

# VILLAGE OF WILLIAMSVILLE

## COMPREHENSIVE PLAN/LAND USE REGULATIONS UPDATE



JANUARY 2021

Prepared By:

Village of Williamsville  
5565 Main Street  
Williamsville, NY 14221

## **REQUEST FOR PROPOSAL**

The Village of Williamsville requests proposals from firms to assist Bond Shoeneck and King, PLLC, acting as legal counsel and project manager, in completing one or all of the following tasks:

1. Update the current Village's Comprehensive Plan
2. Review and recommend revisions to NMU and R-3M Districts to address the development agenda established by the Comprehensive plan update
3. Review and recommend revisions to proposed new Urban Open Space zoning district
4. Review and make recommendations for the consolidation of, and updates to, all existing Single- and Two-family Residential Districts.

This effort will include activities needed for implementation, such as required environmental SEQRA analysis, consultation with the Village Advisory Committee and formal adoption by the Village Board of Trustees.

Submissions will be received via email until 4 p.m. Eastern Standard Time, on Friday, March 5, 2021.

The Village of Williamsville reserves the right to waive irregularities and to reject any and/or all submissions.

## PART I — Municipal Background

The historic Village of Williamsville, New York is small, vibrant community located in Erie County, New York. Incorporated in 1850, the Village is comprised of roughly one square mile located generally within the southwestern portion of the Town of Amherst and has a population of approximately 5,500 people. Williamsville is strategically located within the Buffalo-Niagara metropolitan area, within short commuting distance to the City of Buffalo, both major campus of the University at Buffalo, regional shopping and regional transportation infrastructure, including the Buffalo-Niagara International Airport.

The Village's land use is predominantly residential, characterized by a wide variety of housing options, from historic 1- and 2-family homes to multi-family apartment complexes. The Village is bisected on one axis by Main Street (NYS Rt. 5) which serves as Williamsville's historic business and shopping district (and also a major commuter thoroughfare) and on the other by Ellicott Creek. Located along Ellicott Creek are two of Williamsville's four parks, including Glen Park, one of the region's most beautiful natural public spaces, characterized by an impressive waterfall and adjacent to the iconic water mill.

## PART II — Project Purpose

### A. Key Project Objectives

#### 1. Comprehensive Plan Update

In April 2010, the Board of Trustees formally adopted the Village of Williamsville Community Plan, a comprehensive plan within the meaning of NYS Village Law Section 7-722 ("Community Plan"); this plan has been amended several times since then, but is now in need of a substantial update. The community vision statement is an integral component to the plan and sets guiding principles for how the development and planning process would proceed. The statement also highlights three core priorities for the Village:

- Encouraging diverse neighborhoods
- Developing Main Street shopping District, and
- Preserve/enhance the physical setting of the Village.

All future development initiatives in the Village are expected to enhance (and never limit) the success of these three priority areas.

The Village Board is seeking a planning consultant who can review the established Community Plan objectives and actions, compare it against the Village's completed projects, and assist the Village in establishing future goals to further these three core priorities.

Budget: \$70,000.00

#### 2. Review and recommend revisions to NMU and R-3M Districts

Spurred by the Community Plan, the Village has overhauled Chapter 84, Signs [2019] as well as created and adopted three, new form-based zoning codes:

- 112-16 MU Mixed-Use District [adopted 2011 with revisions in 2014, 2015, and 2016]
- 112-17 NMU Neighborhood Mixed-Use District [adopted 2015], and
- 112-15 R-3M Multiple-Dwelling Residence District [adopted 2015].

Chapters 112-16 (MU) and 84 (Signs), were drafted by a consultant, while Chapters 112-15 and 17 were drafted in house. Subsequent development applications under the latter two district codes have yielded community concerns about density and the Village Board seeks an audit of the established standards. The Village does not envision a comprehensive re-write of these code sections; however, based on feedback from the Community Plan update as well as the sound planning principles recommended by the consultant, the Village

Board would consider adopting amendments to these sections to further clarify the regulations and/or design guidelines governing development within these districts.

Budget: \$10,000.00

3. Review and recommend revisions to proposed new Urban Open Space zoning District

The Village of Williamsville currently does not have any established form of Open Space or Recreational Zoning District.

The Community Plan recognizes the physical setting of Williamsville is defined by our natural resources, places of commerce, open spaces and civic activity. Amherst State Park, Glen Park and Island Park are linked by Ellicott Creek to form a green corridor that intersects with the Main Street Business District and historic Water Mill Complex to form the crossroads of Village life.

The Village's Urban Open Space is under increasing pressure due to the spatial planning policy of densification found in other Village Zoning Districts. The Urban Open Space District would provide specific regulations and guidance for new development and rehabilitation in and around our parks and natural assets to preserve the quality and character of our Urban Open Spaces, on both public and private lands.

Additionally, in 2020, the University at Buffalo's Regional Institute recognized the Village of Williamsville as Buffalo Niagara's First Clean Energy Community and the Environmental Advisory Committee continues to pursue clean energy actions using the Climate Smart Communities framework to guide that effort moving forward.

The Village of Williamsville in 2018 was awarded a grant totaling nearly \$50,000 for the purposes of establishing a Local Waterfront Revitalization Program to enhance to the Ellicott Creek waterway and its nearest properties within the village. A steering committee for the LWRP, referred to as the Waterfront Advisory Committee, is currently creating policies and plans for the program.

The promotion and protection of our Urban Open Spaces will be of paramount importance in our mission to thwart climate change and the Village Board is interested in the potential incorporation of the United Nation's '30x30' initiative which aims to preserve lands, waterways and seas in order to protect the natural world and fight the climate crisis by 2030.

This task has two parts:

- A draft Urban Open Space district has been created in-house. The Village Board requests a review of the proposed code amendment and recommendations for revisions along with any innovative recommendations for implementation of the draft's intent.
- Consider and recommend amendments to the Village code that might provide incentives for development in all districts to adopt or implement some open space preservation or reclamation reforms throughout an otherwise substantially developed urban community.

Budget: \$4,000.00

4. Review and make recommendations for the consolidation of, and updates to, all existing Single and Two-family Residential Districts.

In 2010, the Village Board recognized the need for changes to the regulation of land use and design regulations governing the commercial and mixed-use areas of the Village, with a particular emphasis on strengthening the historic fabric and walkable scale of the Village, but, at that time, envisioned relatively few changes to existing land use regulation governing the existing 1 and 2 family residential neighborhoods. The Community Plan states that "...it was clear that residents were almost universally content with existing residential neighborhoods" however, no comprehensive review of the Residential Districts has been completed.

The existing R-1, R-2 and R-3 districts are more traditional Euclidian forms of zoning regulation, however, the regulatory differences between one district and another are subtle and virtually indiscernible. It is the Village Board's desire to review the existing residential districts and have the consultant make recommendations for either maintaining the existing differentiation or consolidating the districts in fewer or even one district.

Budget: \$10,000.00

Each of the Key Objectives noted above will be accompanied by all assistance and documentation necessary for the implementation/adoption of the above-mentioned items, including required environmental SEQRA/NEPA analysis and formal adoption by the Board of Trustees.

The indicated budget values for each Key Objective are flexible but are intended to provide the Consultant team with insight to perhaps scope the project based on unique and creative approaches while attempting to limit wildly varying cost proposals. The Village is interested in determining the best value proposal by examining what specific scope can be achieved within the budget, however the Consultant Team is encouraged

to provide supplemental recommendations which might extend beyond the bounds of the established budget if it will offer an improved product for the community.

It is expected that community engagement may be required for all Key Objectives, but most importantly for Key Objective 1. A resident steering committee will be empaneled; the size will be at the Consultant Team's recommendation, but at a minimum is expected to consist of a member from each of the Planning Board, Zoning Board, Historic Preservation Commission, and the Park's Committee as well as at least one Village Board liaison and as many "lay-persons" from the community at large as is deemed reasonable without becoming unwieldy. The Consultant Team should include at least 24 hours of community engagement meetings in their proposal.

## B. Additional Considerations

### 1. Innovative Code Approaches

New codification techniques such as form-based regulations and design guidelines have successfully been adopted by the Village in the past; the NMU and R-3M codes are examples of adopted form-based design standards while other code sections are more traditional. Analysis is needed to determine if revisions, recommendations, or proposed amendments that result from this effort (if any) could or should utilize land use code treatments such as form-based, traditional neighborhood development (TND), hybrid zoning, etc., or maintaining traditional zoning.

Any proposed code update should always consider:

- Promoting quality development that will fit better contextually within our historic urban environment
- Encouraging mixed-use development where appropriate
- Facilitating the types of development that have been planned, and
- Providing a more user-friendly format than a traditional zoning code.

### 2. Sustainable and Smart Growth Principles

Two of the key principles within the Community Plan are sustainability and smart growth. These guiding principles seek to redevelop the Village in a sustainable manner, protecting and restoring our environment, reducing energy consumption where appropriate, promoting walkability and growing the economy.

### 3. Transportation Infrastructure

The Community Plan recognizes that one of the greatest challenges faced by the Village in protecting and enhancing its Main Street commercial district is the extremely heavy automobile traffic along this street, affecting the walkability of the Village as well as the character of development along certain stretches of Main Street. One of the key goals of the Community Plan is to devise land use regulations that will strike a balance between mobility within and through the Village with protecting and enhancing the character of the built environment.

### 4. Open Space, Parkland improvements

The Village of Williamsville is well-served by an impressive collection of parks and recreation areas, but the Community Plan envisions better connectivity between these areas through the development of a Village-Wide Greenway.

### 5. Aging

As with all of the Buffalo-Niagara region, Williamsville's population is aging, and the Community Plan identifies as a key objective the need to provide for housing options that allow its residents to "age in place."

### 6. Historic Preservation

As one of the region's earliest population centers, the Village of Williamsville contains a significant quantity of historic structures and neighborhoods, and while it has acted to protect a number of significant historic structures, the Village has not, to date, created any historic preservation districts.

### PART III — Submission Requirements

All submissions shall include the following minimum information:

A. Cover Letter with Submission

Each Consultant Team submission to this RFP shall be accompanied by a cover letter signed by an officer empowered by the Lead Consultant Firm to sign such material (Definition: A "Consultant Team" may be a single consulting firm or a group of firms which have teamed up to work on a project.)

B. Project Understanding and Approach

Provide a discussion of the intended approach to the project that demonstrates an understanding of the issues and tasks and how the Consultant Team plans to address them.

C. Organization Qualifications

Provide a summary of each Consultant Team organization's qualifications indicating relevant background experience and capabilities for this work. Indicate the qualifications of proposed Consultant Team members who will work on the project.

D. Description of the Consultant Team, Management and Team Members

Clearly identify who will be the project manager and the day-to-day contact person, as well as those individuals who will contribute substantial work on the project. Describe the anticipated roles of each Consultant Team organization and key project personnel.

E. Compensation

The Village intends to contract with the Consultant Team for as many of the Key Objectives noted above as possible within its next fiscal year, however, the budget may not permit the full scope of the project to be completed in one year's time. As such, the Village Board may choose to contract for individual objectives; each consultant team shall provide separate fees for Key Objectives as follows:

1. Each Key Objective individually as a stand-alone project completed annually between 2021 and 2025.
2. Key Objectives 1 and 2, together within one year with subsequent Objectives over the following two years.

3. Key Objectives 1, 2, and 3, together within one year with Objective 4 completed the following year.
4. All four Key Objectives completed within one fiscal year.

F. Project Schedule

As noted below in Part VII, the project start is expected to coincide with the start of the next Village fiscal year. The Consultant Team will indicate the expected duration to complete each Key Objective stated. The project durations shall reflect the same four groupings noted above in Section E, assuming that each task begins on or about June 1 of each calendar year.

G. References, Related Experience and Examples of Work

Provide at least three (3) client references with contact information regarding relevant work. Specify the client, location, Consultant Team members and participating individuals and role on Team, type of work, implementation results or status, and other relevant information as needed. Provide examples of completed projects that are similar to that described in this RFP.

H. Current and Planned Project Obligations

Traditionally, the Village would request confirmation of a Consultant's obligations and previously contracted commitments which might negatively effect the time frame of our project. However, the Village will, in good faith, assume that by being responsive Consultant Team members, a forthright declaration of availability and devotion to this project is being offered. The Village, for its part, will do whatever it is called upon to maintain and achieve the established delivery schedules and it is expected that the Consultant Team will do likewise.

## PART IV — RFP RESPONSE SELECTION PROCESS

The intent is to select three (3) to five (5) Consultant Teams that will be invited to interview for this project.

Responses to this RFP will be judged in several critical areas, as follows:

### RFP Response Selection Criteria

1. Completeness of the Submission
2. Ability to Demonstrate a Satisfactory Level of Project Understanding

The consultant team's demonstrated understanding of and approach to the project overall, including the diverse and unique land use challenges and opportunities in the Village of Williamsville, trends and status of the region, and other aspects of the project as discussed and referenced in this RFP.

3. Ability to Carry Out and Manage the Project

The demonstrated ability to bring about a successful completion of the project. Qualities and indicators that will receive consideration include:

- the breadth of related project experience with similar communities;
- the provision of references for such projects;
- experience, expertise, and accessibility of the proposed Project Manager and other key personnel;
- the demonstrated ability to work with community members as well as governmental bodies;
- understanding of applicable laws or regulations that relate to the project; and
- the ability to manage a project of this scale, including realizing timetables and quality control objectives.

4. Qualifications of Consultant Team Organization(s) and Individuals

The capabilities of the organization(s) and individuals that will be engaged in the project. Qualities and indicators that will receive consideration include:

- the individual professional, technical and educational achievements of each organization and individuals involved;
- the applicable experience of the proposed staff, and
- the specific experience gained on similar projects.

5. Experience with drafting Comprehensive Plans, Form-Based Zoning, Design Guidelines and Smart Growth Land Use Regulation

The Consultant Team's ability to encourage sustainable development through the development of appropriate innovative land use regulation approaches, including form-based codes, design guidelines and/or similar approaches.

6. Ability to Develop an Effective Community Consultation Program

Ability to establish and maintain a comprehensive community consultation program including:

- public and specific stakeholder meetings at critical project milestones;
- project communication program including web-based reporting;
- visualization tools such as GIS mapping, aerial imagery, visual projection software and other graphic renderings helpful for public understanding of key land use/zoning proposals.

7. Fees

Cost shall not be the only deciding factor. The Consultant's scope based on the established budgets as well as any value-added recommendations for expanded scope beyond the budgets will be weighed based on the perceived potential value to the community.

The above list is not intended to be exhaustive. Additional criteria may be added by the Selection Committee at a later date.

## PART V — Submission Expenses

Expenses incurred in the preparation of submissions shall be borne by the Consultant Team with the expressed understanding that the firm(s) may not apply to the Village of Williamsville for reimbursement.

## PART VI — Reference Information

Many of our recent planning efforts provide excellent direction and a sound basis for the Zoning/Land Use Regulations Update.

Related documents include:

- 1.) DRAFT UOS Urban Open Space District (ATTACHED)**
- 2.) Village of Williamsville Community Plan** - April 2010 and all current amendments  
(Available online at <http://walkablewilliamsville.com/projects/community-plan/>)
- 3.) Village of Williamsville Code**  
(Available online at <http://walkablewilliamsville.com/government/code/>)
- 4.) Framework for Regional Growth: Erie and Niagara Counties**  
(Current edition, available online at <http://www.oneregionforward.org/>)

PART VII — Submission Information

Estimated Consultant Team Selection Timeline:

Estimated Timeline	
Request for Proposal Posting	Friday, January 29 <sup>th</sup> , 2021
Last date for questions	Friday, February 26 <sup>th</sup> , 2021
RFP Responses Due	Friday, March 5 <sup>th</sup> , 2021
RFP Interviews (TBD)	April 2021
Consultant Team Selection Notification	On or about May 3 <sup>rd</sup> , 2021
Expected Start Date	On or about June 7 <sup>th</sup> , 2021

**NOTE:** Expected Start Date is contingent on results of this RFP process and the start of the next Village fiscal year.

**Submission Information:** A PDF version with the subject line "Village of Williamsville Comprehensive Plan/Land Use Regulations Update" shall be received no later than: **4 p.m. EST Friday, March 5, 2021.**

Proposal files may be uploaded through a portal at <http://walkablewilliamsville.com/submit-a-proposal/>.

Submissions may also be mailed to the below address, or sent via email using the following contacts. Emails must include a Dropbox link that provides access to the proposal file.

**Submission Addressed To:** Trustee Matthew Etu  
Village of Williamsville  
5565 Main Street  
Williamsville, NY 14221

**Email Submission To:** Trustee Matthew Etu:  
[metu@village.williamsville.ny.us](mailto:metu@village.williamsville.ny.us)

**Copy Emails To:** Village Administrator Judy Kindron:  
[jkindron@village.williamsville.ny.us](mailto:jkindron@village.williamsville.ny.us)

Director of Community Development Keaton DePriest:  
[kdepriest@village.williamsville.ny.us](mailto:kdepriest@village.williamsville.ny.us)

**All questions regarding RFP should be directed to:** Trustee Matthew Etu:  
[metu@village.williamsville.ny.us](mailto:metu@village.williamsville.ny.us)

# **Exhibit A**

## **Key Objective 3**

**DRAFT Urban Open Space Code**

112-6: Add

UOS Urban Open Space

112-18: UOS Urban Open Space District

A. Purpose of the Urban Open Space District

The Village of Williamsville's 2010 Community Plan recognizes the community's desire to maintain its historic character, provide for enhanced walkability, and support a vibrant economic and neighborhood environment. The traditional community character presented within the Village is of paramount importance to the provision of these elements. Furthermore, the physical setting of Williamsville is defined by our natural resources, places of commerce, open spaces and civic activity. Amherst State Park, Glen Park and Island Park are linked by Ellicott Creek to form a green corridor that intersects with the Main Street Business District and historic Water Mill Complex to form the crossroads of Village life.

The term "urban open space" can describe many types of open areas. One may view it as a counterpart of development, serving as a natural and cultural resource or as land and/or water area with its surface open to the sky, consciously acquired or publicly regulated to serve conservation and urban shaping functions in addition to providing recreational opportunities. From another standpoint public space, in general, is defined as the meeting or gathering places that exist outside the home and workplace that are generally accessible by members of the public and which foster resident interaction and opportunities for contact and proximity. This definition implies a higher level of community interaction and places a focus on public involvement rather than just public ownership or stewardship.

In almost all instances, the space referred to by the term is, in fact, green space, however, there are examples of urban green space which, though not publicly owned, may still be considered urban open space. It must be noted that there are no special regulations or protections placed on these properties by inclusion in the Urban Open Space District – inclusion merely acknowledges their current undeveloped state, their proximity to Ellicott Creek, and that the Village and owners of property in these areas may wish to pursue cooperative, mutually beneficial partnerships that leverage the benefits of these undeveloped areas, as opportunities may present themselves.

The benefits that urban open space provides to Village residents can be broken into three basic forms; recreation, ecology, and aesthetic value. Psychological benefits gained by visitors to urban green spaces increases with the space's biodiversity, indicating that 'green' alone is not enough; the quality of that green is important as well.

The Village's Urban Open Space is under increasing pressure due to the spatial planning policy of densification found in other Village Zoning Districts. The Urban Open Space District provides specific regulations and guidance for new development and rehabilitation in and around our parks and natural assets to preserve the quality and character of our Urban Open Spaces.

B. Urban Open Space District Established

The Village of Williamsville Urban Open Space (UOS) District is hereby established as depicted on the Village's zoning map. The regulations described herein establish the desired development pattern, density, and site layout for the UOS District and development immediately adjacent to it.

C. Privately Owned UOS: Where UOS land is privately owned, the UOS designation shall serve as an overlay on the property's primary underlying zoning. *[requires cross reference in the other ordinances]*

- 1) Overlay regulations: The proposed development shall take the property's open space values and characteristics into the overall development plan.
- 2) The Village is always interested in potentially securing a right of first refusal on the future sale of any privately owned UOS land or entering into a conservation easement arrangement with the current landowner if the landowner is willing to pursue such a relationship.

D. Publicly Owned UOS:

- 1) Permitted Uses: Village owned land classified as open space and parks should continue to be utilized for both active and passive recreational uses, as well as for undisturbed natural areas within the Village. Park uses and configurations should be sensitive to surrounding residential uses and specific improvements, which are sensitively undertaken to make parks more accessible, visible and user friendly are encouraged.
- 2) Principal Uses.
  - a) Public and Civic Uses including but not limited to:
    1. Band Shell/outdoor performance space
    2. Cemetery
    3. Gazebos and picnic shelters
    4. Historical sites and artifacts with public facility
    5. Indoor or Outdoor Recreational facilities
    6. Outdoor Athletic Facilities including but not limited to Baseball, Basketball, Handball, Ice-skating, Racquetball, Soccer, Tennis, etc.
    7. Park or Open Space
    8. Playgrounds
    9. Public utility structure or facility
    10. Swimming facility and/or Splash pads
    11. Wildlife reservation or conservation areas
  - 3) Accessory Uses
    - a) Bathrooms/changing rooms in support of the principal uses noted above.
    - b) On or Off-street Parking facilities directly servicing the principal uses noted above
    - c) Walkways, Pathways, Bicycle Paths, etc which serve to connect facilities noted above within the Open Space as well as in support of a "greenway" through the Village between Open Spaces.

- 4) Prohibited uses. Uses prohibited shall be all other uses not enumerated above.
- 5) Lot and structural requirements. The following lot and structural requirements shall apply in an Urban Open Space District:
  - a) Lots.
    1. Minimum lot area: Same as the largest adjacent residential district.
    2. Minimum Street Frontage: Same as the largest adjacent residential district.
    3. Maximum lot coverage: Impervious Cover shall not to exceed 30% for principal and accessory uses.
      - a. The use of Green Infrastructure techniques including pervious surfacing, stormwater planters, etc. are encouraged to offset larger areas of impervious surface as required
- 6) Principal and Accessory structures. Structures (e.g. buildings, shelters, etc) in Urban Open Space have no minimum nor maximum square footage requirements, however, care should be taken to minimize, to the largest extent possible, the footprint of any roofed structures to ensure the protection of the largest amount of remaining green space while still adequately serving the intended purpose of the structure.
  - a) Maximum height:
    1. Principal Structure: 30 feet
    2. Accessory structures: 18 feet
  - b) Front, Side, and Rear yard setbacks:
    1. Principal Structure: Same as the largest adjacent residential district.
    2. Accessory structures: Shall be set back from any property line abutting a residential district boundary a distance at least equal to the height of the structure.
- 7) Additional Requirements for MU, NMU, and R-3M Districts abutting a UOS District boundary. *[requires cross reference in the other ordinances]*
  - a) Wherever possible, the built environment, be it residences or commercial buildings, should face onto a park. The interplay between the active sides of residential and commercial buildings and the active sides of parks has mutual benefits for both use types.
  - b) Principal and Accessory structures in these districts shall have additional setback limitations as follows:
    1. Side and Rear Yard: 25 feet.
    2. Permitted Maximum Lot Coverage shall be reduced by 30%.