

# Comprehensive Planning & Zoning 101

EVERYTHING YOU'VE EVER WANTED (& NEEDED) TO KNOW



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**Let's Get to Know One  
Another!**



**Are You an Elected  
Official?**



**Are you a Municipal  
Planning or Zoning Board  
Member?**



**Does Your Community  
Currently Have A  
Comprehensive Plan?**



**Does Your Community  
Currently Have A Zoning  
Code?**



**Have You Ever Been  
Directly Engaged in the  
Preparation of a  
Comprehensive Plan?**



# Presentation Topics

## **Comprehensive Planning 101**

- Overview of the Comprehensive Planning Process
- Community Engagement in the Planning Process
- Implementing the Comprehensive Plan

## **Zoning 101**

- Overview of Zoning Basics
- Planning and Zoning Nexus
- Common Issues & “Red Flags”

## **Wrap Up**

- Avoiding Common Pitfalls





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## Comprehensive Plan 101

- What is a Comprehensive Plan?
- Do I Really Need One and What's My Role?
- What are the Benefits?





## What Is A Comprehensive Plan?

### A document that...

- Identifies a preferred community vision and a series of actions to achieve that vision
- Provides direction and guidance for land use decision making
- Defines a set of goals to accommodate future growth and preservation
- Is the basis for future zoning code amendments; and a legal justification for regulations (but it's not a legal document in itself)



## Benefits of a Comprehensive Plan

- Establish community vision for Future
- Proactively address land use preferences
- Identify capital projects government agencies should consider as plan recommendations
- Synthesize other planning efforts
- Improve opportunities for funding



Are  
Municipalities  
Legally Required  
to Adopt A  
Comprehensive  
Plan?

**NO.**

The preparation of a  
Comprehensive Plan in New York  
State is **OPTIONAL**.



BUT.....

*“Failing to plan is  
planning to fail.”*



Statutes Exist to  
Guide  
Communities  
Through the  
Process

General City Law section 28-a

Town Law section 272-a

Village Law section 7-722



## Section 272-A Town Comprehensive Plan

Among the most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.

The great diversity of resources and conditions that exist within and among the towns of the state compels the consideration of such diversity in the development of each town comprehensive plan.

The participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum town comprehensive plan.

The comprehensive plan fosters cooperation among governmental agencies planning and implementing capital projects and municipalities that may be directly affected thereby.

It is the intent of the legislature to encourage, but not to require, the preparation and adoption of a comprehensive plan pursuant to this section. Nothing herein shall be deemed to affect the status or validity of existing master plans, comprehensive plans, or land use plans.

Effect of adoption of the town comprehensive plan.

All town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section.



## Who Is Responsible for Preparing the Comprehensive Plan?

- Elected Officials
- Volunteers
- Municipal Staff
- Planning Board and/or ZBA
- Consultant



## Overseeing the Process

- If a board is formally charged with preparing a comprehensive plan (special board), it must comply with open meeting laws.
- If the board is advisory, the governing board can take action with or without their input and therefore is not required to comply with open meeting laws.





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# The Comprehensive Planning Process

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- Existing Conditions
- Vision & Goals
- Future Land Use
- Actions and Recommendations
- Implementation Strategy
- Engage the Community

NATIONAL FIRM. STRONG LOCAL CONNECTIONS.



The Process Involves Walking Through a  
Series of Questions...and Answering Them for  
Your Community.

1. Where Are We Today?
2. Where Do We Want to Go?
3. How Do We Get There?



# 1

WHERE ARE  
WE TODAY?





## Establish a Baseline

- Identify and review existing plans and studies
- Existing conditions inventory
- Mapping / visual representations
- Assets and liabilities (SWOT)



## Existing Conditions Assessment Resources

- US Census Bureau
- NYS Office of Real Property Service
- County Planning Department
- NYS Department of Transportation
- State Historic Preservation Office
- NYS Department of Environmental Conservation
- Regional Planning Boards / Organizations
- Metropolitan Planning Organization
- School Districts
- Public Transportation Authorities



## Typical Topics Areas

### Defined in Statutes

- Land Uses
- Land Use Regulations
- Natural Resources
- Property Ownership
- Transportation Facilities
- Parks and Recreation
- Agricultural Lands
- Historic/Cultural Resources
- Socio-Economic
- Utilities and Infrastructure
- Housing
- Community Services



## Emerging Topics

- Sustainability
- Transit Oriented Design
- Market Conditions
- Solar
- Equity
- Public Health (*does anyone recall Covid?*)
- Resilience (Community, Natural Disasters, Economic)



# 2

WHERE DO WE  
WANT TO GO?





# Crafting a Vision Statement

## Considerations:

- Short & Sweet
- Focus on Key Words
- Avoid Too Much Jargon
- Make It Meaningful

***A vision statement is intended to express the long-term ideals of a community; how the community wants to see itself in the future (10 year horizon).***



# Get Community Members Engaged





## Sample Vision Statement

*Williamson is a diverse community that values all people - including our families, business professionals, farmers, and visitors. We are a community of historic hamlets, scenic corridors, waterfronts, orchards, and open spaces. We take great pride in our heritage and are committed to our future as we seek to identify opportunities that enhance the character and essence of the Town. The people of Williamson care for their neighbors and welcome everyone to explore and enjoy our unique features. We are a community that has something for everyone. **Williamson invites you to...Come Grow with Us.***



## Sample Vision Statement

*Our vision for Pittsford:*

**A community that embraces its unique character and history to inspire a livable and sustainable future.**





## Establish Goals and Policies

### Considerations:

- Identify overarching priority areas
- Keep it manageable
- Focus on key themes identified by the community

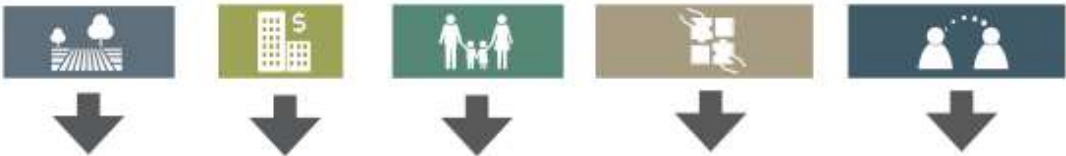




# Goals and Policy Framework

## Goals

The Town's desired future direction that form the organizational framework and basis for policies.



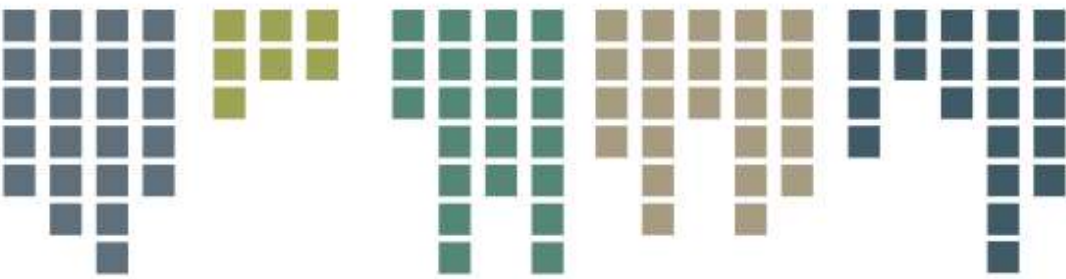
## Policies

Larger themes that guide decision-making to carry out the goals.



## Actions

Specific recommendations to be undertaken by the Town and its partners to achieve the overarching goals of the Big Flats community.





# Vision, Goal, Policy Framework





## Future Land Use Planning

A future land use plan is intended to:

- Provide a generalized visual and narrative representation of the community's **desired** land use pattern
- Identify where **development patterns** and types are most appropriate
- Convey an **overall vision** for the future



## Future Land Use Planning

A future land use plan is **NOT** intended to:

- Mimic existing land uses
- Be regulatory - it is the basis for updating zoning, but it does not actually control land use
- Define specific properties, zoning classifications, permitted uses, and requirements



# Future Land Use Planning

## Considerations:

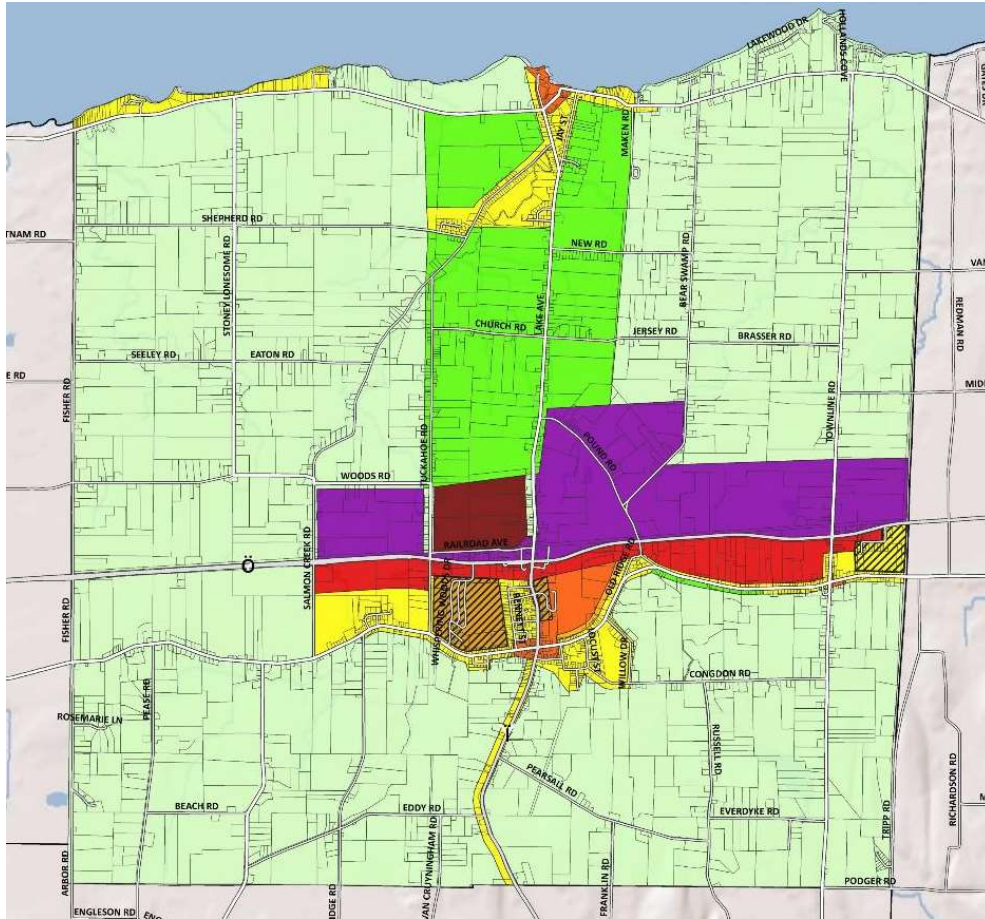
- Identify the Purpose
- Recognize Long-Term Goals
- Use as a Guide

*map*  
"A ~~picture~~ is worth a thousand  
words."

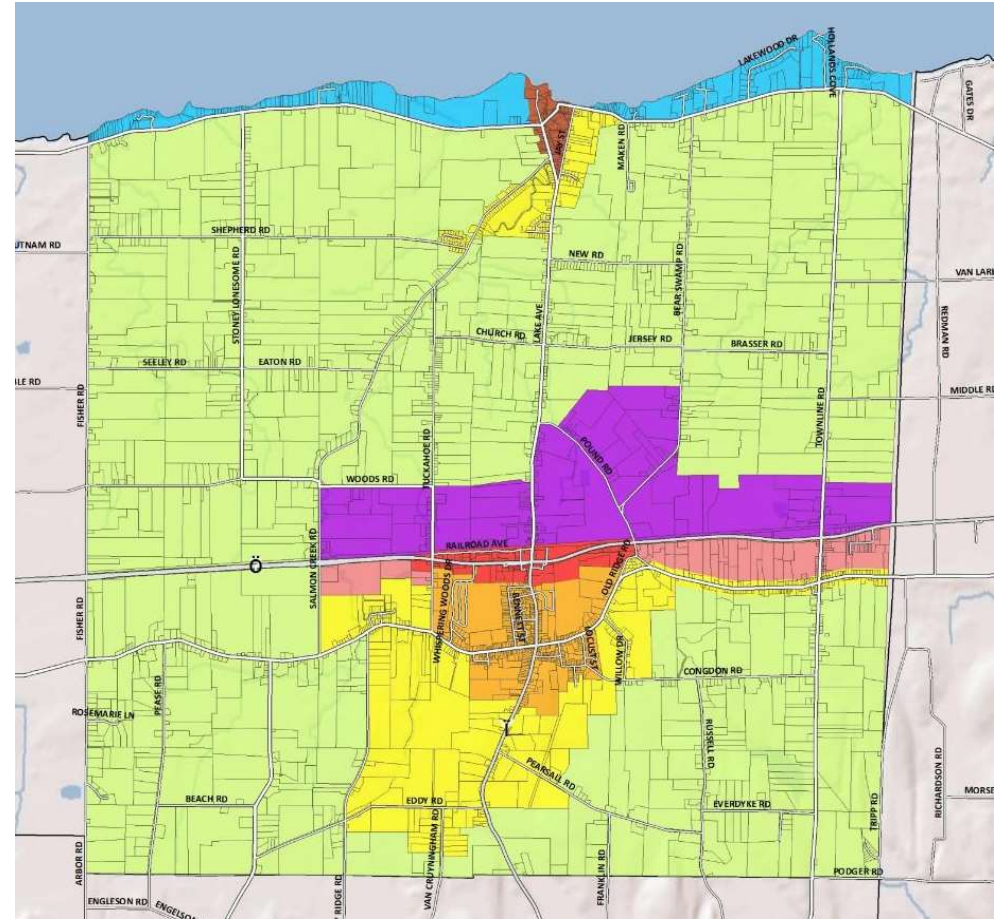


# Approaches to Future Land Use Planning

Future Land Use Plan



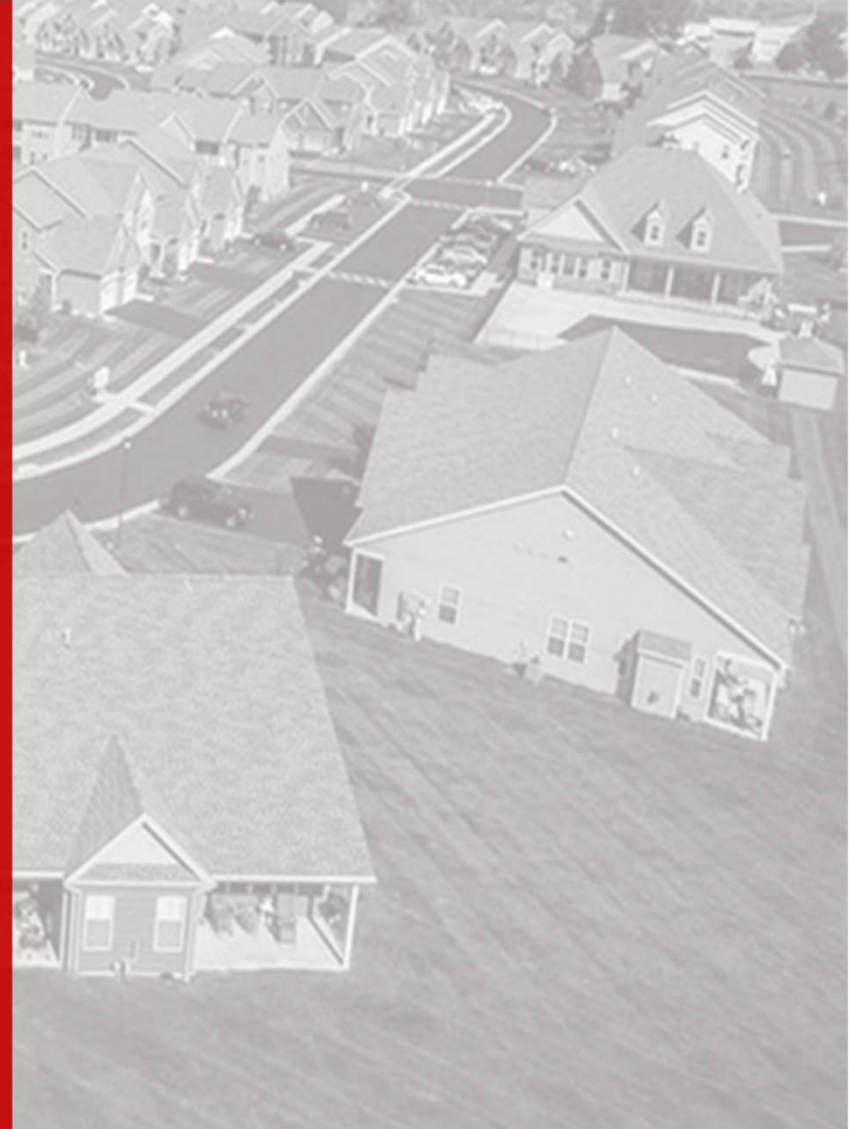
Zoning





# 3

HOW DO WE  
GET THERE?





# Implementation Strategy

## Considerations:

- Synthesize actions and recommendations
- Prioritize next steps
- Assign responsibilities
- Identify cost estimates
- Consider funding resources



# Implementation Strategy

## GOAL 4

## QUALITY OF LIFE



89

### POLICY 5

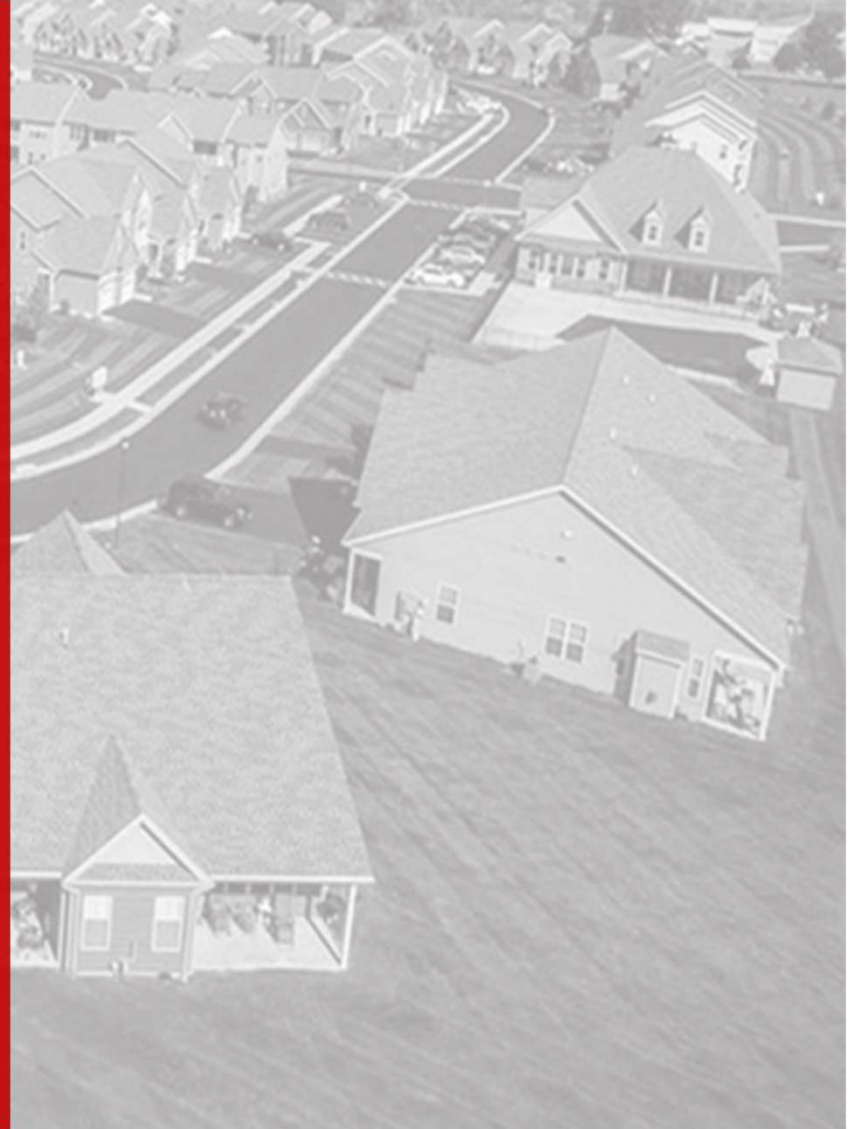
### Branding and Identity

	ACTION ITEM	PHASE	RESPONSIBLE PARTY	COST ESTIMATE	NOTES
4.5.1	Establish a Township-wide brand and identity, with consistent fonts, colors and logo, to use on signage, pamphlets and guides.	Mid-term	Township	\$20,000	
4.5.2	Implement a wayfinding program that directs people to key destinations, improves circulation/navigation and provides a sense of comfort/security to overall visitor experience.	Mid-term	Township	Planning and Design - \$25,000 Implementation - Varies	Implementation costs will vary based on final scope and phasing of sign installation
4.5.3	Develop and distribute pamphlets and brochures/guides which share information about the Township to residents and visitors.	Mid-term	Township	\$5,000	
4.5.4	Design and install educational and interpretive signage/kiosks at Township sites and facilities.	Mid-term	Township	\$10,000	Per Kiosk



# 4

WRAPPING  
IT UP!





Make Sure Your  
Document Tells  
Your Story

## A Comprehensive Plan is Equal Parts:

- Inventory
- Vision
- Education
- Strategy



# Make Sure Your Document Tells Your Story





# Inventory.

Perinton  
(Town only)

47

median age

93%

white

60%

bachelor's or  
graduate  
degree

Perinton +  
Fairport

47

median age

91%

white

59%

bachelor's or  
graduate  
degree

Monroe  
County

40

median age

73%

white

38%

bachelor's or  
graduate  
degree



Educate.

## COMPLETE STREETS, COMPLETE COMMUNITY

### What is a Complete Street?

A complete street, as defined by the National Complete Streets Coalition, is "a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users including pedestrians, bicyclists, motorists and transit riders of all ages and abilities."

**DESIGNED FOR ALL, NO MATTER HOW THEY TRAVEL**



### **BENEFITS OF COMPLETE STREETS:**

- ① **SAFETY**  
Dedicated lanes, lighting and crosswalks create a easily accessible environment for users
- ② **ECONOMIC VITALITY**  
Walkability promotes shopping and business support



# Educate.



## ***What creates a sense of place?***

- Vitality and human activity
- Pedestrian friendly features
- Human-scaled buildings
- A sense of safety and security
- Proportions and architectural detailing that reflect regional traditions
- Functional landscaping
- Lighting

## ***How can design standards help?***

Design standards help create a sense of place by establishing objective, measurable, and enforceable requirements for development. By establishing clear goals at the beginning of the application process, design standards can also expedite project review.

Design standards are important to ensure uniform building and site design for new development, redevelopment and building alterations, contributing to a uniform, but not cookie cutter, design aesthetic.

Design standards hold developers accountable for locally acceptable architectural designs, materials and details, as well as site infrastructure, landscaping and lighting.



# Sample Table of Contents

<b>1</b>	<b>Introduction</b>	<b>1</b>
	<i>What is a Comprehensive Plan?</i>	1
	<i>Premise of the Comprehensive Plan Update</i>	2
	<i>The Update Process</i>	2
	<i>Summary of Community Engagement</i>	3
	<i>Summary of Past Plans</i>	5
<b>2</b>	<b>Snapshot of Existing Conditions</b>	<b>9</b>
	<i>Geographic Setting</i>	9
	<i>Demographic Characteristics</i>	10
	<i>Economic Characteristics</i>	12
	<i>Housing Characteristics</i>	15
	<i>Physical Characteristics</i>	16
<b>3</b>	<b>Vision, Goals and Policies</b>	<b>21</b>
<b>4</b>	<b>Future Land Use Plan</b>	<b>27</b>
	<i>2028 Future Land Use Plan for Whitemarsh Township</i>	29
	<i>Character Areas</i>	29
<b>5</b>	<b>Implementation Strategy</b>	<b>41</b>
	<i>Land Use</i>	42
	<i>Housing</i>	54
	<i>Circulation</i>	57
	<i>Quality of Life</i>	62
	<i>Action Plan</i>	72

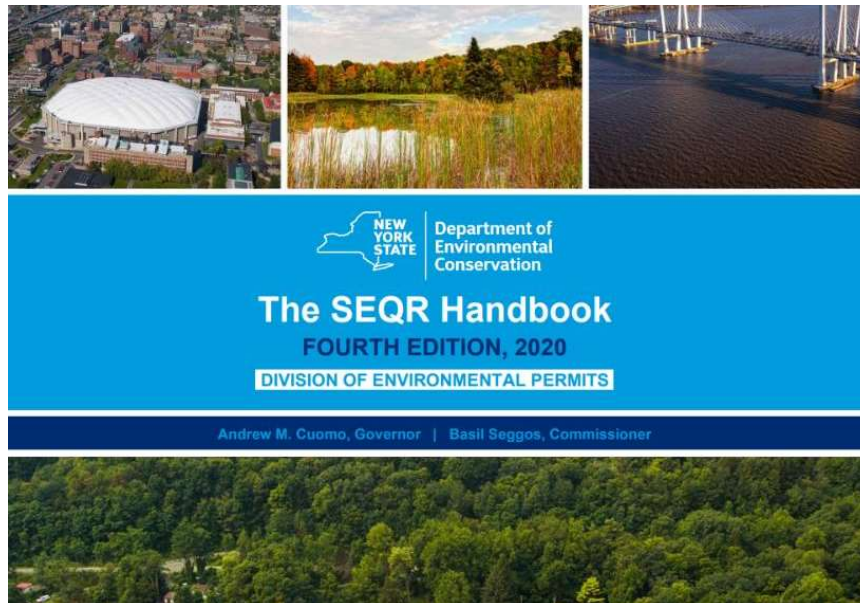


# SEQR

**Type 1 Action** – Presumed to have a potential significant adverse environmental impact

- Environmental Assessment Form
- Environmental Impact Statement may be required
- Generic EIS or Site Specific EIS

**Type 2 Action** – No adverse impact, not subject to review (garages, fences, swimming pools)





## Review and Adoption Process

### Considerations:

- Governing Board has authority to review and adopt
- Public hearing during adoption
- If State Agriculture Districts, municipality must consider impacts on farming (SEQR)
- To meet General Municipal Law 239-m, Governing Board must refer the proposed plan to County Planning Board



# Schedule

## Considerations:

- Target 12-18 months for preparation
- But, be realistic (*volunteers versus consultant*)
- Too long, risk losing momentum
- Too short, risk missing important topics and conversations





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## The Role of Community Members in the Process

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- Actively Listen to Community Members during the Planning Process

NATIONAL FIRM. STRONG LOCAL CONNECTIONS.



# Avoid This



NATIONAL FIRM. STRONG LOCAL CONNECTIONS.



# Embrace This



NATIONAL FIRM. STRONG LOCAL CONNECTIONS.



# Committee Meetings





Project Website: [www.pittsfordplan.com](http://www.pittsfordplan.com)



#### About the Update

Learn more about the Town of Pittsford's Comprehensive Plan Update, including the various elements of the plan and its overall timeline for completion.

[LEARN MORE](#)

#### Get Involved

The cornerstone of any successful planning effort is active and continuous public involvement. Follow the link below to learn how you can be involved.

[LEARN MORE](#)

#### Project Resources

Find information associated with the Update (maps, documents, presentations). Check back often as new materials will be added as they are developed.

[LEARN MORE](#)

#### News & Events

Keep up to date with the latest

#### Share Your Ideas

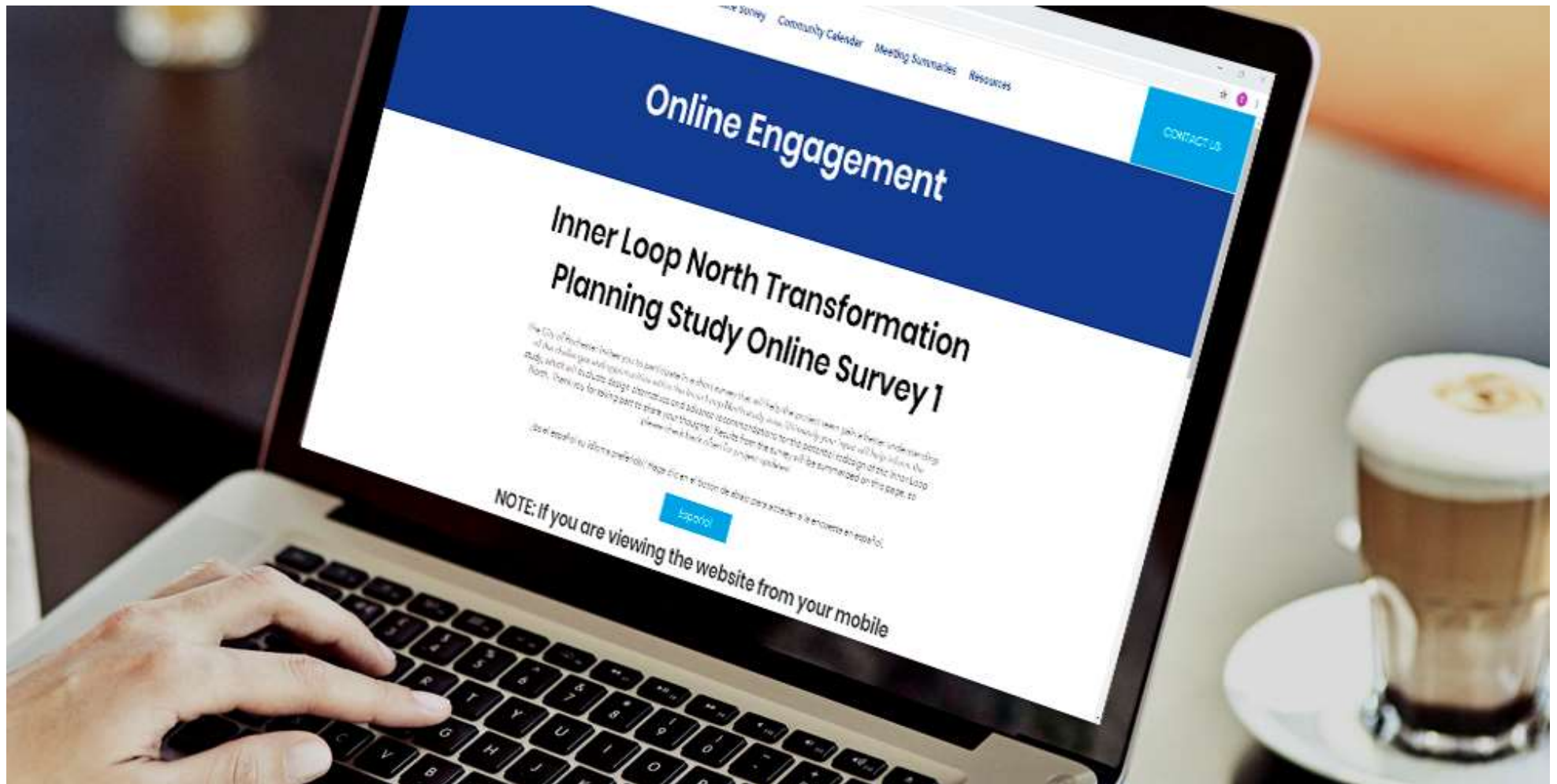
Discover how to share your ideas for the Town of

#### Steering Committee

The Steering Committee provides the

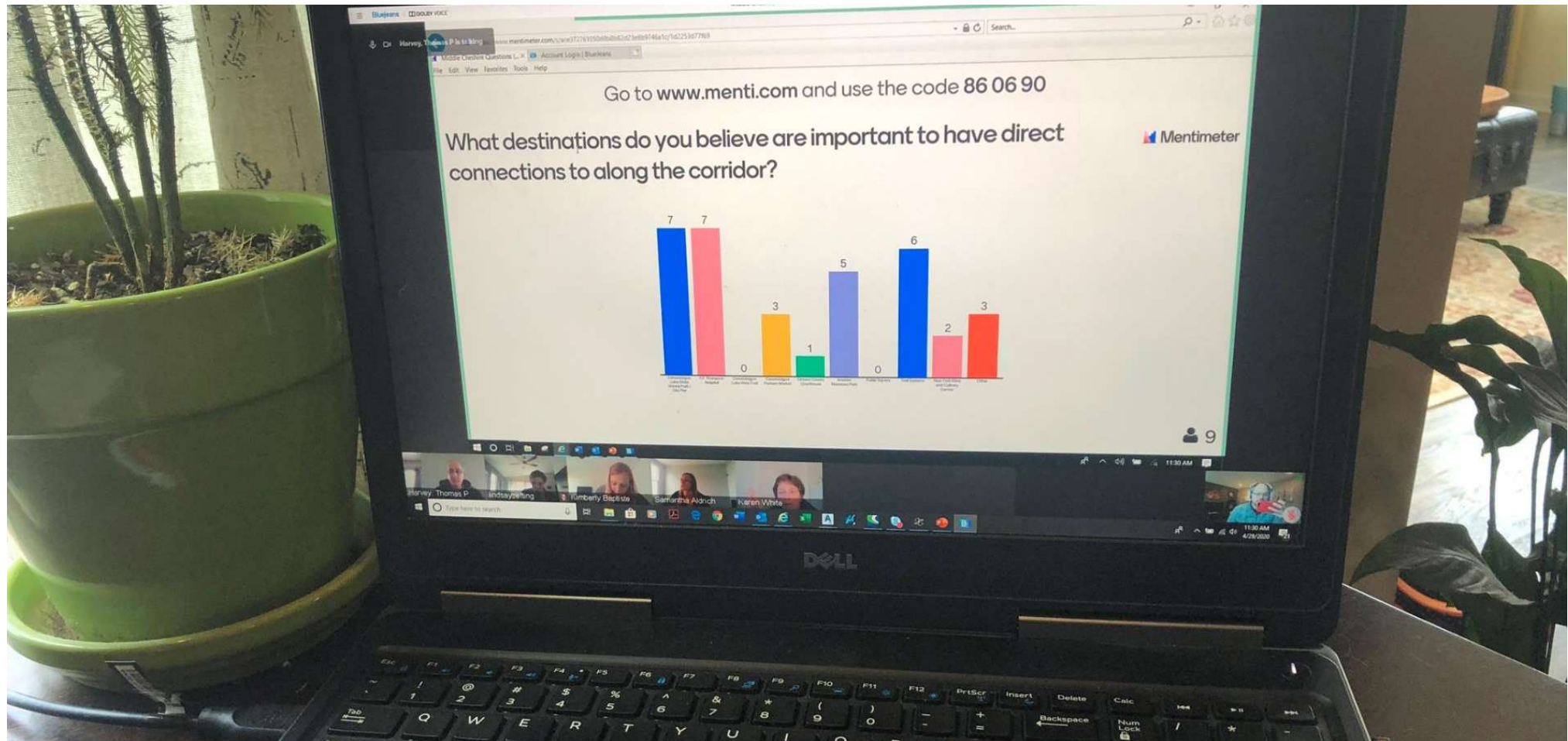


# Online Surveys





# Virtual Meetings





# Walking Tours





# Pop Up Engagement





# Visioning Workshops





# Land Use Workshops





# Youth Engagement







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## Implementing the Comprehensive Plan

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- We finished our plan, now what?

NATIONAL FIRM. STRONG LOCAL CONNECTIONS.



Now comes the  
heavy lifting....









Potential Funding  
Resources for  
Comprehensive  
Plan  
Development /  
Implementation

- **Consolidated Funding Application**
- LWRP/EPF
- SHPO/EPF
- Parks and Recreation/EPF
- NYS Department of State
- NYSERDA
- NYS Department of Agriculture and Markets
- DOT
- Municipal budgets
- Foundations



## Funding Tips

- Set Your Strategy & Start Planning Early
- Follow the Rules!
- Be Succinct – Focus on the Facts
- Know Your Audience
- Think Outside the Box for Potential Resources
- Leave Time for Review
- Don't Give Up!



Identify  
Cheerleaders







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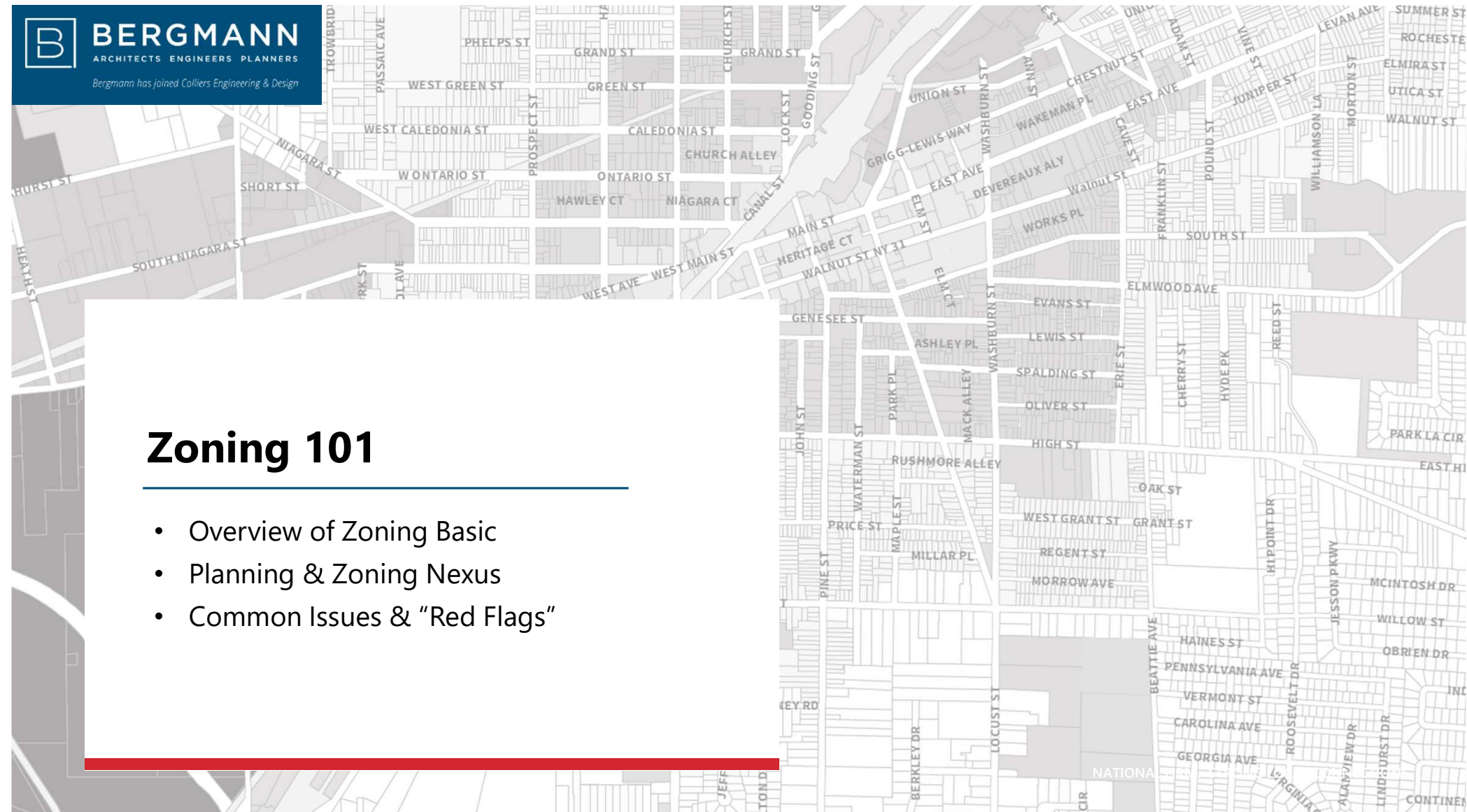
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# Zoning 101

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- Overview of Zoning Basic
- Planning & Zoning Nexus
- Common Issues & "Red Flags"





# ZONING BASICS





## Zoning History

- NYC had first city-wide zoning code in 1916
- US Supreme Court upheld zoning in 1926 in Euclid Ohio v. Ambler Realty Co
- This case is the namesake of “Euclidean Zoning”
- Zoning is part of Police Power to ensure the health, safety, and welfare of the public
- Many communities still do not have zoning or land use laws



## **ZONING IS...**

- Law
- A means to regulate investment
- Applicable to private property
- One of a series of chapters in municipal codes
- Connected to other land use based chapters

## **ZONING CAN...**

- Accommodate & Facilitate Change
- Encourage Place-Making
- Be an Asset or Counter-Productive

## **ZONING IS NOT...**

- Intended to be selectively enforced
- Applicable to public rights-of-way
- A catch-all for every land use issue
- A replacement for building code or construction standards

## **ZONING CANNOT...**

- Create Change
- Create Places



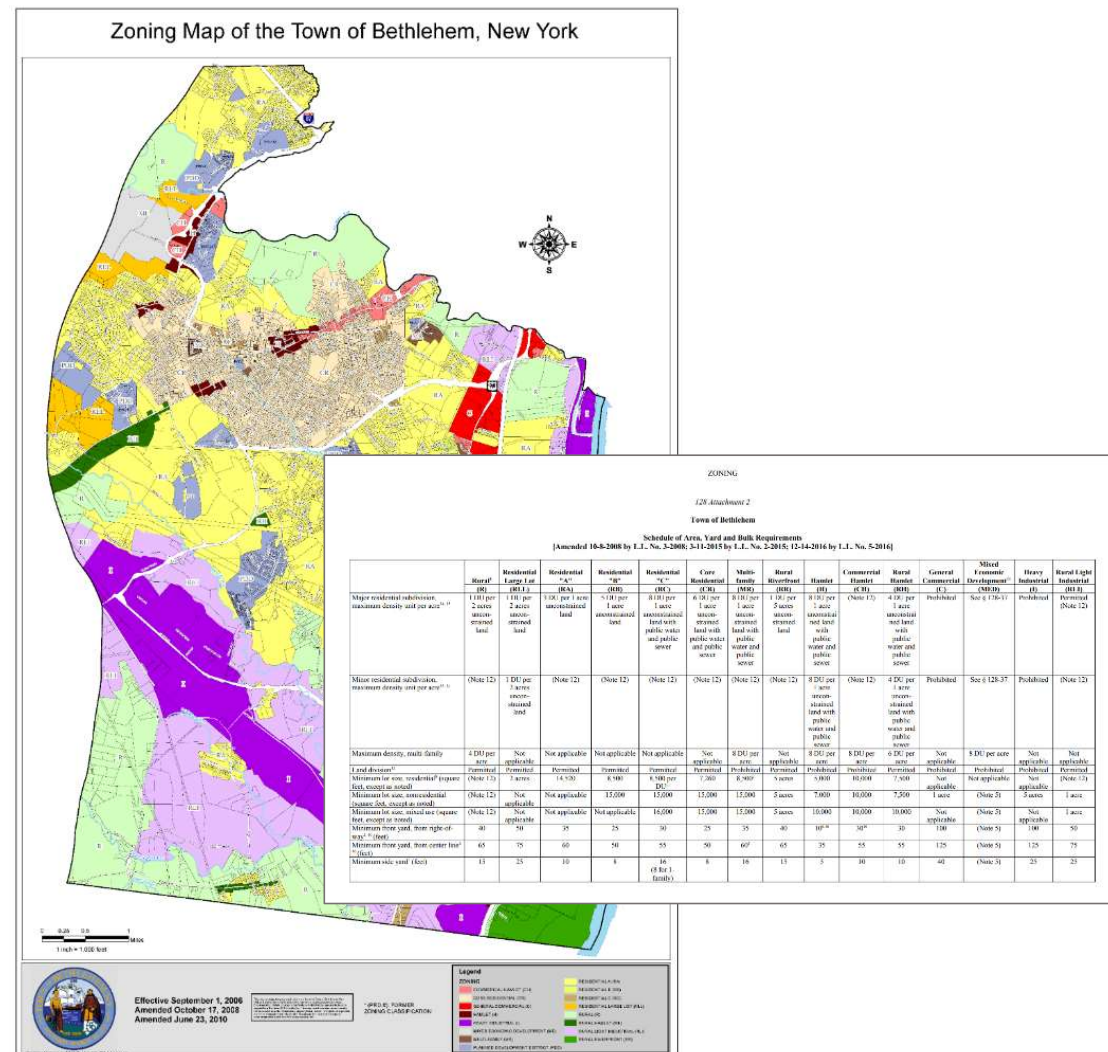
# Euclidean Zoning

"Separation of Uses"





- Mapped Districts
- List of Permitted Uses
- Dimensional Requirements
- Strong on “Don’t Do’s”
- Intended to be Self-Administering
- Limited Discretion





# Performance Zoning

- Lane Kendig developed first code in 1973
- Developed in response to the rigidity of Euclidean Zoning
- Focuses on IMPACT rather than USE
- Specifies standards of intensity
- Noise, Lighting, Traffic, Floor Area Ratio, etc.
- Flexible & can readily accommodate new technologies
- Costly to implement (ongoing staff training & equipment, etc.)





# Form Based Zoning

- Focuses on DESIGN rather than USE
- Community's physical form is its most important characteristic
- Recycle buildings for a variety of uses

## Used to Be a Pizza Hut

These beautiful structures, most likely now devoid of the table-top Pac Man machines, dot the American landscape. Some provide ethnic food, some, used cars. For all their different purposes, we can always be reminded of the those red plastic cups.

Submit your photos of establishments that us

Home Map of Locations Facebook Twitter

Like 4.9K people like this. Sign Up to see what your friends like.

Map Area

UTBAPHs

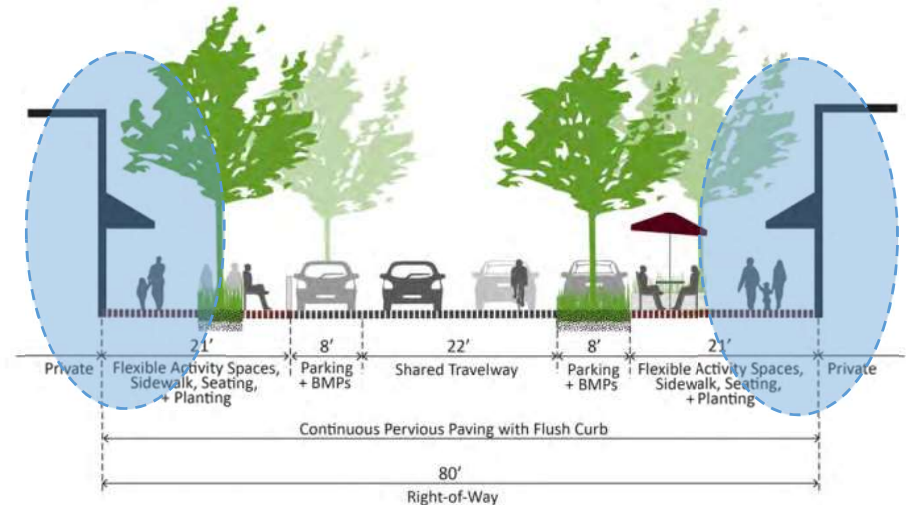




# Form Based Zoning

- Public realm is a priority
- Preceded by vision or design charrette

Norfolk Ave (Rugby Ave to Wisconsin Ave, Looking Northwest)  
Proposed Section Long Term: Shared Street with Stormwater Best Management Practices (BMPs)



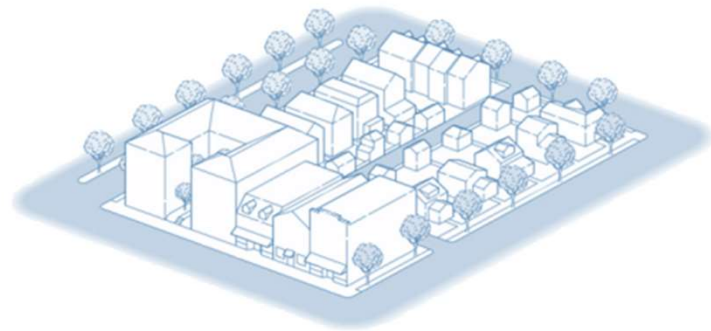
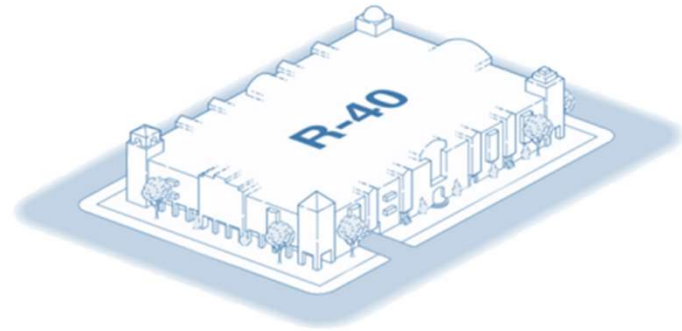
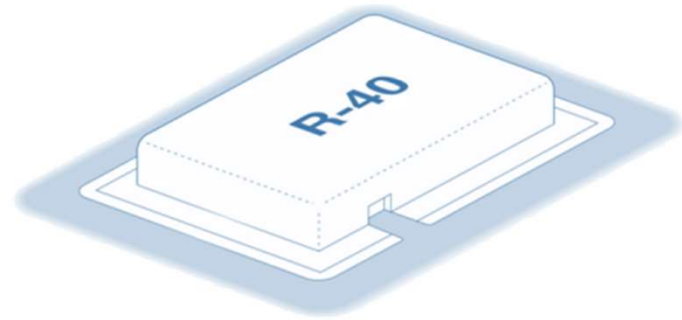
**Zoning doesn't regulate the public realm but helps to frame and direct the relationship between private property and the streetscape.**



# Hybrid Codes

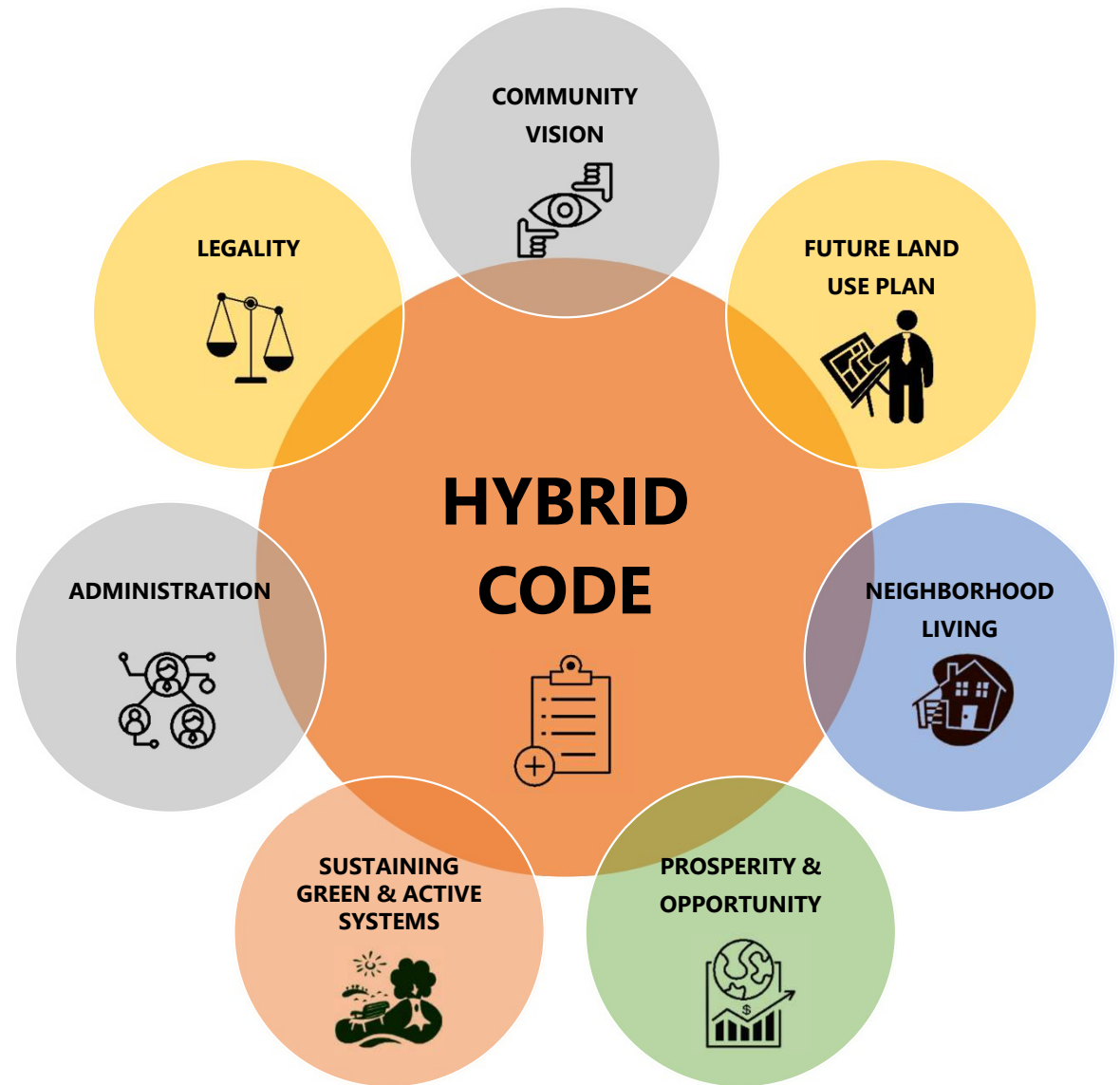
Borrow the Best from Each...

- **Euclidean:** Use, Setbacks, & Bulk Requirements
- **Performance:** Development impacts
- **Form Based:** Design Standards & Guidelines





# The Best Codes Balance...





# Zoning Content – 3 General Sections

## ZONING DISTRICT FRAMEWORK

- District Purpose Statements
- Use Lists
- Bulk/Dimensional Requirements
- District Boundaries
  
- \*Certain Use Regulations
- \*Temporary Use Regulations

## DEVELOPMENT STANDARDS

- Off-Street Parking/Loading
- Landscaping/Screening
- Building & Site Design Standards
- Circulation, Access & Connectivity
  
- \*Signage
- \*Lighting
- \*Noise

## ADMIN & REVIEW PROCEDURES

- Application Processing
- Public Hearings & Notices
- Site Plan Review
- Special Use Permits
- Planned Unit Developments
- Variances & Appeals
- Nonconformities
- Amendments
- Permits & Enforcements



# Planning & Zoning Catch 22

## PRE-REGULATION



Organic Settlement  
Localized communities  
Low impact uses  
Pride in character

## EUCLIDEAN ERA & SUBURBAN SPRAWL



Inorganic Development  
Isolated communities  
Separation of uses  
Destruction of character

## INFILL & REPAIR



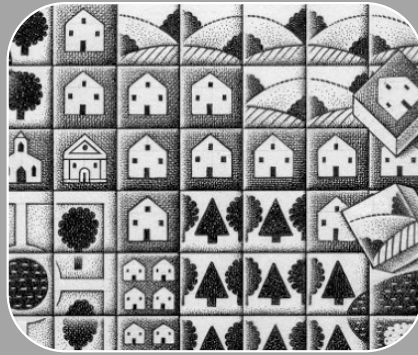
Smart Growth Trends  
Contextual Communities  
Design over use  
Definition of character



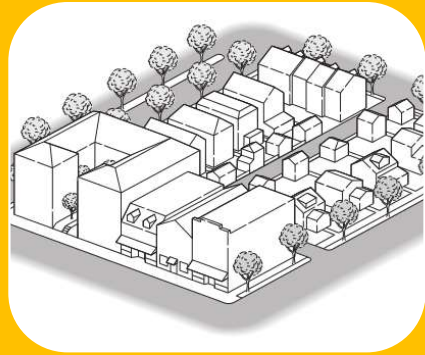
# Spectrum of Control



No Local Regulation



Some Local Regulation



Heavy Local Regulation

**How much influence do you have? How much do you want?**

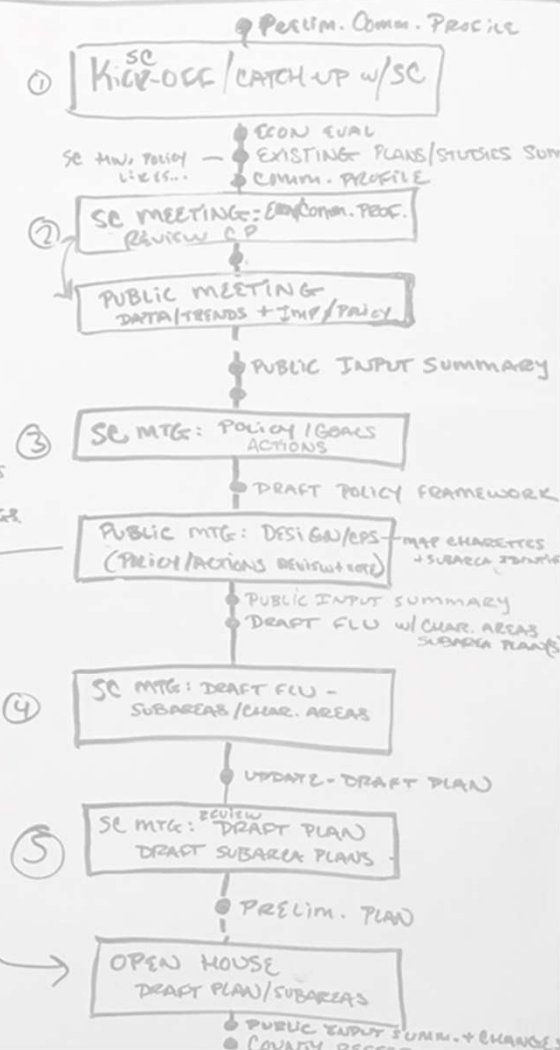


# PLANNING & ZONING NEXUS

## ZONING



## COMP. PLAN





## Plans & Codes Must Align

### NYS VILLAGE LAW §7-722

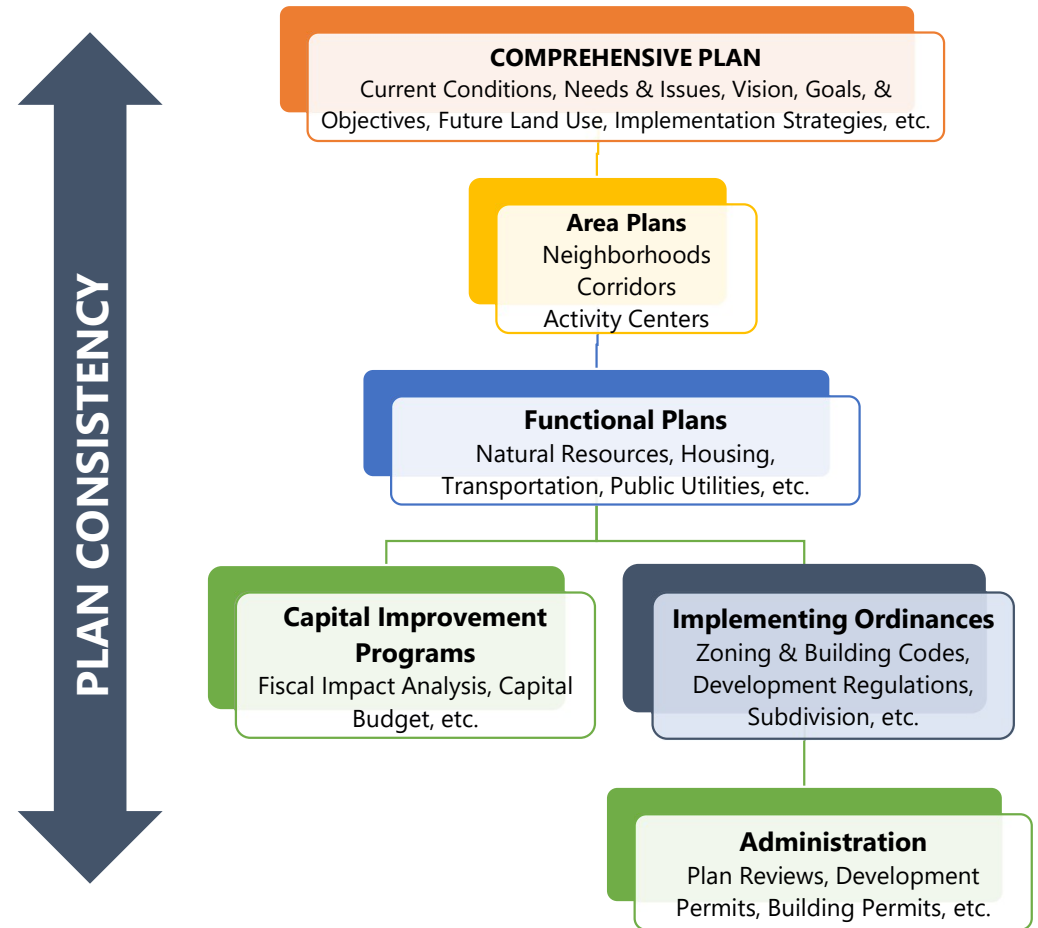
(Same for Towns & Cities)

11. Effect of adoption of the village comprehensive plan.
  - All village **land use regulations must be in accordance with a comprehensive plan** adopted pursuant to this section.
  - All plans for capital projects of another governmental agency on land included in the village comprehensive plan adopted pursuant to this section shall take such plan into consideration.



# Zoning Codes

One Piece of the Puzzle





# The Nexus Between Planning & Zoning

"Zoning regulations should be carefully constructed to make sure they will help carry out municipal planning goals. Some communities don't pay enough attention to the translation of those goals into the drafting of their zoning regulations. The result often brings frustration with zoning itself as a technique, when in reality the problem is that the zoning regulations have not been carefully enough constructed. This will in turn frustrate the achievement of municipal planning goals."





# Translating Policy into Regulation

## PLAN RECOMMENDATIONS

- Walkability
- Defined Community Character Areas
- Sustainability
- Diversity in Housing
- Economic Development
- Etc.

\* May be **broad/general** statements of intent \*

## ZONING CODE REQUIREMENTS

- Ped/Bike Site Connectivity Requirements
- District, Building, Lot & Use Regulations
- Environmental Review or Green Infrastructure
- Permitting a Variety of Dwelling Types
- Increased commercial/industrial permissions
- Etc.

\* Must be **clear/measurable** & tied to purpose \*



# Translating Policy into Regulation

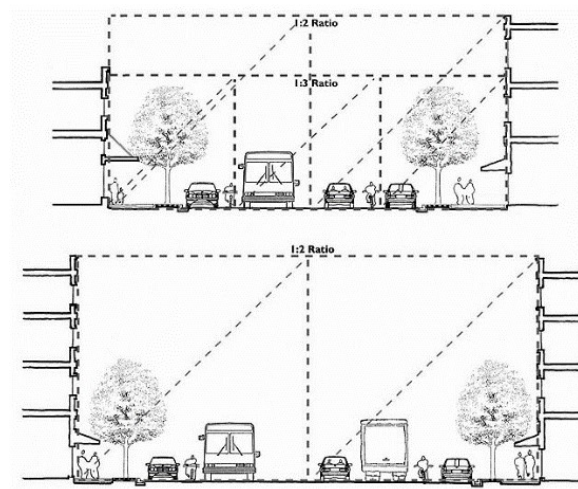
## WALKABILITY

Ex. Town of Canandaigua  
Uptown Plan Recommendations

COMMERCIAL DISTRICTS	MINIMUM			MAXIMUM	
	LOT SIZE	LOT WIDTH	FRONT SETBACK	BUILDING HEIGHT	LOT COVERAGE <sup>1</sup>
NEIGHBORHOOD COMMERCIAL (NC)	1 Acre	175 ft	150 ft <sup>2</sup>	30 ft	60%
COMMUNITY COMMERCIAL (CC)					
General Commercial Uses	1 Acre	175 ft	100 ft <sup>2</sup>	35 ft	35%
Mix of Commercial/Residential Uses	2 Acres	200 ft	150 ft <sup>2</sup>	35 ft	35%
Shopping Centers/Plazas	10 Acres	500 ft	200 ft	35 ft	50%
RESTRICTED BUSINESS (RB-1)	40,000 sf	150 ft	150 ft <sup>2</sup>	35 ft	50%

1) Lot coverage is measured by the maximum building coverage on a lot.

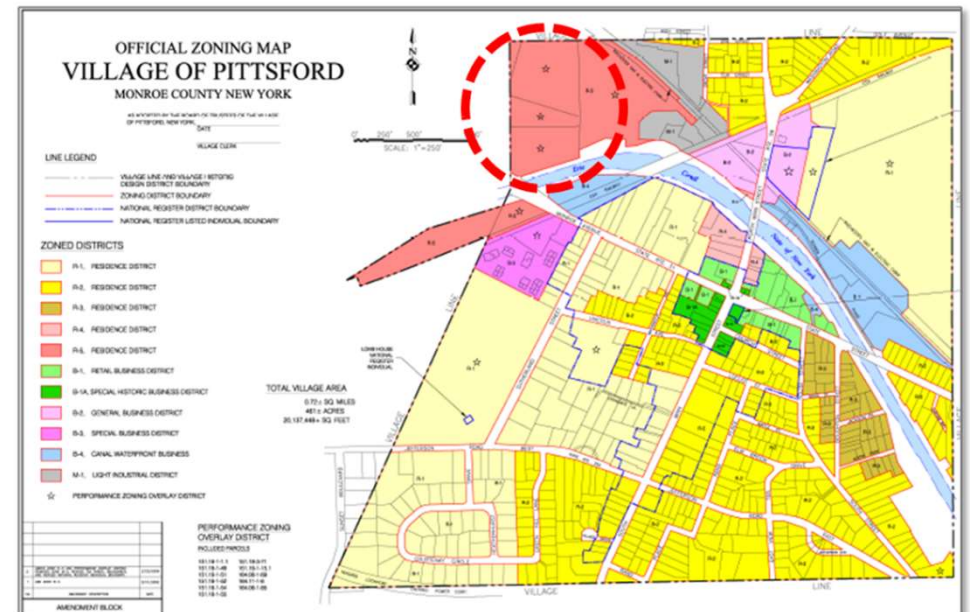
2) Setback requirement shown is consistent with frontage along Route 332.



**Block length (in feet)**  
**Excellent: 250-400**  
**Good: 400-500**  
**Acceptable: 500-600**  
**Fair: 600-800**  
**Poor: more than 800**

—TND Design Rating Standards, Version 1.5 (2005)

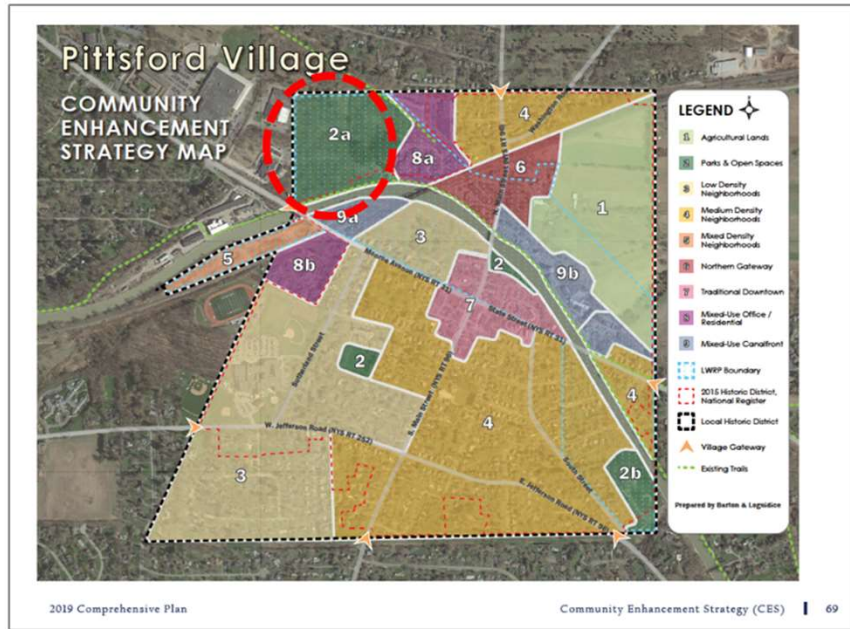




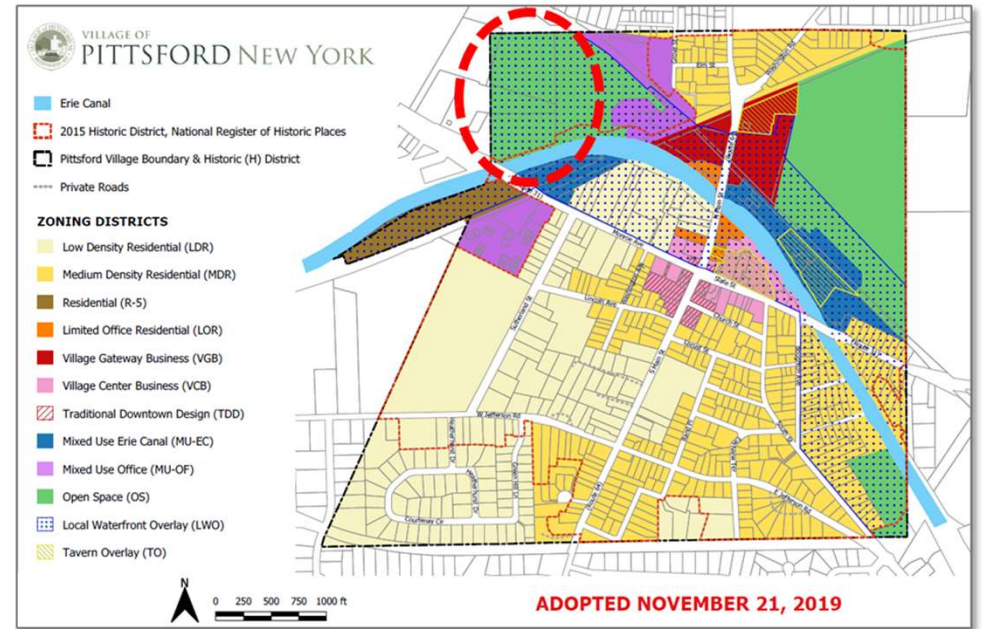


# Aligning Code with Future Land Use

## 2019 COMPREHENSIVE PLAN



## 2019 ZONING MAP





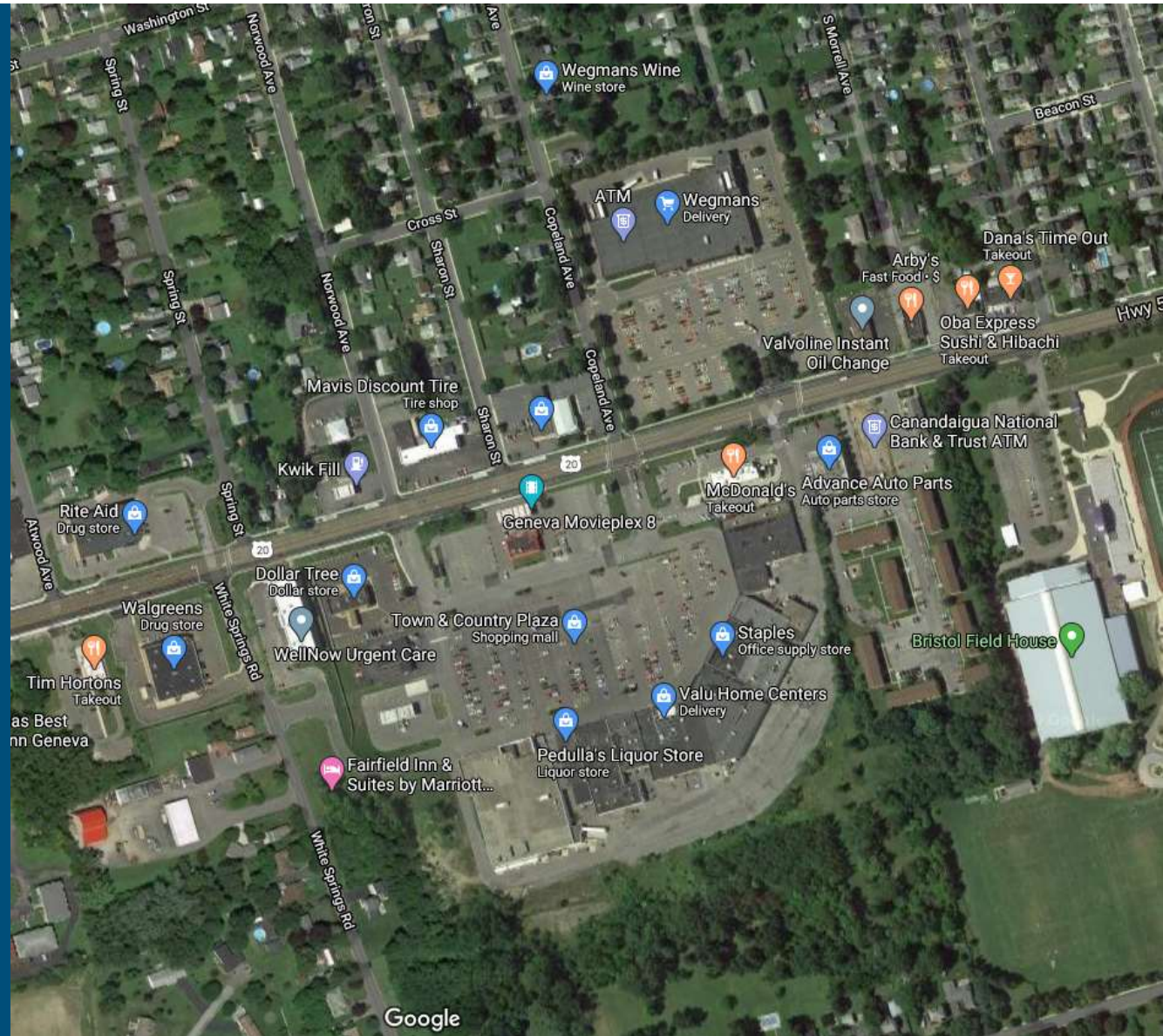
# COMMON ISSUES & "RED FLAGS"





# District & Use Character

EX. ROUTES 5 & 20 – Geneva





# Hamilton Street Corridor

**CURRENTLY OUT OF SYNC WITH PLAN**



**Existing Zoning Map – Highway (H) & Business (B-1) Districts**



## **GATEWAY CORRIDORS**

### **Hamilton Street De-suburbanization**

The 2015 reconstruction of Hamilton Street did much to improve the street's overall function and safety – especially the installation of a center turn lane and the widening and extension of sidewalks. Development patterns along much of the street, however, remain strictly suburban in character, with large expanses of pavement and single-use development.

A combination of policy reforms and infrastructure modifications will be necessary, over time, to make Hamilton Street less suburban in character, improve quality of life for residents, and provide a more distinctive gateway to the City. These include:

**Comp Plan – Transformation to Mixed Use Gateway**



# Routes 5 & 20 Character

## VISION



## WHAT'S PERMITTED





# Red Flags

## OVERLY SIMPLIFIED DISTRICTS

Ex. Village of Attica





# Red Flags

## OVERLY SIMPLIFIED DISTRICTS

Ex. Village of Attica





# Red Flags

## OVERLY SIMPLIFIED DISTRICTS

Ex. Village of Attica



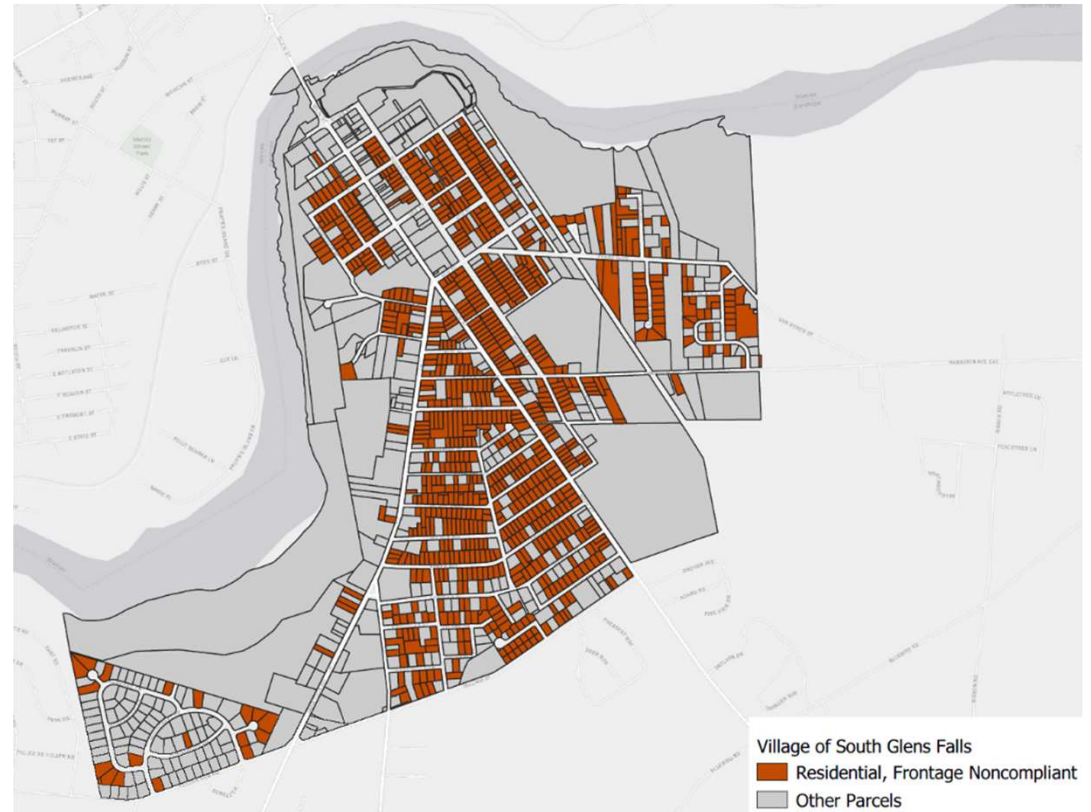


# Red Flags

## NONCONFORMITIES

EX. Village of South Glen Falls

- MIN Lot Width – 90 ft (R-1 & R-2)



**75% NONCONFORMING**

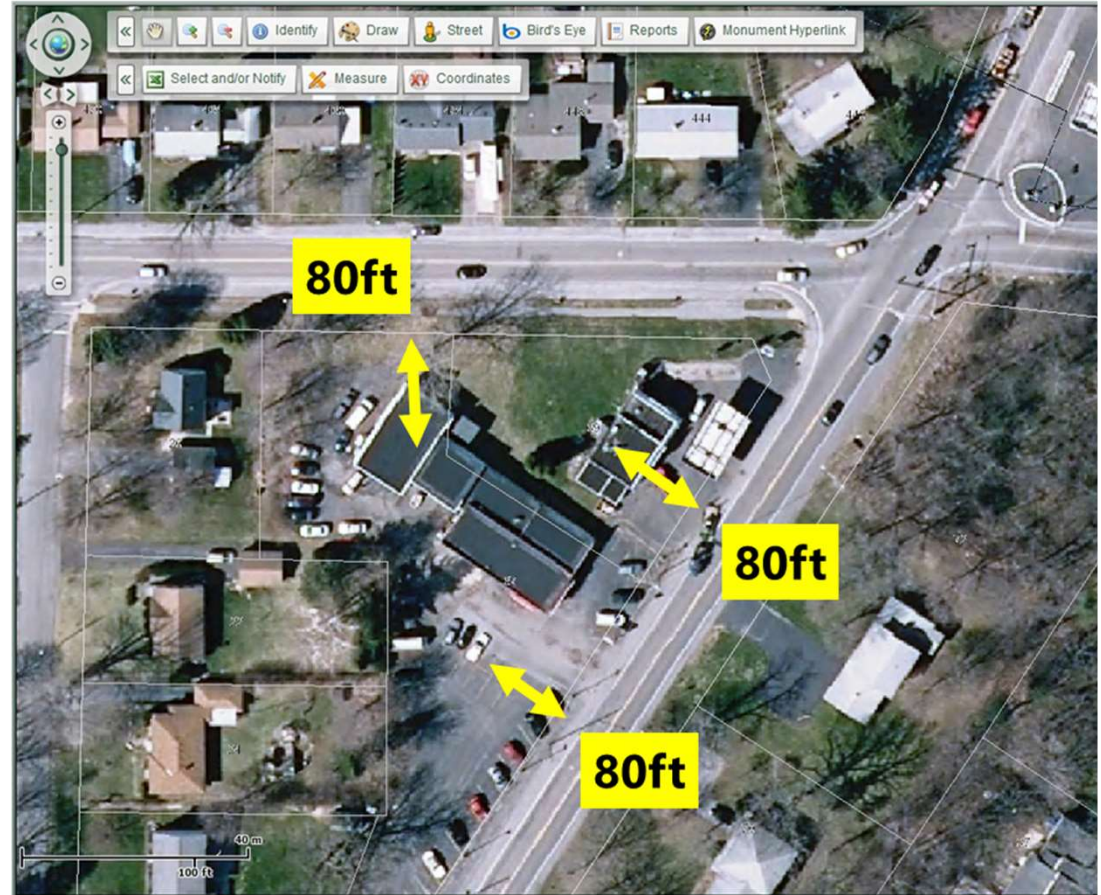


# Red Flags

## INAPPROPRIATE LOT DIMENSIONS

EX. Village of Scottsville

- 80 ft MIN front setback in the GB District



***\* Renders lot practically unbuildable \****



# Red Flags

## HIGH PARKING STANDARDS

### VILLAGE OF BALLSTON SPA CODE

Use	Spaces Required
Clubs and restaurants	1 space for each 50 square feet of floor area
Bowling establishment	5 spaces for each lane
Wholesale, storage, freight terminal or utility use	1 space for each 1,000 square feet of floor area
Industrial or manufacturing use	1 space for each 1.5 employees on the maximum working shift
Home occupation	1 space for each 100 square feet of floor area devoted to such use
Medical, dental offices or clinics	3 spaces for each doctor or dentist, plus 1 additional space for every 2 employees

***Best Practices:  
Eliminate in downtowns OR 3 per 1,000 sf standard***



# Red Flags

## OUTDATED REFERENCES

### POSTED NOTICES

- The following areas are designated as locations for the posting of notices of all meetings held by the Town Board and other bodies:
  - The Geneseo bulletin board.
  - Key Bank of Central New York.
  - Marine Midland Bank, N.A.

Town of Geneseo, Chapter 106 (Zoning)



# Red Flags

## OUTDATED REFERENCES



### **AUTOMOBILE LAUNDRY**

A structure or building designed for the washing, waxing, simonizing or similar treatment of automotive vehicles as its principal function. A filling station having portable washing equipment shall not be deemed to be an automobile laundry where such use is an accessory service to the principal service of the filling station.



# Red Flags

## POOR FORMAT, ORGANIZATION & CLARITY

Chapter 108: ZONING  
Article VII B Business Use Districts

☐ § 108-46 Applicable regulations.

☐ § 108-47 Permitted uses.  
The following uses are permitted:

A. All uses permitted in the R Districts subject to the regulations applicable to such district. New buildings designed to be used exclusively for residence purposes are prohibited, except that the Board of Appeals, after public hearing, shall, when necessary hardship is imposed by these regulations, authorize the erection of buildings for residential use in accordance with the regulations applicable to the R Districts. Buildings in residence use at the date of enactment of this chapter may be altered or enlarged subject to the requirements of the R Districts.

B. Stores and shops for conducting retail or personal service businesses; also food processing establishments when the products are for...

C. Banks, ...

D. (Reser  
Editor's  
3-7-2006

E. Mortua

F. Municipi  
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G. Whole

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I.

J.

Chapter 108: ZONING  
Article VII B Business Use Districts

☐ § 108-47 Permitted uses.

☐ § 108-48 Building height.  
[Amended 6-19-2006 by L.L. No. 1-2006]  
No building or structure shall be erected to a height in excess of two stories or 35 feet, whichever is less.

☐ § 108-49 Required lot area.  
No required lot area is prescribed.

In each RM and RM-G District, the dimensional requirements, subject to § 190-35, are as follows:

A. Lot areas. The lot areas shall be of varying size and apportioned as follows:

1. Twenty percent of the lots shall have a minimum lot area of 12,000 square feet (small lot).
2. Sixty percent of the lots shall have a minimum lot area of 17,000 square feet (medium lot).
3. Twenty percent of the lots shall have a minimum lot area of 21,000 square feet (large lot).

B. Lot widths. The minimum lot width shall be as follows:

1. Eighty feet for twelve-thousand-square-foot-minimum lot areas.
2. Not less than 81 feet nor more than 99 feet for seventeen-thousand-square-foot-minimum lot areas.
3. One hundred feet or more for twenty-one-thousand-square-foot-minimum lot areas.

C. Setbacks. The setback distances are as follows:

1. The front setback for all lots may vary; provided, however, that for small and medium lots, as defined herein, the setback shall be not less than 25 feet nor more than 35 feet; and for large lots, as defined herein, the setback shall be not less than 35 feet. [Amended 6-15-1998 by L.L. No. 4-1998]
2. The side setback shall be a minimum of 12 feet on any side with a total of 30 feet for both sides on interior lots. For a corner lot, the setback shall be the same as the front setback for the side street. However, the

B. A principal structure used as a combination of business and residence uses shall have at least one side yard of not less than 12 feet not including driveways, off-street parking facilities or other similar uses, and a rear yard of not less than 500 square feet for each dwelling unit within such principal structure.

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## Why Update a Code?

- **Implement a plan or study**
- Respond to new technologies & markets
- Update obsolete regulation
- Incorporate new techniques
- Remove regulatory barriers
- Improve administrative efficiency
- Respond to shifts in population & trends
- Address quality of life or nuisance issues
- **Improve readability, format & organization**



## BONUS POINTS FOR JOINT EFFORTS



**NORTHERN GATEWAY**


**VILLAGE GATEWAY BUSINESS DISTRICT**



# Improve Readability, Format & Organization

## ARTICLE 21: COMMERCIAL DISTRICTS

### § 285-21.1 COMMERCIAL DISTRICTS

- A. The commercial districts are listed in Table 21.1 below. The district it is referring to one of the following:

TABLE 21.1: COMMERCIAL DISTRICTS

Commercial District Name
General Commercial
Neighborhood Commercial
Village-Center Commercial

- B. The commercial district names and what is allowed in the district by density.

### § 285-21.2 COMMERCIAL DISTRICTS

- A. **General Commercial (GC) District.** uses that cater to Village resident recommendations of the Village's designated areas for the development of relatively significant volumes of not traffic, development within the GC District shall employ provisions for bicycle racks, access points, and street lighting.
- B. **Neighborhood Commercial (NC) District.** economic development opportunity traditionally have, presented residential original structures. The intent of the uses in these areas, but also to include New construction and/or the conversion of existing structures, provided the residential character is maintained.
- C. **Village Center (VC) District.** The character and vibrancy of the Village's traditional, early 20<sup>th</sup> century Main Street. The VC District allows for land to foster a dense concentration of comfortable streetscape for visitor development and investment in the Village.

Village of East Aurora  
Chapter 285: Zoning Code

to the existing pedestrian-friendly environment and historic character and site design.

### § 285-21.3 COMMERCIAL USES

Uses are allowed in commercial districts within the Village in accordance with the following:

- A. Uses identified with a "P" in the table are permitted as-of-right, compliance with all other applicable standards of this zoning law.
- B. Uses identified with a "SP" in the table may be allowed if reviewed with the special use permit procedures contained in Article 52 of the Village of East Aurora Charter.
- C. Uses not listed and those identified with a "-" are expressly prohibited.

TABLE 21.3: COMMERCIAL DISTRICT USES

Land Use	GC
<b>Residential</b>	
1. Single-Family Dwellings	SP
2. Two-Family Dwellings or Townhomes	SP
3. Multi-Family Dwellings, New Construction	-
4. Multi-Family Dwellings, By Conversion	SP
5. Nursing Homes or Assisted Living Facilities	SP
6. Bed & Breakfasts	SP
7. Home Occupations	P
8. Upper Floor Dwelling Units	P
9. Residential Accessory Uses or Structures	P
<b>Institutional/Other</b>	
10. Places of Worship	P
11. Nonprofit or Membership Based Clubs	P
12. Schools, Public or Private	-
13. Day Care Centers, Child or Adult	P
14. Museums or Libraries	-
15. Public Parks or Playgrounds	SP
16. Municipal Structure or Use	P
17. Parking Area (Not on same lot as the use it serves)	SP

\*\*\* TABLE CONTINUED ON NEXT PAGE\*\*\*

Village of East Aurora  
Chapter 285: Zoning Code

TABLE 21.3: COMMERCIAL DISTRICT USES

Land Use	Zoning District
<b>Commercial</b>	
18. Professional or Medical Offices	
19. Financial Institutions	
20. Hotels or Inns	
21. Motels	
22. Restaurants	
23. Take-Out Restaurants	
24. Taverns and Bars	
25. Breweries or Distilleries	
26. Vehicle Sales	
27. Vehicle Service or Repair Shops	
28. Gasoline Service Stations	
29. Car Washes	
30. Laundromats or Dry-Cleaners	
31. Newspaper or Printing Shops	
32. Dance, Art, Music, or Photo Studios	
33. Funeral Homes or Parlors	
34. Indoor Entertainment Facilities	
35. Indoor Recreational Facilities	
36. Repair or Service Shops	
37. Retail Stores or Personal Service Establishments	
38. Wholesale Stores	
39. Animal Grooming Shops	
40. Animal Hospitals or Veterinary Clinics	
41. Kennels	
42. Broadcast Facilities	
43. Telecommunications Facilities	
44. Mixing of Permitted Uses in a Single Structure	
45. Drive-Throughs Ancillary to Permitted Use	
46. Dining Facilities Ancillary to Permitted Use	
47. Outdoor Sales or Storage Ancillary to Permitted Use	
48. Nonresidential Accessory Uses or Structures	

- Notes:
- (1) Provided the number of dwelling units per multi-family dwelling is not more than one (1) unit per 1,000 square feet of footprint.
- (2) Provided the use occupies an existing building footprint of at least 1,000 square feet.

Village of East Aurora  
Chapter 285: Zoning Code

Article 21: Commercial Districts  
Page 13 of 143

### § 285-21.4 COMMERCIAL LOT & YARD REQUIREMENTS

The lot and yard requirements listed in Table 21.4 below apply to all commercial districts within the Village.

TABLE 21.4: COMMERCIAL LOT & YARD REQUIREMENTS

Land Use	GC
<b>A. Minimum Lot Size</b>	
Single-Family Dwelling	9,000 SF
Two-Family Dwelling	10,500 SF
Multi-Family Dwelling	3,500 SF/DU <sup>1</sup>
Nonresidential Use	13,000 SF
<b>B. Minimum Lot Width</b>	
Single-Family Dwelling	60 Feet
Two-Family Dwelling	70 Feet
Multi-Family Dwelling	100 Feet
Nonresidential Use	100 Feet
<b>C. Front Yard</b>	
Residential Use	25 Feet MIN 75 Feet MAX
Nonresidential Use	10 Feet MIN 75 Feet MAX
Accessory Use/Structure	-
<b>D. Minimum Rear Yard</b>	
Residential Use	15 Feet
Nonresidential Use	10 Feet OR 25 Feet <sup>2</sup>
Accessory Use or Structure	5 Feet
<b>E. Minimum Side Yard</b>	
Residential Use	10 Feet
Nonresidential Use	10 Feet
Accessory Use/Structure	5 Feet

- Notes:
- (1) SF/DU indicates square feet per dwelling unit.
- (2) When adjacent to a residential use, the larger yard requirement shall apply.

Village of East Aurora  
Chapter 285: Zoning Code

### § 285-21.5 COMMERCIAL BULK REQUIREMENTS

The bulk requirements listed in Table 21.5 shall apply to all commercial districts within the Village.

TABLE 21.5: COMMERCIAL DISTRICT BULK REQUIREMENTS

Land Use	GC	NC	VC
<b>A. Maximum Building Height<sup>1</sup></b>			
Single/Two-Family Dwelling	35 Feet	35 Feet	35 Feet
Multi-Family Dwelling	35 Feet	35 Feet	35 Feet
Nonresidential Use	45 Feet	40 Feet	SPR <sup>2</sup>
Accessory Use/Structure	15 Feet	15 Feet	15 Feet
<b>B. Maximum Lot Coverage<sup>3</sup></b>			
Single/Two-Family Dwelling	35%	35%	35%
Multi-Family Dwelling	35%	35%	35%
Nonresidential Use	50%	40%	SPR <sup>2</sup>
Accessory Use/Structure	25% of Rear Yard	20% of Rear Yard	20% of Rear Yard

- Notes:
- (1) Or the average building height (with +/- 1 foot margin) on the block.
- (2) SPR indicates that the bulk requirements of any newly constructed building and maximum lot coverage for any building or use shall be subject to review and approval through the Site Plan Review process (Article 51).
- (3) Or the average lot coverage on the block.

### § 285-21.6 ADDITIONAL REGULATIONS

All other applicable requirements of this Chapter, including but not limited to Regulations for Certain Uses (Article 31) and Development Standards (Part 4), shall also apply to uses in the Village's commercial district.

Village of East Aurora  
Chapter 285: Zoning Code

Article 21: Commercial Districts  
Page 16 of 143

Article 21: Commercial Districts  
Page 15 of 143



# Improve Readability, Format & Organization

CITY OF AMSTERDAM, NY • FORM-BASED CODE										
SECTION 1										11
TABLE 1.1. COMPLIANCE THRESHOLDS										
Development action must comply with all regulations in this Section or Subsection										
	APPLICABLE ACTIONS									
	New Development	Change in Use	Minor Building Alteration	Major Building Alteration	Minor Exterior Renovation	Major Exterior Renovation	Parking Lot Modification	Site Improvements	New Sign Installation	Existing Sign Modification
SECTION 2.1. SITE PLAN REVIEW	•	•	•	•	•	•	•	•	•	•
SECTION 2.2. SIGN PERMIT	•	•	•	•	•	•	•	•	•	•
SECTION 3.2. MEASUREMENTS	•	•	•	•	•	•	•	•	•	•
SECTION 4.1. BUILDING	•	•	•	•	•	•	•	•	•	•
SECTION 4.2. SIGNAGE	•	•	•	•	•	•	•	•	•	•
SECTION 4.3. SITE	•	•	•	•	•	•	•	•	•	•
SECTION 5. PUBLIC SPACE	•	•	•	•	•	•	•	•	•	•
BUILDING HEIGHT	•	•	•	•	•	•	•	•	•	•
BUILDING SETBACK	•	•	•	•	•	•	•	•	•	•
LOT FRONTAGE	•	•	•	•	•	•	•	•	•	•
FACADE MATERIALS & COLORS	•	•	•	•	•	•	•	•	•	•
TRANSPARENCY	•	•	•	•	•	•	•	•	•	•
SIGNAGE	•	•	•	•	•	•	•	•	•	•
LOT DIMENSIONS	•	•	•	•	•	•	•	•	•	•
LOT COVERAGE	•	•	•	•	•	•	•	•	•	•
MOTOR VEHICLE PARKING	•	•	•	•	•	•	•	•	•	•
BICYCLE PARKING	•	•	•	•	•	•	•	•	•	•
BUFFER YARD	•	•	•	•	•	•	•	•	•	•

CITY OF AMSTERDAM, NY • FORM-BASED CODE

SECTION 6

101

## 6.2. BUILDINGS

This section establishes building height, setback, transparency, and facade material and color requirements for all structures within the North Amsterdam Subarea.

The diagram illustrates a building with various setbacks and height requirements. The building is shown from a perspective view, with a red roof and multiple windows. The setbacks are labeled: SIDE INTERIOR (max. 10'), REAR (max. 10'), and SECONDARY STREET (max. 10'). The height is labeled: BUILDING HEIGHT. The diagram also shows the PRIMARY STREET and the property line.

■ permitted height encroachments

■ build-to-zone --- property line

### BUILDING HEIGHT

Maximum	80'
Minimum	25'

### PERMITTED HEIGHT ENCROACHMENTS (max.)

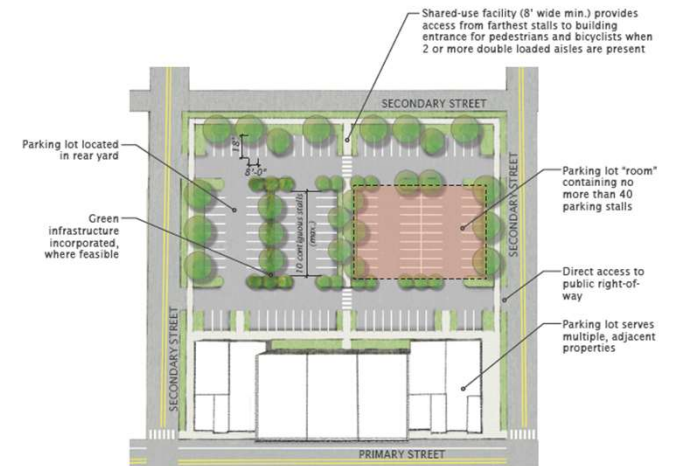
Chimney, flue, vent	5'
Elevator/stairway access to roof	12'
Mechanical Equipment	6'
Parapet Wall	4'
Vegetation on Green Roof	no max.

### BUILDING SETBACKS (min. / max.)

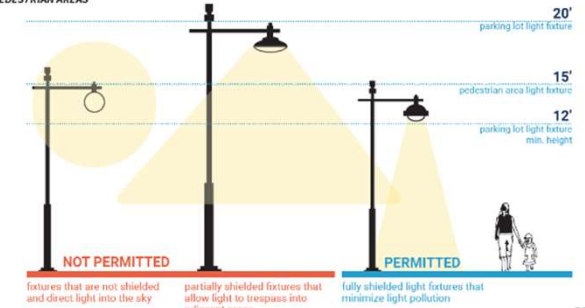
<b>A</b> Primary Street	0' / 10'
<b>B</b> Secondary Street	0' / 10'
<b>C</b> Side Interior	0' / no max.
<b>D</b> Rear	0' / no max.

### LOT FRONTAGE (min.)

Primary Street	75%
Secondary Street	50%



SITE LIGHT HEIGHT AND ILLUMINATION REQUIREMENTS FOR PARKING AND PEDESTRIAN AREAS







**BERGMANN**

ARCHITECTS ENGINEERS PLANNERS

*Bergmann has joined Colliers Engineering & Design*

## Lessons Learned

---

- Common Pitfalls in the Planning Process

NATIONAL FIRM. STRONG LOCAL CONNECTIONS.



## Common Pitfalls

- Avoiding challenging topics (zoning, etc.)
- Distinction between the comprehensive plan process and “related efforts”
- Too large of a committee
- Lack of buy-in from leadership
- Change of administration
- Project schedule – *too long or too short*
- Lack of community engagement – *worried about negative feedback*
- Being reactive rather than proactive for updates





*Bergmann has joined Colliers Engineering & Design*

# THANK YOU!

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Questions?