

## Review of Zoning Codes

### Preface

For the review of zoning codes, about 1,000 pages worth of zoning was reviewed for the City of Buffalo (Green Code/ Unified Development Ordinance), Town of Amherst, and Town of Tonawanda. In order to understand each municipality's zoning, a spreadsheet was prepared that scores various zoning districts based on requirements that are deemed to be transit supportive. The exercise is similar to an exercise Parsons Brinckerhoff conducted in the City of Denver to measure transit supportive zoning districts. It allows for a glimpse into which are the most transit supportive zoning districts that currently exists in Buffalo, Amherst, and Tonawanda. In addition, a written summary is provided below.

### Methodology

Across the top of the spreadsheet are characteristics of TOD and Transit Supportive Design. Down the left side of the spreadsheet are the specific zoning codes that were analyzed. Below those are additional sections of the zoning code that are relevant as they help to define street typologies, design standards, overlay zones, and/or parking requirements and were used in our analysis, though they were not examined as a standalone district. Within the body of the spreadsheet are values from 0 to 2 (0=that characteristics is restricted, 1=characteristic isn't restricted but zoning code does not have specific language surrounding it, 2=the characteristic is required) and "N/A" which indicates the code did not mention the characteristic or the general area or category of that characteristic. The "summary" column provides a summation of the transit supporting values for each zoning district. The sum of the transit supportive values places each zoning district into a category as follows:

- Score of 40+ = Most transit supportive
- Score of 30-40 = Transit supportive
- Score of 20-29 = Less transit supportive
- Score of less than 20 = Not transit supportive

### Summary of Codes

#### Buffalo Green Code

##### Most Transit Supportive Zoning

***Downtown Regional Hub, Mixed Use Core, Secondary Employment Center, Mixed Use Center (N-2C, N-3C), Mixed Use Edge (N-2E, N-3E)***

Since the Green Code looks to be built around the principles of TOD and good urbanism, it is no surprise that so many of the zones and districts scored so well. The mix of uses, the special attention to transportation and streetscape, and corridor overlays in this code all make it a very transit supportive zoning code.

## DRAFT

### **C-M Metro Rail Zone**

The C-M Metro Rail Zone is an overlay along Main Street intended to facilitate an elevated level of urban intensity and transit orientation. The C-M is an overlay zone, so all development within the C-M Zone must comply with the underlying zoning as well. Specific requirements of the C-M Zone are:

1. The minimum building height is three stories where the underlying zone is N-1C, N-1S, N-2C, N-2E, or N-2R; and two stories where the underlying zoning is N-3C, N-3E, or N-3R.
2. A development that involves new construction with a residential component must meet a minimum density of 36 dwelling units per acre where the underlying zone is N-1C, 24 dwelling units per acre where the underlying zone is N-2C or N-2E, and 18 dwelling units per acre where the underlying zone is N-3C or N-3E.
3. Any accessory surface parking lot must be located wholly within a rear yard.

Because the overlay is specific to Metro Rail Stations, and does not include bus stations, the zones impacted by this overlay received a 1 score instead of 2 for height and density bonus near transit station criteria. This means density and height bonuses near transit stations for impacted zones were considered to be allowed but not required.

Other Takeaways-This is a very multi-dimensional code where allowable building form, allowable uses, building type, and adjacent corridors all shape development.

### **Amherst Zoning Code**

#### Most Transit Supportive Zoning

#### ***New Community District, Planned Residential District, Planned Development District***

The three aforementioned districts rose to the top mostly because of their flexibility and loose commitment to active and alternative transportation. The purpose of the New Community District, for example, is... *"To provide flexible land use and design regulations through the use of performance criteria so that small-to-large scale multi-use neighborhoods may be developed on relatively large tracts within the Town, in a manner which incorporates a variety of residential types and nonresidential uses and services."* While not specifically calling out or requiring transit supportive elements, these districts would allow, by right, a development that is transit supportive.

The Traditional Neighborhood Business Overlay District has some elements that support transit, but received a score that just places it within the "Less Transit Supportive" range.

#### Other Takeaways

In general, this zoning code scored slightly less high because most of the zones/districts fail to address issues related to the ROW—streetscape, active/alternative transportation, and the roadway. The Town of Amherst does have a Complete Streets guide that aims to make some streets more accommodating for alternative modes of transportation.

## **Tonawanda Zoning Code**

### Most Transit Supportive Zoning

#### ***Traditional Neighborhood Design District, Neighborhood Business District, Commercial District***

While none of the zoning districts in Tonawanda fall within a Transit Supportive category, the above districts scored the highest in this analysis mostly because of the traditional neighborhood characteristics in the zone like allowing mixed-use, commercial ground floor uses, and efficient lot coverage and because the particular attention paid to landscaping and parking approaches.

### Other Takeaway

Like Amherst, these zones/ districts did not score as high as the green code because they do not address streetscape and public realm, active/alternative transportation, and the roadway. The Town of Tonawanda is in the process of implementing a Complete Streets ordinance that will aim to make some streets more accommodating for alternative modes of transportation.