



**Division of Local
Government Services**

Site Plan Review

A Division of the New York Department of State

Designating a review board

Governing board may retain review authority or delegate authority to review some or all uses to another board

- Planning board
- Zoning board of appeals as “original” jurisdiction
- Other authorized boards

Once delegated,
decisions are **not**
appealed to the
governing board



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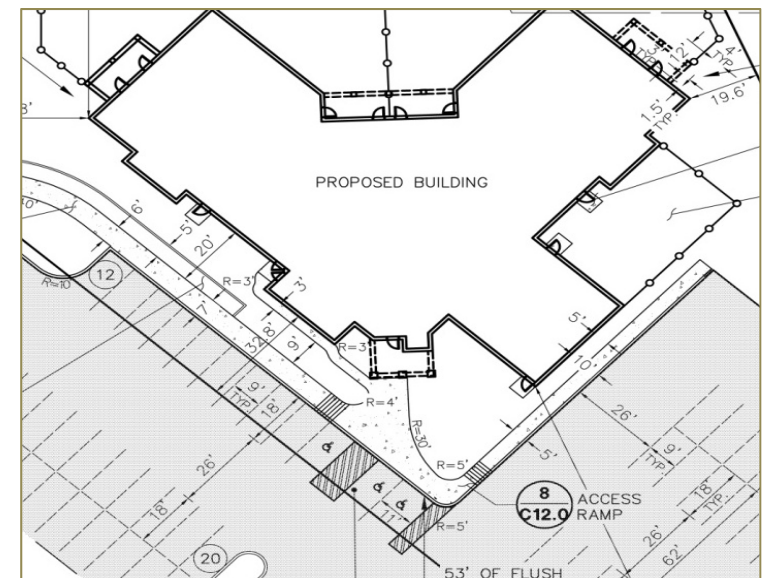
Site plan defined

Rendering, drawing, or sketch prepared to specifications, containing necessary elements (listed in zoning ordinance or local law), **which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on plan**

General City Law §27-a

Town Law §274-a

Village Law §7-725-a



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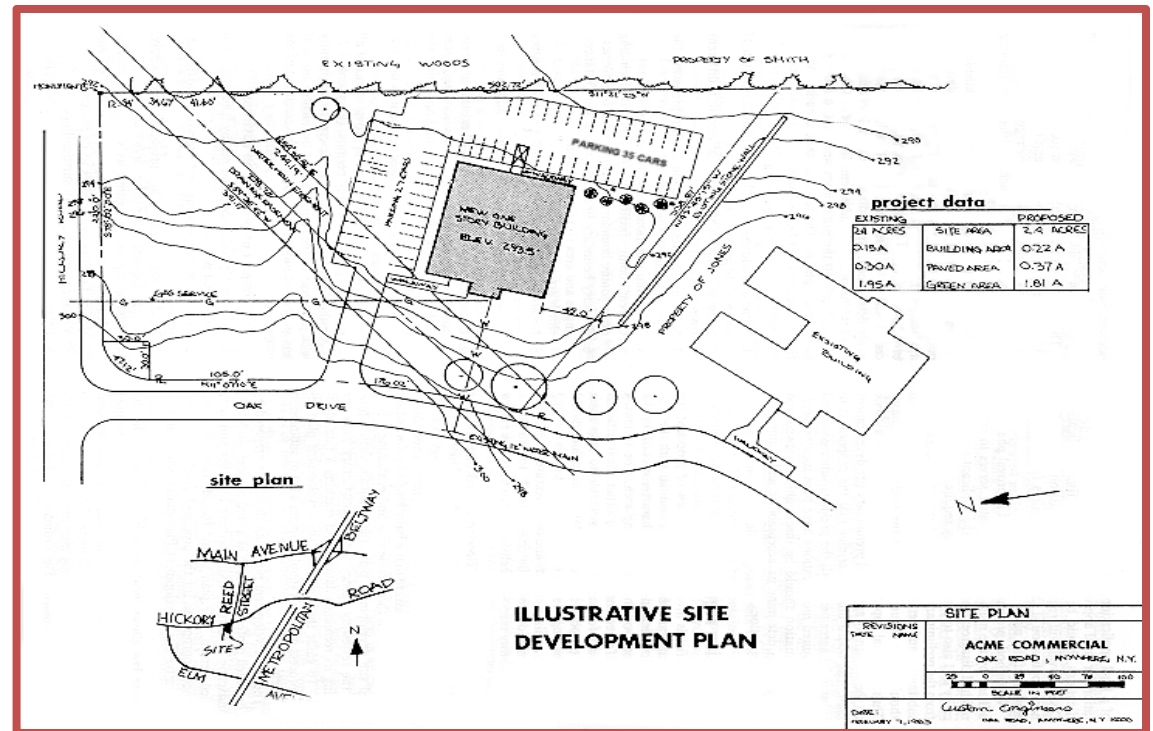
Focus on single piece of property

- Can be used without zoning
- Applicable to many uses
- Projects may range in size
- Change in use may trigger review
If provided for in local law
- Should be considered for
accordance with comprehensive
plan



Site plan layout & materials

- Survey map
- Location map
- Scale
 - Physical features
- Existing & proposed:
 - Buildings
 - Roads & site access
 - Parking & loading
 - Water & sewer
 - Stormwater
 - Other utilities



Sample detail sheet

- Utilities
- Stormwater
- Parking
- Landscaping
- Access
- Sidewalks
- Signage
- Lighting

1 STREET LIGHT-SHARP CUTOFF TYPE

2 POLE BASE-SHARP CUTOFF TYPE

3 POLE ANCHORING-SHARP CUTOFF TYPE

4 DRYWELL DETAIL - TYPE 'A'

5 DRYWELL DETAIL - TYPE 'B'

STRUCTURE TYPE	T & P DIM. (ELEVATION)	TOP OF SLAB ELEVATION	BASE SIZE	FINISHER ELEVATION
1-A	333.75	333.85	8" x 12"	333.00
2-A	333.50	321.40	8"	318.75
3-B	---	333.35	8" x 12"	333.00
4-A	333.25	322.15	8" x 12"	318.50
4-B	---	333.15	12"	318.50

6 DRYWELL STRUCTURE SCHEDULE

7 TYPE 1 DROP INLET-SHALLOW (AT PAVEMENT)

8 HANDICAP PARKING SIGN

9 TYPICAL PARKING LAYOUT DETAIL

PROJECT INFORMATION:
 CHURCH ST. MEDICAL OFFICE BUILDING
 N.Y.S. Route 9 / 381 Church Street
 Saratoga Springs, New York
 N.Y.C. DETAILS

PREPARED FOR:
 Fletcher Starnes, Jr., M.D.
 Fletcher Starnes, Jr., M.D.
 Architects
 1410 Broadway
 New York, N.Y. 10018
 Tel. (212) 512-1100

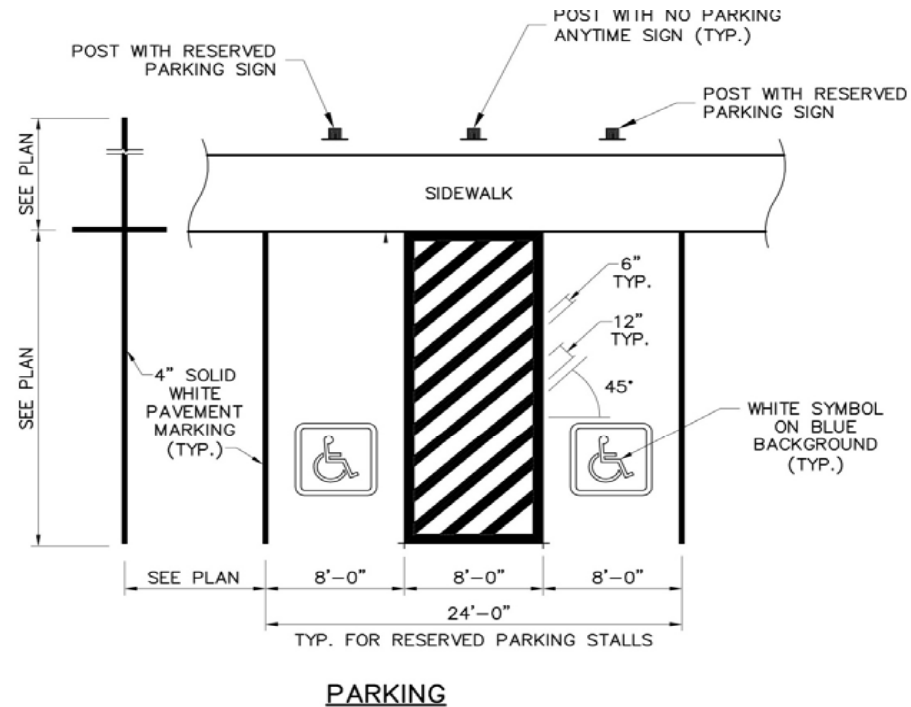
REVISIONS:
 01/10/10
 02/10/10
 03/10/10

DATE: 01/20/10
CAD #: 007070100
DRAWN BY: CMH

SCALE: 1/8" = 1'-0"

NOTES:
 1. CONCRETE SHALL BE KEPT DRY AND
 2. ALL SURFACES SHALL BE KEPT DRY AND

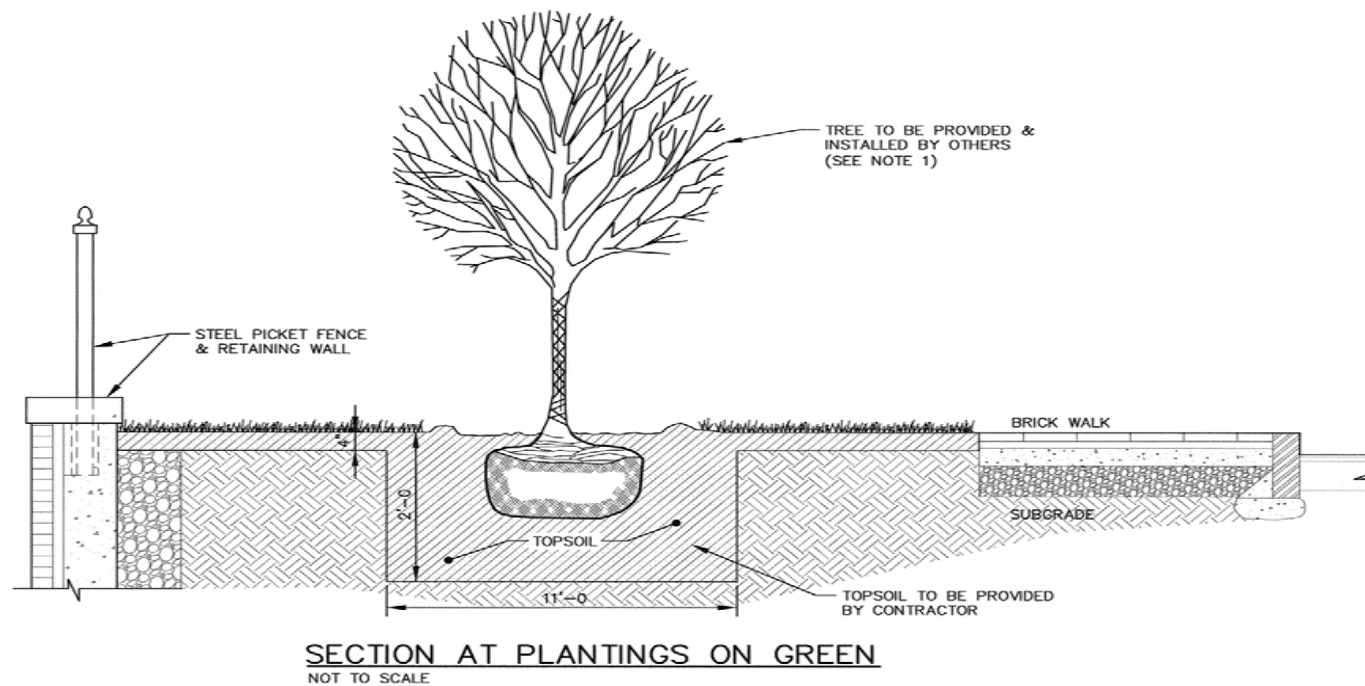
Parking detail



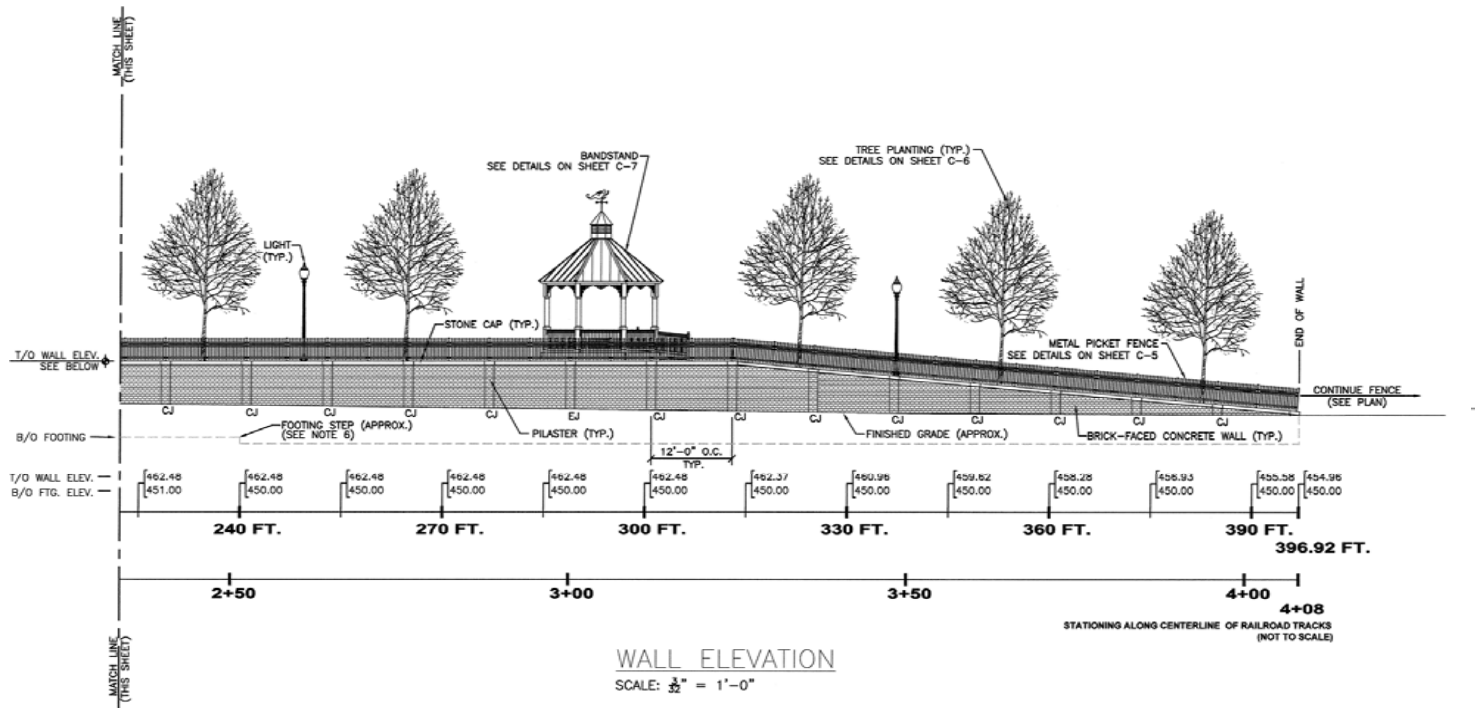
2

RESERVED PARKING STRIPING & SIGNAGE

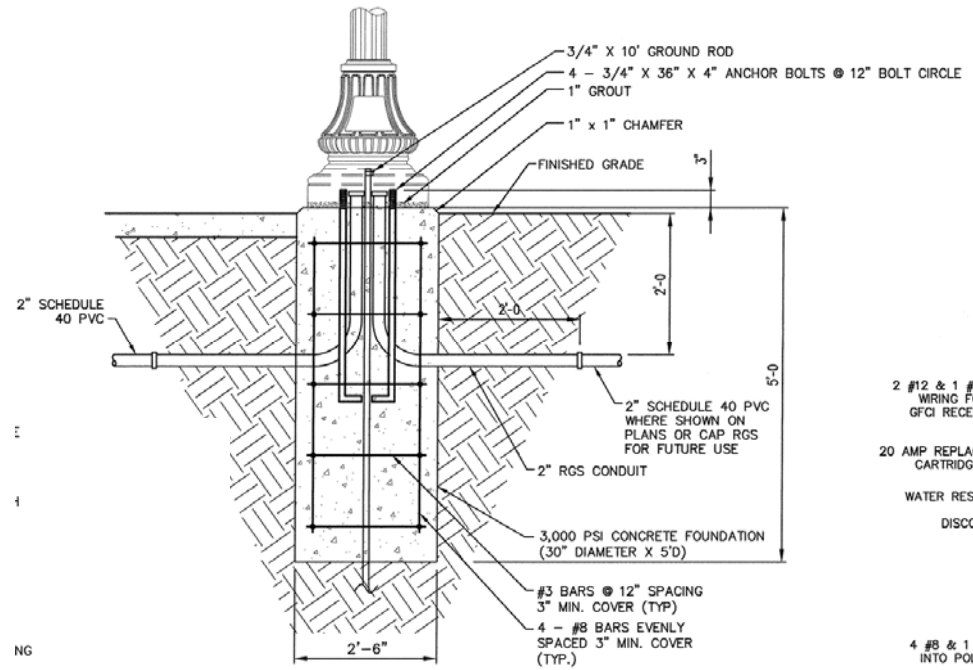
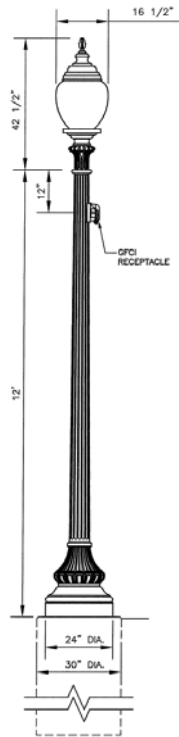
Tree & sidewalk detail



Landscaping detail



Lighting detail



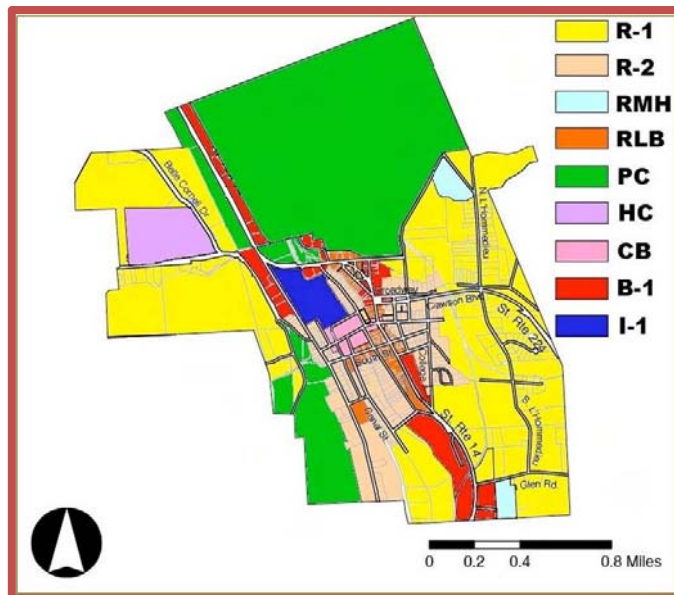
Uses subject to review

Certain uses
throughout community



Uses subject to review

Certain zoning districts



Uses subject to review

Certain uses
in overlay zones



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Local site plan review regulations

- Specify uses requiring site plan approval
- Specify review board
- Indicate who will enforce conditions
- Specify submission requirements
- List local procedures
 - Public hearings not required by statute
- List elements or criteria for review



Community resilience

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



Resilient Communities:

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



Resilience planning

Considers multiple systems to create vital communities:

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

Expand, conserve or revitalize natural protective features:

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



Examples of elements for review

- Proposed grades & contours
- Sewage & storm drainage
- Utilities
- Traffic, access & parking
- Building placement
- Architectural features
- Lighting & signage
- Screening & landscaping
- Relationship with adjacent uses

Only elements
specified by
governing board by
law or ordinance

Review elements

Grading & contouring
Stormwater & erosion control



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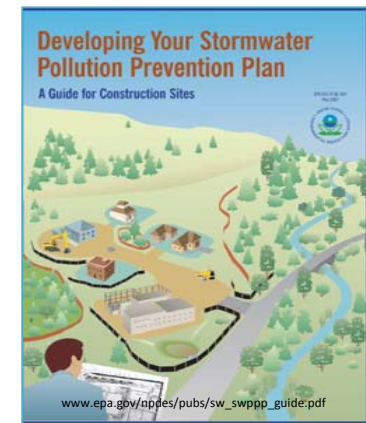
Review elements

Storm water pollution prevention plan (SWPPP)

- Reduce runoff rate & volume
- Remove pollutants from runoff generated on development sites

Natural alternatives to engineered systems:

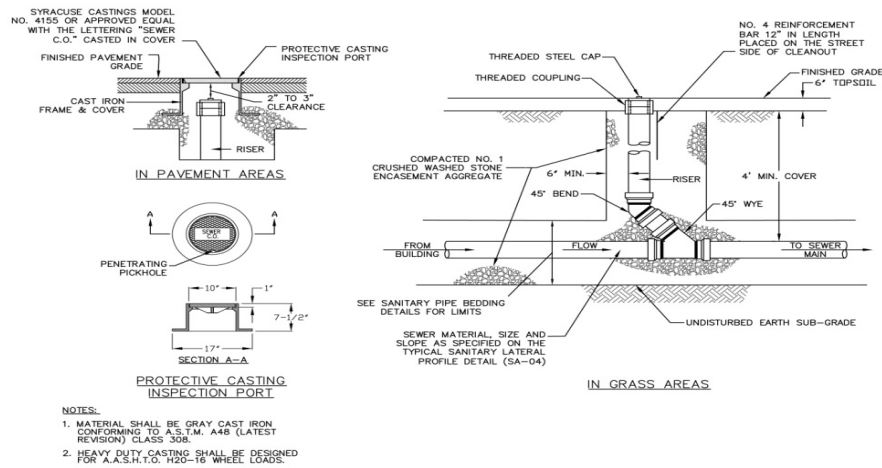
- LID (Low Impact Development): preserve natural drainage features & patterns
- Green Infrastructure: use vegetation & soil to manage rainwater where it falls



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Review elements

Utilities



6 SANITARY LATERAL CLEANOUT

Review elements

Traffic impacts



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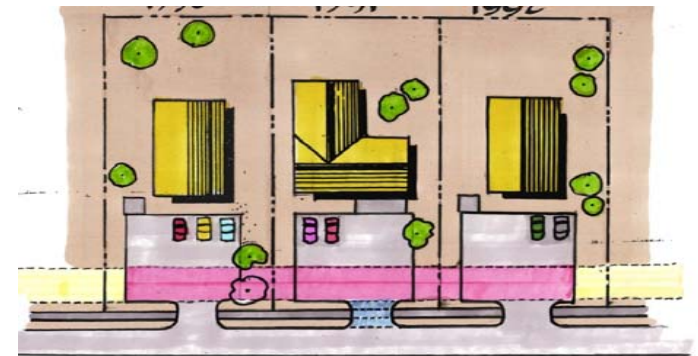
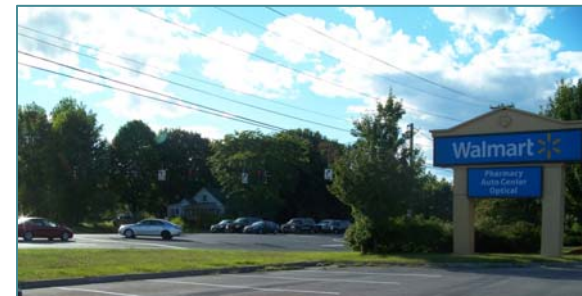
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Land Use	≥100 Peak Hour Trip Thresholds
Single Family Home	95 residential dwelling units
Apartment (renter occupied)	150 residential dwelling units
Condominium/Townhouse (owner occupied)	190 residential dwelling units
Mobile Home Park	170 residential dwelling units
Shopping Center	6,000 square feet (gross floor area)
Fast Food Restaurant with Drive-in	3,000 square feet (gross floor area)
Gas Station with Convenience Store	7 fueling positions
Bank with Drive-in	3,000 square feet (gross floor area)
General Office	67,000 square feet (gross floor area)
Medical/Dental Office	31,000 square feet (gross floor area)
Research and Development Facility	73,000 square feet (gross floor area)
Light Industrial/Warehousing	180,000 square feet (gross floor area)
Manufacturing Plant	149,000 square feet (gross floor area)
Park-and-Ride Lot with Bus Service	170 parking spaces
Hotel/Motel	250 rooms

Review elements

Access management

- Limit access points
 - Increase spacing
- Sight distance
- Intersections
- Side road access
- Internal roads
- Parallel access roads



Limit Access: Parallel Road

Review elements

Ingress & egress



Review elements

Parking & internal traffic patterns



Review elements

Pedestrian friendly parking placement

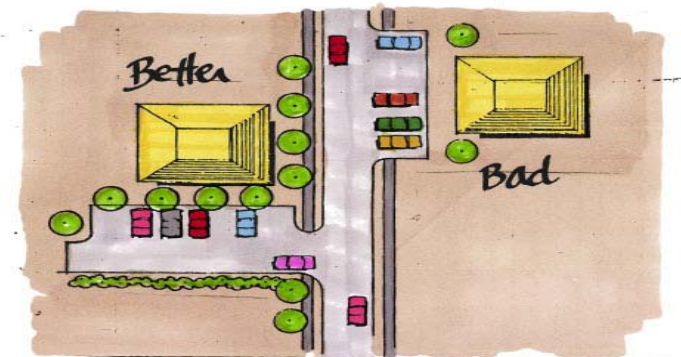
This is not what we mean by parking in the rear of the building



Review elements

Pedestrian friendly parking placement

- In many places, cars are the priority
 - Not people
- Better building orientation
 - Pedestrian friendly
 - Scale
 - Visual interest
 - Access



Review elements

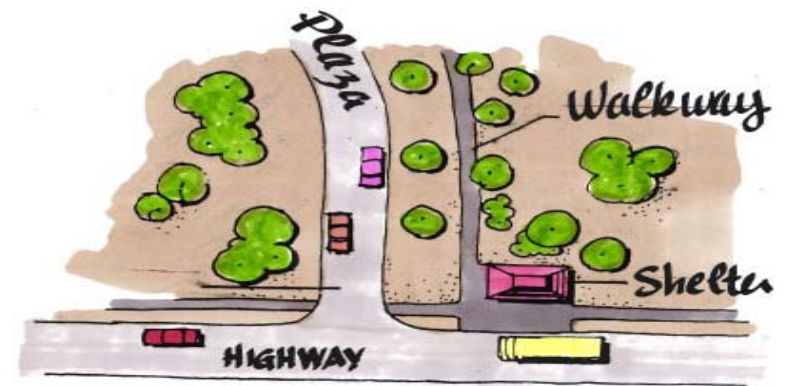
Pedestrian friendly

- Architectural features
- Building orientation



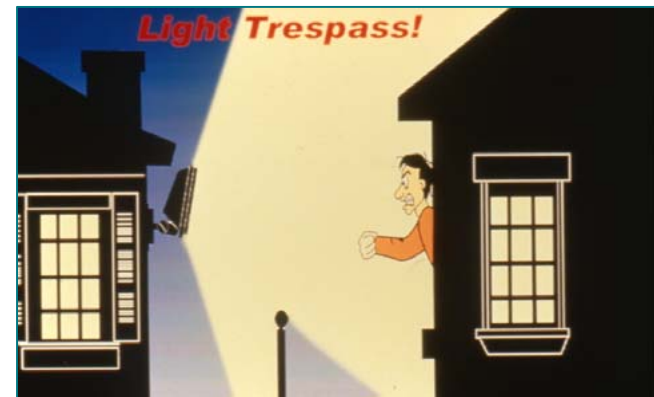
Review elements

Pedestrian friendly
internal circulation



Review elements

Lighting & noise



Review elements

Landscaping, buffering & snow storage



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SEQR compliance

- Must complete SEQR before making final local decision
- Require Environmental Assessment Form (EAF) with application submission
- Establish lead agency if coordinated review
- Make determination of significance
 - Positive (EIS required) or negative declaration
- “Complete application”
 - Negative declaration issued
 - Positive declaration issued and Draft Environmental Impact Statement (DEIS) accepted for public review
 - NYCRR Part 617.3



Public hearing

- Not statutorily required, but could be required locally
- Hold within 62 days of “complete application” (SEQR)
- If DEIS hearing, hold in conjunction with SP hearing
- Open Meetings Law
- Publish legal notice in newspaper of general circulation at least 5 days prior
 - Extend to at least 14 days when DEIS hearing
- Mail notice 10 days prior:
 - Applicant
 - County planning (GML 239-m) if applicable
 - Adjacent municipality (GML 239-nn) if applicable



County referrals GML §239-m

Must be referred to County Planning Agency if within 500 feet of the boundary of:

- Municipality
- State or county park or recreation area
- R-O-W of state or county road
- R-O-W of county-owned stream or drainage channel
- State or county land on which a public building is located
- Farm operation in a state agricultural district
 - Except for area variances

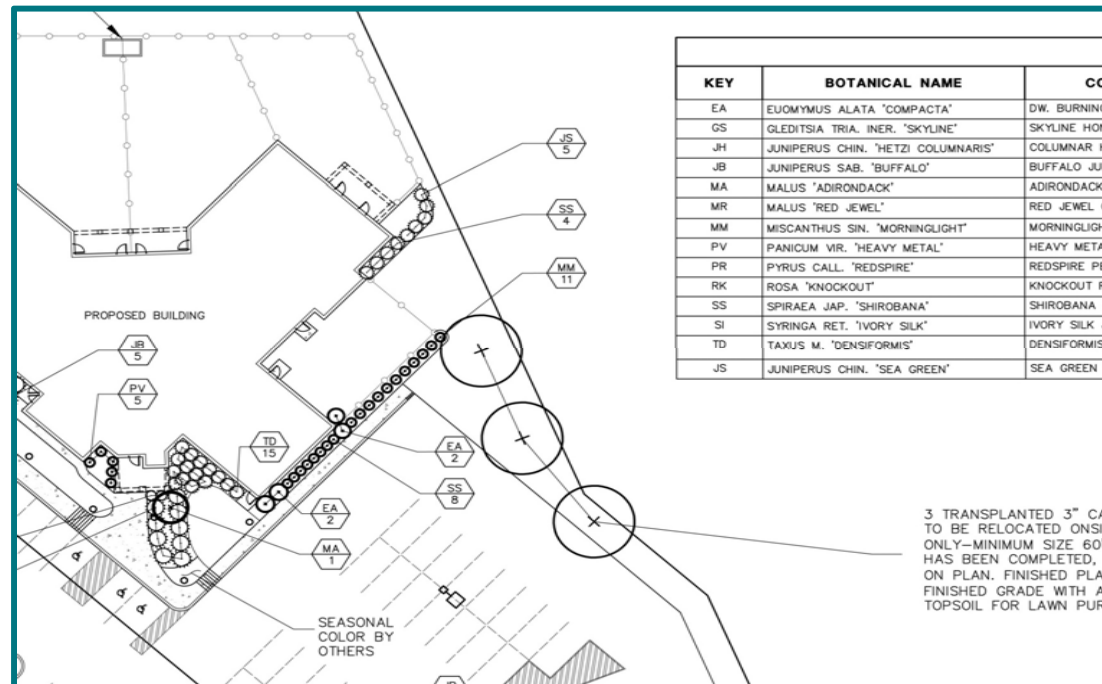
Notice to adjacent municipalities

- GML § 239-nn requires notice of public hearings held for approvals on property within 500 feet from municipal boundary for:
 - Site plan review
 - Special use permit
 - Subdivision review
- Notice clerk of adjacent municipality at least 10 days prior to public hearing by mail or email



Direct appeal

An area variance application may be made by applicant directly to ZBA



Ability to place conditions

- “...directly related to and incidental to a proposed site plan”
- For example:
landscaping; drainage



Waiver of requirements

Review board may waive submission or permit requirements if:

- Authorized by governing board
- Deemed unnecessary in interest of public health, safety or general welfare or inappropriate to particular property



Example: Waiver of screening with existing natural buffer



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Parkland

Land or money in lieu of parkland for residential recreation needs



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Security agreements

If improvement will not be installed prior to issuance of certificate of occupancy, be sure to get a security agreement

- Cash in escrow
- Performance bond
- Letter of credit



Decision and appeals

- Must render within 62 days after close of hearing
- File with municipal clerk within 5 business days
 - 30 day statute of limitations for appeal
- Decisions are not appealed to governing board
- Aggrieved parties may file appeals under Article 78 Civil Practice Law and Rules
 - NYS Supreme Court
 - Appellate Division
 - Court of Appeals

Enforcement

- Authorize zoning or code enforcement officer to enforce site plan is completed as agreed & any conditions imposed
- Could be stated in site plan local law, zoning code, or statement of CEO/ZEO duties



Require that approval conditions must be met to extent practicable prior to issuance of certificate of occupancy or compliance

New York Department of State

(518) 473-3355

Training Unit

(518) 474-6740

Counsel's Office

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Website: www.dos.ny.gov

www.dos.ny.gov/lg/lut/index.html



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