

Sustainable Comprehensive Plans

A Worthy Commitment

By Nicole T. Allen, AICP – Planning Services Manager, Laberge Group and Daniel J. Kwasnowski, AICP – Senior Planner, Laberge Group

New York communities must prepare for clean and green. Energy and policies are changing in New York, but are New York communities changing?

In 2014, Gov. Andrew Cuomo launched New York's energy policy "Reforming the Energy Vision" (REV) with a goal of building a statewide, integrated energy network that utilizes clean, locally generated power. The intent of this policy is not only to foster economic prosperity and environmental stewardship through collaboration of public-private partnerships, but to achieve a shared goal of a healthier and stronger New York economy. This policy will have a dramatic effect at the local level and in how future local policies are not only implemented, but funded as well.

While energy efficiency equates to significant environmental and health benefits, a significant change in mind-set needs to occur to overcome barriers to finally create opportunities for local communities. Many New York communities do not have comprehensive plans or land use regulations that support and enable the development of clean energy. There is significant funding available through the New York State Energy Research and Development Authority (NYSERDA) Cleaner Greener Program to create these local plans and policies, but the Cleaner Greener Program requires communities to be committed to clean and green.

Helping communities pursue a clean energy future is a key component of community revitalization. Communities are developing plans that incorporate clean energy elements

to send the message that they are planning for a sustainable future. Through implementation of these plans, communities not only have greater access to financial assistance from the state, but they place an emphasis on improving energy affordability for LMI consumers, and increase opportunities for energy to be deployed in LMI communities.

Meeting the mobility needs of New York's growing population and economy requires investment to maintain existing transportation infrastructure, including roadways, bus and rail transit, aviation, and ports and to expand transportation alternatives such as biking, walking, and zero-emission vehicles (ZEVs). New York State invests billions of dollars into its transportation systems. These investments enhance New York's economy and the mobility of its citizens while contributing to meeting the state's GHG reduction goals. In the housing and jobs marketplace, those places that are walkable and bikeable are more successful at attracting businesses, families and seniors. If any upstate community is going to thrive, it must learn to provide the quality of life people not only expect but demand.

Sustainable & Resilient: Is your Community Ready?

Communities are the heart of New York and play a central role in the success of New York's energy policy by serving as entry points for widespread adoption of clean energy. There are



From Page 24: NYSERDA's Cleaner, Greener Program Establishes High Standards for Clean Living

4,720 local governments in New York, including cities, towns, villages and special districts that provide police, fire and other public services. Participating in the transition to more sustainable local energy systems will help revitalize localities by saving money, creating jobs and driving environmental and quality of life improvements.

Recognizing the current constraints on community-level capacity and resources, there are programs to assist communities in their transition to clean energy. Energy data information will help localities make informed energy and smart growth planning decisions. The state will also provide technical guidance and access to financing, enabling communities to translate their clean energy plans into reality by deploying the distributed energy resources that best fit each community's specific needs.

NYSERDA currently offers up to \$250,000 (25 percent match required) for communities to develop a Comprehensive Plan with Sustainability elements through the Cleaner, Greener Communities (CGC, <http://www.nyserda.ny.gov/cgc>) Program (Phase II Implementation Grants, Round 3, Program Opportunity Notice (PON) 3106). This funding opportunity seeks to fully integrate sustainability principles, sometimes referred to as the Three Es (or environment, economy and equity) into a community's plans and policies. The program is intended to go deeper than direct greenhouse gas emission reduction plans that are concerned with efficiency measures and create opportunities for community-wide efficiency by reducing barriers to better choices on the part of not only government and businesses, but individuals as well.

Historically, state funding for comprehensive plans has not been provided; the Cleaner Greener Program is intended to assist communities that are committed to implementing clean energy policies and

tools. To prove commitment, communities must complete and certify four out of six very specific steps. These steps are a true test of your community's commitment to sustainability. The six "steps" to gaining access to the CGC, Phase II, Round 3, Category 2, PON 3106 funds that qualify for CSC Certification and development of a Sustainable Comprehensive Plan are:

- Step 1: Implement a Green Building Strategy
- Step 2: Adopt the New York State Unified Solar Permit
- Step 3: Support Alternative Fuel Transportation Supply Infrastructure
- Step 4: Adopt a Vehicle Fleet Efficiency Policy
- Step 5: Develop a Government Operations Greenhouse Gas Emissions Inventory and Establish a Government Operations Emissions Reduction Target
- Step 6: Enable Property Assessed Clean Energy (PACE) Financing (within applicable jurisdictions)

All of these steps require significant commitments from the community and a certain level of policy consideration to demonstrate that your community leaders are already supportive and active in reducing energy use in government and in policy development.

Once you are ready to apply for funds to complete a Sustainable Comprehensive Plan, NYSERDA has just four requirements for your plan:

1. Promote alternative transportation options:



From Page 25: NYSERDA's Cleaner, Greener Program Establishes High Standards for Clean Living

This includes alternatives such as bicycle, pedestrian and public transit.

2. Promote smart growth principles in land-use policies: This is a rather broad requirement. Fortunately, there are excellent resources to guide applicants. According to smartgrowth.org the principles of Smart Growth are:

- Mix Land Uses
- Take Advantage of Compact Building Design
- Create a Range of Housing Opportunities and Choices
- Create Walkable Neighborhoods
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas
- Strengthen and Direct Development Towards Existing Communities
- Provide a Variety of Transportation Choices
- Make Development Decisions Predictable, Fair and Cost Effective
- Encourage Community and Stakeholder Collaboration in Development Decisions

3. Conserve Natural Areas: Conserving natural areas is a fairly common feature of a comprehensive plan. In this context, it is likely intended to go further than the obvious large wetlands, lakes and unique natural features approach. It is likely intended to inventory and identify those types of features that might be able to be set aside and protected during development. For example, in more rural areas, this may lead to a conservation subdivision approach, which specifically identifies natural features on a subdivision site that will be set aside, without diminishing the ability of the site to be developed. In more urban areas, this may involve establishing a buffer along a creek or river that protects vegetation

within a certain distance of the water body, or protecting entire floodplains. The difference is a result that is measurable now or in the future for maintaining the ecological services these natural areas provide whether it is groundwater recharge, habitat, recreation or simply shade in an urban environment.

4. Protect public health and safety: Protecting public health and safety is the standard principle of land use plans and laws.

The other optional features to be included in the Sustainable Comprehensive Plan are:

- Foster green economic development
- Promote energy efficiency and renewable energy production
- Protect the resource-efficient use of natural resources
- Remedy environmental justice concerns
- Promote development or conservation of local food systems
- Strive for social equity in housing, schools, green space, and food and transportation options
- Minimize solid waste and promote recycling and composting
- Protect drinking water sources
- Minimize stormwater runoff
- Promote climate adaptation and resilience

All are good options, and it is likely that your community has recognized some of these issues and is taking steps to address them. Stormwater in particular is now a common feature in local law and development standards. Climate adaptation and resilience are emerging themes nationwide as communities are seeking ways to adapt to



From Page 26: NYSERDA's Cleaner, Greener Program Establishes High Standards for Clean Living

rising sea levels, storm intensities and flooding issues, and other inevitable trends affecting the built and natural environment and our systems designed to manage them. Being familiar with all of these concepts and how they relate to your community is a must in order to apply for this funding source and take on the challenge of developing this type of plan.

At this level of funding, there is significant opportunity to go into detail on specific issues. Having a good idea of what those issues or opportunities might be will be helpful. For example, are your zoning, subdivision, and site plan review laws up to date? Is there an area where a form-based code can be applied? Are there specific areas like farmland, waterfronts or downtowns that need master planning efforts? Any of these could be explored and examined relative to the concept of sustainability with the purpose of direct implementation. Infill and other opportunities in or near established development areas are consistent with sustainable planning, and often require a more robust planning effort to be successful.

It is highly recommended, always, to update zoning, subdivision and site plan review laws concurrently with a comprehensive plan update or new plan. This is just good practice and makes both processes stronger and more effective. It also enables them to be completed in a shorter amount of time. It can eliminate any temptation of trying to legislate from the plan. This is especially true if there are tangible goals associated with your comprehensive plan such as infill development or a focus area for new or redevelopment. Instead of stating an objective in a plan like "A form-based code will be developed for this area." You can include a proposed form based code as an appendix and then fine tune it later, or include when the rest of the code is updated after adoption. Adopting a comprehensive plan and land use

law updates at the same time allows for direct alignment.

Another significant opportunity is the ability to use design-based processes to enhance the planning process. The use of design in the planning process is a powerful tool. It can be applied to any number of planning initiatives like infill, conservation, pathways and trails, redevelopment, downtown revitalization or new development. Using design to plan goes beyond portraying an ideal result, or communicating a vision. When able to be applied to its fullest, it defines character and limits of build out and density, which can then be used to formulate code, and accurately estimate infrastructure and amenity needs at build out. This further enables a community to base infrastructure improvement decisions upon a more predictable planning result in development, while also pursuing funding for other improvements. This also makes the review process more predictable and encourages investment by the development community. Predictability and communication of an end result also often eases the minds of those who live near the proposed development. Form-based code development is an effective and time-tested process for incorporating design into the regulating process and can be applied in a neighborhood or a whole community.

Whether for a form-based code, a transportation corridor redesign for multiple modes or a community-wide trail system, this funding level allows for few excuses not to take the plan to its fullest extent. The challenge then becomes how far can you take it? ☐

The details for certifying compliance with NYSERDA can be found here: <http://www.nyserda.ny.gov/-/media/Files/FO/Current%20Funding%20Opportunities/PON%203106/3106-Category2-Required-Steps-Project-Types.pdf>