Zoning & Land Use Review

Capital District Transportation Authority
Transit Development Plan

September 2024

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Background

This summary describes the findings of a zoning code and land use regulations assessment conducted for areas intersecting CDTA's Infrastructure Priority Network. The objective of the assessment is to initiate a discussion about how the existing and future zoning and land use along key transit corridors supports or challenges CDTA's ability to provide high quality transit service. The following routes are included in the Infrastructure Priority Network:

- Route #85
- Route #87
- Route #351
- Route #353
- Route #370
- Route #905
- Route #910
- Route #922/#923

A half-mile buffer was created surrounding the above routes to include the neighborhoods and areas most convenient to transit nodes. This buffer is referred to as a "walkshed." The walkshed area assumes a ten-minute walk to the nearest transit stops. The form and function of these corridors can impact transit access and efficiency within the walkshed area. The Walkshed is illustrated in Figure 1.

The Walkshed

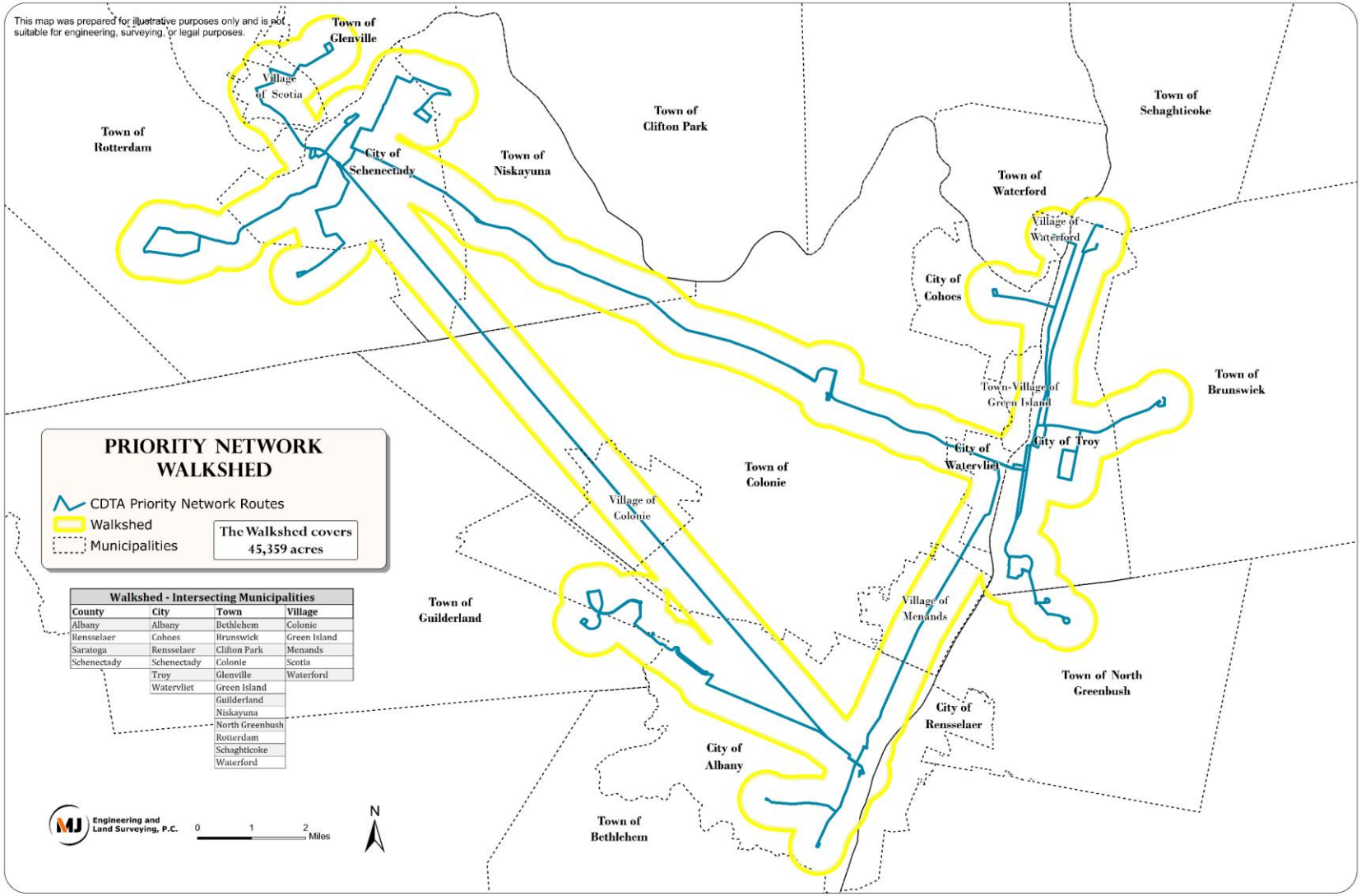
ACRES: 45,359

MUNICIPALITIES: 23 (in 4 COUNTIES)

MILES OF TRANSIT ROUTE: 122

ZONING DISTRICTS INCLUDED: 114

Figure 1. Infrastructure Priority Network Walkshed



Existing Land Use

CDTA's Infrastructure Priority Network is the backbone of the region's transit system, influencing land use and community development, particularly the BusPlus corridors. While the Walkshed area mainly features low-density residential uses, there are significant commercial clusters around downtown, major road interchanges, and key transportation routes. Figure 2 highlights these clusters, showing high commercial activity near I-87, I-90, and I-87/State Route 7 interchanges, as well as colorful areas in downtown Albany, Schenectady, and Troy. These nodes are key employment centers and activity generators. As new developments occur and land use shifts from low-density to high-density, transportation services and facilities evolve to meet increased demand. Zoning is key to shaping this development to align with characteristics that support high-quality transit.

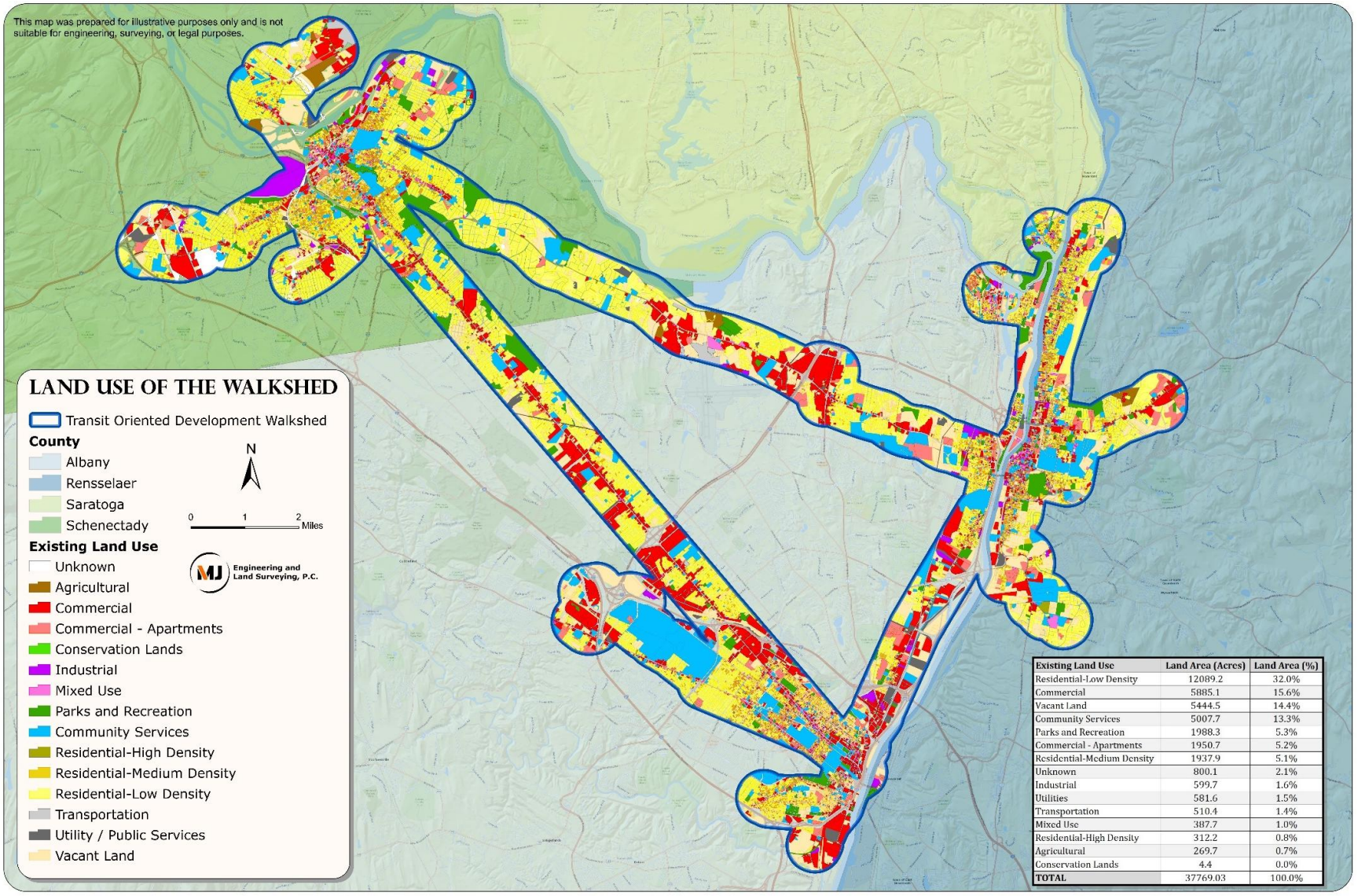
Land use Snapshot

- Low-density residential is the largest land use by acreage in the Walkshed (2,089.2 acres or 32% of land area).
- Conservation lands are the smallest land use by acreage in the Walkshed (4.4 acres or <1%).
- There are 269.7 acres of agricultural land (<1% of the land area) and 1,988.3 acres of parks and recreation land (5.3%) in the Walkshed.
- About 14 percent of land area in the walkshed is classified as "vacant."

Figure 2. Existing Land Uses in the Walkshed

Existing Land Use	Land Area (Acres)	Land Area (%)
Residential-Low Density	2,089.2	32.00%
Commercial	5,885.1	15.60%
Vacant Land	5,444.5	14.40%
Community Services	5,007.7	13.30%
Parks and Recreation	1,988.3	5.30%
Commercial - Apartments	1,950.7	5.20%
Residential-Medium Density	1,937.9	5.10%
Unknown	800.1	2.10%
Industrial	599.7	1.60%
Utilities	581.6	1.50%
Transportation	510.4	1.40%
Mixed Use	387.7	1.00%
Residential-High Density	312.2	0.80%
Agricultural	269.7	0.70%
Conservation Lands	4.4	0.00%

Figure 3. Land Use of the Walkshed



Existing Land Use	Land Area (Acres)	Land Area (%)
Residential-Low Density	12089.2	32.0%
Commercial	5885.1	15.6%
Vacant Land	5444.5	14.4%
Community Services	5007.7	13.3%
Parks and Recreation	1988.3	5.3%
Commercial - Apartments	1950.7	5.2%
Residential-Medium Density	1937.9	5.1%
Unknown	800.1	2.1%
Industrial	599.7	1.6%
Utilities	581.6	1.5%
Transportation	510.4	1.4%
Mixed Use	387.7	1.0%
Residential-High Density	312.2	0.8%
Agricultural	269.7	0.7%
Conservation Lands	4.4	0.0%
TOTAL	37769.03	100.0%

Zoning Assessment

Methodology

Zoning and land use regulations play a critical role in supporting high-quality transit. A community's zoning code guides development and outlines what is allowed to be built. There are five primary characteristics to transit supportive zoning: buildings close to the street, taller buildings, mixed-uses, greater lot coverage, and lower parking requirements. This assessment analyzed the zoning districts within the priority network walkshed for these characteristics to provide a regional snapshot of how supportive current zoning is for transit in the Walkshed.

Table 1 describes the criteria for each characteristic reviewed and how it shapes development that supports high-quality transit. If a zoning district met the criteria, it was given two points. If the zoning district partially met the criteria, either by conditional use, special permit, or approval from a board or commission, it was given one point. If the district's requirements were silent on specific criteria, it was also awarded one point if it could be reasonably interpreted that the district's purpose was to be flexible and encourage the type of development that supports transit. Districts that did not meet the criteria for a given characteristic received no points.

Ninety-two distinct districts were included in the zoning assessment. Some districts within the Walkshed were excluded due to their large, singular uses and low potential for change through development. These include open space, agricultural, conservation land, cemetery districts, and other recreation or undevelopable land. Single parcels that fell on the Walkshed buffer line were also excluded. Single-family residential districts, which included both low- and medium-density, received a score of zero, or "low transit support," as their development patterns do not align with transit-supportive characteristics. The districts included in the assessment were evaluated on their transit support, with scores ranging from 0 to 12 out of a maximum of 14 points. These districts were classified into three categories based on their scores: "low" (0-4 points), "medium" (5-9 points), and "high" (10-14 points) transit support.

The zoning assessment used a quantitative framework to identify opportunities for improvements to zoning codes. While the quantitative framework provides valuable information, it should not be the sole factor in identifying areas for transit growth. Zoning regulations can highlight potential for future development, but other factors like community needs, existing transit access, macro- and microeconomic realities, and demographics are equally important. Additionally, the approach is limited in capturing the nuances of individual projects as well as the planning and zoning board review and approval process in each community, which plays a critical role in shaping what and how development occurs. A holistic approach that integrates both quantitative and qualitative information will lead to more effective and inclusive transit planning, ensuring that services are aligned with the actual needs of the community.

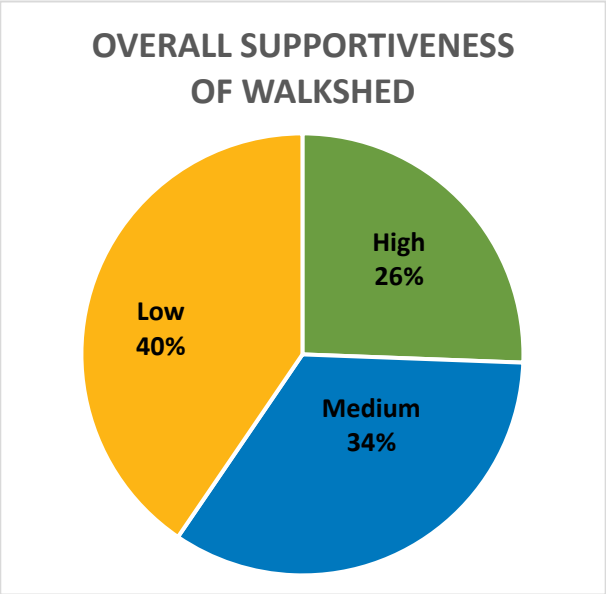
Table 1. Zoning Assessment Scoring Criteria

	Characteristic	Criteria Reviewed	2 Pts.	0 Pts.	1 Pt.
	**Mixed-Use** Mixing residential, commercial, public spaces, and other uses close together promotes concentrations of activity around transit. It also makes it feasible to live, work, and shop in one place.	Is mixed-use development permitted (residential, commercial, office, and other types of development can be combined)?	Yes	No	Mixed use is only allowed as a conditional use.
	**Front Setback or Build-to Line** Buildings that are close and easily accessible to the sidewalk makes a street or corridor more walkable.	Can a building be built near the street – 15 feet or closer to the right-of-way?	Yes	No	Setback determined by height of building or another relational requirement.
	**Building Height** Taller buildings allow for density and a mix of residential, commercial, and other uses.	Can buildings be more than 35 feet or 2.5 stories?	Yes	No	Height determined by setback, relational requirement, or other noted condition.
	**Lot coverage** Buildings covering a majority of a lot to allow for denser development.	Can at least 60% of the lot be occupied by buildings or impervious surface?	Yes	No	Code is silent or no maximum listed.
	**Parking** On-street parking coupled with off-street parking located behind, below, or on the side prioritizes walking and makes places easier to access. Less parking reduces traffic congestion and encourages transit use.	Does zoning require a low (or no) number of parking spaces – a max. of 1 space per 300 sf for office/retail uses or a max. of 1.2 spaces per residential unit?	Yes	No	Only meets part of stated requirement or code lists a specific process for reducing parking.
		Shared Parking is allowed and/or encouraged.	Yes	No	
		Parking on side or rear of building is allowed and/or encouraged.	Yes	No	

Zoning Snapshot

There are four accompanying maps – Albany Region, Troy Region, Schenectady Region, and Colonie Region – that illustrate the Level of Transit Support of zoning districts in the Walkshed and along each priority transit corridor which can be found on the following pages. Each route has varying levels of transit support along the corridors as they move through different communities and the corridor serves slightly different functions. For example, a corridor that passes through downtown may be adjacent to zoning districts which have characteristics with a high level of transit support and may have lower speed limits and connecting infrastructure that create multi-modal activity generators, but transitions to an arterial that is zoned for less supportive land uses that rely on vehicle access and have higher vehicle speeds.

Figure 4. Level of Transit Support Snapshot



Below are highlights of the assessment:

- About 10% of the districts that are within or intersect the Walkshed were excluded from the assessment
- The overall average score of the Walkshed is 5.7 (see Figure 18), which demonstrates "medium" transit support
- 26% of the assessed districts in the Walkshed are categorized as having "high" transit support
- 40% of assessed districts in the Walkshed were scored "low" for transit support
- 28% of the assessed districts meet the mixed-use criteria
- 37% of the assessed districts meet the setback criteria
- 59% of the assessed districts meet the building height criteria
- 25% of the assessed districts meet the lot coverage criteria
- 13% of the assessed districts meet the parking criteria
- 40% of the assessed districts allow shared parking, which may reduce the total number of parking spaces required for some development

Figure 5. Albany Region Level of Transit Support

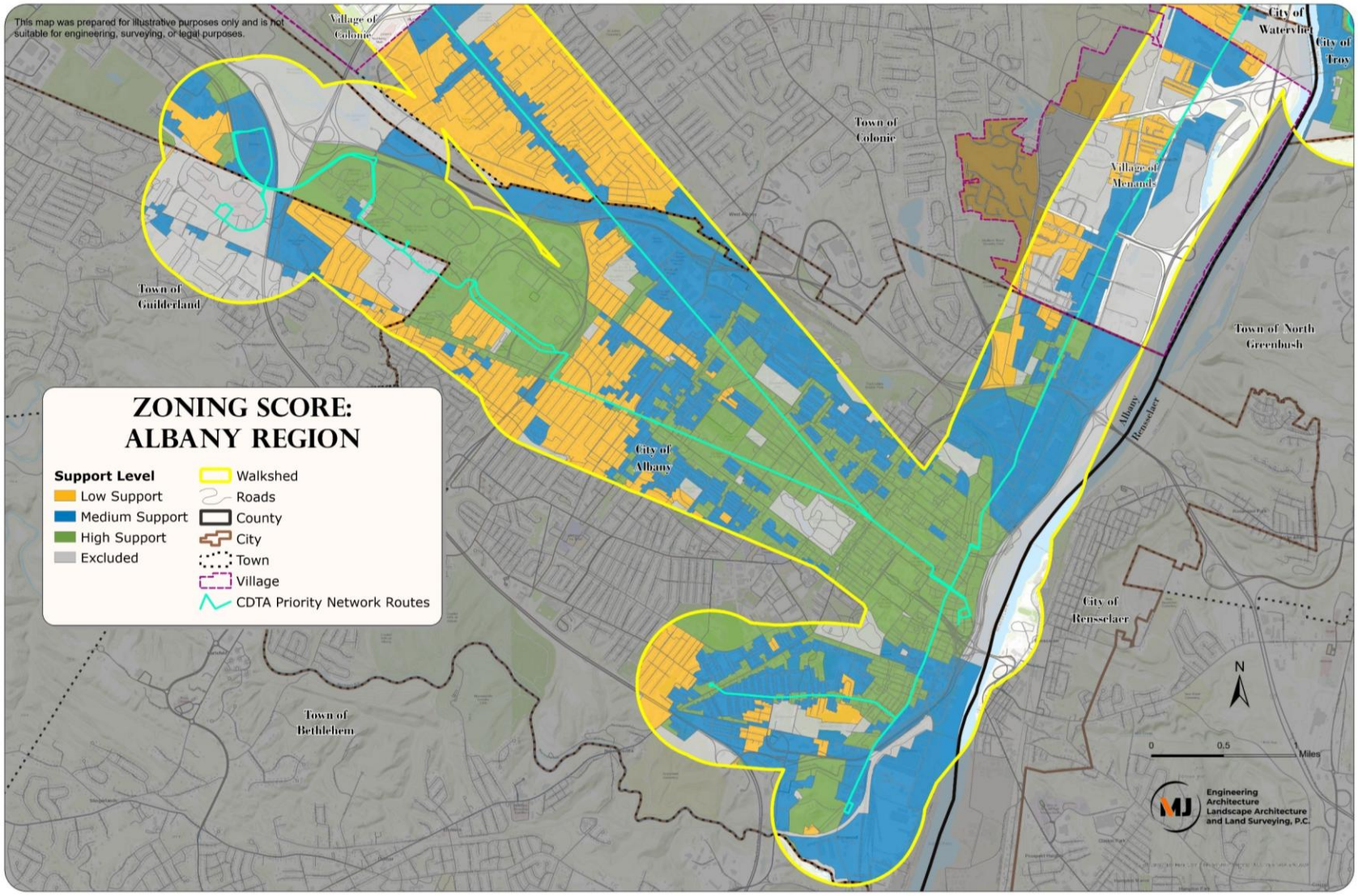


Figure 6. Troy Region Level of Transit Support

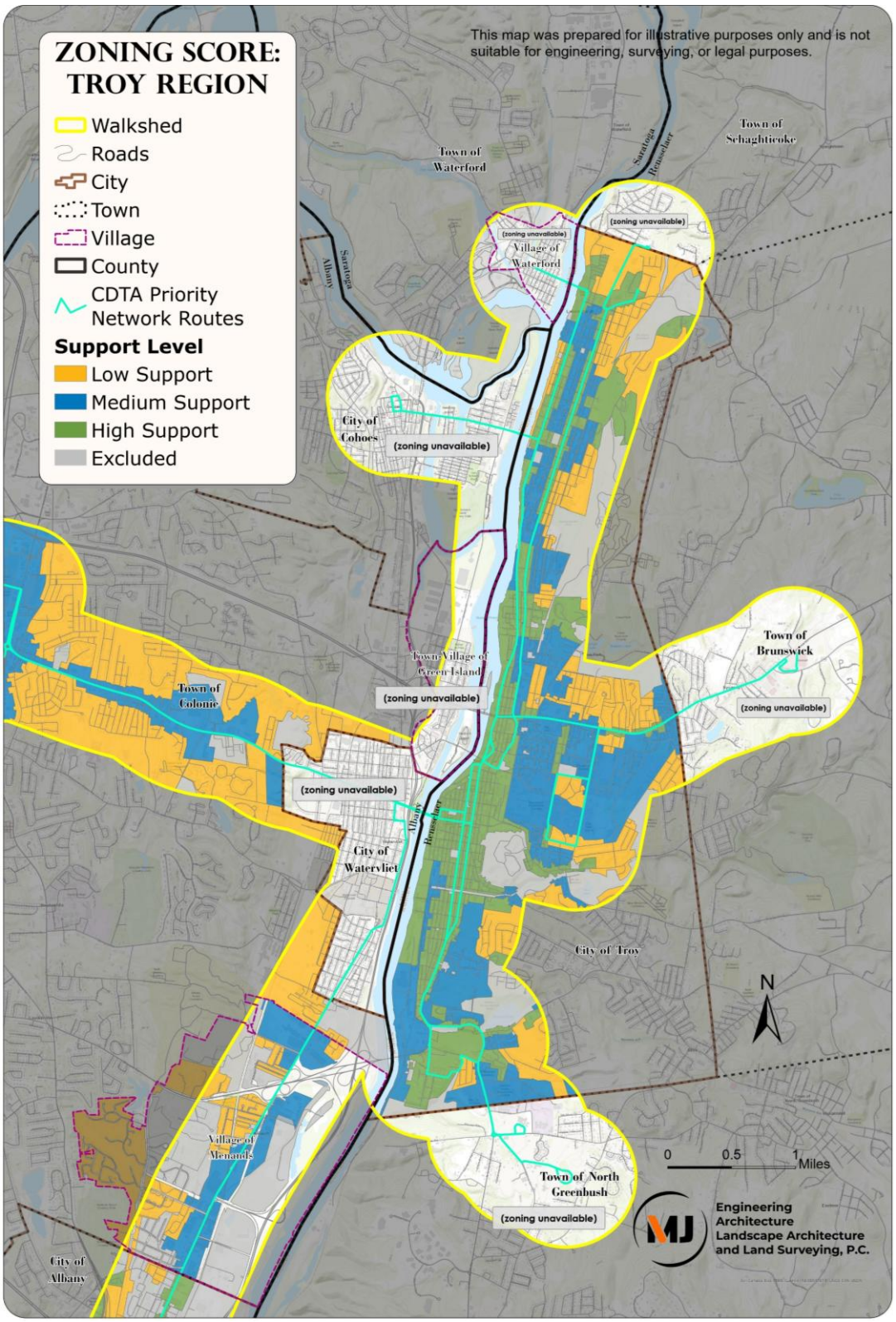


Figure 7. Schenectady Region Level of Transit Support

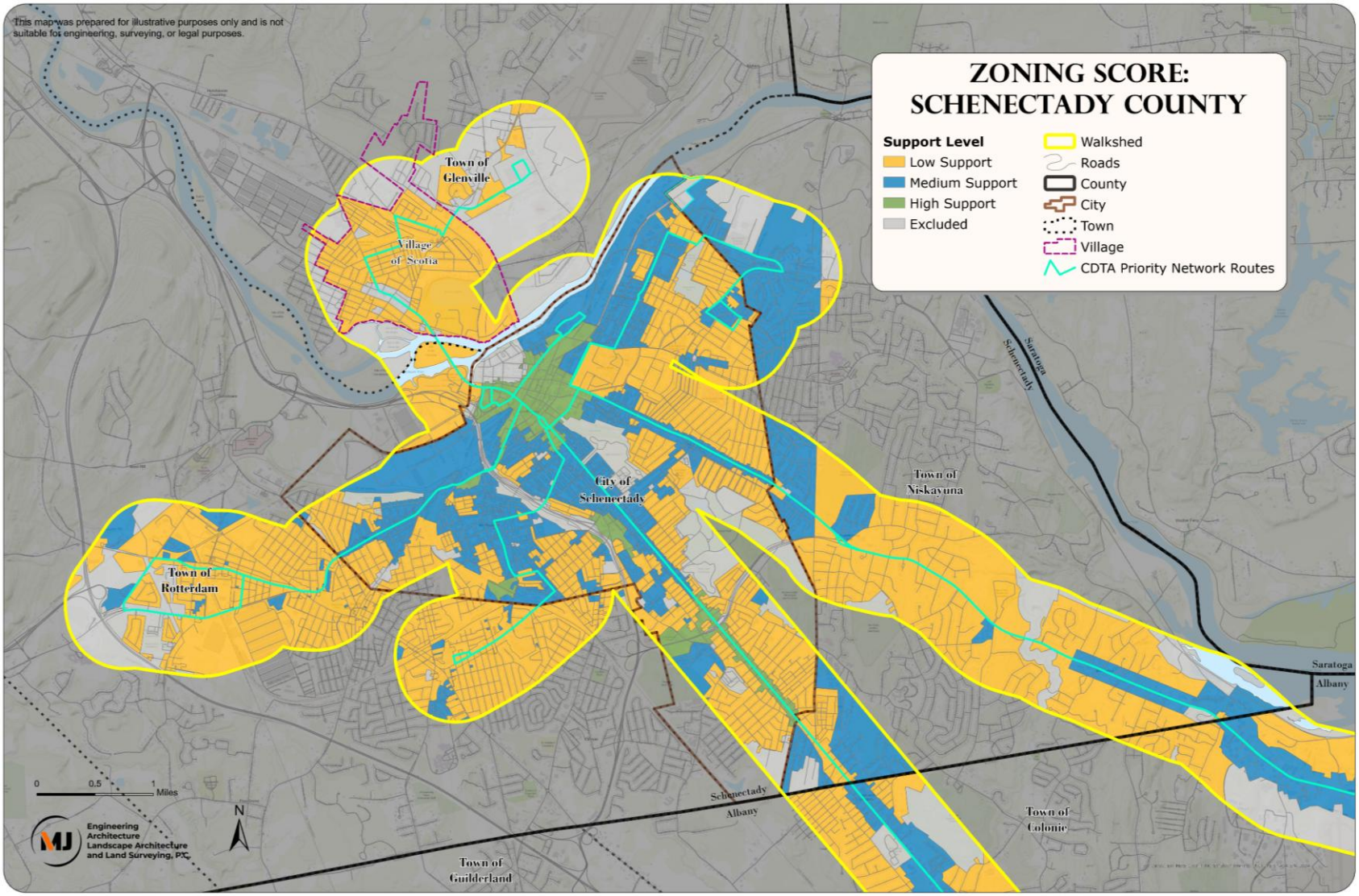
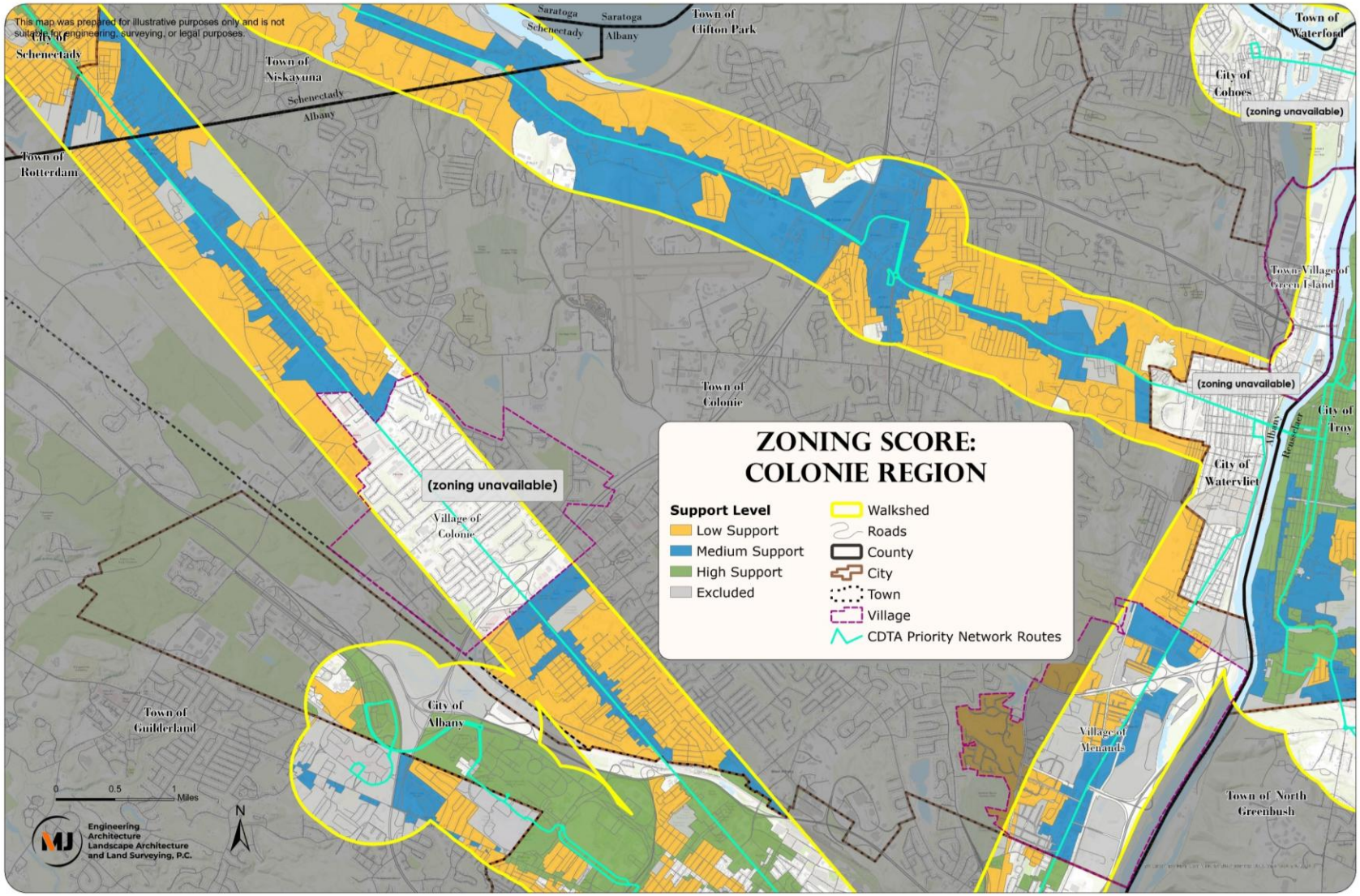
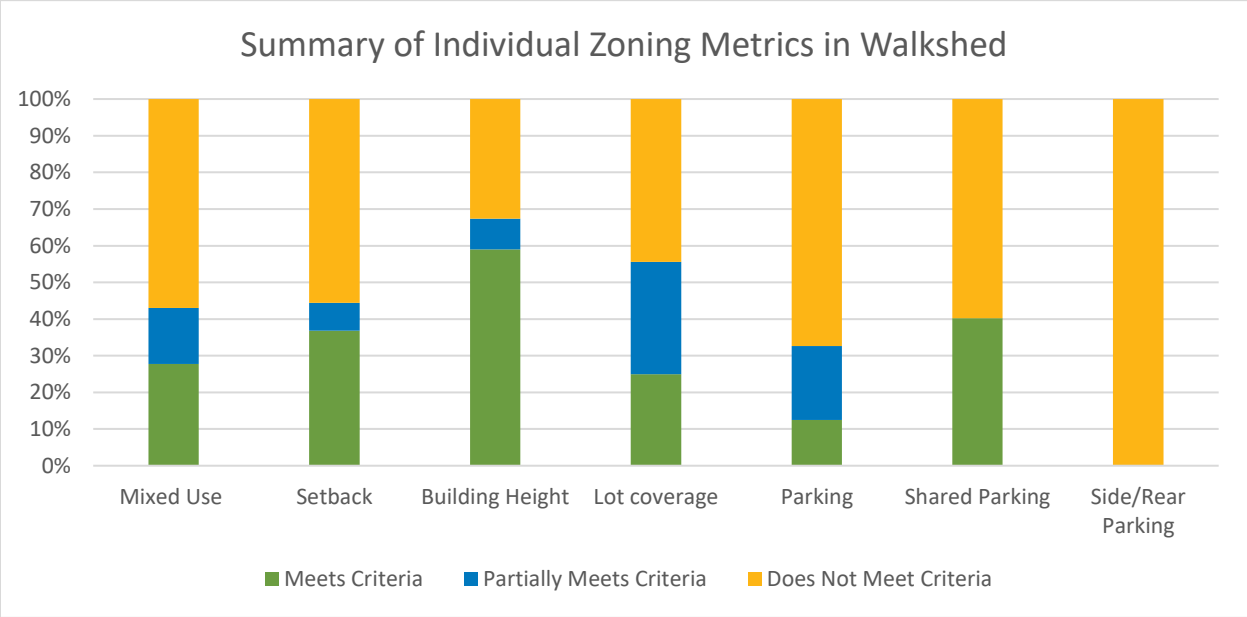


Figure 8. Colonie Region Level of Transit Support



The scores for individual metrics were examined to identify which transit-supportive characteristics perform well and which could benefit from improvement.

Figure 9. Summary of Individual Zoning Metrics in Walkshed



Each route included in CDTA's Infrastructure Priority Network was assessed and scored for its level of transit support. This includes eight routes across four counties. The percent of each route that is rated as "high," "medium," "low," and "excluded" is illustrated in Figure 10-Figure 17.

Figure 10. Route #905 Level of Transit Support

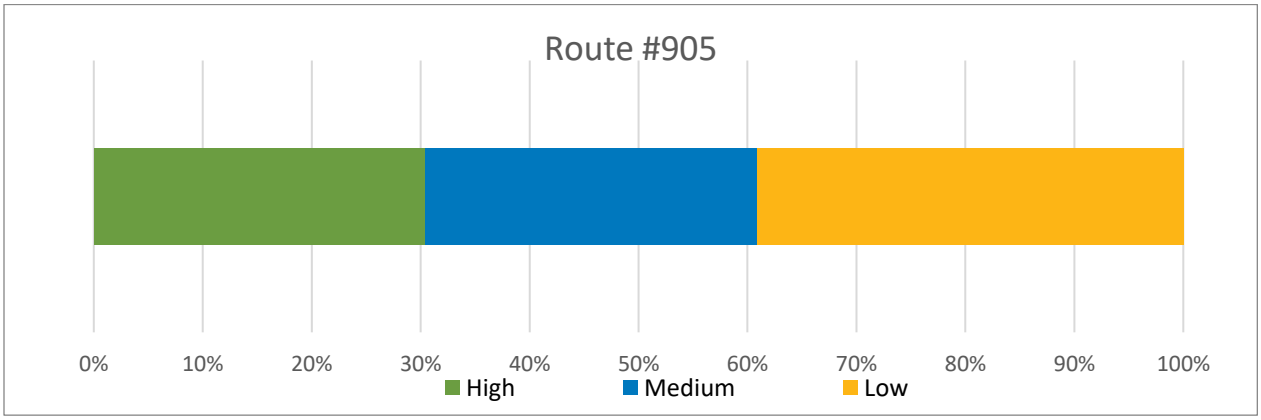


Figure 11. Route #910 Level of Transit Support

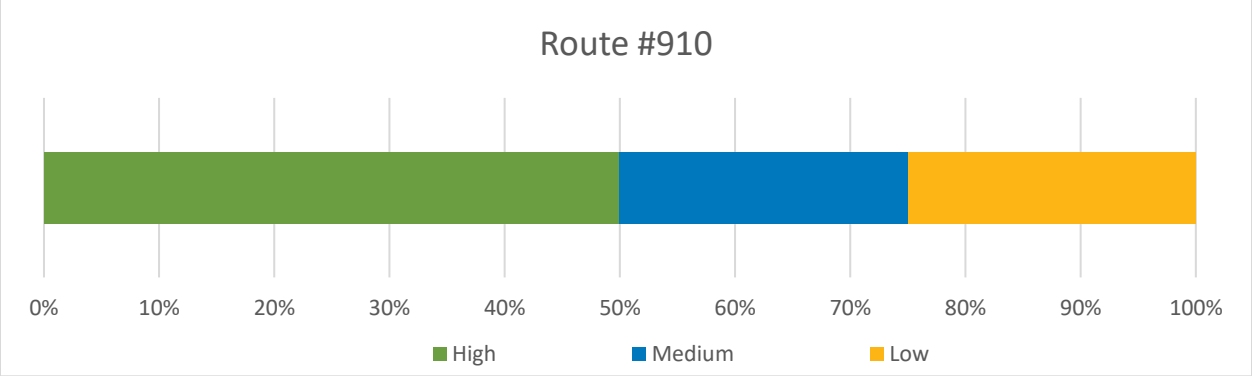


Figure 12. Route #922/923 Level of Transit Support

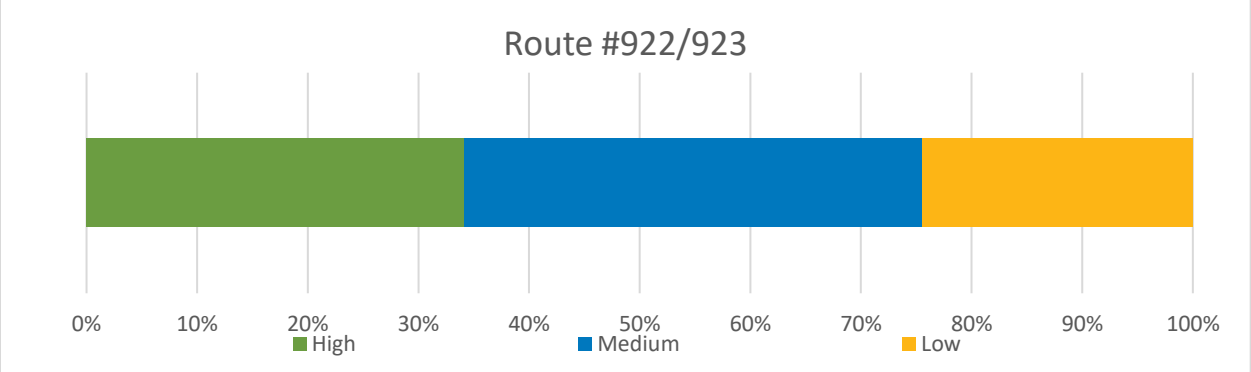


Figure 13. Route #370 Level of Transit Support

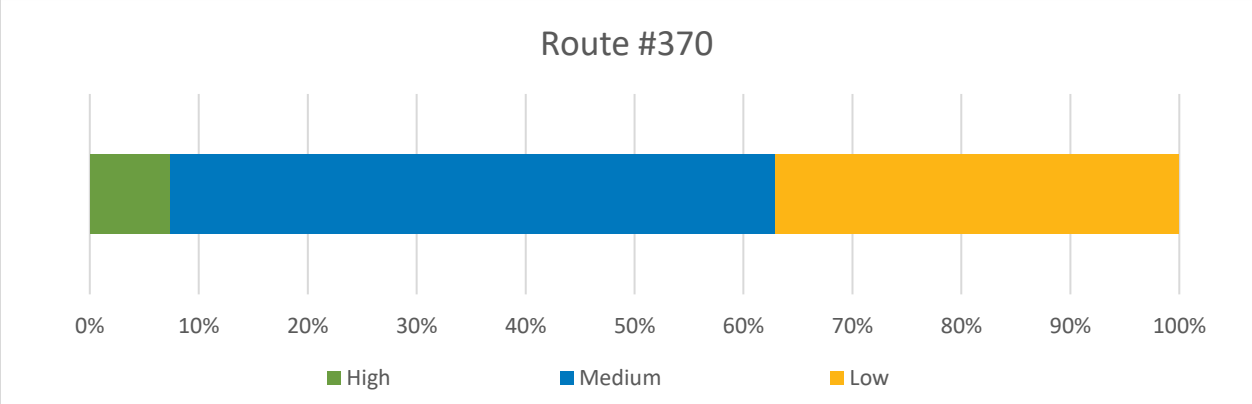


Figure 14. Route #353 Level of Transit Support

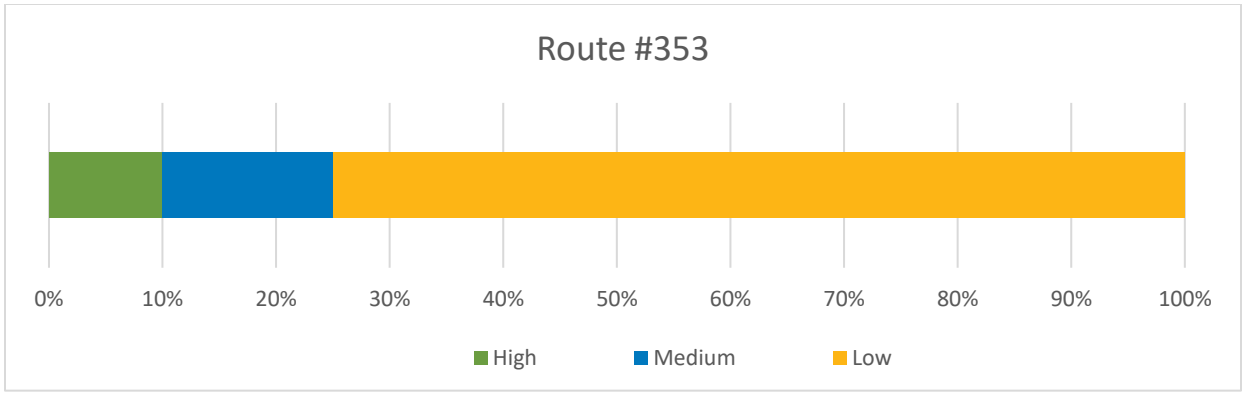


Figure 15. Route #351 Level of Transit Support

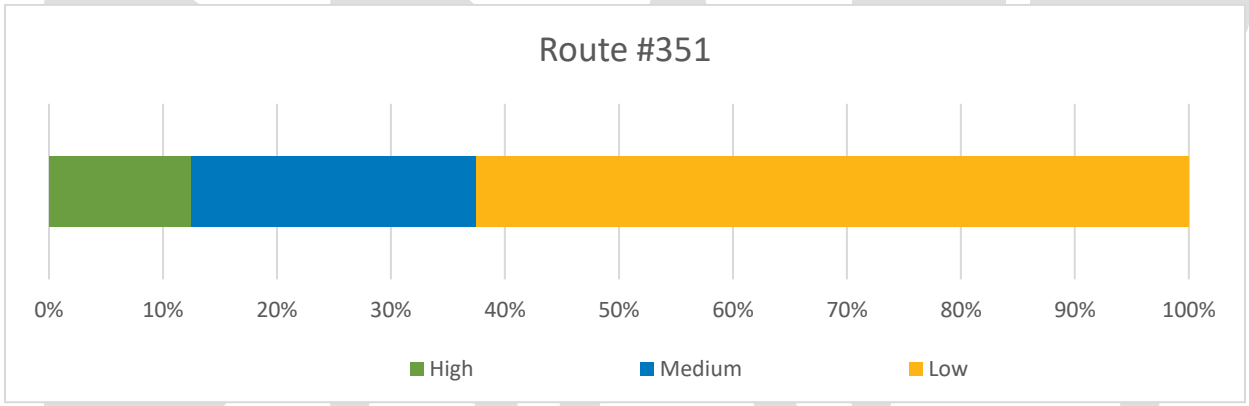


Figure 16. Route #87 Level of Transit Support

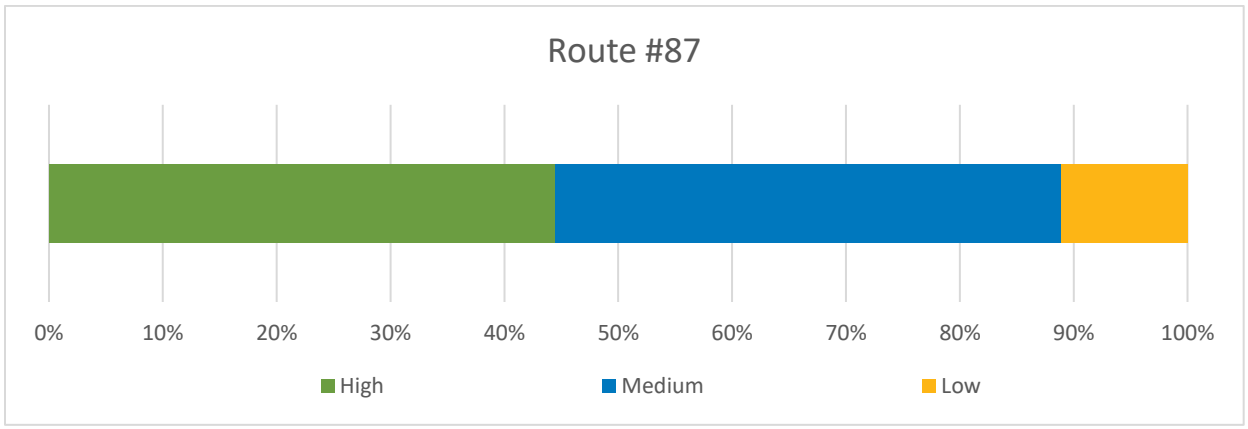


Figure 17. Route #85 Level of Transit Support

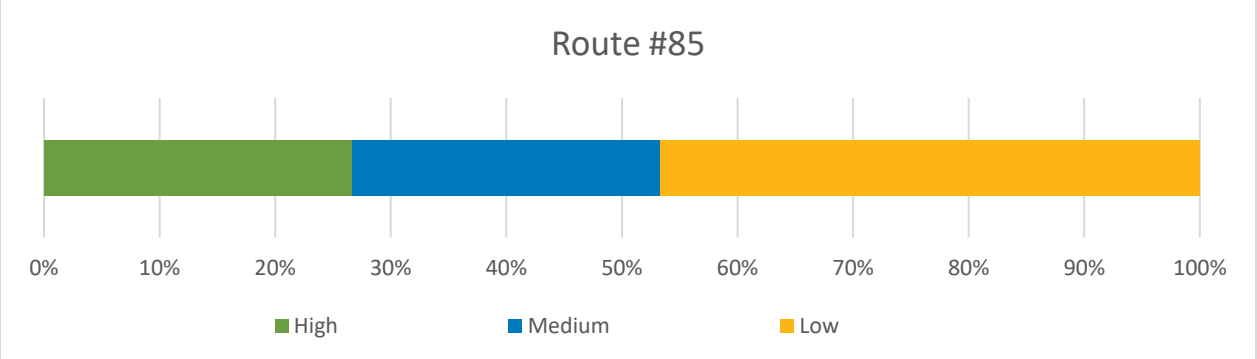


Figure 18. Average Score by Routes

Bus Route	Municipalities	No. of Zoning Districts	Score (Avg.)	Level of Transit Support
905	Colonie Village of Colonie Albany Schenectady Niskayuna	23	5.7	MEDIUM
910	Albany Guilderland	16	7.4	MEDIUM
922/923	Albany Menands Watervliet Troy Waterford Colonie Cohoes	41	6.6	MEDIUM
370	Troy Watervliet Colonie Niskayuna Schenectady	27	5.0	MEDIUM
353	Glenville Scotia Schenectady Rotterdam	20	3.1	LOW
351	Rotterdam Schenectady Niskayuna	17	4.3	LOW
87	Troy Brunswick	9	8.1	MEDIUM
85	Troy North Greenbush	15	5.5	MEDIUM
		WALKSHED AVERAGE	**5.7**	**MEDIUM**

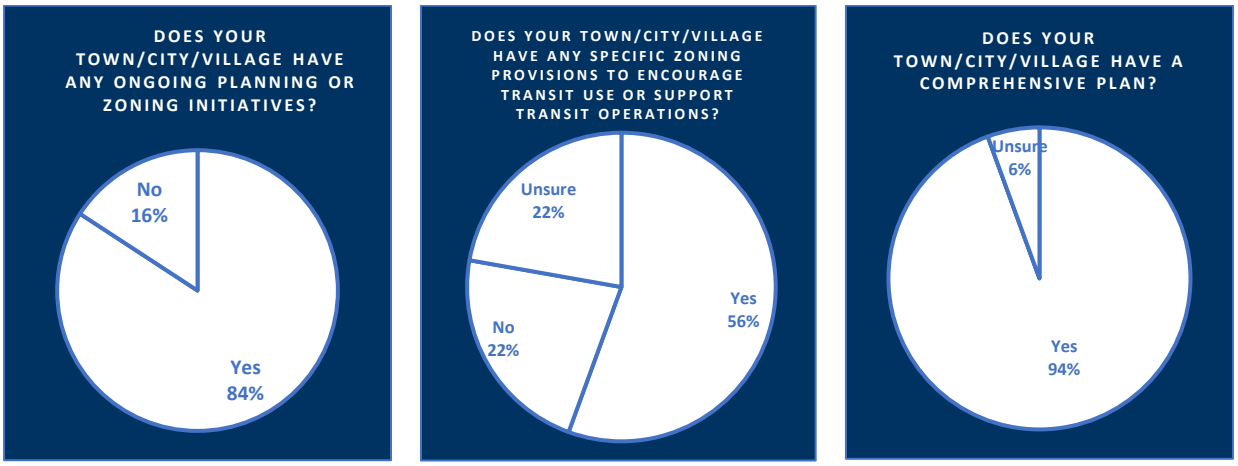
State of Zoning in the Capital Region

In New York, the power to control land use is granted to each municipal government by reference in Article IX, Section 2, of the State Constitution and by the various state enabling statutes. There are112 municipalities in CDTA's service area with separate zoning and land use regulations. This means each municipality can divide land into districts and write regulations that guide and shape development. Zoning codes vary greatly from community to community and along a single bus route.

How zoning regulations are structured and what they allow are critical to supporting high quality transit service. In general, zoning that encourages higher density and mixed uses better supports alternative modes of transportation. Development density is an important consideration in planning public transit, as more suburban and rural forms of development result in prohibitive cost barriers to transit because potential riders and destinations are further apart. Zoning can be used by communities as a tool to guide development and support transportation alternatives by encouraging denser development in already built-out areas and limit development in undeveloped, disconnected areas.

A brief survey was distributed to twenty-five municipalities in CDTA's service area that intersect with an existing transit route. A total of 18 responses were received. Of these responses, most (84%) respondents said that they are currently updating their zoning ordinance or working on a plan or study that will result in changes to their zoning. More than half of survey respondents indicated that their zoning includes specific provisions that encourage transit use. Some communities have designated "Mixed-Use Transit Corridor" districts whose purpose includes creating multi-modal connections to "Bus Plus Rapid Transit stops." Similarly, access to transit is noted in the purpose of several zoning districts that were included in the assessment. A summary of the survey responses is below in Figure 19.

Figure 19. Municipal Zoning Survey Responses



Conclusions & Recommendations

The zoning assessment shows varying levels of support from land use and zoning policy for transit throughout the Infrastructure Priority Network. Given the polycentric nature of CDTA's operating area and the Walkshed, individual transit routes also experience changes in support as they pass from one neighborhood to another and across municipal borders.

There are also significant local and regional assets located within the Walkshed, including major hospitals, universities, employment hubs and cultural and entertainment venues. These assets shape the surrounding land uses and may influence zoning requirements, but their location and effect on transit demand were not included in this assessment. Campus and institutional zoning districts may generate high transit demand and attract dense, mixed-use development, but also have more green space and parking requirements than districts with high transit support typically have.

It was previously noted that the quantitative assessment of zoning has significant limitations and overlooks other community characteristics that influence transit use, such as demographics and economic conditions. Some uses like parks should also be looked at differently than in this analysis. Some places, like around major arterials, also may require different zoning strategies in order to balance walkability while also mitigating the impacts of traffic noise and pollution on the businesses and homes on adjacent lots. Different municipalities have different governance structures and processes for zoning approvals, which could lead to communities with more or less the same zoning codes nevertheless having different outcomes. Also not noted here are any tax incentives or similar financial programs in each municipality which could help or hinder transit-friendly development. For example, some parking minimum exceptions in the City of Albany include:

- Payment of fee in lieu of providing required parking
- Installation of a bike rack may reduce required off-street parking spaces by 2 or 10% of required vehicle spaces, whichever is greater.

In reviewing zoning codes for the Walkshed, it is apparent that mixed-use buildings at the street with minimal setbacks can still be auto-oriented. Or, a district may intend to promote "mixed-use, pedestrian-friendly" development, but maintain minimum setbacks of over 25 feet and prohibit buildings over two-stories. Their purpose is often to create "mixed-use" neighborhood zones served by transit, but result in retail destinations with apartments and hotels above, and parking lots provided in the rear and between buildings rather than new neighborhoods focused around transit.

The municipal survey showed that many communities are taking steps to update their zoning codes (85%) and over half (56%) of the respondents noted that their existing zoning includes provisions to encourage transit use or support transit operations. Some communities, including

the Towns of Bethlehem, Niskayuna, East Greenbush, and City of Schenectady, noted that the purpose of ongoing or recently completed Comprehensive Planning and zoning code updates is to create mixed-use, pedestrian-friendly development patterns that support transit. This creates an opportunity for CDTA to work with communities to include mixed-use provisions and regulatory flexibility in their codes to accommodate the types of live/work/play development that provides high levels of transit support.

There are certain criteria, like taller buildings that are close to the sidewalk, that are common and becoming increasingly supported by communities. On the other hand, parking criteria continues to be a roadblock. While about half of the assessed zoning districts encourage or allow shared parking, the same number of districts fall short of meeting the maximum parking criteria. This doesn't capture how parking structures and other exceptions can impact the overall off-street parking requirements.

The assessment results indicate that there are areas of zoning code, such as parking regulations, that require specific recommendations to better support transit. These changes are crucial for communities interested in expanding or enhancing transit service for residents and for creating mixed-use neighborhoods focused around transit. Such neighborhoods enable residents to reduce reliance on private vehicle ownership by providing access to a comprehensive menu of mobility services offered by CDTA. By focusing on these zoning criteria, CDTA can work effectively with communities to maximize transit support throughout the network.

These recommendations can be developed through a compilation of best practice for zoning or a model zoning ordinance or overlay. It is recommended that CDTA work with regional transportation planning organizations and municipalities to compile a best practice document that outlines how zoning regulations can be structured to support transit, as well as transit-supportive design guidelines for the public realm (e.g. sidewalk design, amenities, drainage and snow removal, etc.). Another recommended resource is a model zoning ordinance that facilitates the construction of mixed-use, pedestrian-friendly development along the Infrastructure Priority Network. The ordinance should be flexible and able to be adjusted based on local needs but highlight the principles and criteria for supporting transit and CDTA's requirements for expanding or enhancing transit service in a community.

Some examples of parking requirements can be found in the Cities of Albany and Troy. These communities encourage developers to provide Transportation Demand Management (TDM) Plans that demonstrate reduced parking demand. These TDM plans reduce the overall required parking for a development. The City of Albany incentivizes new development near transit by reducing the minimum required number of off-street parking spaces for developments within a ¼-mile of a transit stop. The reduction amount is dependent on the frequency of nearby transit.

Based on survey responses from municipalities, communities value their partnerships and coordination with CDTA on planning and zoning initiatives. It is recommended that CDTA continue to cultivate relationships with local governments, regional planning and transportation organizations, and other institutional stakeholders. These relationships increase the coordination between transportation and land use planning which results in development patterns and transportation infrastructure which align with CDTA's mobility and sustainability goals.

Implementing these recommendations will have the greatest impact on improving the level of transit service and creating sustainable, transit-oriented communities.