifying the specific conservation values protected and the reasons for protecting such land (“conservation findings”). The Planning Board shall deny an application that does not include a complete conservation analysis sufficient for the Board to make its conservation findings. The Planning Board may waive any submission requirements that it, in its sole discretion, deems unnecessary for a complete conservation analysis.

Development proposals in the VES zones shall use the Design Guidelines Land Use Site Plan as a basis for the Conservation Analysis.

VES Mixed Use Commercial Zone Requirements

Village Edge South Mixed Use Commercial

Applicability

This Section applies to the Village Edge South (VES) zoning district including the VES Mixed-Use District (VESMUD).

Design Guidelines and Standards



All development and re-development of Lots and property in VES shall comply with the VES Design Guidelines to the extent practicable, including:

Landscape Design. Any proposed development or re-development subject to a building permit or review under this Ordinance shall include a landscape and planting plan that includes:

- A map or sketch of existing vegetation to be retained or removed.
- A detailed landscape plan that includes a list of the number, type and location of proposed vegetation.
- A narrative or drawing demonstrating how the development or re-development will preserve Protected Conservation Area and existing natural features including mature trees, tree canopies, land forms, existing topography and vegetation.

Streetscape and Sidewalk Design. Any proposed development or re-development subject to a building permit or review under this Ordinance shall include plans for sidewalks or pedestrian paths that contribute to the goal of a unified pedestrian network in the VES in accordance with the VES Design Guidelines. Any such proposed development or re-development shall include a streetscape and sidewalk plan that demonstrates:

- Dimensions of proposed pathways, and sidewalks.
 - Streetscape amenities including lighting, sidewalk furniture (such as benches and refuse containers), signage.
- Traditional lighting, at a pedestrian scale 12 to 15 feet in height similar in design to lighting found in the Village provided at consistent intervals. Tall, high-intensity street lighting is prohibited.
- Utilities located underground and vaults and transformer pads located to have minimal impact on public spaces.
- The pathway described in the VES Design Guidelines along Route 20 and the village street.

Building Size Requirements

In accordance with the VES Design Guidelines the following requirements intend to encourage buildings that are the desired character and provide for mixed use as well as land conservation and groundwater recharge.

In the VES Mixed Use Zone:

- All buildings whose gross floor area is greater than 5,000 square feet must incorporate Mixed Use related to the project whether in the building or the zone OR build with Multiple Stories.
- In no case shall a building's footprint exceed 30,000 square feet.

Building and Architectural Detail.

- The front of all principal buildings on new blocks or streets shall be aligned along a "build-to line," which is a line parallel to the front lot line and set back a fixed distance. The build-to line shall be established at the time of site plan review, consistent with the VES Design Guidelines. The "build-to line" shall form the street wall, and 40% of a building front façade must meet the line. Up to 20% of the building may be set back if the space between the build-to line and the building is public space
- All new buildings greater than 5,000 square feet and major additions must be between two (2) and three (3) stories tall, and at least twenty (20) feet tall at the front facade. Four (4) story buildings may be permitted by a Special Use Permit.
- All buildings must be designed in compliance with the VES Design Guidelines and other applicable architectural requirements in the village.
- All buildings must utilize entrances on the front of the building at the build-to line that open toward the sidewalk and or make a direct connection between the entrance and sidewalk.
- First floor facades should include a minimum of 50% glass, while upper floors should have between 15% and 40% glass. Glass area is measured per façade as inclusive of muntin and sash, and exclusive of casings.
- Heating, ventilation, and air-conditioning equipment on the roof shall not be visible from the street or other public spaces.

- No loading zones, or blank facades may front on a village street. No building should have more than 15 horizontal feet of wall without a window or door.

Streets and Parking.

- Any proposed development shall provide a circulation plan in and around the development for pedestrians, vehicles, and cyclists which includes a detailed map showing:
 - Proposed village streets, sidewalks, trails and pathways form a network.
 - Projects with a greater parking area than building footprint must have at least 1/4 of the area dedicated to surface parking in open space.
 - Circulation patterns including points of ingress and egress.
 - The dimensions of any proposed roads, pathways and sidewalks.
 - The location and number of proposed parking spaces.
 - The location of bike parking facilities.
 - Specifications of parking lot islands or bioswales.
 - Connections to adjoining parking lots and side streets or alleys with clearly delineated pedestrian paths to and across them, and especially to the building being served.
 - Parking lots are not allowed on street corners.

Route 20 Special Restrictions. Development occurring along Route 20 in the VES Mixed Use Commercial Zone is subject to the following special restrictions in accordance with the VES Design Guidelines.

- Buildings fronting on Route 20 shall be located no greater than 50 feet from the Route 20 ROW line.
- Buildings located on a corner created by a village street shall be considered to front on the village street.
- There shall be no parking between any building and Route 20. Accessory driveways for internal circulation and delivery may be located within this setback.



- All proposed development along Route 20 must include a significantly landscaped and contoured buffer that includes the proposed pathway in the VES Design Guidelines.
- Primary entrances to development shall be located on village streets. Primary entrances are prohibited along Route 20.
- Minor limited access ingress and egress may be proposed on Route 20, subject to Site Plan Review and NYS DOT approval.

VES Use Regulations

All uses in the VES shall comply, to the maximum extent practicable, with the VES Design Guidelines.

No application shall be deemed complete without a written report submitted to, reviewed and approved by the Planning Board detailing the extent to which the application complies with the VES Design Guidelines.

1. Such report shall be considered part of the application and subject to review by the respective Boards. This report can either be prepared by the applicant, or by a consultant hired by the Village, the expense of which is reimbursable by the applicant.

No structure or land in the VES shall be used except as provided in the Allowable Use Groups Chart in subsection C below. Uses, which are not explicitly permitted, are prohibited, unless specifically stated elsewhere in this Ordinance.

In the following Allowable Use Groups Chart:

“SPR” means this use requires Site Plan Review;

“Special Use Permit” or “SUP” means the use requires a Special Use Permit; all uses requiring a Special Use Permit must also satisfy Site Plan Review requirements.

“X” means the use is not allowed.

Allowed Principal Uses	VES Mixed Use District (VESMUD)	VES Residential (VESRD)
Agricultural Use	SPR	SPR
Farmstand	SPR	SPR



January 15, 2014
 Village of Cazenovia
 Zoning Recommendations
 Village Edge South

Automotive Repair Garage	X	X
Bed And Breakfast Establishment	SPR	SUP
Day Care Center	SPR	X
Gasoline Station	X	X
General Office Building	SPR	X
Hotel/Motel	SPR	X
Industry, Light	SUP	X
Nursery/ Greenhouse, Retail	SPR	X
Professional Office	SPR	X
Restaurant	SPR	X
Retail Business	SPR	X
Retreat/Conference Center	SUP	SUP
Theater	SPR	X
Bed and Breakfast, Home	SUP	SPR
Day care home, Family	SPR	SPR
Day Care, Family Group	SPR	SPR
Day Care, Center	SPR	X
Dwelling, accessory unit (See § 1311)	SPR	SPR
Dwelling, multi-family	SPR	X
Dwelling, single-family	X	SPR
Dwelling, two-family	SPR	SPR
Dwelling, accessory apartments	SPR	SPR
Home Occupation Limited	SPR	SPR
Manufactured Home	X	X
Manufactured Home Park	X	X
Senior Housing	SPR	SPR



Senior Care Facility	SPR	SPR
Fitness Center/Spa	SPR	X
Educational Use	SPR	SUP
Library	SPR	X
Lodge or Club	SPR	SUP
Religious Institution	SPR	SUP
Recreation, Active	SUP	SUP
Recreation, Passive	SUP	SUP
Recreation Facility, Amusement	SUP	X
Recreation Facility, Athletic	SUP	SUP

Section 703: VES Density.

The VES zone does not have a formal limit on density. It is the intent that the required greenspace, Protected Conservation Area, parking, stormwater management, pedestrian facilities and village streets in combination with building height limits, minimum and maximum lot sizes, maximum building footprint, frontage and other design requirements provide adequate limits on the size, scale, performance and character of development that density limits are not necessary.

Required Open Space

All uses in the VES shall incorporate the amount of Open Space set forth in the following table.

VES District	Required Open Space
VES Mixed Use District (VESMUD)	50% of building lot
VES Residential (VESRD)	40% of building lot



Protected Conservation Area in Exchange for Open Space

The VES Design Guidelines indicate specific areas for Conservation in the way of Protected Conservation Area protection. In order to encourage the formal protection of Protected Conservation Area, the required Open Space in the table above may be reduced at a rate of 1 units Protected Conservation Area to 1/4 units Open Space. But in no case shall the required Open Space be reduced to less than 40% of the building lot.

Suggested Definitions

Build-to Line - The line at which construction of a building is to meet or cross on a lot. A build-to line runs parallel to the street right-of-way and is established to create a generally consistent building line along a street.

Building Foot Print - is the area on a project site used by the building structure, defined by the perimeter of the building plan. Parking lots, parking garages, landscapes, and other nonbuilding facilities are not included in the building footprint.

Day Care Center, Child – A facility which is not a Dwelling Unit in which care is provided on a regular basis to three (3) or more children [See 18 NYCRR § 413.2(g)].

Day Care Home, Family – A Dwelling Unit which is a personal residence and occupied as a family residence which provides daycare to three (3) to six (6) children [See 18 NYCRR § 413.2(i)].

Day Care Homes, Group Family – A Dwelling Unit which is a personal residence and occupied as a family residence which provides day care on a regular basis for seven (7) to twelve (12) children [See 18 NYCRR § 413.2(j)].

Dwelling, Accessory Unit – A secondary Dwelling Unit which is accessory to a Single-Family Dwelling, for use as a complete, independent living facility with provisions within the accessory unit for cooking, eating, sanitation, and sleeping. An Accessory Dwelling unit may also be located in an accessory Structure to the principal Single-Family Dwelling, such as a detached garage, provided that the accessory Structure is clearly an accessory use to the Single-Family Dwelling. An Accessory Dwelling Unit shall not be confused with a Two-Family Dwelling.



Dwelling, Multi-Family – A Dwelling with separate living units for three or more families having separate or joint entrances and including apartments, group homes, townhouses, cottage homes and condominiums, also a group of Dwellings on one lot with each Dwelling containing separate living units for three or more families having separate or joint entrances and including apartments, group homes, townhouses, cottage homes and condominiums.

Dwelling, Single-Family – A detached Structure (not including a mobile home) that is designed or used exclusively as living quarters for one (1) family.

Dwelling, Townhouse – A Series Building of three (3) or more attached Dwelling Units, each of which shares at least one common wall with an adjacent Dwelling Unit. For the purposes of this Ordinance, except where specifically stated otherwise herein, a Townhouse Dwelling shall be construed as a form of Multi-Family Dwelling.

Dwelling, Two-Family – A detached Dwelling containing no more than two Dwelling Units for the use and occupation by no more than two (2) families.

Dwelling Unit, d.u. – A group of rooms which are designed for residential occupancy by a single family and providing housekeeping facilities for such family. In determining the number of Dwelling Units within a Structure, consideration is given to the separate use of or the provision made for cooking, heating and sanitary facilities whether installed or not; both the actual use to which the Dwelling is being put and the potential use to which the Dwelling might be put.

Open Space – The area of a development not occupied by Structures or Paved areas for vehicles and including formal stormwater management facilities (no more than 20% of total Lot Area) as well as green infrastructure stormwater facilities (Protected Conservation Area set aside, swales and 60% of the area of a green roof if not accessible by or visible to the public), and including parks, dedicated Protected Conservation Area, landscaped areas (plantings, lawns, parking lot islands), and including sidewalks or trails used to access these areas, including Accessory Structures accessible to the public and intended to enhance the Open Space.

Hotel – A facility offering transient lodging accommodations for a daily rate to the general public. A Hotel may provide additional services, such as restaurants, meeting rooms and recreation facilities. The period of accommodation shall be of a clearly temporary nature. Such use shall not be construed as a Boarding House.



Industry-Light – A manufacturing or maintenance operation conducted wholly within one or more Structures where any process is used to alter the nature, size or shape of articles or raw materials or where articles are assembled and where said goods or services are consumed or used at another location. The exterior appearance of the Structures shall resemble Office Buildings and the impacts of the use (noise, fumes, and vibrations) shall not exceed those typically associated with an office use.

Manufactured Home – A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a Dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term shall include any Structure that meets all of the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established under Title 42 of the United States code; and except that such term shall not include any self-propelled recreational vehicle.

Manufactured Home Park – A parcel of land under single ownership, which is improved for the placement of Manufactured Homes for non-transient use and which is offered to the public for the placement of five (5) or more Manufactured Homes.

Mixed Use – For the purposes of this ordinance, Mixed Use is the complimentary inclusion of more than a single use in a project or on a parcel. Commonly this includes residential and commercial uses in the same building, or in close proximity on the same site. For the VES zone, Mixed Use can be within the same building, or in two separate buildings on the same site. Mixed Use may also be accomplished by providing for a complimentary use on a separate parcel but within the VES Mixed Use zone.

Multiple Story – Multiple Story refers to the usable levels in a building. It is related to height, but is more concerned with the occupied levels of a building. In for a building to be considered Multiple Story the stories above the first story must be able to be occupied by some use.

Office Building – Any Structure in which space is rented and persons employed in or who conduct the management or direction of an agency, business, organization,



profession, or public administration, but excluding such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

Protected Conservation Area – Any space or area characterized by (1) natural scenic beauty or, (2) whose existing openness, natural condition, or present state of use enhances the present or potential value of abutting or surrounding property, or maintains or enhances the conservation of natural or scenic resources. For purposes of this Local Law natural resources shall include, but not be limited to, agricultural lands actually used in bona fide agricultural production.

Professional Office – A Structure used for the organizational or administrative aspects of a trade or profession or used in the conduct of a business and not involving the manufacture, storage, display, or direct retail sales of goods, characterized by low traffic and pedestrian volumes, lack of distracting, irritating, or sustained noise, and low density of building developments. This definition may include, but is not limited to, the offices of: accountants, appraisers, architects, planners, engineers, financial planners, insurance brokers or adjusters, landscape architects, lawyers, consultants, secretarial agencies, bonding agencies, real estate, mortgage or title agencies, investment agencies, and persons with similar occupations.

Public Space – Any space or area generally accessible to the public, but not necessarily publicly owned property. Such areas are generally parking lots, courtyards, entranceways, sidewalks, the street, etc.

Recreation, Active – Recreation that involves organized athletic activities requiring fixed infrastructure such as playing fields and/or accessory infrastructure such as seating areas, changing facilities and/or concessions. Active recreational activities include but are not limited to team sports such as baseball, soccer, and lacrosse, smaller group sports such as racquet sports, golf courses (and associated facilities such as driving ranges) and other active recreational uses that require permanent infrastructure such as a skateboarding park or ice rink.

Recreation, Passive – Recreation that generally does not involve organized athletic teams and/or significant fixed infrastructure, apart from such improvements as trails, parking areas, restrooms, picnic shelters and the like. Passive recreational activities include but are not limited to jogging, biking, cross country skiing, hiking, walking on recreational trails and paths, horseback riding, wildlife viewing, picnicking and relaxation.

Recreational Facility, Amusement – A commercial or non-commercial recreational use that may be permanent or temporary in nature, for the conducting of



recreational activities including but not limited to traveling carnivals, circuses, amusement parks, driving ranges (not associated with a golf course), batting cages, mini-golf, paintball courses, bowling centers, roller skating facilities, and similar indoor or outdoor recreational activities. A public park shall not be considered and regulated as an Amusement Recreational Facility.

Recreational Facility, Athletic – A commercial or non-commercial recreational use that may be permanent or temporary in nature, for the conducting of recreational activities including but not limited to swimming, tennis, court games, baseball and other field sports, riding academies, and playground activities, but excluding recreational activities involving mechanical devices that are powered by non-human means, such as motorized vehicles. A public park shall not be considered and regulated as an Athletic Recreational Facility.

Recreational Facility, Motorized – A commercial or non-commercial recreational use or accessory use that may be permanent or temporary in nature, which involves the operation of motorized vehicles which includes All Terrain Vehicles, motorcycles etc., including but not limited to go-kart tracks, dirt bike tracks, and race tracks.

Restaurant – An establishment, including Taverns but excluding bars, where food and drink is prepared, served, and sold.

Retail Business – Any business involving the sale in small quantities of a larger inventory of items to transient customers whether in a shop or other building, or electronically or by mail.

Theater – A Structure or part of a Structure, devoted to showing motion pictures or for dramatic and/or comedic live performances including musicals, recitals, concerts, or other similar entertainment, including dinner theaters.