The Practicalities of Form Based Codes: Lessons from our Region

Panel Discussion

Land Use & Sustainable Development Conference

December 7, 2017

Panelists:

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Moderator:

Bonnie Von Ohlsen, AICP, RLA, LEED Green Assoc.

Kimley-Horn of New York, P.C.

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Today's Discussion:

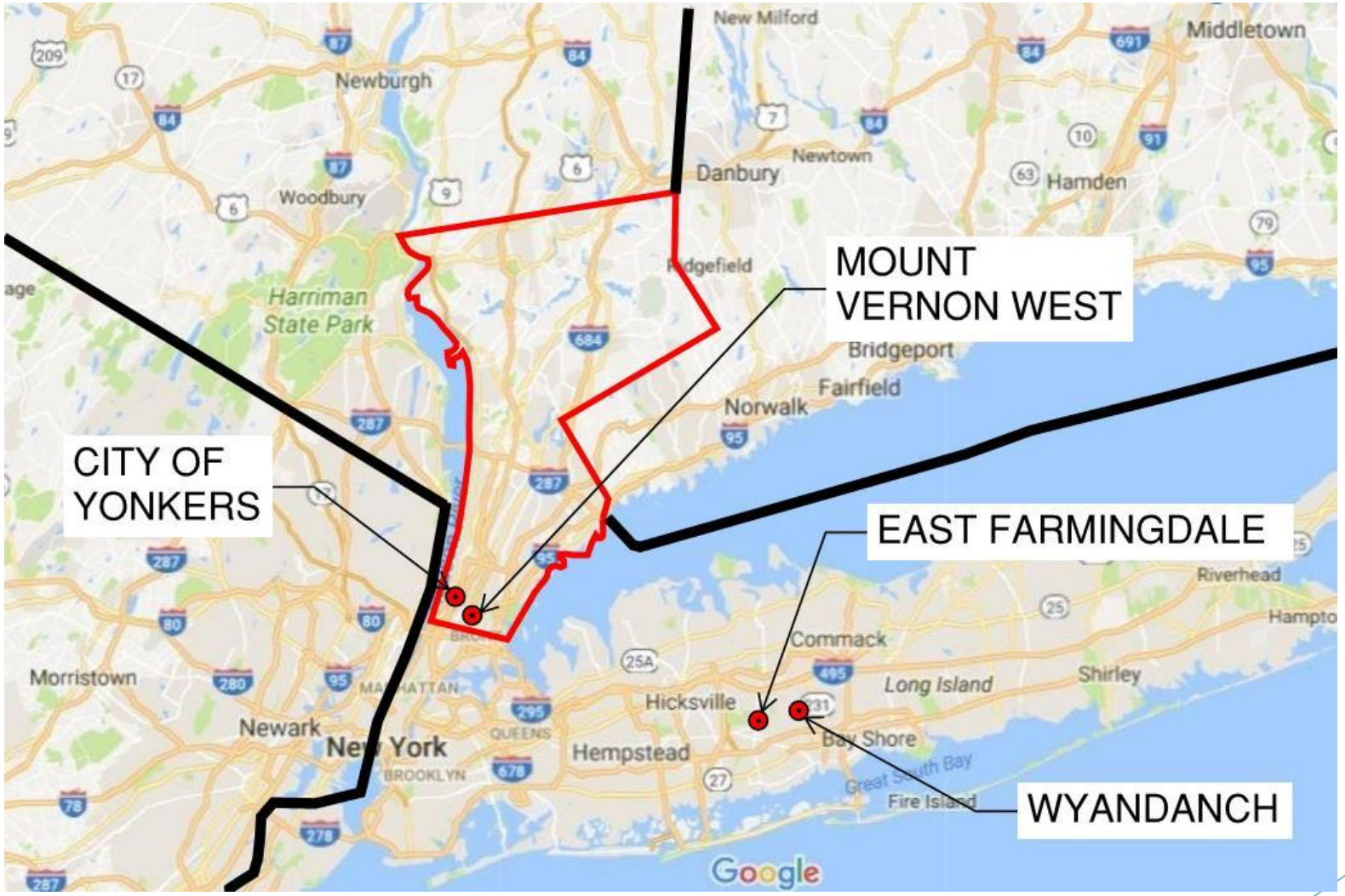
In three different communities where each decided it was important to implement a

Form Based Code…

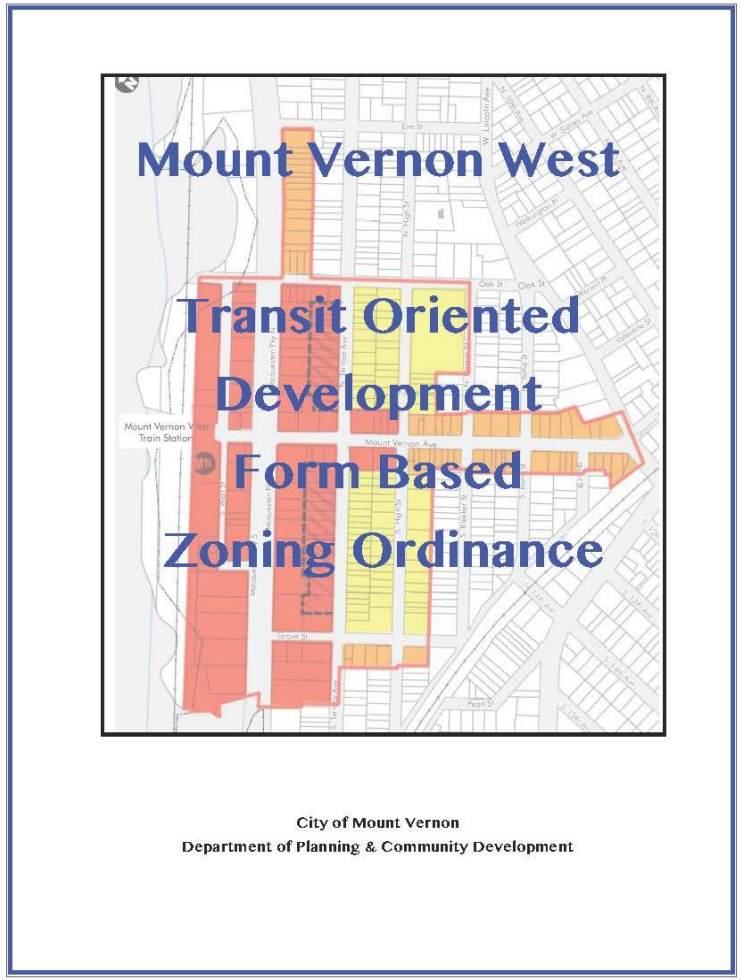
- Circumstances, reasons, community vision
- Successes
- Obstacles and Challenges
  - Developing and adopting the code
  - Implementation of the code
- Lessons Learned

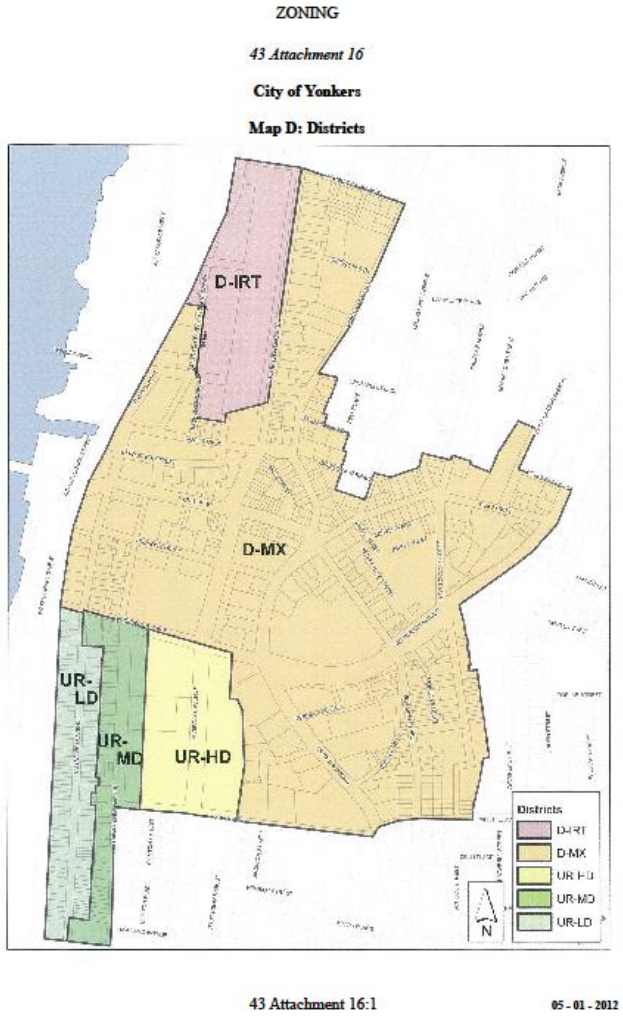
Is the current reality of new development meeting expectations of the original vision?

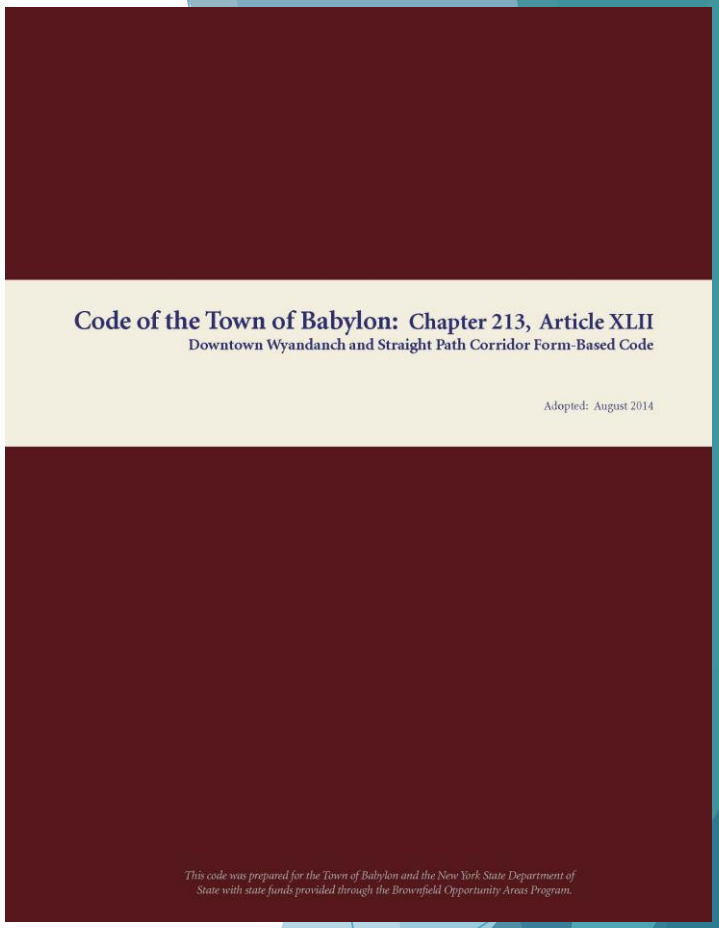
3 Locations:


MOUNT VERNON WEST
CITY OF YONKERS
EAST FARMINGDALE
WYANDANCH
New Milford
Middletown
Newburgh
Newtown
Danbury
Hamden
Woodbury
Harriman State Park
Bridgeport
Fairfield
Norwalk
Riverhead
Commack
Long Island
Shirley
Hicksville
Bay Shore
Hempstead
Morristown
Newark
New York
Fire Island
Google

3 Case Studies:







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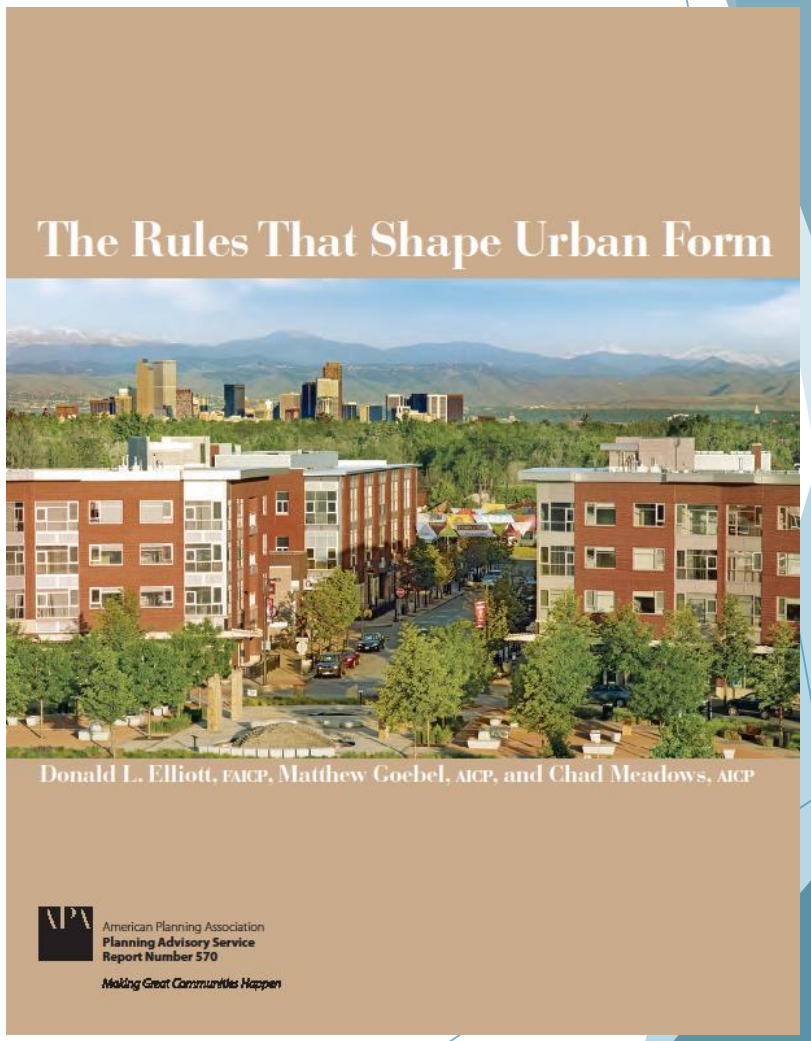
Form Based Code

Definition:

"A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation."

(https://formbasedcodes.org)



Conventional Code vs. Form Based Code

Zoning Map, Street Standards

and a list of uses…

For each permitted use:

- Building Height, Setbacks
- Density or FAR
- Parking and Circulation
- Lot Coverage, Lot size
- Landscape, Lighting, Signage
- Etc…

Community vision based, Regulating Plan with emphasis on:

- Public spaces and civic involvement
- Neighborhoods
- Connectivity/walkability/recreation
- Form and Type of structure more important than
  land use
- Mix of uses- variety of uses
- Hierarchy of Streets - relationship of streets to buildings
- Shared parking/transit friendly
- Sustainable/environmentally sound
- Diagrammatic/graphic
- Design Standards

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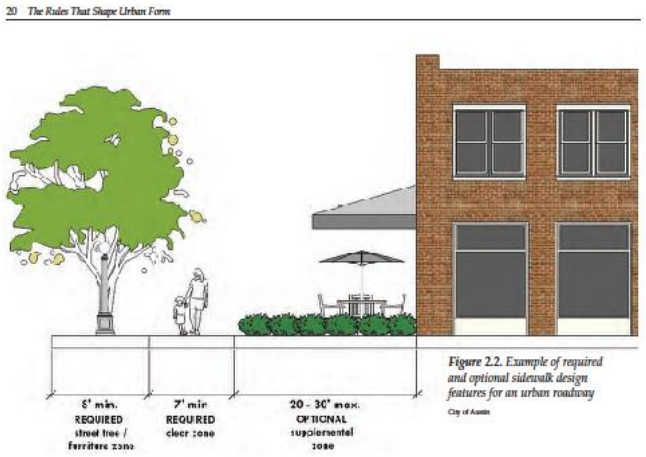
Form Based Code



- Why?
- Primary components:
  - Visioning /Public participation
  - Transects
  - Regulating Plan
- Full code vs. partial or specific area
- Define implementation process

Town of Babylon, NY

- Wyandanch (2014)
- East Farmingdale (2017)

A New Transit Oriented Development

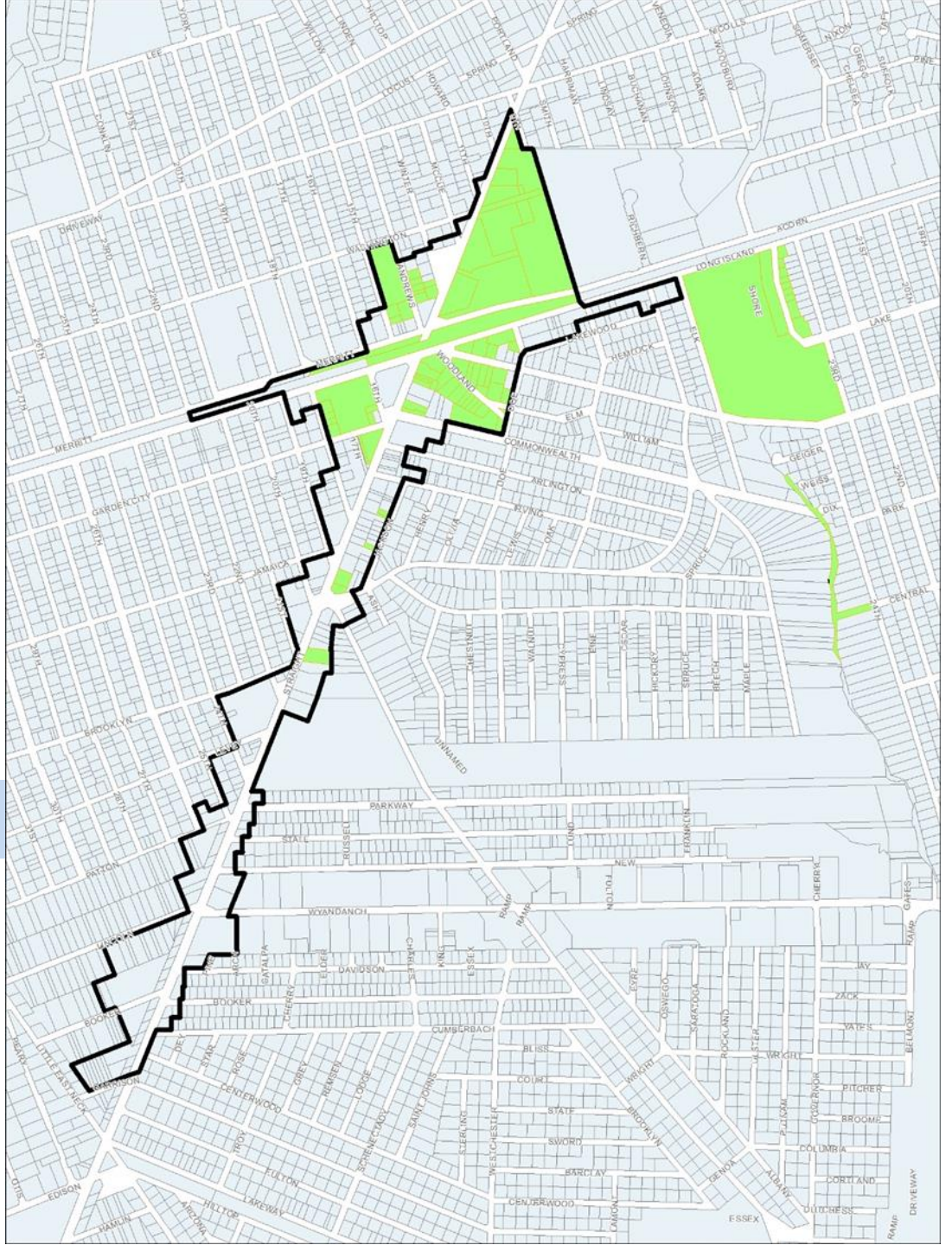

RESTAURANT

Property purchased for Wyandanch Village

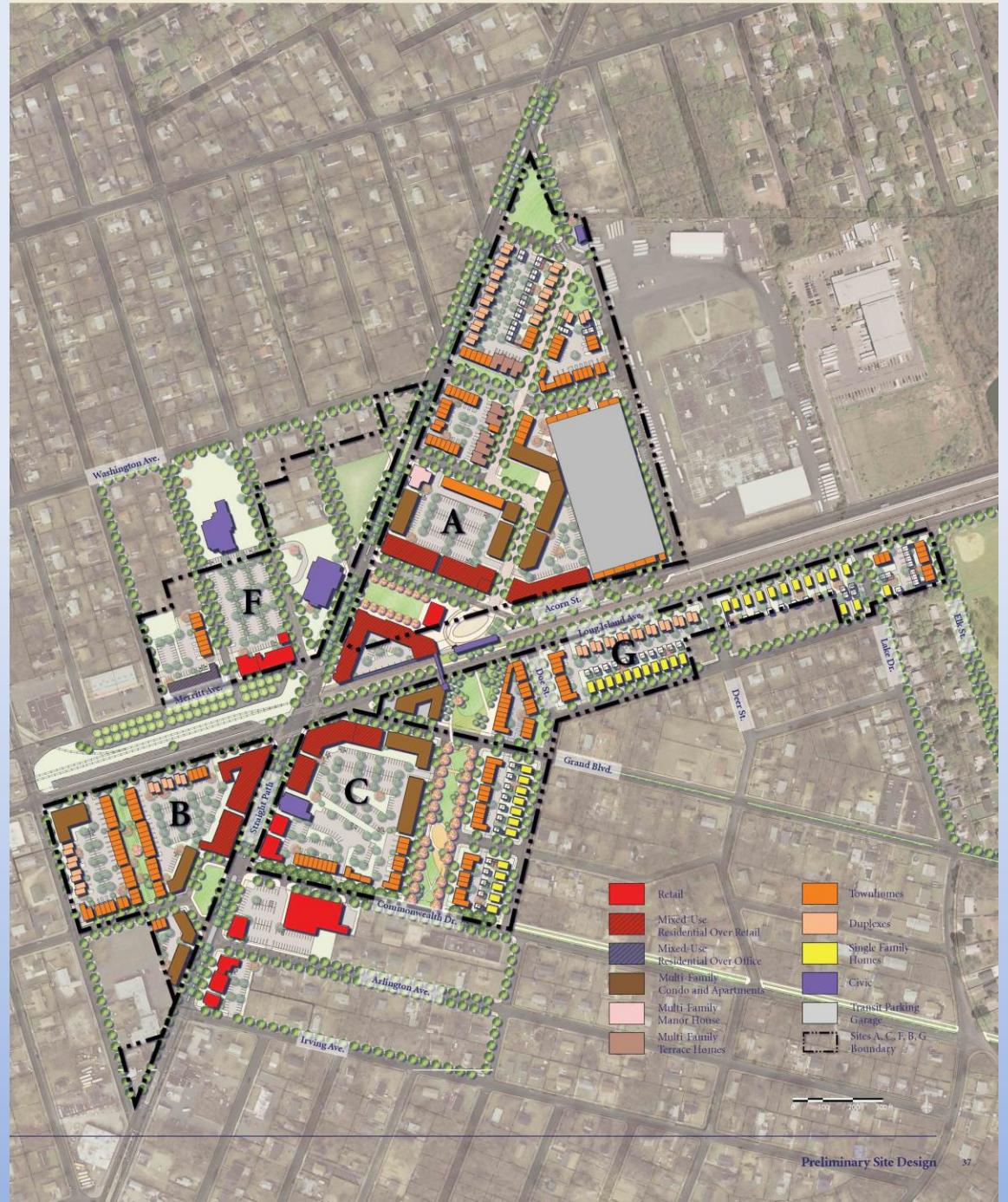
SITE

ASSEMBLAGE OF APPROXIMATELY 40 ACRES OF KEY PROPERTY

Urban Renewal Area



Core Area


Washington Ave.
Meredith Ave.
Acorn St.
Long Island Ave.
Dee St.
Grand Blvd.
Straight Path
Commonwealth Dr.
Arlington Ave.
Irving Ave.
Lake Dr.
Elk St.
A
B
C
F
G
Retail
Mixed-Use Residential Over Retail
Mixed-Use Residential Over Office
Multi-Family Condo and Apartments
Multi-Family Manor House
Multi-Family Terrace Homes
Townhomes
Duplexes
Single Family Homes
Civic
Transit Parking Garage
Sites A, C, F, B, G Boundary

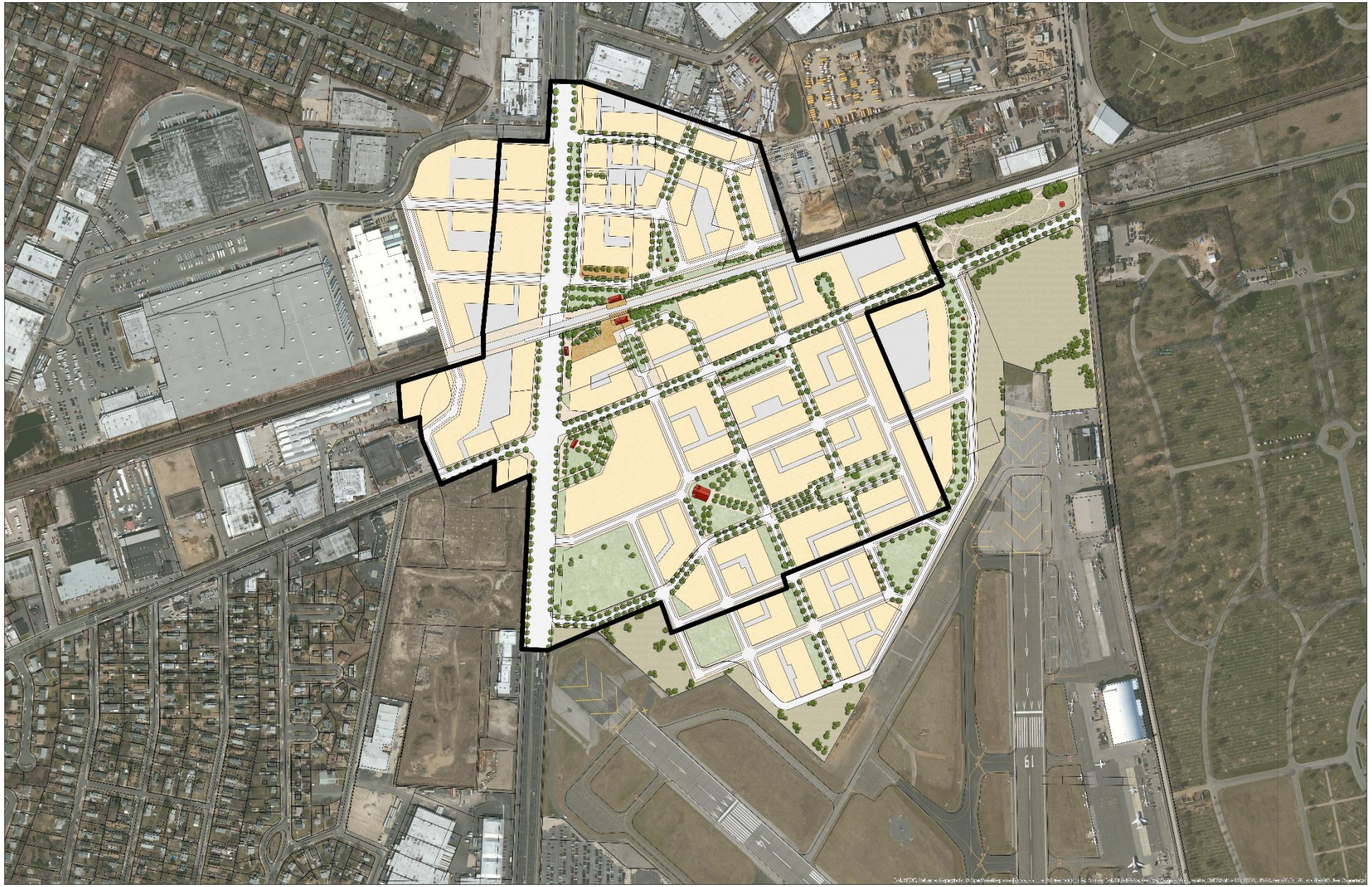
The Transect

Tile 1

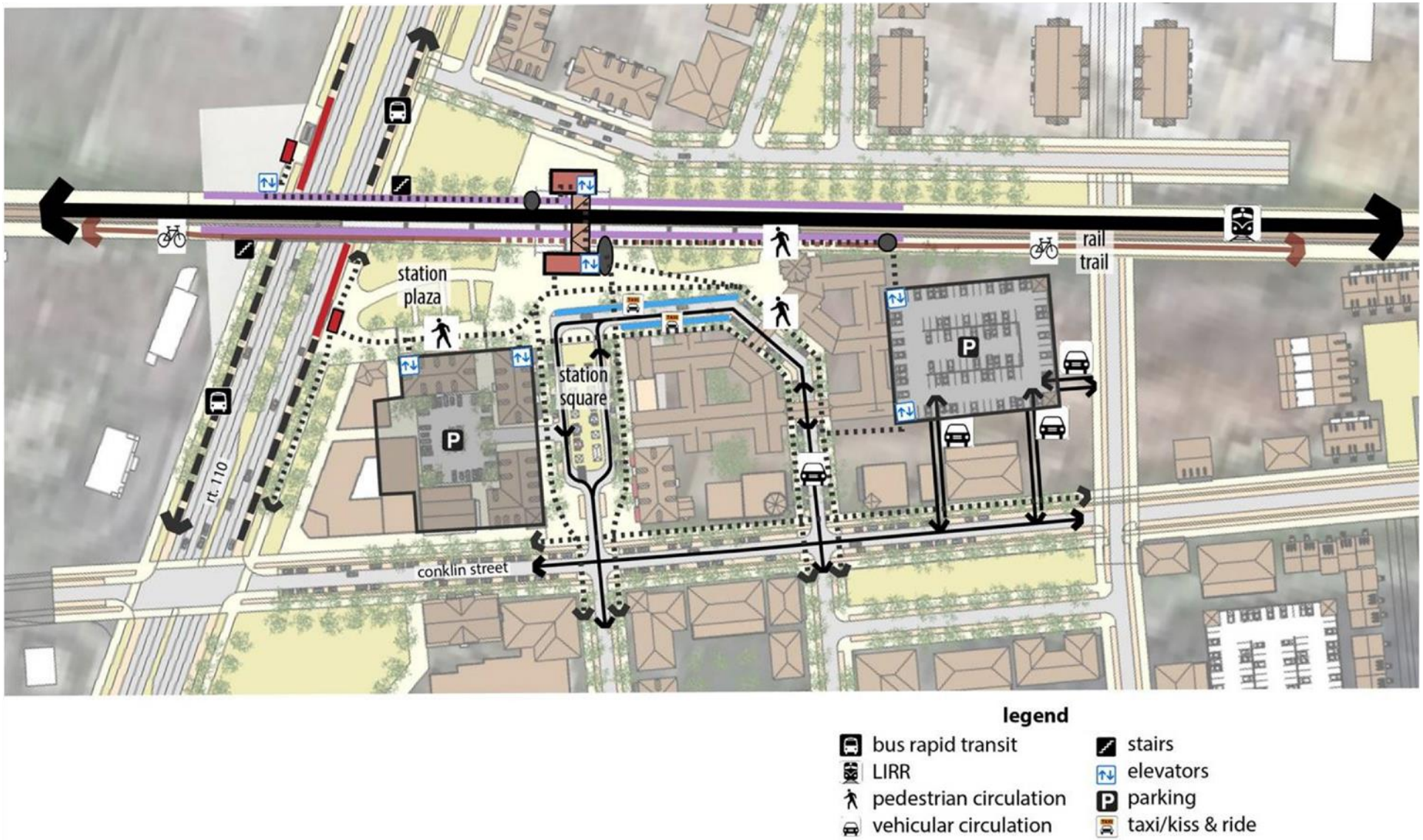
Figure 213-3.

East Farmingdale TOD

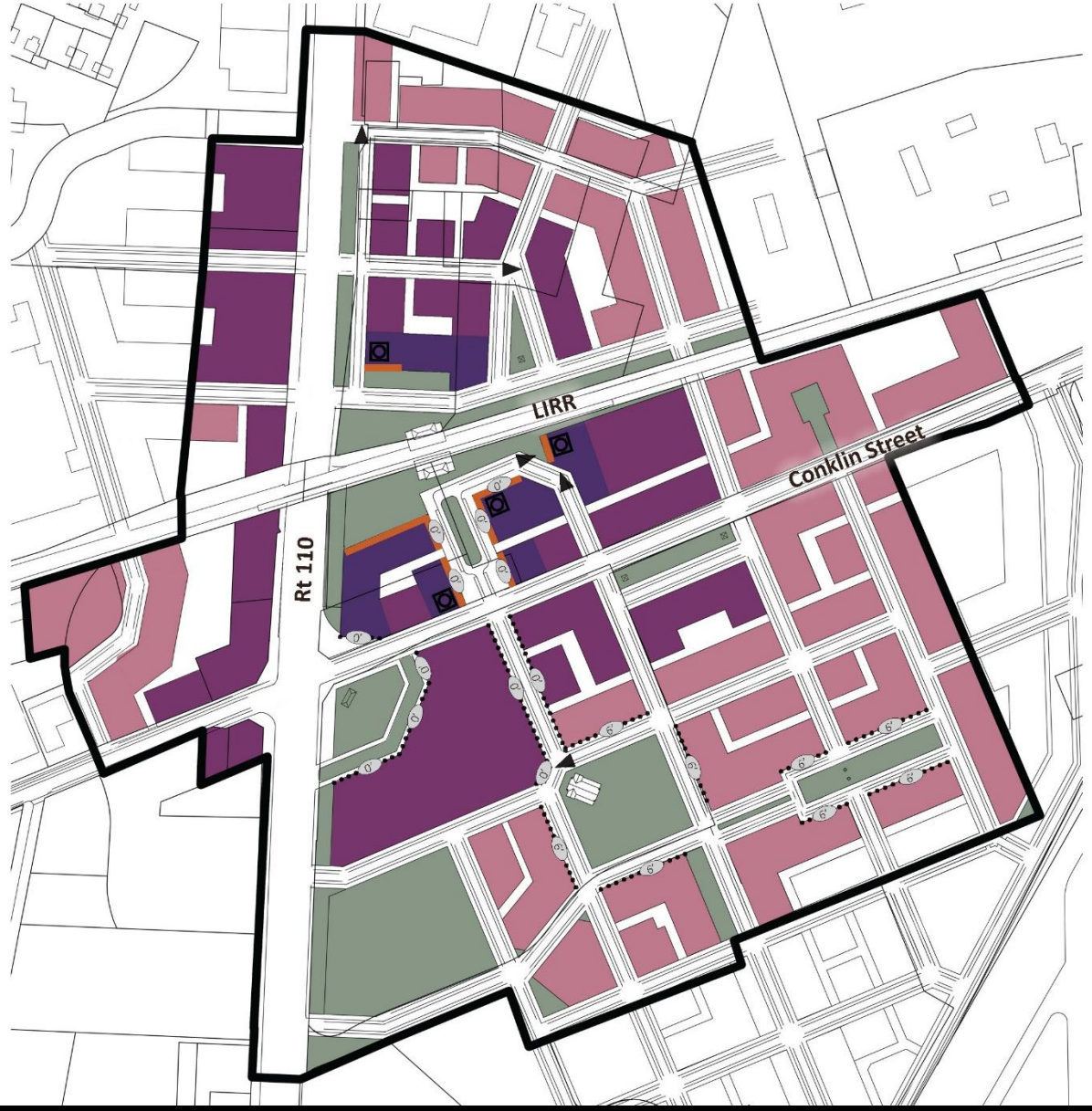

19
14



intermodal circulation: BRT, LIRR, parking



PART 2: Regulating Plan



T6: Station Area Mixed Use

T5: Town Center Mixed Use

T4: General Mixed Use

Special District / Civic

Property Line

Build-to-Line

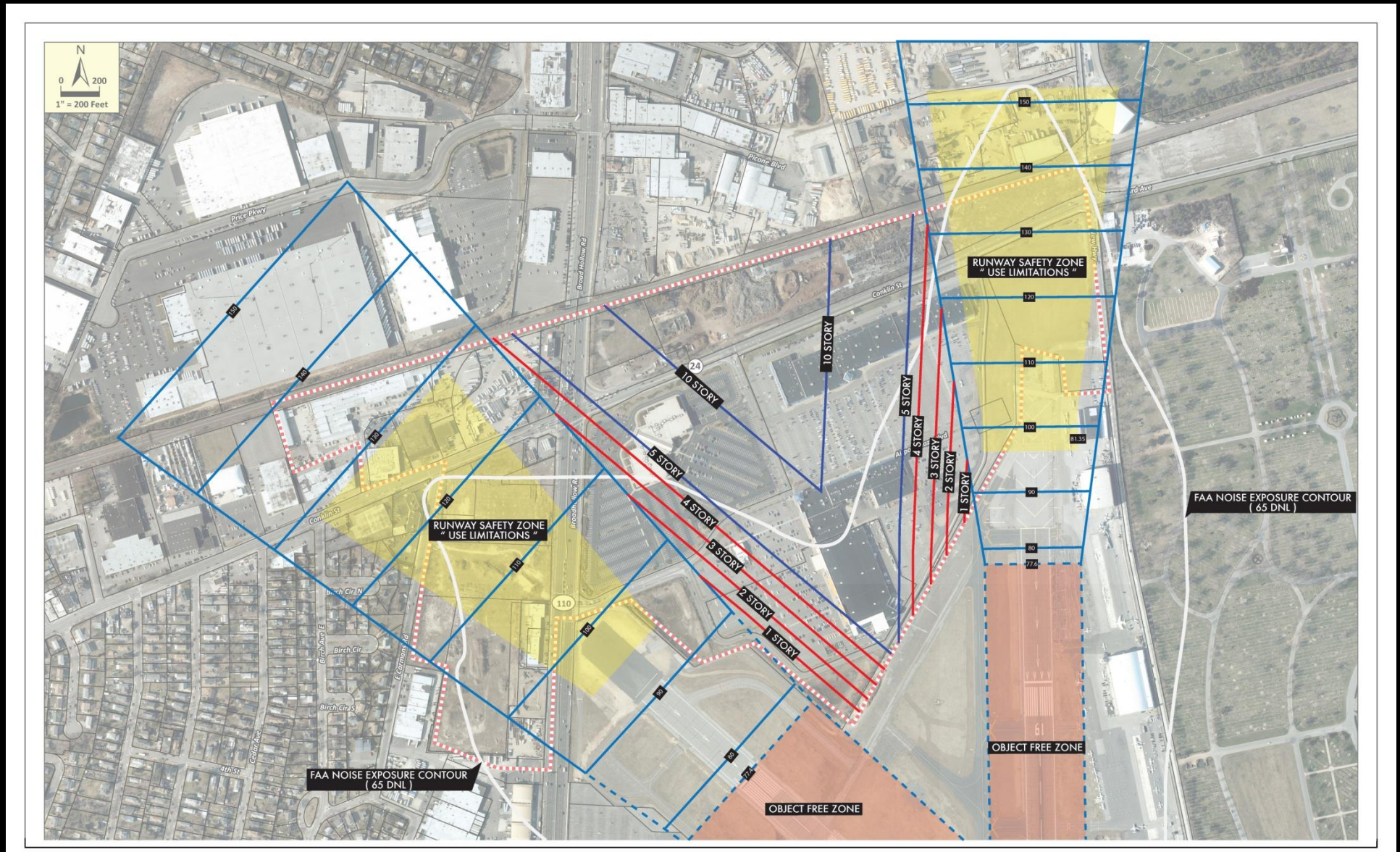
Mandatory Shopfront

Terminated Vista

Landmark Building

Regulating Plan

airport constraints

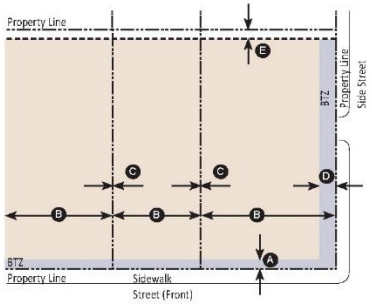


PART 3: Transect Standards

PART 3
TRANSECT STANDARDS

C. T6: Station Area Mixed Use

1. Form



Key
- Property Line
- Build-to-Zone (BTZ)
- Potential Building Area (in addition to Build to Zone)

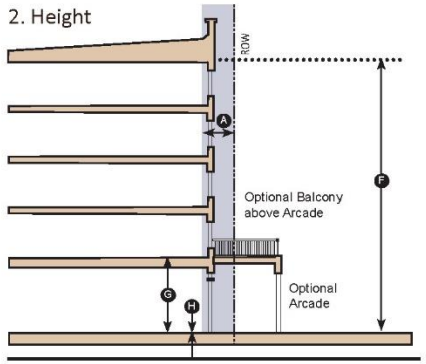
Building Placement		
Front Build-to-Zone	0' minimum to 6' maximum	A
Frontage Occupancy	80% minimum	B
Side Setback (mid-block)	0' minimum	C
Side Build-to-Zone (corner)	0' minimum to 10' maximum	D
Rear Setback (lot or Alley)	5' minimum	E

NOTES:
- "Front" and "Side" orientation shall be determined by the Street Hierarchy in the Street Design Standards (Part 6).

Lot and Block Standards	
Maximum Block Perimeter	1800 linear feet maximum
Lot Width	18' minimum, 120' maximum
Lot Depth	no minimum, 180' maximum
Lot Coverage (%)	no maximum

NOTES:
- Blocks shall be configured as shown in the Regulating Plan. Modification to Blocks may be approved by the _____ if determined by the FBCA/FBCS to be consistent with the intent of this article and the above lot and Block standards.
- Blocks may be defined by streets or pedestrian walkways.

2. Height

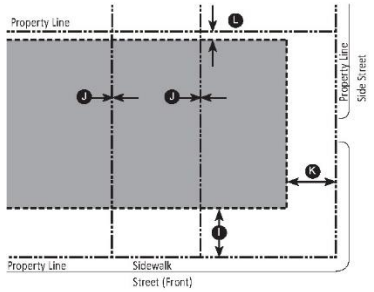


Key
- Build-to-Zone (BTZ)
- Building

Building Heights		
Building Height	2 Stories minimum 5 Stories maximum	F
First Floor Height (floor to floor)	14' minimum	G
Ground Finished Floor (above sidewalk or finished grade)	0' min. (commercial) 24" minimum (residential)	H

NOTES:
- Buildings may extend one additional Story on sites designated on the Regulating Plan, to define a landmark site or terminate an important view vista.
- Basements, Attics, and underground parking shall not count as a Story.
- Stories may not exceed 14 feet in height from finished floor to finished floor, except for a First Floor commercial function which may be a maximum of 25 feet.
- Building Heights shall be measured to the eave of the roof or roof deck (if flat).
- Small footprint towers, cupolas, and other rooftop features may above the designated height limit as described in Part 5, Architecture Standards.

3. Parking Location

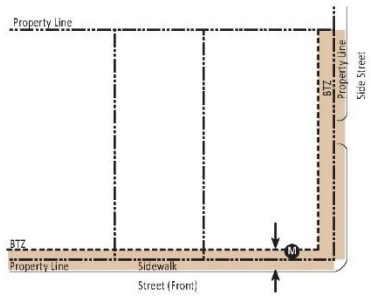


Key
- Property Line
- Setback Line
- Parking Area

Parking Location		
Front Setback	30' minimum	L
Side Setback (mid-block)	0' minimum	J
Side Setback (corner)	30' minimum	K
Rear Setback (lot)	5' minimum	L
Rear Setback (Alley)	0' minimum	

NOTES:
- Parking shall be accessed from rear Alleys or side streets whenever possible.
- See General Standards (Part 4) for parking requirements.

4. Permitted Encroachments



Key
- Property Line
- Max Build-to-Zone (BTZ)
- Encroachment Area

Permitted Encroachments		
Permitted Frontage Elements / Encroachments	Gallery, Stoops, Forecourts, Awning/Marquee, Balconies	M

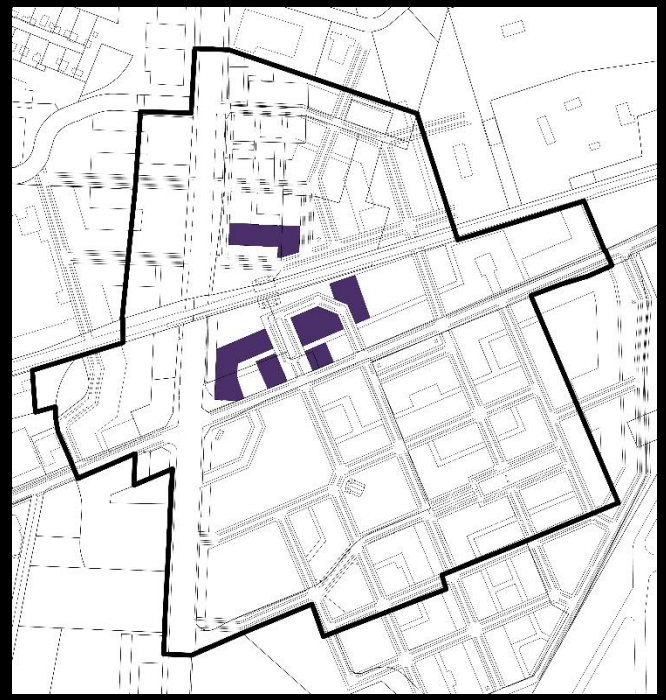
NOTES:
- Frontage Elements may Encroach forward of the Build-to-Line or Zone and/or into the Right-of-Way, barring any additional restrictions by the public entity that has control over the public Right-of-Way.
- See Architecture Standards (Part 5) for additional requirements.

5. Miscellaneous

NOTES:
- Where a building Facade steps back or is absent from the Build-to-Line or Zone, the Build-to-Line or Zone should be defined by a fence, landscape wall or hedge.
- All buildings must have a Principal Entrance along the Front Facade.
- Loading docks and other service entries shall not be located facing Station Area Mixed Use street frontages or Civic Spaces.

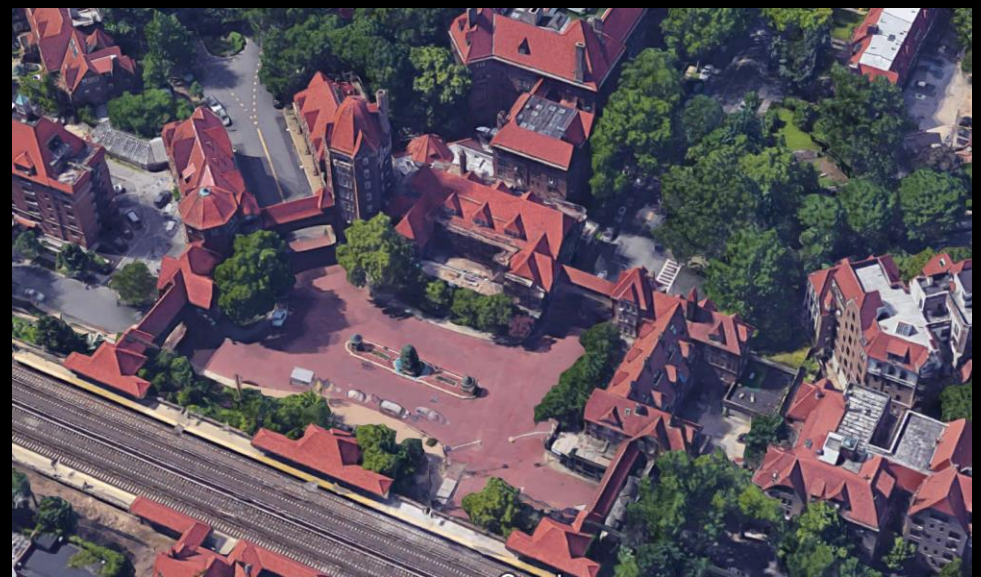
T6: Station Area Mixed Use

PART 3: Transect Standards



T6: Station Area Mixed Use:

- 0’ to 6’ Build-to-Zone (from right-of-way)
- 80% min. Frontage Occupancy (primarily attached buildings)
- Height: 2 Story min, 5 Story max



PART 4: General Development Standards

Support pedestrian-friendly, transit-oriented future development:

- Permitted Uses
- Parking
- Signage
- Lighting
- Landscape
- Open Spaces
- Stormwater
- Sustainable Design
- Affordable Housing

SECTION 213-576
PERMITTED USES

A. Permitted Uses

The Permitted Uses chart, Figure 4-1 lists the various types of uses and identifies whether or not a use is Permitted (P) or Not Permitted (N) within the noted Transect Zone.

Permitted Uses are those which are permitted because they are considered to be consistent with the vision and goals established for each Zone within the East Farmingdale boundaries.

Not Permitted means that a land use is not consistent with the permitted uses of a Zone or does not achieve the long range goals of the East Farmingdale TOD. Therefore, these uses will be prohibited within the specified land use

Figure 4-1: Permitted Uses

	T4	T5	T6	SDC
Civic	P	P	P	P
Commercial: Other	P	P	P	P
Gas Station[2]	P	P	N	N
Office	P	P	P	N
Residential: Other	P	P	P	N
Residential: SFD and Duplex	P	P	N	N
Retail	P	P	P	P[1]
Industrial	N	N	N	N

[1] Permitted only when civic uses are included as the primary use.

he Primary Frontage and
t Standards. All pumps, park-
located behind the building.

PART 4
GENERAL DEVELOPMENT STANDARDS

PART 5: Architecture Standards

SECTION 213-586
FACADE COMPOSITION

A. Centerlines

1. Facades shall feature alternating structural centerlines and fenestration centerlines.
2. These centerlines shall extend from the top of a mass to the bottom of a mass.
3. Multiple windows and/or doors may be grouped symmetrically around a single fenestration centerline.
4. The spacing of centerlines may be identical across a façade, or may vary.

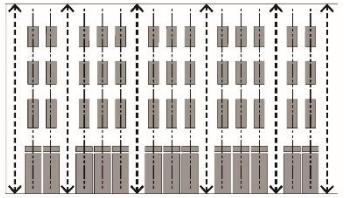


Figure 5-5: Stuctural and fenestration centerlines

B. Cornices

1. The top of each primary and secondary mass shall be emphasized with a projecting cornice. This cornice shall feature a deeper projection, and therefore stronger shadow line, than any other Expression Line on a façade.
2. A cornice may be used to visually support a pitched roof.
3. A wall plane may extend above a cornice to form a parapet.

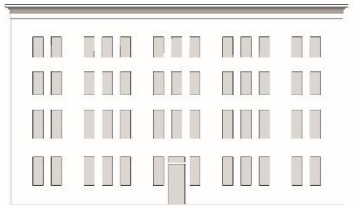


Figure 5-6: A cornice at the top of the mass

C. Expression Lines

1. Expression Lines are formed by horizontal moldings which project minor shadow lines.
2. Facades may feature a change of colors, materials or textures at an Expression Line.
3. A building mass may feature one of the following subdivisions by Expression Lines into horizontal layers:

- Single layer
- Two layers
- Three layers

4. An Expression Line shall always be used at the top of shopfronts. This Expression Line may incorporate a band for signage.

Figure 5-7: Facades divided into 1, 2, and 3 horizontal layers

Figure 5-8: An Expression Line at the top of shopfronts

PART 5
ARCHITECTURE STANDARDS

Figure 5-9: Examples of ways to subdivide a Facade into horizontal layers with Expression Lines

a,b. Facades comprised of a single (1) horizontal layer

c,d,e. Facades subdivided into two (2) horizontal layers

f,g,h. Facades subdivided into three (3) horizontal layers

Facade Composition

PART 6: Street Design Standards

Street Atlas

PART 6: Street Design Standards

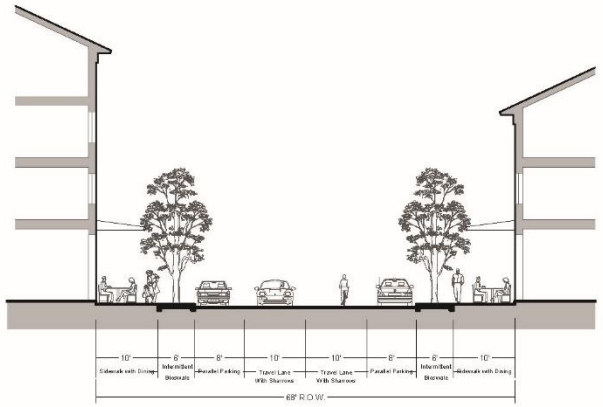


TABLE 6-4

Street Name	Main Street (new)
ROW	68 feet
Pavement Width	36 feet
Target Speed	20 mph
Vehicular Travel Lane	2 - 10 foot wide shared travel lanes
Public Transit	None
Bicycle Facilities	2 - 10 foot wide shared travel lanes
On-Street Parking	8 foot wide parking lanes on each side of the street, measured to face-of-curb
Median	None
Bump Outs	Dispersed intermittently in on-street parking lane to provide additional planting space and snow storage
Pedestrian Facilities	2 - 10 to 16 foot wide sidewalks with outdoor dining amenities
Planter Type	6 foot wide intermittent bioswales on each side of the street
Landscape Type	Low canopy street trees
Green Infrastructure	Bioswales

PART 6
STREET DESIGN STANDARDS

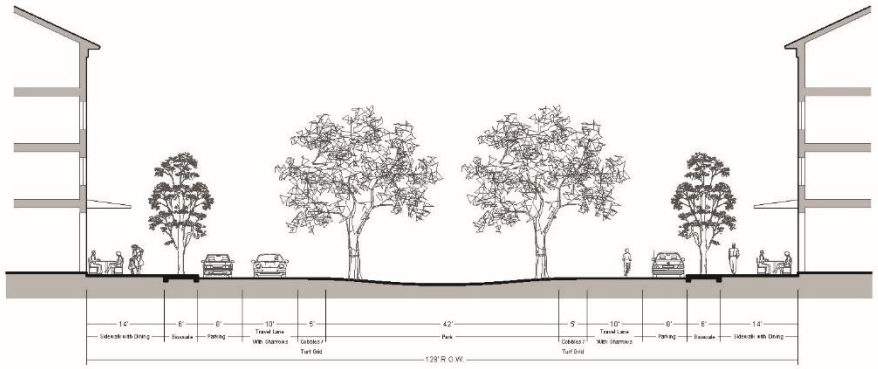


TABLE 6-5

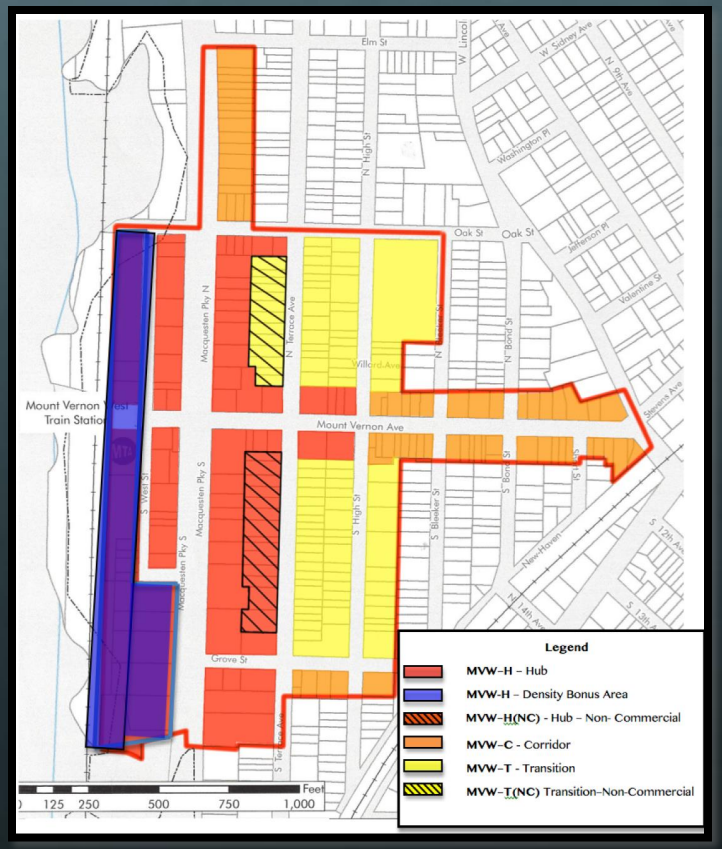
Street Type	Park Couplet
ROW	128 feet
Pavement Width	36 feet (18' each side of park)
Target Speed	20 mph
Vehicular Travel Lane	2 - 10 foot wide shared travel lanes
Public Transit	None
Bicycle Facilities	2 - 10 foot wide shared travel lanes
On-Street Parking	8 foot wide parking lanes on each side of the street, measured to face-of-curb
Median	42 foot wide median (park space), with 5 foot wide permeable Pavers on each side of median
Bump Outs	Dispersed intermittently in on-street parking lane to provide additional planting space and snow storage
Pedestrian Facilities	2 - 14 foot wide sidewalks with outdoor dining amenities
Planter Type	6 foot wide intermittent bioswales on each side of the street
Landscape Type	Shade trees in the median and low canopy street trees in the planters
Green Infrastructure	Bioswales and permeable Pavers

Street Types

City of Mount Vernon, NY

- Mount Vernon West - Transit Oriented Development - Form Based Zoning Ordinance (2017)

Mount Vernon West
Transit Oriented Form Based Zoning



CITY OF MOUNT VERNON, N.Y.
1853 1892

PROJECT AREA AERIAL VIEW

MOUNT VERNON WEST TRAIN STATION AREA

- The area features a mix of residential, commercial and light industrial properties anchored by the MetroNorth commuter rail station.
- Mount Vernon Avenue is an important point of entry into Mount Vernon from Yonkers immediately to the west. It is a heavily trafficked street with an eclectic mix of commercial uses and varied architecture.
- Although the area is reasonably lively near the station, an increasing number of properties are vacant or available for sale or rent beyond the station.
- Within a short walk of the station a number of light industrial buildings are present, some in active use, but others are underutilized.

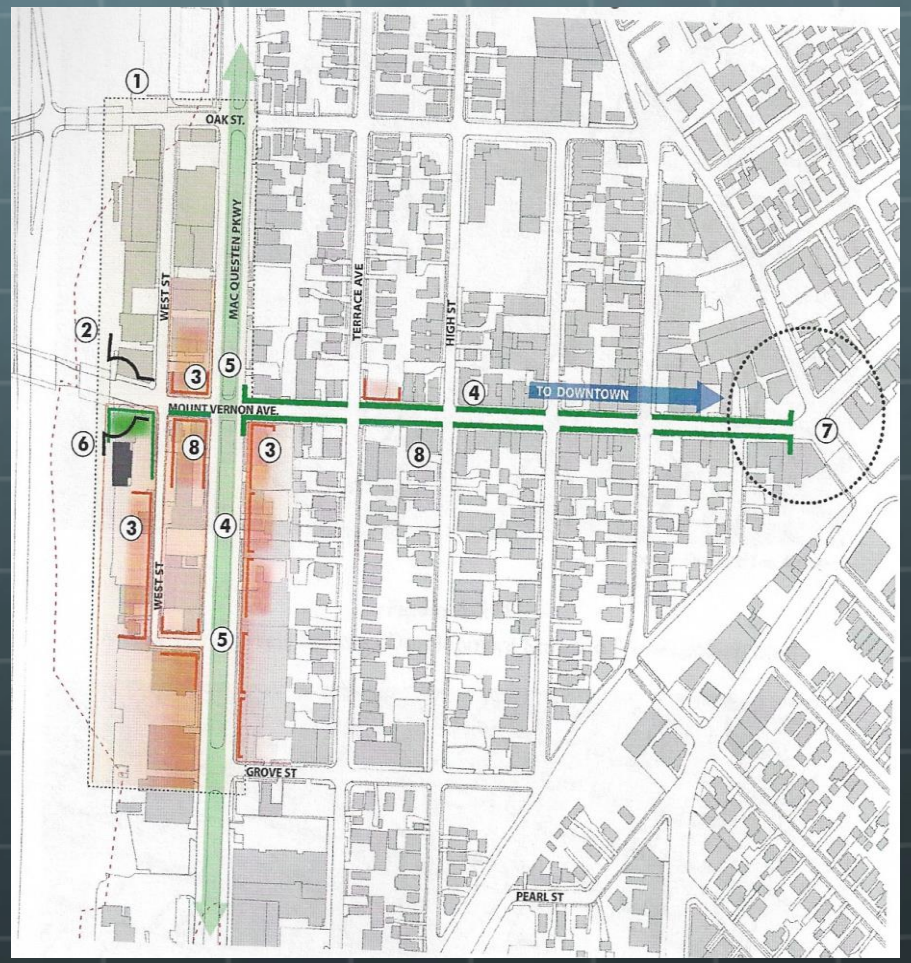
PACE UNIVERSITY
STRATEGIC VISIONING PROCESS

Fall 2010 – 2 strategic visioning sessions were conducted, facilitated by Pace University. The first identified issues, concerns and actions - and in turn planning goals. The second prioritized actions.

- *Opportunities:*
  - The historic train station
  - Transit access
  - Pedestrian access
  - Underutilize land
  - The Bronx River
  - MacQuesten Parkway

- *Issues:*
  - Property ownership
  - Station operations
  - Mulit-modal connections
  - Pedestrian access
  - Neighborhood character
  - Parking
  - Traffic
  - Truck access
  - Zoning

URBAN DESIGN & PLANNING STRATEGIES



1. Position Mount Vernon West as a concentrated investment area.
2. Strengthen the Mount Vernon Avenue gateway from Mount Vernon from Yonkers.
3. Explore high-density options through rezoning and the assembly of vacant parcels (buildings) and underutilized sites.
4. Develop a strategy for streetscape and façade improvements that ensures street frontage along principal streets.
5. Make general improvements to the public realm throughout the area including open space, landscaping, lighting, signage and graphics.
6. Renovate the train station and create a more inviting pedestrian environment and accommodate taxis and “kiss-and-ride” drop offs.
7. Enhance the aesthetic quality and functioning of the intersection of Mount Vernon Ave. with Lincoln Ave. and Stevens Ave.
8. Work with property owners wishing to upgrade or repurpose existing buildings.

ZONING APPROACH

Relying on one or two key projects to "jump-start" the overall revitalization of the area would not guarantee that the City's planning goals would necessarily be achieved.

A much more comprehensive and inclusive approach was determined to be necessary. The zoning approach selected to facilitate the goals of the Mount Vernon West area reflects combination of zoning tools; incorporating:

- Form Based zoning
- Transit Oriented Development (TOD) zoning
- Smart Growth and New Urbanism principles
- Green Building based on LEED Neighborhood Development standards

- *Form Based Zoning*

  A method of regulating development to achieve a specific urban form. Unlike traditional zoning which regulates primarily by use, Form-Based Zoning Codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use.

- Transit Oriented Development (TOD) zoning

  Zoning that concentrates sustainable, compact, mixed-use development around a transit hub and facilitates pedestrian activity. By combining a full array of land uses, including residences, work places and shopping, all within a ¼ mile area, dependence on individual automobile trips are reduced. Proximity to a transit hub solves the "last mile problem."

- Smart Growth and New Urbanism

  S*mart Growth* and *New Urbanism* are community planning concepts that promote the creation of compact, transit-oriented neighborhoods through thoughtfully conceived "place making." Following these theories neighborhoods should be diverse in use and population, designed for pedestrians and transit as well as the car, shaped by physically defined and universally accessible public spaces and community institutions and framed by architecture and landscape design that celebrate local history, climate, ecology, and building practice.

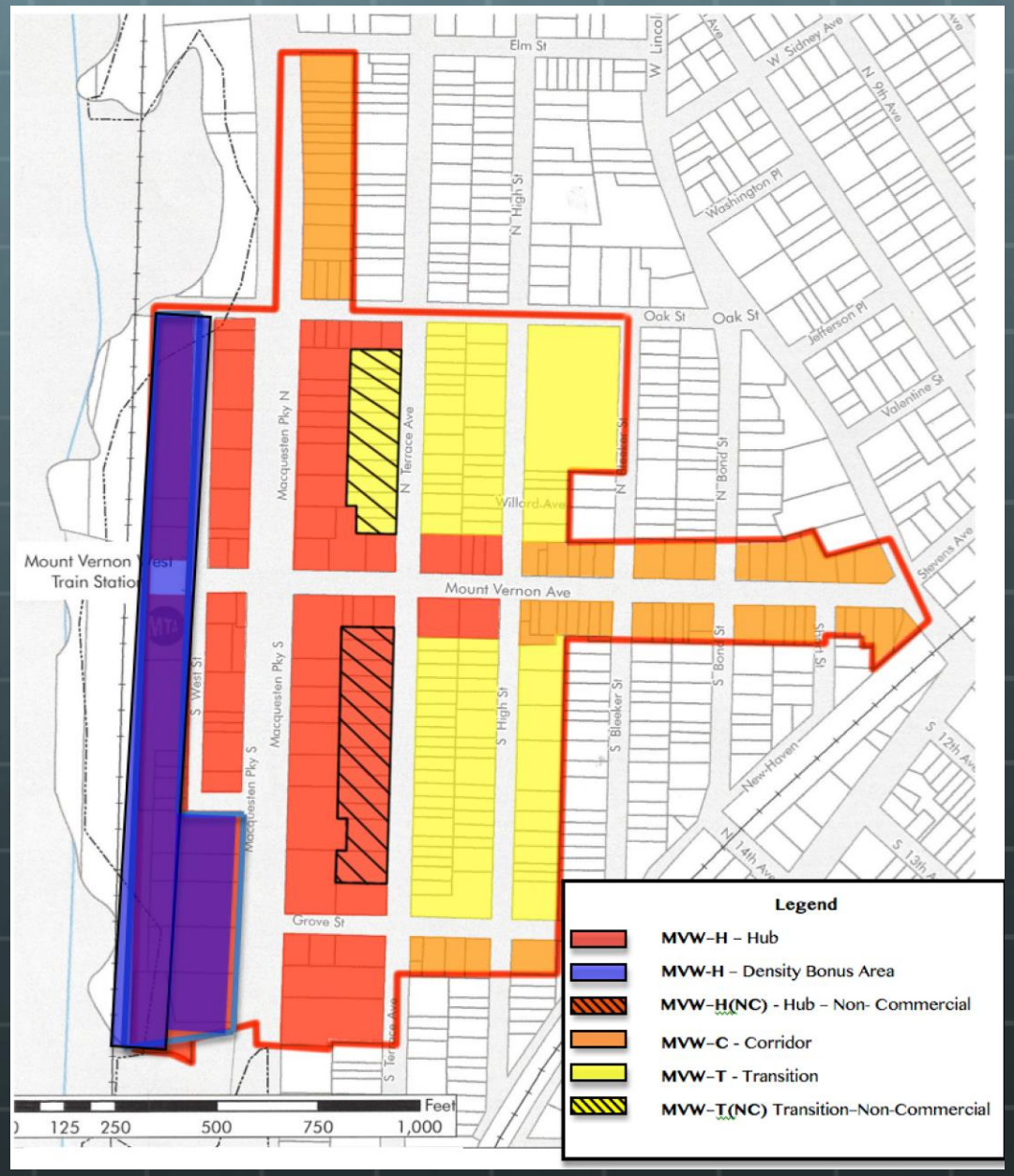
- Green Building based on LEED Neighborhood Development standards

  Building that is environmentally responsible and resource-efficient throughout a building's life-cycle. LEED ND integrates the principles of smart growth, new urbanism and green building into the first national independent third-party Green Building rating system for neighborhood design.

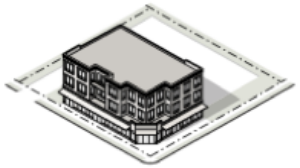
MOUNT VERNON WEST – TRANSIT ORIENTED DEVELOPMENT FORM-BASED CODE

1. General Provisions
   a) Overview
   b) Applicability
   c) Purpose & Intent
   d) Organization
   e) Relationship to Comprehensive Plan
   f) Planning Principles
   g) Non-Conforming Uses and Buildings

2. Regulating Plan

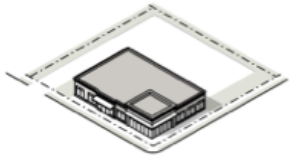


3. Allowable Building Types



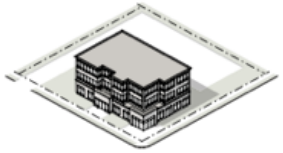
Mixed-Use Building

A building that supports ground floor commercial use, with upper story residential or office uses.



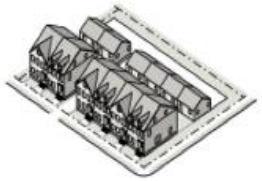
One-Story Commercial

A one -story, large format building that accommodates a variety of commercial uses



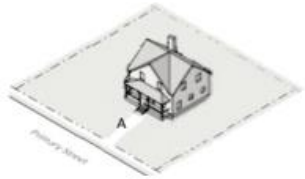
General Commercial

A building type that accommodates retail, office or other commercial uses.



Townhouse

Three or more dwelling units where each unit is separated vertically by a party wall

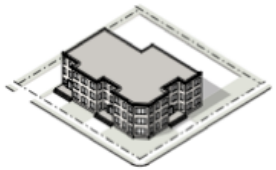


Detached Dwelling

Single or two-family dwelling units on an individual lot with yards on all sides

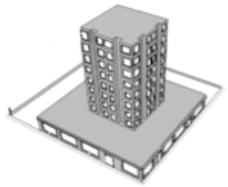
Civic Building

A building that accommodates civic, institutional or public uses



Multi-Family Apartment

Three or more dwelling units vertically and horizontally integrated



Tower on Podium

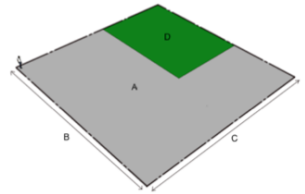
Multi-story apartment building constructed atop a podium containing off-street parking wrapped by ground level commercial uses

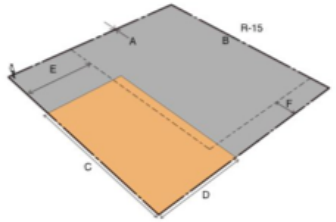
4. Permitted Building Types by District

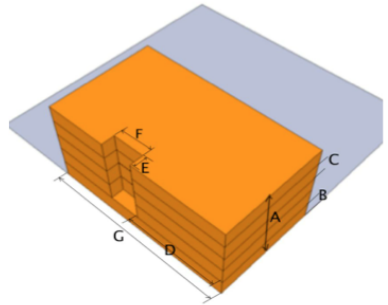
Permitted Building Types by District					
Building Type	MVW-H	MVW-H(NC)	MVW-C	MVW-T	MVW-T(NC)
 Mixed Use Building	P	N	P	N	N
 One Story Commercial	N	N	P	N	N
 General Commercial	P	N	P	N	N
 Civic Building	P	N	P	N	N
 Multi-Family Apartment	N	P	N	P	P
 Tower on Podium	P	P	N	N	P
 Townhouse	N	N	N	P	P
 Detached Dwelling	N	N	N	P	P

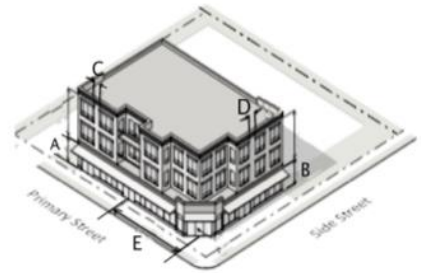
5. Building Type Regulations

Mixed-Use Building Type

A. Lot	
	
Lot Dimensions	
A - Lot area (min)	5,000 SF
B – Lot width (min)	50’
C – Lot depth (min)	50’
Usable Open Space	
D – Usable open space	200 SF/DU

B. Building Placement	
	
Building Setbacks	
A – Common lot line	0’ or 10’ (if provided)
B – Lot line abutting RMF-10/15	30’
Build To Line	
C – Building along primary street (min % of lot width)	70%
D – Building along side street (min % of lot depth)	35%
Parking Setbacks	
E – Primary street	30’
F – Side street	10’
G – Parking location	Behind building
Coverage	
H – Building (max)	60%
I – Impervious surface (max)	75 %

C. Height and Mass	
	
Building Height	
A – Building height	5 stories/60’
Story Height	
B – Ground story height floor to ceiling (min)	13’
C – Upper story height floor to ceiling (min)	9’
Building Mass	
D – Max length of upper story street-facing wall without offset	75’
E – Upper story street-facing wall offset depth (min)	4’
F – Upper story street facing wall offset length (min)	8’
G – Building length, street facing façade (max)	175’

D. Activation	
	
Transparency	
A – Ground story, primary street façade (min)	60%
B – Ground story, side street façade (min)	40%
C – Blank wall length, primary street (max)	30’
D – Blank wall length, side street (max)	40’
Functional Entries	
E – Functional entries (min)	70’
F – Area of garage or service bay openings along street-wall (max)	20%
Permitted Building Elements	
Porch	No
Stoop	No
Balcony	Yes
Awning/Canopy	Yes
Forecourt	Yes

6. Permitted Uses

Use	TOD-H	TOD-C	TOD-T
Residential Uses			
One Family Dwelling	X	P	P
Attached Dwelling & 2-Family Dwellings	X	P	P
Multi-Family Dwellings	P	P	P
Public/Civic Uses			
Public Schools	P	P	P
Community Purpose Building	P	P	P
Municipal Uses for Mt Vernon	P	P	P
Places of Worship	SP	SP	SP
Public Utility	SP	SP	SP
Use of Government Agencies	P	P	P
Commercial Uses			
Day Care Center	P	P	SP
Nursery School	P	P	SP
Domiciliary Care Facility	P	P	SP
University, College & Private School	SP	SP	SP
Off-Street Parking Facility	SP	SP	X
Business, Professional Offices	P	P	X
Retail	P	P	X
Personal Services	P	P	X
Museums & Art Galleries	P	P	X
Medical & Dental Offices	P	P	X
Medical Laboratories	P	P	X
Business & Trade Schools	P	P	X
Retail Laundries & Dry Cleaners	P	P	X
Hotels & Motels	P	P	X
Motor Vehicle Dealerships	SP	P	X
Bars, Nightclubs, Catering Halls	SP	SP	X
Bakeries, Retail	P	P	X
Restaurants	P	P	X
Restaurants, Carry-Out	P	P	X

7. Parking Requirements

A. Off-Street Parking Requirements

Use	Required Parking
Residential Uses	
Attached One Family Dwelling Units	1.75 per dwelling unit
Multifamily Dwellings in TOD-C	0.7 per dwelling unit containing no more than 2 bedrooms. 0.9 per dwelling unit containing more than 2 bedrooms
Multifamily Dwellings in TOD-C	1.0 per dwelling unit containing no more than 2 bedrooms. 1.25 per dwelling unit containing more than 2 bedrooms
Multifamily Dwellings in TOD-T	1.5 per dwelling unit containing no more than 2 bedrooms. 2.0 per dwelling unit containing more than 2 bedrooms
Non-Residential Uses	
Business, professional or governmental offices	1 per 650 square feet GFA
Retail stores, shops and personal service establishments	1 per 450 square feet GFA
Restaurants	1 per 5 seats or 1 per 300 square feet of GFA, whichever is greater

B. Shared Parking

C. Design & Layout

8. Design Guidelines

a. Architectural Details
b. Ground Floor Facades
c. Corner Building Wraps
d. Functional Entries
e. Building Off-Sets
f. Building Transitions
g. Building Materials
h. Windows and Doors
i. Awnings
j. Signs
k. Site Lighting
l. Building Services
m. Project Open Spaces
n. Streetscape
o. Traffic Calming
p. Pedestrian & Bicycle Circulation
q. Landscaping
r. Sustainability & Green Building

Examples of Design Guidelines

Ground Floor Facades

In the context of a transit oriented district where pedestrian activity is emphasized, the design and activation of the ground floor base is imperative.

The concept of "build-to-lines" assures that new buildings will front on public spaces. Creating visual interest along the base of the building, by assuring a high percentage of transparency in storefront windows. Façade details are encouraged to vary the building texture, highlight façade articulation and break-up the building mass.

The provision of antennas, air conditioning units or other similar fixtures, as well as security grates on the principal façade must be avoided.

Corner Building Wraps

Structures located on corner lots should be designed with multiple front facades to create a continuous pedestrian friendly and attractive public realm.

While one side of the building may support the primary entrance, both sides of the building on a corner lot must be functionally activated.

Service areas and building mechanical equipment should not be located along either building frontage on a corner lot.

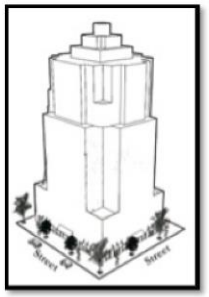
Examples of Design Guidelines

Building Off-Sets

Building off-sets serve to break-up large monotonous building facades and increase the amount of light and openness at the street level.

The MVW Building Type Regulations establish specific building mass requirements, which include building off-set provisions. These are established as minimum requirements. Further variations to facades are encouraged.

In instances when physical off-sets are impractical, an architectural element that alters the buildings façade plane can be utilized.



Awnings

Awnings over pedestrian walkways and sidewalks are encouraged to provide shade and rain protection while adding interest to a facade with shape and color. They are also effective in identifying a business.

Long expanses of awnings are discouraged. Awnings should have a pedestrian scale and be placed so as to provide weather protection and/or business identification to potential patrons of a business.

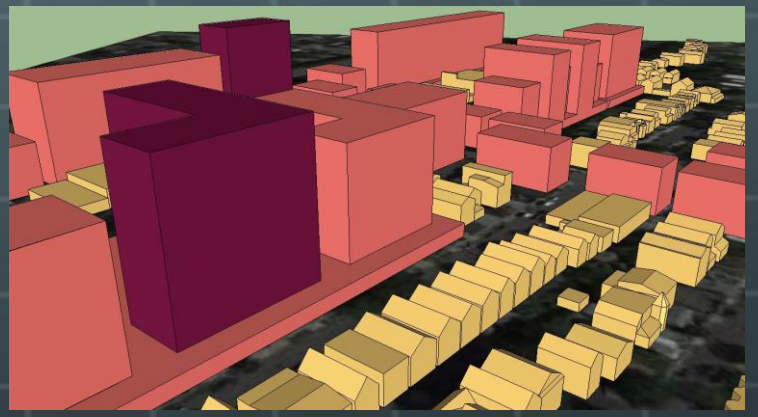
Awnings should be an enhancement to the building façade and should not obscure ornamental features of a building and should be proportional with and complimentary to nearby buildings and awnings.

Awnings are preferred to be a solid color. If stripes are used, subtle or muted colors are preferred. Striped awnings with highly contrasting, bright colors may be construed as visually blaring and inappropriate.

FACILITATING COMPATIBLE DEVELOPMENT – SEQRA AND THE GENERIC ENVIRONMENTAL IMPACT STATEMENT

- The new zoning must comply with SEQRA.
- The City prepared a Generic Environmental Impact Statement (GEIS) to evaluate the potential impacts of the proposed zoning, and to identify the required mitigation measures.
- Future projects that are consistent with the review thresholds established in the GEIS would need no further SEQRA review, or only well defined and limited review.
- This process will greatly reduce uncertainty and time delays in the approval process.

GEIS MODELING



FUNDING THE MOUNT VERNON WEST REZONING INITIATIVE

- Given the City's limited resources, funding for the Mount Vernon West Rezoning Initiative was sought from potential developers.
- Developers were eager to participate, recognizing the benefits in timing, costs and approval certainty for conforming projects.
- Potential developers funded an escrow account, which was drawn from to fund the rezoning initiative.
- The rezoning initiative was a City action. Now that the MVW zoning has been adopted, developers are free to advance individual development applications.

EXPEDITED REVIEW PROCESS

Three track review process:

- **No Review – Type II Actions**
- **Expedited Review (approval by Expedited Review Committee):**
  - **Project wholly located within MVW zone**
  - **No waivers or variances**
  - **Complies with SEQR Findings**
  - **Not a Type I Action**
  - **Does not exceed 249 dwelling units or 99,000 square feet of non-residential floor area.**
- **Full Review**

City of Yonkers, NY

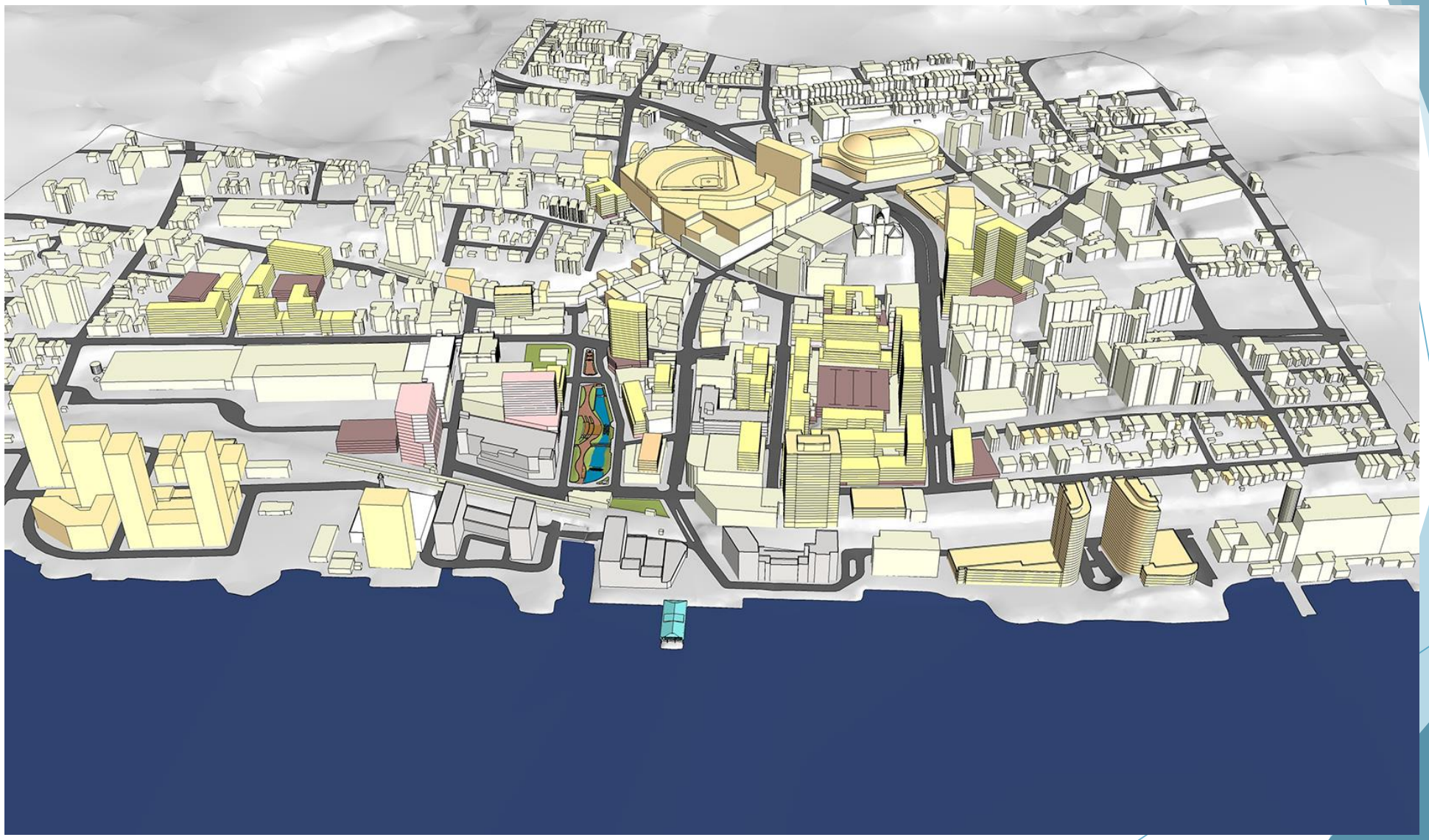
- Downtown rezoning (2011)

Rezoning Downtown Yonkers

Presentation to
Downtown Rezoning City Council Real Estate Committee
by
Commissioner Louis C. Kirven
9-14-2011


MARTIN'S
SKIBBA
2010

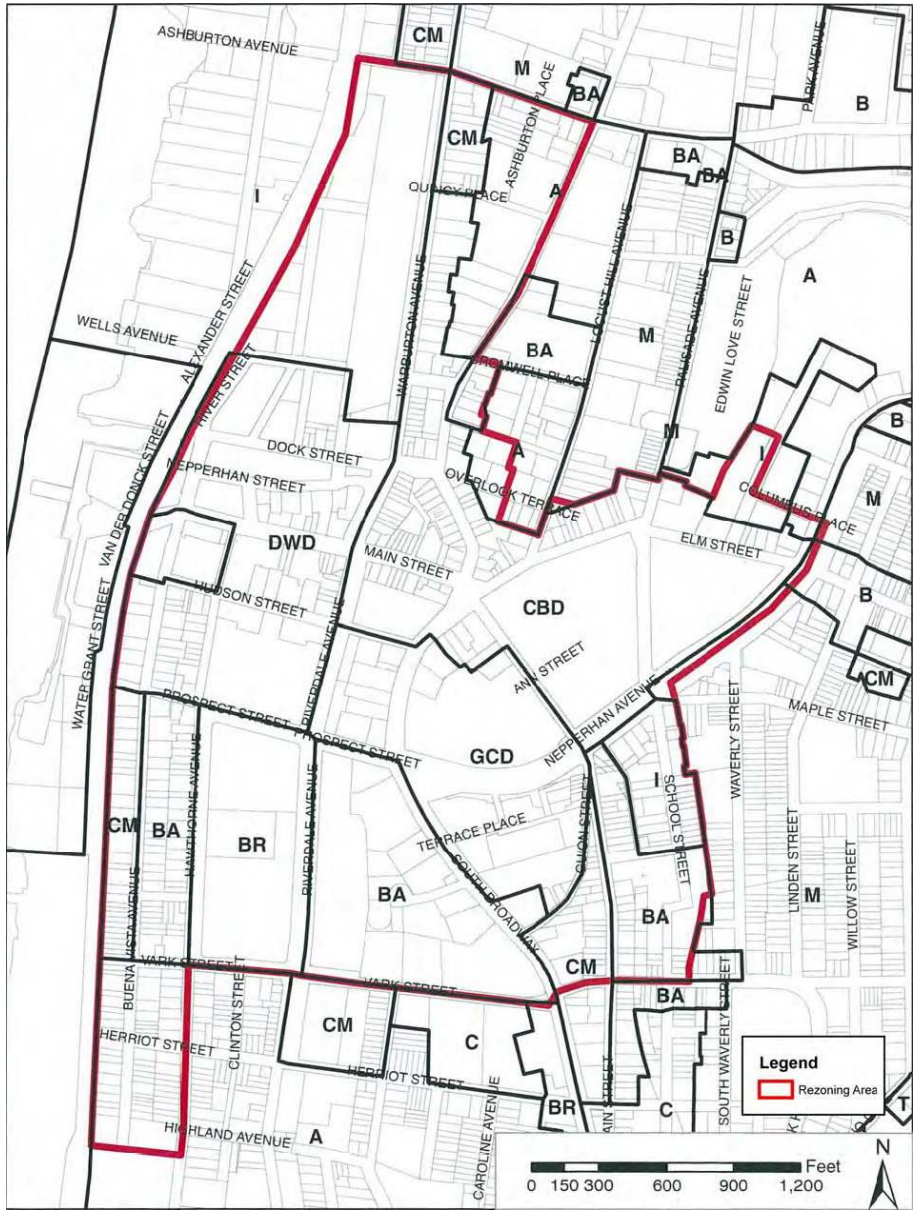
3-D Visual Modeling



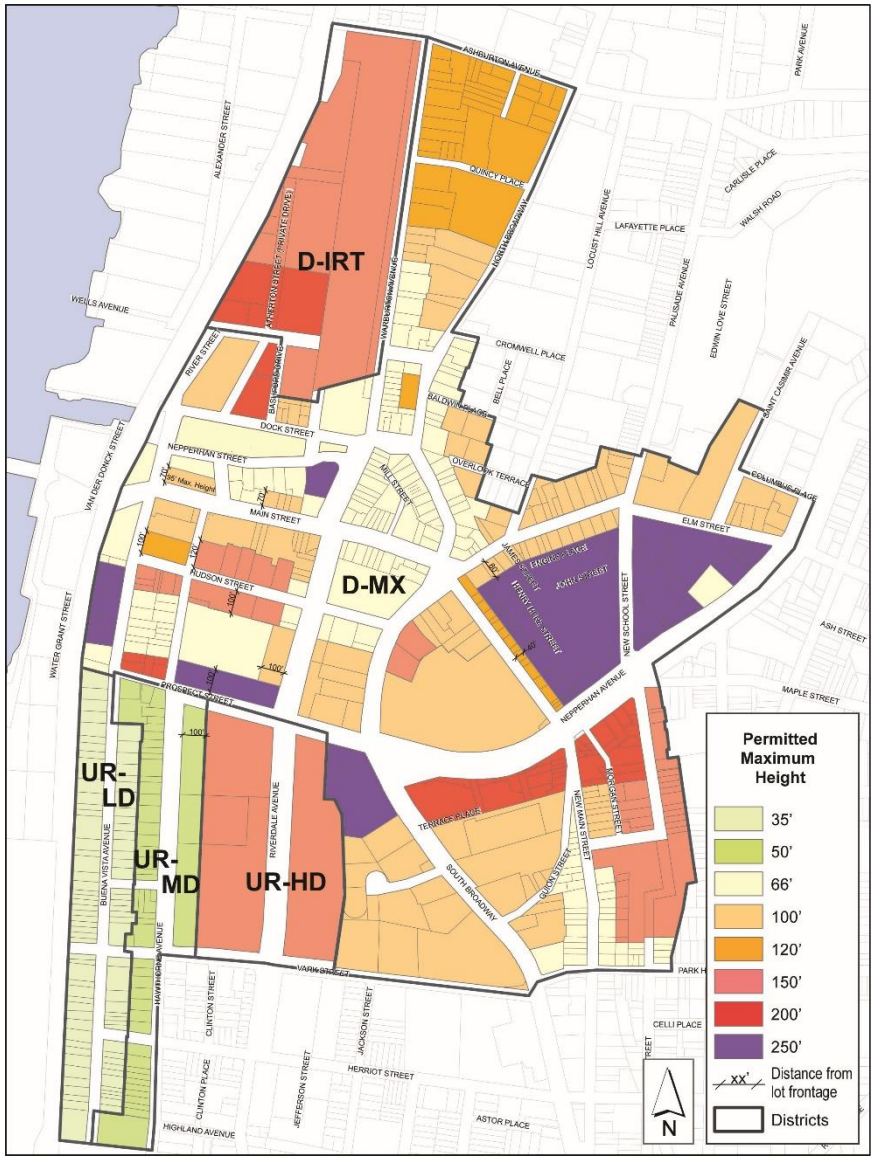
FORM BASED vs. TRADITIONAL ZONING

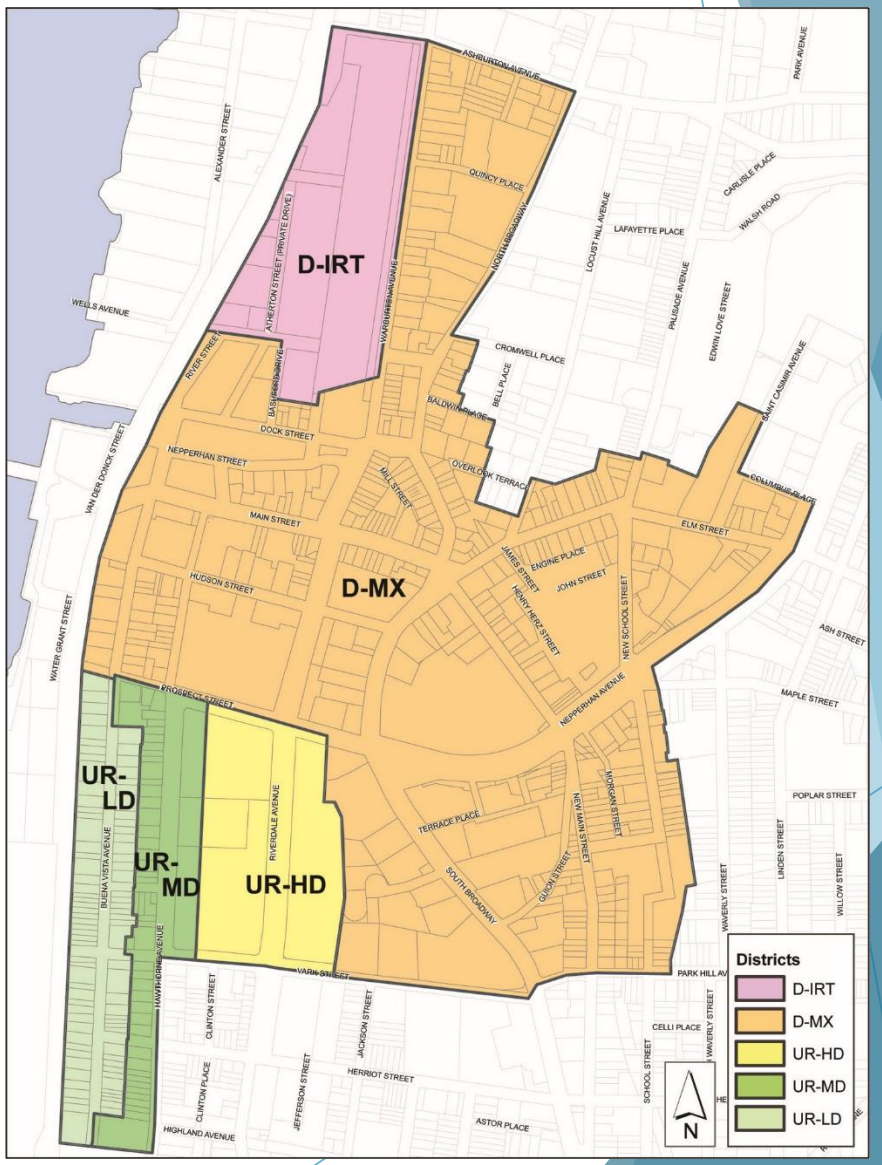
	Form-based	Traditional
Regulatory Focus	• Physical Urban Form	• Land Use
Goals	• Desirable Urban Form • Pedestrian Environment • Preservation of Community Character	• Land Use Separation • Management of Density & Building Height • Parking
Tools	• Smaller Area Layered Regulation • Build To vs. Set Back • Building Façade Crucial	• Block or Larger Districts • Set Back & Building Separation Regulations • Site Planning vs. Site & Building

Existing Downtown Districts



Proposed Zoning Maps





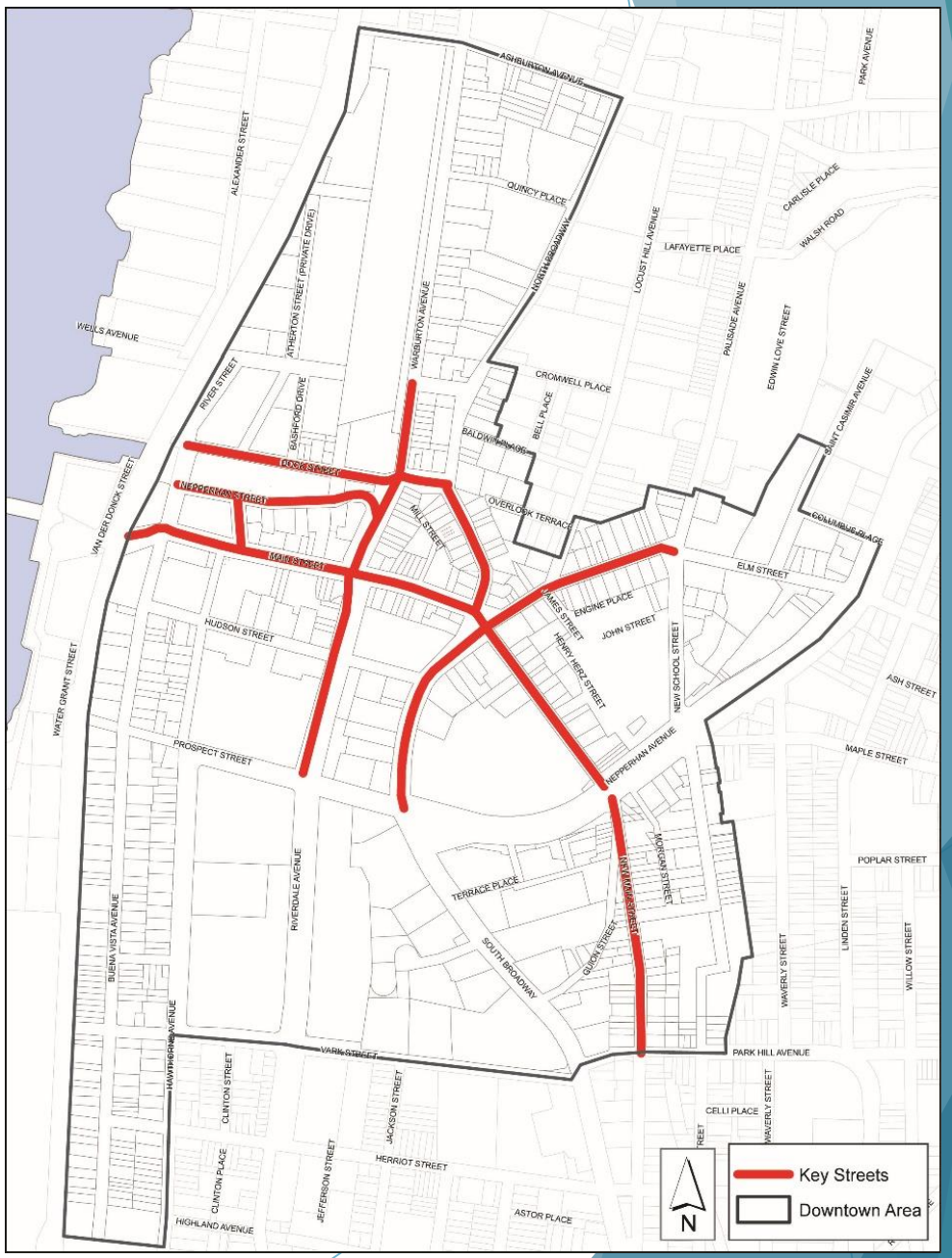
Key Streets

The purpose of the Key Streets is to

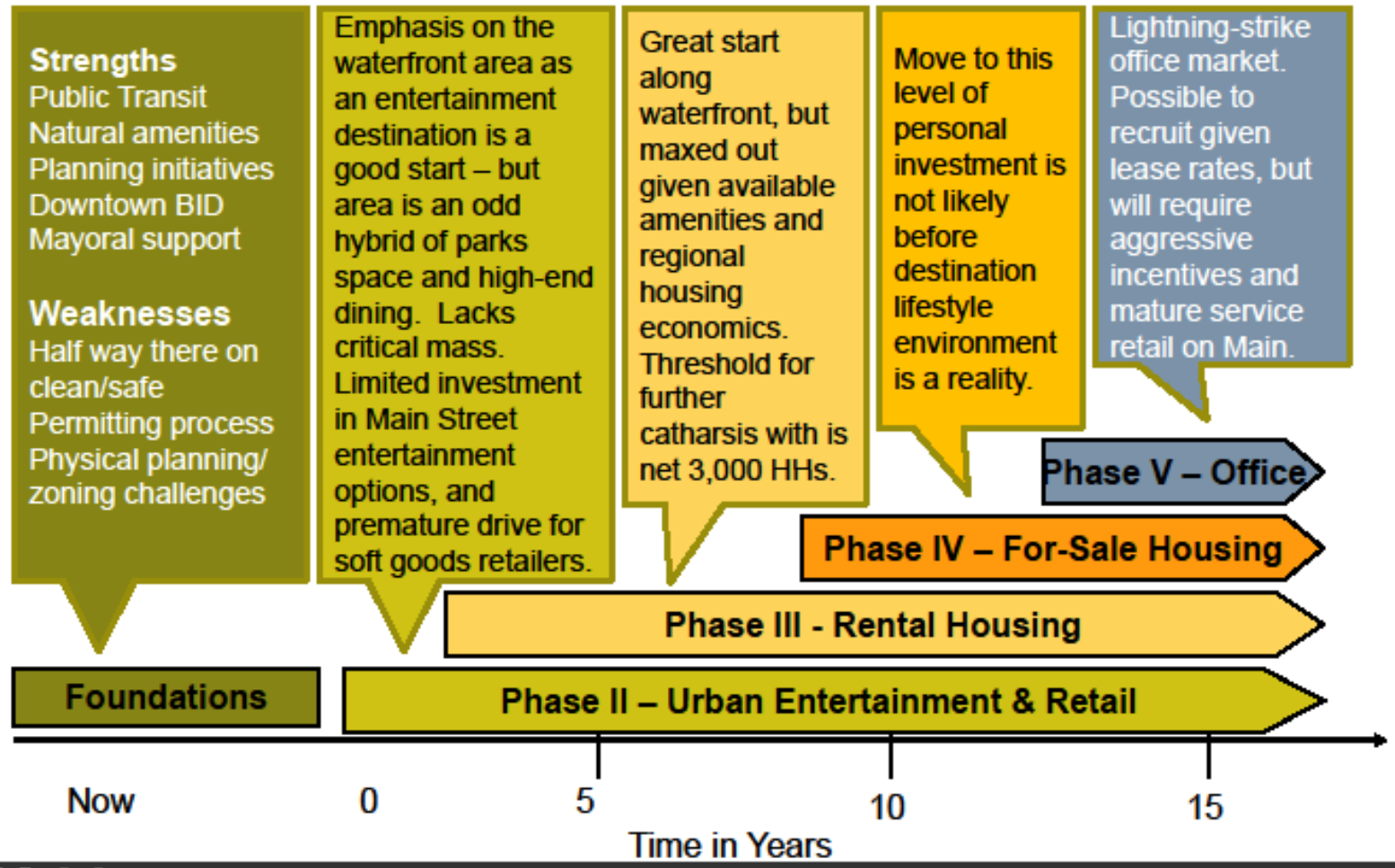
- preserve and enhance the pedestrian-oriented commercial environment.
- promote economic development focused on active uses such as retail, restaurants, service and entertainment uses.

To achieve this,

- Regulations require certain ground floor uses, a storefront design at the street level and increased transparency requirements.



DOWNTOWN YONKERS DEVELOPMENT TRAJECTORY
SOME ELEMENTS OF EARLY SUCCESS



RCLCO

Downtown Rezoning Consultants

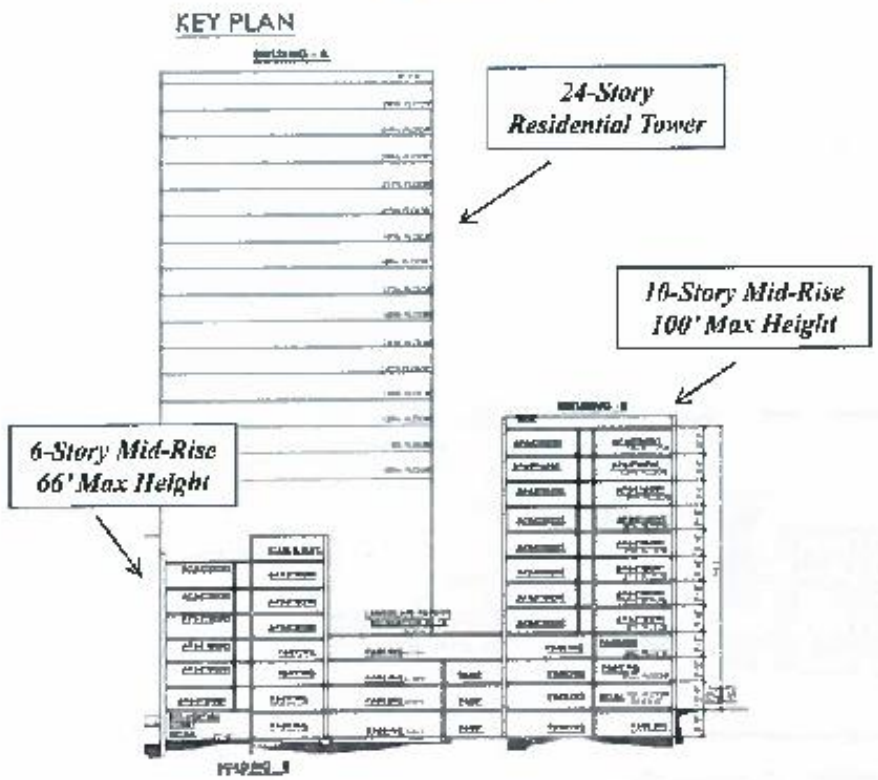
- Urban Design Associates (UDA) – Urban Design
- Fuss & O'Neill – Traffic and Transportation
- RCLCO – Market Analysis/ Economic Development
- Urban Simulation Project – Urban Design & Visual Simulation
- Camiros, Ltd. – Zoning
- Buckhurst Fish & Jacquemart – Environmental Analysis

Optimize Residential

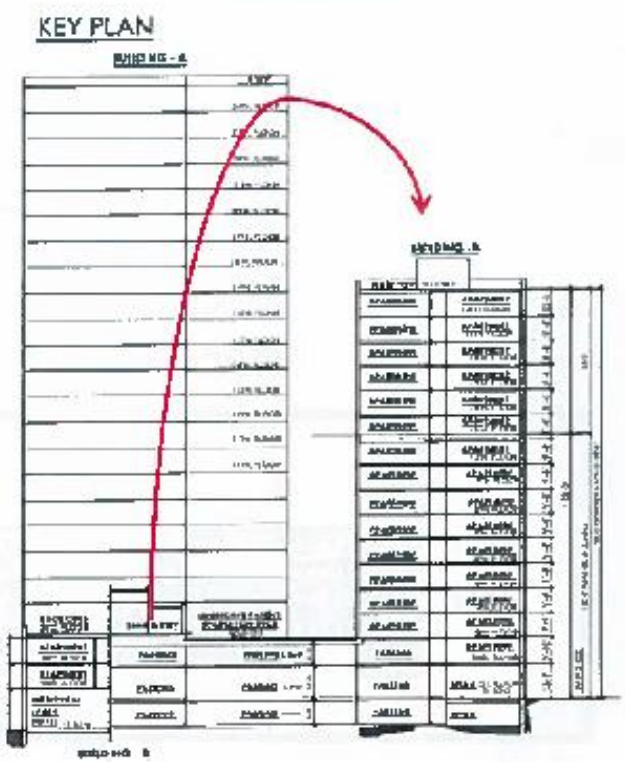
Transfer Nepperhan St. Residential to Main St.

RXR

Original Plan



Revised Plan



RXR/Rising Proposal

RXR

Proposed Rendering – Nepperhan St. Perspective

JOSEPH FERNANDEZ ARCHITECT, PC

PROJECT: 3-5 WELLS AVE YONKERS, NY
DATE: DECEMBER 13, 2016

Panel Discussion

References:

- Congress for New Urbanism www.cnu.org
- Form Based Codes Institute www.formbasedcodes.org
- American Planning Association https://planning.org/
- The Rules That Shape Urban Form Planning Advisory Service Report #570 (Elliott, Goebel and Meadows)
- Applying Form-Based Codes in the Real World (Elliott, Lorn, Russell, Voss)
- The Practicalities of Form-Based Codes (and How They're being Applied in Albany) (Dover and Elliott, 2016)
- Essential Smart Growth Fixes for Urban and Suburban Zoning Codes (US EPA 231-K-09-003; November 2009)
- City of Yonkers, NY www.yonkersny.gov
- Town of Babylon, NY www.townofbabylon.com
- City of Mount Vernon, NY www.cmvny.com

http://www.wmpf.org/

wmpf

Thank You!

Form Based Codes: Panel Discussion

Land Use & Sustainable Development Conference

December 7, 2017