



**Division of Local  
Government Services**

# Smart Growth

A Division of the New York Department of State

# Course objectives

Define smart growth & sprawl

Review key principles

Trends affecting land use patterns

Discuss benefits of implementing  
Smart Growth principles

Highlight planning & land use tools

Illustrate Smart Growth principles  
at work

## Tools highlighted

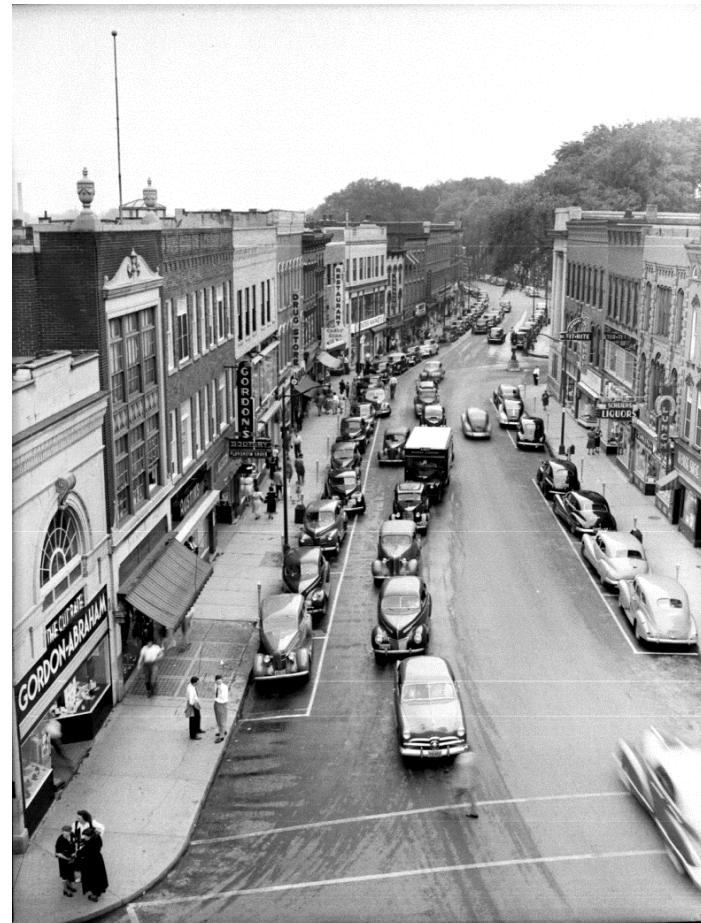
Planned unit development

Incentive zoning

The Transect & form-based zoning

Cluster Development &  
conservation subdivision design

# What is “Smart Growth”?



- Land development decisions that make efficient use of:
  - land
  - natural resources
  - public resources
    - utilizes existing infrastructure
  - conservation efforts

# NYSDOS Smart Growth principles

- Compact with mixed-use community design
- Re-use & re-development of existing buildings
- Regional planning
- “Green” buildings & infrastructure
- Mobility choices: walking, biking & public transit
- Well-planned & well-maintained parks & public spaces
- Target investments in affordable housing
- Age-integrated communities
- Collaborative, “bottom-up,” stake holder-driven planning

# Smart Growth: opposite of sprawl



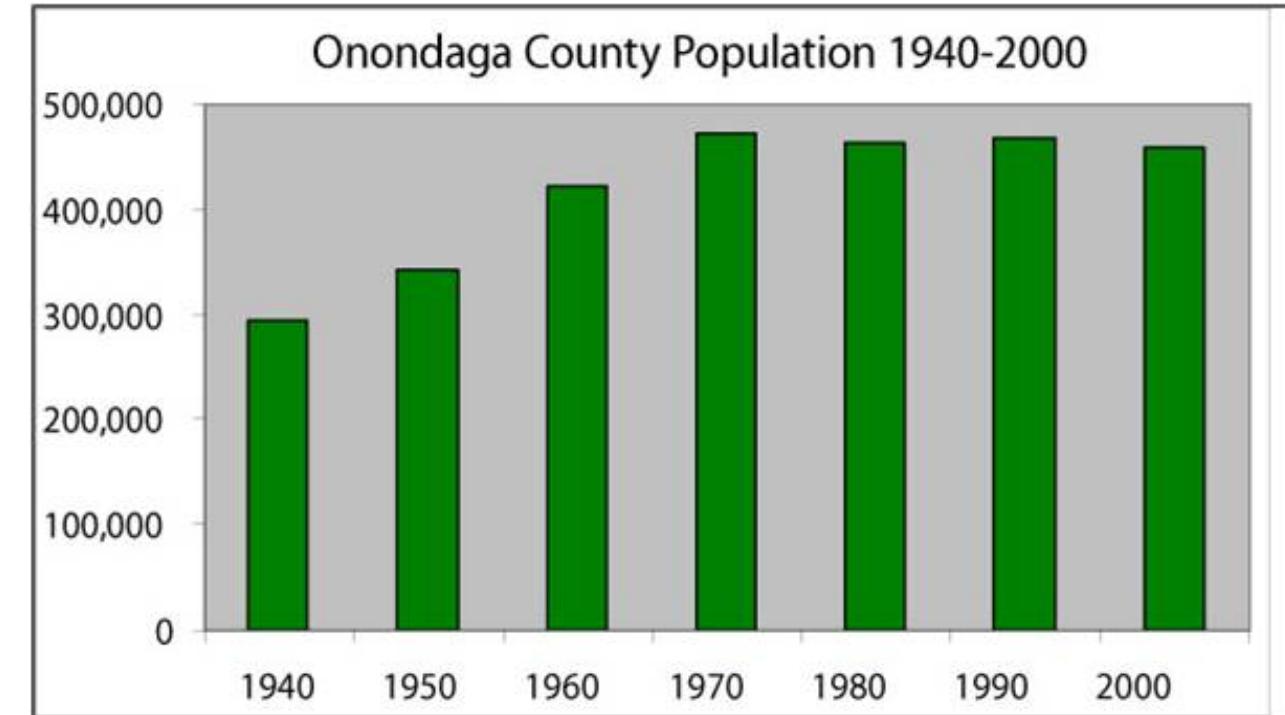
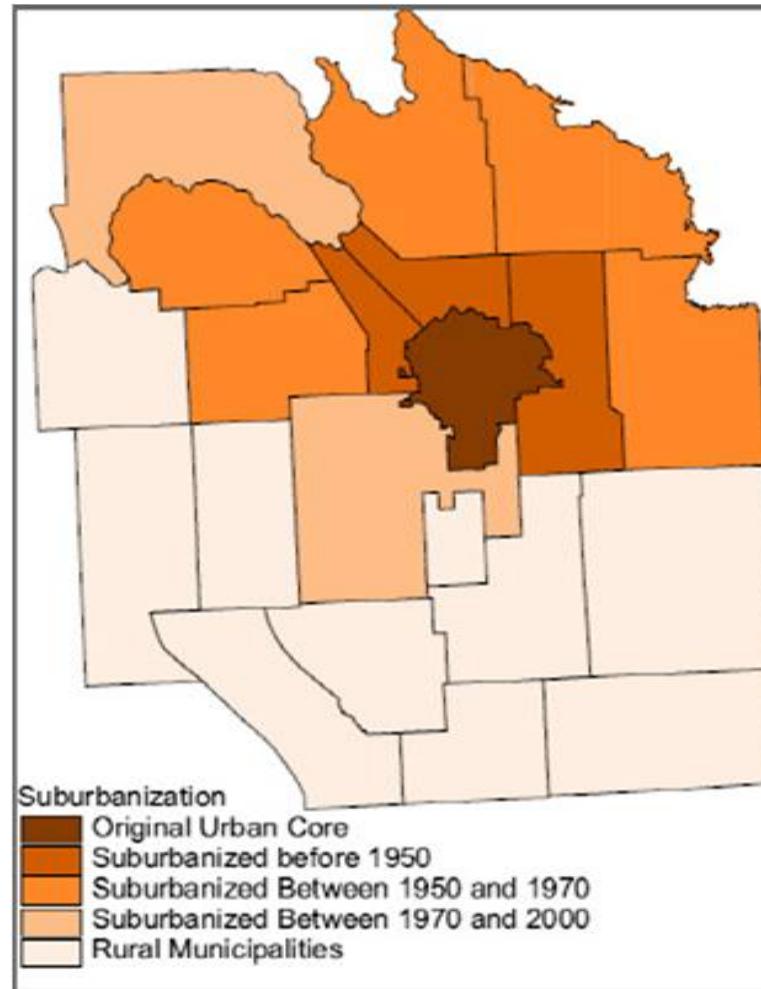
- Sprawl is dispersed, auto-dependent development:
  - outside of compact urban & village centers
  - along highways
- linear
  - in rural countryside



# Characteristics of Sprawl

- Excessive land consumption
- Low densities relative to older centers
- Auto-dependent
- Fragmented open space & leapfrog development
- Lack of choice in housing types
- Separation of uses
- Repetitive one-story development
- Commercial buildings surrounded by acres of parking & other impervious surfaces create heat islands & increased stormwater runoff

# Sprawl Without Growth



# Changing demographics

## Baby boomers

- Post World War II
- 1946 to 1964
- Oldest - 65 in 2011
- Youngest - 50 in 2014
  - 65 in 2030
- Retirement age

## Millennials

- Came of age at the turn of the Century
- 1977 to 2000
- 25 to 34 years old
- Prime working-age
- Place-based decision-making

# Changing preferences

## Baby boomers

- Age in place
- Living longer
- More diverse
- Opting out of retirement communities
- Entering nursing homes later

## Millennials

- 47% prefer mixed-use neighborhoods
- 40% prefer rural or small towns
- 12% prefer conventional suburbs

# Changing demographics

- 1950s
  - $\frac{1}{2}$  of all households consisted of families with children
- 1970 - 2012
  - households comprising married couples with children dropped
    - 40% to 20%



# Changing transportation choices

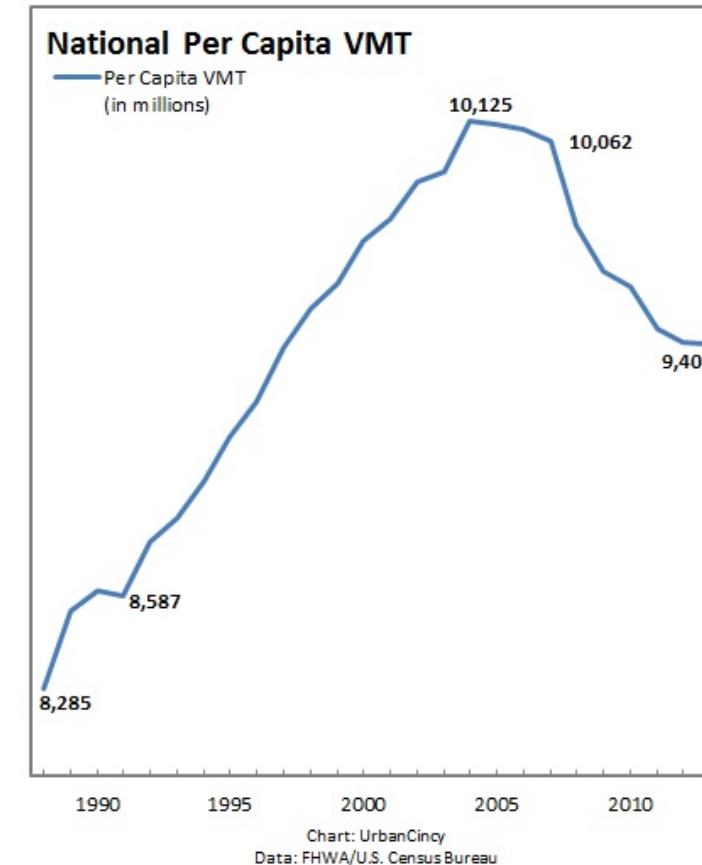
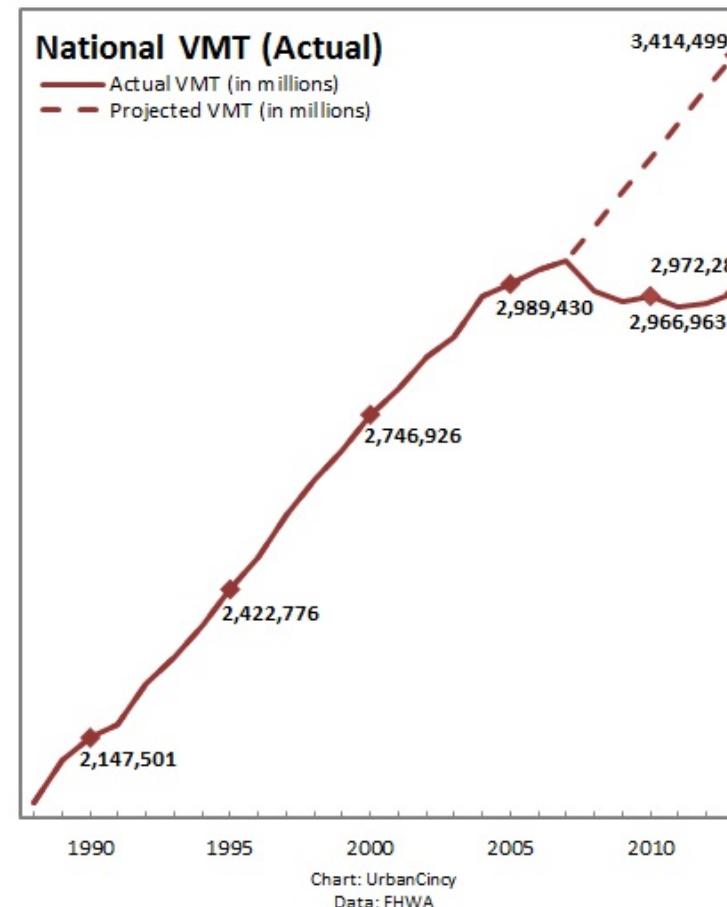
## Baby boomers

- Driving less
- 64% increased bike trips
  - 2001-2009
- Increased public transit ridership

## Millennials & younger drivers

- 23% fewer VMTs in last decade
  - Ages 16 to 34
- High school seniors
  - 27% 2010 without driver's license
- *Up from 21% in 2000*

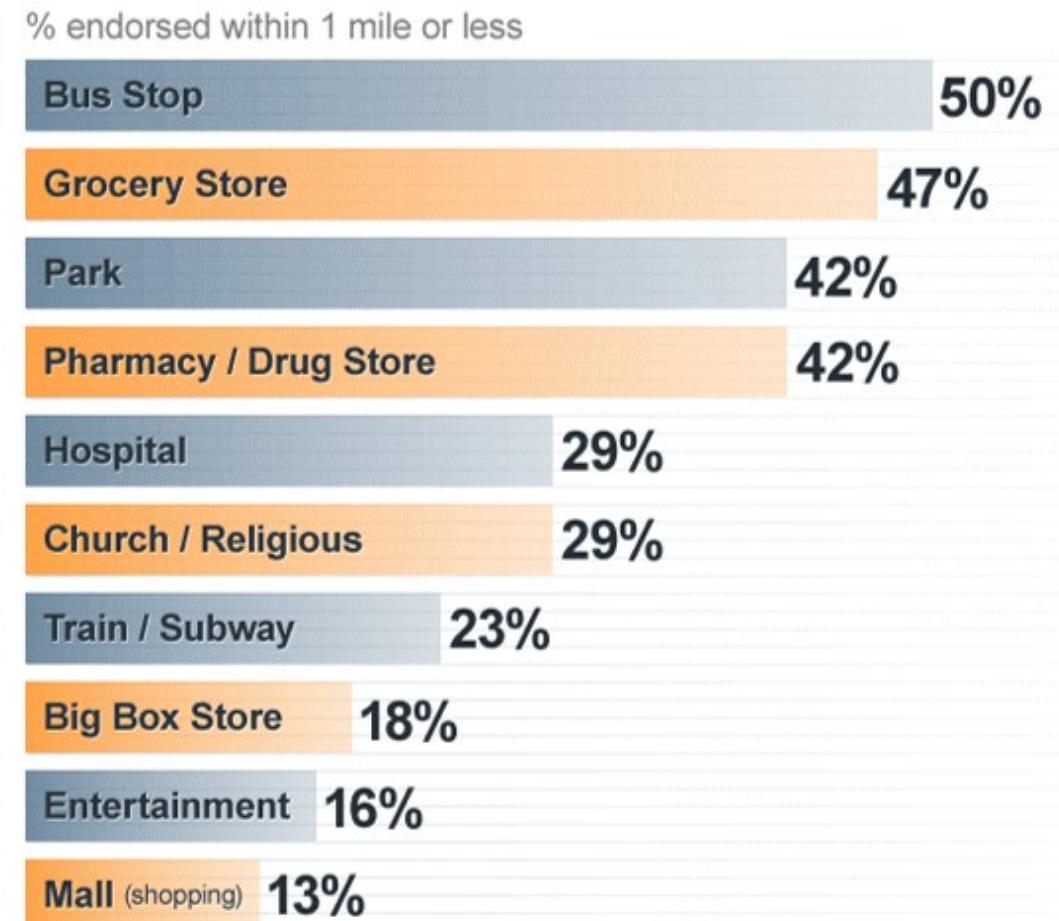
# Americans are driving less



# Community livability

## Community amenities preferred by 50 +

- Important to older Americans is access to:
- Transportation
- Food
- Green Space
  - Recreation



# Complete Streets design

- Sidewalks, crosswalks, raised crosswalks & ramps
- Traffic calming measures
  - Pedestrian control signalization
  - Narrow street
    - Road diet, bump outs ...



Share the road signage, sharrows, striping, bicycle lanes or paved shoulders

# Smart Growth Infrastructure Policy Act

- State agency spending on “public” infrastructure must align with Smart Growth principles
- Targets spending on roads, sewer & water lines, utilities toward municipal centers
- Modest increases in density can result in millions in savings on infrastructure costs



# Smart Growth Infrastructure Policy Act

Each State Infrastructure Agency must form SG Advisory Committee to:

- review projects against SG criteria
- prepare SG Impact Statements for infrastructure projects



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NY State Infrastructure Agencies:

NYSDEC	NYSDOT
NYSDOS	NYSED
DOH	ESDC
Urban Development Corp.	
Environmental Facilities Corp.	
Housing Finance Agency	
Housing Trust Fund Corp.	
Dormitory Authority	
Port Authority of NY & NJ	
Thruway Authority	
All other NY Authorities	



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# Suggested municipal actions

- Incorporate Smart Growth principles into comprehensive planning
- When requesting state funds, use Smart Growth Criteria to review infrastructure projects
- Adopt zoning adhering to Smart Growth principles
- Work with developers early



# Economic benefits of compact design

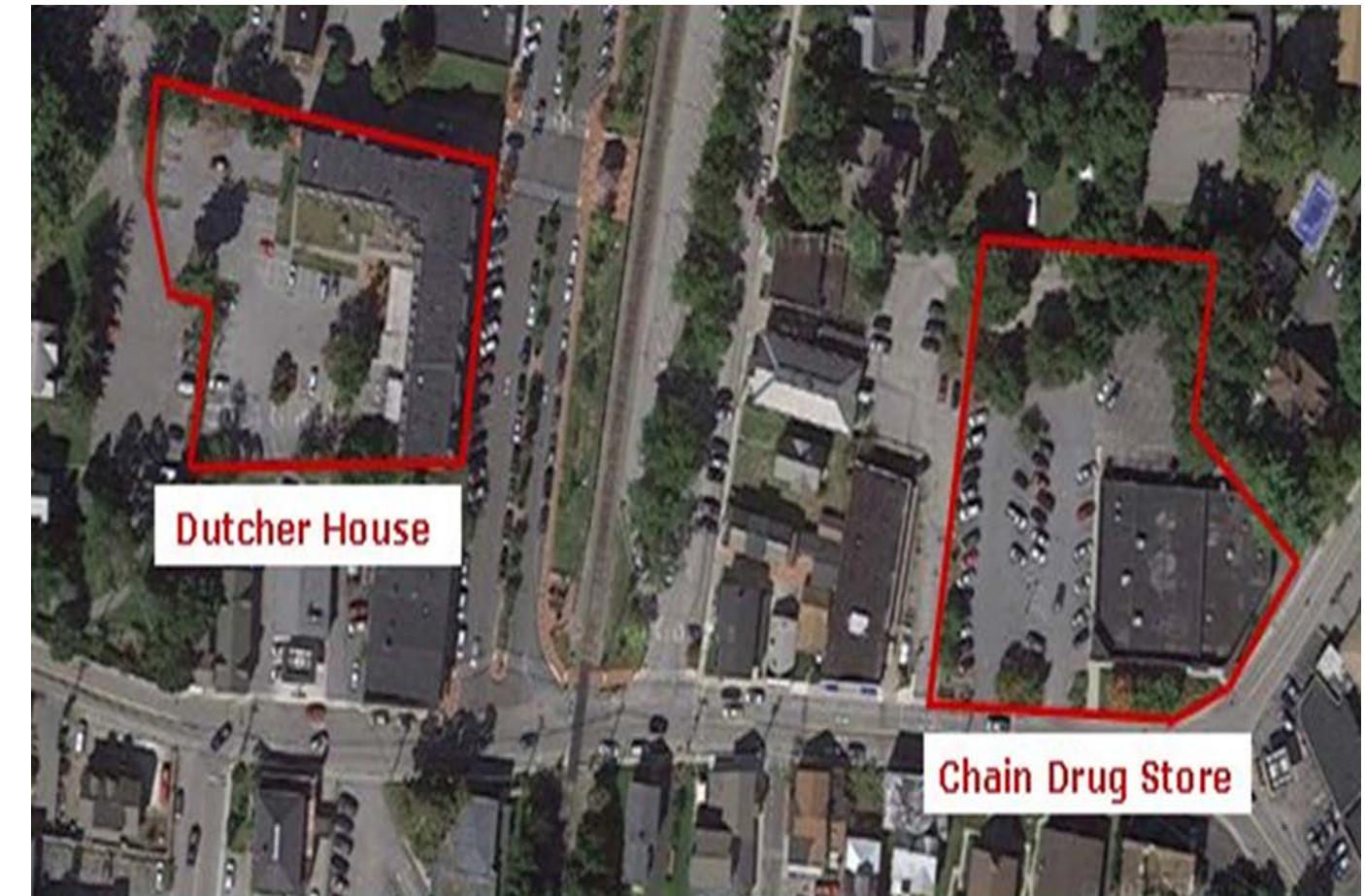


- Localities get higher property & sales taxes
  - 10 times more per acre
- Save on:
  - Infrastructure costs
    - 38%
  - Delivery of public services
    - 10%

# Economic benefits of compact design

Case study: Village of Pawling NY

- Older one-story buildings with 0 setbacks, connected storefronts, parking in the rear/side
- New chain drug store



# Economic benefits of compact design

- Dutcher House in Village Center
  - Tax assessment: \$3,372,500
- New Building
  - \$1,151,400
- Tax value set at 51%
- Model for future development



# Economic benefits of compact design

Property	Acres	Annual local property tax contribution
Urban mix-use moderate high- rise in the Central Business District (CBD).	1 acre of land in CBD	\$1,500,000
Super Walmart with large shopping mall	55.4 acres	\$1,145, 028

Source: New Urban News September, 2009 & Peter Katz, Director, Smart Growth & Urban Planning, Sarasota , Florida



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# **Local Smart Growth Tools**

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# Comprehensive plan

- Expression of goals
- Outline for orderly growth
  - Where & what types of development should occur
- Public engagement
  - Buy in
- Legal defense for land use regulations

Town Law: § 272-a  
Village Law: § 7-722  
City Law: § 28-a



# Community resilience

*“The ability of a system to withstand shocks and stresses while still maintaining its essential functions.”*



Resilient Communities are:

- familiar with their natural hazards
- prepared for them
- recover quickly when they occur

# Resilience planning

Considers multiple systems to create vital communities:

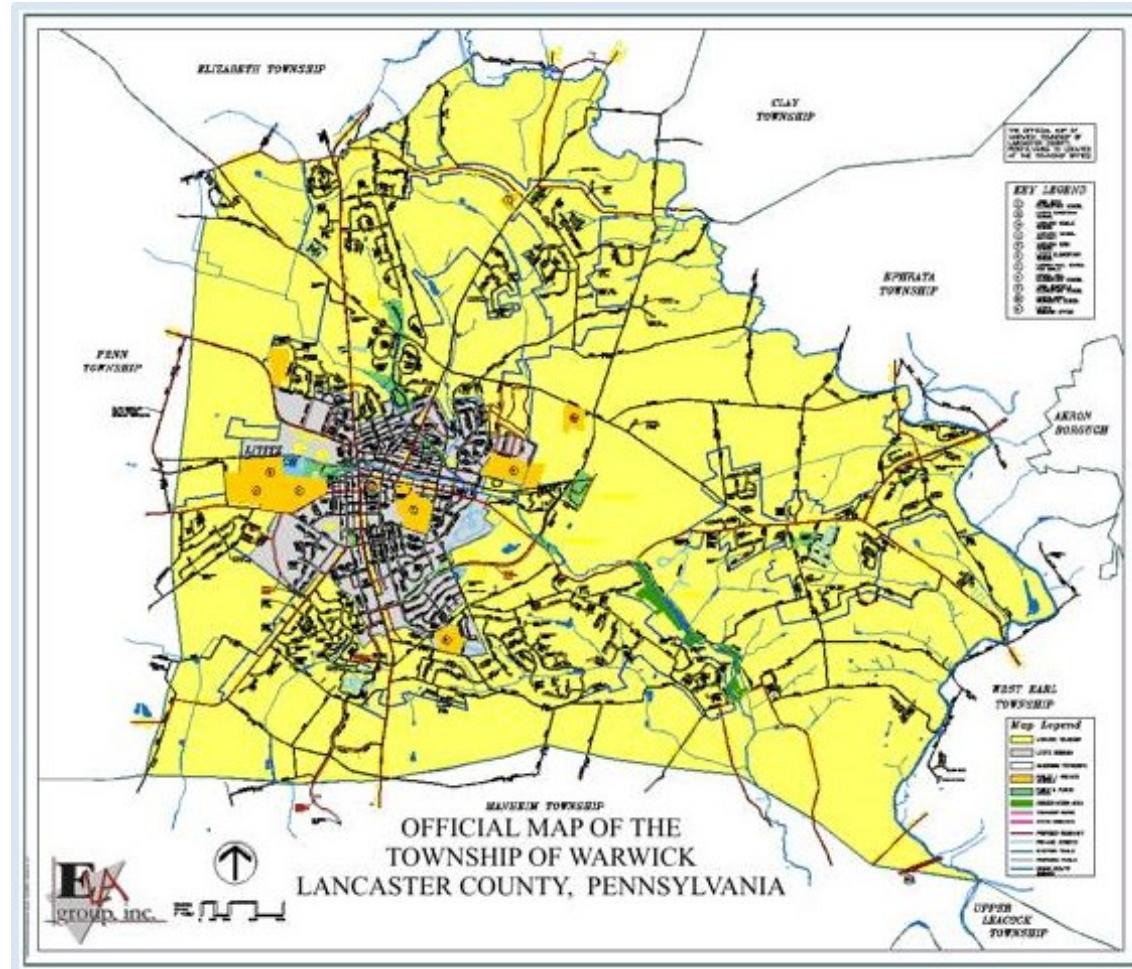
- A holistic approach
- New neighborhoods & relocations
- Infrastructure modification & backup

Expand, conserve or revitalize natural protective features:

- Storm damage benefits
- Environmental benefits
- Quality of life benefits for residents & visitors



# The official map



- Identifies current & future right-of-ways for streets highways, parks & drainage systems
- Land reserved for future facilities
- Cannot be used for other purposes without consent
- Important role in implementing Comprehensive Plan

General City Law § 26  
Town Law § 270  
Village Law § 7-724

# Nurture small businesses

*A sense of neighborhood “grows out of people stopping by at the bar for a beer, getting advice from the grocer and giving advice to the newsstand man, comparing opinions with other customers at the bakery and nodding hello to the two boys drinking pop on the stoop . . . hearing about a job from the hardware man and borrowing a dollar from the druggist . . . Most of these small interactions are ostensibly utterly trivial, but the sum is not trivial at all.”*

Jane Jacobs

The Death and Life of Great American Cities

# Design for Main Street

- Economic Impact Analysis
- Store size cap limits:
- Special use permit for more than 40,000 square feet of retail space
- Absolute size limits



# Example: Beacon

Main street zoning revised

- Height
- Uses



Creative reuse of existing buildings

- Factories & Main Street buildings
- Lofts, hotels, restaurants & stores

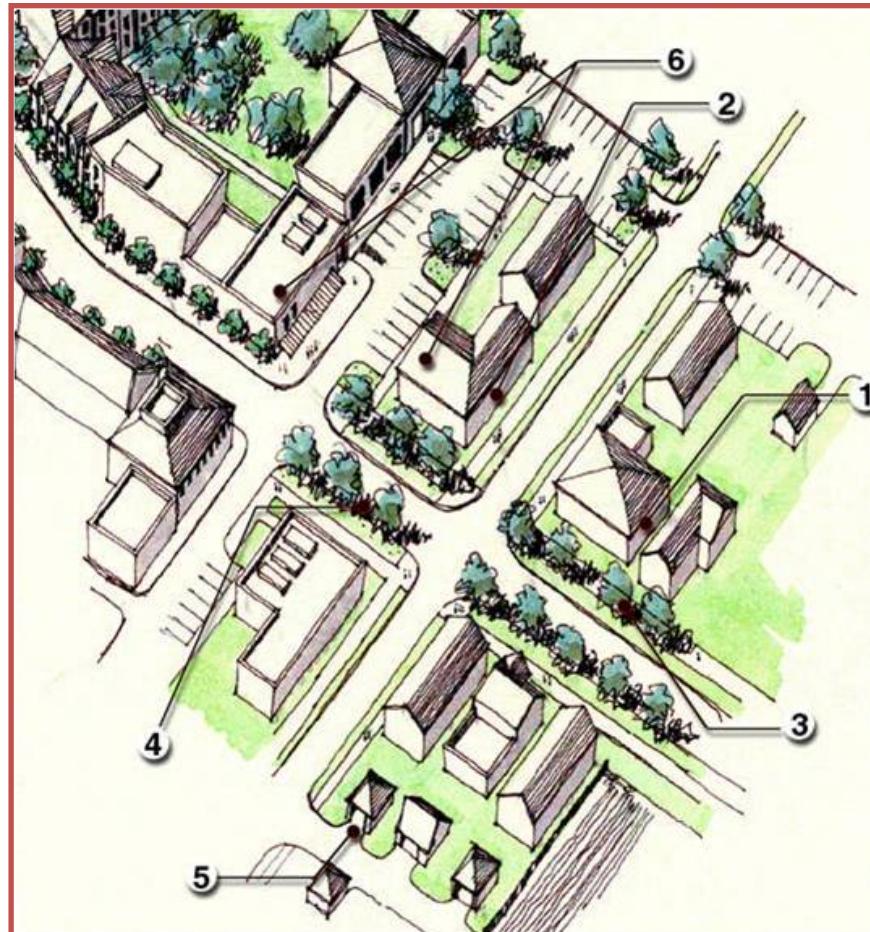


# Example: Beacon

- Walkable
- Transit options
  - Train
  - Trolley
  - Zipcar
- Other amenities
  - Museum
  - Parks & trails



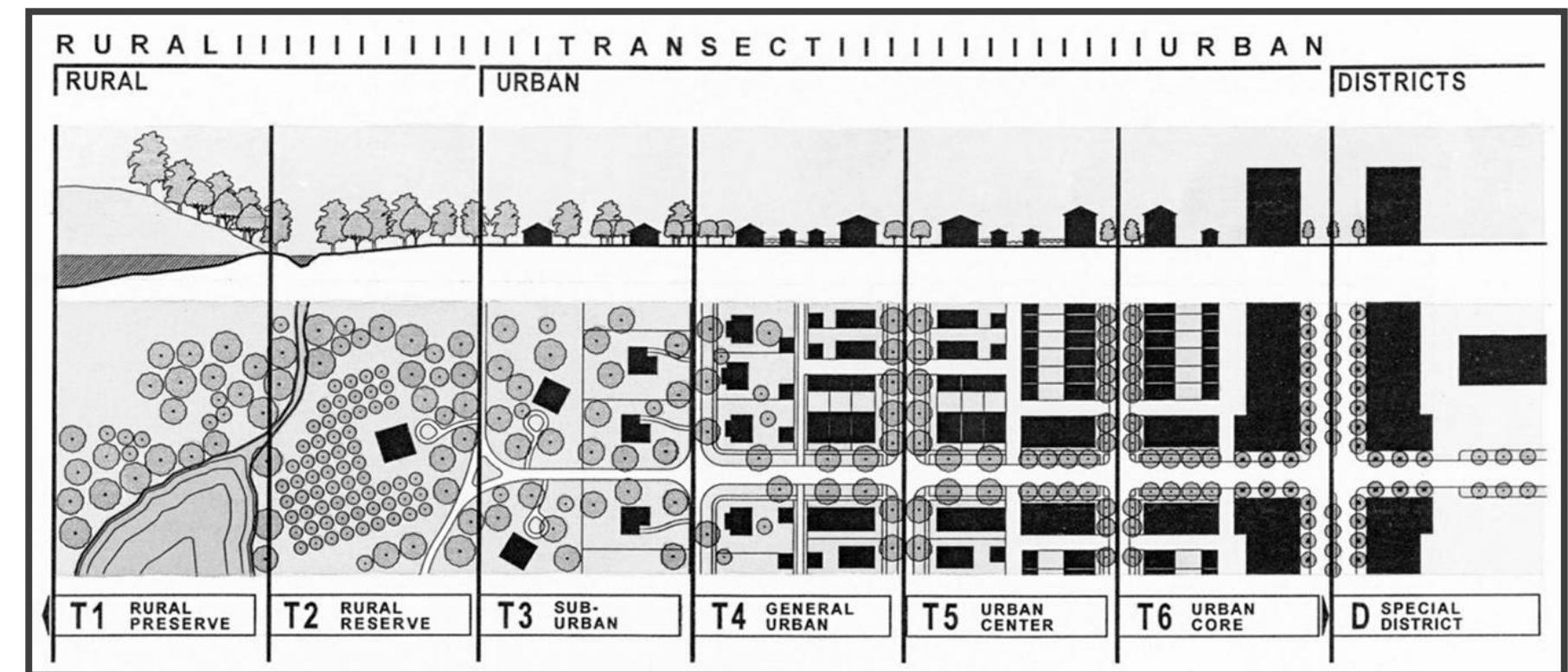
# Form-based zoning



- Improved public “realm”
- Flexible
  - More allowed or as-of-right uses
- Uses determined by what works within design parameters
  - Specifies form & scale

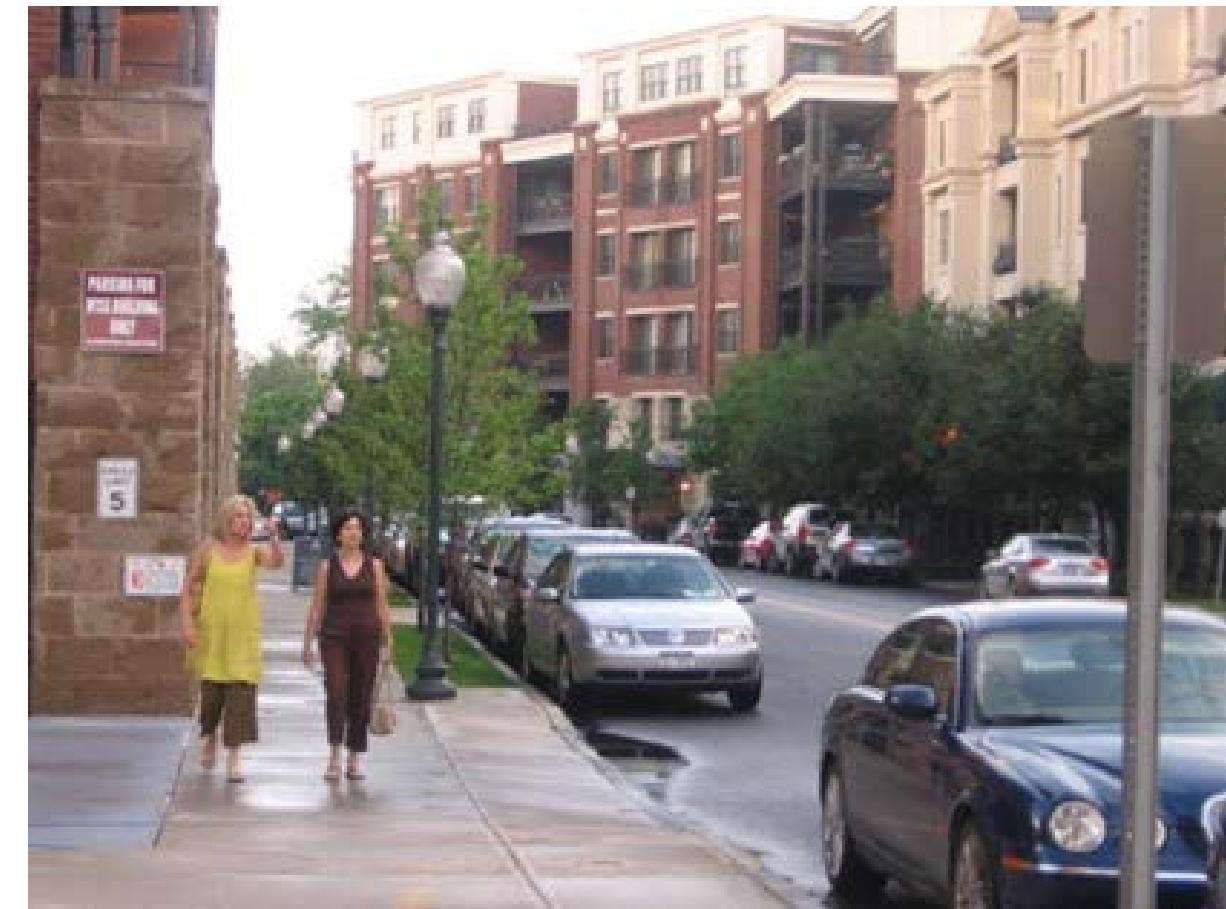
# 7 basic transect types or zones

Transects  
are  
referred  
to as  
T-Zones

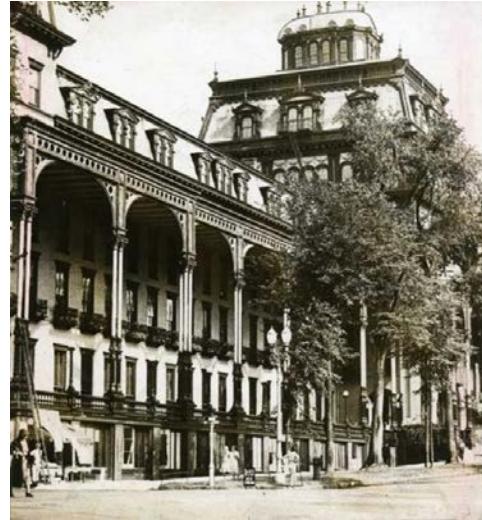


# FBZ example: Saratoga Springs

- 1st in NYS
- Preservation based
- Hybrid
- Focused on urban core



# FBZ example: Saratoga Springs



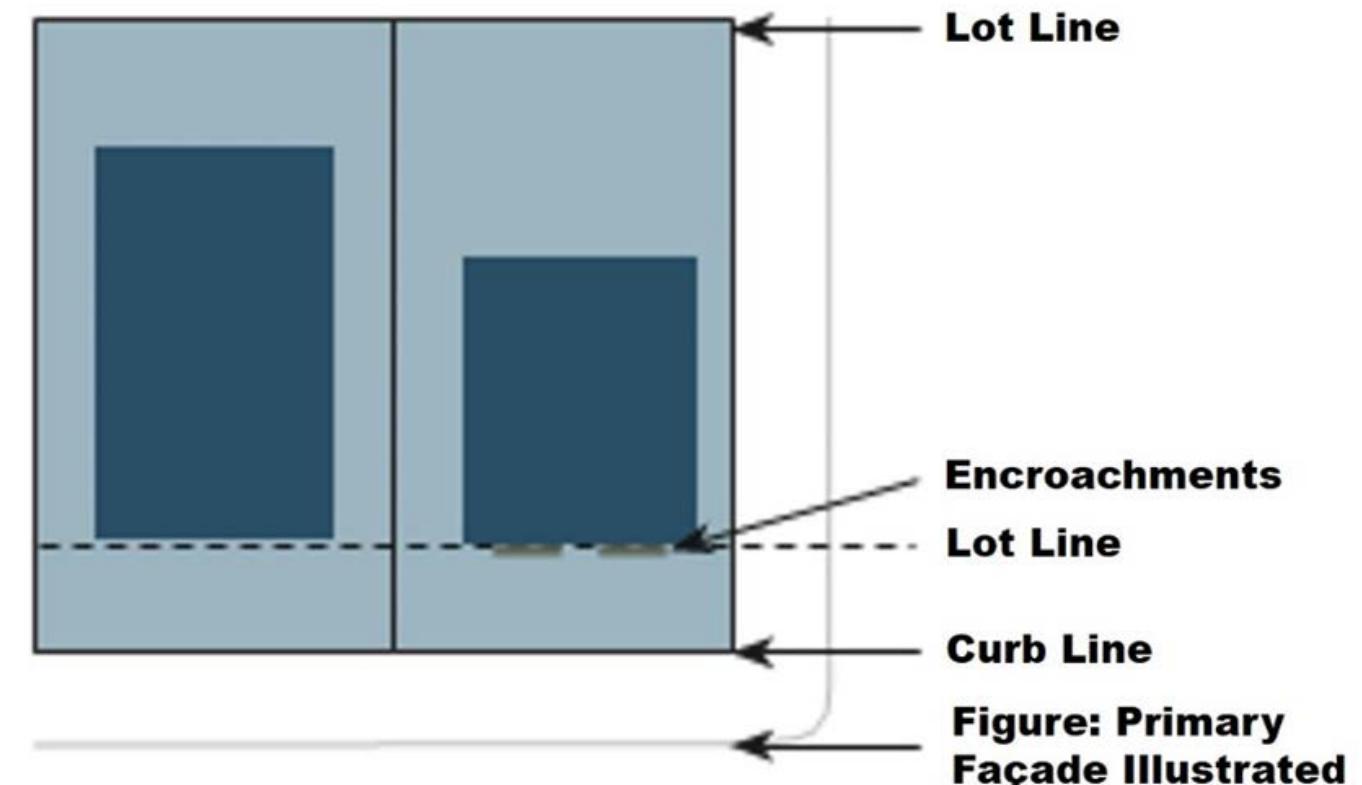
# FBZ example: Babylon/Wyandanch

- Liner Building
  - Conceals a separately constructed garage
  - Residential, commercial, or mixed-uses.



# Build-to-line

- Applies to buildings & primary facades
- Mandates locating all stories along the build to line
- Address any possible encroachments allowed & exceptions
  - Porches, signs, etc.



# Planned Unit Development

Allows development of a tract of land in a comprehensive unified manner & as a “unit”

Town Law § 261-c  
Village Law § 7-703-a  
General City § Law 81-f

# Planned Unit Development

- Provides greater design flexibility by allowing deviations from development standards
- May allow mix of uses, densities & building types
- Often on case- by-case basis using “floating zone” process



# PUD review criteria & procedures

## Process:

- PUD rules adopted
- Sketch Plan approval
- Substantive review
- Rezoning
  - Zoning map amended
- Dimensional, density & use parameters set
- Site Plan
  - Details about design & layout

Parcel size  
Percentage of open space  
Ownership of open space  
Building dimensions  
Distances between buildings  
Buffer zone width  
Location of access points  
Preservation of existing features  
Water supply sources  
Sewage disposal methods  
Compatibility with surrounding land uses  
Harmony with comprehensive plan

# Incentive Zoning

Allows municipalities to offer bonuses:

- Density or height increases
- Greater lot coverage
- Reduced parking requirements

In exchange for amenities:

- Parks & Open Space
- Recreational facilities
- Affordable housing
- “Cash in lieu of” amenities



Town Law § 261-b  
Village Law § 7-703  
General City Law § 81-d

# Large Lot Subdivisions

- Zoning sets a minimum lot size of 5 acres
- 100 acre parcel
- Could result in nearly 20 lots of 5 acres each
- Nearly all developable areas built out



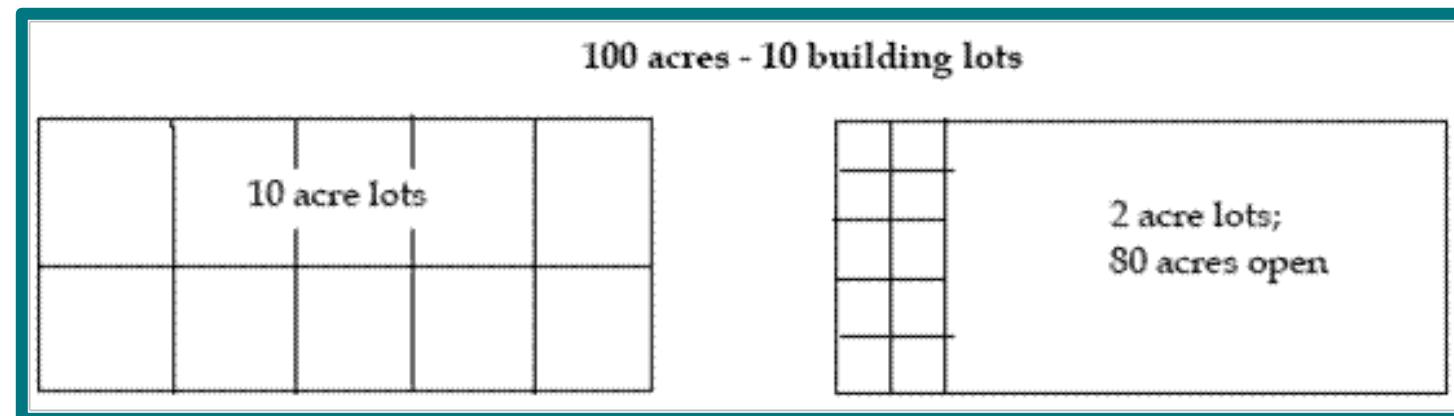
# Cluster Development

- Modifies zoning to provide alternatives for the layout, configuration & design of lots in order to preserve open land
- Requires specific authorization
- May designate specific districts where allowed
- Does not allow more lots than prescribed by current zoning

Village Law § 7-738  
Town Law § 278  
General City Law § 37

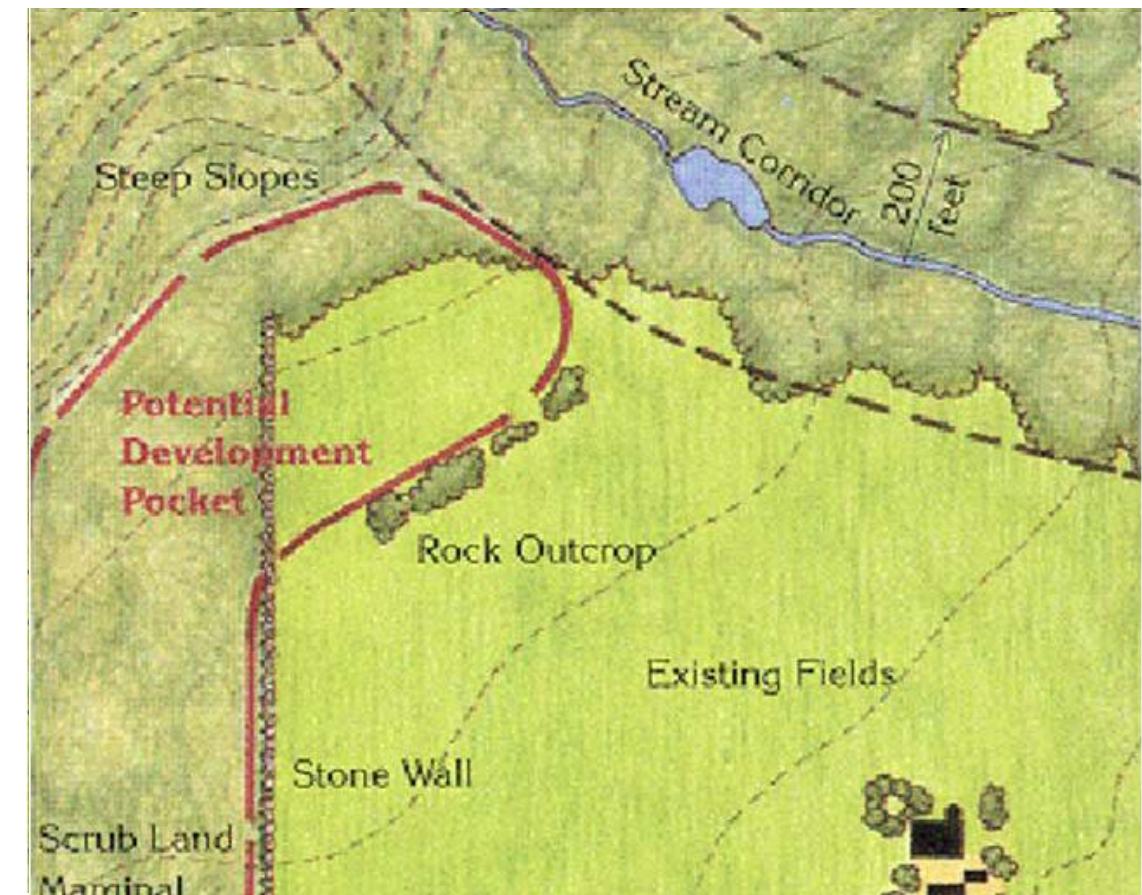
# Benefits of Clustering

- Allows for the more efficient use of land
  - Less land wasted
  - More cost effective infrastructure installation & maintenance
- Permanently protect a large portion of a site
- Preserves value of the land
  - Owner allowed to develop at the maximum density



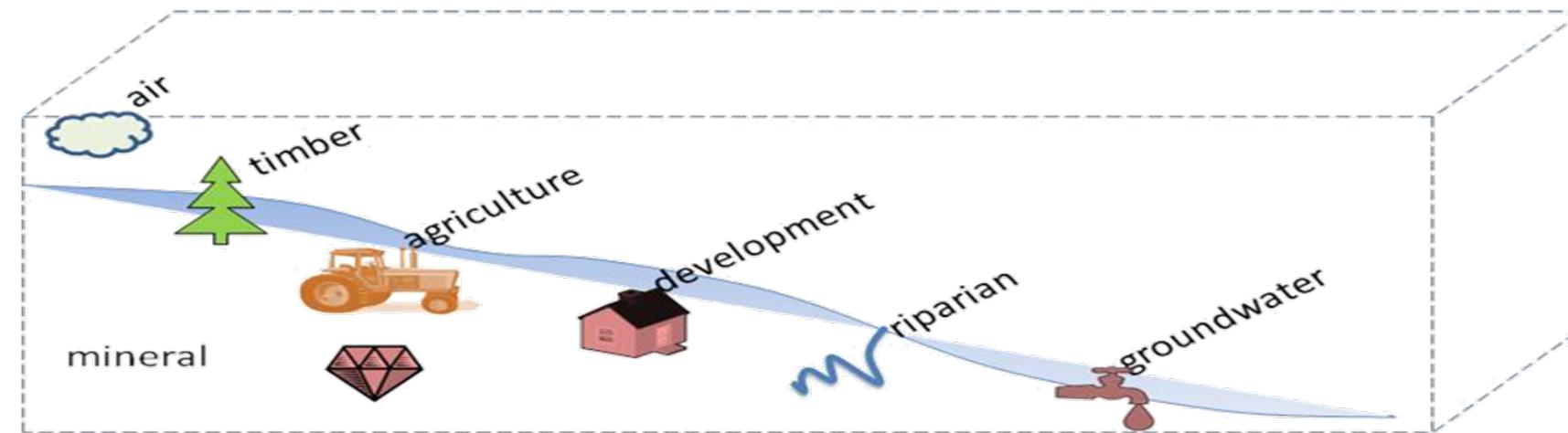
# Conservation Subdivision

- Preservation areas are prioritized
- Developable land identified
- Lots laid out to minimize disturbance to natural features & minimize land consumption
- Open space protected by conservation easements
  - Common Ownership
  - Private or nonprofit ownership



# Property rights

- Rights can be separated for sale or transfer
- Municipalities may acquire interests/rights for open space preservation
  - General Municipal law §247



# Land acquisition

## Fee simple

- Most complete set of rights
- Absolute title to land
- Often expensive
- Management/maintenance funds not included

## Easement

- Partial interest or rights
- Can do through “PDR”
- Land managed by:
  - Owner
  - Land Trust
  - Municipality

# Purchase of Development Rights

- Development rights are voluntarily offered for sale by the owner

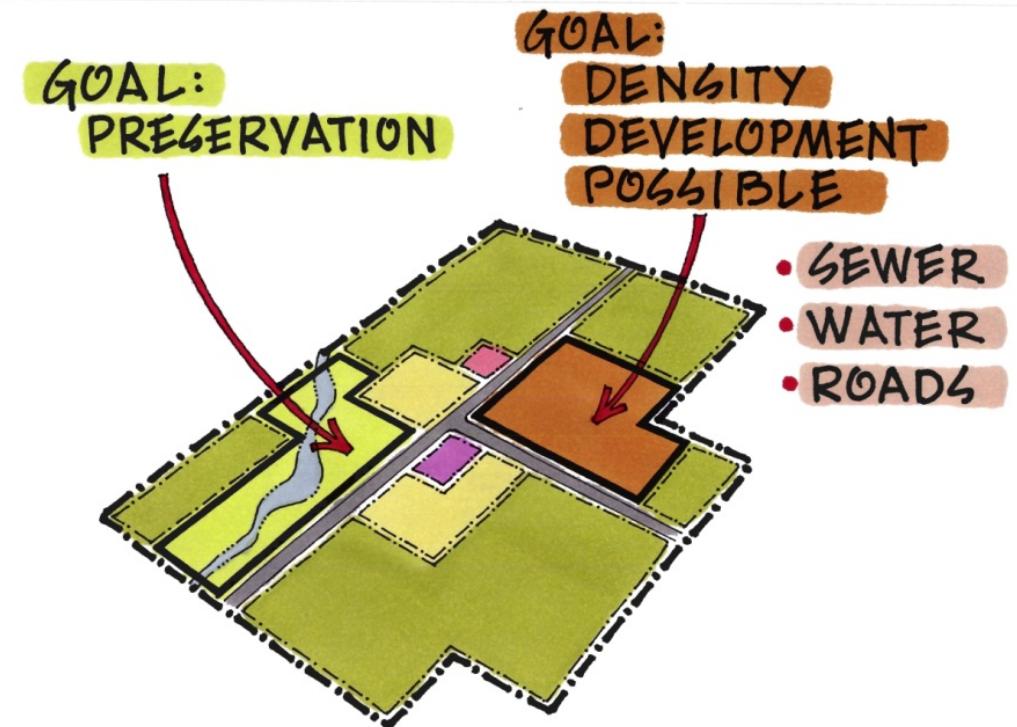


- Commonly used for farmland protection
- Other rights are retained by the owner

# Transfer of Development Rights

Allows increased development in areas designated by the municipality for development, in return for the preservation of places the community wants to protect.

Town Law §261-a  
Village Law §7-701  
General City Law §20-f



# Transfer of Development Rights

## Sending areas

- Agricultural lands
- Scenic vistas
  - Ridgelines
- Historic resources
- Natural resources
  - Aquifers

## Receiving areas

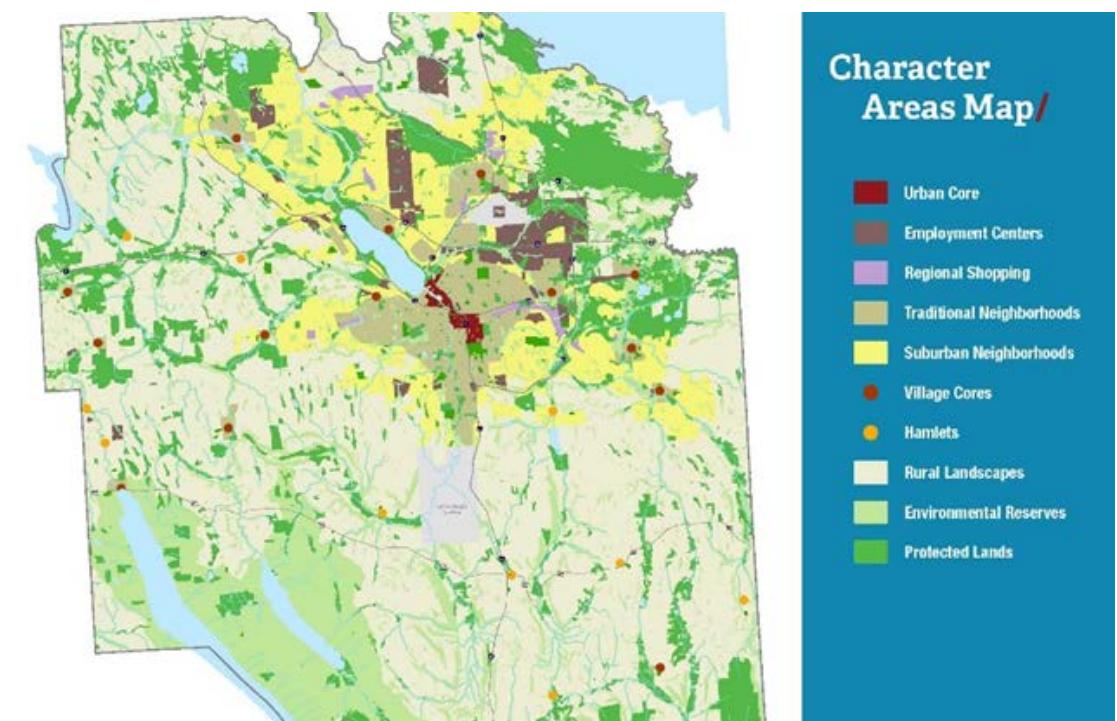
- Existing Villages, Hamlets
- Targeted growth areas
  - Intersections
  - Density
  - Infrastructure

# Regional example: Syracuse area

## Onondaga County Sustainable Development Plan

Character areas include:

- Urban Core
  - Mix uses vertically
  - Reserve first floors uses generating foot traffic
- Traditional Neighborhood
  - Grid pattern streets
  - Sidewalks
  - Connectivity
- Suburban Neighborhoods
  - Existing suburbs & villages
  - Retrofit



# Regional example: Syracuse area

## Proposed Rural Landscapes Strategies

- Identify & incentivize the protection of productive farmland for continued agricultural use
- Identify & seek protection of highly valued open space
- Establish a regional dialogue on the importance of rural areas
- Establish a common vision for balanced development & conservation
- Evaluate zoning techniques to protect rural landscapes



# Resources

## Local economic development

- Institute for Local Self-Reliance
  - <http://ilsr.org/retail-legislative-platform-strengthen-americas-independent-businesses/>
- American Independent Business Alliance
  - [www.amiba.net/](http://www.amiba.net/)
- Business Alliance for Local Living Economies (BALLE)
  - [www.livingeconomies.org](http://www.livingeconomies.org)

# Resources

## Smart Growth & Planning

- Smart Growth America
  - <http://www.smartgrowthamerica.org/>
- Congress for New Urbanism
  - <http://www.cnu.org/>
- Project for Public Spaces
  - <http://www.pps.org/>
- Urban Land Institute
  - <http://uli.org/>
- Form-based Codes Institute
  - <http://formbasedcodes.org/>

# New York State Department of State

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- [www.dos.ny.gov/lg/lut/index.html](http://www.dos.ny.gov/lg/lut/index.html)