



What is a Complete Street?

By Paul W. Cummings, AICP, LEED AP

Over the last few years, the idea of using “context sensitive design” solutions to improve roadways for all users – not just vehicles – has become increasingly popular throughout the planning and engineering community. This past February, New York State’s Complete Streets Act took effect, officially adopting the concept into law.

According to the legislation, Complete Streets “considers the needs of all users of roadways, including pedestrians, bicyclists, public transportation riders, motorists and citizens of all ages and abilities, including children, the elderly and disabled...” While traditional roadway designs use a classification system based on increasing volumes and speed (i.e. residential, collector, minor and major arterial, etc.), a Complete Street integrates design elements to control access and speed, thereby making for a more safe and efficient experience for all users. This integrated design approach helps reduce vehicle miles traveled and promotes pedestrian mobility. While Complete Street designs include traditional roadways design objectives regarding safety, efficiency, capacity and maintenance, they also integrate community objectives concerning universal access, sense of place, design, cost and environmental impacts.

To meet these objectives, Complete Streets may include the following features or characteristics:

Pedestrian Access, Safety and Mobility: Includes such features as sidewalks, crosswalks, pathways, bike access, landscape buffers between vehicle traffic and pedestrians, and signage. Together, these features can make for a safer and more pleasant experience for pedestrians and provide access to nearby residences, businesses, recreational facilities, trail networks, parking and transit facilities.

Access Management: Includes orderly and well-planned points of access throughout the corridor, reduced number of curb cuts, increased interconnection between

adjacent land uses, medians and designated turning lanes. Access management, when implemented, helps reduce the number of potential conflicts between motorists and pedestrians by providing a limited number of well-defined points of access to adjacent land uses. These features also help to regulate the flow of traffic by minimizing the number of midblock turns and associated backups.

Traffic Calming Techniques: Includes curb bump-outs, the narrowing of roadways, pedestrian islands within crosswalks, pedestrian and bicyclist signage bollards, reduced speed limits and textured surface crosswalks. Together, these features help define pedestrian spaces and are conducive to safe and alert driving.

Corridor Beautification: May include themed and/or specialized lighting, pavers, cobblestones, artwork, street trees, planters, planted medians and buffer

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NEW YORK PLANNING FEDERATION

is a non-profit membership organization established in 1937. Our mission is to promote sound planning and zoning practice throughout New York State. Membership, which currently includes nearly 10,000 individuals, is open and welcome to anyone supporting this mission. Membership categories include municipalities, counties, public organizations, private businesses, individuals and libraries.

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PLANNING NEWS

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From the Executive Director



From the Executive Director:

By the time you receive this newsletter, fall will be upon us. As many of you know, the NYPF has done some bragging that we are currently celebrating our 75th anniversary as an organization founded to work with planning board and ZBA members. We are an organization that listens to our members and is always there to respond to your needs and concerns.

As most of you are aware, we changed our annual training conference from fall to spring this year; from the positive responses we received from those who attended, we will continue to make the annual conference and membership meeting a spring event. Accordingly, the 2013 conference will run from April 21st to the 23rd at the Gideon Putnam Hotel in Saratoga Springs. Please watch our website and email blasts for sessions and registration information.

The entire staff of the Planning Federation is always thinking big. Over the past year we redesigned a new website, upgraded our email list and have enhanced several training presentations. Both Anne and Leila worked till their eyes were blurry updating our database; however, if you are not receiving regular emails from us, please call or email the office (nypf@nypf.org) and give them the correct contact information. Over the next year we anticipate sending out the bulk of our newsletters by email; doing this will not only help save some trees, but will also free up postage money that we can use to produce new publications for our members. The money saved on printing and mailing costs will also allow us to send more newsletters and information to our membership, so please be patient as we continue to improve our database.

In November and December of last year we received several phone calls inquiring about opportunities for boards to receive their training credits before the end of the year. Please note that for a nominal fee, NYPF staff and/or board members can conduct on-site training for individual member communities. In order to save on costs, we also encourage you to join with other local communities for a joint training session.

For our members in the Hudson Valley Region, we will be holding a one-day training in Hyde Park on November 8th that will fulfill the four-hour training credit requirement. Topics to be discussed include changes to the SEQR forms, case law updates, site plan review and ZBA basics. Please see a description of this day-long program, as well as a registration form, elsewhere in this issue of "Planning News."

Finally, I would like to welcome our two new Planning Interns, Dan Carroll and Dan Sexton. Both are in their last year of the Master's in Regional Planning (MRP) program at SUNY Albany and will be involved in the preparation of new NYPF publications and training materials. The Planning Federation feels very fortunate to have found these interns, since they both have considerable work experience that will prove an asset to our organization.

Judith Breselor, AICP

Executive Director

NYPF Adds Year-End Training Opportunity

Because of a request from planning boards and ZBAs for last-minute training, the NYPF has just added a one-day program on **Thursday, November 8th** at the Henry A. Wallace Center at the FDR Presidential Library and Home on Route 9 in Hyde Park, NY.

The program will fulfill New York State's four-hour training credit requirement. Two morning plenary sessions of interest to all boards will discuss (1) important changes being proposed to SEQR, and (2) recent land use case law decisions affecting planning boards and zoning boards. After lunch, participants can choose a break-out session specifically tailored for planning board members (Site Plan Review and Special Use Permits) or ZBA members (Area Variances, Use Variances and Interpretations). All sessions are 90 minutes long.

The cost of the November 8th one-day program, which includes a continental breakfast, morning coffee break and lunch, is \$50.00 for NYPF members and \$65.00 for non-members. Registration will be from 8:00-9:00 am, with sessions beginning at 9:00 and ending at 3:00 pm. Because space is limited, advance registration by November 1st is strongly recommended, either by filling out the form below or by registering on-line at the NYPF website, www.nypf.org.

The Wallace Center is located on the Franklin D. Roosevelt National Historic Site. The Center is adjacent to the FDR Library & Museum and complimentary admission to this building is also included with the NYPF program registration.

For more information, please email nypf@nypf.org or call the NYPF office toll-free at 800-366-NYPF

The Henry A. Wallace Center at the FDR Presidential Library & Home, Route 9, Hyde Park NY

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Feel free to contact us with any questions or concerns at nypf@nypf.org or call 518-512-5270

Patricia Salkin Accepts New Job on Long Island

By Lael M. Locke



On August 1st, Patricia “Patty” Salkin, started her new job as Dean of the Touro Law Center on Long Island. Formerly the Associate Dean and Director of the Government Law Center of Albany Law School, and the Raymond & Ella Smith Distinguished Professor of Law, Salkin is a former NYPF board member, a member of its advisory board, and a longtime contributor to “Planning News.”

We recently caught up with her to see how she is doing and to ask how the new job came about. The official reason for the career change, she says, happened after she was contacted by a search firm “inquiring whether I was interested in exploring the deanship at Touro Law Center. I thought about it and realized that I could take the skill set I honed at Albany Law School – focusing on legal aspects of public policy reform – and apply it to new challenges currently facing the legal profession and legal education. The opportunity to be a leader in legal education at this particular time is a great challenge I could not pass up,” she adds.

Salkin spent 22 years at the Government Law Center and notes that she is “proudest of the hundreds of government lawyers who worked at the Center when they were students and chose to enter public service. There is nothing like the feeling a teacher and mentor experiences when former students are successful and express appreciation for what they learned working with you,” she adds. She also praised the staff she worked with at Albany, saying “Together, we developed and implemented many innovative programs including police oversight, aging law and policy, racing and gaming law and policy and, of course, land use and sustainable development law.”

Salkin is excited and enthusiastic about her new job at Touro, where she is the Center’s fifth Dean and the first woman to hold this position. The Center, she says, is an amazing and innovative place with several features that are exclusive to it. One of these, she notes, is the Public Advocacy Center, “a suite of offices leased to local non-profit legal services providers where students can satisfy the school’s pro bono requirements. Touro Law Center is also the only law school in the U.S.,” she continues, “with a court observation and court collaboration program; by the end of their first year of

law school, all Touro students have been in both state and federal courts.”

Salkin plans to take advantage of her rarified status as the Center’s first woman Dean “to raise money for scholarships for women law students, as well as to raise scholarship funds for recruitment and retention in general. I plan to strengthen the existing institutes,” she notes, “and to pursue the establishment of a new real estate/land use program, a joint center on education law and policy, and a possible program on municipal law.”

One of her biggest challenges, she comments, is to “continue my commitment to daily postings on the Law of the Land blog, though so far I’ve been able to keep up.” She invites NYPF members to send her interesting cases for the blog (<http://lawoftheland.wordpress/>), which is designed to provide a forum for the discussion of current laws, policies and decisions affecting the use of land.

Touro College and University System President/CEO Dr. Alan Kadish noted that the qualifications for a new leader for the Touro Law Center included “a dynamic individual with professional distinction who demonstrated potential for achieving and maintaining excellence and innovation in teaching, research, scholarship and service in the public interest. I am confident that we found such a candidate in Patricia Salkin.”

We asked Salkin how her the move will affect her longstanding relationship with the New York Planning Federation, a relationship she states she has always valued: “As a past board member, a member of the amicus committee, a recipient of the Hugh Pomeroy Award and a periodic conference speaker and contributor to ‘Planning News,’ the Federation has been very important to me,” she stresses. “When I first got involved, Sheila Bova and Shel Damsky were the staff. I remember Shel’s ‘Dear Penelope’ column – he was a one-of-a-kind class act.

“Although I have moved farther from NYPF headquarters, the reality is I have moved to New York’s Second Department, where the bulk of reported land use cases are decided in the courts,” Salkin comments. “So I hope to meet even more NYPF members on Long Island, to host a NYPF training school at Touro Law Center, and to continue writing for the newsletter. Hopefully, readers won’t see much of a change at all!” ■

A Healthy Environment = Vibrant Cities

By Charles Moore

It was with great excitement that I recently read about the Capital Region getting \$1 million to promote more sustainable planning. There is no question our region needs more coordination to promote sustainability. This grant will go a long way in making a difference.

The various threats associated with pollution and environmental deterioration are well documented and action is necessary. However, I cannot help but be a little disappointed that this sustainability planning does not specifically call out revitalizing our inner cities.

“The struggle to slow global warming will be won or lost in cities,” says Professor Andrew Ross of New York University. Furthermore, a 2011 study in the journal *Environment and Urbanization* says, “While cities have the highest emissions per square mile, suburbs have far and away the highest emission per person.”

In addition, a 2009 National Research Council report recommends “policies that support more compact, mixed-use development and reinforce its ability to reduce (vehicle miles traveled), energy use and CO2 emissions.”

Therefore, we know what we need to do: make our cities more attractive and livable for everyone. If we can ensure that smart growth includes fair growth and that less people wish to leave the inner cities for greener pastures, better schools and longer commutes, we will succeed in meeting our sustainability goals.

This means we must recognize that over the last 50 years we’ve had a massive reorientation of our living spaces here in the Capital Region. Many have benefited, but just as many have been left behind. Poverty is now highly concentrated in the urban areas of our region. While the middle class was given an opportunity they couldn’t refuse in the form of highway and infrastructure subsidization and mortgage interest write-offs, a massive exodus occurred leaving the cities with huge urban renewal projects concentrating the poor. When combined with the reorientation of the economy away from factories and manufacturing, the results are striking.

While 42% of children in Albany live in poverty, Colonie actually experienced a decrease in overall poverty from 6.7% in 2010 to 6.3% in 2011. Furthermore, as the Times-Union recently reported, “The State Education Department considers virtually all the middle schools in the Capital Region’s urban

centers to be among the worst in New York.” When so many children are at risk, we are a nation and region at risk. Since we cannot change our development patterns quickly, other action must be taken.

We know that early childhood intervention and continuous youth mentoring can turn the tide. As Geoffrey Canada of the Harlem Children’s Zone said, “If you want poor kids to be able to compete with their middle-class peers, you need to change everything in their lives – their schools, their neighborhoods, even the child-rearing practices of their parents.”

You say we can’t afford it?

New York spends \$210,000 per year for each youth held in juvenile prison. Meanwhile, 75% of them are rearrested within three years of release.

The Century Foundation and countless other studies have concluded that the socio-economic status of students is much more important than expenditures per pupil, class size, teacher experience or instructional materials. Therefore, community planners and environmentalists should team with school reformers and workforce development professionals to reduce sprawl and coordinate efforts to create employment opportunities.

Working to make cities more attractive to everyone reduces environmental impacts while enhancing the region’s sustainability. ■

The author is an urban and regional planner who lives in Rensselaer. His book “Path to Progress: Innovative Solutions for Growth, Prosperity and Security” will be published soon. This article originally appeared in the July 25th edition of the Times-Union newspaper.



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strips, grass areas, gateway treatments and orderly and/or way-finding signage. These features not only help create a sense of place and improve the aesthetic quality of the corridor, but can attract new investments and promote tourism.

Green Infrastructure: Includes the use of native plantings and stormwater designs that focus on infiltration and nutrient uptake (e.g. rain gardens, disconnected curbs, bioretention basins, pervious surfaces, etc. These features help reduce pollutants that may be conveyed by stormwater runoff.

Because Complete Street designs are context sensitive, their implementation can vary greatly on rural or suburban roads and urban streets. For example, along a rural roadway Complete Streets may simply include narrowing by line striping, additional pedestrian and bicycle signage and more pedestrian and bicycle-oriented shoulder design and maintenance. On the other hand, more suburban or urban corridors may require modification to local roadway standards and/or significant roadway reconstruction. (It is important to note that many cost-effective improvements can be implemented, as well.) In both instances, the intent of Complete Streets is to balance safety and convenience for everyone using the road.

What's so great about Complete Streets?

Driven primarily by pedestrian safety concerns, Complete Streets provide numerous benefits. Nationwide, pedestrians account for nearly 12% of total traffic deaths, and New York State's pedestrian fatality rate is among the highest in the country. Simply adding sidewalks along roadways can reduce pedestrian accidents by as much as 88%; features such as crosswalks, pedestrian islands and medians can reduce pedestrian-related crashes by 46% and motor vehicle crashes by up to 39%. Signalized intersections converted to roundabouts can reduce pedestrian collisions by as much as 40% and reduce severe crashes by up to 78%.

In addition to safety, Complete Streets provide a variety of health-related benefits. Recent studies have shown that 55% of the U.S. adult population falls short of recommended activity guidelines, and approximately 25% report being completely inactive. There is a significant correlation between the decline in the amount that adults and children bicycle and walk and the increasing obesity rate. Compounding this issue is the high rate of physically inactive and economically disadvantaged

people who depend on public transportation to access medical services and obtain affordable food.

Statistics show that those with safe places to walk within 10 minutes of their homes were 43% more likely to meet recommended activity levels than those without such opportunities. In neighborhoods and communities with sidewalks, residents were 65% more likely to walk to nearby destinations; they also did about 35-45 more minutes of moderately intense physical activity each week and were substantially less likely to be overweight or obese.

In these tough economic times it is important to also consider the cost benefits of Complete Streets. While the number of annual miles driven throughout the State is considerable, the length of an average trip is only about 9 miles. It is generally accepted that many people are willing to walk to a destination within a quarter-mile of their homes, so by providing Complete Streets infrastructure, the number of annual vehicle miles could be significantly reduced. This, in turn, would reduce overall transportation costs and the amount of time we spend in our vehicles.

Complete Streets Considerations and Opportunities

Here are a few suggestions for ways that a Complete Streets initiative may be advanced in your own community:

Amend Local Roadway Design Standards to Include Complete Streets Design Features: Many current roadway design standards do not incorporate pedestrian facilities and/or amenities. Furthermore, these standards are applied uniformly to both developed and rural areas. Because Complete Street design standards are intended to be flexible, reflecting nearby land use patterns and the natural landscape, they may allow for narrower travel lanes and require sidewalks, walkways, trails, crosswalks, pedestrian signage and interconnectivity between neighborhoods.

Develop Complete Street Plan(s) for Priority Transportation Corridors: Engaging in a public participatory planning process is one of the more efficient and effective methods of identifying Complete Streets priority projects. Through citizen committees, public workshops, design forums and surveys, communities can prepare concept plans and cost estimates for community-supported projects. Municipalities can then use these plans for capital planning or to support grant applications.

Small Initiatives Can Have Big Results: Although the tendency is to focus on larger-scale capital intensive projects, opportunities abound for smaller-scale Complete Streets initiatives. For example, restriping roadways to include larger shoulders or bike lanes, dedicated parking spaces and crosswalks can be cost-effective. Pedestrian and way-finding signage can also improve safety conditions. Temporary features such as traffic cones, movable barriers and even planters all calm traffic and highlight pedestrian spaces. These temporary measures can also be helpful as tests for more permanent physical improvements.

Lobby for Change and Pursue Partnerships: U.S. and State routes are often main streets within many of our New York communities. Because there is limited design control over these roadways at the local level, it is important to effectively lobby for desired changes. For example, communities can engage elected officials and residents and use media outlets to express the need for Complete Streets improvements during roadway repairs or reconstruction. They can also partner with non-profits that are advocating for Complete Streets initiatives. Finally, municipalities can partner with the NY State Department of Transportation (NYSDOT) when preparing a local Complete Streets plan. By obtaining input and feedback from NYSDOT during the planning process, it is more likely that locally desired improvements will be incorporated into the design and construction phase.

Final Thoughts

When building a house we construct the floors, walls and ceilings. Where these elements converge it is often ugly, jagged or awkward until we install the trim details. While trim is usually one of the last things to be nailed into place, it is one of the most important architectural design elements.

Our communities are similar: we have roadways and adjacent land uses, but in the absence of pedestrian-oriented facilities, the transition between these two realms is often an unsafe and aesthetically unappealing landscape. By providing well-defined multimodal transportation opportunities and attractive streetscapes, we are not only doing the right thing by making our communities safer and more accessible for everyone, we are enhancing the quality of life for New Yorkers.

Now that's the kind of trim I want to hang on my house! ■

The author is a Planner with The Chazen Companies, where his work involves leading and performing a wide variety of planning projects. These include comprehensive planning, agricultural plans, green infrastructure development, natural resources conservation and preservation planning, transportation, trails and Complete Streets planning, as well as community revitalization.

NYPF Seeks to Fill Board Vacancies

The New York Planning Federation currently has two openings for Board of Directors members, one in the Long Island Region 1 (Nassau and Suffolk Counties), and one in the Adirondack/North Country Region 5, consisting of the Counties of Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence, Warren and Washington. Interested applicants must be a member of either a planning board or zoning board of appeals in the appropriate region and should send their resume and other pertinent information to nypf@nypf.org.

Save the Date!!

It's not too early to mark your calendars for the 2013 NYPF Annual Planning & Zoning Conference. The dates are April 21st-23rd and the place will be the historic Gideon Putnam Hotel & Conference Center in Saratoga Springs.

Please visit our website (www.nypf.org) in the coming months for information on programs, presenters and costs. The NYPF conference is one of the most highly-acclaimed training programs in New York State, and we anticipate an excellent turnout once again in 2013.

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SEQRA Update

By David Everett and Robert A. Stout, Jr.

The New York State Department of Environmental Conservation (DEC) has proposed to amend the regulations implementing the State Environmental Quality Review Act (SEQRA, 6 NYCRR Part 617). DEC is using a generic environmental impact statement to evaluate the proposed changes and believes that no significant adverse environmental impacts from the proposed amendments have been identified. A draft scope was published on July 11, 2012, comments on which were accepted through August 10th. The draft scope includes “pre-draft” language for the proposed changes.

Proposed changes affect scoping and review of actions. For example, public scoping of environmental impact statements (EIS) would be required. It would also be clarified that issues raised after the completion of the final written scope cannot be the basis for the rejection of the draft EIS as inadequate. Certain numeric thresholds for Type I actions and projects that are more likely to require preparation of an EIS would be reduced, resulting in an expanded application of Type I actions related to large subdivisions.

Additional defined Type II actions (actions determined not to have a significant impact on the environment) would be added, including the installation of solar energy arrays, the creation of minor subdivisions and the disposition of land by auction. DEC believes that these and other proposed changes would encourage development in urban areas, as opposed to greenfields, encourage green infrastructure projects and the renovation and reuse of existing structures. This would result in a broader list of actions not subject to SEQRA review. The SEQRA regulatory changes would be facilitated by the new environmental assessment forms which have been adopted by DEC, but are not effective till April 1, 2013. The forms were adopted on January 25, 2012 and are available at www.dec.ny.gov/permits70293. DEC has been working on detailed guidance for the forms, which are referred to as workbooks.

The intention is to have both the forms and workbooks integrated digitally to allow for a user friendly experience.

The draft “short EAF” workbook was recently released and is available on the DEC website. Public comments will be accepted on this workbook through

October 22, 2012. The “full EAF” workbook has not yet been released. Both the full and short forms follow the same basic structure as the existing forms but differ significantly in the degree of detail required for completion. The short EAF will elicit a greater degree of information about a proposed action in an effort to create a more useful form that discourages completion of the full EAF when it is neither warranted nor applicable to a certain action, but is historically used, given the inadequacies of the current short form.

The full EAF also requires a much greater degree of information. Practitioners eager await publication of the full EAF workbook, hoping for answers to lingering questions about the complexity and scope of the new form. ■

David Everett is a partner at the law firm of Whiteman Osterman & Hanna, while Robert Stout is an associate with WOH. An in-depth discussion of the proposed SEQRA form changes will be part of the upcoming November 8th NYPF training in Hyde Park. See the separate article and registration form for this program elsewhere in “Planning News.”

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Revitalizing Rensselaer with New Zoning Codes

By Sarah Crowell

For some time now, it has been generally recognized that traditional Euclidian zoning has some very real limitations with respect to allowing and encouraging development patterns associated with smart growth. As communities seek to create walkable, mixed-use districts and attract new development and investment, they often find that the zoning codes which have been in place for a century or more are actually impeding their efforts.

The City of Rensselaer, an older industrial city located just across the Hudson River from Albany, is no exception. One of the earliest Dutch settlements dating to the mid-1600s, by the mid-19th century, Rensselaer was a thriving community with a strong manufacturing economy that supported a busy downtown. Historic records show a bakery, two 5 & 10 Cent stores, a meat shop and a cobbler on just one block of Broadway, the City's main street.

While today the City still boasts a smattering of successful businesses, some well-maintained residential neighborhoods and a strong sense of community, time has taken its toll. As the national and local economies shifted away from manufacturing, Rensselaer lost its major employers; today, the once-thriving Broadway is dotted with vacant storefronts.

In this context, the City finalized its updated comprehensive plan in 2006. The new plan envisions a revitalized Rensselaer with a flourishing economy that offers residents an excellent quality of life. Throughout the plan, mixed use development that respects and promotes the City's historic patterns is held up as a primary goal, while significant portions of the City – including the waterfront and downtown core – are designated for mixed uses. However, regional and national economic trends were not the only impediments to the full realization of the comprehensive plan's vision for Rensselaer. The City's own zoning code, first adopted in 1943 and last updated in 1979, prohibited exactly the development patterns which the plan promoted.

Rensselaer's then-current zoning was typical of codes across the country. Its Euclidean zoning code divided Rensselaer into 11 distinct zones ranging from heavy industry to single family residential. These various zoning districts were extremely restrictive in terms of permitted uses, and the setback and other bulk and area regulations were more typical of suburban development patterns than a traditionally laid-out small city such as Rensselaer.

The results of this zoning code, which describes a development pattern very different from what actually exists in the City, included frequent variance requests and a lengthy and unpredictable approval process that discouraged investment in existing buildings, as well as new construction. Clearly there was a need for revised zoning as a tool to implement the goals of the comprehensive plan and revitalize the City's downtown.

With a grant from the NYS Department of State, Rensselaer hired a consultant in 2007 to create a new zoning code that would be conducive to redevelopment and would promote, rather than discourage, investment in the City. The goals were to implement the future land use map of the comprehensive plan, simplify zoning districts, preserve community character, promote development by easing restrictions, and implement design standards to further direct new development in the downtown and along the waterfront.

Rensselaer's resulting zoning code was adopted in 2011 after an extensive process that included significant public participation; it is intended to meet all of the goals set at the beginning of the process. Several of the most important defining characteristics of the new code are described below.

Appropriate Bulk and Area Standards: Most of the development that exists in the City of Rensselaer today was in place prior to the adoption of its first zoning law in 1943. And much of it could not have been built under the zoning code in existence prior to the most recent update. For example, the 1979 code prescribed minimum lot widths of 50-60 feet in locations where the majority of lots – both developed and undeveloped – were just 25 feet wide. Prohibitively large setback requirements were also in place, requiring nearly all new development to seek variances. And even if a potential developer could meet the setback and lot size requirements, a building constructed in full compliance of the existing zoning would appear out of place in the context of the historic development patterns.

To develop more appropriate bulk standards, the consultant worked with the City to create requirements that closely match existing setbacks and lot sizes. This change has had the dual benefit of bringing existing buildings into compliance with zoning and encouraging new development consistent with what is already on the ground. Furthermore, the compact development

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permitted under the new zoning allows for the most efficient use of developable land.

Mixed Use Zoning Districts: Vibrant downtowns are successful due to a synergy of uses. Smart growth theory tells us that successful, healthy communities consist of a mix of uses in a compact, walkable setting. While historically the City of Rensselaer was characterized by mixed use, compact development, its 1979 zoning was quite restrictive in terms of uses. Residential and commercial uses were each regulated to their own districts. The new code sought to change this by creating two large mixed-use zones: Downtown Mixed Use and Waterfront Mixed Use. These zones allow a broad range of both commercial and residential uses; they promote development consistent with traditional patterns and allow for creative reuse of existing buildings. The flexibility of the mixed use zones allows property owners to respond to community needs and market demands, installing the most appropriate uses for any given property.

Public Space Requirements: The goal of mixed use districts is to promote a vibrant community that is able to provide for the needs and desires of residents, businesses and visitors in an attractive, compact and walkable setting. Rensselaer's new zoning code recognizes that mixed use means not just a mix of commercial and residential, but also a mix of public and private spaces. Public space is particularly important, as it promotes a sense of community and identity, gives the community places to gather, recreate and rest. To ensure that private development is balanced by public space, Rensselaer's zoning encourages plazas and public gathering spaces in all new developments. In appreciation of the significant value of the Hudson River to the community, any development on the waterfront is required to include dedication of public access for a waterfront esplanade. By building on its assets and creating places where people want to be, Rensselaer's new zoning is intended to create a setting in which both new and existing businesses can grow and thrive.

Design Standards: Along with broad flexibility in allowable land use in the new mixed use districts, the Rensselaer code now includes comprehensive design standards. These standards specify building form and placement, describe general architectural character and identify required and recommended design elements. They cover location and layout of parking, required landscaping, streetscape amenities and location of infrastructure. The design requirements also identify and codify those characteristics that distinguish the City's waterfront and downtown districts in order to preserve and enhance traditional appealing, walkable development

patterns. These standards are not intended to be onerous, but to promote predictability and transparency throughout the review and approval process and to ensure that future development enhances the community, thus assuring both current and potential property owners that their investments are safe.

Streamlined Permitting Procedure: Finally, the City's new zoning code includes a simpler, more streamlined permitting procedure. Administrative approval is now possible for smaller projects, so they can move forward quickly without requiring unnecessary and time-consuming planning and zoning board meetings. For larger projects, an administrative review process will assist the developer through the permitting process and minimize false starts, misconceptions and wasted time. Project approval is also facilitated by the adaptability and flexibility of the zoning code, which in turn will require fewer variances for new development. Because parking and signage requirements, for example, are flexible and can be varied depending on the characteristics of a particular project, most proposed projects will be able to meet the parking and signage regulations without any variances.

Although Rensselaer's new zoning code has been in place for less than a year, we can already point to several success stories. For example, a restaurant owner came into the City planning office in late spring to apply for site plan approval to build a deck for outdoor dining. Under the new streamlined approval process, planning staff was able to provide administrative approval of the site plan, rather than refer the applicant to the planning commission. This avoided a delay of a month or more, and allowed the restaurant owner to build the deck in plenty of time for summer weather. In another instance, a merchant was able to move a small business into a building in the City's new Downtown Mixed Use district. This particular building had been vacant for years because the previous zoning did not allow commercial use and the lot was previously considered undersized.

We are confident that these small successes are indicative of the direction in which this new zoning will take the City of Rensselaer, and we are enthused about its future development. ■

The author has been Director of Planning for the City of Rensselaer since 2010. This article is an expansion of her presentation at the 2012 NYPF Annual Conference as part of a session titled "Zoning for a Vibrant Downtown," facilitated by Andrew Raus of Bergmann Associates.

NYPF Member Survey

In order to create an updated profile of our members, the New York Planning Federation recently conducted an on-line survey, asking planning board and ZBA members the following questions:

Are you a member of a planning board or ZBA?

Which municipality do you represent?

How many years have you been on the board?

Are you a paid member of the board?

If yes, what is the rate of pay?

If yes, are the chairs of the planning board/ZBA paid a separate rate?

What is your background?

Does your municipality currently have a comprehensive plan?

If yes, when was it adopted?

Does your current zoning reflect the comprehensive plan?

As of September 7th, we had received a total of 155 surveys. Approximately 22.9% of those responding live in Region 3 (Lower/Mid-Hudson) which includes Dutchess, Ulster, Sullivan, Orange, Rockland, Putnam and Westchester Counties. An additional 18.8% of the responses came from Region 9 (Western NY) including Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Wyoming Counties; followed closely by the Southern Tier Region 6 (17.4%), representing Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler Steuben, Tioga and Tompkins Counties; and 16.7% from Region 4 (Capital/Upper Hudson), representing the Counties of Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady and Schoharie.

The survey showed us that the overwhelming number of respondents (78.4%) serve on a planning board. Approximately 60.7% of these respondents are from towns, while another 22.0% represent villages. Of those remaining, 4.7% represent county planning boards, and 2.7% serve on city boards.

Over 25% of those responding indicated that they have been on their board between 6-10 years, while 21.6% have served between 1-2 years, and 20.9% between 3-5 years. Approximately 9.5% have been on their boards less than a year, or between 16-20 years, while an impressive 6.8% have been planning board or ZBA members in excess of 20 years.

Responding to Questions 4-6, approximately 53.7% of board members said they are paid for their work. Of that number, nearly 60% are paid by the meeting at a rate that ranges between \$25.00 and \$125.00. About 29.0% are paid on an annual basis, receiving between \$250.00 and \$7,800 each year. Roughly 5.8% reported that they are

paid between \$12.50 and \$93.00 monthly, while 34.9% reported that the chairs of their planning board or ZBA receive a different rate of pay from other board members.

As expected, members who make up planning boards and ZBAs come from diverse backgrounds, with government the most frequent response, followed by business, education, planning, engineering and farming.

Approximately 85.0% of municipalities have adopted a comprehensive plan; 13.0% of those responding said they do not have a comprehensive plan, while another 7.4% reported that their municipality is currently working on updating its plan. Nearly 40.0% of those responding adopted their plan between 2006 and 2010. Another 21.2% adopted a comprehensive plan between 2000 and 2005, while 8.2% have adopted their plan more recently, since 2011. And, in response to Question 10 ("Does your current zoning reflect your comprehensive plan?"), 69.8% said that their zoning does reflect the comprehensive plan, while 30.2% said it doesn't. Nearly 5.0% said their municipality was currently updating its zoning.

In response to the final question, approximately 18.7% said 1 or 2 use variances are brought before their ZBA annually, while 14.6% said they see 3 to 5 such requests. Another 12.2% reported they have over 15 annual use variance requests, and nearly 20% said they did not know the number.

These statistics will prove useful to the NYPF as we plan programming for our annual conference, develop new trainings for our website, and work on new print publications. We thank all who responded for their help in helping us continue to serve our members in the most current and appropriate way possible. ■

New York Planning Federation Publications

Send request with a list of the books you want or call (800) 366-NYPF to order
Checks or vouchers accepted. Prepayment not required. (M) indicates member (NM) non-member.

■ **All You Ever Wanted to Know About Zoning**, 4th ed. (2005). Sheldon Damsky and James Coon. The latest version of our most popular book includes key legislation and case law through the 2004 legislative session. \$50.00 (M), \$60.00 (NM) + \$3.00 s/h. Bulk rates available for 5+ copies.

■ **A Practical Guide to Comprehensive Planning** David Church and Cori Traub, 1996, updated 2002 (82 pages). An overview of the importance of planning and the steps involved in preparing a comprehensive plan. Includes case studies. \$18.00 (M), \$20.00 (NM) + \$3.00 s/h. Bulk rates available for 5+ copies.

■ **The Short Course: A Basic Guide for Planning Boards and Zoning Boards of Appeal in NYS** by Harry J. Willis, David Church and James W. Hotaling. Updated in 2007 (71 pages). A review of the full range of knowledge and skills needed by planning or zoning officials. Recipient of the Public Education Award by the American Planning Association Upstate New York Chapter. \$18.00 (M), \$20.00 (NM) + \$3.00 s/h. Bulk rates available for 5+ copies.

■ **Land Use Training and Certification School**. Hard copy version (with CD) of the nine on-line training courses developed by Pace University Land Use Law Center. Recommended to fulfill the annual four-hour training requirements. \$50.00 + \$5.00 s/h. May also be downloaded at no charge from www.nypf.org.

■ **Municipal Official's Guide to Diesel Idling Reduction in NYS**. By Katherine H. Daniels, AICP, 2006 (45 pages). Published jointly by NYPF, US EPA and NYSERDA. Free with \$3.00 s/h.

■ **Municipal Official's Guide to Forestry in NYS** by Katherine H. Daniels, AICP. Published jointly by NYPF, NYS DEC and the Empire State Forest Products Assn. Free with \$3.00 s/h.

■ **Adult Entertainment Tech Memo** A 12-page brochure prepared by Lydia Marola, Esq. attorney for the Village of Scotia, and Rebecca Lubin, AICP. Free to member, \$5.00 NM. Free download at www.nypf.org.

■ **Model Cell Tower Ordinance** by NYPF staff. A short article and model ordinance. Free to members, \$5.00 NM. Free download at www.nypf.org.