

Section 1: Introduction

This Implementation Chapter is structured around the types of actions that can be taken to achieve the Town's Goals and Strategies as presented in Chapter Two. Because many effective actions achieve multiple goals simultaneously, this chapter is organized differently from Chapter Two. Instead of being organized by goal, it is divided into three general categories: **Municipal Regulatory Actions (R)**, **Municipal Non-Regulatory Actions (M)** and **Non-Municipal Actions (N)**. The reason for this is to identify specific actions that can be taken, to set priorities, and to allocate responsibility for follow-through on each action.

This chapter breaks down some actions according to whether they are short-term or medium-term. A short-term action is one that can be completed within one year of plan adoption, and a medium term action may take between one and five years (or longer) to complete. Some medium-term actions can be started in the first year but will not be completed until several years out. Others will not begin until later. The reason some actions are designated as medium-term is that they are more complex to accomplish and/or that there needs to be a period of time to build consensus concerning whether to do them and how they should be carried out. For example, agreeing upon the location for and planning the configuration of a mixed-use hamlet center is likely to be more controversial and complex than adding a provision to the zoning allowing accessory apartments. Anything that involves persuading a state agency to act on behalf of the Town is likely to take longer than an action that the Town can undertake on its own.

After several of the recommended actions, there is a brief explanation that describes the action in more detail, gives examples, and/or explains the rationale behind it. Where this chapter gives examples of what an action might mean in an explanatory paragraph, or suggests options for how to put it into effect, these should be understood as illustrative examples only, and not as specific prescriptions or mandates. The chart at the end of this chapter explains the relationship between the actions listed and the goals that they fulfill.

The implementation recommendations in this chapter are not intended to result in fulfillment of all of the goals and strategies. Rather, this chapter attempts to set priorities by recommending actions that are achievable by the Town within five to ten years, rather than listing everything that would need to be done to achieve all of the goals and strategies.

Complementary and Synergistic Actions

A fundamental tenet of the Implementation Plan is that the multiple goals of the plan should be accomplished together. The goals of providing affordable housing, supporting local businesses and developing adequate town infrastructure and facilities can be pursued at the same time as open space and environmental preservation. There is a popular misconception that the Town cannot simultaneously pursue these goals, and that measures that advance open space and environmental protection goals detract from economic development and affordable housing, and vice versa. This is a false conflict. One reason many people oppose development is that they feel that recent examples of development have not enhanced the community. The key is for the community to identify which forms of development, when combined with appropriate measures for open space, historic preservation, and environmental safeguards, will truly improve community life. For example, the redevelopment of the supermarket in Cold Spring is an example of a development that is widely viewed as enhancing the Philipstown community.

The key to understanding this Plan is that it reconciles development and preservation goals by recommending actions that are either complementary or that create a synergy between them. Some actions are designed to provide for one without affecting the other (i.e. they are complementary) and others are designed to provide for both at the same time (they are synergistic).

For example, “inclusionary zoning” measures require that a percentage of the housing that is built in a new development must be restricted as affordable housing. This does not increase or decrease the total number of houses built or add to the environmental impact that would otherwise occur from the development — it just requires that some of the houses be designated for affordable housing. Clustering development to protect land that is environmentally sensitive helps to protect open space, but it does not affect the supply of affordable housing. Inclusionary zoning and clustering are complementary measures that, when implemented together, enable the Town to fulfill its goals.

An example of a synergistic action that accomplishes all goals at once is a high-density mixed-use hamlet center set on a large parcel of land with protected open space around it. This type of development provides a setting for new businesses and affordable housing while also protecting scenic open space that is important to the Town's rural character. Another synergistic action is the encouragement of well-designed accessory apartment units. This helps housing affordability by both adding a rental apartment to the housing market and providing an income stream to make the main house more affordable to the owner. It also helps to minimize the impact of the affordable housing on town character and the environment by using existing structures and dispersing the housing around the town rather than concentrating it in a large housing development.

By recommending only complementary and synergistic actions, the Implementation Plan enables the Town of Philipstown to achieve its most important goals simultaneously. The recommendations are closely linked, and the Town should not selectively implement some of the complementary actions but not others. Both the open space protection actions and the affordable housing actions should be implemented together. This Plan embodies a conscious strategy to balance these goals in a way that enables them all to be fulfilled. Thus, the foundation of this Implementation Chapter is the recognition that the Town must both preserve its rural and scenic environment and provide for the needs of its people.

Section 2: Municipal Regulatory Actions (R)

One of the most effective ways to implement a comprehensive plan is through regulatory changes in the "general legislation" section of the Town Code (Chapters 51 through 175). These chapters cover a wide range of subjects, such as zoning, land development, wetlands protection, junkyard regulation, building construction and fire prevention, and roads. It is worth noting that a large number of related issues are covered in these different chapters, and there is no one set of regulations that encompasses all of them.

This section of the Implementation Plan will describe regulatory actions that can be taken to implement the goals of the Comprehensive Plan. Most of these changes involve modifications to the Zoning Code. However, there are changes that can and should be made to other chapters of the Town Code.

R 1 – Immediate revisions to the Zoning and Land Development Regulations

The recommendations in this subsection can be undertaken prior to or simultaneously with Plan adoption and probably completed within a year or less. If the process of drafting the recommended regulatory revisions begins before the Plan is adopted, then the Plan and these implementing regulations can be implemented simultaneously. This increases the consistency between the Plan and the Town's land use regulations. Alternatively, these recommendations could be undertaken immediately after adoption of the Plan.

R 1.1 – Reduce maximum residential lot coverage and establish maximum house footprint areas where necessary to control the size of houses and ensure that they are in scale with their neighborhoods. Require site plan review and/or revised bulk standards above certain thresholds for house size and/or lot coverage in order to ensure neighborhood compatibility for houses above these thresholds. Apply the same requirements to expansions of smaller houses when they exceed such thresholds.

Explanation: : There has been much concern about the construction of very large houses that are out of scale with their surroundings, especially in scenic and historic areas, and that have significant environmental impacts due to their sheer size. . There is also concern about houses that, due to topographic conditions, may comply with height limits but still be three or four stories high on one side, thus negatively affecting the view from roadways and neighbors. Restricting the size of such houses can be done in several ways, including limiting the area of the lot that can be covered by buildings, limiting the square footage of buildings, and requiring site plan review for houses above a certain size. Such measures will have the additional advantage of discouraging teardowns, thus reducing the speculative value of lots with small houses on them and helping to maintain the affordability of some of the existing housing stock.

R 1.2 – Require, as part of the Town’s Building Permit approval process, that best efforts be made to preserve stone walls, significant trees, and historic structures when a building is constructed.

Explanation: Uses that are subject to site plan review or special use permits already must be examined to ensure preservation of these resources. However, many buildings fall through the cracks (primarily residences) because they are allowed by right subject only to a building permit. This would enable the building inspector to ensure that consideration is given to these important resources whenever a building is built or enlarged. In order to implement this recommendation, the terms “significant trees” and “historic structures” would need to be clearly defined.

R 1.3 – Adopt a soil mining overlay district that allows soil mining only in specified locations.

Explanation: The Town’s current zoning provisions for soil mining have been struck down in court and therefore the Town has a pressing need to put new regulations in place that are legally enforceable. State law limits a town’s ability to regulate soil mining. The primary tool is the use of zoning to determine the location of mining and to require a special permit for new mines. The Town can also apply a very limited range of conditions to mining permits, but almost all aspects of a mining operation are regulated by NYSDEC. The Town should place in the overlay zone existing soil mining operations where expansion would not be objectionable as well as any other parcels where soil mining could occur with minimal impact on surrounding properties and natural resources.

R 1.4 – Encourage accessory apartments by allowing them by right, in appropriate circumstances, in accessory structures and in the main dwelling on all lots that meet zoning standards for lot area, design, appearance, parking, and sanitation, provided that the lot is owner-occupied and that it has direct access to a public road.

Explanation: Accessory apartments are small units within an existing dwelling or accessory structure on a lot that is owner-occupied. The owner usually lives in the larger unit and rents out the smaller one, but sometimes the owner occupies the accessory unit and rents out the larger unit. Accessory apartments provide an excellent way to create new low-impact housing units because they are dispersed, do not necessarily involve any new construction, and can be made relatively inconspicuous through design controls. They can also reduce traffic if the resident of the accessory apartment works on the same property. Accessory apartments provide affordability in two different ways, by offering a small rental unit (the accessory apartment) and by making the principal residence more affordable by providing income from the apartment to the owner. Allowing accessory apartments to be built in accessory structures such as garages and barns allows more flexibility for the landowner to provide these apartments without having to make significant alterations to existing houses, many of which are historic. To encourage legal accessory apartments, it is advisable to allow them by right. However, there may be circumstances where a special use permit should be required, such as where the accessory apartment will be in a non-conforming structure or on a non-conforming lot, or where the lot is served by a common driveway. Philipstown also has existing accessory apartments that were created illegally. There should be transition provisions for these, so that they can be legalized and be brought into compliance with applicable building, health, and zoning codes.

R 1.5 – On lots that have sufficient acreage to comply with zoning density requirements, allow employee and family housing and guest cottages on the same lot, with site plan review to ensure good site design and compliance with wastewater and parking requirements.

Explanation: Under current zoning it is difficult to put employee housing on the same lot as a principal residence. It also may be necessary in some cases to subdivide the land in order to build a guest cottage or a house for a family member. Allowing these houses on a large lot will discourage subdivision and encourage the development of large parcels as “family compounds” rather than single-family subdivisions. Site plan review can help ensure that the buildings are sited carefully, with minimum impact on the town’s scenic character. It can be accompanied by the requirement of a conservation easement on the open space portion of a lot. This revision should be drafted so that it will result in fewer houses being built than would be possible if the land were subdivided. Since it is very difficult for the Town to enforce restrictions on occupancy (other than a requirement for owner-occupancy in connection with accessory apartments and home occupations), this revision should be drafted without restricting the use of homes to family members, guests, or employees.

R 2 – Medium-Term revisions to the Zoning and Land Development Regulations

The following actions are ones that will likely take 1 – 5 years to complete. However, many of these can be initiated immediately, most in connection with an overhaul of the Philipstown Zoning Law.

R 2.1 – Evaluate the performance of the Open Development Area regulations in maintaining rural character to determine whether they need to be adjusted, and consider revising them where necessary.

Explanation: Philipstown has developed a unique tool for encouraging voluntary reduction of allowable zoning density. Although much of the town is zoned for two-acre and three-acre suburban sprawl development, virtually none of this type of development has occurred in the past 25 years. This is because the “open development area” (ODA) regulations offer an attractive alternative development option. This option provides an incentive for landowners to develop their land at much lower densities than the maximum allowed by zoning because of the lower infrastructure costs of building private roads that lead to no more than four residences (or six if two of them already have road frontage). The rugged topography of Philipstown, the presence of a strong high-end home market that places a high value on private lots on dirt roads, and the spectacular beauty of the countryside all contribute to making the ODA technique the method of choice for residential development in the town. Whether this will continue into the future is subject to some question. As large tracts are gradually subdivided into smaller and smaller parcels, each of which could have a separate ODA on it, the potential impacts on the landscape and road system may create some concerns. This cumulative impact of fragmentation of the land base must be considered when evaluating the ODA program, but it should be compared with the outcome of alternative conventional or cluster development scenarios.

This system has worked better than the approaches used in most other towns, with the result that community leaders in Philipstown continue to use it as the primary approach to preserving the rural quality of the countryside. Many other communities have adopted lower density zoning (larger lot sizes), mandatory clustering, and other tools to reduce density and preserve open space. Since Philipstown’s unique and highly pragmatic solution seems to be serving it well, these more controversial techniques should be considered only when and if the town is truly threatened by suburban sprawl development. That time may be fast approaching as other towns in the region are built-out and/or further restricted by New York City’s Watershed Regulations. Since the average lot size in an ODA is about 6 acres, the Town may wish to consider rezoning some of the rural areas to six-acre average density.

R 2.2 – Undertake a comprehensive revision of the Town Code to implement the Comprehensive Plan and make it more user-friendly.

Explanation: Philipstown’s Zoning Code is basically a conventional suburban zoning code similar to that found in most of the suburbs of New York City. This type of zoning tends to produce a suburban pattern of development. In Philipstown, this has been mitigated to a considerable degree by Philipstown’s rugged topography and the Open Development Area provisions in the Land Development Regulations, which tend to encourage a lower density, more rural type of development. To truly fulfill the goals of the Comprehensive Plan, however, the Town will need a zoning code that better protects and reinforces its rural qualities and hamlet character. The suburban framework of the code, even with the open development area provisions, does not work as well as it could for this purpose and will be tested by time as land values rise and different kinds of development become economically feasible.

The Town Code has been amended piecemeal over the years without consideration of how it works as a whole. As a result, the Code is complicated, and difficult to administer and enforce. The Zoning Advisory Committee (ZAC) appointed by the Town Board in 2004 reached the conclusion that a comprehensive overhaul of the Zoning Law is needed to make it more user-friendly and effective in implementing the recommendations of this Comprehensive Plan. The ZAC’s recommendation should be followed by immediately initiating a comprehensive code overhaul that will include consideration of the remaining recommendations in this Section of the Plan. While it may take somewhat longer to overhaul the entire Zoning Law than to make piecemeal changes, the resulting document will be easier to use and will serve the Town better in the long run.

The code overhaul should modernize the Zoning Law and add provisions found in more up-to-date codes, such as control of outdoor lighting and the integration of concerns about environmental resources such as wetlands and steep slopes in the Zoning Law rather than in separate local laws. It should also revisit some basic zoning parameters such as development densities. In order to fulfill the Town's goals of protecting its most rural areas, especially those served by dirt roads, the Town should consider reducing densities in such areas, while increasing allowable densities in areas closer to hamlet centers or other areas where there is good road access and the potential for public water and sewer infrastructure.

R 2.3 – Allow the creation of mixed-use hamlet centers at key locations, where a consensus can be reached that this type of development is desirable.

Explanation: Rather than spreading development out in commercial strips and self-contained residential subdivisions and complexes, the goals of the Plan will be better fulfilled by creating one or two vibrant hamlet community centers. These should be located either in an area that is already developed (such as Perks Plaza), or on a large parcel with good transportation access where it will be possible to locate a combination of affordable housing, local commercial services, offices, public buildings and recreation facilities, other forms of non-residential development, and significant amounts of protected open space. Some of these areas have been identified in Item 9 of the Goals and Strategies in Chapter 2. The traditional village building form exemplified by Cold Spring, with apartments and offices located above shops, is a desirable pattern to emulate elsewhere in the town. It will take further study and consensus-building to determine the best locations for such places, and ideally there should be some kind of public design process to determine how these locations should be developed. However, work on the Perks Plaza area could begin soon since there seems to be the greatest amount of consensus that this would be a good location.

R 2.4 – Allow open space (cluster) development, with safeguards to ensure that such developments do not lead to more development than would otherwise occur and that they preserve open space that the Town wishes to protect.

Explanation: Open space development, also known as cluster or conservation development, is a technique in which the same number of houses that would be allowed on a parcel under a conventional development scenario are arranged on smaller lots, preserving significant amounts of open space. It may not be appropriate in many parts of Philipstown where the topography and soils are not conducive to small-lot development without water and sewer infrastructure. The use of this technique should be limited to those places where a conventional suburban development is a realistic possibility, but a cluster would provide a better result, with safeguards so that a developer cannot use this technique to build more units than would otherwise be permitted. The open space to be preserved should be meaningful blocks of contiguous land that has conservation value and that preserves the rural qualities that the community values so much. There should be a required minimum percentage of the land protected in such a development and it should be protected by a perpetual conservation easement. The Planning Board should be given the power, under appropriate circumstances, to mandate open space development on parcels where a conventional subdivision is proposed (but not where an ODA is proposed).

R 2.5 – Allow two-family and multi-family housing, with appropriate controls, to create needed housing that local residents can afford. Senior housing should be in scale with the community and should be targeted toward residents of the Town and region on limited incomes.

Explanation: The town is beginning to face a crisis in providing affordable housing. As property values increase, those who work in Philipstown increasingly cannot afford to live in the town. Creating affordable housing is difficult when land prices are so high. The market will not, by itself, create this type of housing. Therefore, incentives and regulations are needed to stimulate the production of such housing. The need for affordable housing is regional in scope, as all of the Towns in the exurban areas around New York struggle to provide housing at affordable prices to meet the demand.

There has been much confusion over the meaning of “affordable housing.” It needs to be defined precisely, but the overall concept is simple: affordable housing is housing (both ownership and rental) that is affordable

to the people who live and work in Philipstown and the surrounding area and cannot afford market-rate housing in the town. "Affordable" generally means that a household does not spend more than 30% of its income on housing costs. Affordable housing generally is most needed for teachers, municipal employees, retail and office employees, and emergency services volunteers. These are residents who often play a major role in holding the community together. Affordable housing need not be sponsored or subsidized by government. With appropriate zoning incentives, it can be produced by the private sector, including both non-profits and for-profit developers, a combination of the two, or a public-private partnership.

One of the best ways to allow affordable housing with minimal impact is to scatter it around town in accessory apartments, caretaker's cottages, two-family houses, and small multi-family buildings that are in keeping with historic building traditions of the town. Scattering the affordable housing around the town will also enable it to be located in a variety of settings, including attractive rural areas. In addition to the recommendations in R 1.4 and 1.5 for accessory and employee housing units, the Town can allow two-family housing by right on lots that are twice the minimum lot size, and by special use permit on smaller lots, with appropriate standards for design, appearance, parking, and sanitation.

The Town can also allow multi-family housing by special use permit in locations that are in or near existing developed areas and that have access to waste water disposal infrastructure and/or the potential to develop adequate on-site waste water disposal systems. In the short-term, it may be difficult to locate such housing near developed areas because of the lack of sites and infrastructure. For this reason, developments of multi-family housing may only be able to be sited in relatively isolated locations. If this is done, they should generally be small-scale, unless there is an opportunity to build such housing on a unique site, such as a reclaimed soil mine (see R 2.15 concerning flexibility in implementing the Plan to terminate objectionable uses).

The Town can require that at least 20% of any new multifamily housing be set aside as affordable housing, with perpetual covenants to maintain their affordability. Rather than just encouraging multi-family housing for its own sake, such housing should be dedicated to use by those who contribute to the community but cannot otherwise afford to live in the town. The Town can set up a system of selection for the affordable housing that gives preference to the people who work in local businesses, schools, government, emergency services, and non-profit organizations. The Town can establish incentives for affordable housing for seniors in mixed-use developments or adjacent to hamlet or village centers, i.e. close to shopping, transportation, recreation, and other services and conveniences. There is a particular need for housing for those seniors on fixed and limited incomes.

The Town can also enact "inclusionary" zoning provisions for developments over a certain size (e.g. ten units) to require that as many as possible of the allowable new housing units in the town are affordable. Inclusionary zoning is a technique in which a minimum percentage of units (usually between 10% and 25%, but it can be higher) in a new development must be permanently restricted as "affordable." These are generally mixed in with the market rate units to avoid segregating the affordable housing. A developer can also be given the alternative of paying into a fund that will be used to create affordable housing elsewhere in the town. This "fee in lieu" concept provides more flexibility and can raise substantial amounts of money for the Town to use to provide affordable housing in the manner that suits it best. For recommendations on how such funds can be used to produce affordable housing, see recommendation M5 in Municipal Non-regulatory Actions.

If the Town is to set aside various units of housing as "affordable" it needs to have clear definitions of what this means, as well as a mechanism to ensure that such housing remains affordable into the future and is occupied by people who need it and provide important services to the community. This can be done through an "affordable housing restriction," an enforceable deed covenant that controls resale prices for owner-occupied housing and rental prices for rental housing. Administration of these restrictions will also require some type of housing office with at least a part-time staff person to oversee the program and enforce the restrictions.

2.6 – Establish an aquifer overlay district to protect the town’s groundwater resources.

Explanation: There is a widely shared concern for the quality of the town’s groundwater, which is the source of water for most residents. The aquifers have been mapped on a preliminary basis, but more work is needed to identify the aquifer locations and to enact appropriate regulatory measures to protect them.

R 2.7 – Establish a scenic road corridor overlay district to protect views from scenic roads.

Explanation: Much of the rural character of Philipstown is experienced driving along its roads, both the back roads and the major highways. A scenic road corridor overlay district would restrict clearing and require more rigorous review of development proposals within a certain distance of the right of way of designated roads or road segments. Such an overlay district would contain requirements for either screening development from view, or if it is visible from the road, reviewing its design and layout to ensure that it fits into the town’s rural and historic character.

R 2.8 – Adopt new zoning provisions to encourage the continuation of institutional uses allowing them adequate flexibility to manage their properties effectively and enabling them to contribute to the Town’s goals of protecting open space and natural resources, while providing a diverse range of employment and housing opportunities.

Explanation: Institutional landowners are important in maintaining the Town’s character. They own and manage large areas of open space, employ many local people, attract low-impact visitors, and support local businesses. Encouraging these landowners to continue operating rather than selling their land for residential development is very much in the Town’s interest. The Town’s zoning should specifically address the needs of these landowners, possibly through the creation of an “institutional zone” that includes incentives for the continuation and upgrading of institutional uses, while discouraging their conversion to residential development. When an institutional property is to be sold, the zoning should contain incentives for its continuation as another institutional use or its conversion to another use recommended in this Plan, such as a mixed-use hamlet or low-impact tourism use, rather than a single-use residential or commercial development.

R 2.9 – Establish stream corridor protections to protect the town’s streams.

Explanation: The town’s many streams and creeks are a major environmental asset that provides important wildlife habitat and also significantly affects the water quality of the Hudson River. Provisions to protect stream corridors could be accomplished either through amendments to the wetlands law or through an overlay zone implemented through zoning. Such provisions would require more rigorous review of development proposals, including single-family homes, within a certain distance (usually 100 – 200 feet) of designated streams. The current wetlands law provides protections within 100 feet of streams, and this is a good start toward stream protection. The effectiveness of this law should be assessed and, if necessary, modifications should be made either to the wetlands law or the zoning law or both. Such protections are not the same as a setback or a buffer. They would allow building but would require that an applicant take appropriate measures to maintain wildlife habitat and prevent degradation of the water quality of the stream. Projects on large parcels that have stream corridors running through them could be required to provide wide buffers to better protect the stream corridors. These protections could be administered by the Code Enforcement officer or the Planning Board in coordination with the Conservation Advisory Committee. There should also be consideration of incorporating the provisions of the currently separate local laws on wetlands, steep slopes, and timber harvesting into the zoning law, so that the regulations are simpler and easier to use.

R 2.10 – Amend the home occupation provisions to create a three-tier system with differing levels of review for different scales of home occupations.

Explanation: Much of the economic base, diversity, and strength of Philipstown lies in the small home-based businesses in the town. These include tradespersons, contractors, artists, writers and other professionals who work out of their home properties. Philipstown is an ideal location for small home-based businesses and professions because of its strategic location in the region, its attractiveness to the type of people who

do this kind of work, its large residential lots, a topography that allows these businesses to operate largely unnoticed, and the lack of suitable sites for large-scale business development. While some of these businesses can be disruptive in dense residential neighborhoods, many of the properties on which they occur in Philipstown are large parcels in isolated locations. Some are on Routes 9, 9D, 301, or 403 where they have direct access to an arterial highway and do not disturb neighbors as result of the traffic they may generate. Open Development Area lots (see R 2.1), because of their size and isolation, are ideal for small-scale home occupations that do not generate much traffic.

The current home occupation regulations in Philipstown are restrictive in a way that is appropriate for a denser urban or suburban area, but not for remote rural properties. A three-tier system would allow the least intrusive types of home occupations by right in all zones, a middle tier of somewhat more intensive home occupations allowed by special use permit in most zones, and a third tier of small-scale businesses allowed by special use permit, but only in locations that have direct access to Routes 9, 9D, 301, or 403. This would be a way to provide greater economic uses for rural properties on state highways without rezoning them commercial.

R 2.11 – Allow stand-alone small-scale businesses that have a rural or residential appearance on Routes 9, 9D, and 301.

Explanation: The reasoning behind expanding home occupations presented in R 2.10 can be extended to allow small businesses in residential structures on Routes 9, 9D, and 301 that are not actually occupied as residences. Currently these locations are not hospitable for single-family residences, nor is strip commercial development desirable. This recommendation is similar in some ways to the “Business-Rural” category previously proposed by the Town Board for Route 9 south of 301. If carefully controlled through design and siting standards, small businesses could be allowed in buildings that are screened from view or, if visible, that resemble houses, barns, or other traditional buildings. This could apply along all of Route 9 as well as on Routes 9D and 301. Proper design and siting controls would prevent degradation of the rural and visual quality of these roads and would make these properties more economically useful. As long as the building is on a major highway and is either effectively screened or of a traditional design, it may not matter whether residential, business, or professional activities are occurring inside its walls.

R 2.12 –Restrict the size and scale of commercial development to preclude “big box development.”

Explanation: Although Philipstown is not a prime target for big boxes because of its small population and difficult topography, the volume of traffic on Route 9 may someday create a market for larger scale retail uses. This is not consistent with the vision that Philipstown has, and zoning measures should be put in place to limit the total square footage of retail development. The size limits for such regulations should be determined as part of the zoning revision process.

R 2.13 – Establish Route 9 corridor design controls to improve the quality of development along Route 9.

Explanation: The entire length of Route 9 has been identified as the section of the town that has the most need for design and site layout improvements, as well as safeguards against future development that does not fit into the community’s character. More specific design standards should be required of all new development and all substantial alterations to existing development. These could take the form of illustrated design standards, written design requirements, or some of each. There should also be incentives for upgrades of design, such as more intensive use of a site in return for better design, landscaping, and access control. The zoning could also provide for the phasing out of existing billboards to the extent permitted by New York law. A comprehensive program to upgrade the appearance of Route 9 will increase property values in the corridor and attract better quality development. The findings of the rezoning study of Route 9 and Route 9D should be applied to all of Route 9, not just the portion south of Route 301. Any future changes in zoning should reflect not only the findings of this study, but also the goals and strategies of this Comprehensive Plan.

R 2.14 – Add Review Standards to help ensure that development and land use practices embody the principles of sustainability.

Explanation: Town regulations can establish criteria for comprehensive review of development proposals for their environmental impact, considering energy conservation, sustainable building practices, impact on habitat, and encouragement of biodiversity and local agriculture. While the State Environmental Quality Review Act already requires some of these considerations, Town regulations can make them more specific and enforceable. (However, while some measures may be enforceable, others may be just recommendations for voluntary actions.) These review criteria should emphasize looking beyond the boundaries of the project, in particular looking at the ecological relationships between habitats on and off of the property under consideration. To supplement this measure it will be necessary to have a vigorous public education component to raise public awareness about sustainable living practices. (see N 9).

R 2.15 – Encourage the voluntary discontinuance of an existing objectionable use by allowing an alternative use that diverges from some of the Plan’s provisions but provides for a community need that may be difficult to locate elsewhere and that fulfills one or more important community goals in the Plan.

Explanation: Some uses currently called for in the Plan, such as multi-family and affordable housing, are difficult to site in Philipstown. Siting such housing is a difficult task because of the lack of public infrastructure, the lack of suitable sites in appropriate locations, and the concerns of neighbors of such proposed housing. A project proposal that is inconsistent with some recommendations in the Plan but terminates an objectionable use and provides a use that the community needs should be deemed to be consistent with the Plan, provided that it clearly achieves important community goals to compensate for not following all of the Plan’s recommendations. The development proposal for Quarry Pond is an example of an opportunity to terminate an objectionable use, a quarrying operation, while reclaiming the site and providing needed affordable and senior housing and a town park. This project also will help protect Clove Creek by maintaining large buffers from it. However, Quarry Pond should not be viewed as model for how the Town will foster the creation of this type of housing in the future.

Section 3: Non-regulatory Municipal Actions (M)

This section lists municipal actions other than regulatory changes, including desirable public improvements such as recreation facilities, street, bikepath, and sidewalk improvements, improvements to Town Hall and other Town facilities, and possible water and sewer improvements. It also lists some things that should not be done, such as road and other infrastructure improvements in rural areas. In addition, this section lists other actions that do not involve public investment or expenditures. These generally involve further planning efforts and administrative actions by municipal departments and/or citizen committees. Anyone who is interested in volunteering to help with these actions should contact the Town Clerk.

M 1 – Prepare and adopt natural resources plan.

Explanation: : There has been extensive inventorying and analysis of Philipstown’s natural and open space resources by numerous conservation organizations as well as Town committees. It would be useful to pull together all of this information into one coherent set of recommendations for preserving different types of open space and natural resources. (See Appendix F for the Comprehensive Plan Special Board’s open space subcommittee report on the town’s natural resources.) The natural resources plan would identify existing preserved open space and establish functional categories for both existing and proposed open space preservation, such as water quality protection, scenic views, town gateways (such as Mekeels Corner and the intersection of Routes 9 and 403), trail corridors, recreation, and wildlife habitat. It could also suggest areas to maintain as greenbelts around developed areas.

The natural resources plan can then be linked to regulatory changes (such as open space development provisions) and land acquisition programs to enable the Town to have a systematic strategy for cost-effective land protection. The natural resources plan could also be used to link together the efforts of various non-profit conservation organizations, state agencies, local groups, and the Town government. In this manner, the non-profits could better serve the Town’s interests in preserving open space. Because of the high degree of interest in Philipstown’s open space and scenic resources at the state and regional

levels, it may be possible to obtain significant grant funding for a comprehensive natural resources plan. Such a plan would then be incorporated into this Comprehensive Plan as a subsequent amendment.

The natural resources plan can have a special section on maintaining arable land for present and future agricultural ventures. Farmland is different from other types of open space because it requires a profitable farm operation if it is to be sustained. The protection of farmland thus involves a more complex set of tools than is required for other types of open space. Because Philipstown has a relatively small amount of land still being actively farmed, special measures may be needed to keep such farmland viable.

M 2 – Prepare and adopt a recreation plan.

Explanation: A number of Town committees have examined recreation issues over the years and many good ideas have been put forward. These need to be pulled together into a comprehensive strategy for developing the recreational facilities the town needs, including cost estimates for land acquisition and facility construction, operation, and maintenance. This plan can also serve as the basis for capital budgeting and for increasing the recreation fee paid by new residential development. The recreation plan should build on the recreation commission master plan by using its recommendations and also taking into consideration other goals and recommendations of this Comprehensive Plan. A committee that includes the recreation commission along with other interested citizens could put together this plan.

The plan should begin by updating the inventory in Appendix G of all the recreation facilities in town that may be able to be used, including facilities of schools, other non-profits, and religious organizations. The recreation plan should be done in cooperation with voluntary recreation and sports organizations such as Little League and Pop Warner Football. (See Appendix G for the Comprehensive Plan Special Board's recreation subcommittee report on the town's recreational resources.)

The recreation plan should promote the establishment of new trails and protect and maintain existing trails by recommending measures that would encourage property owners to give trail easements across their properties to formalize and extend trail networks. The recreation plan's trail network could be linked to the open space development regulations recommended in R 2.4 to ensure that when a property is developed, desired links in the trail system can be reserved for future use as trails.

M 3 – Prepare and adopt an aquifer protection plan.

Explanation: The recommendation in R 2.6 is to implement an aquifer overlay zone to protect the town's groundwater. However, such an overlay zone cannot be put in place until the Town has studied its aquifer resources and determined what is needed to protect them. The 1991 study by Tim Miller Associates is a good start, but more work needs to be done to properly delineate the aquifer resources and recommend protective measures.

M 4 – Prepare and adopt a road, bikepath, and sidewalks master plan.

Explanation: This plan should cover a variety of topics that are important to the implementation of the Plan's goals and strategies. Some of the issues it could cover include:

1. Classify the road system according to the desired level of improvement and character: rural, suburban, or urban, distinguishing town, county, and state roads, and recognizing that the Town has direct control only over Town roads and private roads. However, its recommendations on state and county roads can be communicated to those authorities to influence their decision making.
2. Identify desired future locations for traffic lights.
3. Determine which dirt roads should remain unpaved, and how their safety can be maintained without significant widening. Such measures might include drainage improvements and adding turn-outs for passing.
4. Coordinate road planning with zoning densities to ensure that roads in rural areas have their development density limited so that they will not carry excessive traffic. Areas with additional road capacity or where capacity improvements are planned would be the ones where more density would be allowed.
5. Coordinate new and existing roads. The road plan could contain provisions to ensure that new roads are in character with the existing road network with which they connect.

6. Implement the goals of maintaining rural character, enhancing safety for vehicles, pedestrians, and bicyclists, minimizing congestion, and making the most efficient use of available funds.
7. Recommend measures to make Route 9D in the hamlet center of Garrison and Route 9 around Perks Plaza more pedestrian-friendly.
8. Consider the actions and conditions affecting Routes 9 and 9D in surrounding towns, both to determine the impact that actions in such towns will have on those roads and to develop a coordinated approach to planning for them; for example, to designate low-speed hamlet areas in appropriate areas, provide access management measures outside of the hamlets, and attempt to redirect through truck traffic to interstate highways.

M 5 – Establish an affordable housing program to provide an administrative structure to implement the regulatory recommendations on affordable housing.

Explanation: There are many recommendations for increasing the town’s supply of permanently affordable housing using zoning incentives and requirements. These will only be effective if they are coupled with a Town program for permanent affordability restrictions and a system for screening prospective buyers and tenants to ensure that they qualify for affordable housing. Many communities have a housing office that performs this function. The housing office may also be involved in the development of affordable housing and/or the distribution of funds collected from developers in lieu of building required affordable housing units. If such funds are collected, there needs to be a program in which the Town works with local builders to build affordable units. Some small towns contract with a non-profit housing organization to administer these types of programs so that the Town does not need to add to its staffing and overhead.

M 6 – Update the needs assessment for town offices and consider relocating Town Hall to a location where these needs are better met and where it can help anchor a mixed-use community center.

Explanation: The goals and strategies call for improved Town Hall and Community Center facilities, and many people have raised the possibility of combining Town offices, recreation facilities, senior housing, and a mixture of other uses on one site that can function as a focal point for the Philipstown community. This could be the same site where a new mixed-use hamlet center might be located, as suggested in R 2.3.

M 7 – Prepare and adopt an infrastructure plan that supports the “smart growth” goals of concentrating development in a few confined areas and limits infrastructure expansion outside these areas.

Explanation: If the Town of Philipstown is to successfully pursue a “smart growth” strategy, it needs to plan ahead for water and sewer infrastructure in those locations where development will be concentrated. This will most likely mean development that is next to the Villages of Cold Spring and Nelsonville, as well as one or two other locations where a mixed-use hamlet may be located. In addition, those institutional properties that have water and sewer facilities may be considered as locations for some type of concentrated development. The Town should use its goals, as articulated in this Comprehensive Plan, as the criteria for determining where more intensive development with water and sewer infrastructure should be located. It should not let the development of infrastructure or the desires of individual landowners or institutions determine the location of new development. An infrastructure plan that uses the goals and strategies of this Comprehensive Plan as a starting point is a way to put some substance into this goal. The report of the infrastructure subcommittee in Appendix E provides useful background for this plan.

M 8 – Increase budget and staffing for code enforcement.

Explanation: It has been pointed out by many people that a code is only as good as the Town’s willingness to enforce it. With tight budgets it is difficult to find the time and money to pursue enforcement, not only of basic code compliance, but also the implementation of conditions in site plans and other zoning approvals. In that connection it may be helpful to increase the Town’s computer-based ability to track permit applications and implementation of permit conditions. Another factor affecting enforcement is that sometimes zoning codes contain rules that the Town is reluctant to enforce. This is because Town

officials do not really believe such rules are necessary and they do not want to harass residents. One reason to conduct a complete review and revision of a code as recommended in R 2.2 is to delete provisions that the Town is not committed to enforcing. The Town should be committed to enforcing what its code says, and if there is anything the Town does not want to enforce, it should be deleted from the code.

M 9 – Appoint a Comprehensive Plan Implementation Committee (CPIC) and review the Comprehensive Plan at least once every five years.

Explanation: A Comprehensive Plan is only as good as the Town's follow-through in implementing it. It is helpful to have an active committee and/or individual charged with staying on top of the Plan's implementation. Such a committee should include representatives of the bodies with implementation responsibilities, such as the Town Board, Planning Board, Comprehensive Plan Special Board, Conservation Advisory Commission, Zoning Board of Appeals, Recreation Commission, Wetlands Inspector, and Building Inspector. It should report regularly back to the Town Board about progress in implementing the Plan. In addition, state law requires that a Comprehensive Plan state a maximum interval at which an adopted plan is reviewed. Since a Comprehensive Plan is a living document that should be continually referred to and updated as needed, it will normally be reviewed several times each year. However, to satisfy the legal requirement, this Plan adopts a five-year formal review requirement. This means that at least once every five years the entire Plan will be reviewed by the Town Board, and adjustments to it will be made if needed. This does not mean that the plan must be revised or updated every five years.

M 10 – Develop a staff position to help coordinate Town planning functions and move planning initiatives forward.

Explanation: In order to successfully implement the many recommendations in this comprehensive plan it would be highly desirable to have at least a part-time staff person whose responsibility is coordinating Town planning functions and plan implementation. Such a staff person would be available to assist the CPIC in keeping implementation on track, as recommended in M9. This staff position could have a variety of other functions, including coordinating the activities of the Planning and Zoning Boards and Conservation Advisory Commission, overseeing economic development efforts, and administering the affordable housing program recommended in M5.

M 11 – Prepare an objective report on the relationship between development, conservation and property taxes, and conduct public outreach to increase public understanding of these issues.

Explanation: There needs to be a better base of common understanding about how the property tax system works and how land use decisions affect it and are affected by it. There have been a number of studies and analyses of these issues, throughout the state and region, as well as within the Town. Among these are the reports of the open space subcommittee (Appendix F) and the Shapiro report (Appendix C). These need to be pulled together into one clear and objective report that provides the basis for informed public discussion about the impacts of different types of development and conservation on town services and property taxes. The report should look at the impact of rising property values in the Town as well as other sources of municipal revenue, including PILOTS, grants, and tools that require new state legislation such as impact fees and real estate transfer taxes.

M 12 – Prepare and adopt a tourism development plan that balances the benefits of low-impact tourism with the other goals of this Comprehensive Plan.

Explanation: The need to maintain the Town's special scenic beauty and natural resources is compatible with both small-scale tourism and maintaining community character, but there is a delicate balance to be struck. The Town, in cooperation with the Villages, should develop a coherent approach to tourism that balances its important role in the local economy with the need to maintain the community's integrity and authenticity as a place where a diverse population lives and works. For example, appropriately scaled and designed inns, restaurants, historic sites, and conference centers can add significantly to the local economy without detracting from the town's quality of life, whereas a very large-scale resort development might have a negative impact. A tourism plan is needed to give the Town and Villages more control over their future in the face of development plans originating outside the town.

Section 4: Non-municipal Actions (N)

This section deals with the actions of entities other than the Town, both public and private, which have a direct bearing on the implementation of the Town's goals. These entities include NYS Department of Transportation, NYS Department of Environmental Conservation, NYS Office of Parks, Recreation, and Historic Preservation, Metropolitan Transit Authority, Putnam County Department of Health, Putnam County Department of Public Works, the Village of Cold Spring, the Village of Nelsonville, the school districts, land conservation organizations, institutional landowners, the local media, business owners and business associations, developers, real estate brokers, recreational, religious, arts, and cultural organizations, and other charitable organizations. Although the Town government has no direct control over these entities, their decisions loom very large in the town's future. Specific guidance in a comprehensive plan can affect their decisions. After each recommendation, the entities most involved are shown in parentheses.

N 1 – Explore consolidation and/or realignment of Philipstown school districts as well as modifications to state law that might help to accomplish this objective. (School Districts)

Explanation: This is an important and very sensitive issue in Philipstown. The advantages of consolidation could be better educational programs for all the students, more equitable taxation and funding of schools, greater community cohesion, shared use of facilities and equipment, coordination of resources and curriculum, and efficiency in administration. Consolidation, properly structured, would not have to compromise the autonomy of each school in responding to the needs of its students, parents, and neighborhood. The first step for reorganization is for residents to petition the school boards to consider the issue. The State of New York looks favorably on consolidation or reorganization of smaller districts, and special funding is available from the State when districts reorganize. However, one of the biggest obstacles to consolidation is uncertainty about the effect on property taxes. A grant to study the effect of reorganization on property taxes could be pursued by the districts, which might lead to changes in state law that would redress the tax consequences. Realignment of districts in Philipstown should include consideration of all three districts to encompass the whole town, including Continental Village. Even if no consolidation or realignment is undertaken, existing cooperative programs should be encouraged so that there is more interaction among students and sharing of programs and resources.

N 2 – Redesign state highways as they pass through hamlet centers to create a more pedestrian-friendly character. Design should be based upon objectives or standards developed by the Town. (NY State Department of Transportation)

Explanation: State Routes 9 and 9D shape the character of much of Philipstown, especially the hamlet centers of Garrison and North Highlands. Routes 301 and 9D define the character of the Village of Nelsonville and much of Cold Spring. Right now, the state highways tend to be speedways that are not conducive to pedestrian activity. However, the trend in state highway departments nation-wide is toward "context-sensitive design," which considers the character that a local community has or wishes to establish for a particular arterial road as it passes through that community. This approach offers hope that these roads can be made more appealing and safe for pedestrians and bicyclists. In order to achieve this result, the Town must go on record with its ideas and proposals for the design of state roads. It should also tie in consideration of the state highways with the road master plan recommended in M 4. In particular, it should include recommended measures to make Route 9D in the hamlet center of Garrison and Route 9 around Perks Plaza more pedestrian-friendly.

N 3 – Work with state and county highway officials to encourage bikepaths, bike lanes and sidewalks in appropriate locations and to ensure that any road improvements are in keeping with the goals of the Comprehensive Plan and the Town's road master plan. (NY State Department of Transportation, Putnam County Department of Public Works)

Explanation: The Comprehensive Plan has identified areas where it would like to see better facilities for bicyclists and pedestrians. Since many of these areas are within the control of County and State agencies, the Town will have to work with these agencies toward fulfillment of these goals, especially to make Route 9D in the hamlet center of Garrison and Route 9 at Perks Plaza more pedestrian-friendly.

N 4 – Engage all rail, bus, and river transportation providers to create an integrated and effective public transit system that offers a viable alternative to the private automobile. (Metro-North, bus companies, other forms of transit)

Explanation: The Town can encourage, but not provide, good public transportation. Although the private automobile will be the primary mode of transportation around Philipstown for the foreseeable future, offering public transportation alternatives, including river-based modes, mitigates traffic congestion, provides additional mobility for young people and the elderly, enables moderate income families to afford to remain in the town if they can get along with only one car, makes it easier for employees to get to work, and enables visitors to the non-profit educational and religious institutions in Philipstown to arrive by train. Having a compact pattern of future development, as opposed to a spread-out sprawl pattern, is also more conducive to public transportation.

N 5 – Provide on-site (or off-site) affordable housing for employees and additional affordable housing for other members of the community. (Employers, non-profit and for-profit affordable housing developers)

Explanation: Affordable housing could benefit from attention from the non-profit sector in a manner similar to the efforts that have been so effective for land preservation. There is a need for community leadership to step forward, independent of Town government, and work with Town officials to produce housing for the wide range of housing needs in the town. One way this can be done is to establish a non-profit housing entity, possibly a “community land trust,” to assist the Town in encouraging the restriction of land and housing stock as affordable housing and to otherwise catalyze the creation of affordable housing by the private sector.

N 6 – Create an economic development plan for Philipstown that balances the need to maintain the community's authenticity with high quality growth, and the provision of jobs and housing. (Business and professional people, Chamber of Commerce)

Explanation: The economic development subcommittee report and the report (Appendix C) by John Shapiro make a number of observations concerning how Philipstown can pick and choose the types of growth that are most appropriate to maintain community character while giving residents opportunities for jobs and housing. These can be shaped into a series of specific steps through an economic development plan.

N 7 – Create a natural resources plan in cooperation with Town government. (Local and regional non-profit conservation organizations and state agencies)

Explanation: This action is really the same as M 1, only from the private sector and state government perspective. Many organizations and agencies have an interest in open space protection in Philipstown, and they should work together and with the Town to develop a coherent plan that can be implemented cooperatively. Given the level of interest and funding by these various entities, the protection of open space and environmental resources in Philipstown can and should be financed largely from outside of Town government, although the Town should have a major role in deciding what is preserved and what is developed.

N 8 – Explore consolidation of Volunteer Fire and Ambulance Corps.

Explanation: With a dwindling supply of volunteers and a growing population, it has become more important to use equipment and personnel as efficiently as possible. While increased use of mutual aid can help relieve this problem, it may also be necessary to combine some of these emergency services units for greater efficiency.

N 9 – Initiate a public education campaign on sustainable development and living.

Explanation: In support of many of the recommendations in this Comprehensive Plan, it would be helpful if a citizens organization could conduct a vigorous educational effort designed to inform the public about the rationale behind the various recommendations and about other ways to protect the natural environment and sustain our natural resources. Whatever we do now will affect generations to come.

Section 5: Glossary of Terms

Affordability Restriction: A permanent restriction in the title to a piece of property that ensures that the buildings on the property will satisfy specified affordability requirements, including maximum rental levels if the property is used for rental housing and restrictions on the resale price if the property is owner-occupied. These will apply regardless of who owns the property. An affordability restriction may also provide a right of first purchase to the Town or a non-profit housing organization.

Affordable Housing: Ownership and rental housing that is affordable to the people who live and work in Philipstown, i.e. that does not require that they spend more than 30% of their household income on housing costs. Affordable housing can be in many different price ranges to meet the needs of a variety of residents who cannot afford market-rate housing, including teachers, municipal employees, emergency service volunteers, and service industry workers. In most cases, it does not involve government ownership or subsidies, but rather is provided by the private sector in response to regulatory incentives or requirements.

Aquifer: A geologic formation that holds groundwater in sufficient quantities to use for water supply purposes.

Conservation Easement: A perpetual restriction on the use of land for the conservation of open space, agricultural land, and natural, cultural, historic, and scenic resources. A conservation easement restricts the use of land, but the landowner continues to own and pay taxes on the land and can sell it, mortgage it, or use it in any manner consistent with the terms of the conservation easement.

Density: The number of housing units per acre or acres per unit that are allowed to be built under the zoning law. For example, if two acres are required for each house, the density is two acres per unit. Density is not necessarily the same thing as lot size. For example, a parcel could be developed at a two-acre density but have one-acre lots with 50% of the parcel preserved as open space. While the lot sizes would be one acre, the density of the development would be two acres per housing unit. In the absence of other controls on density, the larger lots result in lower density and smaller lots result in higher density.

Footprint: The area of the ground covered by a structure.

Hamlet: An unincorporated section of a Town that has a distinctive settlement pattern, usually more dense and compact than the surrounding area, often with a combination of businesses and residential uses.

Hydric soil: A soil that is anaerobic in the top layer of six to twelve inches; this is caused by saturation, flooding or ponding during the growing season. It could indicate a wetland, but a site inspection is needed to confirm if there is also wetland vegetation.

Lot Coverage: The percentage of a lot that is covered by building footprints.

Lot Size/Lot Area: The total square footage or acreage of a lot. (See “Density” above.)

Open Development Area (ODA): A form of development in which lots can be created that do not have frontage directly on an existing road, but instead gain access through a common driveway used by other lots. This is the most common form of development in the Town of Philipstown, following detailed regulations that limit the number of lots that can gain access from the common driveway. The ODA technique has resulted in development at a significantly lower density than the zoning allows.

Overlay Zone: A zoning district which is designed to protect a specific resource, such as a stream corridor, aquifer, watershed, or road corridor. It “overlays” existing zoning districts and adds additional requirements or flexibility to the underlying zoning, which remains in effect except to the extent the overlay zone provisions specifically change the requirements.

Payment in Lieu of Taxes (PILOT): A payment made to the Town by a landowner who is not obligated to pay real estate taxes. In Philipstown, most PILOTs are paid by the State of New York for parkland owned by the State. (Starting in 2007, the state will begin to pay real estate taxes for these properties and PILOTs will no longer be received.)

Town Code: All of the Town’s laws and regulations assembled in a code book with chapters for each law. The Town’s Zoning Law (Chapter 175 of the Town Code) and Land Development Regulations (Chapter 112) are published separately and available at Town Hall.

Village: A separately incorporated unit of government existing partly or wholly within a town. In Philipstown there are two Villages, the Village of Cold Spring and the Village of Nelsonville. (*See “Hamlet”*)

Zoning, Hamlet: Zoning that allows for the creation of a traditional compact settlement center, including a mixture of shops, offices, and apartments on a main street, neighborhoods with different types of housing on small lots, and an interconnected, pedestrian-oriented street system.

Zoning, Inclusionary: Zoning provisions requiring that a percentage of the housing that is built in a new development must be restricted as affordable housing. This does not increase or decrease the total number of houses built or add to the environmental impact that would otherwise occur from the development — it just requires that some of the houses be designated for affordable housing. The affordable housing may be in single-family houses, two-family, or multi-family, depending upon how the inclusionary zoning provision is written. Inclusionary zoning may also require that a developer build affordable housing in another location or pay into a trust fund that is used to provide affordable housing.

Zoning, Mixed-Use: Zoning that allows a combination of different uses in the same zoning district, typically single and multi-family residential, stores, service establishments, workshops, and offices. Mixed-use zoning is commonly found in hamlet and village centers. Mixed-use zoning tends to be more conducive to walking than single-use zoning because shops, offices, and homes are likely to be within walking distance of one another.

Zoning, Rural: Zoning regulations that encourage farming, forestry, passive recreation, and the preservation of large areas of intact open space, while allowing low-density development and a variety of small-scale business uses in dispersed locations.

Zoning, Suburban: The zoning typically found in suburban areas, characterized by separation of uses and housing types into different districts, minimum lot sizes ranging from one-half acre to three acres, and maximum lot coverage and minimum setback requirements that separate buildings from each other and the street. Suburban zoning tends to encourage automobile use and discourage walking by requiring large lots and separating different uses from each other. It provides isolation and privacy, but leads to poorly defined public spaces because of large minimum setback requirements and the placement of buildings in the back of large parking lots. Suburban zoning is distinguished from rural zoning, which provides much lower densities and larger areas of contiguous open space, and hamlet zoning, which creates a mix of uses and housing types and a more compact pattern of building.