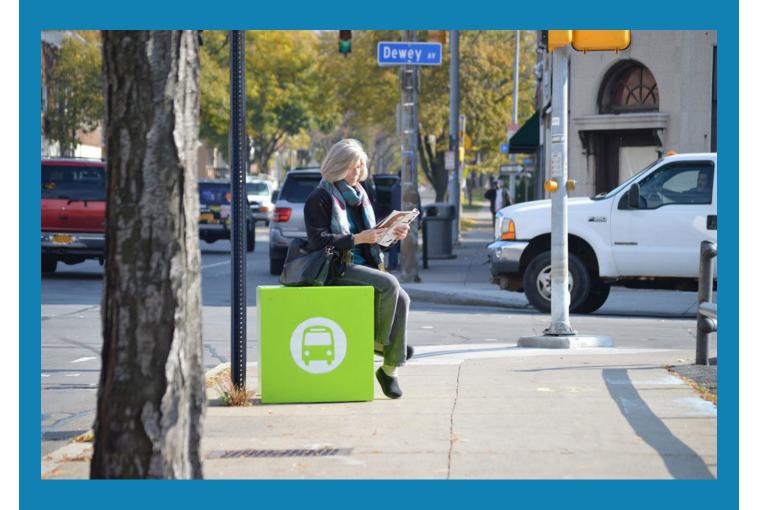
# LAST MILE (OR LESS)



USING SITE PLAN REVIEW TO ENCOURAGE PEDESTRIAN-ORIENTED DEVELOPMENT IN THE GENESEE FINGER LAKES REGION



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The Genesee Transportation Council assures that no person shall, on the grounds of race, color, national origin, disability, age, gender, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. GTC further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

## En Español

El Consejo Genesee del Transporte asegura completa implementación del Título VI de la Ley de Derechos Civiles de 1964, que prohibe la discriminación por motivo de raza, color de piel, origen nacional edad, género, discapacidad, o estado de ingresos, en la provisión de beneficios y servicios que sean resultado de programas y actividades que reciban asistencia financiera federal.

## **Executive Summary**

#### EXECUTIVE SUMMARY

Those who choose to walk or bike within the Genesee Finger Lakes Region often face the "last steps" connection challenge, this challenge exists due to the limited pedestrian and bicycle infrastructure within a parcel that safely leads a user to the front door of their destination. The lack of infrastructure in the final steps can be a deterrent for people who may choose an alternative mode of transportation and is a problem that may be a daily reality for those with limited transportation options.

Improvements to the site plan review process are only effective if the development addresses the last mile and last steps challenge and considers the context of the development site and community. Site selection is an important factor in the success of a development and for sustainable growth. Identifying sites should be based on analysis of the community wide context, the accessibility of facilities, and the capacity of the site. There are many factors that make a site unique: the culture and community, landscape and geography, infrastructure, and the built environment. Good design will respond to these factors; design that is inappropriate in its context, or which fails to enhance the character, quality and function of an area should not be approved. Site design and development proposals that are informed by good site and context analysis have several advantages:

- Value
- Environmental Sustainability
- Connectivity
- Health and Well-Being
- Sense of Place
- Cost Effectiveness
- Security

Street design and land use are closely linked, and the existing and planned land uses must be considered when planning and designing new developments. Land development that is sensitive to the context of the parcel and the surrounding community is essential to enhancing scenic, aesthetic, historic, and environmental resources, and helps maintain and enhance safety and mobility of users. Each new development should be analyzed based on the context of the neighborhood and community to ensure quality development.

Design is inherently subjective with no right or wrong answer, but good design is objective because it just works. It works because the initial design application follows a system or framework, every subsequent design decision has a reason, and every element can be explained. The following principles are meant to provide a community with a starting point to begin the discussion of what constitutes good design as it relates to both community and development contexts.

- Build to human scale
- Design for comfort and safety
- Create places to congregate
- Provide connections
- Connect buildings to streets and sidewalks
- Transitions and boundaries
- Include detail and variety
- Function
- Mixed use and compact development

Every proposed development will have to be judged by the reviewing board on its own merits within the parameters of the community's policies. The site plan review process is the forum where it is determined whether the development complies with the intent of the community. The number of development factors to be evaluated can be large, and it is necessary to determine the important elements early in the process. Generally, the review factors address five major elements: land use; circulation; utilities; public safety; and design. These factors can help to ensure equitable and realistic reviews. A number of additional factors can be added to the site plan review process to ensure that communities are receiving development applications including pedestrian and multimodal focused amenities.

Poor site plan review practices can lead to inefficient, confusing, and lengthy development review processes that frustrates applicants, increase development costs, and lead to inappropriate development in a community. A Site Plan Review process that is streamlined and easy to understand by both the applicant and the review boards will support the inclusion of projects that are better suited for the community context and are more multimodal and pedestrian friendly. Best practices fall under four categories:

- Improve communication- Collaboration and communication among municipal officials, permit applicants, consultants, developers, and code enforcement officers is vital to efficient permitting that maintains the goals and aspirations of the community. Improved communication throughout the process will lead to better projects that fit the community context and will support the inclusion of multimodal and pedestrian focused projects. By informing the applicant, developer, and review boards of the required elements that will be reviewed the community is more likely to receive complete and robust applications that meet the goals of community
- Standardize the process- Predictability and consistency of the permitting process within a municipality allows for a more efficient project review. Applicants should know what to expect from the municipal review boards, commissions, and staff they interact with through the process including the submittal requirements, plan documents, public meeting schedules, and review time frames.
- Improve performance and accountability- Adequate staffing and resources are integral to efficient
  planning and permitting. Utilizing tools like a municipal website or electronic permit tracking systems
  are effective tools for communicating information about development applications and can provide
  greater transparency, accuracy, and efficiency among municipal review boards, commissions, and
  interested citizens.
- Planning- Planning helps guide future growth and can help answer questions such as: Where and how do we build new homes, schools, businesses, roads and public infrastructure? How do we deal with parts of the community that are overbuilt, deteriorating or otherwise inappropriate? How do we preserve those parts of the community that we value? A municipality that identifies appropriate areas for commercial, residential, and industrial growth and is able to answer these questions is much better prepared to encourage desirable outcomes from proposed development.

To create accessible, well-balanced transportation options and walkable communities the site plan review process for development must adapt to accommodate all user groups including users of non-motorized forms of transportation. To support multimodal transportation communities will need to improve and update their site plan review process to accommodates the last steps to a destination by considering community and site context, and good design principles. The site plan review process should also be updated to be more transparent, efficient, and predictable.

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## 1. INTRODUCTION

Think about how development in your community happens. Is there a review process? Does it follow the goals of a comprehensive plan? Has the development process resulted in quality projects that support your community's goals? Or has development in your municipality focused exclusively on the movement, maneuvering, and storage of cars and are site design details related to pedestrians and bicyclists a mere afterthought? When site plan and design approvals of new development do not address the site details related to pedestrian connectivity people are subjected to moving through a sea of parking lots, without a well delineated or well-lit path to the front door of their destination.

To create accessible, well-balanced transportation options and walkable communities the site and design approval process for new development must adapt to accommodate all user groups including users of non-motorized forms of transportation. To support multi-modal transportation communities will need to improve and update their Site plan review process to be more transparent, efficient, and predictable, and can accommodate the last steps to a destination, and consider community and site context.

Previously the Genesee Finger Lakes Regional Planning Council published a guidebook titled <u>Implementing Complete Streets in the Genesee Finger Lakes Region</u>. This study details the different site design elements that when included in new development will support multi-modal and walkable communities. These elements can be required in your municipal Site plan review process to make certain your community is developing in a way that supports all road users and ensures access to the front door. While not all elements are appropriate for all communities and development contexts, there are options available in most scenarios to ensure new development in your community is better serving both drivers and pedestrians. A full list of complete streets elements listed in the guidebook can be found in Appendix F.



The site and design approval process for new development must adapt to accommodate all user groups.

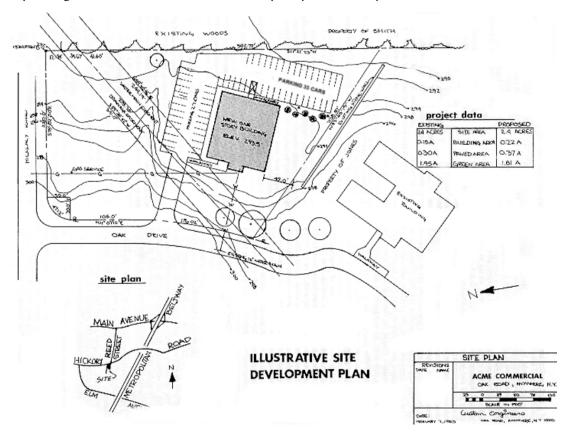
## 1. Introduction

#### 1.1 WHAT IS SITE PLAN REVIEW ?

Site plan review is a process by which development projects are review ed against design criteria by a specially designated review board. The goal of the site plan review process is to protect and improve community character by holding developers to approved design standards and guidelines. These standards and guidelines can help your municipality prioritize those who use non-motorized forms of transportation or take public transportation. The site plan review process can create pedestrian-oriented experiences and design to the human scale, integrate development as part of the community fabric, provide for all transportation modes, incorporate sustainable design features, and accommodate for future growth.

Site plan review of both public and private projects is conducted by a designated municipal review board to ensure compliance with state and municipal policies stated in relevant jurisdictional plans, zoning laws, and design standards. Both small and large scale development proposals can be subjected to site plan review dependent on municipal regulations.

The site plan specifies the present characteristics of a particular parcel of land and its surroundings, and describes the intended activities and their potential impact on the community. Site plans illustrate the intended design, arrangement, and uses of the land to be developed. Site plans also describe the proposal's physical, social, and economic effects on the community. Information on factors such the means of access, parking, landscaping, buffers, architectural features, location of structures, impact on adjacent land uses, and other elements related to the health, safety, and general welfare of the community may be the subject of concern in the site review process.



In 1976, the New York State Legislature amended the General City, Town and Village laws to make it possible for planning review boards to take final action on proposed site development plans. Those site plan enabling statutes were extensively revised, effective for towns and villages in 1993, and for cities in 1994, so that any municipal board may be designated by the governing body to review and approve site plans. (General City Law section 27; Town Law section 271; Village Law, section 7-718). To learn more about land use planning and the regulatory power of municipalities please visit the DOS Local Government Handbook.

Article 12-B Section 239-M of the New York State General Municipal Law requires that certain local municipal zoning and planning actions be referred to the county planning review board for review prior to final local action. The purpose of this law is to encourage local decision-makers to consider the inter-municipal and county-wide impacts of local land use decisions. Municipalities can also be made aware of project impacts on neighboring communities. A full list of these requirements and the full text of the law can be found online via the NYS Senate website <a href="https://www.nysenate.gov/legislation/laws/GMU/A12-B">https://www.nysenate.gov/legislation/laws/GMU/A12-B</a>.

#### 1.2 IMPORTANCE OF SITE PLAN REVIEW

In many communities across the country pedestrians face the first mile/last mile challenge. This challenge is that of a public transportation user getting from the starting point of their journey to the place of transportation and then to their final destination (E.g., home-->bus stop--> work). In many cases, people will walk or bike to transit if it is close enough, but the first mile/last mile connection can also be made by local bus service, driving to a "Park and Ride" or utilizing ride share or taxis. However, if one end of the trip lacks infrastructure or services this may deter a potential transit rider from using public transportation all together. Without some form of connection at either end of a trip travelers may become effectively stranded.

Those who choose to walk or bike within the Genesee Finger Lakes Region often face a similar challenge: the "last steps" connection challenge. This challenge exists due to the limited pedestrian or bicycle infrastructure within a parcel that safely leads a user to the front door of their final destination. If the infrastructure exists, pedestrians often find that it will only get them to the edge of the property but there is no clear path to the front door. The lack of infrastructure in the final steps can be a deterrent for people who may choose an alternative mode of transportation and is a problem that may be a daily reality for those with limited transportation options.



## 1. Introduction

Many communities are developing Active Transportation Plans (ATP), implementing "complete streets", and encouraging all forms of transportation. However, these efforts will fall short if they have not been well integrated into the site plan review and approval process by municipalities. The site plan review process will continue to fail in addressing site design details related to pedestrians and bicyclists until this process is updated to consider all road users. The development, site plan review , and approval process by municipalities should accommodate all user groups including those utilizing non-motorized forms of transport. A clear and consistent development review process will encourage development that supports municipal and regional goals and promotes walkable communities, supports economic opportunity, and enhances community character.

## 1.3 CONTEXT MATTERS

Improvements to the site plan review process are only effective if the site development addresses the last mile and last steps challenges and considers the context of the development site and community. Site selection is an important factor in the success of a development and for sustainable growth. Identifying sites should be based

on analysis of the community wide context, the accessibility of facilities, and the capacity of the site. There are many factors that make a site unique: the culture and community, landscape and geography, infrastructure, and the built environment. Good design will respond to these factors and design that is inappropriate in its context, or which fails to enhance the character, quality and function of an area should not be approved. Site design and development proposals that are informed by development and community contexts have several key advantages:<sup>2</sup>

Design that fails to enhance the character, quality, & function of an area should not approved.

**Value:** The site value can be maximized through identification of its assets and potential. **Environmental Sustainability**: Early consideration of climate, orientation, and layout are essential to achieving environmental sustainability.

**Connectivity:** Opportunities for well-planned routes and access to safe and enjoyable public transportation walking, and cycling routes lead to more sustainable development. This can lead to better accessibility and access for all users.

**Health and Well-Being:** Quality of life considerations can benefit residents and other users of the development. **Sense of Place:** Maximizing the use of existing features will give the development identity that compliments residents needs and wants.

**Cost Effectiveness:** Avoid unsuccessful work and the cost of responding to constraints later in the process. **Security:** Responding to the site's context will help to create a more secure development.

Street design and land use are closely linked, and the existing and planned land uses must be considered when planning and designing new developments. Land development that is sensitive to the context of the parcel and the surrounding community is essential to enhancing scenic, aesthetic, historic, and environmental resources, and helps maintain and enhance safety and mobility of users. Each new development should be analyzed based on the context of the neighborhood and community to ensure quality development.

#### 1.3.1 COMMUNITY CONTEXT

Every community has its own culture, assets, history of achievement, and challenges on which to build. Recognizing, honoring, and accounting for community context is crucial during design development and approval process. The Genesee Finger Lakes Region is home to 188 unique communities that range in size and character and ensuring that communities have the tools and resources to attract development that is sensitive to their unique community characteristics is paramount. As part of the site plan review process, it is important for the review board to consider the following questions:<sup>3</sup>

- 1. Is the community and site rural or urban in nature and how will the type of development respond to and impact the context?
- 2. Will the development become part of an existing neighborhood and if so, how will it help to reinforce the current or aspirational character of a neighborhood? Who will the future development serve?
- 3. Is there a lack of certain facilities or assets in the community that could be located on the site?
- 4. Could people walk, bicycle, or use other micro-mobility options to these facilities and how will these routes be integrated.

#### Recommendations

Rural communities within the Genesee Finger Lakes Region face the challenge of balancing the needs of many different road users. Many rural communities are located on state and county roads that must accommodate for a combination of high vehicle speeds and a mix of vehicle types (passenger vehicles, large trucks, and farm equipment). Despite conflicting road uses and often limited active transportation infrastructure; active transportation is widely popular. It is recommended that the Region's rural communities develop a site plan review process that ensures new development is expanding infrastructure to support walking and biking especially in commercial cores and main streets near community amenities.



The Region's suburban communities have highly desirable amenities; however they commonly have lower-density development, automobile-oriented infrastructure, and wide roads making amenities inaccessible without a vehicle. It is recommended that new development in our suburban communities develop a site plan review process that requires major developments to include pedestrian circulation plans, apply minimum connectivity standards, and consider impacts to adjacent uses.

Urban environments have a natural advantage over rural and suburban communities in terms of supporting multi-modal transportation given their greater mix of land uses, higher density, and more diverse populations. However, they still have unique challenges in encouraging multi modal supportive developments. Urban communities within the Genesee Finger Lakes Region have generally given priority to vehicles when planning and developing. It is recommended that the Region's urban communities develop a site plan review process that

## 1. Introduction

requires minimum connectivity standards be applied to new projects, reduces off street parking requirements, and encourages on-street parking in commercial and mixed-use districts.

Municipalities of all types can impose site plan review requirements or zoning changes that encourage or require

more pedestrian friendly development. This could include reviewing parking area safety measures and traffic calming as part of the site plan review process; or requiring new developments to install sidewalks or bike lanes through zoning code changes. Regardless of the community size or character having an effective site plan review process will ensure that current and future road users can arrive at their destinations safely and live in thriving communities that support resident's transportation needs.

Having an effective Site plan review process will ensure all road users can arrive at their destinations safely.

#### 1.3.2 DEVELOPMENT CONTEXT

While understanding the context of the municipality is necessary to having an effective site plan review process, the site and proposed development contexts are equally as important to consider. A review of the functions of buildings and land use around a site will inform appropriate uses and how these uses can be arranged best to be a good neighbor. The physical layout of a development can encourage or discourage someone's decision to walk or bike between destinations or adjacent uses. Great attention needs to be given to the location of new development, the configuration of parking lots, and pedestrian circulation. While analyzing the context of a site it is important to ask the following questions to determine if the selected site is suitable for the intended development type: <sup>4</sup>

- 1. Is the site rural or urban in nature and how will the type of development respond to this?
- 2. If the site is residential, how will people travel to work, school and other key facilities? Is there walking, cycling, micro-mobility, or public transportation options or will new facilities be required?
- 3. If the site is non-residential or mixed use, where will people travel from to get there?
- 4. Is the site near to significant places such as parks, cultural venues, leisure or business locations, and is there value in linking to them?



## 1. Introduction

#### Recommendations

To date, commercial and office developments have been designed for vehicles as the primary (if not only) mode of transportation to access them. This almost always includes a significant amount of surface parking. It is recommended that the Site plan review process limit parking space requirements, and reduce the amount surfaces parking as this can be detrimental to both the natural environment (impervious surfaces) and the pedestrian experience. The Site plan review process should also require a bicycle/pedestrian circulation plan to reduce vehicle conflicts with these vulnerable users. Provisions such as requiring developers to build closer to the front of the property line, sidewalks connecting to adjacent activity centers and main streets, the inclusion of pedestrian-scale lighting, and clear pedestrian pathways through parking lots can ensure a better walking and bicycle environment in commercial and office developments.<sup>5</sup>

Residential developments can also be designed to encourage walking and biking, and more residential subdivisions are adopting these principles. These developments are combining traditional suburban design characteristics with the amenities found in denser urban residential neighborhoods. These types of residential developments are more multi-modal and build a greater sense of community than traditional suburban developments. A well-designed street environment that includes pedestrian-scale lighting, trees, sidewalks, and buildings that are within close proximity walking distance to the sidewalk will encourage multiple transportation options beyond the personal vehicle.

## 2. Good Design

#### 2.GOOD DESIGN

Good design is defined as something that makes a space useful and understandable, is innovative, aesthetic, unobtrusive, honest, long-lasting, thorough to the last detail, environmentally friendly, and involves as little design as possible. While design is inherently subjective with no inherent right or wrong answer; good design is objective because it just works. It works because the initial design application follows a system or framework—every subsequent design decision has a reason, and every styled element can be explained. Having set up a strong foundation, it is also a result of well-considered subjectivity.

Good design principles are meant to provide a community with a starting point to begin the discussion of how good design relates to both community and development contexts. These principles cannot be used by themselves as a basis for application review , nor should they be incorporated by themselves as design guidance or standards in a jurisdiction's regulatory documents. Design standards and guidelines need to be much more specific than the principles shown below. However, they can provide an important foundation for a municipality to use in review ing and updating both proposed regulatory and planning documents as well as proposed projects. <sup>7</sup>

**Build to Human Scale:** Buildings, streets and open spaces should add to the experience of the people who live, work, and play in a community. Encouraging pedestrian oriented and human scaled right-of-way, public realm, and streetscape will promote safe pedestrian movement, access and circulation. Any building facade facing a sidewalk, street, or open space should have an active building elevation. Active building elevations include windows, building entrances, and other architectural features that enhance the pedestrian experience of the building façade. New development can create additional spaces like small plazas or landscaped walkways between buildings to accommodate outdoor cafes and other seasonal uses.

**Design for Comfort and Safety:** To enjoy a space, people need to feel comfortable and secure. Amenities like good walking surfaces, shelter, and shade aide in adding comfort. People feel more secure when they can see and be seen by other pedestrians.

Create Places to Congregate: Places where people congregate should offer a variety of events and activities. People will enjoy the space more if they can site outside, walk, meet a friend, order a meal, or participate in an activity or event in the same area. Good design provides choices in order to create and encourage neighborhood energy and vitality.

**Provide Connections:** Ensuring circulation and accessibility involves creating safe, efficient passageways for cars, pedestrians, bikes and other transportation options. Excessively wide streets, intermittent sidewalks and poor circulation can create confusion for pedestrians and increase the chance of crashes.

Connect Buildings to Streets and Sidewalks: Buildings should be oriented to the outside, so they serve their users and communities. Small setbacks, large display windows, detailed architectural designs, and parking lots placed behind buildings allow commercial activities to "spill" out onto the sidewalk. An active interface between building and street creates vibrant areas that people want to visit.

Transitions and Boundaries: Transitions tell people when they leave or enter town, what is public and private, where to sit and meet, where to walk and where to drive. Many municipalities are already informally divided into districts or neighborhoods based on existing landmarks. Reinforcing these boundaries or creating new ones provides a sense of order. Variations in building shape, doorway design, paving materials, curbs, landscaping, street furniture, elevation, and signage let people know where one area or neighborhood gives way to another and delineates the difference between driving and parking areas and pedestrian spaces.

**Include Detail and Variety:** Most people prefer a degree of aesthetic complexity and variety. Murals, attractive sidewalk designs, and fountains make public spaces more interesting. Architectural differentiations in materials, textures, roof shape, trim, and size also create variety.

**Build on Existing Precedents:** New development should reflect, but not exactly replicate, the design and scale of existing buildings. Building height, size, roof shape, doorways, and materials are all design elements that can be made compatible with existing nearby precedents, but without stamping out originality. Repeating small but obvious elements like signage, lampposts, and curbs on a neighborhood or district level also creates cohesion.



Stay True to Function: Great design will not make up for

poor function. Buildings and design must serve their purpose. People must be able to work, shop, and move efficiently through buildings and surrounding areas. For example, a project that relies on heavy pedestrian traffic should have wide sidewalks and places for people to rest. Community design involves incorporating the functional needs of the project and society into the physical appearance of the environment.

**Mixed-Use:** Mixed-use projects provide a combination of a variety of uses in a single development, and may include housing, office, retail, and open space. This development pattern ensures that there is activity around the property 24 hours per day. The proximity of people to multiple uses decreases dependence on cars and can reduce traffic.

**Emphasize Compact Development:** Compact design means placing uses in close proximity to each other, and at relatively high densities, so as to make efficient use of land and allow people to easily move from one use to another. Encouraging development to grow up, rather than out, is one way to do this. Infill development (building on empty or underutilized lots) is another. Building within an existing neighborhood can attract more people to the jobs, homes, and businesses already there, while also making the most of public investments in things like utilities, roads and emergency services.

## 2. Good Design

#### 2.1 DESIGN GUIDELINES AND STANDARDS

Design guidelines and standards are intended to guide development that preserves and improves the civic beauty and character of a community. Well-designed buildings and sites encourage lively, safe, pedestrian friendly, and attractive streets and public spaces; protect, and enhance property values; and promote urban vibrancy. To receive more pedestrian friendly development proposals it is essential to set basic principles of community design that inform all project review . These should be clearly articulated and accessible to developers prior to application submission.

Well-designed buildings and sites encourage lively, safe, pedestrian friendly, attractive streets.

#### 2.1.1 DESIGN GUIDELINES

Design guidelines are a set of parameters for development which apply within a design district, sub-district, or overlay zone. Guidelines are adopted public statements of intent that are used to evaluate the acceptability of a project's design. Since design review is an advisory process, the adopted design guidelines help guide conversations that planning staff and the review board have with an applicant. The guidelines help ensure that conversations, and the advice rendered stays focused on the community's set of aesthetic expectations for the public realm elements of a project. <sup>8</sup>

Design guidelines are written recommendations that concern best practices in architecture, planning, and landscape design. Guidelines encourage creativity in decision-making while also defining a range of responses appropriate to the community and development contexts. Guidelines help review boards universally apply recognized principles of good design on a case-by-case basis. The outcomes that derive from the thoughtful consideration of design guidelines during the project review process create consistency between proposed development with those already built. Design guidelines can empower communities to better preserve and improve the quality and character of their neighborhoods.

**Examples:** Site and building designs are expected to have cohesive, appealing stand-alone design qualities as well having design scale and design continuity that allows them to compliment and enhance the better design traditions of surrounding neighborhood communities.

Building entrances should be interesting, attractive, obvious, in scale with the building facade and have weather cover. At larger commercial buildings, the review board may request that individual commercial tenants have separate entrances.

Where possible, internal pedestrian circulation in the parking lot should be provided via clearly delineated paths that safely convey pedestrians users through the lot into external walking paths and sidewalks. Paths may be indicated in the lot with pavement striping or materials of a different color or texture appropriate to the surrounding environment.

#### 2.1.2 DESIGN STANDARDS

Design standards are obligatory design requirements for any project that would be found in the municipal code. These standards are not advisory, they must be followed – just like the requirements in the building code, fire code, or electrical code. These standards are adopted to ensure that all development in a municipality achieves a minimum quality of design; while the guidelines are used to improve the quality of design above bare minimum.<sup>9</sup>

**Examples:** Design new development to be compatible with the existing character of the adjacent environment. Make gradual transitions to existing buildings in terms of height, mass, scale, materials, and representative architectural characteristics. Keep the relationship between the width and height of a building's façade in proportion to those of the building's neighbors.

Buildings should incorporate varied materials, colors, and details to enhance building character, provide visual diversity, and enhance the pedestrian experience.

Bicycle and motorcycle parking areas shall have permanently secured anchorage for locking each vehicle in place. Locate bicycle parking such that it does not interfere with pedestrian or vehicular circulation and is close to building entrances. Locate parking in places where pedestrian traffic or views from windows will provide security.

## 3. Procedures

## 3. SITE PLAN REVIEW PROCEDURES

State statutes have been designed primarily to incorporate the review procedures into a community's existing or proposed zoning ordinance or local law. They enable a review /approval board to approve site development proposals and to set up a single-phase or multi-phase review procedure. The site plan for a new or redevelopment project must meet all submittal requirements, development standards in the zoning ordinance, and should be consistent with the comprehensive plan and other applicable plans.

A single-phase review process requires the submittal of an application containing the necessary information for municipality to make a decision on a site development plan proposal. A single-phase approval procedure can be divided into three steps submittal of the application, optional hearing, and the final decision. Other steps can be added if it is determined that they can provide better safeguards to the community and enhance local interaction with the applicant. However, additional steps would have to be optional with the applicant if they are administered by the local planning review board in accordance with the Town, Village or General City Law. <sup>10</sup> An example of a single phase-review process can be found in Appendix A.

A municipality may develop a multi-phase procedure allowing for a maximum of interaction between the applicant and the community. A multi-phased approach is more likely to enable the site development plan to satisfy the objectives of all concerned parties and it is the preferred approach for the review of most larger site development proposals. It should be noted that the time span of the multi-phased approach can be lengthy; each of the steps are time consuming by themselves, and the lag time between phases must also be considered. If a three-phase approval process is utilized, it would include pre-submission, preliminary submission and final submission phases. The inclusion of a preliminary submission phase should be considered for large scale proposals due to the lengthy time span. The community will have to establish appropriate criteria for this purpose in its regulations.<sup>11</sup> An example of a multi-phase review process can be found in Appendix B.

Many communities find a two-phase procedure to be the most satisfactory approach to site plan review . The two-phased approach typically includes the pre-submission and final submission phases. This can be an appropriate option since it provides adequate safeguards for the community and also protects the developer from excessive money and time investments prior to site plan approval.

State enabling legislation provides no authority to local governments to require pre-submission meetings or a preliminary approval phase. The review procedure of a municipality should be tailored to the regulatory needs of each community and each step of the recommended procedure should be given careful consideration at the time the controls are drafted. The procedure to be followed should be clear so that all parties understand it.

Both optional and mandatory steps in the site plan review process are described on the following pages.

## 3.1 SITE PLAN REVIEW STEPS

## 3.1.1PRE-SUBMISSION MEETING (OPTIONAL)

The purpose of the pre-submission meeting is to give both the municipality and the applicant an opportunity to gain a better perspective on the ramifications of the proposal. This step is optional and is not a formal submission of an application. It is beneficial to both parties because the community will gain knowledge of the developer's intent and the developer will learn their responsibilities. At this meeting the applicant should provide the review board with basic data regarding the proposal.

## 3.1.2 PRELIMINARY SITE PLAN PHASE (OPTIONAL)

If the preliminary plan phase is used, the preliminary phase would be more significant because more substantive review s and recommendations would be made during this phase. This process gives the applicant added assurance that the final submission will be adequate for review board consideration and rapid approval. The preliminary review phase gives the municipality and the developer greater opportunity to reach agreement on areas of potential conflict. The steps of the preliminary phase should be similar to those in the final phase (as detailed below) and would include at a minimum an application, municipal review , hearing, and review board decision.

## 3.1.3 FINAL SITE DEVELOPMENT PHASE (MANDATORY)

This phase begins the formal review process. The steps of the final phase at a minimum include an application, municipal review, hearing, and final review board decision. When both preliminary and final approval phases are utilized by the municipality, the final approval phase serves to resolve residual disagreements between the applicant and the municipality and to assure that any required modifications from the preliminary phase have been satisfied. The most substantive and detailed technical review of the proposal should have occurred during the preliminary phase; therefore the final approval phase can be viewed as a check on the tentatively approved preliminary site plan. The review board must determine that the proposal is in substantial agreement with the previous submission and that all required modifications have been incorporated. New information should be thoroughly review ed and analyzed to determine its acceptability and compliance with the regulations.

The review board should set a maximum time limit between each of the phases and can require resubmission of the requirements for the previous phase if more time has elapsed than specified in the regulations, especially if it is found that significant changes have occurred in the community during the interim.

## 3.2 SUBMISSION REQUIREMENTS

Each municipality will have its own set of submission requirements which determine if an application is complete and ready to be review ed. An ordinance or local law can identify the submission requirements in either general or specific terms. It is recommended that the review board should develop a checklist in accordance with its plan submission requirements for the purpose of making certain that all components of the application have been received. The checklist can be broadened to include other information, such as a procedural history of the proposal so that its status can be easily determined. Appendix D is a sample checklist.

## 3. Procedures

## 3.3 REVIEW FACTORS

The purpose of the Site plan review process is to facilitate an evaluation of a development proposal within the framework of a local government's goals. Every proposed development will have to be judged by the review board on its own merits within the parameters of the goals and policies. The site plan review process is the forum where it is determined whether the development complies with the intent of the community.

The number of development factors to be evaluated can be large, and it is necessary to determine the important elements early in the process. Generally the review factors address five major elements: land use; circulation; utilities; public safety; and design. <sup>12</sup> These factors can help to ensure equitable and realistic reviews.

**Land Use:** It is important to evaluate whether or not the land use rationale is correct. Is the proposed development compatible with zoning and comprehensive plan? Will the development be a good neighbor to adjacent land uses, and is it visually compatible? Do the topographic or physical site constraints accommodate the proposed development? The following factors should be review ed:

- Compatibility with surrounding land uses and buildings
- Compatibility with natural features and topography
- Visual Compatibility
- Economic and fiscal impact
- Environmental Impact

**Circulation:** It is important to analyze the proposed circulation system for efficiency and impacts both on site and off-site. What impact will this development have on the adjacent roadways? Is there existing or proposed pedestrian or bicycle connections to the site? Is there sufficient parking and/or public transit access to the site? The following factors should be review ed:

- Accessibility
- Vehicular road lay out
- Traffic control
- Pedestrian walkways

**Utilities:** Underground and aboveground utility systems should be evaluated for placement, efficiency, and ease of maintenance.

**Public Safety:** Any site must be accessible to emergency services and other municipal services such as snowplowing. Sites should also have lighting, sidewalks, and signage as appropriate to support driver and pedestrian safety.

**Design:** The design character of the proposed development should be assessed. Is the proposed site compatible with the existing and desired future character of the neighborhood and the community? The following factors should be review ed:

- Landscaping
- Architectural features
- Buffering
- Building set back

A number of additional factors can be can be added to the site plan review process to ensure that communities are receiving development applications include pedestrian and multi-modal focused amenities. Below is a list of potential factors that could be required as part of Site plan review . Appendix E is a list of additional factors that a municipality can review a project on and Appendix F is a list of complete streets elements that will help to ensure for more pedestrian and multi-modal focused development.

- Does the proposal follow the requirements of the local bicycle/pedestrian mobility plan, or ATP?
- Does the project site have an adjacent existing sidewalk/walkway system? Will the proposed development connect to it?
- Are there opportunities for shared parking agreements?
- Would bicycle parking be appropriate for the proposed development/land use?
- Will the proposed land use generate significant night time use? If yes, is there a lighting plan?

Setting criteria upon which the community can judge the merits of proposals submitted for review is necessary to reduce the possibility of arbitrary decisions and to maintain good will between the developer and the community. The standards chosen for evaluating a proposal should be specific enough to assure compliance with the regulations but be flexible enough to allow the review ing agency and the developer some discretion in the ultimate design and construction of the project.

All factors being review ed should be subject to evaluation by the use of either strict numerical standards or more discretionary performance standards. The local comprehensive plan, land capabilities analysis, and achievable goals and objectives, should be the basis for setting the numerical and performance standards. Certain elements of a site proposal, such as the amount of open space and the number of parking spaces needed, can be quantified, while others, such as architectural features and ecological disturbances, are most subjective. The determination of the mix of numerical and the more flexible performance standards should be based in part on local desires, but it should also be a function of the technical review capability available to the community.

A community lacking financial or professional resources to review the site development plan may need relatively detailed standards for use by the lay review ing board, while a municipality having qualified planning assistance available, could draft more flexible criteria. This assumes that discretionary judgments can be made more readily by trained personnel (whether local staff, county planning agency or consultant services) than by lay persons.

#### 3.4 ADDITIONAL REVIEW FACTORS

Design guidelines and standards will guide the development process to ensure that projects are reviewed in a way that supports multimodal and pedestrian options. There are a number of significant design elements that need to be considered in the planning and design stages and should be review ed as part of the site plan review process. The design elements discussed are arranged into the following categories:<sup>13</sup>

- Bicycle/Pedestrian
- Infrastructure/Amenities
- Public Transportation

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#### 3.4.1 BICYCLE/PEDESTRIAN CIRCULATION

Bicycle facilities are vital components in a community's transportation system. An established bicycling network can reduce traffic congestion and pollution by providing alternate means to vehicular travel. They also provide recreational opportunities which encourage healthy lifestyles and thus enhance the quality of life within a community. According to the Genesee-Finger Lakes Long Range Transportation Plan the Region has almost 280 miles of network trails, 77 miles of on-street or street-adjacent bicycle facilities, all constructed since 2011. Despite this progress, the non-motorized network has gaps that require a coherent strategy for prioritizing future facility investment.<sup>14</sup>

Pedestrian facilities include walkways, sidewalks, and crosswalks that are to be exclusively used by pedestrians; they serve as the very foundation of the multi-modal transportation system. These facilities are fundamental forms of transportation that are an integral part of a livable community. All travelers are pedestrians at some point during their trip; some travelers make their entire trip on foot, while others walk to catch the bus, or walk between their parking spaces and the front doors of their destinations.

**Recommendations:** Municipalities should consider amending their zoning ordinances to include definitions for pedestrian and bicycle facilities and clarify these terms across municipal borders. It may also be necessary to delete conflicting definitions and replace wording as appropriate throughout all municipal ordinances. Municipalities should incorporate planning for bicycle/pedestrian facilities in comprehensive plan updates or amendments, special studies and/or official maps.

Through negotiation, a municipality can request the installation of bicycle/pedestrian facilities. The Official Map, ordinance requirements, and other planning elements such as a Comprehensive Plan and/or other adopted plans such as a Bike/Pedestrian Mobility Plan or Greenways Plan will identify the need for these facilities so that developers are aware that the municipality will require or would like to implement these facilities when land development applications are made.

Municipalities should consider ways to incorporate bicycle parking into ordinances. Ordinances can require a certain amount of parking spaces be dedicated to bicycle parking though the installation of bike racks.

Municipalities should consider amending ordinances to include requirements for crosswalks.

## 3.4.2 INFRASTRUCTURE/AMENITIES

Building placement is the relative location of a building(s) and other site elements on a lot or property. How a building looks, its placement on a site and its relationship to adjacent structures and the immediate surroundings are some of the most significant influences on the character of any community or development. Building setbacks, orientation, design, and lot size should all be considered when placing buildings on a site.

While these may be the primary factors for determining where buildings are placed, the relationship between the buildings and the circulation system utilized to access to buildings is a major factor that should be considered to the creation of a comfortable human scale environment. Parking lots, driveways, walkways, and trails provide access to, but also limit where people may congregate in the outdoor environment. Successful

developments achieve a balance between the function of the vehicular circulation system and the comfort and safety of the pedestrians, including minimizing conflict points. The sooner one enters a comfortable pedestrian environment connecting to a building from the time they exit their car, the better the human experience will be for that development.

Bike parking is an essential feature to the accessibility of all land use types. Just like parking a car, people need a safe, secure, and convenient location to store their bicycle once they get to their trip destination. The type of bicycle parking facility is dependent on the type of user and volume of bicyclists. To

The relationship between the buildings and the circulation system is a major factor towards the creation of a comfortable human scale environment.

accommodate recreational bicycling and bicycle mobility, it is essential that communities provide, or facilitate the provision of, secure bicycle parking and/or storage for a bicycle. There are several options for short-term and long-term bicycle parking and include, but are not limited to, bicycle racks, bicycle stations, and bicycle corrals.

**Recommendations:** Always consider the relationship between building placement and both pedestrian and vehicular site circulation and how it will impact not only safety but also the pedestrian friendly experience of the development.

Municipalities should include requirements for bicycle parking in their zoning / subdivision & land development ordinances. Bicycle parking should be targeted towards institutional sites (libraries, schools, government offices), retail centers, employment centers, recreational uses, and transportation centers.

There are several ways to incorporate bicycle parking into ordinances. Ordinances can require a certain amount of parking spaces be dedicated to bicycle parking though the installation of bike racks. Ordinance standards can also require or encourage the installation of bike racks near the entrance to a business or use on a public sidewalk where appropriate accommodations can be made. This can be accomplished through off-street parking requirements, streetscape requirements, or incentives.

#### 3.4.3 PUBLIC TRANSPORTATION

The quality of a public transit ride is defined by all aspects of a rider's experience, from the time of departure to arrival at the destination. Beyond a rider's experience in the transit vehicle, there are two additional significant components to a "full" transit ride: the connection between a transit stop and one's origin/destination; and the experience waiting for the arrival of the transit vehicle. Bus stop amenities such as a bus shelter and sidewalk connections have influential roles regarding the quality of public transit in. A high-quality transit stop is one that is well connected to the neighborhood it serves and accommodates the needs of all passengers safely and comfortably. The lack of first mile and last mile connections creates a significant barrier to public transportation in the Region.

Bicycle, pedestrian and/or shared use facilities should be improved within and around transportation centers to provide for better connectivity between adjacent neighborhoods and the public transportation system. Bicycle

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parking is an amenity that if securely provided may attract additional riders who would access transportation centers via bicycle rather than by car.

**Recommendations:** Pedestrian connections to the bus stop/transit shelter from parking lots and nearby development should be required.

First mile/last mile connections can be addressed through the provision of a drop-off loop and/or additional shuttle bus parking. Another potential solution is the installation of car shares and/or bike shares at or near the station sites

Bicycle parking should correlate to the percentage of ridership that access the destination via bicycle. With the implementation of better bicycle facilities in the vicinity of the highly used amenities demand for bicycle parking will increase.

## 4. BEST PRACTICES FOR STREAMLINING SITE PLAN REVIEW

Site plan review is an essential element of municipal operations needed to ensure that development complies with local policies and regulations and will result in projects that add value to communities. However, poor

practices have often led to inefficient, confusing, and lengthy development review processes that frustrate applicants, increase development costs, and lead to inappropriate development in a community. A site plan review process that is streamlined and easy to understand by both the applicant and the review boards will support the inclusion of projects that are better suited for the community context, and are more multi-modal and pedestrian friendly.

A Site plan review process that is streamlined & easy to understand will support projects that are better suited for the community.

The following recommendations are sourced from these agencies:

- Centre Regional Planning Agency, Pennsylvania
- Association of Municipalities Ontario
- Chester County, Pennsylvania
- Georgia Municipal Association
- Massachusetts Association of Regional Planning Agencies

## 4.1 IMPROVE COMMUNICATION

Active collaboration and communication among municipal officials, permit applicants, consultants, developers, and code enforcement officers is vital to efficient permitting that maintains the goals and aspirations of the community. Municipalities can prepare and adopt straightforward and clear institutional mechanisms to help to strengthen efficient communication and establish a culture of collaboration that will serve municipalities, developers, and neighbors. Improved communication throughout the process will lead to better projects that fit the community context and will support the inclusion of multi-modal and pedestrian focused projects. By informing the applicant, developer, and review boards of the required elements that will be review ed the community is more likely to receive complete and robust applications that meet the goals of community.

## 4.1.1 SINGLE POINT OF CONTACT

Municipalities may appoint a single point of contact to work with applicants to improve clarity and guide the applicant toward the appropriate review boards. The point of contact is responsible for coordinating the applicant's efforts to apply for the necessary permits in a city, town or village. The community development director, municipal planner, code enforcement officer, or planning review board chairperson could serve as the contact.

A municipality will experience efficient permitting when this person is charged with important administrative tasks, such as review ing applications for completeness when they are received, tracking applications, and ensuring that municipal staff are aware of activities by other review boards.

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## 4.1.2 USER'S GUIDE TO SITE PLAN REVIEW

A user's guide to local Site plan review is a "quick reference" guide that applicants and review boards can refer to as they navigate through the permitting process. The document should contain all applicable information including application deadlines, standard application forms, applicable fees, and design criteria that a project will be held to, including elements that promote or require pedestrian connectivity.

The user's guide should include an application checklist and permitting flow chart. An application checklist should include the required information, forms, and information needed to submit a complete application. A permitting flow chart should begin with the submittal of an application, proceed through review by all necessary review boards and agencies, outline public participation requirements, and describe the decision process. The general timeline for each step of the process should also be shown. The user's guide can be made available through the municipality's website and available at municipal offices. Publishing a user's guide along with other pertinent development permitting information will lead to better quality and complete applications.

Regional Example: Town of Greece <a href="https://greeceny.gov/files/SITE\_PLAN\_APPLICATION\_GUIDELINES\_2022.pdf">https://greeceny.gov/files/SITE\_PLAN\_APPLICATION\_GUIDELINES\_2022.pdf</a>

#### 4.1.3 DESIGN GUIDELINES AND STANDARDS

Design guidelines and standards are intended to guide development that preserves and improves the civic beauty and character of a community. The guides and standards can improve the quality of life by enhancing the aesthetic and pedestrian character of a development. Well-designed buildings and sites encourage lively, safe, pedestrian friendly, and attractive streets and public spaces; protect, and enhance property values; and promote urban vibrancy. To receive more pedestrian friendly development proposals it is essential to set basic principles of community design that inform all project review . These should be clearly articulated and accessible to developers prior to application submission.

Having community design guidelines and standards will require applicants to develop sites and buildings in a way that is cohesive, appealing, and have both stand-alone design qualities and design continuity that complements and enhances the community. Design guidelines and standards can be for a municipality at large or for specific districts or development types within a municipality. They can ensure that new development complements the historic character of a neighborhood and promotes walkability and multi-modal development. It is recommended that design guidelines be periodically review ed and updated.

Regional Example: Town of Webster <a href="https://www.websterny.gov/DocumentCenter/View/76/Design-Guidelines?bidId">https://www.websterny.gov/DocumentCenter/View/76/Design-Guidelines?bidId=</a>

#### 4.1.4 PRE-APPLICATION MEETINGS

Prior to submitting a formal application to the municipality, the developer should be encouraged or required to arrange a pre-application meeting with municipal staff and other applicable agencies responsible for review . This provides an opportunity to explain the review and approval process to the developer and to discuss the documentation required to submit a completed application. Developers can be provided with checklists and timelines as well as with a list of minimum standards that applications must contain to be review ed. A pre-

application meeting also allows for the informal discussion of a project and can bring to light any potential issues with the proposal.

Regional Example: Town of Webster pre-application meeting (mandatory) with Director of Community Planning <a href="https://www.websterny.gov/164/Planning-Zoning">https://www.websterny.gov/164/Planning-Zoning</a>

#### 4.1.5 INTERDEPARTMENTAL MEETING

Interdepartmental meetings provide the opportunity for the sharing of information and updates between departments within a municipality. All municipal departments may have input in the planning process, and a regularly scheduled meeting would help each department understand the processes specific to the other departments. These meetings are not intended for a specific plan review .

Site plan review often involves various departments, a meeting with each of the following departments and individuals could be beneficial: municipal manager, public works, municipal engineer, zoning, planning, transportation, emergency services, and public health departments.

## 4.2 STANDARDIZE THE PROCESS

Predictability and consistency of the permitting process within a municipality allows for a more efficient project review . Applicants should know what to expect from the municipal review boards, commissions, and staff they interact with through the process including the submittal requirements, plan documents, public meeting schedules, and review time frames.

#### 4.2.1 EXTERNAL REVIEW

In addition to review s by the municipality, proposed projects and developments are often review ed by county, state, federal, and other external agencies, which may or may not have their own review deadlines. Municipalities can help make applicants aware of outside review s, their requirements to obtain them, and the potential delays they may cause. If a development proposal requires an external review the municipality should inform the applicant of external review s that will be required as soon as possible. This can be done at pre-application meetings or at the time the application is filed. Information about external review s can also be included on municipal websites and in application checklists.

NYS General Municipal Law (GML) section 239-M requires that certain local municipal zoning and planning actions be referred to the county planning review board for review prior to final local action. While State law dictates that certain actions need to be referred to county planning review board, counties may also have additional project types that need to be referred. A full list of projects that need to be referred to county planning according to GML §239 can be found here: <a href="https://www.nysenate.gov/legislation/laws/GMU/239-M">https://www.nysenate.gov/legislation/laws/GMU/239-M</a>. It is recommended that counties develop and distribute a development review website or guide that provides detailed information on what types of projects need to be referred county, state, federal, or other review ing agencies. This information should describe how to submit the review referrals, the review boards process, and what a municipality and applicant needs to do after the review.

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Regional Examples: Monroe County and Livingston County both have detailed resources on when a project needs to be referred to the county planning review board.

Monroe County https://www.monroecounty.gov/planning-guide

Livingston County <a href="https://www.livingstoncounty.us/393/Zoning-Referral-Process">https://www.livingstoncounty.us/393/Zoning-Referral-Process</a>

#### 4.2.2 TIERED REVIEW PROCESS

A tiered review process allows a local government to provide different levels of review based on thresholds of scale or project impact. Projects meeting specified pre-identified criteria can be expedited through the review process. A tiered review process provides predictability and staff resources are concentrated on projects with greater community impact or which do not conform to community expectations. This can include delegating minor decisions to municipal staff based on criteria and/or approval thresholds determined by approval granting review boards and/or governing bodies. Delegation of minor decisions expedites the review and permitting process and allows review boards and governing bodies to focus on larger or more complex projects. In a tiered review process larger projects with greater community impact will be review ed with more scrutiny to ensure that development meets the community's goals, fits within the community context, and supports walkability and multi-modal transportation options.

Regional Example: City of Rochester <a href="City of Rochester">City of Rochester</a> <a href="https://ecode360.Com/8683479">https://ecode360.Com/8683479</a>

#### 4.2.3 CONCURRENT APPLICATIONS

For development projects requiring permits from more than one review board, the option to submit concurrent applications can save review time and encourage greater collaboration among municipal officials. The application should contain a front section requiring general project information that will be used by all review boards. Additional application sections should require information specific to the review of individual review boards. The sequence of public hearings and review by various review boards should be clearly indicated. The municipality should be clear about whether the application is the only part of the review process being consolidated, or whether additional aspects such as public hearings, staff review s, or approval votes are also being coordinated. A consolidated permitting timetable, available on the community website or in the municipal user's guide should provide scheduling and sequencing details.

## 4.2.4 UNIFORM TIMELINES AND APPEALS

Expected time frames, and points of coordination should be clear, consistent, and transparent. This will provide a clear understanding of the review schedule, sequencing, and timeline to an applicant and the community and will outline when an applicant can appeal a decision. New York State municipalities are required due to the Open Meetings Law to publicize the date, time, and location of planning and zoning review board meetings. It is also encouraged that municipalities publish submittal deadlines.

Regional Example: City of Rochester https://www.cityofrochester.gov/cpc\_dates\_deadlines/

#### 4.2.5 PREDICTABLE FEES

To aid applicants/developers in determining the cost of compliance with local permitting and land use regulations, fees for review s and permits should be clear and easy to understand. Adopting fees by resolution allows for changes to be made with less procedural requirement than fees codified directly into municipal regulations. To the extent possible, all known fees should be detailed in a fee schedule. External agency fees should be referenced in a separate document if information is available. Where possible, municipalities should provide multiple options of consultants/firms that can conduct inspections, along with their fees. The fee schedule should be placed on the municipal website and/or the User's Guide for quick access and printing.

Regional Example: Town of Pittsford <a href="https://www.townofpittsford.org/files/forms/Site">https://www.townofpittsford.org/files/forms/Site</a> Plan 2014.pdf (last page)

#### 4.2.6 ENCOURAGE THE USE OF THIRD-PARTY CONSULTANTS

Contracting with a consultant when appropriate can provide municipalities with additional expertise for site plan review . This is especially important for communities with limited professional staff that have traditionally relied solely on planning bored volunteers. Municipalities can provide applicants with a list of local third-party consultants to choose from, giving applicants more control over their development costs. The use of a particular consultant by more than one municipality can provide applicants with review s that are generally consistent across the region. When consultants are part of the review process, a municipality must have a policy or contract in place with the consultant that outlines when the consultant received materials for review and when the completion of the review is required.

Town Law, \$277(1) allows a town to impose a schedule of fees upon a developer to recover engineering, land surveying and legal expenses incurred in connection with site plan review . So long as they are reasonably necessary to accomplish the regulatory program and bear a reasonable relationship to the average costs incurred by the town planning review board in review ing subdivision applications.

Costs incurred by the planning review board for consultation fees or other extraordinary expenses in connection with the review of a proposed site plan shall be charged to the applicant, not to exceed \$\_\_\_\_.

## 4.3 IMPROVE PERFORMANCE AND ACCOUNTABILITY

Adequate staffing and resources are integral to efficient planning and permitting. Municipal officials may have inadequate knowledge and lack the necessary training to fully perform their duties and roles regarding site plan review . Municipal officials, including appointed citizens representing the municipality on a review board or commission, must have the resources to capably and efficiently perform such duties. They should also have a sufficient understanding of regulatory job functions to ensure that local permitting protects the public interest while encouraging the needed development of homes, jobs, and pedestrian-focused amenities.

A municipal website is an effective communication tool that is relatively inexpensive to maintain and projects a positive image of the community. Municipalities are rapidly improving the quality of websites as a portal to municipal bylaws, regulations, schedules, and application forms. Commercial electronic permit tracking systems in the region are available for municipal officials to utilize. Adopting electronic filing of permit applications

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benefits communities by reducing the risk of filing and administrative error or oversight, and facilitates greater transparency, accuracy, and efficiency among municipal review boards, commissions, and interested citizens.

#### 4.3.1 TRAINING

Planning review board and zoning review board of appeals members are required by state statute to obtain four hours of training a year. This amendment to state law, enacted in 2007, is important because members of planning boards and zoning boards of appeals make decisions of major importance in their municipalities. The decisions can affect the function and appearance of communities for decades to come while impacting property interests important to individuals.

The New York Department of State's Local Government Training (LGt) through the Department of State teaches land use planning and regulation and local governance and procedure to local elected and appointed officials. These trainings occur at regional and county workshops across the state including G/FLRPC's Local Government Workshop. LGt is also available to assist members of planning review boards, zoning review boards of appeals, local governing review boards, and municipal staff with technical information, explanations, tips, and examples of successful approaches to land use planning.

#### 4.3.2 MAXIMIZING THE MUNICIPAL WEBSITE

Websites provide access to city, town, or village hall information outside regular business hours and reduce the staff time devoted to interacting with "walk ins" during business hours. A website may act as a "one-stop shop" where a user may gain access to a multitude of documents and forms from many departments without having to physically visit each department. Municipal staff may use the website as a tool to post agendas, announcements, and decisions, as well as to direct users to guides, regulations, forms, or documents for instant access. Often documents and forms are downloadable at no cost to the user. Information on a website can act as a guide in and of itself to explain the permitting process and allow the user to conduct research prior to engaging planning staff and initiating a permit process.

Regional Examples: Town of Webster <a href="https://www.websterny.gov/164/Planning-Zoning">https://perinton.org/government/review boards/volunteer-review boards/planning-review boards/</a>

## 4.3.3 ELECTRONIC PERMIT TRACKING SYSTEMS

Electronic permit tracking systems have the potential to streamline permitting from application intake through project completion. Functionality of permit submittal and tracking systems include permit application status, department approval status, view the status of plan review s, request inspections, and payment of fees. Electronic submittal and tracking reduce staff time spent on administrative functions, provides more accuracy and transparency to the permitting process, allows electronic files to be disseminated to multiple parties at once, and provides an archive of all permitting activity associated with a parcel/project.

#### 4.4 PLANNING

Planning helps guide future growth and can help answer questions such as: Where and how do we build new homes, schools, businesses, roads and public infrastructure? How do we deal with parts of the community that are overbuilt, deteriorating or otherwise inappropriate? How do we preserve those parts of the community that

we value? A municipality that identifies appropriate areas for commercial, residential, and industrial growth and is able to answer these questions is much better prepared to encourage desirable outcomes from proposed development.

#### **4.4.1 ZONING**

Site plan review should be considered a safety mechanism within the context of applying the community's land use regulations. Communities that currently do not have zoning controls should consider postponing Site plan

review regulations and decisions until they can be integrated into the comprehensive control scheme that zoning regulations provide. It is recommended that communities that have adopted Site plan review procedures have done so within the framework of their zoning regulations.

The site development aspects of the zoning ordinance or local law must specify the uses for which approval is needed and the components to be included in the plans. Specific review criteria should be started in the zoning regulations. However, if the planning board is granted the review power, criteria could be stated generally in the ordinance or local law, supplemented with detailed rules and regulations of the planning board.

It is recommended that communities that have adopted Site plan review procedures have done so within the framework of their zoning regulations.

Such rules and regulations would be developed and adopted by the planning board and approved by the local legislative body. Before drafting the site development plan provisions, the municipality must decide how broad an array of uses will be subject to review . This can be accomplished in several ways:<sup>15</sup>

- Land uses to be subject to review could be identified by zoning district within the general use provisions.
- Land uses subject to review could be identified by zoning district within the supplemental regulations or a special article applicable to site development plan review.
- Certain uses could be subject to review regardless of the zoning district or location. Review s might also
  be tied to areas having specialized use restrictions such as flood hazard, coastal or historic preservation
  zones.

There are several inherent problems in the use of Site plan review without zoning regulations. First, this approach has not been tested in any litigation and a court would scrutinize a local law to assess whether adequate constraints could be placed upon the exercise of this power without zoning regulations. Second, the review ing board would be required to assess the desirability of a particular site development plan without any commitment by the municipality as to the character of the surrounding property.

## 5. Conclusion

## 5. CONCLUSION

Those who choose to walk or bike within the Genesee Finger Lakes Region often face the "last steps" connection challenge, this challenge exists due to the limited pedestrian and bicycle infrastructure within a parcel that safely leads a user to the front door of their destination. The lack of infrastructure in the final steps can be a deterrent for people who may choose an alternative mode of transportation and is a problem that may be a daily reality for those with limited transportation options.

It is recommended that communities improve and update their site plan review process to be more transparent, efficient, and support the inclusion of more pedestrian friendly development. The site plan review is an essential element of municipal operations needed to ensure that development complies with local policies and regulations and will result in projects that will add value to communities. Site plan review processes that are streamlined and easy to understand by both the applicant and the review boards will support the creation of accessible, well-balanced transportation options and walkable communities. It is also essential that new developments be sensitive to the context of the parcel and the surrounding community to preserve scenic, aesthetic, historic, and environmental resources, and help maintain and enhance safety and mobility of users. Each new development should be analyzed based on the context of the neighborhood and community in order to ensure quality development.

Think about how development in your community happens and if the process has resulted in quality projects that support your community's goals? The options recommendations, resources, and tools discussed will help support improved accessibility, well-balanced transportation options and walkability to accommodate all user groups including users of non-motorized forms of transportation in your community. While not all options will work for all municipalities and not all can or should be deployed simultaneously, it is recommended they be thoughtfully considered.

It is crucial for the municipalities of the Genesee Finger Lakes Region to review and update their Site Plan Review process to create accessible, walkable communities that have well-balanced transportation options while supporting economic vitality and appropriate growth for those who live, work, and play in the region.

#### **ENDNOTES**

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- 9. The Planning Commissioner Handbook. Institute for Local Government. <a href="https://www.ilgplanninghandbook.org/sites/main/files/file-attachments/0">https://www.ilgplanninghandbook.org/sites/main/files/file-attachments/0</a>. full handbook.pdf?1651101890
- 10. James A. Coon Local Government Technical Series Site plan review . New York State Division of Local Government Services, 2023. (4) <a href="https://www.stcplanning.org/wp-content/uploads/2020/08/Site">https://www.stcplanning.org/wp-content/uploads/2020/08/Site</a> Plan Review -1.pdf
- 11. James A. Coon Local Government Technical Series Site plan review . New York State Division of Local Government Services, 2023. (4) <a href="https://www.stcplanning.org/wp-content/uploads/2020/08/Site">https://www.stcplanning.org/wp-content/uploads/2020/08/Site</a> Plan Review -1.pdf
- 12. Why Do Site plan review ? American Planning Association, 2007 (4) <a href="https://planning-org-uploaded-media.s3.amazonaws.com/document/Zoning-Practice-2007-11.pdf">https://planning-org-uploaded-media.s3.amazonaws.com/document/Zoning-Practice-2007-11.pdf</a>
- 13 Multi-Modal Handbook Circulation Handbook for Chester County, PA, 2016. https://www.chescoplanning.org/municorner/MultiModal/ch3-elementsIntro.cfm
- <u>14</u> Long Range Transportation Plan 2045. Genesee Transportation Council, June 202. <a href="https://www.gtcmpo.org/sites/default/files/pdf/2021/lrtp">https://www.gtcmpo.org/sites/default/files/pdf/2021/lrtp</a> 2045 final.pdf
- 15. James A. Coon Local Government Technical Series Site plan review . New York State Division of Local Government Services, 2023. (99 3) <a href="https://www.stcplanning.org/wp-content/uploads/2020/08/Site\_Plan\_Review-1.pdf">https://www.stcplanning.org/wp-content/uploads/2020/08/Site\_Plan\_Review-1.pdf</a>

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## 6. Resources

## 6. RESOURCES

#### BEST PRACTICE

Center Regional Planning Agency, Pennsylvania

https://www.crcog.net/vertical/sites/%7B6AD7E2DC-ECE4-41CD-B8E1-BAC6A6336348%7D/uploads/Best\_Practices\_For\_Development\_Review\_and\_Permitting - March\_2012%281%29.pdf

Association of Municipalities, Ontario Canada

https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Reports/2020/

StreamliningtheMunicipalDevelopmentReview Process20200123.pdf

Chester County, Pennsylvania

https://www.chesco.org/DocumentCenter/View/26940/Multimodal-Circulation-Handbook?bidId=

Georgia Municipal Association

 $\frac{https://www.gacities.com/getmedia/c35fa795-10c7-4922-9c0b-1da4921a3ef0/Best-Practices-For-Streamlining-the-Permitting-Process.pdf.aspx}{}$ 

Massachusetts Association of Regional Planning Agencies

https://www.mass.gov/doc/permittingbestpracticesguidepdf/download

#### **TRAINING**

Genesee Finger Lakes Regional Planning Council Local Government Workshops

https://www.gflrpc.org/program areas/local government assistance and training/local government workshops.php

New York Department of State's Local Government Training

https://dos.ny.gov/training-assistance

https://video.dos.ny.gov/lg/lut/resources.html

https://dos.ny.gov/planning-review board-overview

#### TECHNICAL SUPPORT

James A. Coon Local Government Technical Series Site plan review <a href="https://www.stcplanning.org/wp-content/uploads/2020/08/Site\_Plan\_Review-1.pdf">https://www.stcplanning.org/wp-content/uploads/2020/08/Site\_Plan\_Review-1.pdf</a>

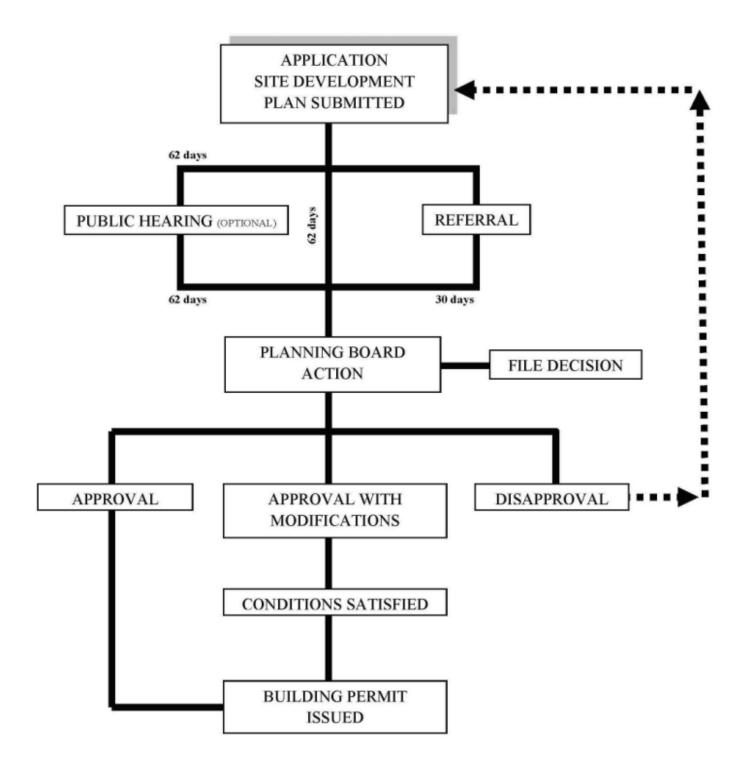
DOS Local Government Handbook

https://dos.ny.gov/system/files/documents/2023/06/localgovernmenthandbook 2023.pdf

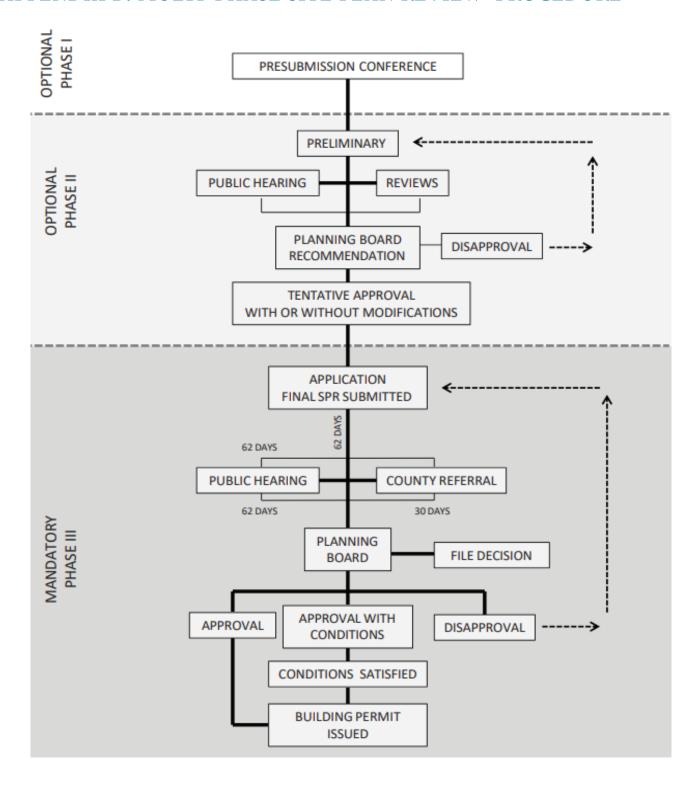
Implementing Complete Streets in the Genesee Finger Lakes Region

https://webgen1files.revize.com/geneseeny/Document%20Center/Archive/Implementing%20Complete%20Streets%20Guidebook Compressed.pdf

## APPENDIX A: BASIC SITE PLAN REVIEW PROCEDURE



## APPENDIX B: MULTI-PHASE SITE PLAN REVIEW PROCEDURE



## APPENDIX C: EXAMPLE APPLICATION

		ON FOR SITE PLAN	APPROVAL
		Town/Village of	
· ·	appropriate box)	PRELIMINARY	FINAL
Name of proposed develop	oment:	DI.	11
Applicant name:		Plans prepare	ed by:
Phone:		Phone:	
Address:		Address:	
City:	T	City:	T
State:	Zip:	State:	Zip:
Owner name (if different):		If more than	one owner, provide information for each:
Phone:			
Address:			
City:			
State:	Zip:		
Ownership intentions (i.e.,	purchase options):		
Proposed zoning:			
Proposed site use(s):			r area; height; and number of stories for each
-			residential buildings include total floor area ner proposal structures (Use separate sheet if
		PARCEL INFORMATION	
Tax Map Identification	Section	Block	Lot
Total site area (sq. feet or	acres):		
Current zoning:	·	Current land	use:
Current condition (building	gs, brush, etc.):	,	
Surrounding land characte	r (urban, wetlands, et	c.)	
	CON	ISTRUCTION INFORMATION	NC
Anticipated construction to			ment be staged?
Estimated cost of improve	ment:	<u> </u>	
Anticipated increase in nu	mber of residents, sho	ppers, employees, etc. (a	as applicable)
S	TATE AND FEDERAL PE	ERMITS (list type and app	propriate department)

## APPENDIX D: EXAMPLE SUBMITTAL CHECKLIST

## Site Plan Checklist For Planning Board Applications

City/Town/Village of\_\_\_\_\_

applica by the	e responsibility of the applicant that all forms ation being processed. All completed application city/Town/Village of and State statute als for completed applications.	ions are sub	ject the rules and standards set for the
Appli Phone	e of proposed Development:ecant Name:ee:eddress:		
	lural Sequence: al Phase 1: Concept Review	Manda	tory Phase 3:
Option	Pre-submission meeting (if applicable) Concept plan review Planning Board written comments al Phase 2: Preliminary Site Plan Review Preliminary application (Completed, signed and notarized application form) Fee paid: Amount \$	_ 	Final Site Plan review submitted (Completed, signed and notarized application form) Public hearing County Referral (if applicable) Comments returned Planning board recommendation final action:
	(see fee schedule) Public hearing notice Public hearing Planning board recommendation:  Approval Approval Disapproval		Approval Approval Approval with modifications Conditions satisfied Disapproval Resubmitted (if application disapproved) Building permit granted

Require	ements for all Applications:
<u> </u>	Letter of intent/cover letter explaining the scope of the project and its intended purpose.  The application form is filled out completely, typed or printed.  Authorization to make application- Permission from property owner if not same as applicant (letter or signed sale contract)
	Disclosure Affidavit (GML § 809) List of abutters
	Correct number of drawing sets, stamped by the appropriate licensed design professional (# folded prints). Additional prints if the project needs to be referred to City/Town/Village Council(s), Board(s), Committee(s), Commission(s) (examples include Tree Council, Traffic
	Advisory Committee, or Historic Preservation Commission)
	SEQR form (Long Form if over five acres or over 10,000 sq. ft. building) Site plan or plat sheet reduced to 11 x 17 inches for neighborhood notification
Concep	et Review
archite site pla sketch	ing shall be held between the Planning board and the applicant to review the basic site and ctural design concept and generally determine the information to be required on the preliminary n. The applicant should provide the date discussed below in addition to a statement or rough describing the proposal. The Planning Board shall issue written comments as the result of this g. A concept plan of the proposed improvements at a minimum should include:
Legal D	ata:
	Title block including the name and address of the project of the project, applicant, and property owner (if different from applicant), Name and address of person or firm preparing the plan and map.
	North arrow, scale, and date Existing lot lines
	Property boundary line plotted to scale.  An area map showing the parcel under consideration, and all properties, subdivisions, streets,
	and easements within 500 feet of the boundaries.  Current zoning classification of property
Natura	l Features:
	Existing contours at 5' minimum intervals (2' minimum if the site contains significant environmental/topographic features)

☐ Existing wooded areas, streams, wetlands, and other significant physical features

## Appendices

Existin	g Development and Infrastructure:
	Location and dimensions of existing structures.  Location and width of roads, sidewalks, and bike paths. This should include all roads, sidewalks, and bike paths that are internal and adjacent to the proposed site (within 500 feet).
	Location of other existing developments and uses, including paved and unpaved parking and loading areas, fences, trees and landscaping.
Propos	ed Development:
<u> </u>	Grading and drainage plan showing proposed topography at appropriate contour intervals.  Location of parking, loading, and outdoor storage areas.  Location and arrangement of vehicular site access and egress.  Location and arrangement of all paths for pedestrian travel within the site.
The properties of the properti	inary Site Plan Review eliminary review phase gives the applicant added assurance that the final submission will be ate for board consideration and rapid approval. This process allows the municipality and per more opportunity to reach agreement on areas of potential conflict. Prior to the issuance of a g permit the City/Town/Village Board shall refer to the application and all application materials as ed to the Planning Board for its review and approval in accordance with the provisions set forth A preliminary plan prepared by a licensed professional which includes:
Legal d	lata:
	All items required as part of the concept plan and shall address all Planning Boards written comments.  Ownership intentions, such as purchase options.  Locations, widths, elevations and names of existing and proposed adjacent streets.  Property lines and names of owners of adjoining parcels.
	Description of all existing deed restrictions or covenants applying to the property.
	other element, necessary to determine conformity with the intent of the regulations, is the ntification of any state or county permits required for execution of the project
Impact	of Proposal on Environs:
	Relationship to adjacent and nearby land uses, both public and private. Relationship to existing and proposed traffic patterns. Relationship to existing and projected water supply, sewage disposal and similar service capabilities.

	Visual compatibility with surroundings.
	Effect on air and water quality standards applicable primarily to industrial site development
	plans.
	Effect on energy consumption and conservation. Draft Environmental Impact Statement (DEIS) and Environmental Impact Statement (EIS) will be required if the reviewing agency deems the proposal to be significant pursuant to the State Environmental Quality Review Act (SEQRA).
	Compatibility to the City/Town/Village's Comprehensive Plan.
	Compatibility to the City/Town/Village's Bicycle/Pedestrian Mobility Plan.
Natura	l Features:
_ _ _	Geologic features, such as depth to bedrock and the location of rock outcrops.  Vegetative cover, including existing wooded areas, significant isolated trees and similar features.  Soil characteristics, such as load bearing capacity and drainage capacity.  Hydrologic features should include drainage and runoff patterns, flood hazard areas, wetlands and depth to groundwater.
Existing	g Development and Infrastructure:
	Location, size and flow direction of sewers, water supply lines and culverts. Major electric, gas and telephone lines and appurtenances should also be shown.
	Location of existing public transportation routes and stops within a quarter mile of the proposed site.
Propos	ed Development:
	Location, proposed use and height of buildings and other structures, such as retaining walls,
	fences, outdoor storage tanks, air conditioning units and waste disposal units.
	Location, proposed use, design and construction materials of improvements not requiring
	structures, such as parking, loading, and outdoor storage areas.
	Location and arrangement of site access and egress, including all paths for pedestrian and vehicular travel within the site. Information should include profiles and cross-sections of
	roadways and sidewalks showing grades, widths and location and size of utility lines.
П	Proposed bus stops and walkway access to the nearest building entrance.
	Location and size of water and sewer lines and appurtenances. Any means of water supply or
_	sewage disposal other than extensions of existing systems should be described, including
	location, design and construction materials.
	Location, design and construction materials of all energy distribution facilities, including electric,
	gas and solar energy.
	Location, size and design of all outdoor lighting facilities and public address systems.
	Location, size, design and construction materials of all outdoor signs.
	General landscaping plan and planting schedule, including the treatment of buffer areas and the
	location and types of trees to be planted.

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	Additional specifications for materials.
	Performance bond, amount, completion schedule, public improvements covered, inspection and
	bond approval.
al Si	ite Plan:

#### Final Site Plan:

The final Site Plan is the formal review process. After receiving approval, with or without modifications, from the Planning Board on a preliminary site plan, the applicant shall submit a final, detailed site plan to the Planning Board for approval. If more than six months have elapsed since the time of the Planning Board's action on the preliminary site plan and if the Planning Board finds that conditions have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary site plan for further review and possible revision prior to accepting the proposed final site plan for review.

The final site plan shall conform substantially to the approved preliminary site plan. It should incorporate any modifications that may have been recommended by the Planning Board in its preliminary review. All such compliance shall be clearly indicated by the applicant on the appropriate submission. A final site plan prepared by a licensed professional which includes:

All items required as part of the concept plan and preliminary site plan and shall address all
Planning Boards written comments.
Easement maps and descriptions for all proposed easements.
Record of the application and approval status of all necessary state and county permits.
Estimated project construction schedule with possible phasing plan for large projects.

## APPENDIX E: OPTIONAL SITE PLAN REVIEW FACTORS

A number of additional factors can be added to the Site plan review to ensure that communities are receiving development applications that include pedestrian and multi-modal focused amenities. The list below provides a quick reference regarding the applicability of certain design elements based on the location and/or size of the proposed development including potential factors that could be added to a municipalities Site plan review checklist for new development and redevelopment projects.

necklist	for new development and redevelopment projects.
General	Does the local municipality have a bicycle/pedestrian mobility plan, active transportation plan or have any bicycle/pedestrian elements indicated on their official map or comprehensive plan? Does this proposal follow those guidelines?
	Pedestrian  Does the project site have an adjacent existing sidewalk/walkway system?  Is there an existing or planned multi-use trail located adjacent to or within a ¼ mile of the project site?  Is there a proposed internal walkway system included with the proposed development?  Does the proposed internal walkway system adhere to ADA standards?  Is the proposed development commercial, industrial, or institutional land use equal to or greater than 50,000 square feet, OR a multifamily residential development with 50 or more dwelling units? If yes, is there proposed Bicycle Parking?  If not within the thresholds noted above, would bicycle parking be appropriate for the proposed development/land use?
	Transportation
	Is the project site/proposed development located along an existing public transit route?
	Where are the existing stops located?  Is there a bus stop proposed with the development? If yes, are there sidewalks/ walkways connecting
	the proposed bus stop to the nearest building entrance or existing pedestrian system?
Ц	Is the proposed development commercial, industrial, or institutional land use equal to or greater than 50,000 square feet? If yes, is there a proposed bus stop?
	Is the proposed development a residential development equal to or greater than 100 dwellings units? If yes, is there a proposed bus stop(s)?
nfrastr	ucture & Amenities
	Is emergency access included in the proposed land development plans?
	Will the proposed land use generate significant nighttime use? If yes, is there a lighting plan included with the land development plans?
	Is the proposed number of parking spaces appropriate for the proposed land use?
	Are there any opportunities for shared use parking?
	Are there any required buffers for adjacent land uses?
	Does the land development proposal include a landscape plan prepared by a landscape architect?  Does the proposed development comply with municipal architectural design standards?

## Appendices

## **Vehicular Circulation**

Does the proposed development's street design comply with the municipality's multimodal standards?
Do the proposed driveways/intersections provide adequate sightlines and stopping distances?
Are the proposed local and internal roadway lane widths appropriate for the development?
Does the proposed development's circulation system provide the proper turning radii for all
vehicle types that will use the development, including service and emergency vehicles?s

## APPENDIX F: COMPLETE STREETS ELEMENTS

There is no singular design element that makes a street complete or one prescriptive approach for a complete streets policy. The application of complete street concepts will vary based on community context; complete streets in a rural area will look quite different from complete streets in a highly urban area. In all instances, complete streets are designed to balance safety and convenience for all users of the road and can support a community's sustainability goals. The following is a list of potential complete streets elements that are appropriate and applicable based on community context. Thees are elements that new development could be review ed against to encourage more pedestrian friendly communities.

#### **Pedestrians:**

- Wide Sidewalks
- Frequent crosswalks
- Pedestrian refuge islands
- Curb extensions
- Streetlights
- Accessible pedestrian signals
- Pedestrian head starts signal
- Recessed crosswalk
- Street furniture
- Connected network
- Pedestrian paths to store fronts
- Pedestrian plazas
- Small setbacks
- Safe routes to school

## **Bicycles:**

- Dedicated bike lanes
- Wide paved shoulders
- Convenient bike parking
- Bike boxes
- Dedicated bike signals
- Neighborhood green way
- Public Transit:
- Bus only lanes
- Bus bulbs
- Priority signalization
- Bus shelters
- Bus pullouts

## **Traffic Calming Elements:**

- Road diets
- Narrow lanes
- On-street parking
- Tighter turning radii
- Speed humps
- Timed traffic signals
- Loading zones
- One-way streets
- Remove free-flow, right-turn lanes
- Roundabouts
- Speed zones
- Pavement striping and markings

#### **Streetscape:**

- Street trees
- Planter zones
- Sidewalk furniture
- Storm water
- Street lighting



