TOWN OF HENRIETTA

1987 COMPREHENSIVE PLAN

LAND USE

This plan represents a 5 year Comprehensive Plan for the Town of Henrietta. The intent is to guide development into areas the town feels would be most beneficial to the existing residents, future residents, and businesses. By channeling developments into these locations, a more desirable layout of the town can be achieved with fewer sewer trunk extensions, large waterline extensions, and less demand on local government for increased services. The services that are required can then be provided at a more cost effective ratio.

The goal of this plan is to maintain a sense of the identity, pride, and responsibility in our community. This would be established by:

- 1. Requiring high standards of quality and appearance for all future development, both public and private, and promote orderly growth with balanced land use.
- 2. Encouraging the attraction, retention, and expansion of a sufficient number and variety of businesses and industries to provide jobs and a healthy tax base.
- 3. Establishing and maintaining a consistent housing policy that provides for decent housing of all types open to all persons at prices and rents within their means.
- 4. Encouraging public and private developments of all types to conform to a recognized and periodically reviewed and updated Comprehensive Plan.
- 5. Establishing a vigorous program to provide for extensive landscaping in all areas.
- 6. Encouraging the protection of historically significant and environmentally sensitive areas.
- 7. Establishing certain areas of the town where special permits do not apply.

GOALS AND POLICIES

AGRICULTURAL - RURAL

GOAL: Agricultural and rural areas are important and should be protected and encouraged in the town.

POLICIES:

Support state and county programs aimed at protection of rural or agricultural areas.

Areas of the town designated on the Comprehensive Plan as rural or agricultural will not be serviced by sanitary sewers during the planning period.

Frontage development of highways in these areas will be discouraged.

Large parcel ownership or sales in such areas will be encouraged.

Maintain town taxation policies that assess land on the basis of present use.

RURAL - ESTATE RESIDENTIAL

GOAL: Strike a balance between development and agriculture allowing both to continue. Provide housing in a spacious setting with the conveniences and advantages of living in a suburban community, while preserving the existing rural areas of the town.

POLICIES

A minimum lot size of 3 acres. In environmentally sensitive areas, (i.e., wetlands, floodplains, woodlots, or poor soil areas) there would be a minimum of 5 acre lots.

PLANNED UNIT DEVELOPMENT (P.U.D)

GOAL: To provide flexible land use and design regulations through the use of performance criteria so that small to large-scale neighborhoods may be developed within the town which incorporate a variety of residential and non-residential uses that contain both individual building sites and common property which are planned and developed as a unit.

POLICIES:

Encourage innovation in residential development to provide housing at all economic levels, thereby offering a variety in type and design of dwellings.

Networking of utilities and streets to encourage conservation and efficient land use.

Provide open spaces and recreation areas.

Accessory commercial, service, and other non-residential uses may be permitted or required where such uses are scaled to primarily serve the residents of the P.U.D.

The design of the P.U.D. will provide for an orderly flow of pedestrian and vehicular traffic and off street parking.

Landscaping will be provided for aesthetic purposes and as a visual and/or noise deterring buffer between adjacent uses and adjoining lands.

RESIDENTIAL

GOAL: Maintain a continuing program directed toward preservation of all residential areas.

POLICIES:

Residential areas shall be free from incompatible and inharmonious uses.

Private action to achieve high level maintenance of property shall be encouraged.

Maintain residential areas through intensive code enforcement and neighborhood organization.

Constantly review and amend, when necessary, zoning ordinances and map to insure proper land development controls.

Modernize codes relating to building and construction to permit the use of improved building methods and materials.

Support a high level of public facilities and services.

Where it is necessary to route traffic through neighborhoods, special attention will be given to street design in order to avoid nuisance to established residences.

GOAL: Develop a complete program for meeting future housing needs using both private initiative and public support to the fullest extent possible.

POLICIES:

Encourage and maintain a wide range of housing types and cost guides by the socioeconomic wants of the people through encouragement of innovations in design and construction.

Encourage residential development to locate within the limits of established residential corridors in order to assure a balanced and full complement of services and facilities and control of urban sprawl and dispersion.

Innovation to improve subdivision and housing can be developed through the use of devices such as the cluster and planned unit development concept. Where these concepts are used the policies for multiple family residences shall apply.

All types of dwelling units shall be carefully placed on their sites so as to provide adequate useable outdoor living space and encourage energy efficiency.

Buildings shall be related to one another, to streets, and to topography to create interesting and harmonious spaces.

Neighborhoods shall be developed as a unit with natural boundaries and man made boundaries forming physical limits. Schools, parks and other activity centers shall be developed as neighborhood focal points to foster socialization within the neighborhood, where possible.

Houses shall not be allowed in unsafe areas such as areas subject to flooding, areas too steep to develop, sites made unstable when graded, producing unsafe cut or fill areas.

Residential areas shall be buffered from commercial and industrial areas, railroad tracks, and major thoroughfares by landscaping, large buffer areas, open space and major streets.

Residential areas shall be designed to avoid direct access or frontage on major streets. The use of frontage roads, lots backing up to the thoroughfare, loop streets and cul-de-sacs shall be considered. Design innovations shall be explored.

Encourage non-profit agencies to construct low cost housing for large families and elderly persons.

Encourage the development of neighborhoods as social and recreational units and promote neighborhood involvement in the improving of local services, facilities, transportation and living conditions.

MULTI FAMILY

GOAL: To provide multi family residential development to serve the various housing needs of the residents. (For purposes of this section multi family consist of apartment houses or townhouse for rent, condominiums or townhouse for sale).

POLICIES:

All multi family residential development shall be located only in areas so designated by the Comprehensive Plan.

To provide for a safe and orderly flow of vehicular and pedestrian traffic.

Recreational space for residents will be incorporated into the design.

Require extensive landscaping to enhance buildings and grounds.

Encourage enclosed parking facilities.

PLANNED COMMERCIAL DEVELOPMENT (P.C.D.)

GOAL: Provide areas for commercial type development, readily accessible to town and county residents and businesses, designed to serve community needs.

POLICIES:

Allow innovative designs that encourage preservation and accentuation of the desirable natural features.

Encourage mixed usage development to insure compatibility with the existing adjacent uses.

Provide and/or upgrade road networks to allow efficient flow of traffic for access to and within the P.C.D.

Provide for safe and orderly internal traffic and pedestrian flow within and between each parcel of the P.C.D.

Provide buffers between the P.C.D. and adjacent development.

COMMERCIAL

GOAL: Satisfy the need for centers which provide a range of goods and services to several neighborhoods or at a regional level.

POLICIES:

The community should be supplied with well balanced commercial facilities at locations within intensive development corridors. Locations will be limited to non-residential areas which have already been established. This will encourage more concentrated use and more functional design of existing areas.

GOAL: Strengthen and improve existing commercial areas of the community, both functionally and aesthetically.

POLICIES:

Improve the appearance of all existing commercial areas through building renovation, appropriate landscaping and design.

Provide and/or upgrade adequate roads to minimize traffic congestion and hazards.

Provide for safe and orderly traffic and pedestrian flow within individual commercial developments.

Require the use of developable land within existing commercial areas before extending or expanding commercial districts.

Discourage the expansion of strip commercial development and encourage the redesign or design improvements of existing commercial strip areas.

Require attractive and supportive developments bordering commercial areas and include buffers between shopping areas and adjacent to residential areas.

NEIGHBORHOOD COMMERCIAL

GOAL: Provide areas for limited commercial use.

POLICIES:

Locations will be limited to non-residential areas designed to service nearby residents.

Stipulation for usage shall preclude the generation of a high volume of traffic. Businesses will also have a minimal parking requirement.

GOAL: Provide a well planned site through building renovation and/or design, and appropriate landscaping.

POLICIES:

Require attractive buildings with adequate landscaping on site as well as landscaping to buffer commercial areas and adjacent residential areas.

Outdoor display or storage will not be permitted.

OFFICE PARK

GOAL: Provide areas restricted to the development of professional and/or other office facilities in a park like setting.

POLICIES:

Require innovative landscaping in a park like setting including foundation plantings, plantings for traffic control, street trees, parking lot and walkway design.

Site Plan considerations shall include compatibility of the office park to serve as a buffer area between adjacent developments.

Stipulation for usage in the office park shall preclude the generation of a high volume of traffic.

INDUSTRIAL RESEARCH AND DEVELOPMENT

GOAL: Provide an area to encourage the development of high quality industrial type educational research and development facilities.

POLICIES:

Encourage the continuation of the campus type setting initiated previously (i.e., Rochester Institute of Technology and the Kodak Marketing Education Center).

Require innovative and abundant landscaping, large setbacks, and maximum utilization of the unique natural features within the area.

INDUSTRIAL

GOAL: Strengthen and improve existing industrial areas of the community and continue a balanced expansion of existing industry and growth of new firms.

POLICIES:

Plan and protect adequate sites in the community for both expansion and new locations.

Require standards to provide for high quality new development.

Improve the appearance of existing industrial areas as necessary, through building renovation, landscaping and other design methods.

Require compatible developments bordering industrial areas and include buffers between industrial areas and adjacent developments.

Require the use of existing developable land within existing industrial areas before extending or expanding industrial districts. Maintain a basic concept of concentrations of industrial development.

LIMITED USE INDUSTRIAL

GOAL: Provide areas for limited use industrial development.

POLICIES:

Require a design that would provide for a pleasing buffer and transition between industrial and other less intensive uses.

Allow for maximum use of the front setback for greenspace and landscaping by restricting parking.

Stipulation for usage would preclude any use that may be noxious, offensive or injurious by reason of production or emission of dust, smoke, refuse matter odor, gas fumes, noise vibration, or similar substance or condition.

Stipulation for usage would preclude a high volume of truck traffic.

Outdoor display or storage will not be permitted.

MULTIPLE USE

GOAL: To provide for a flexible combination of compatible land uses within designated areas.

POLICIES:

Compatible uses could include commercial, industrial, limited use industrial, office park and/or multiple family dwellings.

Setback requirements for all usage will be that of an industrial zone.

Require parking restrictions to allow for maximum use of the front setback for greenspace and landscaping.

Require that outdoor display or storage not be permitted within the front setback.

Require design that will provide for compatibility with other developments in the area.

HISTORIC SITES

GOAL: Designate historic sites to promote the educational, cultural, economic and general welfare.

POLICIES:

Encourage the preservation of historic sites.

Consider the impact of adjacent development on historic sites.

RENOVATION DISTRICT

GOAL: To identify areas within the town for renovation either by site improvement or replacement.

POLICIES:

As applications are received for uses within the District, consideration will be given to the condition of the existing site and appropriateness of the structure for the use proposed. The site will be upgraded and the structure renovated or replaced.

Site upgrading will include meeting current town standards for parking, lighting, landscaping, and exterior finish.

Encourage public and private support to accomplish the goals of this section such as Federal Community Development Block Grant Funds.

UNIQUE AREA PROTECTION

GOAL: Identify areas of the town with unique characteristics which would be limited to uses that are permitted in a zoned district without the granting of a special permit.

POLICIES:

Protect areas of the town with unique characteristics. Uses identified in the Comprehensive Plan should be more restrictive so as to provide optimum intended use of the area and provide for the best interests of the community.

MONROE COUNTY FAIRGROUNDS

GOAL: To continue to allow an area within the Town for use by the Monroe County Fair Recreation Association, Inc., a not-for-profit corporation, for the conducting of annual fairs and exhibitions as originally contemplated and designated in the enabling legislation creating said area, as well as applicable New York State Statutes.

POLICIES:

To insure the continued use of the area for its original intended uses and purposes for the promotion of agriculture, horticulture and the mechanic arts.

TRANSPORTATION

Provide a balanced transportation system, adequate to meet the needs of everyone of the community.

GOAL: Provide an adequate circulation system for land uses with maximum economy, safety, and amenity and in scale with demand.

POLICIES:

The location and class of traffic ways will be determined by their function and analyzing of the location and classification of land use served.

Provide and/or upgrade road networks to allow for efficient flow of traffic.

Public transit needs will be given consideration when major new developments are proposed or modification of an existing major development is contemplated.

Street trees and other landscape treatment of streets will be encouraged.

Street lighting will be provided where deemed necessary.

Sidewalks shall be considered for all streets.

Pedestrian safety and convenience shall be designed and built into all parking areas.

Provide adequate facilities for pedestrian movement, including improved pedestrian access to shopping, recreation, and other activity centers, especially connecting transit stops with such centers.

Alleviate traffic congestion and reduce travel time between major centers with highway system improvements at problem points.

Reserve of rights of ways which will be required for the ultimate traffic-carrying capacity of designated streets.

Assist all responsible agencies in scheduling immediate and short range street improvements in preparation for future development needs.

Maximum participation of private developers will be required in providing for needed street improvements, thereby reducing the ultimate public cost of developing the circulation system.

Insure that proposed facilities adhere to the SEORA requirements so as not to destroy important natural or social elements of the community.

Sufficient buffers shall exist or will be provided between proposed transportation facilities and nearby land uses to protect the use from physical, noise, visual, or air pollution.

All arterial and collector level streets shall have a minimum of entrances and/or exits to abutting properties. This policy will be achieved through service roads or combined access points.

Recognize that the circulation system also serves as a recreation system and therefore should enhance the opportunities and special amenities for bicycling, walking, etc.

Consider the potential views and sequences to be experienced by the users of major expressways.

GOAL: Future transportation planning and action shall take into consideration that we must decrease dependence on the automobile as the principal mode of transportation.

POLICIES:

Allocate resources to serve those left out of an automobile-only system.

Slow the rapid and wasteful land usage required by roads and parking spaces.

Reverse serious impairment of the atmosphere and aesthetic values caused by over extension of roads.

GOAL: Help create and maintain an integrated public transit system.

POLICIES:

All steps will be taken to encourage the public to make greater use of a public transit system.

All steps will be taken to insure that service offered by a public transit system will be of superior quality.

Local transit facilities will be supported to collect passengers and feed them to a public transit system. This support will entail provision of park and ride points, safe and direct pedestrian links and use of other people mover systems as feasible. GOAL: Insure that the transportation system will meet the community service need and at the same time be a planning stimulus in accomplishing other community objectives.

POLICIES:

Land use planning and transportation planning should go hand in hand so that a free flowing transportation system will result.

Transportation plans shall be developed in relation to general plans for neighborhoods, other communities, the county and the region.

Private enterprise should be encouraged to develop a land pattern in conformance with the Comprehensive Plan, which can be more economically served by public transit, by developing at greater densities in corridors served by public transit and by clustering commercial, industrial and other facilities so that they can be served by public transit.

Recognize the opportunities for multiple use of land occupied by transportation facilities.

Locate facilities, and encourage their subsequent design, so that they blend with or accentuate the natural terrain.

Be sure facilities do not sever opportunities for social and cultural interaction but instead enhance their opportunity.

Be sure proposed facilities do not sever existing linkages in the community such as between homes and schools or employment centers and lunch hour commercial or recreation areas.

Discourage the construction of transportation facilities which will foster the infiltration of development throughout portions of the community that should be preserved for agricultural production and natural open space needs.

Minimize the amount of land taken off tax rolls to be used for transportation facilities. Plan for facilities that will induce new taxable investment in predetermined areas.

COMMUNITY RESPONSIBILITIES AND FACILITIES

Provide public services and facilities that efficiently meet and anticipate the needs of all segments of the public not adequately provided for by private enterprise. A program which deals with, at a minimum, the needs of public health, education, library facilities and services, fire and police protection, utility services and solid waste disposal.

Develop and maintain a balanced open space and park recreation system at optimum standards, based on local human needs and natural dictates which preserves as many sites of natural and historic significance as possible.

Plan, present and maintain a capital improvement program as contemplated and provided for by state law. (This would be at the discretion of the Town Board, if appropriate.)

Require public and private developments of all types to conform to a recognized and periodically reviewed and up-dated Comprehensive Plan.

Encourage broad continuing citizen participation in all aspects of government and community life.

Promote maximum cooperation between government jurisdictions both county-wide and regionally through joint planning, in order to provide public facilities and services which are advantageous and economical to all.

EDUCATION

GOAL: Support educational institutions, provide for continuing and expanded educational needs and develop closer coordination between them and the community in providing quality education.

POLICIES:

Support the continued planning and building of the finest possible educational system, one which will provide equal educational instruction facilities and opportunities to all.

Utilize the offices of the community to stimulate a close working relationship between education and industry, to provide skills for jobs for all, and insure that adequate vocational and technical training is available to all who need it.

Use community information programs to stimulate wider use of the programs offered in educational facilities.

Make greater efforts to draw upon the resources of expertise and knowledge in our educational institutions to assist in solving community problems.

CONSERVATION, OPEN SPACE AND RECREATION

GOAL: Optimize use of the natural resources within the town to enhance and revitalize the natural landscape, create uses oriented toward open space systems and attain a natural environment befitting the community's character.

POLICIES:

Minimize man induced alteration to the natural environment.

Protect, support or maintain unique historical and ecologically sensitive natural areas; farmland and rural densities where shown in the plan and linear parks.

Require that all development preserve the integrity of existing natural areas through environmental design and planning.

Population growth will be accommodated, in part, through in-filling of passed over areas and concentrated development in areas shown for growth in the plan.

Where feasible and desirable, major open space elements should be combined and linked to form visual and sometimes physical separation between varying land use areas.

Utilize public easements and residual public properties for park and recreational development.

Until public open space land acquisition has been adequately provided, give priority to public land acquisition over open space land development

Design treatment of private spaces will be required to complement public efforts.

Special concern will be directed to the design, installation of, and maintenance of landscaped areas of residential developments where upkeep will be the responsibility of parties other than individual homeowners.

In all types of development substantial landscaping shall be installed and maintained on all parts of development sites not occupied by buildings. Parking

spaces and service areas shall also be appropriately landscaped.

GOAL: Provide a full, balanced and readily accessible program of recreation and facilities for persons of all ages, income levels and cultural backgrounds, including community recreation centers with special emphasis on programs and facilities for youth and senior citizens.

POLICIES:

Provide open space for a variety of uses and groups, including such facilities as natural areas and linear parks free of organized recreation and areas suitable for use by entire families.

Since the needs and requirements of neighborhoods change, recreation needs and requirements should be reevaluated and necessary changes pursued to keep the parks and open spaces responsive to the needs of users.

Increase cooperative planning between schools and the town in the development of school and activity spaces as parks and recreation areas for the town.

Park sites should be available for groups to bring various aspects of their programs before the public, such as dramatic presentations, art shows, craft displays and concerts.

Parks should be maintained in accordance with the highest professional standards and practices consistent with type of vegetation and use.

Insure a regular program of citizen participation in the acquisition, planning, construction and development of parks.

MUNICIPAL GOVERNMENT FACILITIES

GOAL: Maintain facilities for municipal governmental offices and maintenance operations that are adequately financed, sited and designed for present use and future expansion.

POLICIES:

All facilities shall be made accessible by providing adequate parking for citizen use.

Government offices should include a central information center and display area.

Encourage cooperation between municipal facilities and services of other governmental jurisdictions.

Develop, adopt and enforce a plan for municipal government office growth and public facility maintenance responsibilities.

Encourage cooperation with county government and its special purpose agencies, state agencies and federal programs.

HEALTH AND SOCIAL SERVICES

GOAL: Health and social service facilities should be of high quality, accessible, and meet and anticipate the needs of the public.

POLICIES:

Encourage alternatives to hospital-based ambulatory health care such as the neighborhood health center concept.

Encourage the concept of Day Care at a reasonable cost to those using the service.

Encourage facilities that will allow refuse to be collected in a manner that protects health.

Support efforts of health and/or social service reform at the county, state or national level.

Encourage the development of senior citizen facilities.

Encourage the development of youth oriented facilities and/or programs.

LIBRARY FACILITIES AND SERVICES

GOAL: Provide library services and facilities that meet and anticipate the public needs and requirements.

POLICIES:

Provide adequate financing to permit a higher books-per-capital ratio.

Emphasize books and services rather than facilities.

Maintain cooperation and membership in the Pioneer Library System.

FIRE PROTECTION

GOAL: Maintain Fire Department facilities and services that assure protection for the people and their property.

POLICIES:

Provide residents a quality of service not less than a Class B public protection rating. (This means a National Board Class of 5, 6, or 7.)

Maintain water distribution facilities necessary for a Class B rating.

Provide for continuing education for department personnel.

Coordinate with adjoining jurisdictions for effective reciprocity.

Support a metropolitan approach to provision of basic education, training, support and other services for fire protection.

POLICE PROTECTION

GOAL: Provide police protection necessary to serve the citizens of an expanding community.

POLICIES:

Demand high standards of performance and morale of the professional law enforcement personnel working in the community. Promote sound relations between the police and the community.

Support new concepts of crime prevention intended to alleviate problems of social significance.

Cooperate on a metropolitan approach to the provision of basic education, training, communications, support, and other basic services for police protection.

SANITARY SEWER SERVICE

GOAL: Provide for sanitary sewer facilities and services that meet and anticipate public requirements and accomplish the land use directives of the Comprehensive Plan.

POLICIES:

Require staged extension of sanitary sewers to service the direction of urban growth.

Encourage development in areas presently served by sanitary sewer service.

Prevent problems of septic tank effluent in non-sewered areas by discouraging building in areas where soils

information and percolation tests result in marginal or poor reports.

Support water area and stream pollution standards set by state and federal water quality control agencies.

Cooperate on a metropolitan approach to a sanitary sewage system.

WATER QUALITY IMPROVEMENT

GOAL: Improve the level of water quality in the Irondequoit Basin and its tributary streams.

POLICIES:

For any construction activity within the Irondequoit Basin, the amount and rate of stormwater runoff should be more strictly controlled to prevent runoff of pollutants into waterways.

Cooperate with Monroe County to adopt runoff and erosion controls as outlined by Monroe County and the Irondequoit Bay Coordinating Committee.

Cooperate with Monroe County and other levels of government to further reduce road salting that affects the Irondequoit Basin by considering other alternatives for road deicing.

WATER SERVICES

GOAL: Insure that there is adequate supply of water for human consumption and for commercial, agricultural and recreational uses at reasonable prices.

POLICIES:

Provide for a water system evaluation regarding the condition and adequacy of existing and proposed facilities.

Encourage staged extensions of water service, especially into areas not served and not designated for urban uses on the plan.

Cooperate on a metropolitan approach to a water system.

OTHER UTILITIES

GOAL: Establish policies which provide for underground power communications and gas lines. Strive to utilize these easements and rights of way for the best public use.

POLICIES:

All utilities shall be installed underground and any needed above ground facilities shall be suitably designed to be compatible with the local neighborhood.

Require conversion of existing overhead communication and power lines to underground installation whenever possible.

GLOSSARY

MAJOR THOROUGHFARES

An arterial highway with intersections at grade and direct access to abutting property, and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic.

ARTERIAL HIGHWAY

A highway primarily for through traffic, usually on a continuous route.

COLLECTOR STREET

Streets which carry traffic from minor streets to arterial streets, including the principal entrance streets of a residential development.

FRONTAGE ROAD

A road contiguous to and generally paralleling an expressway, freeway, parkway, or through street and so designed as to intercept, collect, and distribute traffic desiring to cross, enter, or leave such highway and which may furnish access to property that otherwise would be isolated as a result of the controlled-access feature; sometimes called a "service road".

COMPREHENSIVE PLAN

The general or comprehensive plan is the official statement of a municipal legislative body which sets forth its major policies concerning desirable future physical development, including all accompanying maps, charts, and explanatory material adopted by the municipal board, and all amendments thereto.

CAPITAL IMPROVEMENT PROGRAM

A plan for capital expenditures to be incurred each year over a fixed period of years to meet the need for public improvements.

CLUSTER DEVELOPMENT

A design, development technique or development pattern in which the uses or structures are grouped together, or "clustered", through a transfer of density within the site, rather than being spread evenly throughout a parcel as in a conventional lot-by-lot development. The portion of the site remaining outside the "clustered" area is usually set aside for recreation, open space, or the preservation of natural features on the site.

BUFFER

Land or ground area between adjacent land uses on which materials may be planted or installed to provide visual and/or sound protection.

STREET TREES

Trees planted adjacent to public roadways for the purposes of community aesthetics, to provide shade, or to serve as a buffer between residential development and highway traffic.

FOUNDATION PLANTINGS

Plantings located along the foundation of buildings primarily to screen the view of the foundation itself and improve the overall appearance of the building.

SUBDIVISION

The division of any parcel of land situate within the Town of Henrietta into three (3) or more parcels, lots, or sites, with or without streets or highways described by metes and bounds, or by reference to a map with numbered lots or survey of the property, or by any other methods of description for the purpose of sale, lease, license or any other reason. The term includes resubdivision and shall relate to the process of subdividing or to the land subdivided.

ACCESSORY COMMERCIAL

A use or structure customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.