

Topic:	Land Use Planning; Urban Renewal; Vacant & Distressed Properties; Streamlining
Resource Type:	Guidance Materials & Scholarly Articles
State:	New York
Jurisdiction Type:	Municipal
Municipality:	N/A
Year (adopted, written, etc.):	2016
Community Type - applicable to:	Urban; Suburban; Rural
Title:	Land Use Law Center Strategies for Scattered Site & Infill Development Checklist
Document Last Updated in Database:	April 21, 2017

Abstract

The Land Use Law Center created this checklist to assist municipalities in planning for infill and scattered site development. The checklist contains guidance from the beginning steps, such as identifying properties with redevelopment potential to engaging the community. The document also contains a checklist to present tools to help municipalities create and implement streamlined project review protocols to encourage economic development while still protecting the environment.

**This document was prepared with funds provided by the New York State Department of State under the Shared Municipal Services Incentive Grant Program.*

Resource



STRATEGIES FOR SCATTERED SITE AND INFILL DEVELOPMENT

July 13, 2016

Planning for Infill and Scattered Site Development

- Determine underutilized parcels and vacant properties, which have redevelopment potential
 - Create a vacant property registration ordinance which requires property owners to register vacant and foreclosed properties with local governments
- Understand the housing demand and the market for rehabilitated properties
 - May not be economically viable to redevelop properties in certain areas
 - When cost of rehabilitating a vacant or abandoned property exceeds its expected market value after rehabilitation, market-based solutions would be unlikely to result in remediation.
 - Demolition programs can plan for vacant lots, such as landscaped pathway, community garden, or a park.
- Determine which properties are priorities for acquisition and rehabilitation
- Establish areas as infill corridors
- Determine whether to restore the previous use, demolish, convert owner-housing to rental housing, or replacement (e.g. solar farm on former industrial site)
 - Come up with ways to reuse the property so that it will enhance the attractiveness of the neighborhood for homebuyers or investors
- Evaluate transportation capacity and transportation concurrency issues that large scale infill projects potentially can face
- Use available economic incentives to promote nonresidential and mixed-uses
- Offer financial incentives for infill and redevelopment projects
- Provide wide range of housing types within infill and redevelopment areas to accommodate projected residential growth
- Encourage higher density and mixed-use development to ensure a better use of land and allow for distributing costs among a larger number of units
 - Use workforce housing density bonus for residential and mixed-use infill projects
- Provide housing opportunities to growing workforce population by encouraging mixed-use and residential infill
- Encourage infill development that blends seamlessly with established areas

- Encourage smart growth principles
- Address existing zoning barriers to infill development
 - Revise existing or create new mixed-use zoning districts that are consistent with residential land use designations
- Host a visioning session
 - Invite the CDC and a broad base of neighbors, so that ideas will be integrated into project design
- Hold follow up meeting to plan details of the project
- Carry out plan and keep neighbors involved
 - Circulate design plan to neighbors through a newsletter; ask for volunteers and donations
 - Host mini-events such as a picnic on the site, or education campaign about the benefits of greenspace and community gardens

Code strategies for Infill Development

- Include green building standards in the infill certification process for mixed use, residential and commercial projects
- Incorporate flexible zoning regulations to allow development of smaller substandard lots and make infill development practical
- Implement policies that guide the location of development to areas with existing infrastructure that has the capacity to handle infill development
- Determine the specifics of the zone
- Amend site plan and subdivision requirements to add methods for achieving infill development
 - Floating Zones allow a developer to purchase land zoned for single-family development at existing prices, and apply for medium density zoning if the development is designed properly
- Language regarding use of floating zone should restrict its application to developed areas with existing infrastructure that are most appropriate for infill
- Provide incentives in specified zones in specific neighborhoods where the public benefit or increased affordable housing is necessary
- Increase capacity through development standards and zoning code
 - Density Bonus Zoning allows developers more density in exchange for community improvements
- Areas must have capacity for increase in residential development
- Set minimum threshold of affordable units to qualify for the bonus density
- Integrate density bonus programs into community's comprehensive plan policies and zoning code
 - Value of bonus should be proportionate to the cost to the developer providing the bonus

Urban Renewal as a strategy

- Propose land acquisition, demolition and removal of structures
- Determine if relocation of businesses and people are required
- State new code, ordinances and amendments to existing codes to effectuate the plan

- Create site design guidelines
 - Include time schedule
 - Determine topography to plan parking
 - Surface parking at grade under-building parking
 - Coordinate pedestrian access

Create safer, more livable communities

- Establish a crime prevention fund to address crime affecting residential safety
- Design projects to enhance safety and security
- Minimize development of open space and natural areas through reuse of existing properties
 - Encourage use of remnant and interstitial spaces for recreational opportunities
- Encourage cluster development to provide more opportunities for neighborhood interaction
- Provide live/work units and multigenerational units within infill areas
- Encourage balanced communities with a diversity of uses and employment opportunities
- Provide flexible recreational uses within infill area

Streamline the Review Process

- Inform and encourage other divisions and departments to incorporate smart growth principles in the review process
- Perform a cost-effectiveness comparison of infill development to conventional development
- See* the additional checklist below for further assistance

CREATING A STREAMLINED PROJECT REVIEW & APPROVAL PROCESS

The goal of this document is to present tools to help municipalities create and implement streamlined project review protocols to encourage economic development while still protecting the environment.

Clarity

- Create a clear road map for approvals of various types of projects
 - Ordinance approval process checklists and flow charts
 - Include the approval sequence for various types of applications
 - Include explanations of responsibilities of agencies and governmental body involved
- Create a clear process for recording and filing approvals and other actions
 - Include where to submit applications
 - Clearly state submittal requirements and require appropriate level of detail in applications
- Define key terms and use simple, direct language (this benefits the applicant and those who must administer and enforce the ordinances)
- Transparency – document everything in review and approval procedures so everybody can see the process

Consolidation

- Create a central permit information desk/one-stop permitting (this eliminates needless backtracking to various municipal offices)
- Cross-train staff (reduces specialization/enhances staff understanding; improves coordination and helps expedite the approval process while increasing the number of employees who can staff the central permit desk)

Procedural Changes

- Designate building department representatives for applicants
- Referral of applicants to economic development staff for incentives
- Hold pre-application workshops to work with applicants (to conform projects to the list of defined characteristics)
 - Helps to get all parties on the same page early in the process, avoiding conflict and confusion later
- Hold public hearings before project approval (get the public involved early on to foster community engagement in process)
- Create interdepartmental review committee with designated coordinator (a single point of contact and appointed review coordinator helps coordinate reviews by multiple departments and boards and work out discrepancies in the comments received)
- Allow more objective decisions to be handled administratively
- Allow self-certification of plans and/or inspections by engineers

- Appoint an “Intake Professional” to process applications
- Provide continuing education programs for public and appointed officials
- Train local boards
 - Does the community have a formal policy for board member training in compliance with New York law?
 - Does it have special training needs?
 - Have the members of local land use boards been trained?
 - Do they understand their unique functions within the overall system?
 - Do they know the rules for approvals, public participation, and ethics?
 - Create a tracking system that logs training needed for individual board members and training that has been completed

Time Management

- Provide computerized tracking system (provides the ability for staff to tell an applicant the status of their application and to more readily identify coordination problems between agencies)
- Allow for concurrent, not additive or sequential, reviews whenever possible
 - Simultaneous reviews allow different steps in an application to be reviewed together as a package or at least during the same time frame, reducing the time involved
- Create methods for desirable/priority projects to comply with SEQRA without unnecessary delay, such as:
 - Generic environmental impact review of target area
 - Local SEQRA regulations with presumptive negative declarations for certain projects
 - Develop a list of characteristics that define a sustainable economic development project
 - Adopt local SEQRA regulation that classifies complying projects as eligible for a presumptive negative declaration under SEQRA [Alternatively: publish local Type II list that designates such projects as exempt from SEQRA review]
- Adopt local board agreements regarding fast track process
 - City council, planning board, and zoning board of appeals resolutions agreeing to:
 - Develop a firm review process and timeline for certain economic development projects resulting in final action on applications within a fixed period (subject to developer cooperation)
 - Place such projects first on all meeting agendas
 - Avoid re-opening of settled issues
- Train local board members in this clarified and expedited development review process and certify that each serving board member has completed satisfactorily the training program
- Create system for consistently evaluating and improving fast track process
- Create campaign for advertising fast track process