

THE COMPREHENSIVE PLAN

New York State Department of State

What is a comprehensive plan?



- Expression of municipality's goals and recommended action to achieve those goals
- Outline for orderly growth, providing continued guidance for decision-making
- Document focusing on immediate and long-range protection, enhancement, growth and development
- Defined in statutes

Why is the comprehensive plan so important?



- Zoning must be in accordance with plan
- Defense against spot zoning challenges
- Can provide basis for other actions affecting development
 - Grant applications
 - Government agencies' capital projects on land in plan shall consider that municipality's plan

When to update your plan

How old
is your
existing plan?



Periodic review provision

When to update your plan



Rapid growth or decline

When to update your plan



New infrastructure needed

When to update your plan



Special places are disappearing

When to update your plan



Significant environmental or economic changes

When to update your plan



Current regulations allow development inconsistent with community character

Planning board's role - development

- Entire PB acts as 'Special Board' to draft or oversee drafting of plan
- Independent 'Special Board' with at least one PB member
- Make recommendations to local governing board on plan prepared by other 'Special Board'
- Board preparing plan must have **Public Hearing**
- Adoption is by Governing Board not PB or 'Special Board'



Governing board's role - adoption

- Action by governing board needed to **implement or amend** plan
- **Public hearing** within 90 days of receiving draft plan
- Governing board also responsible for:
 - Amending land use regulations
 - Developing design guidelines
 - Budgeting for capital improvements
 - Applying for appropriate state, federal and privately funded programs

Public's role - participation

- Public hearings
- Informing the public
 - Open meetings
 - Local news media
 - Access to materials
- Involving public
 - Surveys
 - Informational sessions
 - Ongoing outreach
 - Design charrette



Identify community stakeholders



- Business owners
- Civic leaders
- Elected officials
- Environmental experts
- Planning Board and ZBA

Getting started

- Governing Board determines plan preparation lead
- Create a budget
- Check your current plan (if one exists)
- Review the Comp Plan statute

General City Law	§28-a
Town Law	§272-a
Village Law	§7-722

Possible Leaders:

- Governing Board
- Planning Board
- Special Board

Assistance From:

- County planning department
- Consultant
- Others:
 - College students
 - Retired workers
 - Municipal employees
 - Resident experts
 - County planning staff

Who will draft the plan?



- ☐ Comprehensive Plan Committee
- ☐ Municipal planner
- ☐ Municipal engineer
- ☐ Municipal attorney
- ☐ County planners
- ☐ Planning consultant
- ☐ Not-for-profit consultant
- ☐ Combination of the above

Using a consultant

Consultants
may provide
an unbiased
community view



- Role in plan preparation varies
- Interview and check references
- Identify staff assigned to plan
- Consider relevance of their experience
- Identify any subcontractors

The comprehensive plan in 8 steps

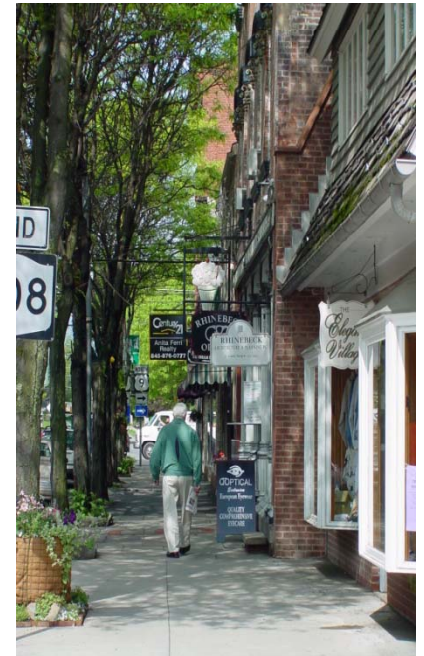
1. Identify issues
2. List goals
3. Survey
4. Prepare plan
5. Consider alternatives
6. Adopt plan
7. Implement plan
8. Evaluate plan



Step 1: identify issues

What are your S.W.O.T.s ?

- **S**trengths
- **W**eaknesses
- **O**pportunities
- **T**hreats



Step 2: identify goals

- Based on identified issues (SWOTs)
- Goals become priorities for future policy development decisions
- Goals are measurable and achievable



Town of Ledyard



Town of Ledyard Comprehensive Plan

Ledyard's goals



Farmland
protection

Farming
opportunities

Environmental
stewardship

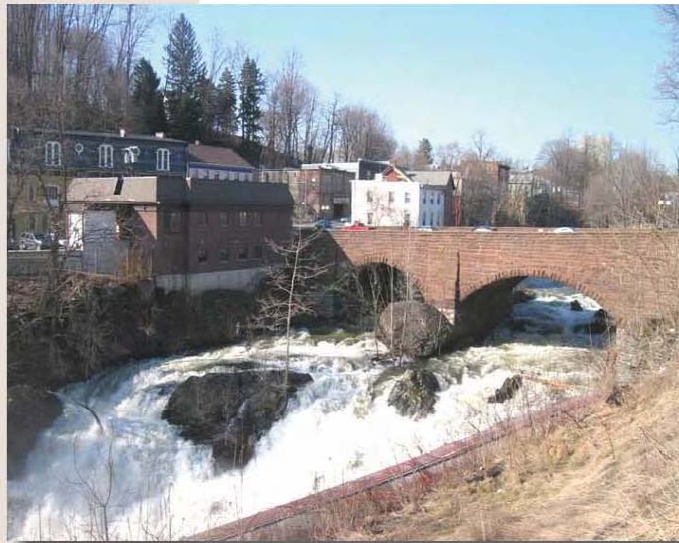
Ledyard's recommended actions

1. Ag zoning district to support farming
2. Subdivision law to reduce impacts of new development on farm operations/active farmland
3. Maintain lower property taxes for farmlands
4. Site infrastructure away from farmland
5. Conserve natural resources



Village of Wappingers Falls

WAPPINGERS FALLS VISION PLAN



"A public visioning process to promote pedestrian access and develop environmental tourism as catalysts for Village revitalization."

Wappingers Falls: goals



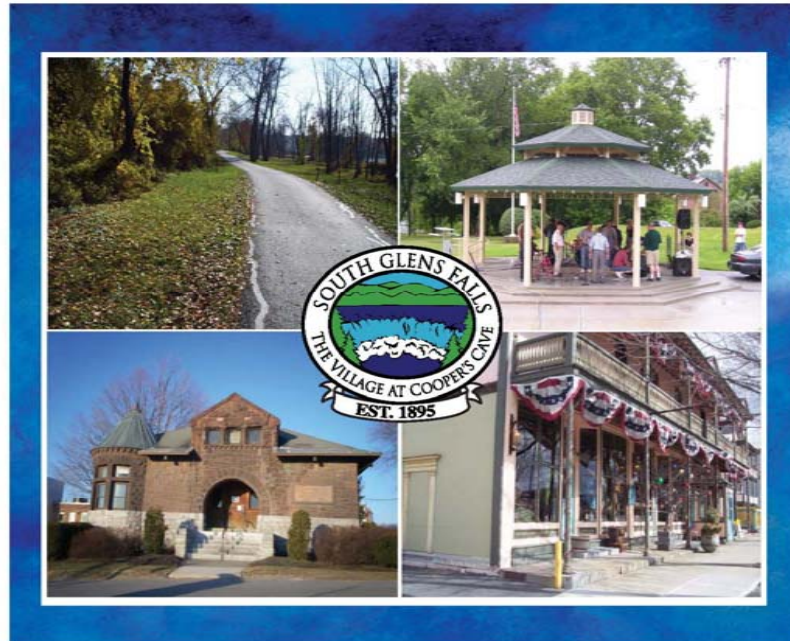
Wappingers Falls' recommended actions



- Central business district revitalization
- Streetscape improvements
- Walkability/readability
- Park and open space improvements

Village of South Glens Falls

VILLAGE OF SOUTH GLENS FALLS SARATOGA COUNTY, NEW YORK



COMPREHENSIVE PLAN

JULY 2008



South Glens Falls' goals

- ❑ Provide affordable and accessible housing options
- ❑ Preserve/enhance existing neighborhoods through maintenance programs
- ❑ Promote new construction in harmony with existing neighborhoods



S. Glens Falls' recommended actions

- Update the Zoning Code:
 - ▣ Allow senior housing and assisted living facilities by SUP
 - ▣ Define and allow accessory and in-law apartments as alternative housing opportunities
- Create walkable/connected neighborhoods:
 - ▣ link new housing to existing residential/commercial areas with access roads, sidewalks and trails
- Work with surrounding counties' DSS to enforce temporary housing health and safety codes



Step 3: Survey



ENVIRONMENT

- Natural features
- Endangered species
- Wind

Water resources
Minerals, soils
Gases



PUBLIC SERVICES

- Schools
- Fire/police
- Waste/utilities
- Hospitals

Civic Centers
Senior Centers
Libraries



TRANSPORTATION

- Streets/roads
- RR/airport
- Public transit
- Accident rates

Sidewalks
Parking
Bicycle lanes

More research areas

demographics

- Senior citizens
- School aged kids
- College students
- Seasonal residents
- Seasonal workers
- Immigrants
- Household income

housing

- Types
- Number of units
- Age
- Quality
- Value
- Vacancy rates

economics

- Project effects of economic trends on community's future
- Regional employment
- Changes in local business industry
- Tourism
- Retail leakage

A few more...



Agriculture

- Farmland protection
- Agro-tourism
- Farmer's markets



Historic/cultural /archeological resources

- State and Federal historic sites and structures
- Native American sites



Parks and recreation

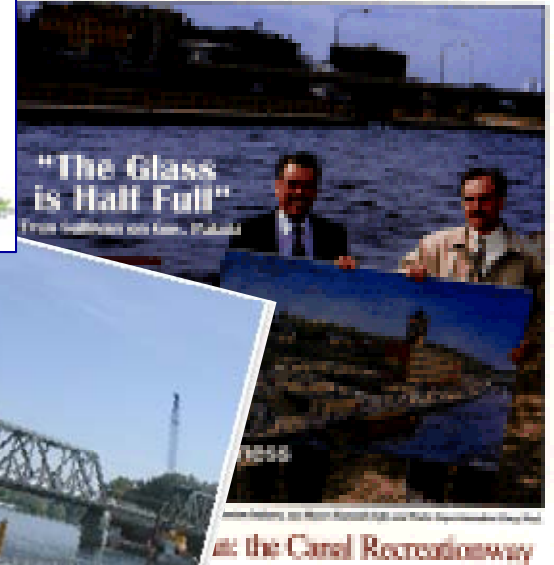
- Trails
- Regional connections
- Open space preservation

Consider plans from others

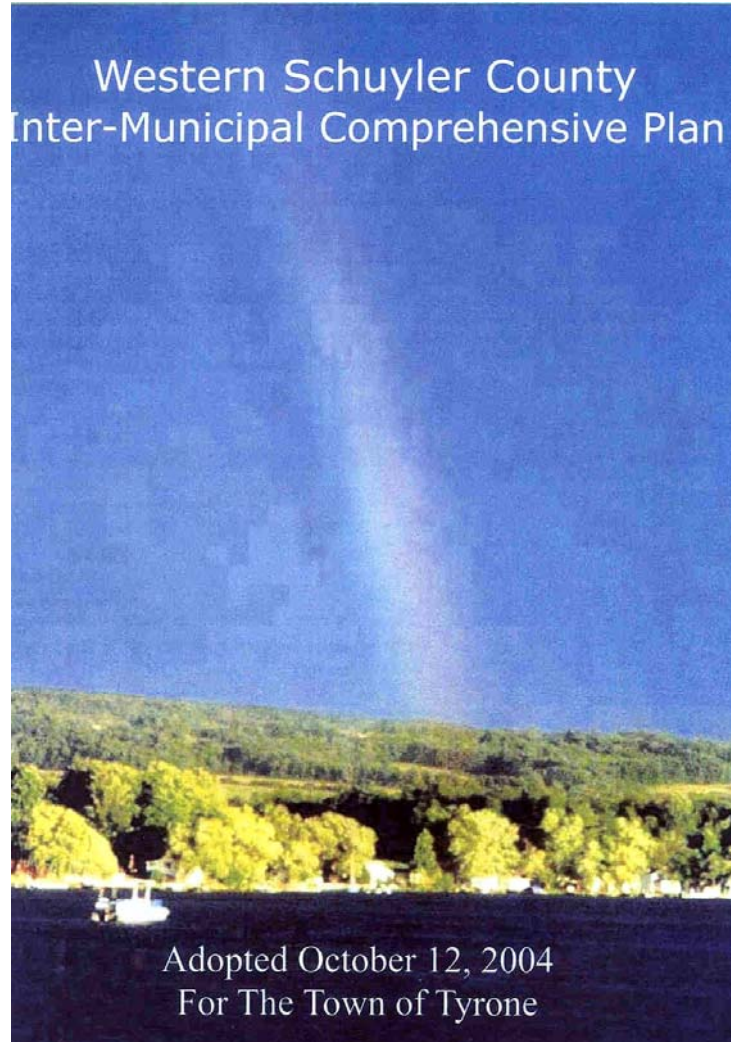
- County farmland protection plans
- Coastal resource plans
- State open space plan
- County economic development plan
- Neighboring municipalities
- DOT regional office
- School district
- Canal recreationway plan



OSWEGO COUNTY BUSINESS



What's in a Plan?



Sample table of contents

1. Introduction and/or executive summary
2. Existing conditions
3. Trends
4. Environmental framework
5. Development goals & policies
6. Land use constraints & opportunities
7. Land use development plan
8. Fiscal impacts
9. Implementation strategies
10. Maps
11. Appendices
 - surveys
 - public meeting notes/summaries,
 - regulations
 - design guidelines,
 - budgets for capital improvements,
 - grant applications

When do you have enough research to begin writing?

- Primary concerns are addressed
- Public meetings held (statutorily required and others)
 - ▣ All Special Board meetings are open to the public
- Monitor consultant's progress
 - ▣ Review work early to ensure consistency with community's vision

Step 4: Draft plan

Have at
least one
public
hearing
during plan
preparation

- SEQRA review
- Agricultural review (if necessary)
- County planning review



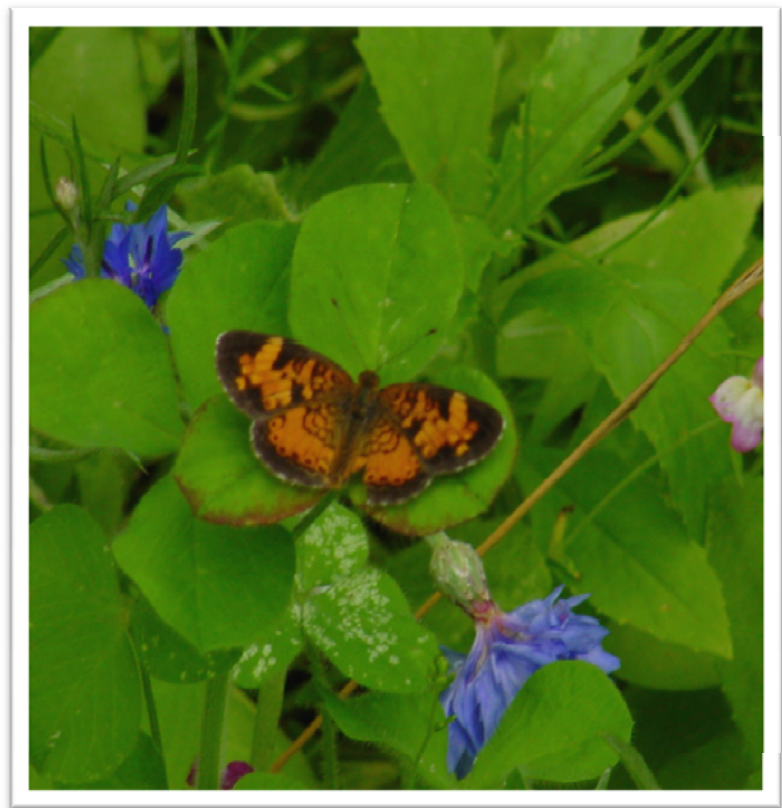
County planning agency review

Local
actions can
affect
regional
growth

- Governing Board must refer plan to County PB for review
- County review looks for county-wide or intermunicipal impacts
- GML §239-m

Environmental review

- Plan adoption is “Type I Action”
(potential significant adverse environmental impact presumed)
- Full EAF required
- EIS may be required
- May serve as Generic EIS
- Include thresholds and conditions triggering site specific EIS



Agricultural review

- Plan is subject to requirements of AML Article 25-AA (§305a)
- Also consider county agriculture/farmland protection plans



See DOS publication:
“Local Laws and Agricultural Districts:
How do they Relate?”

Step 5: Evaluate alternatives



- Are goals achievable financially?
- Are there more attainable/sustainable alternatives?
- What are cost effective ways to achieve goals?

Step 6: Adopt plan

What happens if plan is not adopted?

Capital projects from other governmental agencies may proceed without considering comp plan.

- Governing Board adopts plan
- May do so by resolution



Step 7: Implement plan

Suggestions to promote concepts outlined in plan:

- Amend land use regulations
- Develop design guidelines
- Budget for capital improvements



Step 8: Evaluate plan



Plan must include
maximum intervals for review

- ▣ General City Law §28-a (11)
- ▣ Town Law §272-a (10)
- ▣ Village Law §7-722 (10)

As policy-making
changes and
physical
characteristics of
the community
change, the plan
should change.

Funding sources



- NYS DOS Shared Municipal Services Incentive (SMSI)
- NYS Smart Growth for designated geographic areas
- NYS DOS Local Waterfront Revitalization Program (funded through the Environmental Protection Fund)
- NYS Dept. of Ag and Markets funds up to \$25,000 for agricultural protection components of plans
- Metropolitan Planning Organizations (MPOs)
- CDTC for corridor plans/studies and implementation

Resources

- “A Practical Guide to Comprehensive Planning,” NY Planning Federation (2000):
www.nypf.org/publications.htm
- Pace Law School Land Use Law Center:
www.pace.edu/school-of-law/centers-and-special-programs/centers/land-use-law-center-0
- New York Department of State:
www.dos.ny.gov/LG/publications/Zoning_and_the_Comprehensive_Plan.pdf
- The Community Planning Website: www.communityplanning.net/index.php
- Design Charrette website: www.charrettecenter.net
- Planning Commissioners’ Journal: www.plannersweb.com

Contacting the Department of State

(518) 473-3355 Training Unit

(518) 474-6740 Legal Department

(800) 367-8488 Toll Free



Email: localgov@dos.state.ny.us

Website: www.dos.ny.gov

Department of State