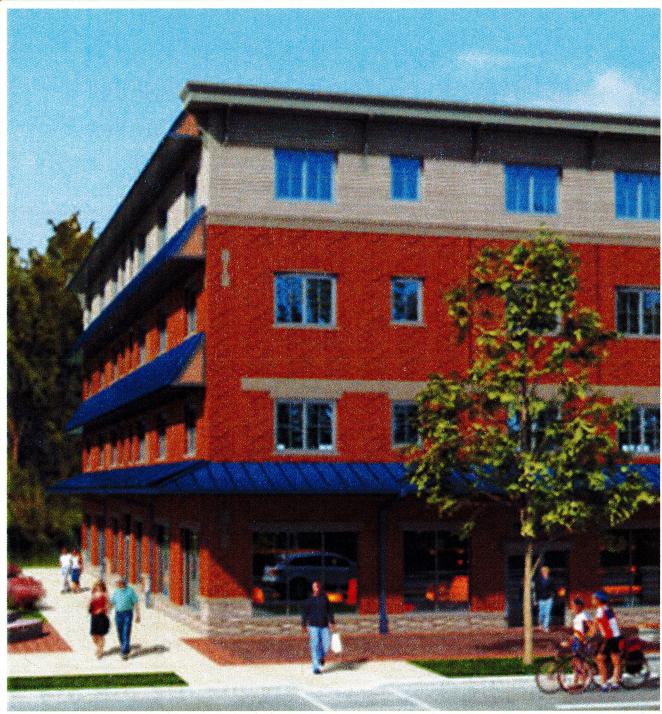


COMPACT DEVELOPMENT & INFILL



"Zero Place" – New Paltz

Elements of compact development:

- Open space protection
- Infill development
- Higher density zoning
- Reduced parking area
- Clustered subdivisions

To preserve watershed health, communities should guide new growth in more compact forms. A key is infill development – guiding new construction to existing developed areas, while keeping rural areas in a more natural state. When there is new commercial and residential development outside existing centers, it can benefit from more compact layouts.

Why is compact development important?

Watershed health can be severely affected by suburbanization. Converting forest and farmland to subdivisions and shopping centers disrupts hydrology and removes protective natural features.

Concentration of new development in existing developed areas and at higher densities protects water quality and quantity and provides other smart growth benefits. Redeveloping sites within cities, villages and hamlets offers an opportunity to incorporate modern stormwater practices and reduce pollution from runoff.

Municipalities can ensure that their codes allow for denser development and can incentivize infill development in particular. They can also take measures to reduce development in rural areas.

TOOLS

Zoning District: Zoning districts can be established to promote greater density in core areas or maintain the rural character of outlying areas.

Floating Zone: A floating zone allows for a desired development type without pre-determining the location. If conditions are met, the zone can be “fixed” to a lot.

Priority Development Area: Communities can use PDAs to encourage and incentivize infill development in preferred areas.

Priority Growth District: PGDs can take the form of zoning districts, floating zones or overlays. They encourage new growth in a specified pattern, typically adjacent to existing developed nodes where infrastructure is available.

Planned Unit Development: Municipalities can allow PUDs that create new nodes of mixed-use development, without being bound to general zoning restrictions.

Density Bonus: Communities can provide an incentive for developers to build needed features (e.g. public amenities, affordable housing) in exchange for allowing an increased number of housing units. This can be desirable where density is appropriate.

Accessory Dwelling Unit: Allowing accessory dwelling units in single family zones is a simple way of increasing density by permitting a second small dwelling unit on the same lot as a single family home, or attached to the home.

Subdivision Regulation: Conservation or cluster subdivisions can be used to allow developers the number of units calculated under traditional subdivision rules, but in a more compact form that preserves sensitive environmental areas and open space.

Purchase/Transfer of Development Rights: PDR and TDR programs protect open space by compensating landowners in rural areas for permanently reducing the development potential of their land. These rights may be purchased and extinguished or transferred to another site for increased density where it is desired by the community.

Open Space Plan: Open space planning can be conducted at the municipal scale, to document and plan for the undeveloped land the community would like to maintain as open space. Such a plan can form a sound foundation for selecting land for PDR/TDR and open space set-asides in subdivisions.

LOCAL EXAMPLES

OPEN SPACE PROTECTION

Local communities use numerous methods to preserve open space, through zoning and proactive preservation programs.

Town of Goshen – Rural Zoning District

Chapter 97, Article IV – “RU District” in zoning code

Much of the town is zoned as “rural,” with specific development options that preserve open space.

Town of Gardiner – Rural Zoning Districts

Chapter 220, Article V – “Residential Development in RA and SP Districts” in zoning code

The Rural Agriculture (RA) and Shawangunk Ridge Protection (SP) districts prioritize open space protection and require a conservation analysis to preserve high quality natural features.

Town of Warwick – Floating Zone for Open Space Preservation

Section 164-47.6 – “Incentive zoning for open space preservation” in zoning code

This floating zone offers incentives for development in accordance with an open space preservation plan, when deemed appropriate by the town board.

Town of Goshen – Open Space Purchase of Development Rights (PDR) Program

Chapter 71 – “Open Space Preservation and Acquisition”

The town established an Open Space Preservation and Acquisition Fund, managed by an Open Space Board, which is used to purchase development rights in targeted open space and farmland.

Town of New Paltz – Open Space Purchase of Development Rights (PDR) Program

Chapter 44 – “Agriculture and Open Space Preservation and Acquisition”

A Clean Water and Open Space Commission guides the acquisition of development rights in farmland and open space, and stewardship of those lands. The town established a Preservation and Investment Fund for this purpose.

Town of Warwick – Transfer of Development Rights (TDR) Program

Section 164-47.4 – “Transfer of development rights (TDR)” in zoning code

The program allows transfer of development rights from the Agricultural Protection Overlay District to districts where density is desired.

Low Density Rural Areas

Subdivision of land allows for residential sprawl and suburbanization. One remedy is to deter subdivision in rural parts of the community by requiring a higher acreage per residential unit.

Towns of Rhinebeck and Red Hook (Dutchess County) – Large Lot Zoning

In Rhinebeck, the “Historic Preservation” district along the Hudson River requires 20 acres per unit, and the “Rural Agricultural” district requires 10 acres per unit. In Red Hook, the “Waterfront Conservation” and “Limited Development” districts require 10 acres per unit. These combine with other tools to steer density to central areas.

INFILL DEVELOPMENT

Promoting infill in existing villages and hamlets accommodates growth without sprawl, and can lead to vibrant, walkable places.

Village of New Paltz – Mixed-Use Village Zoning District

Section 212-13(G) – “Neighborhood Business Residential Mixed-Use District”

In an effort to guide the conversion of a highway business area to become a denser, walkable part of the village, New Paltz established the NBR district. It requires multistory buildings and provides

minimal setback requirements, allowing more intensive use of sites. The district offers flexibility on parking requirements, and focuses on pedestrian and bicycle amenities.

Town of Gardiner – Density and Incentives in Hamlet

Section 220-7(D) – “Hamlet Mixed-Use District (HM)” in zoning code

The HM district aims to maintain the traditional characteristics of the central hamlet while allowing it to become more economically viable. The code calls for Traditional Neighborhood Development design principles (§220-12.1), and allows for density bonuses if developers provide infrastructure (§220-11(D)).

Town of Malta (Saratoga County) – Downtown Form-Based Code

Chapter 167, Article XVI – “Downtown Malta Form-Based Code” in zoning code

A detailed form-based code prescribes development patterns to encourage denser infill of Malta’s downtown.

Town of Hyde Park (Dutchess County) – Historic Crossroads Infill

Section 108-5.11.1 – “Crossroads Core District” in zoning code

The Crossroads Core district encourages infill development in a historic crossroads hamlet by boosting density, relaxing parking requirements, and focusing on pedestrian-oriented design.

Towns of Rochester and Warwarsing – Hamlet Revitalization through Brownfield Program

<http://ulstercountyny.gov/ulster-county-revitalization-opportunity-areas>

Kerhonkson is one of the Revitalization Opportunity Areas that Ulster County is pursuing with partner municipalities through the Brownfield Opportunity Area program (see Resources). The goal is to promote investment in underutilized properties in the hamlet of Kerhonkson.

HIGHER DENSITY ZONING

Higher density zoning can be appropriate in existing villages and hamlets, as well as adjacent areas targeted for expansion.

Village of New Paltz – High Density Residential

“R-3 District” in zoning code

New Paltz has multiple residential districts, with some core areas zoned R-3, which allows up to 12 dwelling units per acre.

Village of Walden – Downtown Mixed-Use and High Density

Chapter 305 – Multiple business, mixed-use and high-density residential districts in zoning

The central business district allows apartments over nonresidential first-floor uses, and surrounding neighborhood districts allow multifamily housing with up to 29 units per acre.

Town of Gardiner – Priority Growth District

Section 220-14 – “Hamlet Expansion Overlay District (HEO)” in zoning code

This overlay district designates areas outside the existing central hamlet where hamlet-style development may be extended when infrastructure allows.

Town of Wawayanda – Density Bonus for Multi-Family Housing

Section 195-55(F) – “Multifamily residential uses” in zoning code

Multifamily development is offered a 100% density bonus over the number of single-family units that would otherwise be allowed.

Town of Montgomery – Accessory Dwelling Units

Section 235-6.5(B) – “Accessory building use” in zoning code

In selected residential districts, “[a]n existing single-family dwelling unit may be enlarged or converted or an existing detached structure may be converted to include one accessory dwelling use (AU).” This allows for small apartments that increase housing density within the fabric of residential neighborhoods.

PARKING AND STREETS

Reduce Parking Area

Excessive parking requirements can unnecessarily consume land, increase stormwater, and work against density and walkability, while also adding costs. Parking waste can be reduced by encouraging shared parking, using on-street parking, reducing the number of required parking spaces, and reducing the dimensions of parking spaces. See Resources section for technical guidance.

Town of Goshen – Flexible Parking Standards

Section 97-48 – “Off-street parking and loading” in zoning code

Goshen’s parking standards encourage site-specific analysis rather than simple formulas to determine parking needs. Likelihood of walking and biking are considered in the determination. The Planning Board can consider on-street parking, shared parking lots and municipal parking lots in meeting parking demand. The code also provides for a “fee in lieu” option in which the developer pays into a town fund for creation of municipal parking.

Village of Walden – Shared Parking

Section 305-28 – “Off-street parking for mixed uses” in zoning code

Within the Mixed Use district, parking can be provided multiple ways, including using on-street parking and shared parking. Parking spaces can be reduced if different uses within a building will demand parking at different times of day.

Village of New Paltz – Flexible Parking in Mixed-Use Zoning District

Section 212-13(G) – “Neighborhood Business Residential Mixed-Use District” in zoning code

New Paltz has a parking space size of 9x18 feet and somewhat flexible parking requirements throughout the Village. In the NBR district, there is additional flexibility and compact parking provisions, including the opportunity to count on-street spaces toward parking requirements, and support for shared parking arrangements, with up to 30% reduction when uses have different peak parking times.

Reduce Street Widths

Most communities have specifications for new streets. In some cases these can be reduced. Narrower streets mean less impervious surface. They can have other benefits like reducing speeds and maintaining rural character. The NYS Stormwater Design Manual states:

“AASHTO recommends that for low volume local roads with less than 400 average daily trips and design speeds of 40 mph or less, the width of the traveled way can be as little as 18 feet. Adding two-foot shoulders on either side, the total would be 22 feet.”

The Center for Watershed Protection echoes this recommendation. Also consider whether new streets are required to have curbs and gutters, which can impede green design options.

CLUSTERED SUBDIVISIONS

Many communities provide an option for clustered subdivisions, in which homes are grouped rather than spread evenly across a site. Clustering is most effective when it includes a strategy for preserving specified high-quality lands that protect water resources, habitat or scenic quality.

Town of Warwick – Multiple Clustering Formulas

Chapter 164, Sections 41.1 and 41.2 – “Cluster subdivisions” and “Conservation density subdivisions”

Cluster subdivisions focus on grouping houses to preserve high quality open space, with a specific design process to maximize conservation value. Density bonuses are available for extra conservation measures. The town also provides a conservation density subdivision option, allowing low-density subdivisions with shared driveways.

Town of Hamptonburgh – Conservation Subdivision with Density Bonuses

Section 150-21 – “Conservation subdivisions; incentive zoning in conservation subdivisions” in zoning code

The code authorizes the Planning Board to require the applicant to submit a conservation subdivision design when necessary to protect important natural features. As an incentive, it also provides a density bonus “if a minimum of 50% of the land area in the subdivision is set aside as a separate parcel and reserved in perpetuity as open space.”

RESOURCES

County-Wide Open Space Plans – Ulster and Orange Counties

County open space plans can be a helpful starting point for town open space planning or selection of open space in subdivisions.

<http://ulstercountyny.gov/planning/open-space-plan>

<https://www.orangecountygov.com/301/Open-Space-Plan>

Breaking Ground: Planning and Building in Priority Growth Districts – Pace Land Use Law Center

This guide describes the process of designating and planning for priority growth districts. It features local examples: Warwick, East Fishkill and LaGrange.

https://law.pace.edu/emplibrary/Land_Use%20Breaking%20Ground.pdf

Centers and Greenspaces Greenway Guide – Dutchess County

Applicable throughout the Hudson Valley, Dutchess County’s Centers and Greenspaces guide promotes strengthening of centers and preservation of surrounding greenspaces. It features Red Hook as a “rural success story.”

<http://www.dutchessny.gov/CountyGov/Departments/Planning/26180.htm>

Mid-Hudson Sustainability and Smart Growth Toolkit – Orange County Planning & Regional Plan Association

This guide provides best practices for strengthening existing centers and preserving open space.

<https://www.orangecountygov.com/DocumentCenter/View/8360>

Code and Ordinance Worksheet – Center for Watershed Protection

This guide contains detailed recommendations for evaluating whether your municipal code maximizes conservation potential, particularly focused on reducing stormwater runoff. Take note of the section on parking, which provides specific provisions to reduce pavement area, including parking space dimensions of 9'x18'.

<https://owl.cwp.org/mdocs-posts/better-site-design-code-and-ordinance-cow-worksheet-2017-update/>

Transfer of Development Rights – NYS Department of State

This guide describes how to design and operate a successful TDR program.

https://www.dos.ny.gov/lg/publications/Transfer_of_Development_Rights.pdf

Brownfield Opportunity Area – NYS Department of State

Infill in some communities requires redeveloping former industrial sites. New York State assists communities in planning for reuse of these sites.

<https://www.dos.ny.gov/opd/programs/brownFieldOpp/index.html>

Creating Great Neighborhoods: Density in Your Community – Local Government Commission & US Environmental Protection Agency

This guide covers the benefits of density in creating vibrant downtowns and neighborhoods, with plentiful examples.

<https://www.epa.gov/smartgrowth/creating-great-neighborhoods-density-your-community>

Revitalizing Hudson Riverfronts – Scenic Hudson

Though focused on communities on the banks of the Hudson, the principles in this guide can provide guidance and inspiration for all Hudson Valley communities.

<https://www.scenichudson.org/ourwork/riverfrontcommunities/publications>

Gaining Ground Database – Pace Land Use Law Center

This library of local laws contains examples from New York State municipalities.

<https://appsrv.pace.edu/gainingground/>

