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Routes To the Renaissance for Pittsfield, MA

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ROUTES TO THE RENAISSANCE

A PLANNING VISION FOR THE CITY OF PITTSFIELD, MA



Nicholas Armata, Laura Caughlan, Ross Kahn, Leonard Kendall,
Sarah Lang, Tiffany Leung, Christopher McGoldrick, Stephen Meno



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ACRONYMS

Acronym	Component Phrase
APA	American Planning Association
BID	Business Improvement District
CPZO	City of Pittsfield Zoning Ordinance
CPMP	City of Pittsfield Master Plan
DCCD	Dormant Commerce Clause Doctrine
DU	Dwelling Unit Per Acre
MA-DEP	Massachusetts Department of Environmental Protection
EPA	U.S. Environmental Protection Agency
GE	General Electric, Inc.
LZO	Leominster Zoning Ordinance
MA	Massachusetts
MUZ	Mixed Use Zones
NIMBY	Not-In-My-Backyard
NVPC	National Vacant Properties Campaign
PCB	Polychlorinated Biphenyl
RFP	Request for Proposals
SABIC	Saudi Arabia Basic Industries Corporation
SPR	Site Plan Review
SWOT	Strength, Weakness, Opportunities, Threats
TYPA	Tax Yield Per Acre
UMass LARP	University of Massachusetts – Amherst Department of Landscape Architecture & Regional Planning
U.S.	United States of America
ZBTB	Zoning By-Laws of the Town of Billerica

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EXECUTIVE SUMMARY

PURPOSE

The following vision plan, *Routes to the Renaissance: A Planning Vision for the City of Pittsfield, MA* seeks to enhance the economic and cultural renaissance of the City of Pittsfield, Massachusetts. To this end, Shire City Consulting has been given seven directives relating to modernizing the City's zoning and land-use policies by Pittsfield's Department of Community Development. These directives encompass the following:

1. Spatial and Physical Boundaries of Major Gateway Corridors: *Analyze the City's five major gateways and develop tools to make them more attractive and welcoming.*
2. Permitted Use Table and Definitions: *Review, clarify, and consolidate the land-use listed in the table to assess deficiencies and unclear definitions.*
3. Design Guidelines: *Create a manual to guide architectural aesthetic standards for new retail developments.*
4. Sign Ordinance: *Implement a streamlined regulation that imposes better standards for sign quality.*
5. Site Plan Review: *Develop thresholds to create clearer processes for review of development projects, while creating more opportunities to engage developers in a conversation.*
6. Resolution for Split Parcels: *Identify all properties that fall within two zoning districts and develop a streamline tool to mitigate the situation.*
7. Pro Forma and Multi-Family Housing: *Develop a financial model that will estimate the construction and maintenance cost of multi-family housing units and make projections for new development's financial return.*

The goal of this vision plan is to modernize and streamline Pittsfield's zoning and development policies in ways that will help continue to bolster Pittsfield's economy while preserving the distinctive character of the City that its residents value.

OVERVIEW

Pittsfield is located in the far western region of Massachusetts, in the Berkshire Mountains. The City is the seat of the former county government and is a major urban hub for the Berkshire region. It contains many governmental institutions, like the county courthouse and jail, as well as a large number of retail shopping centers.

Pittsfield gained its greatest prosperity in the first half of the twentieth century, when General Electric acquired the Stanley Works Corporation in 1904 and began manufacturing electric transformers. In the 1970s, however, General Electric began downsizing and eventually closed the plant in Pittsfield altogether. This left Pittsfield in economic distress from which it is still recovering. General Electric also left behind a significant brownfield legacy that has contributed to the lack of redevelopment of vacant land in central Pittsfield.

Pittsfield is now attempting to re-brand itself by drawing on its cultural heritage and establishing itself as a significant arts community within the Berkshire region, while attempting to strengthen its existing manufacturers through the creation of the Berkshire Innovation Center, an advanced manufacturing makerspace. The City is located at the crossroads of several major highways, including State Route 9 and U.S. Routes 7 and 20. Therefore, the City sees a great deal of pass-through traffic generated by travelers to other cities, particularly Albany, New York. Pittsfield would like to capitalize on this existing traffic stream, making their City a place to stop and visit. Because of this, Shire City Consulting has focused primarily on recommendations for the five major “gateways” along the highways leading into Pittsfield, as well as for Pittsfield’s downtown.

FINDINGS

Shire City Consulting has conducted a thorough study of the existing conditions in Pittsfield. This included visiting the major focus areas within Pittsfield and conducting an asset-mapping workshop with Pittsfield residents. Our team also conducted a tax yield per acre (TYPA) analysis on several vacant properties within the City.

Through Shire City Consulting’s extensive research, our team discovered some general findings for the City of Pittsfield. There is a need for a gateway zoning to better highlight those

areas of the City as attractive visitor accessways. Residents of the City would also benefit from preserving the downtown character as it would enhance the community character of the City, as well as make Pittsfield a more desirable destination. To achieve this, Pittsfield should update their zoning ordinance in terms of design guidelines, land-use, sign regulations, and site plan review.

Through the asset-mapping public workshop, our team gathered information about priorities for key areas according to members of the community. In the Route 20 (W. Housatonic Street) area, participants prioritized preserving the Housatonic River character and cleanliness, design standards for future development of the area, and rectifying vacant businesses. In the Route 7/20 (South Street) area, residents prioritized beautification, walkability, green space, and traffic management. In the Route 9 area, members of the public identified infrastructure upkeep, traffic control, walkability, and formula retail building design as priorities. Members of the public established priorities in the Tyler Street corridor such as neighborhood aesthetics, St. Mary's Church, and the William Stanley Street Business Gateway. Lastly, participants identified the downtown area's priorities as code enforcement, retail and restaurants at street level, maintaining character, increasing residential units, and better parking wayfinding.

RECOMMENDATIONS

In order to fulfill our client's directives, Shire City Consulting has recommended that Pittsfield institute four overarching Umbrella Districts: (1) Downtown, (2) Business/Industrial Collective, (3) Gateway, and (4) Residential. These Umbrella Districts will preserve the character of the Pittsfield's unique neighborhoods and encompass requirements that encourage and regulate development in these areas to better align with the character of each neighborhood. All of Shire City Consulting's recommendations for each directive will adhere to these Umbrella Districts. Shire City Consulting has made the following recommendations:

1. Establish Gateway Zoning that have increased standards for design and signage,
2. Consolidate and update the permitted use table and its definitions,
3. Establish design guidelines based on neighborhood context to promote community character,

4. Create thresholds for site plan review starting with the Umbrella District that a project is in. From there, other thresholds will be taken into consideration in determining whether a development will go through minor or major site plan review,
5. Implement a sign ordinance that has stricter physical and design criteria,
6. Address zoning deficiencies by establishing a split parcel pilot project that would incentivize mixed-land-use, and
7. Institute a Pro Forma model to better assess costs to encourage development and minimize vacancy trends.



Figure 1: Umbrella Districts

CONCLUSION

Through this analysis and use of strategic recommendations, Shire City Consulting hopes to provide the City of Pittsfield with the tools and strategies it needs to update its zoning processes and proactively address future development. Although there are some issues that might be encountered along the way, the City has a great deal of social capital within its residents and other stakeholders to make changes happen. By coming together to discuss the potential of Pittsfield, the community will help propel Pittsfield's land-use practices into the future.

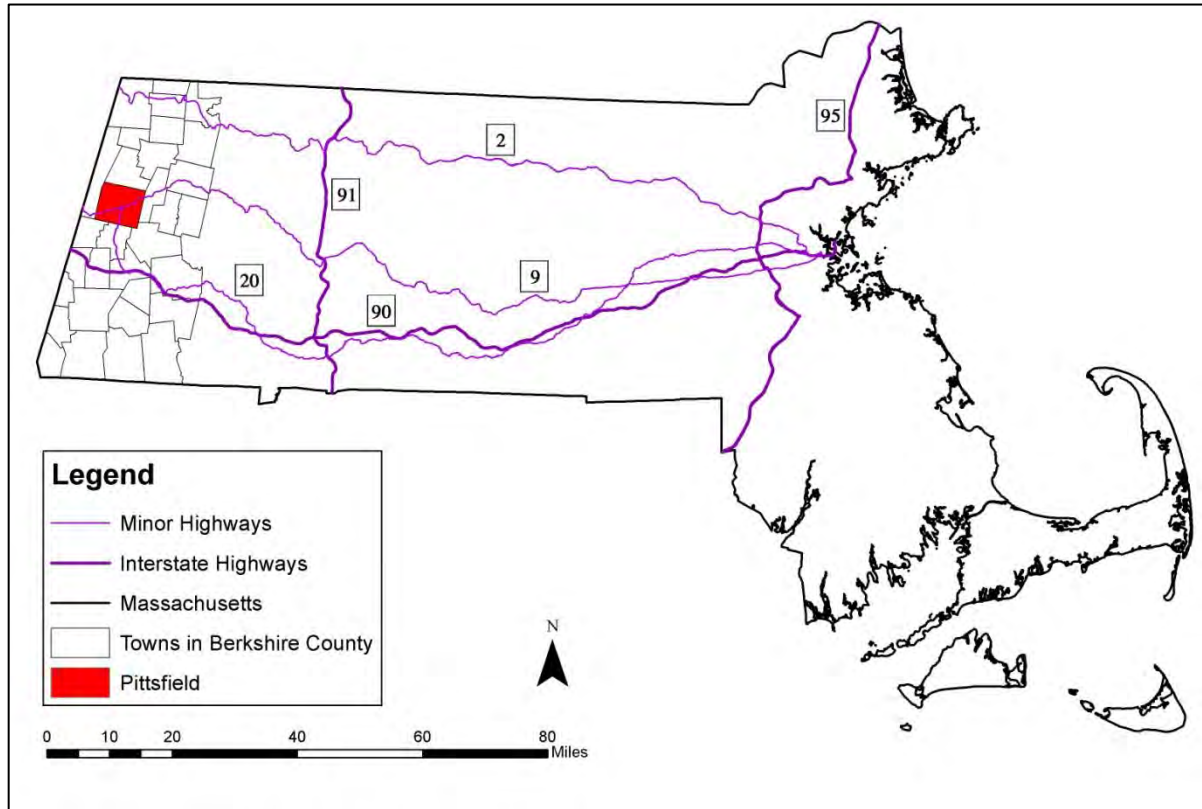
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INTRODUCTION

CONTEXT

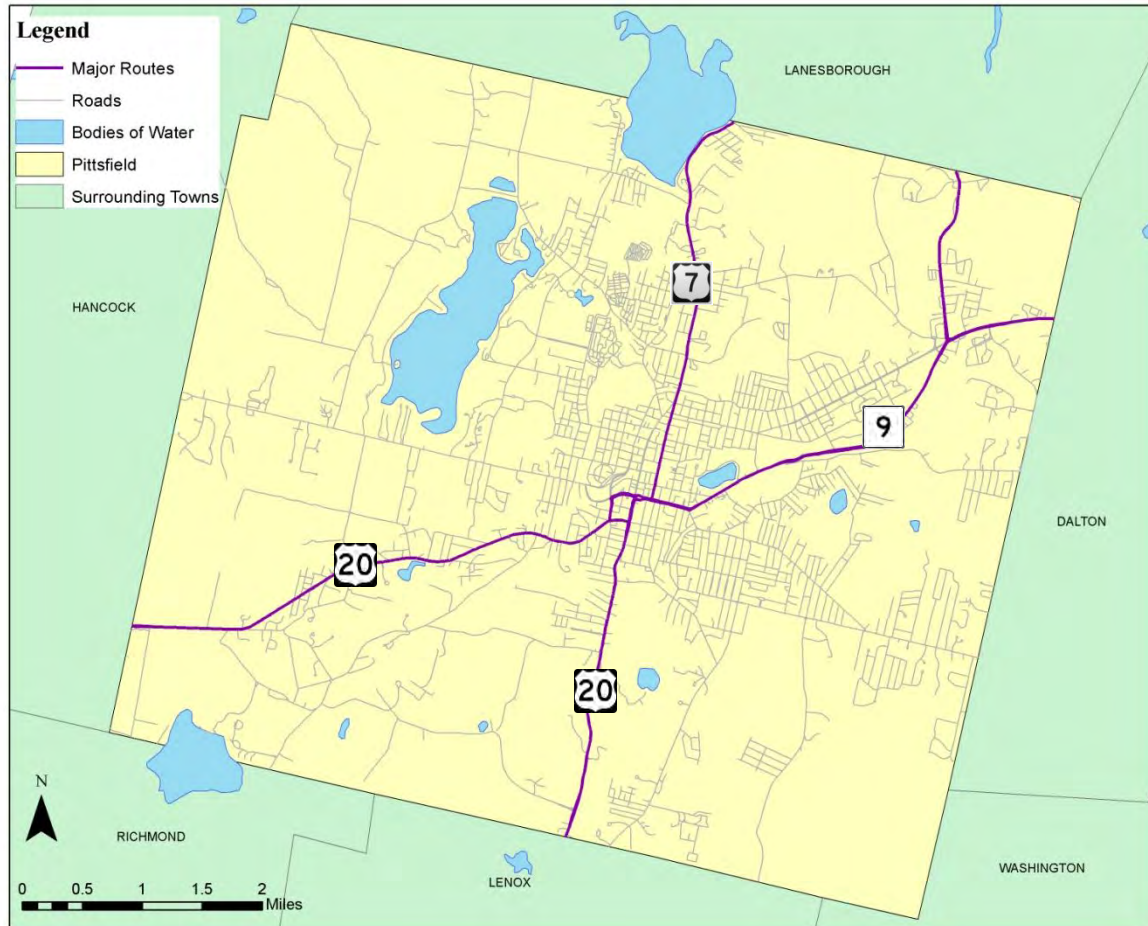
GEOGRAPHY



Map 1: State Locus Map

With a population of approximately 45,000 persons, Pittsfield, Massachusetts is the largest urban center in the Berkshire region (U.S. Census, 2010). Located in far western Massachusetts (see Map 1: State Locus Map) and situated on the headwaters of the Housatonic River, Pittsfield is surrounded by the region's eponymous mountains. Onota Lake in the west and Pontoosuc Lake in the north are also important geographic landmarks. As the western terminus of State Route 9 (see Map 2) and a major junction between U.S. Routes 7 and 20 and State Route 8, Pittsfield has five major "gateways" through which travelers typically enter the City. Pittsfield is located approximately five miles from the New York border and is detached from major interstate highways, being approximately 10 miles north of Interstate 90. Rail lines are another

important mode that travelers access Pittsfield. Pittsfield is a stop along the Lake Shore Limited, an Amtrak passenger line running between Boston and Chicago.



Map 2: Map of Pittsfield and bordering towns

HISTORIC CONTEXT

The land now known as Pittsfield was originally occupied by the Mahican people, transitioning to an agricultural community with its incorporation as a town in 1761. During this period, Pittsfield passed a bylaw prohibiting anyone from playing baseball within 80 feet of the newly constructed meetinghouse. This bylaw is considered to be the first written mention of baseball in the United States. Pittsfield's role as a major center of trade and industry began at the start of the 19th century with the arrival of Merino wool from Spain in 1807. Wool manufacturing

would dominate the Pittsfield economy for the remainder of the 19th century, leading it to become a bustling metropolis (City of Pittsfield, 2015).



Figure 2: Downtown Pittsfield

In addition to being a wealthy center of trade, Pittsfield rose as the urban center of the Berkshire region as some of the nation's wealthiest families built country estates in the Berkshires. One notable example was Herman Melville (see Figure 3), who wrote the manuscript for *Moby Dick* at his home, Arrowhead, which remains a prominent museum to this day (Poutasse, 2014).



Figure 3: Statue of Whale in Pittsfield's downtown paying homage to Herman Melville's *Moby Dick*

The direction of Pittsfield's development changed in 1891, when William Stanley relocated his Electric Manufacturing Company to Pittsfield. The factory, which produced primarily electric transformers, was purchased by General Electric (GE) in 1903. Due to GE's influence, Pittsfield's population grew to approximately 50,000 people by 1930, with the company employing almost 13,000 residents. GE continued to be the economic mainstay of the City until 1974, when the company began downsizing, eventually closing in 1986 (Arambula, 2009, pp.16-20). Today, only subsidiary corporations remain, including General Dynamics, an aerospace and defense company, and Saudi Arabia Basic Industries Corporation (SABIC), which announced it would be closing its Pittsfield offices by mid-2016 (Stafford, 2015).



Figure 4: Site of General Electric factory along Tyler Street, an identified brownfield area

SOCIO-ECONOMIC CONDITIONS

Pittsfield's vibrancy and population levels have declined since GE downsized; additionally, GE left a legacy of contaminated brownfield sites in the City. Figure 4 charts the population growth of Pittsfield, Berkshire County, and Massachusetts rates over time by dividing each decade by the starting year of 1960.¹ Figure 5 shows that Pittsfield's and Berkshire County's rates closely mimic each other in their overall decline over the past 50 years, while Massachusetts's rate has been steadily increasing. Pittsfield's population may be slowly stabilizing in recent years, as the 2000 population of 45,793 dropped by only 1,000 people to 44,737 in 2010 (U.S. Census Bureau).

¹ This method was recommended to Shire City Consulting by Dr. Henry Renski, to standardize the data of varying population sizes.

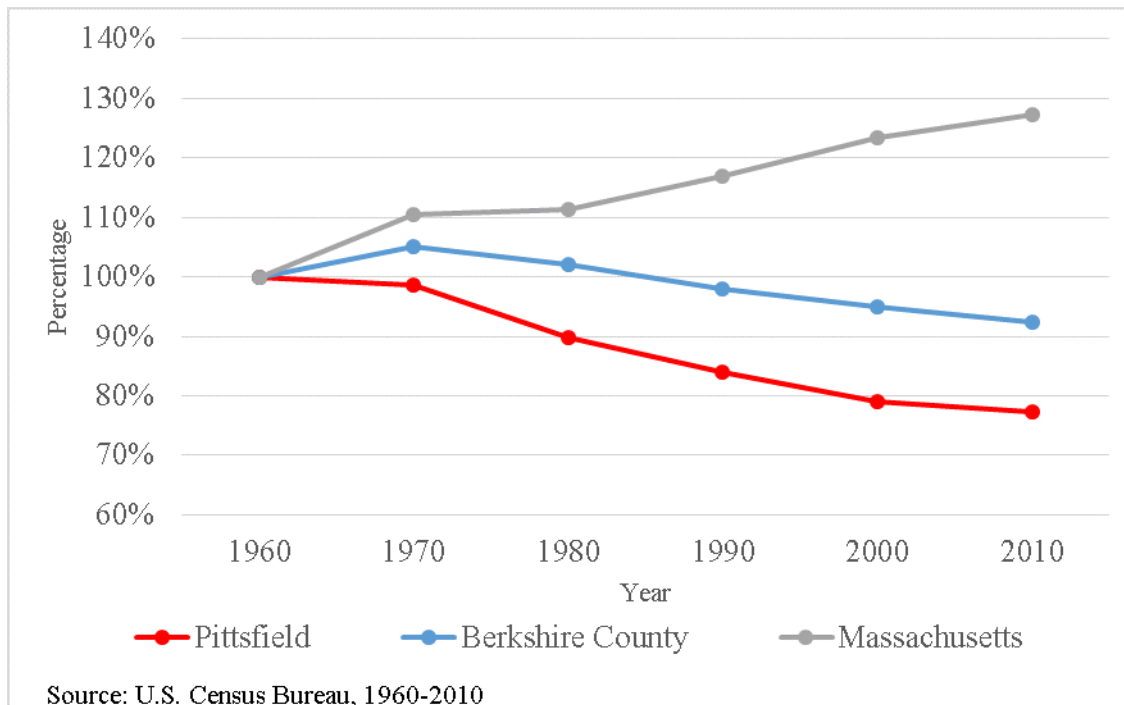


Figure 5: Population rates indexed over time

Compared to the population rate, the unemployment in rates in Pittsfield and greater regions have varied considerably, as Figure 6 demonstrates. In Pittsfield, the unemployment trend reflects General Electric's presence as the City's economic mainstay for many decades and its eventual absence, beginning with its downsizing in 1974 and eventual ceasing of operations in 1986. Recently, Pittsfield's unemployment rate has been increasing, reflecting a larger trend in Massachusetts and Berkshire County following the collapse of the dot-com bubble in 2000.

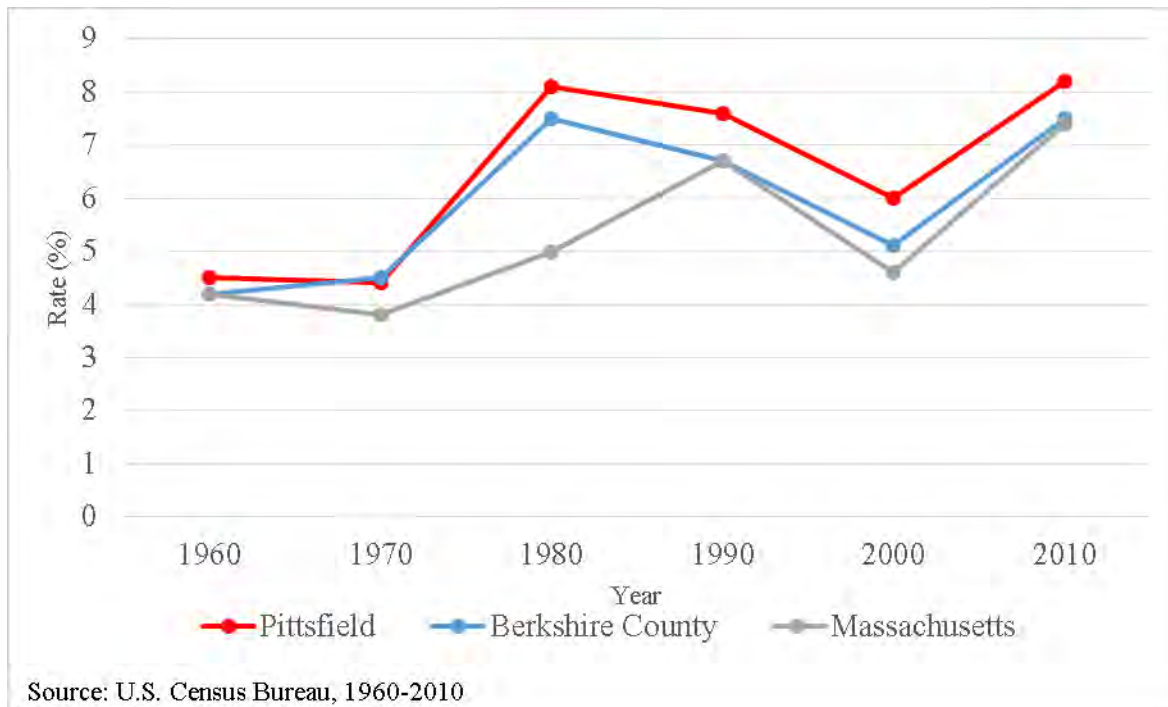


Figure 6: Unemployment Rate

Today, the demographic makeup of Pittsfield skews older, with a median age of 42.5 years and is 88.3% Caucasian. Pittsfield's median household income is \$42,114, well below the state median of \$66,800, its poverty rate is 14.9%, and its unemployment rate is 11.7% (American Community Survey, 2009-2013). Compared to the Pittsfield of 1970, which had a population of 57,020, a median income of \$56,200 (adjusted for inflation) and a poverty rate of 9.3%, it is obvious the City is in need of economic development and regulatory restructuring in order to regain its former vitality (U.S. Decennial Census, 1970).

Currently, the educational, health, and social services field (e.g. schoolteachers, nurses, and social workers) is the dominant sector of employment for the residents of Pittsfield (Table 1), which reflects a broader trend for both the county and state. Yet, what is notable is that the secondary, tertiary, and quaternary employment sectors (by percentage) in Pittsfield differ from Massachusetts, showing Pittsfield's differing economic state. For example, in Pittsfield, retail trade (e.g. business owners and cashiers) is the second largest employment sector, and arts, entertainment, and recreation, and accommodation and food services (e.g. actors and food service workers) is the third, followed by manufacturing. In Massachusetts, the second largest employment sector is professional, scientific, and management, and administrative and waste

services (e.g. office administration), followed by retail trade in third place, then manufacturing in fourth. Clearly, as GE has ceased operations within Pittsfield, the rise of the service and arts sectors have become an important aspect of the local economy.

Table 1: Employment by Industry (Source: 2013 ACS 5-Year Estimates)

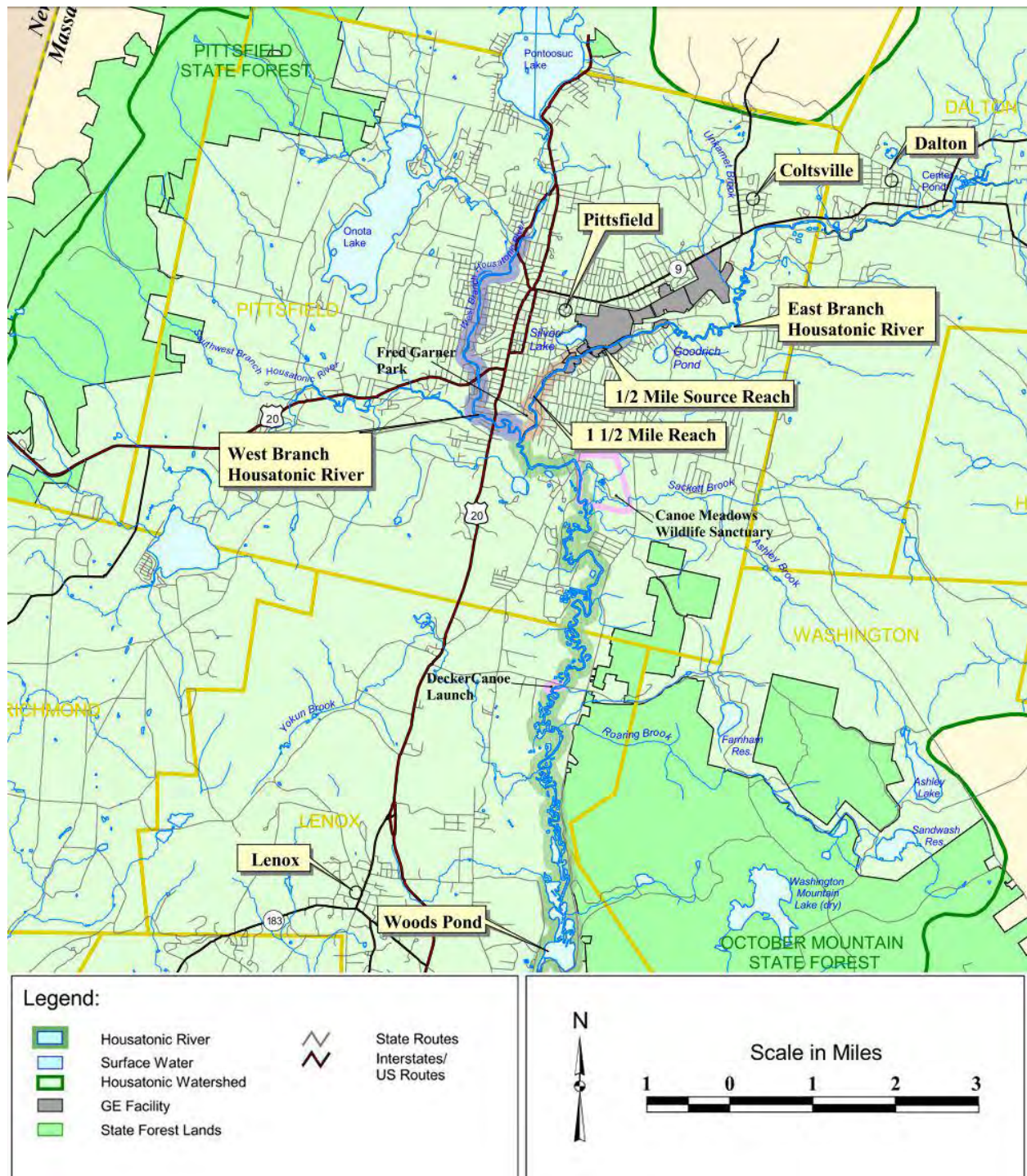
	Pittsfield	Berkshire County	Massachusetts
Agriculture, forestry, fishing and hunting, and mining:	0.45%	0.97%	0.38%
Construction	5.45%	6.62%	5.34%
Manufacturing	8.74%	8.42%	9.39%
Wholesale trade	2.06%	1.61%	2.43%
Retail trade	13.55%	12.40%	10.90%
Transportation and warehousing, and utilities:	2.51%	2.74%	3.64%
Information	1.58%	2.01%	2.34%
Finance and insurance, and real estate and rental and leasing:	4.52%	5.09%	7.71%
Professional, scientific, and management, and administrative and waste management services:	8.73%	9.16%	13.04%
Educational services, and health care and social assistance:	33.27%	32.04%	27.77%
Arts, entertainment, and recreation, and accommodation and food services:	9.55%	10.16%	8.43%
Other services, except public administration	5.66%	4.87%	4.53%
Public administration	3.92%	3.91%	4.09%

ENVIRONMENTAL LEGACY

In addition to causing a spike in unemployment, GE's departure also left Pittsfield with one of the worst brownfield sites – land previously used for industrial purposes that may be contaminated with hazardous waste – in all of New England (Arambula, 2009, p. 26). Most of the contamination in Pittsfield consists of polychlorinated biphenyls (PCBs), a major ingredient in Pyranol, an insulating agent that was used to produce electric transformers in the GE plant. GE representatives have estimated that approximately 140,000 pounds of PCBs were used on a weekly basis, with between 4,000 to 5,000 pounds of overflow spilling into the nearby Housatonic River. In fact, between 1934 and 1976, it was a common practice for GE to dump any remaining PCBs or other contaminants on-site, resulting in damaging effects on workers, nearby residents, and the local ecology (Arambula, 2009, p. 23). Although the production and use of PCBs was banned in 1979, their harmful effects persist into the present day.

PCBs have been cited by the U.S. Environmental Protection Agency (EPA) and Massachusetts Department of Environmental Protection (DEP) as a probable human carcinogen. Exposure to PCBs also leads to problems with the neurological, immune, reproductive, and endocrine systems (EPA & DEP, 1997). Mild symptoms of PCB poisoning include skin irritations such as rashes and acne. More severe ailments include liver damage and even liver cancer. Babies whose mothers ingested PCBs while they were in the womb have been reported to suffer from neurological defects as well as abnormal hormonal production (1997).

Since PCBs are resistant to biodegradation, they persist in the environment for hundreds of years if no cleanup efforts are conducted. The four major avenues through which PCBs have entered the environment in Pittsfield have been through dumping directly into the Housatonic River, leeching of the PCB-contaminated plumes of soil underneath the GE site into the river, spreading of contaminated sediments along the riverbank during flooding episodes, and GE's placement of PCB-contaminated fill in many marshy areas (EPA & DEP, 1997). The Environmental Protection Agency (EPA) estimates that the Housatonic riverbed and floodplain contains between 100,000 and 600,000 pounds of PCB-contaminated soil. Most of this contamination is found between the confluence of the East and West branches of the Housatonic River in Pittsfield and Woods Pond Dam in nearby Lenox to the south. Contamination is also found in Rising Pond in Great Barrington, which is located 10 miles from Pittsfield in southern Berkshire County (EPA, 2015).



Map 3: PCB clean-up sites in Pittsfield (U.S. EPA, 2015)

In the 1970s, growing awareness of the deleterious effects of PCBs led to increased demand for investigation into the extent of PCB contamination caused by GE. After several studies on worker health, GE acknowledged responsibility for the PCB contamination and

entered into a Consent Decree with the EPA and Massachusetts (MA-DEP) in 1981. Despite this, cleanup of the Pittsfield site by GE did not begin until 1997, after a \$500 million class-action lawsuit was filed by former workers and their spoland-use and PCBs were found under a local elementary school. After negotiations with the City and the EPA, GE agreed to a \$250 million settlement to prioritize cleanup along two miles of the Housatonic River and Silver Lake (Arambula, 2009).

As of the writing of this report, 18 out of the 20 non-river contaminated sites in Pittsfield have been completely cleaned. Two miles of the Housatonic River (1/2 Mile Reach and the 1 ½ Mile Source Reach) have also been completely dredged and classified as clean by the EPA (See Map 3). Work continues on cleaning the remaining two non-river sites, which is expected to finish by 2016, as well as continuing post-sediment removal monitoring along the river and monitoring of regional impacts. To date, more than 254,100 cubic yards of PCB-contaminated soil have been removed (EPA, 2015). The EPA, DEP and the Pittsfield Community Development office continue to monitor the situation through studies and the City's Brownfields Program.

RECENT TRENDS

GE's departure not only left a large environmental impact, but also forced Pittsfield to reexamine their identity as a community, which had been based around their existence as a GE hub for over seven decades. When tourism and the service economy started to become the dominant revenue-generating industries for Pittsfield in the 1980s, the City decided to capitalize upon its rich cultural heritage (Arambula, 2009, p. 10). Mayors in the 1980s made efforts to revitalize Pittsfield's waning downtown, using tactics such as the Artabout festival in 1981 (Landi, 2012, p. 59). However, the spark for Pittsfield's cultural renaissance began when the Colonial Theatre (see Figure 7), one of the last remaining vaudeville theatres in the United States, was designated a National Historic Treasure in 1998 by then First Lady Hillary Rodham Clinton, leading to over \$22 million in investment to reopen it (Kandell, 2012).



Figure 7: The Colonial Theatre

Pittsfield further developed its culture-based economy by creating the Office of Cultural Development in 2004 (Landi, 2012, p. 69). The creation of this department has led to major cultural events, such as the Third Thursday festivals, which began in 2007, and the renovation of the Berkshire Museum in 2008. Pittsfield's cultural renaissance has even been recognized by Massachusetts, with the City receiving a Creative Community Award (2012, p. 73). Due to these developments, Pittsfield was nicknamed the "Brooklyn of the Berkshires" by the Financial Times in 2010, and in 2012, it was named one of U.S. News's Best Places to Retire (Brandon, 2012; Vanhoenacker, 2010).

Massachusetts has also taken an interest in Pittsfield, designating it a Gateway City in 2007 along with ten other cities that have lower median incomes and lower educational attainment rates than the rest of the state. By receiving this designation, Pittsfield is able to apply for specific state funding opportunities to help revitalize its economy. Furthermore, it creates a

network for the gateway cities to discuss their issues and strategies and work with the state to return these communities to a legacy of economic success (Gateway Cities and Program Information, 2015).

CLIENT DIRECTIVES

In order to continue enhancing this cultural renaissance, Pittsfield completed an update to its Master Plan in 2009, which emphasized the need to update the City's land-use practices to align with the more arts-centered, culturally vibrant vision of Pittsfield. Although our team embraces Pittsfield's vision of an arts-based community, we have found indicators that retail has a stronger basis in the local economy. Implementing retail enhancements in ways that support the creative economy will allow this vision to thrive while meeting Pittsfield's economic needs. The 2009 Master Plan stresses the need for modernized development regulations that encourage development and redevelopment of appropriate size and scale that is in keeping with the character of the City. However, under Massachusetts state law, municipalities are not required to update their zoning regulations in accordance with the master plan, contrasting other states like California and Oregon. Therefore, in an effort to encourage updates to the Zoning Ordinance, the Department of Community Development has tasked Shire City Consulting with seven directives. By integrating these seven different aspects of development regulation, the City can have more engaged conversations about new development and promote the kinds of development that fit within the community character. These seven directives are as follows:

1. Spatial and Physical Boundaries of Major Gateway Corridors: *Analyze the City's five major gateways and develop tools to make them more attractive and welcoming.*
2. Permitted Use Table and Definitions: *Review, clarify, and consolidate the land-use listed in the table to assess deficiencies and unclear definitions.*
3. Design Guidelines: *Create a manual to guide architectural aesthetic standards for new retail developments.*
4. Sign Ordinance: *Implement a streamlined regulation that imposes better standards for sign quality.*
5. Site Plan Review: *Develop thresholds to create clearer processes for review of development projects, while creating more opportunities to engage developers in a conversation.*

6. Resolution for Split Parcels: *Identify all properties that fall within two zoning districts and develop a streamline tool to mitigate the situation.*
7. Pro Forma and Multi-Family Housing: *Develop a financial model that will estimate the construction and maintenance cost of multi-family housing units and make projections for new development's financial return.*

DATA

Shire City Consulting used an array of methodologies in order to obtain data. This section describes in depth each methodology and the ways in which our team used the resulting data to inform our scope of work and final recommendations.

ASSET MAPPING WORKSHOP

To gain insight from the community about their values and concerns for the future, Shire City Consulting hosted a public workshop at Pittsfield City Hall on October 8, 2015 from 6:30 p.m. to 8:00 p.m. Altogether, fifteen persons attended, in addition to Department of Community Development Cornelius J. Hoss and Permits Coordinator Nate Joyner. Various town organizations were represented, including members of the Community Development Board, the Department of Parks and Recreation, and the City Council. Several town residents also joined in, which helped to provide citizen-oriented perspective.

The fifteen members of the public were divided into five focused table groups, each starting off with a map of either the Downtown, Tyler Street Corridor, Route 9 (Merrill Rd/Dalton Ave/Cheshire Rd) Corridor, Route 20 West (West Housatonic Street), or Route 7/20 South (South Street). Each map rotated between the tables so participants were able to weigh in on a variety of areas within Pittsfield. Members of Shire City Consulting guided participants through an asset mapping exercise, using the five maps to solicit feedback regarding places valued by the community, as well as places found problematic or transitioning with recent improvements. The asset mapping exercise encouraged participants to use sets of green, yellow, and red dots to highlight meaningful places on their maps (see Figure 8).

Green Dot	Places identified as assets
Yellow Dot	Places identified as in transition from deficit to asset, could use some improvement
Red Dot	Places identified as deficits or problematic
Blue Dot	Priority areas - places identified by stakeholders as ones needing urgent focus

Figure 8: Asset Mapping Dot Colors and Meanings

Participants also used pens and markers to write and draw on the maps to provide commentary on their dot placements and to provide further context for their decisions. Volunteer note takers at each table recorded noticeable points made during group discussions. To conclude the activity, all the members came together and analyzed the dots placed on each map to come to consensus on priority areas that Shire City Consulting should focus on for the duration of our project.

Following the workshop, Shire City Consulting compiled the maps and notes and identified recurrent themes raised by the public. Priority areas suggested by the public related to our client directives included (1) making the Route 7/20 (South Street) gateway more welcoming, (2) addressing vacant properties, (3) making storefronts and streetscapes more aesthetically appealing, and (4) greater code enforcement (See Appendix I).



Figure 9: Asset Mapping Workshop

RESEARCH

There were various documents provided to us by Pittsfield's Department of Community Development that increased our understanding of local conditions. The following is a partial list of those sources:

- 2009 Pittsfield Master Plan
- 2011 Master Plan Addendum
- 2014 Pittsfield Zoning Ordinance
- 2014 Pittsfield Zoning Map
- 2005 Pittsfield Sign Ordinance
- Assessors data, including tax maps and parcel cards

- GIS shapefiles, including land-use, parcel shapes, zonings, transportation, open space, etc., and
- United States Census Bureau data

Additionally, our team conducted personal interviews with Pittsfield community members and leaders, including the Community Development Director, other members of the Department of Community Development, Community Development Board members, and business owners. All of Shire City Consulting's recommendations are based on planning theory and literature, precedent studies, and related professional experiences. Our team has performed several different types of analysis, including GIS mapping analyses, Lynch analyses, and analyses of property tax yields based on acreage and development typologies in order to provide Pittsfield with the most comprehensive recommendations and vision. Furthermore, research material was also gathered from faculty and peers in the UMass Department of Landscape Architecture & Regional Planning.

TAX YIELD PER ACRE (TYPA) ANALYSIS

Tax yield per acre (TYPA) is a useful tool for gauging and understanding how different types of development will bring in different revenue amounts to the City through property tax allocations (Minicozzi, Berry, & Anderson, 2012). Comparing buildings based on tax yield per acre, rather than on tax yield per parcel or per building, normalizes the data to demonstrate the most financially efficient way, from the City's perspective, to develop a single acre of land. Tax yield per acre is calculated using this formula:

$$[(\text{Assessed value of the parcel}) \times (\text{Tax rate}/\$1000)] / \text{Parcel acreage}$$

For a simple example of TYPA calculations, consider a parcel worth \$100,000 in combined building and land values, with a tax rate of \$30/\$1,000, or 0.03. If the parcel is one acre of land, then the TYPA would be calculated this way:

$$(100,000 \times 0.03) / 1 = \$3,333.33 \text{ in property taxes per acre}$$

Since TYPA can be applied to any building scenario, it is a very useful tool to predict which building scenarios will bring in the greatest amount of tax revenue for the City. Building typologies are based on their height, structure, and site design. Examples of some of the building typologies our team will apply in Chapter 8 are Detached Retail with Drive-Thru,

Residential/Commercial Mixed-Use, and High Density Apartments. By comparing the TYPA of different typologies (for example, high-density apartments versus detached retail stores with drive-thrus), planners can estimate the amount of potential revenue generated by each development type. Using this tool, planners can encourage certain types of developments that are likely to create the most tax revenue for their city.

In Chapter 8, Shire City Consulting applies TYPA to demonstrate how much tax revenue certain current developments are providing the City and which kinds of development the City should be encouraging to increase their tax base. TYPA is by no means a panacea for determining funding to implement solutions to Pittsfield's issues. However, it can be a useful tool for comparing different types of development and can inform future City planning and land-use decisions.

SITE VISITS/LYNCH ANALYSIS

In order to fully appreciate the assets and environment of Pittsfield, Shire City Consulting conducted multiple site visits to the five identified gateway corridors, its downtown core, and other areas including Tyler Street and the Westside and Morningside neighborhoods. The purpose of these visits was to collect both qualitative and quantitative data such as the types of retail stores in each of the corridors, the architectural styles of several neighborhoods, and common varieties of signage. Through these visits, Shire City Consulting was able to develop a greater appreciation and understanding of some of the issues that Pittsfield faces as well as the many assets already in existence in the City.

Our team's major tool for spatial analysis was the ESRI Geographic Information Systems (GIS) software. Data layers from the Massachusetts Office of Geographic Information and the Pittsfield Engineering Office were primarily used to extract information regarding parcel locations within zones, zoning boundaries, open space, and building types. The team's analysis of these data allowed our team to understand where many of regulatory issues Pittsfield faces impact the community.

Another tool Shire City Consulting used was a Lynch analysis. This technique is derived from the work of Kevin Lynch, published in his seminal 1960 book, *The Image of the City*. In this book, Lynch contends that users of any space adhere to five basic elements in order to orient themselves:

- **Paths-** Passageways that people travel through and upon, such as sidewalks, streets, or trails. They can be planned, like sidewalks, or spontaneous, like trails.
- **Edges-** Places where borders are perceived, such as boundaries created by fencing, walls, or large buildings.
- **Nodes-** Focal points or places where streams of traffic intersect, such as a rotary or busy corner.
- **Landmarks-** Easily identifiable places or objects which can be used as points of reference and orientation.
- **Districts-** Larger sections of a town or city that share a common identity and character that distinguishes them from other parts of the city.

A Lynch analysis identifies the location and interaction of these five elements in any given space, where the elements will vary based on the scale of the area. Shire Consulting conducted Lynch analyses of all five major gateways in order to compare how each gateway is used and ultimately perceived.

Lastly, a major portion of Shire City Consulting's research involved conducting walking surveys and taking counts of certain features, such as signs, architectural styles, retail types, sidewalks, and vacant storefronts. The personal observations of Shire Consulting's members expanded the data and research our team had collected from published documents, precedent studies, GIS data layers, and Lynch analyses.

CHAPTER 1: GATEWAY ZONING

CLIENT DIRECTIVE

The client has requested an analysis of the existing commercial zoning boundaries of Pittsfield's five major gateways.

BACKGROUND

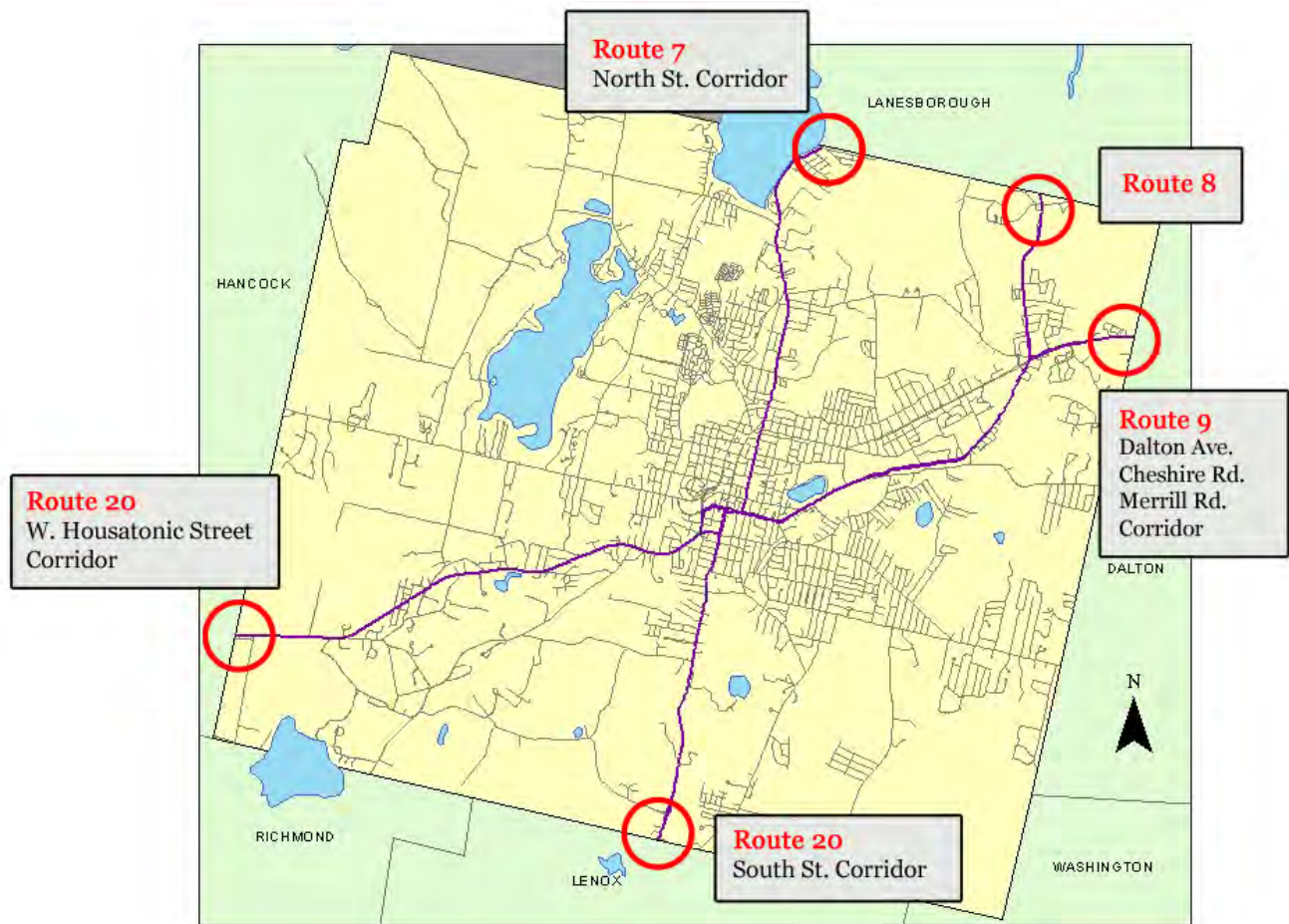
Currently, Pittsfield is experiencing a decline in population and employment (see Figure 5 and Figure 6). As a result, the City wants to stabilize and bring people back into its community by creating lively neighborhoods that are seen as good destinations. Due to its major gateways, the City is often used as a pass-through for tourists, especially people traveling in and out of Albany, New York, as well as other cities nearby. The Pittsfield Department of Community Development utilized the term “gateway” to describe the points at which major highways enter Pittsfield, since these areas are the first point of access to Pittsfield by the majority of travelers. Pittsfield would like to capitalize on this existing stream of traffic by re-establishing its gateways as a way to attract tourists and potential residents into Pittsfield itself. Therefore, it is crucial that the appearance of the gateways sets a positive tone for the City as a whole. They should appeal to existing residents by fitting within the context of the surrounding neighborhoods.

To improve its gateways, Pittsfield will need to propose aesthetic improvements to these areas of the city. For these improvements to be made possible, existing conflicts and constraints caused by zoning boundaries must be addressed. Any and all future aesthetic improvements and developments must work alongside Pittsfield's zoning boundaries and their specific regulations. Potential constraints will be identified through Shire City Consulting's spatial and physical analysis of the zoning boundaries.

EXISTING CONDITIONS

INTRODUCTION

The City of Pittsfield's gateways are divided into four types of zoning: residential, business, industrial, and special. Pittsfield's five major gateways each contain a different mixture of zoning within them.



Map 4: Map of Pittsfield highlighting its five major gateways

ROUTE 9 (DALTON AVENUE/CHERSHIRE ROAD/ MERRILL ROAD)

The gateway along Route 9 contains a diverse mix of residential, commercial, and industrial zoning, including One Family Residence, Medium Density Multi-Family Residence, Grouped Business, Commercial, Warehousing, and Storage, Limited Industrial, and General Industrial. Limited Industrial is defined in the Zoning Ordinance a district that is established “to provide for use by research laboratories, office buildings, high technology and a variety of other industrial and associated land-use” (CPZO, 2014, section 3.213). Despite its varied zoning, Route 9 is the home to many strip malls and big box stores. Route 9 is primarily known for the diverse options the strip malls and stores offer, attracting many visitors looking for formula retail outlets.



Figure 10: View of an intersection along Route 9 showing distressed infrastructure and autocratic design

Lynch Analysis Legend

-  Node
-  Landmark
-  Industrial District
-  Commercial District
-  Edge
-  Path



Figure 11: Lynch Analysis Map of Route 9

ROUTE 7/20 (SOUTH STREET)

Similarly, the gateway located along the Route 7/20 (South Street) corridor is predominantly zoned as commercial, specifically General Business, upon entry. Past the entry, Limited Industrial and One Family Residence zoning surrounds the area. The gateway is also close to the Dan Fox Drive Overlay District. The purpose of the Dan Fox Overlay District is “to provide and manage access or curb cuts to land development, while preserving the regional flow of traffic in terms of safety, capacity and speed on Dan Fox Drive” (CPZO, 2014, section 4.44). Therefore, the establishment of this overlay acts to preserve the corridor from future development that may pose a potential threat for City users. Dan Fox Drive “serves as part of the county’s primary network for moving people and goods and also provides access to businesses and homes” (CPZO, 2014, section 4.44).

The Route 7/20 South Street Corridor is the only gateway in proximity to an overlay. This gateway is primarily known for its access to Lenox, off of I-90, which travelers utilize to get to their destination spots.



Figure 12: Strip Commercial development located along the South Street focus area



Map 5: Dan Fox Drive Locus Map

Lynch Analysis Legend

-  Node
-  Landmark
-  Commercial District
-  Edge
-  Path



Figure 13: Lynch Analysis Map of Route 7/20 (South Street)

ROUTE 20 (WEST HOUSATONIC STREET)

The Route 20 (West Housatonic Street) corridor is zoned mostly as Low Density One Family Residence, One Family Residence, and One and Two Family Residence, with the exception of a segment of the corridor zoned as Grouped Business and General Business. Along West Housatonic Street, Hancock Shaker Village is situated on the borderline of Hancock and Pittsfield, offering a major site attraction due to its Shaker-related history.



Figure 14: A vacant building in the West Housatonic focus area that provides an example of redevelopable space

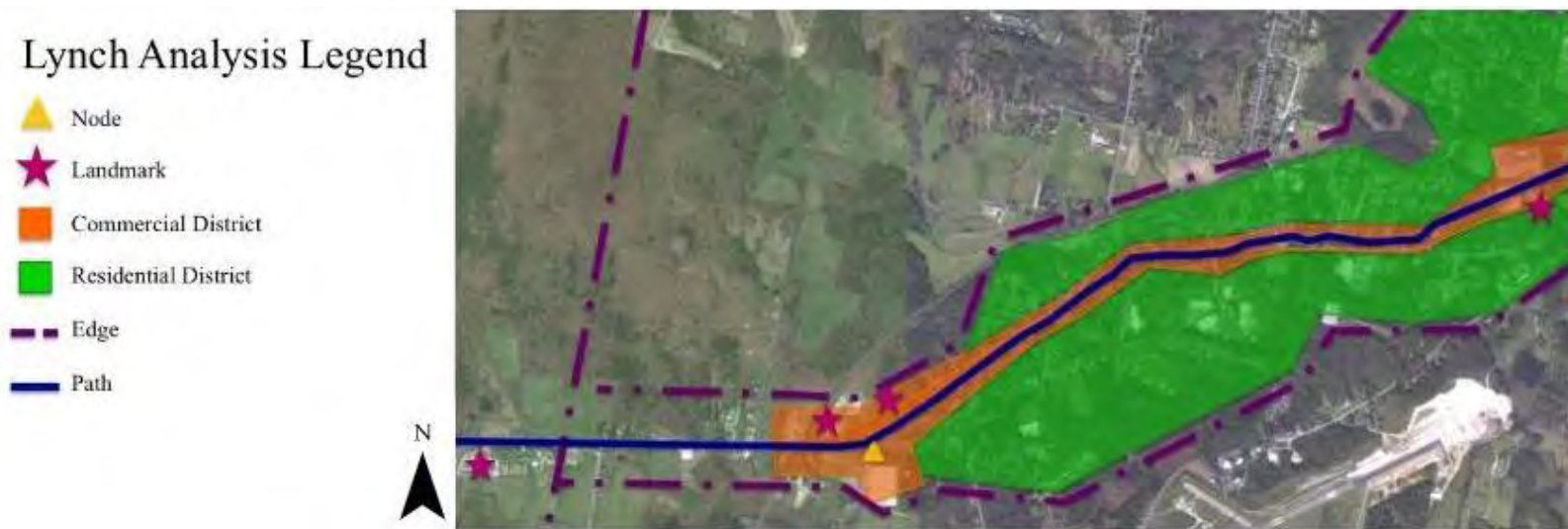


Figure 15: Lynch Analysis Map of Route 20 (West Housatonic Street)



Figure 16: View of businesses along West Housatonic Street

ROUTE 8 (CHESHIRE ROAD)

The Route 8 gateway is the most industrial of the five gateways. The gateway is primarily zoned as Light Industrial and Limited Industrial. As previously discussed, Limited Industrial is a zone for the establishment of offices and laboratories related to any and all industrial land-use. In contrast, Light Industrial is a zone established for “a wide range of manufacturing, processing and other land-use incompatible with residential and commercial development” (CPZO, 2014, section 3.211). Developers within this district may build and operate as long as they minimize any effects and disturbance caused by their manufacturing efforts. Currently, Unistress Corporation and the Berkshire County Jail is located along Route 8. Unistress Corporation is a manufacturing company that “specializes in the design, production, and construction of large scale precast/prestressed concrete structures” (Unistress Corporation, 2015). Many residents traveling along the corridor are primarily making trips to the nearby Berkshire Mall, located on the border between Pittsfield and Lanesborough.

Lynch Analysis Legend

-  Node
-  Landmark
-  Industrial District
-  Residential District
-  Edge
-  Path



Figure 17: Lynch Analysis Map of Route 8



Figure 18: Route 8 is home to the Berkshire County Jail and the Unistress Corporation

ROUTE 7 (NORTH STREET)

Lastly, the gateway located along Route 7 has a two small areas that are zoned as General Business, but overall, this area is zoned residential, specifically One Family Residence. The gateway borders Lanesborough, through which many tourists come through into Pittsfield. Route 7 is also known for the presence of Donut Man, which is one of the first businesses that people see upon entry. Behind Donut Man and parallel to North Street, Pontoosuc Lake offers a beautiful view where customers are able to eat and take in the view from an outdoor seating spot.



Figure 19: A section along Route 7 that could benefit from stronger design guidelines and investment

Lynch Analysis Legend

-  Node
-  Landmark
-  Commercial District
-  Residential District
-  Edge
-  Path



Figure 20: Lynch Analysis Map of Route 7

WORKSHOP FINDINGS AND SITE VISITS

Participants in the asset-mapping workshop provided Shire City Consulting with valuable insights into Pittsfield residents' perceptions of the assets and deficits of the City's gateways. Four major themes that came up repeatedly during the workshop were public safety, walkability, impact of industrial land-use on gateway character, and aesthetics.

Members of the public voiced their desire to protect Park Square, which is located the intersection of South Street and North Street. Community members pointed out that Barkerville Conservation Area is located in proximity to Route 20, something important to keep in mind when proposing new development strategies. Additionally, workshop participants expressed the need to add landscaping and greenery to some of the many strip retail developments along Pittsfield's corridors to soften their asphalt-heavy appearance. Members of the public wanted to make these areas aesthetically pleasing, not only for the benefit of residents, but in the hope of attracting more tourists into Pittsfield's businesses as well. Lastly, participants would like Shire City Consulting to focus on business parks and the "very industrial" features they bring to the corridor.

Another specific gateway discussed at the workshop was Route 9. When discussing this gateway, members of the public discussed their concern for their safety when walking and driving between the various shopping plazas. The roads are wide with disconnected sidewalks, making it difficult for shoppers to travel on foot from one store to another. This area is also dangerous for drivers to navigate because of the restrictive barriers on the road. Furthermore, the public made note of the presence of numerous vacant storefronts. Aside from finding them aesthetically unattractive, residents worried that the vacancies would give passing travelers the impression that the city is not active or lively. A similar issue that residents brought up was the tractor-trailers that are found parked in an underutilized lot in front of Wal-Mart. The trailers are out of place and give a negative impression of the city. In addition to solving these issues, the public would like to make this gateway more aesthetically pleasing by increasing accessibility and adding greenery.



Figure 21: Route 9 lacks sidewalks

Through the site visits conducted, Shire City Consulting saw firsthand some of the concerns that residents brought forward at the asset-mapping workshop. In addition, our team further analyzed the various elements that contribute to the overall character of the gateway, in order to understand what makes each corridor individually unique. Some elements that our team made note of included business origin, commercial type, transportation, lingering time, pedestrian safety, and spatial boundary of the gateway. First, our team determined business origin by taking an inventory of every business that was present, noting whether each exists on a local, regional, state, or national level (see Appendix II). Second, our team further inventoried the businesses to determine whether the gateway consisted of primarily family-owned “mom and pop” stores or chain formula retail.

Third, the team examined the primary mode of transportation – automobile, public transit, walking, or cycling. The primary mode of transportation very much reflects the lingering time of residents and visitors and the time they spend in the area. Lingering time is a subjective measurement employed by our team, in which team members timed the number of seconds or

minutes it took our team to travel 100 feet along the corridor. In addition, our team examined the level of pedestrian safety at each gateway, making note of whether the gateways had accessible sidewalks and crosswalks. Lastly, our team made note the spatial boundaries between Pittsfield and the neighboring towns. Through this analysis, Shire City Consulting developed overarching characteristics for each gateway, classifying each one as primarily commercial, residential or industrial. This analysis aided our team in developing our recommendations for this directive (see Table 2)

Table 2: Gateway Analysis

<i>Location</i>	<i>Features</i>	<i>Business Origin (Local, Regional, State, National)</i>	<i>Commercial (Mom/Pop Store, Formula)</i>	<i>Transportation</i>	<i>Lingering Time</i>	<i>Pedestrian Safety</i>	<i>Spatial Boundaries</i>	<i>Overarching Characteristic</i>
Route 7	Pontoosuc Lake; Pontoosuc Park for picnics and recreational activity	Primarily local	M/P Stores: i.e. Crossroads, Three Sisters Tag Sale	Auto, bike lanes, sidewalk along the lake	~ 5 minutes	Side walk ends on one side the further in you go	Lanesborough	Residential
Route 8	Ashuwillticook Rail Trail (heading towards Lanesborough); Adopt A Highway; Berkshire County Jail; Unistress Corporation	Primarily local	No commercial; primarily industrial district	No bike lane or sidewalks - very dangerous; no crosswalk; primarily auto, no bus seen	~ 15 seconds	No sidewalks; very dangerous	Lanesborough	Industrial
Route 9	Adopt A Highway	Primarily national, and then second most were local stores	4 Shopping Plazas; Formula	Extensive parking lot, open; no bike lane, 3 bus stops = auto and public transportation (one stop across from Allendale	~ 1.5 minutes	Sidewalk is not continuous, only on one side of the street at times	Dalton	Commercial
Route 20 W. Housatonic	Hancock Shaker Village (historic museum)	Mostly local, and then good number of regional	Local and regional stores	1 bus stop; no sidewalks, no bike lanes	~ 3 minutes	No continuous sidewalk	Hancock	Mixture of Residential and Commercial (fronting the street)
Route 7/20 South Street	Dan Fox Drive; Business Park	Even number of local and national businesses	M/P; restaurants	1 bus stop	~ 2 minutes	Semi-broken up sidewalks	Lenox	Commercial

LITERATURE REVIEW

INTRODUCTION

A city's major points of entry, referred to in this report as "gateways," often set the tone for people's initial perceptions of that city's character. Attractive, welcoming gateways contribute to the overall prosperity of communities by encouraging positive feelings and a sense of belonging, often collectively referred to as "place attachment" or "sense of place." There are many elements that contribute to a person's sense of place, including aesthetics, levels of community involvement, and unique character. While many communities have begun emphasizing sense of place initiatives to strengthen the revitalization of their downtowns, they often largely ignore their gateways. This leads to gateways that are unattractive because they contain all of the "undesirable" land-use that were pushed out of the downtown.

This lack of prioritization of and investment in gateways may cause a community's reputation to decline. It is important to create a vibrant gateway by creating an environment that draws both residents and visitors into the city. People who feel a high level of place attachment are more likely to invest in their community and work to preserve it, thus improving the economy. Therefore, improvement of the perceptions of gateways will have lasting impacts for both residents and the overall community.

This literature review explores the ways in which cities work to revitalize places. Using the sources discussed here, Shire City Consulting will develop tools and strategies to implement in revitalizing Pittsfield's gateways. Using academic databases, Shire City Consulting has selected current literature that explores the success of communities and the elements needed to achieve them. Three themes identified throughout the literature in this review are community character, accessibility and transportation, and aesthetics. By understanding the role these elements play in the cultivation of a desirable city, this review fills a gap in knowledge that Pittsfield needs to improve the perception of its City.

Following this brief introduction, the next section explores the concept of community character so that Shire City Consulting can come to an understanding of the meanings and implications of "sense of place." The next section examines the importance of accessibility and

transportation so that our team is familiar with the needs that exist among the current population of Pittsfield. The next section reviews the importance of aesthetics so that Shire City Consulting can develop standards for visually appealing places. Lastly, the review will conclude by examining how to incorporate our client's various directives – such as design guidelines, sign ordinance, and site plan review – into Pittsfield's gateways.

COMMUNITY CHARACTER

In this section on community character, our team explores the various aspects that can contribute to a sense of place. Robertson (1995) examines the role a downtown core plays in forming a community's identity. Evans-Crowley (2008) examines the contributions of formula retail stores and their influences people's perceptions. Fernandes and Chamusca (2014) examines how retail development impacts a community, in terms not only of socioeconomic conditions, but also character as well. Taylor (2012) examines a zoning change that restricted the sprawl of banks along major commercial avenues. Collectively these papers will reveal how character is shaped by many differing factors that go beyond simple aesthetics to include economic conditions as well as land-use.

Robertson (1995) identified the decline of downtown areas as having a negative effect on communities since the 1920s. Communities with declining downtowns are in search of solutions to address the decline, with the goal of preserving their city's identity and reputation. The author provides a set of seven redevelopment strategies that are widely used, including pedestrianization, indoor shopping centers, historic preservation, waterfront development, office development, special activity generators, and transportation enhancement. These strategies emphasize high-density development, unique structures, public spaces, and street-level activity. Communities cultivate a sense of place through the various elements that contribute to the city's character.

The findings Robertson addressed are a good summation of many research initiatives that have looked into redevelopment strategies for downtowns. What is distinctive about Robertson's review is that he has brought all the strategies into one place so that the reader can compare, contrast, and combine strategies. The author also indicated that certain strategies might actually

detract from the downtown as a whole if used on their own. Lastly, Robertson warned the reader to avoid recreating suburbia in the downtown area. For example, even though people tend to flock towards auto-centric shopping experiences, attempting to recreate a similar experience in a downtown area would destroy its urban fabric.

Evans-Cowley (2008) examines formula retail stores and their effects on municipal ordinances. This paper explored cities with a minimum population of 25,000 and examined existing regulations that controlled the development of new formula retail stores in the area. Evans-Cowley requested copies of these regulations from responsive departments and coded 217 regulations for analysis (2008). The regulations, including limitation of design standards, design review, and size caps, set the standard for cities to improve design and aesthetics of their formula retail stores.

Evans-Cowley recognized that big-box developments are at a completely different scale than other retail developments. The research showed that cities are trying to make more pedestrian-friendly areas in the city and realize that there is no way of excluding big-box retail completely. As a result, cities worked to make it more difficult for developers to build big-box retail without considering aesthetics and community context. It has become more and more apparent that the value placed on aesthetic qualities of buildings within a city is growing, and that people do want to live or shop in a place they find ugly. Overall, Evans-Cowley was practical in acknowledging that big-box retail stores play an important role that is not leaving the American landscape in the near future, but provided useful methods by which communities can incorporate big box retail without detracting from their character.

Fernandes and Chamusca (2014) explored the reasons that the urban cores have been resilient in the face of retail development and how retail has shaped the actions around the community. Through an analysis of policy designs and enforced regulations, Fernandes and Chamusca focused on retail and traditional shops in Northern, Southern, and Eastern Europe. In this area of the world there is a “diverse pattern of national retail structures” (p. 170) compared to the rest of the world. In forming ways in which community economies can become sustainable, they drew a connection between economic resilience and the strength of the city

center. The authors concluded that as globalization increases, specific cultural frameworks play a vital role in the resilience of retail.

Even though Fernandes and Chamusca's research focused on European contexts, their findings are very applicable to American urban centers. As in Europe, American cities suffer from the effects of globalization and the ever-increasing uniformity of chain retail businesses. By concluding that cultural differentiations are key to preserving retail resilience in urban cores, Fernandes and Chamusca emphasized the importance of local community values and character. By acknowledging that cultural practices shape public policies and vice versa, Fernandes and Chamusca provided a useful framework for how communities must approach future policy decisions regarding community character.

When high rents and other factors drove small stores out of the area, banks often moved into the vacated properties, until the street's previous diverse character has been replaced with a bank monoculture. Taylor (2012) examined a zoning change in New York City that restricted the length of street front that banks were able to occupy in certain parts of the Upper West Side. The author discussed the negative effects that having too many banks has had on the surrounding neighborhood. This same discussion can be applied to the realm of formula retail stores. The sprawling number of banks occupying space in New York mirrors the numerous formula retail stores along Pittsfield's gateways. This monotony and lack of diverse land-use does not contribute to a vibrant street-life. Development cultivates the character of a community, and regulation of such development is paramount in preserving its sense of place.

From this examination of these papers on community character, the research demonstrates that downtowns play a key role in determining a community's identity as well as economy. However, the strategies that the authors proposed, such as pedestrianization, could be applied to any area of a city. Furthermore, such strategies emphasized the role of uniqueness and cultural sensitivity as a key aspect to success. Although community character can be an imprecise concept to identify, there exist many concrete metrics to track its vibrancy.

ACCESSIBILITY AND TRANSPORTATION

In this section on accessibility and transportation, Shire City Consulting examines strategies that communities should consider in optimizing traffic systems for all users. Brennan et al. (2006) explores ten indicators of activity-friendly communities, including transportation environment. Reslock (2015) examines the different transportation options that cities offer to their older, senior populations. Ziezulewicz (2014) analyzes the tools utilized to solve issues of traffic congestion and public safety that Plainfield, Illinois experienced along one of its main corridors. Collectively, these papers will reveal that the targeted population and density level of a city are the driving forces in addressing transportation and accessibility issues.

Brennan et al. (2006), through a systematic review process, identified key indicators of activity-friendly communities. The authors developed an extensive literature review, in addition to consulting “fugitive data” from sources like reports and websites, in order to develop their indicators using a modified Delphi system² involving a number of institutions and organizations. The ten indicators the authors found were land-use environment, access to exercise facilities, transportation environment, aesthetics, travel patterns, social environment, land-use economics, transportation economics, institutional and organizational policies, and promotion. The authors concluded that while these indicators are important unto themselves, in order to achieve an “activity friendly community,” decision-makers must adopt a collaborative approach. The authors emphasized that this paper is a first step in addressing the issue of ways in which to increase activity and that further indicators must be determined.

This research on activity-friendly communities built upon is an extensive review of not only peer-reviewed material but other sources as well. Because of this, the activity-friendly communities research can be seen as a modified meta-analysis that looks at the literature through a specific lens, hoping to develop an understanding of community indicators. By collecting and refining a comprehensive sample of literature on the topic, our team can be confident that it provides an accurate context of then-current knowledge, as well as be confident in the identified

² A structured communication technique that relies on a panel of experts to forecast predictions (Brennan et al., 2006)

indicators. Understanding the possible applications of these indicators will help our team foster active community lifestyles within Pittsfield.

It has been estimated that “15 million Americans aged 65 and older live in areas where public transportation is spotty or nonexistent, so additional resources are needed” (Reslock, 2015, p. 37). Reslock identified walking as the second most used mode of transportation for people age 65 and older. The author acknowledged the challenges that the older population experiences, but recognized their abilities as well. Reslock also examines various communities and the improvements they have implemented to address issues of public safety among their populations. Improvements included increasing the time allotted for pedestrians at crosswalks, installing better signage, including distances to destinations, and developing rest areas.

The usefulness of this article comes from its emphasis on acknowledging multiple publics when developing transportation plans for communities. While the elderly are not typically thought of as physically active, the options and resources this population needs in order to walk are often disregarded. Furthermore, Reslock’s findings can be transposed to other populations, such as the visually- or mobility-impaired, who may require greater time in crossing streets. Developing rest areas will not only benefit the elderly, but also provide public spaces for other demographics to meet and frequent.

Ziezulewicz (2014) discussed a plan for decreasing the traffic congestion issues and increased level of safety along one of Plainfield, Illinois’s main corridors, Division Street. Division Street is located in Plainfield’s historic downtown area, but due to increased traffic, many residents have put their historic homes up for sale. Plainfield officials held public engagement workshops to receive any input or suggestions for improvement. The outcome of the workshops was to create regulations that exhibited greater control over the land-use and designs allowed in the corridor. Through adopting more walkable, neighborhood-sensitive design standards, Plainfield began to emphasize a more welcoming environment for pedestrians.

From the examination of these papers on access and transportation, the research demonstrates that the relationship between automobiles and pedestrians should be at the forefront of any planning strategy. Emphasizing one mode over the other, especially automobiles, can lead to disconnected, unpleasing environments that detract from perceptions of an area. Furthermore,

lack of accessibility and transportation can drive residents and tourists from core areas of retail for the community. Different strategies for transportation and access need to fit within the context of the community and its targeted population.

AESTHETICS

In this section on aesthetics, Shire City Consulting examines the importance of appearances in cultivating a vibrant community. Mitchell (2001) examines the role Business Improvement Districts (BIDs) play in maintaining the appearance of downtown districts. Balsas (2014) examines the use of urban design practices to strengthen the vibrancy of communities undergoing a socio-economic crisis. Nyren (2015) examines different manners in which buildings can be reused, rather than demolished, to increase their values. Collectively these papers will reveal the connection between aesthetics and a community's economy.

Mitchell (2001) examined the role of BIDs in the shifting of downtown revitalization efforts away from large-scale, federally-funded urban renewal projects to incremental, entrepreneurial efforts. By conducting a national survey of 264 independently managed BIDs in 43 states, Mitchell attempted to discover how BIDs are improving downtown life and what issues BIDs face in the continued economic growth and revitalization of downtowns. After identifying 404 BIDs in the U.S. through Internet searches, library databases, and request letters mailed to state agencies, surveys were mailed out to each BID's managers, with a 65% response rate. The survey asked questions about BID size and organization. The survey also asked managers to rank their level of involvement with nine different BID services.³ Mitchell found that BIDs are most commonly involved with marketing downtown districts, maintaining appearance and sanitation, and advocating for local policies affecting downtowns.

One limitation that Mitchell acknowledged was the fact that his research was predicated on the assumption that BIDs are good and a positive influence on the health and vibrancy of downtowns. Although his demonstration of the growth in the number of BIDs in recent times suggests they are popular and effective, Mitchell contends that a systematic study is needed to

³ BID services surveyed included capital improvements, consumer marketing, economic development, maintenance, parking and transportation, policy advocacy, public space regulation, security, and social services.

accurately measure BID performance. His findings are significant in that they show that BIDs are very versatile organizations that prioritize different areas of focus. Understanding that a BID's mission is often nuanced is important to assessing their impact on and usefulness to a community's downtown.

Balsas (2014) tested whether resilience theory⁴ could be used to analyze a city's socio-economic cycles and find appropriate strategies to minimize the cycle's negative impacts. Using the Mill Avenue district in downtown Tempe, Arizona as a case study, Balsas conducted in-loco observations, analyzed the patterns of public and private investments, and interviewed residents and business owners. Through his multi-pronged approach, Balsas was able to identify cycles of vibrancy and divesture in Mill Avenue before and after the point when development began to shift to other districts outside of the downtown. Balsas found that even despite streetscape improvements and transit-oriented developments, Mill Avenue still lost vibrancy. He concluded by emphasizing the fact that downtowns need to be nurtured through urban design practices and community-oriented planning decisions in order to become resilient after hardship.

Through the case study of Tempe, Arizona, Balsas was able to review a city that has done some things right and some things wrong since their financial crisis. Balsas' findings could be helpful for another community's toolkit creation, but seemed vague and without clear direction. The author made poignant observations when describing the need for bringing together of many stakeholders who believe in protecting the centers from other competing locations. Important to the survival of a city's core is its uniqueness, specialty, and cache amongst all other city cores.

Nyren (2015) explored the innovative reuse of buildings in order to increase their property values. Using ten case studies from the U.S., Canada, and Denmark, Nyren showcased ways in which dilapidated buildings can be repurposed with radically different land-use, but still be aesthetically pleasing. For example, in Milwaukee, Wisconsin, the Pabst Brewing Company was a brewery that was in business from 1884 to 1996. Ten years later, the abandoned brewery was converted into an extended-stay hotel – with a pub, to relate back to its brewing history.

⁴ Primarily used in psychology, resilience theory is a framework in which subjects must find ways in which to respond to trauma (Balsas, 2014).

Nyren emphasized that preserving a historic structure is vitally important and more valuable than demolishing it. By repurposing historic structures into unique land-use that hearken back to their history, both the bones and significance of the building can be preserved.

From the examination of these papers on aesthetics, the research demonstrates that the maintenance of aesthetics, whether it is through historic structures or streetscape improvements, has a direct connection to a community's vibrancy. Furthermore, the concept of aesthetics extends beyond art or form, but applies to architecture, greenery, and overall perceptions. By prioritizing aesthetics, communities are in a better position to revitalize their communities and enhance their character. Different strategies such as district designation, regulating private development, or community-oriented planning are among the ways of achieving this vibrancy through aesthetics.

OVERALL CONCLUSION

Community character is the essence of informing people's perceptions of a place. Valuing context-based and well-maintained environments can lead to positive associations of place. Since much of average Americans' lives are based around shopping, the character of commerce plays a crucial role in determining a community's identity. To regulate community character, not only will land-use techniques such as zoning changes and land-use allowances need to be carefully examined, but also communities must also look toward economic development strategies as well as tourism.

Transportation and accessibility play a vital role in connecting people and place. In analyzing these concepts, transportation plans cannot be standardized, but must address many different groups of people and their needs. Furthermore, transportation is not about simply moving people from one place to another, but developing ways to make travelers enjoy the journey and absorb their surroundings. Lastly, transportation is also essential to the economy of any community, not only by transporting goods, but also by increasing customer access.

Aesthetics are an incredibly important aspect of the perception of an area, correlating with its economic vibrancy. While the focus of the literature on aesthetics is downtowns, their conclusions can easily be applied to surrounding regions and the gateways. Not only is the

establishment of aesthetics crucial in developing positive perceptions of a place, maintaining those improvements is just as vital. Using a community-oriented planning strategy that incorporates an area's resources, capacity, and values is the most efficient way of developing appropriate aesthetics and ensuring their longevity.

In reviewing these articles on topics that ranged from sense of place to aesthetics, our team has developed a thorough understanding of the many aspects that contribute to positive associations with place. However, what the current literature lacks is the interconnection between all these varying aspects, both within the downtown and especially in outlying areas. Furthermore, the literature does not address the feasibility and usefulness of imposing organizational models, such as BIDs, onto areas outside of the downtown. It also lacks discussion of potential conflicts that may arise from a combination of different zoning districts within one area.

DISCUSSION AND SWOT ANALYSIS

INTRODUCTION

Pittsfield's gateways have the potential to enhance the City's overall attractiveness, but there may be some conflicts that make it difficult to implement significant changes to these areas. The varying land-use, aesthetics and character of each of the gateways have an array of effects on the respective areas that must be considered as Pittsfield works to improve its role and reputation within the surrounding region. This analysis discusses each of the five gateways.

ROUTE 9

STRENGTHS

The strength that exists along Route 9 gateway is its presence as an economic hub that brings retail dollars into Pittsfield from the surrounding region. Route 9 is home to many strip malls that offer a lot of shopping options to people in the area. There are four strip malls, consisting of offices, grocery stores, and a range of retail products. Furthermore, the strip malls are located within proximity of one other, making it easier for residents to make one-stop

shopping trips. Out of the five gateways, Route 9 has the most bus stops, with a total of three located along Merrill Road. This offers residents the option to take public transportation, resulting in fewer cars on the road.



Figure 22: One of the many strip malls located along Route 9

WEAKNESSES

A weakness of this corridor is the excessive, underutilized parking lots within shopping plazas and surrounding areas. The big-box stores and strip malls located along the Route 9 gateway all have large parking lots to provide customers accessibility and convenience during their trips. However, the number of parking lots in this area now far exceeds what is actually necessary to accommodate traffic. There are many parking lots that are consistently underutilized, even during the busy holiday season. These lots are primarily devoid of green infrastructure, contributing to the lack of aesthetic appeal of this gateway. Route 9 seems to have become a place that people travel to out of necessity and convenience, but do not get any real enjoyment out of their visit.

OPPORTUNITIES

An opportunity within this corridor is the integration of landscaping to soften the look of asphalt, as recommended by participants in the asset-mapping workshop. This will provide a

potential solution to the lack of aesthetic appeal in the large parking lots. The addition of parking islands and other landscaping features could be integrated into the parking lots. This would not only help to balance the overwhelming presence of asphalt, but help with storm water management as well.

THREATS

The major threat to this corridor is the possibility that shoppers will be irritated if the convenience of parking is jeopardized. The purpose of large commercial parking lots is to provide convenience for the majority of people who do their shopping by car. If too many boundaries and landscaped areas are added to the lots, customers may find them too disruptive or inconvenient.

ROUTE 7/20 (SOUTH STREET)

STRENGTHS

The strength of this corridor is the presence of Dan Fox Drive. Similar to Hancock Shaker Village, Dan Fox Drive can be a potential tool that further aids the gateway's flow of traffic, as it runs perpendicular to South Street. As the county's primary network for transportation of goods and people, residents and travelers heavily utilize Dan Fox Drive. Another draw is Guido's supermarket, which has brought local, artisanal food to Pittsfield and Lenox for the past several decades.



Figure 23: View of South Street and the various businesses located along the road. Gateway is best known for being the home of Guido's Fresh Marketplace and Stop & Shop

WEAKNESSES

The weakness of this corridor is its lack of public safety. Overall, the corridor is extremely auto-centric. The road is very wide, making it difficult for people to cross the street. Many pedestrians risk jaywalking because the only crosswalk within easy walking distance is located at the intersection of South Street and Dan Fox Drive. Crossing the street is extremely dangerous because of the high-speed traffic along this corridor. Furthermore, the excessive parking lots and billboards dominate the streetscape, which disrupts the view shed for all pedestrians.

OPPORTUNITIES

An opportunity along this corridor is the reconstruction of existing roads. To address the public safety issue, Route 7/20 (South Street) could be narrowed so that it becomes less dangerous for pedestrians. Other efforts could include the development of additional crosswalks and signals to improve pedestrian safety. Another possibility is the incorporation of bike lanes to create a less auto-centric corridor that is equally accessible to all modes of transportation.



Figure 24: View of the Hancock Shaker Village

THREATS

The major threat is the potential difficulty of making alterations to the existing roads. Narrowing the streets will slow down traffic, something that people may not like since Route 7/20 is used as a fast-paced highway for travelers. It is also possible that narrow streets will increase traffic congestion because of the high volume of traffic currently traveling down the corridor.

ROUTE 20 (WEST HOUSATONIC STREET)

STRENGTHS

The strength of this gateway is the presence of Hancock Shaker Village. Though primarily located in the neighboring town of Hancock, Hancock Shaker Village sits along on border with Pittsfield and acts as a potential tourist attraction that assists in leading travelers into Pittsfield. The village “operates as a living-history museum” (Hancock Shaker Village, 2015), offering workshops, exhibitions, and a hiking trail that is open to the public. Pittsfield has the

potential to utilize the Village’s existing traffic and draw these tourists into the City. In addition, another strength of this corridor is its many light industrial retail outlets, which provide a needed service for the surrounding rural areas.



Figure 25: There are many vacant lots, along West Housatonic Street that have the opportunity to be redeveloped

WEAKNESSES

The weakness of this corridor is the presence of vacant lots. Along Route 20 (West Housatonic Street), a strip of vacant lots can be found on one side of the road. The lots are unappealing to the eye and contribute to the negative perception people may have of the City. In addition, the corridor lacks sidewalks, crosswalks, and bike lanes on both sides of the road, making it necessary for residents to drive wherever they go.

OPPORTUNITIES

An opportunity for this corridor is the potential for new commercial development or the creation of open space to occupy the vacant lots along the corridor, which currently create a negative perception of the City. The lots fronting the street create the first impression visitors

receive upon entry. Out of the five gateways, Route 20 (West Housatonic Street) is the most undeveloped, but has the potential to draw in the thousands of visitors who go to Hancock Shaker Village.

THREATS

The threat to this corridor is the possible disruption to the residential life that is currently present along this corridor, since Route 20 (West Housatonic Street) is largely zoned residential.

Therefore, the addition of commercial development could become a nuisance to the people who live nearby. The addition of new stores will bring in additional traffic and noise that could hurt residents' property values and quality of life.

ROUTE 8

STRENGTHS

The strength is the Ashuwillticook Rail Trail. The Route 8 gateway sits on the border between Pittsfield and Lanesborough. The two communities share the Ashuwillticook Rail Trail, a former railroad corridor that has been converted into a wide-paved rail trail path, offering a scenic route as well as opportunities for recreational activities for all. This provides an alternative method to car travel for accessing Pittsfield.



Figure 26: View of Ashuwillticook Rail Trail

WEAKNESSES

A weakness of this corridor is the heavy industrial character that offers limited aesthetic appeal for all. The gateway's major development consists of Unistress Corporation and other manufacturing businesses. Furthermore, Berkshire County Jail and House of Correction is located on the other side of the road from Unistress, which contributes to the lack of attractiveness of this gateway and the negative perception of Pittsfield. In addition, Route 8 is completely un-walkable and unsafe for pedestrians, despite the presence of residential developments nearby.

OPPORTUNITY

An opportunity for this corridor, like Route 20, is its potential to become a more intermodal transportation-friendly streetscape with the addition of sidewalks and bike lanes. This

would capitalize on Route 8's proximity to the Ashuwillticook Rail Trail and other recreational opportunities. Instead of having to drive to the trail and then walking or biking, nearby residents would be able to walk or bike there from their homes and then simply continue along the trail. Currently, the trail ends at the border of Lanesborough and Pittsfield. The City has approvals and funding to extend the trail one mile south to provide better connections within Pittsfield, and in the long term plans to extend the trail south to an eventual connection in Lenox and provide more access for its users.

THREATS

The threat is the industrial activity that takes place within this gateway. An increase in pedestrian traffic may cause a disturbance for these businesses. Businesses will need to be more attentive to issues like safety and trespassing if there are people passing through the area on a regular basis. Conversely, the industrial activity may discourage people from using Route 8 as a recreational area.

ROUTE 7

STRENGTHS

The strength of the Route 7 corridor is Pontoosuc Lake. The lake enhances the overall attractiveness of the gateway and has the potential to become a tourist attraction for the city. The lake offers options for recreational activity for people of all ages in the area. The corridor has sidewalks, allowing residents to walk and bike along the lake to enjoy the view. In addition visitors are able to utilize the picnic space set up on the park located south of Pontoosuc Lake with open access for boats and kayaks. Overall, the gateway carries a local character among the residential life situated along the corridor.

WEAKNESSES

A weakness of this corridor is the lack of design guidelines that could help commercial development complement the view of Pontoosuc Lake. The design of the current commercial development does not fit within the context of the surrounding neighborhood and takes away

from the beauty of the lake across the street. Furthermore, there is little to no signage that offers wayfinding information about the lake, limiting the number of residents and visitors who are aware of its existence.



Figure 27: View of Pontoosuc Lake, along North Street

OPPORTUNITIES

An opportunity for the Route 7 corridor is recreational activities created by the presence of Pontoosuc Lake, which could serve as a greater draw for tourists. However, to further enhance the lake as a tourist attraction, it is important that the built environment in this gateway complements its natural features. Design guidelines can help control the aesthetic appearance of future development and limit development that could potentially limit access to the lake as a recreation spot.

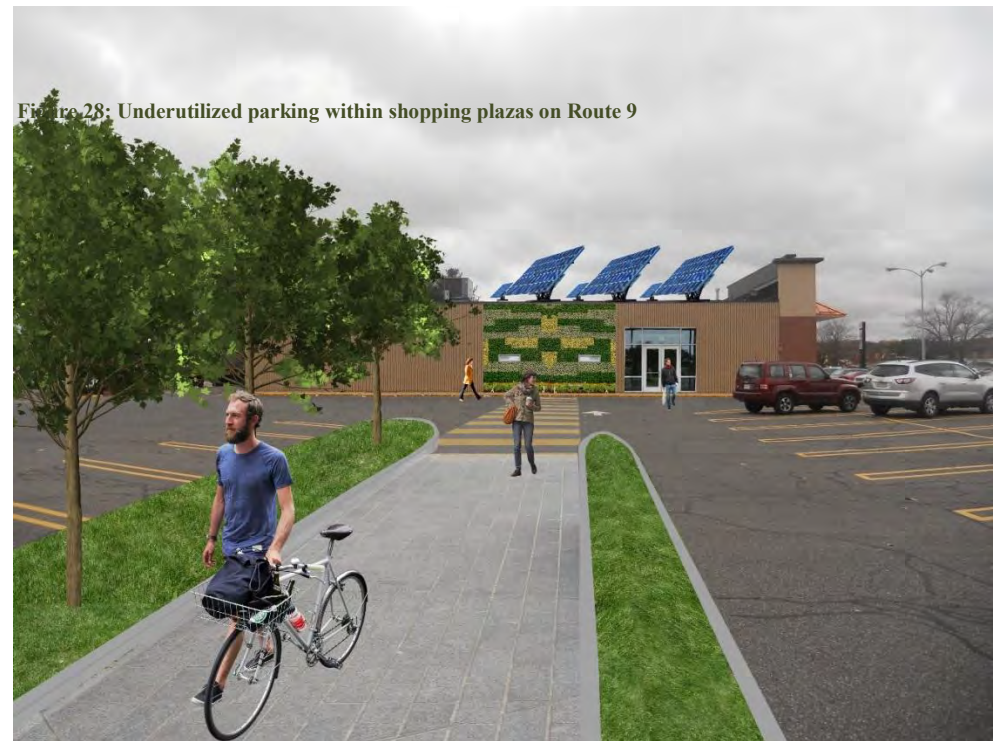


Figure 28: Underutilized parking within shopping plazas on Route 9

Figure 29: A rendering prepared by Shire City Consulting that incorporate elements of green infrastructure into an existing business building. Elements include the addition of parking islands, a crosswalk, a walkway, and solar panels on top of the building

THREATS

The threat is the potential increased traffic from enhanced commercial and tourist activities on Route 7 and in relation to Pontoosuc Lake.. Given that much of the surrounding area is residential, increased usage of the lake could result in the nuisance of dealing with the increased flow of cars and people.



Figure 30: Residential buildings fronting North Street

SUMMARY

Each of Pittsfield's major gateways has existing and contributing components that can aid the City in its revitalization efforts. The strengths range from small-scale features, such as sidewalks, to large-scale features such as tourist attractions. Within each gateway Shire City Consulting has identified underlying weaknesses through multiple site visits and input from the public. Despite these weaknesses, we have identified opportunities to improve each gateway, which will be further addressed in recommendations. Collectively, these components can aid the City in its revitalization efforts.

RECOMMENDATIONS

Shire City Consulting recommends creating a new Gateway District and re-zoning the five major gateways of the city. The Gateway District will become one of the overarching umbrella districts, accompanying Downtown, Business/Industrial Collective, and Residential District. These districts will aid any and all future development that comes into the city, regulating what developers can and cannot do in these areas. Regulations will incorporate aspects of transportation, character, and aesthetics, which will require aspects of the design guidelines and sign ordinance (see Appendices II, III, and IV **Error! Reference source not found.**). The table is a model of the proposed regulations that should be placed within each distinctive district. Currently, the gateways lack these requirements and Shire City Consulting recommends implementation of short-term tasks, within six months, in working towards a Gateway District.

An example of a regulation will be the need to implement sidewalks along all corridors, which will address the walkability concern many residents expressed in the asset-mapping workshop. Other guidelines in the Gateway Zoning District will include Open Space Preservation to protect Pittsfield's natural treasures, such as Pontoosuc Lake located along Route 7 (see Appendix III and IV).

Shire City Consulting takes into account that Pittsfield is part of the Massachusetts Gateway Cities Program. The program encourages cities to “actively participate in, and contribute to, the Commonwealth's overall economic success by taking advantage of their distinctive ability to be desirable locations” (Gateway cities and Program Information, 2015). The program opens up more opportunities for the City of Pittsfield to obtain state funding. However, this program is unrelated to the proposed Gateway District, which will place a focus on enhancing the entryways of the City and preserving its original character.

Shire City Consulting recommends the Gateway Districts to be established within 3-5 years, in anticipation for extensive public engagement processes and potential pushback from the public, which is expected in the creation of a new zoning district.

<i>Gateway District</i>	Corridor(s)	Public Safety	Design Guidelines	Signage	Permitted Use(s)
<i>Gateway Commercial (G-C)</i>	Route 9	<ul style="list-style-type: none"> • 8 ft. wide sidewalk • Crosswalk • Bike lanes 	<ul style="list-style-type: none"> • Incorporate area aesthetics • Preserve heritage 	<ul style="list-style-type: none"> • Wayfinding signage 	<ul style="list-style-type: none"> • Hotel • Museum • Art Gallery • Library • Theater • Offices • Restaurant
	Route 20 (West Housatonic St.)				
	Route 7/20 (South St.)				
<i>Gateway Residential (G-R)</i>	Route 7	<ul style="list-style-type: none"> • 8ft. wide sidewalk • Crosswalk • Bike lanes 	<ul style="list-style-type: none"> • Preserve heritage • Building height limit 	<ul style="list-style-type: none"> • Limit height • Limit illumination 	<ul style="list-style-type: none"> • One-Family Dwelling • Multi-family Dwelling • Parks • Playgrounds • Schools
<i>Gateway Industrial (G-I)</i>	Route 8	<ul style="list-style-type: none"> • Streetlights 	<ul style="list-style-type: none"> • Incorporate material and landscaping 	<ul style="list-style-type: none"> • No moving or flashing signage 	<ul style="list-style-type: none"> • Body/Paint Shop • Parking Garages • Manufacturing, Processing/Fabrication

Table 3 Proposed Gateway Zoning Table

IMPLEMENTATION

6 MONTHS

Route 7/20 (South Street)

- The Department of Community Development should make corrections to sidewalks so that they are no longer unbalanced or rigid
- The Department of Community Development, should work with MassDOT to make efforts to add crosswalks to encourage walkability and promote public safety when crossing the street

Route 20 (West Housatonic Street)

- The Department of Community Development will hire a private consultant to determine areas along the corridor where it is deemed appropriate to construct sidewalks and crosswalks to decrease speed of traffic and increase public safety.

Route 9

- The Department of Community Development should add parking islands to provide green detail within shopping plazas

Route 8

- The Department of Community Development should hire a private consultant to determine areas along the corridor where it is appropriate to construct sidewalks and crosswalks to decrease speed of traffic and increase public safety.

Route 7

- The Department of Community Development, should collaborate with MassDot to make efforts to add crosswalks to encourage walkability and promote public safety when crossing the street
- The Economic Development and Planning Intern should market Pontoosuc Lake as a beautiful tourist attraction

1-2 YEARS

- The Community Development Board should develop an outreach strategy for a community engagement initiative to start the initial public process for the establishment of a Gateway District
- The Department of Community Development should work with MassDOT to narrow South Street and as a result shorten the width of the road

3-5 YEARS

- The Community Development Board, led by Department of Community Development, should establish a Gateway District, through further designation of each gateway into one of three separate categories:
 - **Gateway Commercial:** Gateways primarily zoned as commercial (Route 9, Route 7/20 (South Street) and Route 20 West Housatonic)
 - **Gateway Industrial:** Gateways primarily zoned as industrial (Route 8)
 - **Gateway Residential:** Gateways primarily zoned as residential (Route 7)
 - Each category within Gateway District will integrate different standards of signage, design guidelines, and site plan review as mentioned in later chapters of this document

CHAPTER 2: PERMITTED USE TABLE AND LAND-USE DEFINITIONS

CLIENT DIRECTIVE

The client has requested that Shire City Consulting review and update Pittsfield's permitted use table (see Figure 31) and reassess the definition of each land-use.

BACKGROUND

The City of Pittsfield's Zoning Ordinance was adopted on February 16th, 1973. The purpose behind enacting zoning regulations is to separate the different land-use that can be found within a community (Hirt, 2007). Euclidean, or single-use zoning, first made a significant mark in 1926. Since then, zoning in many communities nationwide has seen a transformation from Euclidean zoning to form-based zoning. All types of zoning are still used in the United States, but many more progressive communities are attempting to adapt to form-based codes due to the benefits for aesthetics, predictable results, and high-quality public space.

Originally, zoning separated land-use that may not be appropriate to integrate, such as separating industrial land-use from residential land-use (Hirt, 2007). This began as a useful tool, but it was found that communities could utilize it to disenfranchise already disadvantaged groups of people. For example, when drawing boundaries for areas where banks would not provide mortgages, a practice known as redlining, banks could use zoning to exclude neighborhoods with high minority populations (Tootell, 1996). With greater awareness of this discrimination and the realization that zoning by land-use did not necessarily aid in aesthetics, planning departments have started to utilize new methods like form-based codes, which allows communities to regulate districts through physical form instead of by land-use.

The Master Plan for the City of Pittsfield states that "Pittsfield will prosper as the creative and commercial hub of the county... be a city in the country that retains and enhances livability and...by encouraging appropriate growth and development, [become] economically stronger as well as a more attractive place to live, work, and visit" (2009). After an update to a Master Plan, a city's permitted use table should be updated to reflect the visions expressed in that plan. However, the City of Pittsfield's permitted use table, found within their zoning ordinance, was last updated in 2005 with the addition of the Neighborhood Business (B-N) column (Ord. 938).

This leaves room for improvements and updates within the Use Regulation section, including the permitted use table and land-use definitions.

EXISTING CONDITIONS

To complete this directive, Shire City Consulting consulted the City of Pittsfield's primary planning documents: the 2009 Pittsfield Master Plan and the 2014 Pittsfield Zoning Ordinance. These documents are central to the planning of the City, as they dictate what the long term goals are as well as enforce the current regulations. By understanding the visions stated in the 2009 Master Plan, our team will be able to make recommendations that will reflect this vision. The 2014 Zoning Ordinance will need to be seriously addressed, since it has been updated sporadically and reactively rather than on a regular basis. One step in this direction is to reformat the permitted use table and land-use definitions, since these dictate what can be built where and thus guide the character of the town.

Pittsfield's permitted use table contains 113 land-uses under the categories of Residential, Institutional, Recreational, Educational, Office, Automotive Sales and Services, Retail and Consumer Services, Utilities, Communication, Transportation, Industrial, Manufacturing, Storage, Governmental, and Other Principal land-uses (CPZO, section 4.202). Compared to other Massachusetts communities, this is a reasonable number of land-uses, but when compared to communities that have undergone a recent zoning overhaul, it is clear that there is room to improve by removing out-of-date land-uses and combining land-uses that are similarly defined. Pittsfield's permitted use table format itself is outdated and not consistent. Land-use groups (i.e. "by right" or "special permit") are uniform across all zoning districts, which may not allow for context-specific control. Definitions of some land-uses can be found in the glossary, which precedes the permitted use table by two sections within the 2014 Zoning Ordinance, whereas other land-uses are not defined at all.

<u>PRINCIPAL PERMITTED USES</u>	<u>USE GROUP</u>	R-43	R-20	R-12	R-6	R-G	R-M	B-C	B-G	B-D	U-A	C-W-S	I-L	I-G	L-D-I	B-N
Offices: General Business, Professional, Banking, Real Estate or Insurance: Drive-In, Drive-Up or Drive-Through (ORD 768, 1994)	SP							X	X	X		X	X	X	X	
<u>e. AUTOMOTIVE SALES AND SERVICE USES</u>																
Car Washes	SP								X			X	X	X		
Body or Paint Shops	BR											X	X	X		
Repair Shops or Garages	BR								X			X	X	X		
Sales Lots and Showrooms (ORD 865, 2000)	BR							X	X			X	X	X		
Service Stations	SP							X	X			X	X	X		
Parking Areas in Residence Districts	SP	X	X	X	X	X	X									
Parking Garages and Structures	BR									X		X	X	X		
Parking Lots, Commercial	SR							X	X	X		X	X	X		
Used Car Lot (ORD 898, 2002)	BR								X			X	X	X		
Auto body or Paint Shops in a BG Dist.	SP								X							

Figure 31: Snapshot of Pittsfield's current Permitted Use Table

WORKSHOP FINDINGS AND SITE VISITS

One of the major concerns expressed at the asset mapping workshop was the juvenile court, which takes up a large amount of prime real estate in the downtown area. The participants felt that this permitted use within the Downtown Business (B-D) district not only brings troubled youth to the center of downtown on a daily basis, but also takes away valuable space that could be used to revitalize the downtown character. Examining the land-uses that are permitted along major streets downtown can help Shire City Consulting determine which definitions in the permitted use table are allowing problematic land-uses in these areas. With these changes, Pittsfield could become more selective about what kind of land-uses are located in storefront areas along major roads.

The public seemed to be conflicted about the placement of industrial land-use in the gateway corridors of Pittsfield (e.g. the West Housatonic Street and Dalton Avenue/Merrill Road/Cheshire Road gateways). The workshop participants liked the fact that industry is consolidated in these specific areas instead of sprawling out like the commercial sector. However, they were not pleased that industrial land-use are mixed with residential and business land-use. Having industrial land-use on the outskirts of the City keeps them from infiltrating the downtown core, but concentrated industry is the first thing visitors encounter when they enter Pittsfield. The permitted use table, which is only partially transparent to the general public, contributes to that dilemma. Shire City Consulting will consider redefining the land-use that are permitted around the gateway corridors and investigating less prominent areas of the City that might be better locations for clustering industrial land-use.

LITERATURE REVIEW

INTRODUCTION

Although the principles of zoning began in the 1910s, *Euclid v. Ambler* (1926) solidified the fact that the separation of land-uses was constitutional. The 1916 New York City comprehensive code banned all industry and most commerce from the residential zones. This was the seminal moment that business was deemed incompatible with housing, requiring its own category. Also, the New York City code developed a pyramid framework for the zoning districts.

Currently, about 92% of U.S. localities make use of zoning, the key feature between the zoning districts being what types of land-use are permitted (Hirt, 2007).

By updating a permitted use table and land-use definitions, communities can direct new development into the areas in which they believe it to be appropriate and in line with their vision for the community's future. These revisions can make the table less cumbersome and allow for permitted land-use to be more context-specific. Although many residents may think that land-use and zoning districts are not relevant to them, permitted land-use and zoning guide much of their everyday life. This review will argue that allowing for mixed land-use (i.e. a mixture of commercial and residential land-use) within a single district may not be in line with traditional zoning, but allows for a healthier, more vibrant lifestyle.

The research discussed below explores the role that land-use play within a community context. This could aid future decision-making in Pittsfield regarding permitted land-use. Peer-reviewed literature and precedent material were selected to aid in this exploration of land-use and their effect on communities. The themes of this review are zoning by land-use, types of land-use, and implications of land-use on daily life. This review will open up discussions about moving away from traditional zoning and about the benefits of having more control over a community's land-use through context-based zoning ideas. Following this introduction, the first section explores different zoning methods. The next section discusses types of land-use. The next section reviews the implications of land-use on daily life. Lastly, the review will conclude with new topics for research.

ZONING METHODS

In this section on zoning methods, our team explored different types of zoning methods seen within the U.S. Roesler and McClendon (1986) discuss the need for a community's zoning ordinance to reflect the vision stated in their comprehensive plan. Arendt (2015) examines simple ways that small communities can adopt form-based code. Malloy (2008) argues for form-based code in downtown districts. Collectively, these papers will reveal different zoning options that could be appropriate for Pittsfield.

Although zoning has been present since the early 1900s, advancements in planning knowledge led Roesler and McClendon to suggest that a zoning ordinance should closely relate to the comprehensive plan developed by a city (1986). The authors claimed that pyramid zoning,

the practice of “establishing a highly restricted residential district at one end of the zoning spectrum...to nearly unrestricted or ‘open’ industrial classifications,” is no longer effective to further the goals of these comprehensive plans (p. 84). The key parts of zoning ordinances are the permitted land-use and zoning districts. The authors noted that incorporating the Standard Industrial Classification Manual into the permitted use table could help streamline the ordinance by clarifying any unlisted land-use. Roeseler and McClendon suggested simplifying nomenclature, reducing the number of zoning districts, and modernizing the permitted land-use as the most effective way of updating a zoning ordinance in order to advance the goals of a comprehensive plan.

Although this study was conducted in 1986, the findings are still pertinent today. Pyramid zoning is seen as antiquated and inefficient. New, innovative techniques for updating a zoning ordinance have been formulated, but a city’s code itself may have a long way to go before reaching a point at which it can actually utilize these techniques. Most zoning ordinances have not been updated since the 1970s or 1980s; the suggestions given by Roeseler and McClendon stand as a viable way to modernize and simplify a city’s zoning. Our team has not found any research that actively disagrees with the suggestions of Roeseler and McClendon.

Arendt (2015) discussed ways in which several small communities have adopted relatively simple form-based codes. These examples show that form-based code does not always have to be extremely detailed, which is often a barrier to its implementation. Unlike large cities, smaller communities often do not have the resources to create an entire set of comprehensive form-based code regulations. For example, the former industrial city of Beacon, New York created a form-based code for two districts for only \$40,000 – a reasonable sum compared with the several million dollars that Miami spent on Miami21 (Arendt, 2015). Arendt discussed ways in which form-based codes and design standards can be successful in smaller or more rural towns. Some of the strategies for acquiring the streetscape benefits of form-based code with basic design guidelines, “sometimes called form-based code lite,” are maximum front setback, requirements for functional upper floors on downtown buildings, and minimum building heights (p. 40). These strategies are fairly easy for a small planning staff to implement and for property owners to understand.

Malloy (2008) noted that the shortcomings of the traditional Euclidean single-use zoning in downtown districts are the strict separation of land-use and lack of attention to aesthetics. The

research suggested the alternative of form-based code as a method for promoting denser, more diverse downtown districts which “creates a unified, identifiable urban form by effectively addressing the relationship between such things as building facades, pedestrian corridors and vehicular traffic” (p. 6). This method can promote a more diverse, walkable, and lively downtown. Furthermore, form-based code can preserve historic character in order to foster livable, humanizing spaces that are aesthetically pleasing and promote density while preserving open space. In addition to form-based code, Malloy’s research also discussed the benefits of utilizing smart growth⁵ by implementing design standards using the transect model⁶.

Malloy’s emphasis on form-based code and smart growth policies reflects environmentally sustainable methods to promote neighborhood-specific development as well as healthier economies. Malloy referenced James and Lahti (2004) when suggesting that maintaining healthy downtown economies by positioning competing retailers near each other to keep businesses innovative and robust is important to commerce. This often leads to a greater sense of community than traditional suburban sprawl. Promoting smart growth within a designated area will also reduce the need to be reliant on private vehicles, as well as preserving open and undeveloped space locally. These policies, combined with design features, create livelier communities that are more attractive to live and work in.

From the examination of these papers on zoning methods, the research demonstrates that there are several ways in which communities can update their permitted land-use and definitions. Shire City Consulting has also learned that although form-based code seems to be what progressive communities are looking into to update their zoning, it must be implemented in a strategic manner. Furthermore, the breadth of research on this topic allows communities to choose a best practice that fits well with their vision and resources. In conclusion, it is important for communities to consider multiple options for zoning methods when attempting updates to their zoning ordinance.

TYPES OF LAND-USE

⁵ Smart growth is “another term often used in opposition to sprawl...that tries to mitigate many of its detrimental effects to the environment and society” (Arendt, 2015, p. 27).

⁶ The transect model is adopted from the ecological principle that shows a geographical cross-section, showing a cross-section of land-use from rural to the urban core (Arendt, 2015).

In this section on types of land-use, Shire City Consulting inspects the ways in which community plays a role in the types of permitted land-use and how land-use are defined. Gibson (2005) examines the connection between the Not-in-My-Backyard (NIMBY) dilemma and types of land-use being contested. Hirt (2007) compares American zoning and land-use definitions to that of Germany's, extracting lessons that the U.S. can use. The City of Indianapolis (2015) addresses areas in which their ordinances are lacking in an attempt to create a more cohesive document that clearly defines zoning land-use. Collectively, these materials will reveal how types of land-use can either benefit a community or cause discontinuity within the community.

Gibson (2005) rethought decades of environmental policy scholarship to address whether the tensions over the conventional NIMBY dilemma between planners and residents are as clear-cut as they have been previously framed. Using a case study of a three-year political battle in Seattle over whether to build a hygiene center for the homeless in the center of downtown or a more distant location, Gibson explored the nuances between local opposition movements and the "public interest." He suggested that the discourse over the issue ignored systematic frameworks or solutions for addressing homelessness, such as the role of affordable housing stock. Furthermore, Gibson argued that the political actors in Seattle couched their arguments in terms of a universal civic good – protecting the vitality of the downtown – instead of a pluralistic approach to the role and functions of different land-use. Gibson concluded that relying on the NIMBY syndrome and framing local opposition movements as a moral struggle between rational/civic-minded planners and irrational/self-interest opponents is not only a limiting analytical framework that marginalizes community voices, but also hinders political strategies.

While Gibson's exploration of the nuances of the NIMBY issue is necessary and sometimes correct, he did use a variety of examples that may not be comparable. For instance, he introduced his argument with an example of a NIMBY neighborhood group rallying against a toxic waste facility near their homes. A hazardous toxic waste facility is a vastly different land-use from a homeless shelter or affordable housing, with very different implications for the community. Gibson's research could have benefitted from including more examples that show an array of NIMBY scenarios that related to social, environmental, and economic impacts. Furthermore, he did not incorporate the role of environmental justice concepts to demonstrate that conventional concepts of NIMBYism generally exclude marginalized populations.

Hirt (2007) discussed the phenomenon of traditional zoning and land-use in America and how it compared to German land-use regulations. Hirt asked “how the German and American zoning systems differ in regulating mixed-use, and how the German experience can be helpful to U.S. planners interested in zoning reform” (p. 437). The study examined planning data and documents from the City of Stuttgart, as well as interviews with planning professionals and academics from the city. After comparing the American and German zoning, Hirt concluded that the U.S. approach states that each land-use district is only suitable for a single use, while Germany believes that each district is suitable for more than one land-use or activity, and therefore most districts end up as mixed-use. These findings go deeper than zoning at face value; they delve into a nation’s cultural formations and ask the question of whether zoning shaped culture or culture shaped zoning.

Hirt goes one step and suggests benefits of mixed-use within a single district. By comparing the traditional American zoning practices to a zoning practice that differs in societal and cultural origins, planners are able to parse out the rigid foundations and basic premises of standard zoning. One suggestion challenged the definition of land-use themselves: in America, “residential” implies dwellings, but in Germany, “residential” implies all land-use that a human needs to live, i.e. shelter, food, and basic necessities. Another suggestion contested the hierarchy of land-use in American zoning; Germany’s zoning districts have no presumption of hierarchy, making it easier to incorporate mixed-use development. Hirt’s hope was that this research would not only open the discussion about increasing mixed-use in larger swaths of land, but might, in fact, advance domestic legal reform.

The purpose of “Indy Rezone: City of Indianapolis Consolidated Zoning/Subdivision Ordinance” (2015) was to align the development goals of the city of Indianapolis with the surrounding communities throughout Marion County, Indiana in order to address consistency issues to streamline regulatory processes. Some issues which prompted this plan were conflicting ordinances, the absence of mixed-use language, and regulations which did not align with their master plan vision. By combining land-use regulations, the Plan should be more capable of addressing land-use issues without overlap and conflicting or confusing language. This plan suggested updating the permitted use table to ensure that the needs of the community are clarified and fit the needs of residents and business owners. “Indy Rezone” encourages

municipalities to use diagrams and flow charts to make complex language and convoluted land-use definitions more understandable to practitioners.

One asset of “Indy Rezone” is that it adopted a regional approach to solving systemic issues related to conflicting land-use types and regulatory processes. By doing so, not only should Indianapolis and the surrounding region streamline efforts, but the region may create a more cohesive character. This approach is beneficial only if a community’s character and vision are congruent with other communities in the region. Conflicting land-use can be a major impediment to development and maintaining community character. Communities that rely on Euclidean zoning and use groups to guide regulatory processes must look carefully at their effects and impacts on development and the community goals.

From the examination of these papers on types of land-use, the research demonstrates that the number of land-use within a community can be plentiful and it is important that they are not conflicting or convoluted. Furthermore, mixed-use development happens naturally if communities were to allow mixed-use to occur. Thus, American zoning may be overly restrictive in this respect. Furthermore, types of land-use come with multiple perceptions from the community, which are not to be overlooked. In conclusion, types of land-use are an important part of shaping a community and need to be handled with care.

IMPLICATIONS OF LAND-USE ON DAILY LIFE

In this section on implications of land-use on daily life, our team explores the kinds of impacts land-use can have on the daily lives of a community’s residents. Micklow and Warner (2014) examine the premises under which suburbs were built and suggested changes to encourage a changing population. Cannon, Thomas, Treffers, Paschall, Heumann, Mann, Dunkell, and Nauenberg (2013) examine how a mixed-use ordinance can promote walkability due to the proximity of multiple land-use. The City of Cincinnati (2012) proposes a theme for new development that promotes multiple land-use, increasing their residents’ quality of life. Collectively, these papers will reveal that although land-use may appear mundane to the everyday citizen, they actually influences their everyday life.

Micklow and Warner (2014) reframed the suburb as an area of social production that has shifted from being predominately Caucasian to more culturally diverse, resulting in challenges to

the traditional land-use regulations. Using value-laden assumptions⁷ embedded in the suburban landscape and mindset, decennial census data from 1950 to 2010, and case laws, Micklow and Warner sought to answer the question of what changes in planning practice are needed to support changing populations. By analyzing the language set forth by major case law, such as *Euclid v. Ambler*⁸, 272 U.S. 365 (1926) and *Belle Terre v. Boraas*⁹, 416 U.S. 1 (1974), Micklow and Warner suggested that land-use regulations such as separation of land-use were formed to emulate the idealized community based on white patriarchal values (single family residences), and resulted in separating male space (work) from female space (the home). Micklow and Warner found that since 1950, not only have suburbs become more racially diverse, they are also shifting away from the married, two-parent nuclear family household. To update zoning regulations to adhere to changing demographics, the authors suggested the elimination of discriminatory family definitions, allowing more housing options, increasing density through accessory dwelling units, and reprioritizing commercial or mixed-use over purely residential land-use.

Micklow and Warner provided a highly sociological, data-driven, and cultural analysis of the phenomenon of suburbanization and how the concept is shifting in contemporary times. While the authors did acknowledge the role of case law and regulations, they downplayed the impact that mortgages and banks had on separating races in suburbs, for example through redlining. Their framing of the tension between different groups of people trying to occupy the suburban space as an opportunity instead of a conflict is a very optimistic viewpoint. They somewhat overlooked the fact that most planning boards are still composed of older Caucasian residents who may still not be amenable to changing land-use. Still, by providing many different tactics and strategies, Micklow and Warner provided a toolkit to help planners navigate an uncertain aspect in the future of planning.

In their research, Cannon et al. (2013) examined the effectiveness of the ordinances that create Mixed-Use Zones (MUZ), which are intended to promote public health by encouraging walkability and by encouraging residential, commercial, and civic land-use to be closer together.

⁷ Perceptions people have based on pre-existing biases.

⁸ In this case the Supreme Court found that zoning ordinances are constitutional, as long as they relate to public health, general welfare, safety, and morals.

⁹ In this case the Supreme Court found that a city can prevent unrelated individuals from living in the same place.

The researchers applied a novel methodological approach in which they gathered 168 mixed-use ordinances from 22 California cities and coded the laws using keywords identified as being indicative of daily active land-use by the American Planning Association (APA) to create a scoring system that measures walkability. A regression analysis was applied to this data to determine the relationships between ordinance and zone scores while controlling for city size, demographics, and socioeconomic status (SES) and zone area. The results of the analysis showed a relationship in which an increase in a MUZ ordinance's adherence to the APA standards for mixed-land-use resulted in a greater presence of these mixed-land-use and greater walkability. Therefore, encouraging walkability through allowing mixed land-use by right instead of applying conditional permits is a major accelerator for encouraging walkability.

Cannon et al. take a very innovative approach of codifying and measuring such abstract concepts as legal requirements. Because they include randomization and regression models with many sub-variables, their results have a high level of validity. Not only would it be important to re-test this methodology in a different state to see if similar results are produced, it may also be useful to use a different set of standards to test the effectiveness of legal requirements for walkability. Their conclusions are valuable for communities justifying why mixed-land-use are important for public health.

"Plan Cincinnati" (2012) is the most recent comprehensive plan created for the City of Cincinnati, Ohio, a former industrial hub. The plan was created to address auto-centric development. The focus of "Plan Cincinnati" was to increase livability in the city by bringing people and places together through transit and greater human-scale development. By bringing more people into the city, the Plan hoped to energize the city and make it an economic force in the region, thus curbing issues related to population loss. Furthermore, increasing people's connection to different land-use will improve Cincinnati residents' lives by increasing their access to various resources. The tools Cincinnati used to steer development toward this model included adopting a form-based code, a complete streets policy, and transit-oriented development.

"Plan Cincinnati" assumes that increased walkability and mixed-land-use will have resounding effects on the health and mentality of the city's residents. The city's method of adopting a form-based code is one way to encourage mixed-land-use. However, what "Plan Cincinnati" fails to address is the feasibility of implementing these innovative zoning techniques,

especially in terms of financial cost. “Plan Cincinnati” could have benefitted from including short-term implementation strategies such as modifying zoning regulations to encourage walkability and livability.

From the examination of these papers on implications of land-use on daily life, the research demonstrates that in order to account for a changing population, the implications that land-use have on residents’ daily life need to be reevaluated. Shire City Consulting has also learned that with the promotion of mixed-use areas, communities can help improve their public health through walkability. By utilizing human-scale development, the livability of a space can be improved. In conclusion, permitted land-use can have both positive and negative implications on daily life. It is ideal for a community to permit land-use that most readily align with its character and vision and provide the most benefit to its residents.

OVERALL CONCLUSION

Our team’s research on zoning methods demonstrates that there are a number of options for Pittsfield when updating the City’s permitted land-use and definitions. Shire City Consulting has also learned that although form-based code is gaining acceptance, form-based code must be implemented in a strategic manner in order to properly integrate community goals and the proposed regulations. Furthermore, the breadth of research on this topic allows our team to choose best practices that fit well with Pittsfield’s vision and resources.

Through our team’s research on types of land-use, it has become apparent that the number of land-use within a community can be plentiful and it is important that they are not conflicting or convoluted. When addressing Pittsfield’s permitted use table and land-use definitions, Shire City Consulting will keep in mind that traditional zoning is restrictive. Our team needs to recommend ways to work around this issue. Furthermore, our team must consider that certain land-use within Pittsfield come with multiple perceptions, which are not to be overlooked. Types of land-use are a pivotal part of shaping and sustaining Pittsfield’s character, and our recommendations will require thorough insight and sensitivity.

It is beneficial to point out some new areas for research and unanswered questions regarding the literature on zoning methods, types of land-use, and implications of land-use on daily life. Our team found that the literature did not clarify the threshold at which it is most appropriate to apply a form-based code model and move away from Euclidean zoning.

Furthermore, there is a lack of research on the economic implications that different land-use have on daily life. Lastly, the point at which two land-use are dissimilar enough that they are considered separate land-use with separate requirements is still unclear. Further research in these areas will increase communities' capabilities and understanding of surrounding land-use in their city or town.

In closing, our team has found that the implications land-use have on Pittsfield's residents' daily life will need to be reevaluated in order to more effectively encourage the arrival of new residents while retaining the existing population. Shire City Consulting has also found that Pittsfield can help improve their community's public health through walkability with the promotion of mixed-use areas. Furthermore, if Pittsfield focuses its land-use on utilizing human-scale development, the livability of their city can be improved. In conclusion, permitted land-use have had positive and negative implications on the daily life of Pittsfield's residents and it is ideal for Pittsfield to effectively utilize land-use to their benefit through encouragement of new residents, walkability, and human-scale development.

PRECEDENT STUDIES

In order to produce recommendations for the City of Pittsfield, our team examined five Massachusetts communities to assess their progress and best practices in regards to permitted use tables and land-use definitions. Our team selected ten communities to review and our client selected five communities for review.¹⁰ By researching how each community has approached this aspect of their zoning, Shire City Consulting will be able to see what works and what does not work in Massachusetts. If a municipality has utilized a best practice which has proven to be beneficial to their community, our team will take that into consideration when forming recommendations for Pittsfield.

FRAMINGHAM

Framingham, a 365-year-old town located in eastern Massachusetts, is 22 miles west of Boston. It had a population of 68,318 as of the 2010 U.S. Census. Their economy is primarily based on retail and office complexes. They boast multiple cultural centers such as the Performing Arts Center of Metrowest and the Pike Haven Homestead. Framingham last updated their Land-

¹⁰ The five communities not chosen by our client were Amesbury, Attleboro, Holyoke, Leominster, and Waltham.

use Master Plan in 2012 and is currently undergoing a three-year recodification process of the Zoning Bylaws. The town most recently added a Central Business (CB) District Zone in 2015 to “stimulate a pedestrian- and transit-oriented, mixed-use environment that is supported by a mixture of residential, retail, office, and other commercial land-use” (*Town of Framingham Zoning Bylaws*, section 2, p. 21).

Within their zoning bylaws, the permitted use table is near the beginning of the document, with zoning district descriptions and land-use definitions immediately before. This allows easy access to the descriptions and definitions when using the table. Furthermore, the land-use within the table are context-specific, marking each zoning district with the appropriate use group (see Figure 32). In addition, they display parking codes for each land-use in the last column of the table.

GLOUCESTER

Gloucester, settled 392 years ago, had a population of 28,789 as of the 2010 U.S. Census and is located on the Atlantic shore, 35 miles north of Boston. The mainstay of their economy is the fishing industry. The area consists of an urban core with several surrounding villages. Gloucester last updated their master plan in 2001 and last amended their zoning ordinance in 2008. Gloucester’s long-term vision is of their city as a place to live, a place to work, a place to visit, and a place to appreciate (*The Community Development Plan for City of Gloucester*, 2001).

Although Gloucester’s permitted use table is extensive, the city excels in organization and comprehensiveness (see Figure 33). There is a separate use table for each land-use category (e.g. residential, open, business, or community service). At the end of each category use table there are footnotes giving descriptions of any exceptions. Zoning district descriptions and use group definitions are displayed immediately before the use table. Land-use are specific to each zoning district, displaying the appropriate use group within the column.

GREENFIELD

Greenfield, which had a population of 17,456 as of the 2010 U.S. Census, is the county seat of Franklin County. It was settled 329 years ago and is 40 miles north of Springfield. Similar to Pittsfield, it is considered the urban hub of its county. The town sits at the confluence of the Deerfield, Green, and Connecticut Rivers. The Town of Greenfield Zoning Ordinance was

last amended in 2009 and their comprehensive plan was updated in 2014. Their goal is to “assess the best use for each piece of land based on the qualities of the land and existing patterns of agriculture, development, and infrastructure” (*Town of Greenfield’s Sustainable Master Plan*, 2014, p. 8).

Within their zoning ordinance, Greenfield’s zoning districts are defined immediately before their permitted use table. For their use groups, they simply denote a land-use by-right (“Y”), not allowed (“N”), or special permit (“SP”) (see Figure 34). This allows for straight forward next steps for new development. Also, each zoning district per land-use is marked with use groups, providing room for context-specific growth.

NORTHAMPTON

Northampton, settled 361 years ago, had a population of 28,549 as of the 2010 U.S. Census. It is the county seat of Hampshire County and is 20 miles north of Springfield. They are known as being a cultural hub of academia, arts, and music. Their master plan was last updated in 2008 and their zoning code was last amended in 2014. Northampton is slowly replacing their permitted use table with PDF documents for each district that explain dimensional and land-use regulations with graphics (*The City of Northampton Zoning Ordinance*, 2014).

A takeaway from Northampton’s land-use regulations is its small number of zoning districts. This keeps the table and land-use regulations from becoming overwhelming. Their land-use are context-specific and a use group key is provided at the bottom of each page. Land-use definitions have been relocated to the zoning district PDFs that are replacing the permitted use table (see Figure 35). Northampton’s permitted use table characteristics are an achievable goal for Pittsfield.

SOMERVILLE

Somerville, four miles north of Boston and settled 385 years ago, had a population of about 75,754 as of the 2010 U.S. Census. Next to New York City, Somerville has the most artists per capita, highlighting it as a cultural center power house (*About Somerville*, 2006). It has been recognized as one of the best-run cities in Massachusetts, due in part to the hard work of its mayor, Joe Curtatone (Annear, 2014). In 2015, Somerville completed a zoning overhaul, in which they addressed many of the issues and roadblocks that their zoning was causing. Their comprehensive plan was updated in 2010.

During the overhaul, Somerville condensed their land-use from 297 to less than 100 (*The City of Somerville Zoning Ordinance*, 2015). The table spans only four pages and utilizes context-specific use groups for each land-use (see Figure 36). Also, in the last column of the table, the land-use-specific standards section number is listed, making requirements more accessible. Ideally, any community that is working on their zoning should do an overhaul of the entire document. This can be very costly and time consuming, so in the interim, Somerville's actions provide an example of a long term goal for Pittsfield.

SUMMARY

In summary, after reviewing the Massachusetts communities, Shire City Consulting has learned about current practices for permitted use tables and land-use definitions for similar municipalities. Easy access to descriptions and definitions are key to a successful and user-friendly zoning ordinance. Best practice for the permitted use table denotes context-specific use groups per each zoning district, as well as a reduction in the number of zoning districts. Lastly, organization and comprehension are ideal for a user-friendly permitted use table. Some ways this can be achieved are through the addition of a column stating where to find requirements and standards specific to a land-use, as well as a concise and visually-ordered format. Examples of each community's permitted use table follow this section.

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 B-4 ³	CB ⁴	B ³	P ⁴	PRD ⁵	M-1 ³	M ¹	OSR ⁶	TP ⁷	Parking code
E. Mixed-use	N	N	SPP	SPP	SPP	Y ⁹	SPP	N	N	N	N	N	N	*
F. Mixed-use Complex	N	N	N	SPP	SPP	Y ⁹	SPP	N	N	N	N	N	N	*
G. Assisted Living or Congregate Living Housing	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	N	N	N	N	3
2. RESIDENTIAL ACCESSORY														
A. Home Occupation	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	30
B. Family Child Care Home	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	7
C. Large Family Child Care Home	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	7
D. Accessory Garage	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	none
E. Private stables, barn, similar accessory structures	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	N	N	none
F. Accessory swimming pool	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	none
G. Amateur radio tower	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	none
H. Limited Accessory Structures	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	none
3. INSTITUTIONAL AND RECREATIONAL														
A. Municipal Services	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	23
B. Municipal water towers and reservoirs	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	none
C. Cemeteries	SPP	SPP	N	N	N	N	N	N	SPP	N	N	SPP	N	none

Figure 32: Snapshot of Framingham's Permitted Use Table

2.3.2 COMMUNITY SERVICE USES

2.3.2 COMMUNITY SERVICE USES		former designations:															
		R-RB	R-RA	R-1	R-2A	R-2	R-3	R-4									
		R-80	R-40	RC-40	R-30	R-20	R-10	R-5	CCD	CB	VB	NB	EB	MI	GI	BP	
	fn.													1		2	
1	Public, religious, or other non-profit school, building or use		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
2	Municipal use not elsewhere more specifically covered		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
3	Personal wireless service facility (see Section 5.13)		CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	
4	Public utility facility exclusively servicing the immediate neighborhood (5 square miles or less)		Y	Y	Y	Y	Y	Y	N	Y	N	N	Y	CCS	Y	Y	
5	Public utility facility exclusively servicing a broader area		N	N	N	N	N	N	N	SPS	N	N	Y	Y	Y	Y	
6	Nursing home, convalescence or rest home, hospital		N	N	N	CCS	CCS	CCS	CCS	N	N	CCS	N	N	N	N	
7	Cemetery		CC	CC	CC	CC	CC	CC	N	CC	CC	CC	CC	N	N	N	
8	Club or lodge, registered as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code		CCS	CCS	N	CCS	CCS	CCS	CCS	CC	CC	CC	CC	CC	N	N	
9	Animal hospital, animal shelter	3	CC	CC	N	CC	CC	CC	N	N	N	N	CC	N	CC	CC	
10	Nursery school, day care center		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
11	Trade school, industrial training center		N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	
12	Business or commercial school, other than Use Nos. 2.3.2 (1), 2.3.2 (10), 2.3.2(11) and 2.3.3(5)		N	N	N	N	N	N	Y	Y	Y	Y	Y	N	N	N	
13	Philanthropic institution		CCS	CCS	N	CCS	CCS	CCS	Y	Y	CCS	CCS	Y	CCS	N	CCS	
14	Airport, heliport		N	N	N	N	N	N	N	N	N	N	CCS	CCS	CCS	CCS	

FOOTNOTES TO SECTION 2.3.2, COMMUNITY SERVICE USES

- (1) In the MI District, no use of the water's edge, or of an area at ground level 20 feet back from the water's edge, shall be permitted unless such use requires access to water-borne vessels.
- (2) See Section 5.12
- (3) Provided that any outdoor structure or pen shall be located no closer than 100 feet from a lot line and 200 feet from a dwelling on another lot.

Figure 33: Snapshot of Gloucester's Permitted Use Table

Table of Uses

Town of Greenfield
Ch. 200, Zoning
(cont'd)

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Recreational Uses											
Crematory	SP	SP	N	SP	SP	N	Y	Y	N	N	N
Municipal uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Municipal or commercial parking lot or garage	N	N	SP ⁵	N	N	Y	Y	Y	N	N	SP
Indoor recreation	N	N	N	N	N	SP	SP	SP	N	N	N
Outdoor recreation	SP	SP	N	N	N	N	N	N	N	N	N
Commercial camping	SP	N	N	N	N	N	N	N	N	N	N
Public park, public playground or other public recreational facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Communication, Utility, and Transportation Uses											
Radio, television transmission or other communications use:											
Excluding towers	SP	SP	SP	SP	N	SP	SP	SP	SP	SP	SP
Including towers	SP	N	N	N	N	N	N	SP	N	SP	SP
Power plant	N	N	N	N	N	N	N	N	N	SP	SP
Public or private utility, substation	SP	SP	SP	SP	N	N	SP	SP	SP	SP	Y ⁶
Bus or railroad passenger terminal or taxi dispatch	N	N	N	N	N	Y	Y	Y	N	N	N

⁽⁵⁾Municipal parking lot or garage only.

⁽⁶⁾In an enclosed building only.

Figure 34: Snapshot of Greenfield's Permitted Use Table

ZONING

URA USES ALLOWED

Uses Allowed by Right:

- Single-family home
- Attached accessory dwelling unit not to exceed 900 square feet gross living area. § See 350-10.10.
- Home business (up to 25 visits per week as defined in § 350-2.1).
- Accessory uses to residential:
 - Tag sales: temporary sales of personal and household articles
 - Fences
 - Pets/Animals (see § 350-5.3)
- Accessory structures, detached (but no larger than 1,000 square feet of lot coverage or 3% of lot area, whichever is greater, unless it is used for agricultural purposes). See also § 350-6.7.
 - Setbacks:
 - Front: 20 feet
 - Side: 4 feet
 - Rear: 4 feet
- Preexisting nonconforming uses (may trigger Zoning Board of Appeals permit)
- Family day care (registration w/Building Commissioner required)
- Cemetery
- Temporary event as defined in § 350-2.1
- Municipal facility; facilities for essential services
- Agriculture, horticulture, floriculture, noncommercial forestry, the growing of all vegetables and a temporary (not to exceed erection or use for a period of four months in any one year) greenhouse or stand for retail sale of agricultural or farm products raised primarily on the same premises
- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic (PV) ground-mounted on a parcel with any building/use, provided that the PV is sized to generate no more than 100% or 8 KW of the annual projected electric use of the non-PV building/use. Same setbacks as for detached accessory structures.
- Solar photovoltaic of any size, ground-mounted over any legal parking lot or driveway

Site Plan Approval Required for the Following:

- Any new construction, other than for a single-family home, greater than 2,000 square feet
- Educational use: nonprofit, dormitories, religious use, day care, school-aged child-care program (MGL c. 28A, § 9)
- Private bridge tunnel
- Reuse of historic educational or religious building(s) for any residential use, live/work space, or office; provided, however, that no more than 20% of the floor space of the building(s) shall be used for medical, banking, or any offices where a primary function is to provide services to retail customers or individuals. All such uses approved under this provision shall be within the footprint of existing building(s) and may only be approved contingent upon protection of all historically contributing portions of the building(s) with an historic preservation restriction granted to the City of Northampton in a form acceptable to the Planning Board, with input from the Historical Commission, as preserving the key character-defining features visible from the road (and not necessarily meeting federal or state preservation standards for the entire building). The existing building may be expanded to accommodate elevators and stairwells. Portions of the building that are not part of the original architecture of the building and which do not contribute to the historical or architectural significance of the building as determined by the Planning Board, with input from the Historical Commission, may be demolished.
- Cluster development. See below for lot layout standards, and see § 350-10.5 for other criteria.
- Parking off-site and shared parking. See §§ 350-8.5 and 350-8.7.
- Creation or expansion of six or more parking spaces.
- Parking requirement reduction. See § 350-8.10F.
- Parking lot access for nonresidential uses across a residential lot. See § 350-8.9.
- Residential shared driveways. See § 350-8.8R.

Figure 35: Snapshot of Northampton's Permitted Use format

TABLE 5.1 Principal Uses

	Neighborhood Residence										
	Urban Residence	3-Story Mixed-Use	4-Story Mixed-Use	5-Story Mixed-Use	7-Story Mixed-Use	10-Story Mixed-Use	Fabrication	Commercial Industry	Civic		
										Use Specific Standards	
ARTS & CREATIVE ENTERPRISE											
Artisan Production	N	N	L	L	L	L	L	Y	Y	N §5.B.2.a. Artisan Production	
Arts Exhibition	N	N	Y	Y	Y	Y	Y	Y	Y	N §5.B.2.b. Arts Exhibition	
Arts Sales & Services	N	N	L	L	L	L	L	Y	Y	N §5.B.2.c. Arts Sales & Services	
Creative Studio	L	L	N	N	N	N	N	N	N	N §5.B.2.d. Creative Studio	
Design Services	N	N	Y	Y	Y	Y	Y	Y	Y	N §5.B.2.e. Design Services	
Shared Workspaces & Arts Education	N	N	Y	Y	Y	Y	Y	Y	Y	N §5.B.2.f. Shared Workspaces & Arts Education	
Work/Live Creative Studio	N	N	N	N	N	N	N	SP	N	N §5.B.2.g. Work/Live Creative Studio	
AUTO-ORIENTED											
Commercial Vehicle Repair & Maintenance	N	N	N	N	N	N	N	N	Y	N §5.B.3.a. Commercial Vehicle Repair & Maintenance	
Dispatch Service (except as noted below)	N	N	N	N	N	N	N	N	Y	N §5.B.3.b. Dispatch Service	
Towing Service	N	N	N	N	N	N	N	N	SP	N §5.B.3.b.i. Towing Service	
Gasoline Station	N	N	N	N	N	N	N	N	N	N §5.B.3.c. Gasoline Station	
Motor Vehicle Parking (as noted below)	--	--	--	--	--	--	--	--	--	-- §5.B.3.d. Motor Vehicle Parking	
Car Share Parking	N	SP	SP	SP	SP	SP	SP	SP	Y	N §5.B.3.d.i. Car-Share Parking	
Commercial Parking	N	N	SP	SP	SP	SP	SP	N	Y	N §5.B.3.d.ii. Commercial Parking	
Off-Site Accessory Parking	SP	SP	SP	SP	SP	SP	SP	N	Y	N §5.B.3.d.iii. Off-Site Accessory Parking	
Personal Vehicle Repair & Maintenance	N	N	N	N	N	N	N	N	Y	N §5.B.3.e. Personal Vehicle Repair & Maintenance	
Vehicle Sales	N	N	N	N	N	N	N	N	Y	N §5.B.3.f. Vehicle Sales	

Figure 36: Snapshot of Somerville's Permitted Use Table

DISCUSSION AND SWOT ANALYSIS

Permitted land-use and land-use definitions provide guidelines within Pittsfield's zoning districts. By allowing certain land-use in certain districts, cities are able to structure themselves as they see appropriate; however this can have some unintended consequences. In this section, Shire City Consulting discusses the strengths, weaknesses, opportunities, and threats of permitted land-use and land-use definitions.

Pittsfield's strengths for this directive manifest themselves as very practical. First, Pittsfield has a permitted use table to work with, which not all communities have. Although our team is looking at consolidating land-use, Pittsfield has only 113 land-use to assess, as opposed to communities like Somerville, which had 297 land-use to assess during their zoning overhaul. Present definitions that are in need of consolidating already possess all the details our team will need in order to group similar land-use under broader land-use terms. Through our recommendations, Shire City Consulting will increase the strengths of Pittsfield's permitted land-use and land-use definition.

Weaknesses that Pittsfield's permitted use table and land-use definitions retain come in many forms. The table is cumbersome, spanning ten pages within the zoning ordinance. The table format is extensive and difficult to reference because land-use definitions, use groups and zoning district explanations are elsewhere in the zoning document. Use groups are uniform across all zoning districts, making the zoning ordinance not context-specific. Context-specific use groups would make it easier to steer certain development towards specific districts in a way that is in line with the community's wants and needs. Additionally, some definitions are either not present or are too specific for certain categories; they are in need of generalization to allow for more context-specific permitted land-use. Lastly, there are definitions that are too broad for certain categories – these are in need of specification in order to help guide development in certain areas.

The opportunities provided by Pittsfield's permitted use table and land-use definitions deliver an open door for future progress and clarity. The permitted use table is categorized in a straightforward manner. The definitions that are too specific can easily be broadened to encompass multiple definitions. Pittsfield recently updated their Master Plan; similarly, Somerville recently updated their Comprehensive Plan and also did a zoning overhaul. Utilizing

some of Somerville's techniques, Pittsfield can also work on their permitted use table and definitions.

Although our client directive asks our team to assess the permitted use table and land-use definitions, it has deeper implications than just reorganization, presenting our team with threats to be considered. Inherent in any zoning ordinance is the possibility of unintended restrictions within zoning districts. With such specific zoning sub-districts, areas within the community have become single-use (i.e. single-family dwelling units). These constraints discourage the density and mixed-use development that Pittsfield can benefit greatly from. Also, the uniformity of a land-use's use group is a possible deterrent for developers if that land-use they want to develop is strictly special-permit-only across all zoning districts.

After conducting this analysis, our team can clearly see the areas that need work and the areas that are already working for Pittsfield. Land-uses need to be clearly defined and strategically grouped under umbrella land-use terms. The permitted use table needs reformatting in order to make it a user-friendly accessory to the zoning ordinance. Lastly, use groups for each land-use need to be contextualized within the zoning districts. By assessing Pittsfield's permitted use table and land-use definitions, Shire City Consulting hopes to encourage beneficial development within the appropriate zoning districts.

RECOMMENDATIONS

Shire City Consulting has compiled a list of recommendations for the City of Pittsfield in regards to their permitted use table and land-use definitions. The recommendations our team are suggesting span an implementation period of five years. They encompass tasks such as simple formatting alterations within the permitted use table to changes that could take a few years, such as a discussion of incorporating mixed-use language within the zoning ordinance and list of permitted land-use. Ultimately, these recommendations should conform to Pittsfield's future vision. Shire City Consulting hopes that with these recommendations, our team can help lead Pittsfield down the route to their renaissance.

First, our team proposes italicizing land-use in the permitted use table that are currently defined within the zoning ordinance. Currently, 83 of the 113 land-use are not clearly defined within the zoning ordinance. This will help future users of the table understand that not all land-use are defined. If the land-use they are investigating is defined, they will recognize that it can be

found within the zoning ordinance. This recommendation will bring to light the fact that in order to have a comprehensive zoning ordinance, all land-use should be clearly defined.

Secondly, Shire City Consulting suggests defining all land-use that are currently undefined. This can be accomplished by looking at the practices of our five precedent studies. Through researching the sample communities' definitions of land-use, our team will be able to create appropriate, best-fit definitions for Pittsfield that are time-tested and technically sound (see Appendix V). For example, consider these permitted land-use: Auto Service Station, Body or Paint Shops, Car Washes, and Repair Shops or Garages (see Table 4). By clearly defining each land-use or consolidating land-use, the City can better attract appropriate development that aligns with the vision expressed in the 2009 Master Plan.

Table 4: Example of recommended definition adjustments for Pittsfield's permitted use definitions

<i>Permitted Land-Use</i>	Pittsfield	Recommendation
<i>Auto Service Station</i>	Any area of land, including structures thereon, which is used or designed to be used to supply motor vehicles with gasoline, oil, grease, and customary accessories and may include facilities for lubrication, washing, polishing, and minor repairs	Any area of land, including structures thereon, which is used or designed to be used to supply motor vehicles with gasoline, oil, grease, and customary accessories, excluding car washes, body or paint shops, and repair shops.
<i>Body or Paint Shops</i>	N/A	Consolidate with Repair Shops and Garages
<i>Car Washes</i>	N/A	Consolidate with Repair Shops or Garages
<i>Repair Shops or Garages</i>	N/A	AUTOMOTIVE REPAIR & MAINTENANCE Repair, installation, or maintenance of the mechanical components or the bodies of automobiles, small trucks or vans, motorcycles, motor homes, or recreational vehicles or that wash, clean, or otherwise protect the exterior or interior surfaces of these types of vehicles. (Includes car washes and body/paint shops).

In order to produce a user-friendly permitted use table, our team advises that the City of Pittsfield reformat the table and Use Regulation section within their zoning ordinance in a variety of ways. First, the definitions of each land-use should be repeated or relocated in the Use Regulation section (CPZO, section 4.201). Also, definitions of each zoning district should be repeated within the Use Regulation section. This suggested placement of definitions will allow for easier access in order to create a more user-friendly experience when exploring the Use Regulation section. Also, a final column should be added to the permitted use table that displays the section in which a user can find the land-use regulations and requirements.

Another one of Shire City Consulting's formatting recommendations is to condense zoning districts within the permitted use table. By grouping similar zoning districts (see Table 5), the permitted use table becomes less cumbersome and easier to understand. The suggested groupings are as follows:

Table 5: Zoning categories with respective zoning districts

Zoning Categories	Zoning Districts
Downtown Districts	B-D, D-A
General Business	B-C, B-G, B-N
Industrial/Commercial	C-W-S, I-L, I-G, L-D-I
Low Density Residential	R-43, R-20, R-12, R-6
High Density Residential	R-G, R-M

The zoning districts within these suggested categories share commonalities in their purpose and intent. Land-use that are permitted within one of the zoning districts of a category should be permitted in the other zoning districts due to their similarities.

Furthermore, Shire City Consulting recommends addressing context-specific use groups for each land-use per zoning district. Currently, land-use that are “by right” in one district but “special permit” in another have two rows within the permitted use table; these should be condensed into one row. All other land-use should be evaluated to provide more context-specific use groups, leading to context-specific, appropriate development within Pittsfield. This can be displayed within the table by using the abbreviations of the use groups (e.g. BR equals “by right”) to denote in which zoning district category the land-use is permitted “by right.” Shire

Consulting has created a model permitted use table (see Table 6) for the City of Pittsfield that displays some of our recommendations.

Lastly, the City of Pittsfield needs to incorporate better mixed-use language into their zoning ordinance and permitted land-use. This will aid the other client directives as well as address Pittsfield's vision for the future of their City.

Table 6: Model Permitted Use Table for the City of Pittsfield

Umbrella Districts Principal Permitted Uses	Downtown	Business/Industrial Collective		Gateway			Residential		Reference Section
	Downtown District	General Business	Industrial/Commercial	Gateway Residential	Gateway Commercial	Gateway Industrial	Low Density Residential	High Density Residential	
Zoning Districts	B-D, D-A	B-C, B-G, B-N	C-W-S, I-L, I-G, L-D-I	G-R	G-C	G-I	R-43, R-20, R-12, R-6	R-G, R-M	
a. Residential Uses									
<i>Dwellings: One-Family</i>	N	N	N	BR	SR	N	BR	BR	
<i>Dwellings: Multi-Family</i>	N	SP	N	BR	SR	N	N	SP	
<i>Assisted Living Residences</i>	SP	SP	N	BR	SR	N	SP	SP	Section 7.842
<i>Bed-and-Breakfast or Tourist Home</i>	N	SP	N	BR	SR	N	SR	SR	Section 7.844
b. Retail and Consumer Services									
Laboratories: Medical and Dental	BR	SR	N	SP	BR	SP	N	N	
Shopping Centers, Plazas, Malls	SR	SP	SP	N	SP	SP	N	N	Section 7.729, Section 7.833
<i>Retail Sales and Services, Drive-in, Drive-Up or Drive-Through</i>	SP	SP	SP	SP	SP	SP	N	N	Section 7.840
Retail Sales of Propane	SP	SP	BR	SP	N	SP	N	N	Section 7.843
c. Industrial, Manufacturing and Storage Uses									
Baking, Bottling, or Dairy Processing Plants	N	N	SP	N	N	SR	N	N	
Food Processing	N	N	SP	N	N	SR	N	N	
Quarries, Gravel Pits or other Extractive Ind.	N	N	SP	N	N	SR	SP	SP	Section 7.825
Storage Warehouses and Yards	N	N	SP	N	N	SR	N	N	Section 7.835
d. Institutional, Recreational and Educational Uses									
<i>Governmental Archives</i>	SR	BR	BR	N	BR	BR	SP	SP	Section 7.838
e. Office Uses									
General Business or Professional	SR	BR	SP	N	BR	BR	N	N	Section 7.837
Planned Office Uses	BR	BR	N	N	BR	BR	N	SR	Section 7.726
f. Utilities, Communication and Transportation									
<i>Terminals, Truck, Rail or Freight</i>	N	N	SP	N	N	BR	N	N	Section 7.717

IMPLEMENTATION

6 MONTHS

- An intern should italicize land-use in the permitted use table that are already defined within the zoning ordinance.
- An intern should research state and national best practices of permitted land-use definitions to define the 83 undefined land-use within the permitted use table.

1-2 YEARS

- The Department of Community Development should define land-uses that are not already defined.
- The Department of Community Development should reformat the permitted use table and Use Regulation section by:
 - Combining appropriate zoning districts within the permitted use table,
 - Relocating land-use definitions to the Use Regulation section,
 - Repeating definitions of zoning districts in the Use Regulation section, and
 - Adding a final column within the permitted use table which shows where to find land-use regulations and requirements.
- The Department of Community Development should define mixed-use development as a land-use and incorporate mixed-use language within the zoning ordinance and permitted use table.

3-5 YEARS

- The Department of Community Development should reformat the permitted use table by addressing context-specific use groups for each land-use per zoning district.

CHAPTER 3: DESIGN GUIDELINES

CLIENT DIRECTIVE

The client has requested that Shire City Consulting create design guidelines to assist the City's land-use boards and staff in development review for all of the commercial districts throughout the City.

BACKGROUND

National retail outlets, also known as formula retail, play an important part in the economies and everyday lives of communities nation-wide. As manufacturing declines in Pittsfield, formula retail is becoming an ever-increasing means of employment for the City and surrounding region. Currently, the retail industry is the second most prevalent form of employment within the City (see Table 1). A modern necessity of everyday life, the design models of many formula retail establishments have historically been disruptive to the aesthetics and environment of local communities. Since this relatively new development pattern is often planned in undeveloped locations, the design standards are lenient, if they exist at all. As a result, the formula retail model frequently disrupts walkable communities in favor of auto-centric culture and increased tax revenue, leaving communities with development that is not in line with the community's goals.

EXISTING CONDITIONS



Figure 37: A sample style of common architecture on North Street seen throughout downtown



Figure 38: An Example of downtown density and historic design



Figure 39: Dense, street facing storefronts seen throughout downtown Pittsfield



Figure 40: An example of historic downtown infrastructure along North Street



Figure 41: An example of retail development along Pittsfield's entrance corridors



Figure 42: An example of development that is not in line with retail district development



Figure 43: Desire Paths demonstrate the lack of infrastructure developed for pedestrians in the retail districts



Figure 44: A common retail development pattern seen throughout the Route 9 retail corridor



Figure 45: A Route 9 example of the existing construction in commercial corridors

Within Pittsfield's borders, there are several sizable areas of retail. In addition to the downtown, these sections are the Route 9 (Dalton Avenue/Cheshire Road/Merrill Road) Gateway, Tyler Street, Elm Street, the Route 7 (North Street) Gateway, and the Route 20 (West Housatonic Street). These sections of the City, while prosperous, are disjointed and not in line with the historic character of the City and region as a whole. Much of the new and existing infrastructure within these areas, with the exception of the historic downtown, caters to the style and preference of the national retail chains (see Figure 44). As a result, much of the design lacks style and possesses forms that could be replicated anywhere in the country; it does not integrate unique architectural details that the Berkshire region is known for, such as Federal or Colonial styles. The City is left with shopping centers that, although they bring much-needed revenue into the City's economy, lack connections to the cultural heritage of Pittsfield.

In addition to the design of the buildings themselves, the design of the parking lots do not use modern environmental practices. Vast unused lots with little to no landscaping, or landscaping that lacks maintenance or is unkempt, often characterize these parking areas. As a result, the sheer vastness of the parking lots leaves pedestrians exposed to the elements and reduces the environmental sustainability potential of the surrounding area. These properties characteristically cater to convenience shopping and auto-centric culture; as a result, the pedestrian experience in these areas remains lacking. Desire paths¹¹ can be seen throughout the retail districts, reflecting the lack of foresight to incorporate infrastructure that caters to the needs of pedestrian shoppers.

According to Pittsfield's 2009 Master Plan, the City has set several goals to further its progress in regards to preserving the cultural, economic, and historical resources of the City. Two of these goals focus on the protection of the town's unique historical and cultural legacy:

- Promote the growth and expansion of new and existing businesses that support the City's economic, environmental and social vision.
- Expand and capitalize on Pittsfield's diverse cultural institutions and historic fabric. (CPMP, 2009, p.7)

WORKSHOP FINDINGS AND SITE VISITS

During the asset-mapping workshop, members of the public provided clear and insightful feedback on their expectations for design. The workshop allowed our team the opportunity to work with members of the public to identify both the assets of each area and the features that were in need of improvement. The participants of the workshop identified unique design characteristics of the gateways, downtown, and natural landscape that are in need of preservation.

DOWNTOWN AND TYLER STREET

Overall, the residents of Pittsfield saw the downtown as an asset. Design elements specifically identified as assets included the district's density and the recently completed streetscape design improvements. All of the parks in the area were perceived to have been functionally designed and maintained in good condition. The participants understood that the

¹¹ A desire path is an unplanned path usually created by foot traffic Gehl, J. (2011).

district is in need of parking, but also identified the current mismatch between supply and demand as problematic; there is a public demand for parking, but a surplus private parking supply. Most participants thought that surface lots were too plentiful in certain segments of the downtown area and detracted from the street vitality. Conversely, the Tyler Street area did not have enough public parking, which is a problem during seasonal events like the Discover Tyler Street Fair and Halloween Parade. Additionally, the participants identified the downtown area's density and design as an asset, although there were several areas recognized as areas in need of improvement. The post office and the surrounding area were identified as a transitional zone between downtown and Tyler Street that was difficult to access, both as a pedestrian and as a driver. Participants regarded the area's design as having an appearance that would be better suited to a suburban environment than a central business district.

GATEWAYS

Each of the gateways into the City of Pittsfield has common features that were identified as assets or as problems from a design standpoint. Many of the areas maintain a large portion of commercial development deemed as a necessity to the community, but with poorly executed design. Participants thought that many of the shopping centers had too much parking, not enough landscaping, and a design that was too generic and not in line with the character of the City. The participants understood the necessity of the shopping centers, but expressed interest in design guidelines that were more pedestrian-centric and incorporated elements of design from the surrounding region. Some mentioned parts of Berkshire Crossing on Hubbard Avenue as an example of a well-executed plaza (see Figure 46). In places where automobiles are the primary method of access, the workshop participants identified better traffic flow and fewer curb cuts as priorities. In areas where the design of the buildings themselves could not be improved, participants indicated an interest in screening by use of trees and natural landscape.



Figure 46: Berkshire crossing using accents from local architecture in their design.



Figure 47: An example of formula retail development along the Merrill Avenue Corridor

LITERATURE REVIEW

INTRODUCTION

In order to understand how to integrate design guidelines, planning practitioners must understand what makes a community attractive. Communities become vibrant and desirable because they set themselves apart from other communities by preserving their local character. When communities do not regulate design in their retail districts, their shopping centers may and detract from the local appeal and character. Our team will discuss the tools and techniques used in our sample communities to promote desirability and commerce. To do this we will examine peer-reviewed research in addition to exploring local area examples.

Successful communities that integrate good design start with community members who have a vested interest in the preservation of what makes their town special. By promoting the preservation of local character, communities are preserving their heritage and rejecting generic design standards. Locally influenced design guidelines increase a community's attractiveness to tourists, businesses, and new residents alike, promoting a more resilient economy. These values will be cautiously integrated so as not to restrict business, but rather to increase the attractiveness of the surroundings in order to increase patronage. By successfully integrating these techniques, communities can ensure the extended success of their communities for generations to come.

This literature review explores the elements of design guidelines and how they effect a community. Integrating design policies into the various districts of Pittsfield is a crucial part of establishing an overall image for Pittsfield. Using academic databases, Shire City Consulting researched peer-reviewed material that demonstrates methods used to implement design guidelines into site plans. The three themes that this review will discuss are the role of design in community character, the importance of design guidelines within a community, and green infrastructure. The end result will provide a comprehensive analysis of the benefits and methods used in integrating retail districts back into the fabric of the community.

Following this brief introduction, the next section will address the importance of the role of design in community character in order to understand the necessity of design guidelines. Next, our team will address the importance of design guideline in order to understand why design guidelines principles make cities desirable and productive. Next, our team will seek to understand the functionality and importance of green infrastructure and the role it plays in design

guidelines. Together, these three segments will provide a comprehensive framework for the defense of integrating design into future commercial development.

THE ROLE OF DESIGN IN COMMUNITY CHARACTER

Community character is the physical representation of the values a city or town places emphasis on, including historic preservation. This section reviews articles that defend the importance of community character. McMahon (1995) explores historic preservation of community character. Arendt (2015) speaks of how a form-based code can be made possible for smaller communities. Bobrowski (2012) discusses the importance of the regulation of the design of formula retail districts in local communities. Combined, these three articles provide a comprehensive analysis of the importance of character and design within the regulations of commercial districts.

Historic districts within city or town core areas can help turn a community's entire downtown area around and bring life back into its streets by creating place attachment through livable and attractive streets (McMahon, 1995). This article favored historic district designation and argued against many of the common criticisms presented when such methods are proposed. McMahon reasoned that, contrary to the opposition's view, historic district designation often stabilizes communities, preserving unique character and generating private sector investment. Unfortunately, McMahon failed to mention examples that were unsuccessful in achieving the ideal outcome. Unique character also creates resilient communities that prosper for years to come, as demonstrated by successful plans such as Denver's Downtown Area Plan and Urban Design Plan for Lower Downtown, which both envisioned Denver's Lower Downtown as a unique urban neighborhood and artistic anchor.

Arendt (2015) discussed ways in which form-based code and design standards can be successfully implemented in smaller towns. Unlike large cities, these places do not usually have the money or resources to create an entire set of comprehensive form-based code regulations. For small towns, Arendt suggested a minimalist approach that focused on building heights and setbacks. Additionally, Arendt suggested that encouraging building on land-use such as height for adhering to designed guidelines provided by the town. These relatively low cost measures can have a tremendous impact on smaller communities that are constrained by limited resources.

Bobrowski (2012) discussed the growing negative sentiment that municipalities have toward formula retail. This research documented the various legal policies that cities and towns have put into place in order to prevent or reduce the impact that formula retail has on their community. The author examined 28 “laboratory” cities¹² that have successfully written policies regarding design regulation for formula and the legal precedents that followed. The case studies examined strategies used in these laboratory cities, such as conditional use permits, special permits, and caps and bans. Bobrowski then weighed the legalities of these strategies against the Dormant Commerce Clause Doctrine (DCCD) of constitutional law¹³.

One of the most controversial policies that Bobrowski discussed is the cap and ban method, which is designed to limit the amount of formula retail allowed in a community and then restrict new development once that limit has been reached. This policy is often struck down in the courts because it discriminates against national retailers, which violates the DCCD. Bobrowski suggested that the most effective restrictions are those that restrict form and design rather than restrict formula retail from being established.

The articles discussed in this section argue in favor of the tools and policies utilized to preserve local character. McMahon claimed that historic district designations often stabilize communities, preserve unique character, and generate private sector investment. Arendt spoke about the methods and strategies that small towns could use to have more success in implementing design-based code integrating natural design elements such as tree buffers and rain gardens into the physical landscape. On the implementation side, Bobrowski discussed the tools cities can cite such as conditional use permits, cap and ban, and what they mean regarding the DCCD. In combination, these recommendations provide the foundational arguments for preserving community character.

INTRODUCTION OF DESIGN AESTHETICS

Design aesthetic is the visual strategy that creates cohesion among the complexities of a community and brings them together. This section discusses the importance of these place-making methods through several contrasting articles. Fernandes and Chamusca (2014) analyze

¹² A city used as a testing ground for a new planning method (Bobrowski 2012)

¹³ The DCCD prohibits the states from erecting taxes, tariffs, and regulations that favor local businesses at the expense of interstate commerce (Bobrowski 2012)

retail resilience and urban policies. Ryberg-Webster and Kinahan (2014) and Hirt (2005) research historical preservation and its importance in urban revitalization through the perspective of small towns. Combined, these articles provide an understanding of the different segments of design aesthetics.

Fernandes and Chamusca's research (2014) demonstrates the resilience of urban cores in the face of tumultuous economic environments. Fernandes and Chamusca focused primarily on retail and traditional shops in Northern, Southern, and Eastern Europe. In this region, the authors found a "diverse pattern of national retail structures" (p. 170) compared to the rest of the world, meaning that the history of the region allowed for these shopping centers to develop on a smaller, granular, dense scale over time. The authors continued to research how spatial and traditional retail development impacts the socioeconomic status of a community.

Fernandes and Chamusca referenced the role of urban planning and design that directly correlates to perseverance and the resilience of communities. The authors stressed that protecting this heritage will reduce a city's vulnerability during economic fluctuation or transitional periods. Additionally, Fernandes and Chamusca mentioned that cultural influences in design implementation provide a more successful model than plans that do not integrate culture. These factors, which are not consistent within each country, must maintain a framework based on cultural norms specific to each region. By integrating design guidelines related to local cultural influence, commercial destinations can remain desirable for years to come.

Through conducting a literature review, Ryberg-Webster and Kinahan (2014) examined the ways in which historic preservation and urban revitalization are interconnected and what roles these fields will play in the twenty-first century urban planning field. The data the authors examined were articles and reports from the late twentieth century, generally the 1960s to 1990s, in which they categorized cities into four different discourses: "New American City,"¹⁴ place matters in economic and community development, anchor institutions, and legacy cities.¹⁵ The

¹⁴ Ryberg-Webster and Kinahan (2014) define the New American City as one that places focus on its downtowns, turning it into vibrant live-work-play urban neighborhoods.

¹⁵ Ryberg-Webster and Kinahan (2014) define a Legacy city as a term to describe places that, after decades of industrial decline, are experiencing entrenched population loss, low residential demand, high abandonment, and extreme poverty and unemployment

authors' findings point to the economic benefits of preservation but caution readers of its isolationism from other fields such as planning and economic development. They concluded that historic preservation and revitalization efforts are linked through economics, culture and community needs. In order for communities to benefit from historic structures, preservation policies need modernization to fit twenty-first century land-use. Only by integrating revitalization efforts and sustainability with historical preservation can preservation efforts be effective in the future.

While their review was extremely comprehensive, Ryberg-Webster and Kinahan failed to include literature that addresses the question of what land-use to allow in preserved historic structures. Ryberg-Webster and Kinahan seemed to be operating under the premise that preservation for the sake of preservation is enough for revitalization, and failed to emphasize the fact that buildings need purpose in order to be vital. However, their research excellently analyzed the importance of anchor institutions and legacy cities in historic preservation. Ryberg-Webster and Kinahan discussed how not only civic governments or nonprofit organizations but educational facilities, hospitals, and museums can play a critical role in supporting building preservation. Although they alluded to the need for more inquiry in the area, Ryberg-Webster and Kinahan could have explored in greater depth what types of preservation strategies are effective in legacy cities.

Hirt (2005) sought to flesh out the theoretical debate on postmodernism and planning in terms of rich, place-based context through an in-depth study of planning in the City of Cleveland, Ohio. The author talks about the emphasis of urban planning and design that traditionally focland-use on the domination of the natural world for the sake of producing goods and services; this paradigm has since transitioned into a more environmentally stable model in the shadow of climate change. Further, Hirt discussed the ambitions of Cleveland's City Beautiful movement¹⁶ at the beginning of the twentieth century as a method of progressing the social benefits of the rapid development of the new city. The more current model, one that draws projects based on planning as a facilitator for public participatory demands, focland-use on historic forms and land preservation. Hirt argued that planning has now evolved into a model that

¹⁶ A reform philosophy of North American architecture and urban planning that flourished during the 1890s and 1900s with the intent of introducing beautification and monumental grandeur in cities Hirt (2005).

places focus on the voice of the community rather than industry professionals designing the cities they think the public needs.

Based on these articles, design aesthetic is a complex process that involves many parts. Fernandes and Chamusca argued that policies based on spatial planning are needed to create more sustainable cities capable of recovering more quickly in economically trying times. Finally, Hirt showed that the planning process has shifted to a pattern that transforms the public into experts and the “expert” planners into facilitators. Participatory and placed-based methods in planning are proving to create lasting vitality within communities; they are more focused on need-based initiatives. Practicing using these tools will help towns be more dynamic in their aesthetic implementation process.

THE IMPORTANCE OF GREEN INFRASTRUCTURE

In this section, Shire City Consulting discusses the importance of green infrastructure in relation to the structure of a city’s design guidelines. Jackson (2001) argues the importance of green design to human health. Tejeda (2015) defends converting parking lots into green space. Mullin and Gross (1990) designed a research project that discusses the benefits of landscape preservation and open space as a method of community preservation. Collectively, these articles provide a strong defense for the need to incorporate green infrastructure into design guidelines.

Jackson (2001) focused on urban design and its impacts on human health. The research documents a strong correlation between the layout of the physical and natural world and the mental and physical health of the collective community. Jackson also focused on how the built environment contributes to human health, including “physical and mental well-being, environmental quality, and overall quality of life” (p. 191). Specifically, natural elements such as rain gardens and green belts in the built environment play a significant role because they provide various ecosystem and health services to the community. Furthermore, there have been a tremendous number of studies of natural landscape features and their benefits to human health. These benefits can range from alleviating asthma and decreasing obesity rates to lessening mental health issues, which provides a strong argument for investing in green infrastructure.

Natural light, ventilation, and views of greenery from inside a building have been proven to increase the productivity of employees and their quality of work. These elements have also been proven to reduce stress in daily urban life. Parks and gardens also offer restorative benefits

for mental and physical health (Jackson, 2003). There are a variety of options for using green space to generally increase overall physical and mental wellbeing for humans. In many urban areas, crime and violence are concerns. Jackson's work demonstrated that "presence of trees near public housing is associated with decreased levels of domestic violence" (2003, p. 192). All of these ideas are part of the principle of biophilic design, defined as "the apparently innate human interaction to nature" (Frumkin, (2001) cited from Jackson, 2003, p. 192). Jackson strongly suggested that natural elements should be implemented in urban design, as they provide various benefits within the city.

Tejeda (2015) discussed using federal grants to fund green infrastructure as remediation of large parking lots in Gary, Illinois. These parking lots have caused issues with storm water runoff and they are not being used to their fullest extent. This project was part of a larger grant that supplied money for bio-swales, rain gardens, and permeable pavement. Citizen opposition of this project was minimal; only one participant posed concern that this project would be taking away possible future development areas. Approval of the project was part of an initiative to reduce blight in the city as a result of its population declining by half in the past 50 years.

Mullin and Gross (1990) examined a solution for the sprawling development patterns around the Route 146 corridor in Millbury, Massachusetts. If left unchecked, developments in areas like Route 146 can cause environmental damage, break up community character, and lack safety. Mullin and Gross sought to determine how to encourage economic growth while protecting open space, maintaining the scenic, natural, and historic features of the area and still optimizing traffic flow. To solve this, the authors conducted a study of topography and inventoried the current land-use along Route 146, while analyzing the zoning ordinances of Millbury. Mullin and Gross found that an overlay district bylaw would encourage development while preserving the natural and historic character of the area.

This bylaw study provides an interesting example for solving developmental impacts on the environment. Suggestions for improving these conditions include limiting the size of developments while requiring that 60% of each building site remain as open space, preventing "an overbuilt site and [maintaining] the natural features along the highway" (1990, p. 3). Mullin and Gross provided enough evidence to argue compellingly that sustaining an area's scenic, natural, and historical features will encourage economic growth through analyses of comparison communities. Mullin and Gross' findings go beyond aiding the environment, as their bylaw's

purpose also maximizes the level of safety and quality of life along this corridor. Therefore, implementing green infrastructure does more than just protect natural features, but also enhances people's quality of life.

The articles discussed above demonstrate the importance of green infrastructure. Jackson stressed the importance biophilic design and its relation to human health. In the article by Tejada, city officials gauged the pros and cons of using green infrastructure. Finally, in the Route 146 study, the Mullin and Gross stressed the importance of open space in design guidelines. All of these green design elements provide a solid argument for integrating these plans into design requirements.

OVERALL CONCLUSION

Based on the readings and research, our team concludes that community character is important because it fosters cohesive physical design guidelines that create connections and desirability in the community. Community character plays the role of driving desirability and place attachment. Desirability attracts new residents and businesses, and with these elements comes an increased tax based and greater visibility within the region. Community character is the fabric that holds all of these elements together. Character capitalizes on the strengths of the community and identifies areas in need of improvement. It preserves the history and design of the city while encouraging growth and resilience in uncertain times.

Design guidelines incorporate many different elements that are important to the success of communities. The research that our team highlighted demonstrates the positive impact that a successfully designed space can have on community activity and vibrant communities using such tools as historic preservation, density, green design, and local area architectural details. Research has shown that successfully designed spaces create environments that preserve aesthetic while integrating regional and national business chains into local models. Without design guidelines, communities such as Pittsfield are in danger of becoming generic reproductions of national models that do not integrate urban resilience into their current plans. By mitigating the risks of conforming to these universal models, communities can become stronger competitors for revenue against regional competition.

Green infrastructure is important in mitigating the effects of climate change and how to plan cities in order to mitigate these events which is a growing concern for communities across

the world. As the climate grows increasingly unpredictable, cities such as Pittsfield must alleviate its effects before they become larger issues. As the research that our team brought to light shows, integrating green design techniques not only reduces the effects that extreme weather events have on a community, but are also attractive and promote healthy communities. Additionally, successful green infrastructure also encourages healthy communities by supporting walkability and cleaner air. While green infrastructure may initially seem like a costly measure, the long-term benefits far outweigh the initial costs.

In closing, each design component integrates key elements that have the potential to make communities more livable. Community character, design guidelines, and green infrastructure are all part of the process that weaves a community's identity together. The research discussed in this review provides solid evidence that without a design strategy, communities such as Pittsfield run the risk of destroying their unique infrastructure and rural landscape. Communities need holistic guidance when it comes to building infrastructure. Implementing these strategies in a timely manner will create resilience and attractiveness for years to come.

PRECEDENT STUDIES

The client asked that our recommendations examine regional examples. These communities were preselected by our client as being exceptional models for the design guidelines implemented into their site plan review process. Each city is similar to Pittsfield in population, geographic size, and location in accordance to a major city. Shire City Consulting will examine the strategies used by these cities in order to form suitable recommendations that are the most advantageous to Pittsfield's situation (see Table 7).

Table 7: Precedent Study design guideline implementation comparison

<i>Town</i>	Level of Authority	When Applicable?	Who Has Authority	Applicable Location	Take Away
<i>Amherst</i>	Advisory	Exterior changes/alterations requiring building permits, sign permit or any exterior change within 150 feet of the edge of the green space in the Town Common	5 Member Design Review Board. Members are field professionals	Design Review District Town Common Design Review District Downtown Business District	Board makes Recommendations to permitting board
<i>Northampton</i>	Governing	The construction alteration or demolition of any structure in design review districts.	The Central Business Architecture Committee Planning Board	Central Business Architectural District West Street Architectural District	Northampton has a governing design review board that has the authority to recommend design standards.
<i>Salem</i>	Advisory	Depending on location (see “where” column) Most reviews are triggered regarding any external alterations in designated districts	Planning Board, SRA, SRA Design Review Board, Historical Commission and city staff in their design review of proposed projects and signage.	Urban Renewal Districts Entrance Corridors Historic Districts Entrance Corridors	Layover Districts add value and simplify process.
<i>Sudbury</i>	Advisory	Reviews building permits, special permits, variances for all non-residential land-use if involving new construction, exterior alteration, or a sign larger than six square feet	Design Review committee (five at large members appointed by the Planning Board), serves in an advisory capacity.	Residential Districts Village Business Districts	City-wide Design Review is ok.
<i>West Concord</i>	Advisory	All projects within a specific part of town	The Concord Planning Board	West Concord Village Area	Planning Boards can regulate design guideline
<i>Yarmouth</i>	Advisory	All projects within certain area districts	Planning Board has design review authority for some districts Design Review Committee has jurisdiction over one district.	Hotel Motel Overlay District HMOD1, HMOD2 Revitalization Overlay Architectural District	Precedent for Architectural District Overlay

AMHERST



Figure 48: Amherst, MA (Source: Amherst.edu)

Founded in 1759, The Town of Amherst is a historic 256-year-old community located in the Pioneer Valley in Western Massachusetts. The town is situated approximately 18 miles from the major city of Springfield. As of 2010, the population of Amherst was 37,819 and the town is home to three higher education institutions, the University of Massachusetts, Amherst College, and Hampshire College, which account for a large percentage of the population for most of the year. The Town maintains several design review and overlay districts: The Design Review District, Town Common Design Review District, and the Downtown Business District. The review process is not mandatory; proposed development projects are reviewed by the five-member design review board, which consist of two architects, two landscape architects, and one person who owns a business in the affected area (*The Town of Amherst Zoning Ordinance*, 2014 Section 3.201).

A major focus of Amherst's design guidelines is to encourage all development to be similar in general appearance. The emphasis of these guidelines is placed less on specific architectural features and more on whether a building is compatible in size, architectural form, and landscaping with the surrounding development. Some areas that the Design Review Board in Amherst looks at specifically are building height and proportions, architecture, signs, and landscaping.

NORTHAMPTON



Figure 49: Northampton, MA (Source <http://www.city-data.com>)

Founded in 1654, the City of Northampton is a historic 361-year-old community in the Pioneer Valley in Western Massachusetts. The town is roughly approximately 15 miles north of Springfield. As of 2010, the population of Northampton was 28,592, including a sizable student population from Smith College. The City maintains several design districts: the Central Business District and West Street Design Districts. The review process is mandatory and The Design Review Committee has the authority to approve or decline projects based on design elements.

Since Northampton is invested in preserving its historic downtown, many of their recommendations cover preservation and development of historical buildings. They recommend that existing historic structures should be renovated in ways that preserve their original character. The guidelines contain sections on setbacks, new and historic facades, renovations, roofing, window arrangement, and building materials. The section on facades in particular is very extensive, covering various kinds of materials and detailing. There is also a specific section on preserving the architecture of buildings located on street corners.



Figure 50: Salem, MA (Source: Salem.org)

Founded in 1629 The City of Salem is a historic 361-year-old community on the North Shore of Eastern Massachusetts. The town is situated approximately 15 miles from the capital city of Boston. As of 2010, the population of Salem was 41,340, which includes a sizable student population from Salem State University. The town maintains several design districts: Urban Renewal Districts, Entrance Corridors, Historic Districts, and Entrance Corridors that are managed by several governing bodies (see Table 2). The boards are advisory and do not have the authority to approve or decline projects based on design.

The city of Salem has several sections of its landscape that are significant to pertinent points in the city's colonial history. In order to protect this history, Salem implemented a strategy that is designed to protect the integrity of the city's urban landscape. The level of design review required for a project depends on the location of the property. While advisory only, the City of Salem regulates elements such as building materials, height setback, and signage in several highly visible areas in order to maintain the historic character for which it is known for (*The City of Salem Commercial Design Guidelines*, 2005). Finally, Salem has identified several areas of the city that are targeted for redevelopment in order to stitch together the city's historic character as a result of previous development that was not in line with the city's vision.

SUDBURY



Figure 51: Sudbury, MA (Source <http://www.city-data.com>)

Founded in 1639, The Town of Sudbury, Massachusetts is a historic 376-year-old suburban community 20 miles outside of the city of Boston. As of 2010, the population of Sudbury was 17,659. The town maintains several design districts such as Residential Districts and the Village Business district that are managed by a Design Review committee consisting of five at-large members appointed by the Planning Board. This committee serves only an advisory capacity to the town Planning Board.

Sudbury has a rich colonial past that dates back to the 17th century. Today, Sudbury is a busy suburban town that values its historical context. Its architecture reflects the town's colonial roots. In order to protect these existing conditions, Sudbury has a design committee that is responsible for recommending action for development that affect this character (*The Town Sudbury Zoning Ordinance*, 2014 Section 3290).

Sudbury is committed to preserving its historical context. Sudbury's design guidelines have an extensive section on signage. Signs should not contain visual clutter, particularly not large advertisements or slogans. Signs also should not obscure architectural features on building facades and should not be too brightly lit. Signs should also generally match the aesthetic character of both the building they are on and the surrounding signage.

WEST CONCORD



Figure 52: West Concord, MA (Source: visitingnewengland.com)

Founded in 1635, the 380-year-old Village of West Concord is the unincorporated village section of the town of Concord, MA. The city is located in Eastern Massachusetts, 22 miles from the capital city of Boston. As of 2010, West Concord had a population of 6,028 and the town of Concord had a population of 17,668. The Village of West Concord is located within its own design review district that is governed by the Concord Planning Board. This board can only suggest design review; it cannot require them.

West Concord's design guidelines are laid out clearly in a table format, with many images showing examples of design features. In addition to architectural features, the guidelines cover size and scale of buildings and incorporation of sustainable development features. Some of the sustainability features they encourage include green roofs, rain gardens and other forms of landscaping, and pervious pavement. Among the architectural features that are covered are doors and windows, rooflines, building materials, storefronts, decks and balconies, and building color. The design guidelines also contain a specific section on recommendations for new development, including large buildings, on-site parking, and loading (*The Town of West Concord Design Guidelines*, 2011).

YARMOUTH



Figure 53: Yarmouth, MA (Source: Grayline.com)

Founded in 1639, the town of Yarmouth is a historic 376-year-old beach community located on Cape Cod. The town is a large vacation community approximately 75 miles from the capital city of Boston. As of 2010, the population of Yarmouth was 23,793. Yarmouth has several design districts: Hotel Motel Overlay District, HMOD1, and HMOD2 Revitalization Overlay Architectural District (see Table 7). The Planning Board has design review authority for some districts and the Design Review Committee has jurisdiction over one district (*The Town of Yarmouth Architectural and Site Design Standards*, 2006).

These design guidelines contain numerous ways that developers can create buildings that “contribute to the village streetscape” (p. 4). They recommend focusing on “enhancing the street edge” (p. 6) by incorporating landscaping features into the streetscape and building new development on back lots, screening it with existing smaller-scale development. They also recommend adding a second story to reduce the land-use footprint of new development. There are also various guidelines focusing on suggested landscaping buffers. Another important area are the recommendations for breaking up large parking lots.

SUMMARY

In summary, these communities regulate design guidelines with various degrees of control. Most of the cities implement advisory design guidelines, which encourage but does not mandate uniform design and community character. Each of the sample community's places emphasis on elements that help shape their community. The success of these advisory boards demonstrates the ability of communities to encourage community friendly design without sacrificing free-market enterprise. These models are evidence that developers, property owners, and city officials can collaborate without over-complicating the review process.

DISCUSSION AND SWOT ANALYSIS

The City of Pittsfield understands the importance of the formula retail districts in its historic industrial base. However, the City would like to integrate formula retail into the traditional historic fabric that the City and region are known for. By integrating architectural and landscaping requirements into these areas, the City will become better connected and a more desirable place to visit. In order to make this type of policy effective, the City must examine other communities that integrate these policies while maintaining a healthy retail tax base.

The strengths of the retail districts are a strong retail-led economy in the absence of Pittsfield's historical industrial base, which had long been the economic driver for the region. Formula retail is more important to the city than ever before (see Table 1). Moreover, the existing retail sections of the city are active and popular among residents and regional visitors alike. These areas in the city maintain the vast majority of convenience-oriented retail that draws in shoppers from the surrounding towns.

The weaknesses in these areas are Pittsfield's limited ability to regulate design with new

constructions and alterations. Currently, the only development requirements that the City is able

to regulate include: setback, parking, open space, permitted use, signage, and density (CPZO,

2014). Additionally, the City has set clear strategies for the future by creating a comprehensive

master plan that emphasizes strategic growth and open space preservation, goals which have yet

to be met (CPMP 2009). The Master Plan emphasizes community values and recognizes the importance of preserving the historic character that Pittsfield is known for. Based on this documentation, it is clear that the City has connected its past with future development as it transitions from an industrial hub to a crossroads for arts, culture, and tourism.



Figure 54: An example of excessive parking at Berkshire Crossing

The opportunities for the area are Pittsfield's commercial corridors. The City's collective aesthetic is left fragmented as a result of a lack of cohesive architectural design guidelines. The form of each center caters to convenience shoppers who access the sites using personal vehicles. Many of the shopping centers maintain parking lots that are vast and under-utilized, even during the busy holiday season (see Figure 54). These parking lots also lack design guidelines and are constructed using methods that do not have an environmentally sustainable focus. While the City is somewhat able to regulate the implementation of these retail sections, there are currently no standards that guide Pittsfield policy makers through the regulation process.

A threat to the City of Pittsfield's design is the possibility of continuing with an unregulated design strategy. Pittsfield has the solid foundation for creating a new atmosphere dedicated to retail districts that are aesthetically integrated into the historical landscape of the community. In order to accommodate the necessary changes, the City should have meaningful conversations with business owners and developers to encourage the integration of contextual design guidelines while still encouraging the growth of free-market enterprise. To achieve this, the City must focus on several areas in need of improvement, including parking lot design, infill, and using existing properties that are currently under-utilized. For building design, regional cities can be used as guides to integrate this process. Finally, pedestrians and bicyclists should be part of the development conversation.

The City's existing formula retail districts, while prosperous, present challenges for the community in the future. Attracting and maintaining high-end retail to Pittsfield rather than the surrounding communities, requires incorporating design aesthetic that is copasetic with their preference. These districts fragment the rural fabric of the community atmosphere as a result of their independent design standards that are not collectively cohesive. Additionally, many parcels available for development are in the downtown districts, which maintain a high percentage of dense historic structures that are in danger of being demolished to make way for generic retail development. Moreover, current retail development patterns could potentially contribute to environmental degradation, affecting the desirability of the community as a whole. These challenges are manageable, but only through foresight and vision like that discussed in the City's master plan.

RECOMMENDATIONS



Figure 55: Existing AutoZone on Route 9 featuring generic design and material use



Figure 56: Potential AutoZone rendering utilizing design guidelines to fit local aesthetic and material choice



Figure 57: Existing Tyler Street new construction featuring a suburban style design in an urban location



Figure 58: Potential Tyler Street construction with design guidelines encouraging walkability, density and local design features

In order to obtain enhanced design for Pittsfield's formula retail, Shire City Consulting recommends that Pittsfield focus on the integration of a design guideline review process that will integrate new development into the existing historic infrastructure. Rather than making the review process more complex, the City should initially integrate its design guidelines into the responsibilities of the Community Development Board. Once the process has been fine-tuned and funding has been earmarked, an advisory review board should be created that would ultimately make recommendations to the Community Development Board. Similar to the regional examples, Pittsfield should require all alterations, new construction, demolition, and expansions on properties to trigger the design review process. To encourage participation, our team recommends implementing a site plan review process, discussed in the next section that will credit developers for implementing design standards into their proposals. This should offer incentives to build in the manner seen in the recommended style guide (see Appendix VII).

In order to provide a transparent and fluid process, Shire City Consulting recommends that a design review threshold should be clearly identified within the zoning ordinance. This design review threshold should encompass all alterations, additions, new construction of structures, or alterations of the landscaping existing within the designated zoning districts. The review process should utilize the preferred style manual to make recommendations on whether or not the building in question is in context with the surrounding properties or landscape. This process can be initially conducted by the Community Development Board, but should eventually be taken on by its own advisory committee to the Planning Board once funds have been made available. The members of the advisory committee should be a mix of architecture and business professionals who are able to make professional assessments of any site plan that is presented during discussions. It is also recommended that at least two members of the advisory board also be on the Community Development Board.

The City will need to identify and isolate the three major types of business districts seen in the existing zoning district in the City in order to integrate features that are in line with the architectural character of that area. Manuals that reference architectural styles will be used as guides to determine the best-suited style. Additionally, each of these areas should have corresponding regulations that encourage area-specific development styles. These umbrella districts are:

- Downtown District
- Gateway District
- Business/Industrial Collective District

Properties that were altered or built prior to design guidelines will be grandfathered in until any exterior alterations occur. For historic structures that have non-traditional design elements, Pittsfield should promote the Massachusetts Historic Rehabilitation Tax Credit (The Commonwealth of Massachusetts, 2015). By regulating the design in these districts, the City should be empowered to design how they want the future of the community to look. The implementation process should take place in three phases over the course of five years (see Table 8).

Table 8: Implementation Plan

	Action 1	Action 2	Action 3
<i>Department of Community Development</i>	Review Application to ensure it is complete		
<i>Design Review Board</i>		Review Application and make recommendation to Community Development Board	
<i>Community Development Board</i>			Approve or Decline Application

IMPLEMENTATION

6 MONTHS

- The Department of Community Development should announce a request for proposal (RFP) for a licensed architect to continue to build a design reference guide that documents unique neighborhood architectural features. This manual will serve as a context guide for developers and property owners.
- The Department of Community Development should write grants for funding the creation of an advisory board.

1-2 YEARS

- The Community Development Board should offer workshops and outreach programs to the public and developers to improve adherence to guidelines and clarify any confusion.

3-5 YEARS

- The Community Development Board should establish the advisory Design Review Committee that will review all planned changes. This Committee will make recommendations to the Community Development Board based on how closely applicants keep with the context of the local neighborhood.
- The Community Development Board should incorporate design guidelines into the newly created Gateway District.

CHAPTER 4: THRESHOLDS FOR SITE PLAN REVIEW

CLIENT DIRECTIVE

The client has requested that Shire City Consulting develop a zoning amendment that creates development threshold criteria for site plan review, lessening the dependency on specific use.

BACKGROUND

The City of Pittsfield requires site plan review by the Community Development Board for waste-generating land-use, conditional land-use, special permits, developments in downtown over 5,000 square feet, and for properties abutting Dan Fox Drive. The problem with this current system is that when developers apply for permits, the City has little to no power over what types of developments occur. Since the site plan review process is based primarily on specific use categories, Shire City Consulting will investigate whether different threshold criteria can improve the process. In doing so, the team will give the City the ability to better predict the development process in Pittsfield.

EXISTING CONDITIONS

The purpose of site plan review is to ensure that new development meets the requirements of Pittsfield's Zoning Ordinance and is designed in a way that reasonably protects the physical, environmental, and aesthetic qualities of the neighborhood and the City. As of May 2013, the land-use in Pittsfield that are subject to site plan review are all land-use requiring a special permit, any business, commercial, industrial, or institutional use except home occupation not requiring a special permit, and any residential use of more than two units, including subdivisions. The Community Development Board reviews all site plan applications.

A public meeting is not required when the land-use is by right; all other land-use requires a site plan review or a special permit. The maximum period of time in which the site plan can be reviewed for approval is 30 days. When a site plan requires a special permit, the review process is bundled together with the special permit application, which is then reviewed within 30 days and will require a public meeting within 65 days after being submitted. After the Community Development Board reviews and approves the site plan, the Zoning Board of Appeals will issue a special permit.

An example in which Pittsfield's site plan review process failed to accomplish is fundamental goal of preserving City character was the case of the Plunkett School in downtown Pittsfield, shown in Figure 59. The school was demolished in 2014 in concurrence with a proposal to build a Dunkin Donuts with a drive-thru on that spot to replace a current store down the street.

All drive-thru windows are subject to special permits, and in Pittsfield, special permits require site plan review. The Community Development Board reviewed the application and decided that the project was not suitable for the downtown area and the City Council did not grant the special permit. The school was razed; now all that remains is a pile of rubble, as seen in Figure 60.



Figure 59: Plunkett Elementary School



Figure 60: Site of demolished Plunkett School

WORKSHOP FINDINGS AND SITE VISITS

Some of the points mentioned by participants in the asset mapping workshop that could be relevant to site plan review were the aesthetics of buildings, the confusing and sometimes dangerous layouts of parking lots, and the feeling of being in a cohesive area within the City. Another priority that the participants made clear was the need for the City to be stricter about enforcing the zoning code. Because of lack of enforcement, there are parts of the City that have become barren and look blighted.

Some of the buildings in the commercial strips in the gateways do not fit in with the historic styles that Pittsfield has in its downtown. Along with site plan review, the design guidelines for some of these buildings look at parking requirements and create a downtown urban fabric that feels complete and comfortable.

Figure 61 is a section of buildings in Pittsfield that shows the discontinuous urban fabric in the downtown. Figure 62 shows a rendering of the buildings that shows how infill development and prioritization of aesthetics could give the City a more cohesive urban fabric.



Figure 61: Existing Capitol Theater



Figure 62: Capitol Theater using Infill Development

The layout of some of the parking lots are regarded as very confusing. Some four-way intersections have stop signs for only one direction, and this confusion has led to dangerous conditions. Cars darting in and out of intersections endangers drivers and pedestrians who do not have a crosswalk for safety.

LITERATURE REVIEW

INTRODUCTION

Site plans are detailed graphic and written documents that depict how a site will be developed. Site plan review is generally required by communities to ensure that the submitted documents show that the proposed development meets zoning ordinance requirements as well as state and federal statutes. Site plan review decisions are made by either land-use boards or administrative planning staff, depending on the community's specific ordinance. Not all developments require site plan review. Depending on a community's zoning ordinance, this will usually depend on the specific land-use(s) within a development. Site plan reviews are one of the major functions of municipal planning meetings.

Thresholds for site plan review are important to the overall vision of any community because they can streamline development projects in specific areas of the City while also requiring certain projects to engage in conversation with planners as to what developments should ensue. These are legally enforceable decisions that can greatly affect the character of any community. Site plan review is one of the major tools planners can use to make sure developers comply with regulations. If it were not for site plan review, there would be few methods for regulating development coming into a community.

This literature review explores the importance of site plan review and the aspects of site plan review that are often undervalued, but play very important roles. If the thresholds for site plan reviews are not in line with the development trends and values of a community, then certain developments may not be reviewed while others are reviewed unnecessarily. Shire City Consulting has selected current literature that explores the various considerations communities must make for their site plan review process. The themes of this review are the legal standing of reviews, recent innovative techniques, and the role of design elements. By understanding these themes and their relationship to site plan review, this review fills a gap in knowledge, as it expands on the role site plan reviews have held in community decision-making processes as well as case law and how these reviews can be improved for the future.

The first section explores the legal standing of reviews so that our team can understand the legal scrutiny these decisions may face. The next section examines innovative techniques that communities and academics are implementing, in order to analyze various options Pittsfield could implement. The following section reviews the role design elements play in site plan reviews in order to better understand how site plan review relates to other client directives. Lastly, the review shall conclude with ways in which various facets will be integrated and applied to our project's scope of work.

THE LEGAL STANDING OF REVIEWS

In this section, our team explores the role that clear processes play in upholding any legislation passed by community review boards. Salkin and Ince (2014) discuss the potential for a lack of ethical behavior in the zoning process when regulatory proceedings are vague or non-existent. Hunter and Smith (2010) examine how site plan review is a legally binding decision. Dunham (2012) approaches the topic of site plan review from the opposite perspective by

emphasizing how site plan reviews must follow constitutional guidelines and other legal precedents. Collectively, these papers reveal the crucial role site plan reviews play in both the community and the field of American law.

Salkin and Ince (2014) conducted an analysis of annual reviews involving allegations of ethical violations in land-use cases. Citing recent attention given to the issue of public corruption and the increasingly visible role that federal law enforcers are taking, Salkin and Ince attempted to find out why there is a growing trend of public corruption lawsuits, especially in the field of land-use. Salkin and Ince identified a trend in the last two decades in which land-use ethics issues are being treated as criminal instead of civil cases, stemming from conflicts of interest or unclear review or zoning processes. Using several case studies of corruption lawsuits on both the local and state level, Salkin and Ince identified a typology of circumstances, including bribes for land-use actions and expedited permits, services in exchange for rezoning, and campaign contributions in exchange for permits. Salkin and Ince concluded that municipal attorneys and public managers must expand their view of ethical issues beyond the local or state level (as there can be federal implications for this kind of corruption) and move toward clearer, more organized land-use review systems.

Salkin and Ince showed trends in the increasing criminalization of land-use ethics cases, citing multiple cases within the past two decades at both the municipal and state level. However, this article focused too much on bribery as a form of corruption, which is an explicit example. It would have been beneficial to their argument to explore more nuanced cases wherein developers tested the extent of loopholes and legal ambiguity. In closing, Salkin and Ince's message for reform of lower-level review processes is necessitated by the current environment of increased surveillance by federal law enforcers.

Hunter and Smith (2010) discussed local practitioners who are called in either to assist clients seeking local government development approvals or to oppose such approvals. This paper discussed the fact that attorneys are usually approached on the eve of a critical public hearing and urged to support or object to the proposed development. Hunter and Smith explained the legal process of going through local government boards and the appeal process. Knowledge and preparation for the local land development process are paramount to success in gaining or

objecting to local land-use approval. What is most critical is identifying the relevant legal standards and procedures by looking at the local land development code and comprehensive plan.

This article looked at something that is critical for all proposals to a city council that must go through certain approvals – consistency with the master or comprehensive plan. If a project that is being proposed is consistent with the community’s comprehensive plan, the chances of the plan being approved are greater. Site plan review can benefit future developers and the city in creating a system that truly works for everyone. This type of information is similar to other writings on the review process stating that preparation and knowledge of the local codes is vital to the success of the plan. This article reinforces the importance of understanding the legal processes of local government boards and councils and using relevant legal precedents to strengthen one’s point of view.

Dunham (2012) discussed the applicability of the “rational basis” test for site plan review and special permitting. Dunham used an application for constructing 48 units of affordable housing in Gloversville, New York as a case study. The developers of the project voluntarily submitted a stormwater plan and environmental assessment form, as well as a letter from an engineer showing that the project would slightly reduce runoff to neighboring properties. However, the application was initially denied due to public opposition and cited runoff concerns. Dunham illuminated the fact that the judge in the appeal of this case correctly sided with the developers because the town failed the rational basis test as they relied on “generalized community objections” (p. 9) rather than scientific evidence

From examination of these papers, the research demonstrated that the law plays a vital role in the soundness of any review process. Additionally, the validity of site plan review is partially contingent on how well the reviews adhere to the precedent set by previous reviews as well as constitutional law. Not only will better guidelines for site plan review bring greater transparency, they will help to minimize opportunities for corruption of public figures and developers. Furthermore, by creating thresholds for site plan review, Pittsfield will be able to justify its decision-making process more concretely, minimizing any potential legal battles.

INNOVATIVE TECHNIQUES

In this section, our team looked at approaches other communities have taken as well as recommendations by academics. Shapard (1997) discuss how a point system can be useful in creating a baseline for deciding whether different development projects require a site plan review. Godschalk and Malizia (2014) emphasize how current site plan review processes only encourage standard designs and traditional methods, but there is a greater potential to include sustainability as a factor in the process. Both of these articles contain ideas and tools that Pittsfield can apply to formalize thresholds for its site plan review process.

Shapard (1997) looked at the city of Colleyville, Texas as an example of how to standardize the site plan review process and ensure stable urban growth for the future. The city has set forth a point system worksheet to include in their site plan review process to ensure that the buildings will not be a featureless redundancy. This worksheet eliminates the need for approval by the architectural review board and streamlines the review processes (see Appendix VIII) by setting community standards.

In comparison to other research, this system resembles form-based code because of its lack of a use section. Although the worksheet is applicable only in Colleyville's commercial areas, there is some flexibility in what is allowed. These buildings may only attractive new buildings that do not contribute to the profitability of the commercial area. Aesthetic buildings with financial function can make a commercial strip more appealing for residents and visitors.

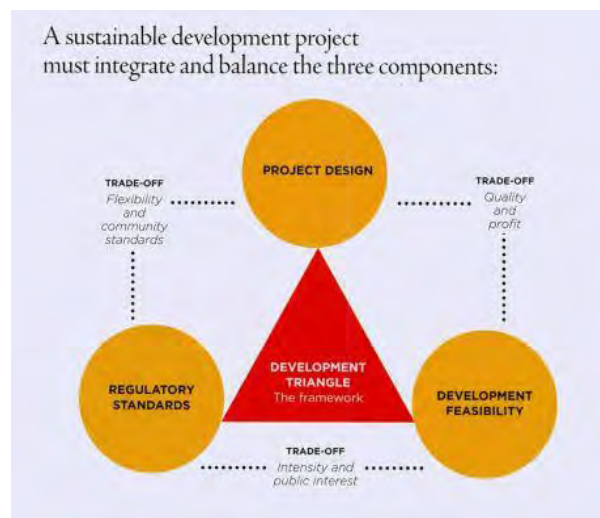


Figure 63: The Development Triangle

Godschalk and Malizia (2014) examined the ways in which current planning review processes can be amended to incorporate and encourage more sustainable developments. Since current review processes support only standard designs rather than alternatives, Godschalk and Malizia proposed that communities adopt sustainable development standards that balance design elements, development feasibility, and regulatory standards – the development triangle (see Figure 63). By balancing these three different metrics, planners can break through professional silos and determine the trade-offs necessary to achieve a sustainable project. To assist in furthering the viability of sustainable development metrics, Godschalk and Malizia emphasized the use of various financial analyses dependent on the type of development, including cost-driven analyses, market-driven analyses, and dynamic financial analyses. The authors concluded their article by emphasizing that in many instances, developers, planners, and designers all share similar goals, and that providing them with tools to have an engaged conversation is vital to sustainability.

By having a standardized system of review, Pittsfield will be able to leverage better engagement with developers and other property owners to manage what types and forms of development are proposed. Within planning, there are different metrics that can be applied, based on whether the community wants to accelerate the construction of certain kinds of development or more carefully consider the impacts of certain types of development. Site plan review can be regulated based on feasibility and design metrics that coalesce with regulatory standards. This literature indicated that communities around the country are shifting from traditional models to innovative processes that adhere to their needs.

DESIGN ELEMENTS

In this section, our team examined the important role that aesthetics play in approving any development project. Strauss, Miranda-Moreno, and Morency (2013) discuss the risks associated with not including bike lanes in the streetscapes for proposed developments. Lewis (2014) demonstrates the growing importance of historic preservation in development. Collectively, these papers reveal that design and preservation should be a key element in the approving a site plan.

Strauss et al. (2013) explored the risks associated with bicycling in the urban environment, specifically focusing on the accidents that are prevalent at signaled roadway

intersections. The authors addressed gaps in current literature, such as how geometric design and the built environment impact bicyclist injuries. The authors used a two-equation Bayesian model and studied three focus areas in order to rank bicycle corridors according to the expected injury rates. The findings indicated that high bicyclist volume and turning vehicles are the factors with the most significant effects on bicycle injury rates.

The article draws on a number of sources to expand and support its arguments. It also corroborates key findings that support the “safety in numbers” phenomenon, explaining it in greater detail. As more bicyclists utilize the transit infrastructure, it can be expected that cyclist injuries will become more frequent. However, while increased bicyclist volumes increase total injury rates, each cyclist’s individual risk of injury is actually greatly reduced. By recognizing that increased injury rates are simply a product of more people being on bicycles and that individual safety is actually increased, communities can better address safety concerns in the continued implementation of bicycle infrastructure.

Lewis (2014) discussed the fact that historic preservation efforts in the United States have only recently become popular in the past few decades. In the 1960s, historic preservation was not a predominant topic in architecture or planning education and a predominant question about existing buildings that the coursework emphasized was the cost to either renovate or raze them. Lewis also stated that historic preservation can sometimes be used as merely a tool to slow down a development project that some people are opposed to. He concluded that if historic preservation is used and pursued properly, the outcome in a building preservation debate can be a win-win situation for owners, developers, and the public.

From the examination of these papers on design elements, the research demonstrated that there are critical components to any site plan review that should not be minimized. Encouraging elements like bike lanes can be beneficial both to the project and to the larger community. Furthermore, site plan review should consider not only the site but the nearby context as well to ensure neighborhood treasures like historic buildings are not marginalized. In conclusion, design, along with the grade slope, lighting, and sewage, is a vital component of any site plan review process.

OVERALL CONCLUSION

From literature on case law that guides site plan review processes, it is evident that a legally sound process is of the utmost importance. By understanding that the lack of clear processes for review may lead to corruption and lawsuits, Shire City Consulting will work to ensure that our recommendations are legally justifiable. Furthermore, if our recommendations are implemented for appropriate thresholds for site plan review, precedent will be set within the community for future development.

Site plan review is by no means a simple process. On the contrary, there are many metrics that can be used to determine which projects need site plan review and ways to conceptualize why certain developments need review. A simple mathematical formula based on a point system can streamline the process, while also identifying developments that do not meet the vision of the community. More so, site plan review can be framed and organized with developers working alongside designers and planners to create a project that satisfies everyone, instead of working at odds with each other. Site plan review represents an opportunity for a forum for discussing the various aspects, benefits, and deficits of any project.

Although site plans typically focus on such technical aspects such as traffic circulation, drainage, and square footage, reviews can also start a conversation about any development's greater impact on the community. In creating that dialogue between planners and developers, site plan review allows communities to encourage developers to provide amenities that will benefit them, such as a bike lane. Aesthetics is one of the most important aspects of any community, and site plan review can control and address any issues that might impact residents' sense of place. By including and prioritizing aesthetics and neighborhood context within site plan review processes, cities like Pittsfield can help strengthen and build up their own identity.

By formalizing and clarifying the process for which developments will require site plan review, our team will lessen the burden on some of the planning staff, while encouraging development that aligns with community values and minimize the occurrence of any potential lawsuits. One question that remains is whether there are any thresholds for site plan review that have been found to violate any municipal, state, federal, or constitutional laws. Furthermore, researchers must determine why more communities have not adopted innovative techniques. Lastly, it would be useful if there were a study that examined the adoption of thresholds for site plan review and did a regression analysis to see if development increased or decreased, while normalizing for other potential effects.

PRECEDENT STUDIES

As precedent studies, our team analyzed the site plan review regulations from five different communities in Massachusetts. Our team selected ten cities to review, and five of them were selected by our client.¹⁷ The criteria that our team analyzed were the types of development that triggered site plan review, the length of time to review, and lastly, the reviewing authority. The following sections outline our major findings. Table 9 shows the comprehensive precedent comparisons, including Pittsfield.

¹⁷ The five communities not chosen by our client were Boston, Cambridge, Great Barrington, Lowell, and North Adams.

Table 9: Precedent Study Comparisons

Community	Type of Site Plan Review	Reviewed By	Length of Review	Granting Authority	Public Hearing	Length until Decision after Public Hearing	Decision
Pittsfield	Thresholds	Community Development Board	30 Days	Community Development Board	Yes if a special permit is needed	65 days	Majority vote
Amherst	By Use Table	Town Departments and Planning Board	35 Days	Planning Board	Yes	90 Days	2/3 vote 5 people or greater
Framingham	Minor/Major in CBD	Planning Board	35 Days	Planning Board	Yes within 65 Days	90 Days	At the Discretion of the Granting Authority
Greenfield	Thresholds	Building inspector for applications of 5,000 sq. ft. and 10 or less parking spaces	45 Days	Building inspector for applications of 5,000 sq. ft. and 10 or less parking spaces	No	45 Days	At the Discretion of the Granting Authority
		Special Permit Granting Authority for site plans involving special permits		Special Permit Granting Authority for site plans involving special permits			
		Planning Board for all other site plans		Planning Board for all other site plans			
Northampton	Intermediate/Major	Planning Board	45 Days	Planning Board	Yes within 65 Days	45 Days	Majority vote
Springfield	Tier 1	Office of Planning and Economic Development	20 Days	Office of Planning and Economic Development	No	30 Days	Discretion of Granting Authority
	Tier 2	Planning Board	30 days	Planning Board	Yes within 45 Days	10 Days after Public hearing	Majority Vote of Planning Board
	Tier 3	Special Permit Granting Authority	Within 65 days of Public Hearing	Special Permit Granting Authority & City Council	Yes within 65 days after submission of application	90 days after Public Hearing	2/3 vote of entire City Council

AMHERST

Amherst is a town in rural Hampshire County that has a similar population size to Pittsfield. Amherst was settled 312 years ago and is 25 miles north of Springfield. The population in Amherst was 37,819 as of the 2010 U.S. Census. Amherst has thorough site plan review regulations within the zoning code.

In Amherst, the types of developments that required Site Plan Approval are listed in the permitted use table. For instance, if a land-use is allowed in a district that requires site plan review, it would be marked with “SPR.” The Planning Board distributes the site plan requirements to different town departments which may include the Town Engineer, Fire Chief, or Conservation Department. The various departments have 35 days to provide recommendations to the Planning Board. Then a public hearing takes place, after which the Planning Board then has 90 days to report back to the applicant. All the site plans require a concurring two-thirds vote with no fewer than five voting members in order to be accepted or denied. There is also a design aspect within the ordinance that considers which zoning district the development is located (*Town of Amherst Zoning Bylaws, Section 3.3; Section 11.2, 2014*).

FRAMINGHAM

Framingham is a mid-sized city in Massachusetts whose desire to make the city walkable and accessible for the public. Framingham is located in Middlesex County just 22 miles to the west of Boston. Its population was 68,318 as of the 2010 U.S. Census and was settled 365 years ago.

In the Framingham Zoning Ordinance, the site plan review section is easily located and very straightforward. Framingham deals with site plan review in two separate ways – there is a general site plan review and there is minor and major site plan review for projects in the Central Business District. A minor site plan review regulates a) all expansions of existing nonresidential or multi-family structures which results in a total floor area between 3,000-8,000 gross square feet, b) all modifications to properties with prior site plan approval that have not been determined to be an insignificant field change, c) construction or expansion of a parking lot that results in a

total of more than five parking spaces for a nonresidential or multi-family structure or purpose, d) all new construction or expansion, alteration, or enlargement of only a parking facility, off-street loading facility, and/or a facility for the storage or sale of any type of new or used vehicles, including construction vehicles, truck trailers and/or any vehicle that requires licensing by the Commonwealth of Massachusetts, or, e) any new structure or alteration of an existing structure or change of land-use in any structure for an entity claiming exception under G.L. c. 40A, § 3.

A major site plan review regulates all construction of a) a new nonresidential or multi-family structure or group of new structures, b) all expansion of an existing nonresidential or multi-family structure which results in a total greater than 8,000 gross square feet of floor area, c) all projects with new or existing drive-thru facilities, d) commercial Ground-Mounted Solar Installations, or e) all new Mixed-Use and new Mixed-Use Complex projects. The Planning Board reviews the site plans within 35 days, and if that amount of time is insufficient, may, at the written request of the applicant, extend to 60 days. A public hearing will then occur within 65 days after which the Planning Board has 90 days to render a decision. The zoning ordinance clearly shows that there are design aspects to the site plan review process, such as incorporating public amenities into the site design and using building design to provide visual interest, avoid design monotony, and repetition relative to adjacent or nearby structures (*Town of Framingham Zoning Bylaw, Article VI, Section F, 2015*).

GREENFIELD

Greenfield is the county seat and economic hub of Franklin County, similar to Pittsfield's role in Berkshire County. Greenfield has an organized site plan review process easily located in their zoning ordinance and communicates clearly defined rules and regulations. Greenfield was settled 329 years ago. It had a population of 17,456 as of the 2010 U.S. Census and is about 40 miles north of Springfield.

Greenfield has a structured site plan review process in which, depending on the size of the project, a different granting authority will approve the site plan. The Building Inspector reviews and approves projects of less than 5,000 square feet. The Appropriate Special Permit Granting Authority reviews and approves projects that are a part of a special permit. The Planning Board reviews and approves all other projects. Site plan review and approval is

required for the creation, expansion, substantial alteration, or change in use of all land-use requiring a special permit; any business, commercial, industrial, or institutional use except home occupations not requiring a special permit; any residential use of two or more units including subdivisions; and any site containing more than one principal use. The processes used in each site plan situation are reviewed and acted upon within 45 days. The zoning ordinance requires that the design of the proposed development will integrate the existing landscape, maintain neighborhood character, enhance aesthetic assets, and screen objectionable features from neighbors and roadways (*Town of Greenfield Zoning Ordinance, Article VIII, Section 200-8.4, 2009*).

NORTHAMPTON

Similar to Greenfield and Pittsfield, the City of Northampton is the county seat of Hampshire County. Northampton's downtown character is similar to Pittsfield's in terms of architecture, and its zoning ordinance land-use interesting thresholds. Northampton was settled 361 years ago, is 20 miles north of Springfield, and had a population of 28,549 as of the 2010 U.S. Census.

In Northampton, site plan review is split into two segments: intermediate and major. The intermediate site plan review regulates projects from 2,000-5,000 square feet of gross floor area (excluding single family dwellings), expansions in the central business district, development that does not involve footprint expansions, the addition of six to nine additional parking places, development requiring special permit, planned village development, and medical marijuana dispensaries. A major site plan review regulates projects that involve new construction or additions of 5,000 square feet or more of gross floor area (excluding expansions in the central business district that do not involve footprint expansions), commercial parking lots and parking garages (including municipal garages), automobile service stations, projects for which the chapter requires 10 or more additional parking spaces over the zoning requirements for the previous use, rural residential incentive development projects, and planned business park projects. The planning board reviews and approve the site plan applications with a simple majority. Although design is not specifically mentioned in this section, Northampton land-use

performance standards which act as a design element for the site plan contents (*Zoning Ordinance of the City of Northampton, Chapter 350, Section 11, 2014*).

SPRINGFIELD

Springfield is the economic hub as well as the county seat of Hampden County, and the urban hub of the Pioneer Valley. Looking at Springfield as a precedent study will give our team an interesting look at the largest city in western Massachusetts and how it utilizes site plan review. Springfield was settled 379 years ago and had a population of 153,060 as of the 2010 U.S. Census. Springfield is the major city in Western Massachusetts.

Springfield applies site plan review using a three-tier method that is located in Figure 64. Similar to Amherst, Springfield uses a permitted use table to specify which developments will require a site plan review. Instead of a development being designated “by right,” the table designates reviews with either a “T,” “T1,” “T2,” or “T3.” If the use table displays only a “T,” the project needs to be designated a tier to be reviewed under by the Building Commissioner. Tier 1 is Administrative Site Plan Review, which is reviewed by the Office of Planning and Economic Development. Tier 2 is Planning Board Site Plan Review, which is reviewed by the Planning Board, and Tier 3 is City Council Special Permit Review, which is reviewed by the Special Permit Granting Authority.

Springfield’s thresholds for site plan review include number of dwellings, floor area, building height, as well as many others. The highest-tiered review is the determined by the threshold. When a threshold is in question, the Building Commissioner will determine which tier the project will go into with guidance from the zoning ordinance. The Planning Board, Zoning Board of Appeals, or the City Council are the granting authorities depending on the tier. They review the plans for 30 days. The zoning ordinance states that the proposed developments shall include quality urban design elements and design features that promote, improve, and reinforce the existing urban streetscape (*Zoning Ordinance City of Springfield, Article 4, Section 4.2; Article 12, 2013*).

Table 4-2 Tiered Review Thresholds			
	Tier 1 Administrative Site Plan Review	Tier 2 Planning Board Site Plan Review	Tier 3 City Council Special Permit Review
Thresholds for New Structures with Uses Designated “T” in Table 4-4			
Multi-Family Dwellings	3 to 9 dwelling units	10 to 15 dwelling units	16 and more dwelling units
Non-residential use or mixed-use building Floor Area	less than 20,000 square feet	20,000 to 149,999 square feet	150,000 or more square feet
Building Height or height of any structure	less than 50 feet	50 to 149 feet	150 feet or more
Thresholds for Reuse of Existing Structures with Uses designated “T” in Table 4-4			
Multi-Family Dwellings	3 to 10 dwelling units	11 to 25 dwelling units	26 and more dwelling units
Non-residential use or mixed-use building Floor Area	less than 30,000 square feet	30,000 square feet to 224,999 square feet	225,000 square feet or more
Building Height or height of any structure	less than 75 feet	75 to 224 feet	225 feet or more

Figure 64: Springfield Review Tiers

DISCUSSION AND SWOT ANALYSIS

By creating new site plan review thresholds, Shire City Consulting will make it easier for the City of Pittsfield to manage the development patterns of the future. The thresholds examined in this section include building square footage, parcel size, land-use, zoning, and district. By determining different thresholds for different areas of the City, there will be areas where the site plan review process can be streamlined and areas in which the City and developer will be able to get together and determine what the optimal plan for the development should be. Creating an

engaged conversation between developer and City will help both parties reach the best end product.

Strengths of creating thresholds for site plan review include creating an engaged conversation between the developer and City. This can give the City more control over the character that they want to portray in the community. Another strength is that by using design guidelines, the end product of this collaboration is more beneficial to the City, the developer, and the public. Streamlining the process for certain developments in certain areas of the City will also help the City become more business-friendly and encourage more economic development in its existing commercial areas. This will give the City a larger tax base and bring in more money from property taxes.

Despite these strengths, the new thresholds could become weaknesses that discourage development in the City. If the thresholds are too strict, this may completely discourage any type of development. Another weakness is that if an overwhelming amount of development comes, the Community Development Board could become stalled with numerous site plans to review, leaving little to no time for anything else, which would actually slow down development.

Some opportunities contained in using different thresholds to incorporate a new site plan review process would be that these recommendations create aesthetically pleasing commercial gateways as well as a functioning and historic downtown. This will be an opportunity for Pittsfield to show the region and state that it is aware of and ready for change in local land-use processes in order to give their citizens the best city possible by encouraging developments that are both aesthetically pleasing and economical. Being a city that is progressive is something that can garner a lot of attention and bring people and businesses into the area.

A threat to this process is the uncertainty of change as viewed by the public and the developers in the area. Changing something that developers and City officials are used to will always cause commotion. Another threat could be that the thresholds may not be appropriate for the districts in which Shire City Consulting is recommending them. If the metrics are off for certain thresholds, it would throw the system off and discourage development. Lack of enforcement of the code and processes is another threat that could undermine the process and render these recommendations moot.

RECOMMENDATIONS

Shire City Consulting's recommendation is to stratify the site plan review thresholds by creating overarching Umbrella Districts (see Figure 65), looking at commercial strip “gateway” areas differently from the downtown district, the collective business/ industrial districts, and residential districts. By using the districts as the primary threshold, our team will look at streamlining the process of site plan approval in the commercial strip areas, while requiring infill projects in the downtown to go through the site plan review process and have physical meetings with City officials to determine what kind of development would be the right fit for the City. Our team will look at implementing thresholds for “minor” and “major” projects.

Shire City Consulting has created a table of what thresholds will be used, depending on the district, to define which projects would require major or minor site plan review. Table 10 is a complete visual of how the site plan review process will work. The Department of Community Development will review all “minor” site plans, and the Community Development Board will review all “major” site plans. The main differences between minor and major site plan review will be that major projects will require a public hearing. Another difference will be that during the appeal process, minor site plan review will be appealed to the Zoning Board of Appeals while a major site plan review will be appealed to the City Council.



Figure 65: Umbrella Districts

Table 10: Recommended Site Plan Review Process

Umbrella District Type	Downtown		Business / Industrial Collective		Gateway		Residential	
Zoning Districts	B-D, D-A		B-C, B-G, B-N, C-W-S, I-L, I-G, L-D-I		G-R, G-C, G-I		R-43, R-20, R-12, R-6, R-G, R-M	
Threshold	Building Square Footage		Parcel Size		Building Square Footage		Zone	
	< 3,000	> 3,001	< 1 Acre	> 1 Acre	< 20,000	> 20,001	Low Density	High Density
Design Standards	Design Review Committee		Point System		Point System		Point System (excluding Single Family Residences)	
Type of Review	Minor	Major	Minor	Major	Minor	Major	Minor	Major
Reviewing Body	City Planner	Community Development Board	City Planner	Community Development Board	City Planner	Community Development Board	City Planner	Community Development Board
Length of Review	30	60	30	60	30	60	30	60
Appeals to	Zoning Board of Appeals	City Council	Zoning Board of Appeals	City Council	Zoning Board of Appeals	City Council	Zoning Board of Appeals	City Council
Typical Development	Dunkin Donuts: 3,256 sq. ft		99 Restaurant: 4.442 acres		McDonalds: 2,496 sq. ft.		Glenwood Ave: High Density	
	Major Site Plan Review		Major Site Plan Review		Minor Site Plan Review		Major Site Plan Review	

IMPLEMENTATION

6 MONTHS

- The Department of Community Development should refine the Umbrella Districts to incorporate threshold metrics by district, building square footage, parcel size, land-use, and zoning district.
- The Department of Community Development should develop metrics for a point system in the Business/Industrial and Gateway Districts.

1-2 YEARS

- The Community Development Board should implement the new system in steps, starting with the Downtown District and moving towards the other districts after a period of time.

3-5 YEARS

- The Community Development Board should completely implement the Umbrella site plan review system with fully defined districts and thresholds.

CHAPTER 5: SIGN ORDINANCE

CLIENT DIRECTIVE

The client has requested that Shire City Consulting examine the ways in which Pittsfield regulates signs through their existing sign ordinance and recommend improvements.

BACKGROUND

A sign ordinance regulates all of a community's signage, including what kinds of signage are allowed where and what types of signage private owners can and cannot erect on their property. This includes obvious items, like traffic signs and the signs in front of businesses, but also encompasses a variety of other disparate categories, such as commercial and non-commercial temporary signs, flags and banners, and historical markers. Sign ordinances can also regulate various other things such as holiday lights. Communities typically enact these regulations in order to make streets safer by reducing distractions for drivers and to keep their streets aesthetically pleasing.

A recent decision on a Supreme Court case, *Reed v. Town of Gilbert* (2015), has imposed stricter scrutiny on all local signage regulation laws. This case dealt with the point at which a sign regulation becomes content-based, and the therefore in violation of the First Amendment unless it can stand up to "strict scrutiny."¹⁸ The decision stated that all signage regulations are content-based by the very fact of their existence. If this case becomes part of accepted legal precedent, local governments will have to provide a "compelling governmental interest" for each section of their sign ordinance, a test that previous rationale such as aesthetics or preserving neighborhood character may not pass.

EXISTING CONDITIONS

Pittsfield's sign ordinance was last updated in 2005. It is entirely separate from Pittsfield's zoning ordinance, which means that its enforcement and permitting procedures are

¹⁸ The "strict scrutiny" doctrine states that a government can impose content-based regulations on protected speech if it can demonstrate that the regulation is "narrowly tailored to serve a compelling state interest" (*Reed v. Gilbert*, 2015)

separate from those for zoning. All applications for sign permits go through Pittsfield's Building Inspector, who must review applications within 60 days. In its regulations, the sign ordinance does not make very many distinctions between zoning districts. For example, the same regulations apply to the Downtown Business, General Business, and Grouped Business zoning districts. Therefore, the ordinance is not well-equipped to create context-appropriate signage in different kinds of commercial areas, which means that out-of-place signage is likely to appear throughout the City.

In 2007, the Community Development Board proposed an update to the sign ordinance that added suggestions for design-based signage regulations. However, the proposed regulations were not district-specific and did not seem as though they would be able to hold much regulatory weight. Perhaps for this reason, these changes were never adopted.

The downtown corridor contains a wide variety of signage types. There is no unifying design theme for signage along any of the downtown streetscapes. Many individual businesses have used their signage to help express the unique character of their business, which contributes to a creative atmosphere for the downtown. However, there are still large signs and billboards even along the major downtown thoroughfares. The presence of these large signs disrupts the view shed of the downtown corridor. Even some on-premise commercial signs are large enough to be disruptive in this manner. This creates 'visual pollution,' which refers to visual features that disrupt the aesthetic appeal of a certain area.

Billboards are not included in Pittsfield's sign ordinance and therefore can be found throughout the City, often located on or near vacant properties. Billboards are classified as a land-use rather than a sign, so they are regulated by Pittsfield's zoning ordinance rather than the sign ordinance. Pittsfield recently re-classified all billboards as a special permit use, in part to control the introduction of digitized billboards. Including billboards in the zoning ordinance means that applications for billboards have to be approved by the Zoning Board of Appeals, rather than only the Building Inspector. The Pittsfield Department of Community Development prefers to keep billboards separate from the sign ordinance because this allows the City additional scrutiny in its review of applications.



Figure 66: Just beyond the dense downtown core, large signage abruptly disrupts the character and aesthetics of downtown Pittsfield.

WORKSHOP FINDINGS

Several of the persons participating in the asset mapping workshop mentioned the need for better signage at the gateways into City of Pittsfield. Participants thought that the entrance to Pittsfield was not well-marked for drivers approaching Pittsfield on the state highways. Other areas of concern were the downtown and Tyler Street streetscapes, which some participants thought did not seem inviting for pedestrians. Improving the appearance of signs can help improve the pedestrian experience.

LITERATURE REVIEW

INTRODUCTION

Signs are an enormous aesthetic component of any streetscape. Regulating signage is one of the visual controls that communities can use to communicate the character of a street or district to the people who pass through it. The strictness or leniency of sign regulations can help define a city's attitude towards different kinds of development. Pittsfield's sign ordinance has been somewhat weak, and allowed the installation of signage that detracts from the positive character that Pittsfield is now trying to cultivate.

Signs play an important role in overall city character. They help shape streetscapes, and therefore help convey visual messages about the city. The appearance of signs has a significant impact on neighborhood character. The presence of signs is often overlooked as an everyday fact of life, but even a few signs that are unattractive or out of place can have an enormously jarring effect on the whole character of the area around them. Regulating signs is also part of creating safe streets that do not have too many distractions for drivers.

This literature review discusses the importance of signs and sign regulations in city planning. A city needs strong sign regulations as part of their land-use and development policies in order to maintain an attractive community. Our team has collected material from both peer-reviewed and popular sources to explore the effects of sign regulations on various aspects of city character. The themes that will be discussed are legal standing of sign regulations, aesthetics of signage, and the relationship between sign regulations and economic development. These themes will help provide context for Pittsfield's efforts to update its own sign regulations.

The first major theme of this review is the recent Supreme Court case *Reed v. Town of Gilbert*, which is expected to have a significant impact on how communities structure their sign ordinances. It also discusses ways for communities to continue employing effective signage regulations. The next section focuses on the role of signs as an aesthetic component of streetscapes. The final section of this review examines the effects of commercial signage regulation on economic development and explores signage-related conflicts between business owners and city governments.

REED V. GILBERT AND ITS IMPLICATIONS FOR LOCAL GOVERNMENTS

This section of the review discusses the *Reed v. Gilbert* case and its implications for local governments' sign regulations. The section begins by discussing the case itself. Next, Mandelker and Baker (2015) discuss the complications presented by this case. Jourdan, Hurd, Hawkins, and Winston-Geideman (2013) discuss the legal strengths of performance-based signage regulations. These papers illuminate the uncertainty presented by this new legal precedent and suggest solutions for communities.

In 2015, a court case involving the town of Gilbert, Arizona brought about major changes to the existing legal and policy framework that allows towns and cities to regulate signage in their communities while staying on the right side of the free-speech clause of the First Amendment. The free-speech clause makes signs somewhat difficult to regulate compared to other land-use because, after all, the purpose of a sign is to convey a message. In the *Reed v. Gilbert* case, a local church was repeatedly cited by the town of Gilbert for violating the town's sign ordinance when they posted signs directing residents to the times and locations of church services. The pastor of the church sued on the grounds that Gilbert's ordinance was unconstitutional because it differentiated between temporary signs containing different types of messages, making the regulation content-based. The case arrived at the Supreme Court, which ruled unanimously in favor of the plaintiff. Furthermore, Justice Thomas, author of the Court's majority opinion, wrote that all sign regulations should be considered content-based simply by the fact of their existence (*Reed v. Gilbert*, 2015).

This decision seriously affects the ways that communities can regulate signage because the Court ruled that even having different regulations for different types of signs – for example,

“directional” or wayfinding signs versus political signs – were content-based “on their face.” Because of this, the Court’s decision suggests that all sign regulations must be subject to the “strict scrutiny” doctrine, which must demonstrate a “compelling governmental interest” for creating a particular regulation. Common justifications for design-based signage guidelines are certain not to stand up to this level of scrutiny, and even traffic safety may prove not to be a compelling enough interest (Mandelker & Baker, 2015). Having to determine that a sign ordinance is content-neutral places a new burden on planners and lawyers who write and modify ordinances.

Several justices, while still part of the unanimous ruling against the town, published concurring opinions. They appeared to question Justice Thomas’s wisdom in deciding that all sign regulations must be subject to strict scrutiny and even seemed to outright contradict his majority opinion on major points. For example, Justice Alito provided a list of signage rules that would *not* be considered content-based, including location, size, and sign illumination, and differences between permanent and temporary signs (*Reed v. Gilbert*, 2015). It is worth noting that a major part of the Supreme Court’s decision came from the fact that the Town of Gilbert’s solicitor apparently simply failed to provide any compelling defense of the town’s ordinance. The concurring opinions of several more liberal justices seemed to disagree with almost all of Justice Thomas’s opinions, but had their hands tied by the lack of justification for Gilbert’s existing ordinance. When all the justices’ written opinions on this case are considered as a whole, the court’s opinion becomes somewhat vague and even contradictory. This opinion may safeguard communities that would otherwise risk having large portions of their sign ordinances struck down.

Jourdan et al. (2013) discussed the increased popularity of performance-based zoning and its applications for regulating signage. The authors discussed the conflict between sign regulations as a part of public welfare and safety and the constitutional restrictions on regulating speech, which includes signage, and then proposed an empirical model for performance-based sign ordinances. Since performance-based zoning is based on empirical evidence, using it may make it easier to provide legal justification for the existence of certain regulations. The flexibility of performance-based zoning, which relies on empirical evidence to measure the goals an ordinance should achieve, is both a strength and a weakness. On one hand, it allows property

owners some leeway to make creative signage, as long as they can meet the zoning's standards. On the other hand, it carries an element of uncertainty that can bleed over into the enforcement process and weaken it.

Since *Reed v. Gilbert* is such a recent decision, material discussing it is still sparse. From these preliminary sources, our team has learned that this case has the potential to present a serious challenge to sign regulations as they currently exist. The apparent intention of the court decision was to reverse decades of existing legal precedent on signs. However, the contradictions apparent in the decision provide potential opportunities for future courts to differentiate this decision from other signage-related cases. The practical impacts of this case still remain to be seen.

AESTHETICS OF SIGNAGE

The following section will focus on signs as part of the aesthetics of a streetscape. First, Mandelker, Baker and Crawford (2015) examine the basis of an aesthetically effective street graphics system. Next, Bailey (2013) and Welge (2014) discuss the aesthetic implications of sign ordinance changes in specific communities. Finally, Busch (1995) showcases the ability of designers to adapt innovatively to sign regulations. These sources will show some of the potential for creativity within sign regulations.

There are several factors that make street graphics effective. First, a sign should help express the identity of the business it is advertising. Signs should draw attention to themselves without posing a hazard to surrounding traffic, and should also fit in with the visual fabric of the surrounding streetscape. A good street-graphics system is one that is flexible, allowing different kinds of land-use and businesses to communicate a variety of information through signage. However, the system should also be compatible with the surrounding visual environment and should not be overwhelming to the people who pass through it (Mandelker et al., 2015).

To date, almost half of the states in the U.S. have accepted aesthetics alone as an acceptable justification for land-use regulations, and even the states that don't will most likely accept traffic safety concerns as an acceptable justification for a broad variety of sign regulations – although, with the adoption of the *Reed v. Gilbert* ruling, the acceptability of those justifications may now change. Nevertheless, courts have upheld the argument that, although

businesses have an individual right to advertise, communities are also justified in considering the collective impacts of a multitude of signs when forming their regulations (Mandelker et al., 2015).

The actual adoption of sign regulations is rarely a conflict-free process. Bailey (2013) reviewed the new guidelines for temporary signage that were recently implemented in Danville, Illinois. Many local business owners had been found in violation of sign regulations. When they were consulted, many stated that they found the city's restrictions on temporary signs too strict, especially the prohibition of banner signs. Therefore, the regulations were discussed by a committee of interested citizens, including town officials and local businessmen. Their goal was to minimize temporary signage in order to reduce visual clutter along the streets while keeping local businesses happy. The new regulations allowed temporary signs based on size of street frontage and introduced new requirements and permitting for larger signs like banner signs.

Similarly, Welge (2014) discussed changes to Glen Ellyn's sign code and how they may affect the downtown retail core. The village board attempted to make compromises that would provide a friendlier environment for downtown businesses without losing the community's historic and architectural features. One of the most major changes was to eliminate provisions that prohibited internally lit, electronic, and neon signs. Community officials feared that if the regulations stayed in place, they would affect too many village businesses, including several national chain establishments. The board opted to continue to prohibit free-standing and pole signs in the downtown core, since they were deemed too disruptive to the desired downtown character, but it seems clear that their main goal was to increase the number of permitted signage types in order to facilitate commercial development.

Although at first glance it does not seem to have much to do with street graphics, the Americans with Disabilities Act (ADA) as discussed by Busch reveals the ability of architects and designers to adapt creatively to changes in the status quo of signage (1995). When the Americans with Disabilities Act became law, many designers were displeased by the new requirements it imposed – for example, requiring tactile and audio signs for the visually- and hearing-impaired. However, Busch discusses several cases in which designers adapted and created new signage systems that significantly re-imagined existing signage models. Similarly, business owners are often quick to voice their opposition to any kind of sign regulations, but the

same principles of creativity that were used to comply with the ADA can also be applied to signage on the streets as well.

This research demonstrates the complexity of the process of creating aesthetically pleasing street graphics systems. First of all, all aesthetics are subjective, and there are a variety of factors that make sign ordinances satisfactory for both property owners and cities. This research also reveals the opportunities for conflict between these two groups, particularly between cities and business owners. Finally, these sources show that regulations can be viewed not as restrictions, but as opportunities for creative signage design.

SIGN REGULATIONS AND COMMERCIAL DEVELOPMENT

This section discusses the relationship between sign regulations and commercial development. First, Zineddin, Garvey, and Pietrucha (2005) discuss the factors that go into making commercial signage effective in conveying its messages. Next, Taylor (2006) and Hanley (1996) both point out the frustration of business owners when sign regulations seem too restrictive or unnecessary. Romano (2014) discusses a case in which a conflict between business and government was resolved in a fairly satisfactory way. Finally, Kotsopoulos (2010) provides a reminder that the concerns of business owners are not the only ones that matter in a healthy, well-rounded community. Overall, these papers show the importance of compromise and transparency in the regulation process.

Zineddin et al. (2005) discussed the different characteristics of a sign and their effects on its visibility to the public. Their research question asked which type of sign was the most effective in both urban environments and commercial strips. The research tested different sign positions including sign height, placement parallel or perpendicular to the building, and the size and location of the sign. The authors found that when a sign is positioned parallel to a building it is less visible to vehicular traffic than when it is perpendicular. Downtown areas have slightly different results after factoring in “background noise” such as other visual, auditory, and other sensory inputs.

This study brings attention to the fact that there are many variables that municipalities can consider when implementing sign ordinances. The effectiveness of signs is determined by their environment. Downtown signs had less visibility than signs in commercial corridors,

regardless of their attributes, because they are generally smaller and have more visual information to compete with. The report did identify areas that are in need of more research. Successful policies for signage will incorporate these styles to allow for a minimal impact on the environment and aesthetic of the town.

Taylor (2006) conducted a review that analyzed subsequent outcomes of restrictions placed on sign ordinances and whether these outcomes resulted in a higher rate of negative consequences, rather than benefits to the city. He specifically focused on the various approaches that cities implement when addressing sign ordinances. He argued that not allowing businesses to advertise their products and services to their full potential was ultimately harmful to a community's economy by citing studies in which businesses lost revenue when they were required to reduce the size or quantity of their signage. Although Taylor showed an obvious bias in his work, examples from various communities did show that businesses do have the potential to be economically harmed by sign regulations.

In an increasingly diverse society with multiple publics interacting on a daily basis, sign codes sometimes struggle to accommodate all sectors of society without running into conflicts. In one case, owners of businesses in a Korean neighborhood of New Jersey were unhappy about a regulation requiring them to dedicate a large portion of their signs to displaying the name of their business in both Korean and English lettering. Business owners argued that since the majority of their clientele was Korean, English signs were a waste of space that could otherwise be used to advertise their businesses more productively. However, the city stated this requirement was based on health and safety concerns, specifically to make it easy for ambulances and fire trucks to orient themselves and locate specific establishments in the event of an emergency (Hanley, 1996).

Greeley, Colorado responded productively to the realization that business owners in their community lacked enough knowledge about the city's recent sign code overhaul. The city's director of community development pointed out that many businesses might be in violation of the code without even realizing it. After recognizing this disconnect, the city sent local businesses letters and flyers explaining the changes in signage requirements. They also began organizing public workshops to continue familiarizing business with these requirements. These

measures were taken to prevent the city from having to issue citations for signage violations, which the city prefers to treat citations as a last resort (Romano, 2014).

It is important to remember that commerce is only one of the factors that makes a community successful and prosperous. Kotsopoulos (2010) described the introduction of new sign regulations in Worcester, Massachusetts and the rationale that informed the city's decisions. Residents of Worcester specifically mentioned the need for more regulations on signage, primarily to prevent visual clutter and protect general "quality of life." While the concerns of business owners are certainly a valid component of city planning, they should not be the only factor that goes into forming sign regulations. It is also important to consider a city's overall vision as well as immediate and long-term goals. Strong signage regulations are also necessary to meet evolving technology, like the modern push towards signs that are digitized and change colors or messages. More than simply being an eyesore, these signs have the potential to be actively hazardous to passing car traffic because they are intended to distract and catch the eye.

Collectively, this literature shows that the relationship between sign regulations and commercial development is complex. In general, business owners tend to push for less restrictive sign ordinances. Although some sources have argued that anything that prevents businesses from making the greatest profit possible is harmful overall, these arguments are not completely convincing. Other sources show that compromise and transparency are the most important factors when presenting sign regulations to business owners. Finally, it is important to remember that commercial revenue is not the only factor that makes a community prosper.

OVERALL CONCLUSION

In light of *Reed v. Gilbert*, it is now more important than ever for sign ordinances to have strong legal justifications. It is also important that the regulations in them are as content-neutral as possible, treating different categories of signs more or less equally and focusing on the design elements of signs more than on the messages they contain. Therefore, Shire City Consulting has formed recommendations that focus primarily on commercial signage, which in the past has been ruled less protected by the First Amendment than non-commercial signage. However, these recommendations can be applied equally to all types of signage.

A large part of regulating signs is aesthetic in nature. A good street graphics system is one that can effectively convey messages without being overly distracting and disruptive to the person passing through it. Aesthetic regulations can be challenged by groups who feel that they are less important than other concerns, such as economic development. In many cases, communities sacrifice some aesthetic elements in order to create an environment in which economic growth can easily occur. However, it is clear that designers, if pressed, can accommodate new regulations with solutions that are both attractive and utilitarian.

Sign regulations can also have a significant impact on economic growth within a community. In communities where such growth is low, there is the possibility for sign regulations to be thrown out the window. However, when commercial development is given too much freedom, city residents will voice the need for stricter regulations. More than simply being an advertising tool, signs are part of what forms sense of place, creating a visual community that residents feel attached to. These factors create a constant give and take between the multiple stakeholder groups that exist in any community.

By expanding its sign ordinance, Pittsfield will be able to have greater control over its visual character, which has become a valuable commodity in Pittsfield's ongoing renaissance. Through creating strong sign regulations for its most important areas, Pittsfield can continue to reshape its identity, moving away from being simply a languishing post-industrial city. The question still remains of whether, or when, the new legal precedent set by *Reed v. Gilbert* will truly come into play on the local level.

PRECEDENT STUDIES

While gathering various precedent studies, our team analyzed sign ordinances from five different communities in Massachusetts. Our team selected ten communities¹⁹ to review, and our client selected five as precedent to inform Shire City Consulting's recommendations. The criteria analyzed by our team included the history and demographics of each community, the overall

¹⁹ The communities not chosen by the client were Beverly, Holyoke, Peabody, Salem, and Taunton.

purpose stated in their sign ordinance, the presence of a strong downtown zoning district, and the amount of detail in their sign ordinance. The following section discusses our team's findings.

ARLINGTON

Arlington is located roughly six miles northwest of Boston. Settled in the 1600s, it currently has a population of 42,844 and a higher median household income than Massachusetts as a whole. Arlington prohibits most varieties of internally illuminated signs, including signs whose message is made from a light source (for example, neon lettering), and stipulates that exterior sign lighting must be shielded to prevent glare. In general, all establishments in a business district are allowed one wall sign for each street or parking lot frontage. The maximum square footage allowed varies by district, and businesses can substitute part of their allotment for a smaller free-standing sign. Separate from this, businesses are also allowed to have up to two awning signs.

The ordinance contains a grandfather clause for nonconforming signs put up before the adoption of new regulations, but if the sign's owner wants to make any changes, even ones as minor as rewording or repainting in a new color, the entire sign must conform with the current sign code. Over time, nonconforming signs that may clash with the Arlington's streetscape may be phased out over time.

BILLERICA

Billerica is located in northeastern Massachusetts, roughly twenty miles from Boston. It was founded in the early 1600s and has a population of 40,243. Billerica's sign ordinance itself is very clearly written. It begins with a comprehensive list of sign types the ordinance covers and then contains clear lists of the requirements for each sign type in each zoning district, including a summary table of whether each sign type is allowed, allowed by special permit only, or prohibited in each zoning district. Although all these lists make the ordinance seem longer, they contribute to its readability and ease of comprehension, which is an important category in which municipal documents can easily fall short.

Billerica's sign ordinance stipulates that a sign should be "the smallest regularly-shaped ellipse or rectangle" that will encompass all the sign's necessary text and graphics (*Zoning By-*

Laws of the Town of Billerica, Section 9-1B). Properties are allowed up to two signs, unless a special permit for additional signs is granted. The permitted size of attached wall signs is determined based on the size of the wall on which they are being placed. Freestanding signs cannot have a base more than eight feet higher than pavement grade. Awnings and projecting signs cannot project more than three feet from the building face, which is not only an aesthetics issue but a safety issue as well. Although both external and internal lighting are permitted, the ordinance stipulates that direct light from an illuminated sign may not spill onto neighboring properties.

FITCHBURG

Fitchburg is the third-largest city in Worcester County, Massachusetts, with a population of 40,318. It was incorporated in 1764. Fitchburg, like Pittsfield, is a former industrial town. In the first half of the 20th century, the town was a regional hub with a vibrant commercial downtown. In the latter half of the century, the town declined as the paper industry that had been one of its mainstays left the area. Downtown Fitchburg was also negatively impacted by the rise of suburban strip retail. Like Pittsfield, Fitchburg has an attractive and architecturally unique urban core that is sometimes threatened by its need for new economic development.

In business districts, Fitchburg allows each property owner one free-standing sign per 200 square feet of street frontage. Any number of attached signs are allowed on a property as long as their total area does not exceed the maximum allowed for that zoning district. With only a few exceptions, commercial signs cannot devote more than half of their sign area to specific product advertising. Off-premises signs are entirely prohibited. Animated or flashing signs and signs that use streamers, pennants, strings of lights (with the exception of temporary holiday lights), or similar elements are also not allowed.

LEOMINSTER

Leominster was founded in the 1600s and is now the second-largest city in Worcester County, with a population of 40,759. Like Pittsfield, Leominster has contended with increased commercial development with the creation and expansion of major highways. Routes 2 and 12 both pass through Leominster, and Route 13, Route 117, and Interstate 190 all have beginning or

end points there. One of the purposes listed in Leominster’s sign ordinances is to “avoid excessive competition among sign displays in their demand for public attention” (*Leominster Zoning Ordinance*, Article XIII section. 68, 108). This purpose focuses the ordinance on preventing cluttered and ‘visually noisy’ commercial development. Preventing this kind of development can, in turn, increase safety for both drivers and pedestrians.

Leominster’s sign ordinance contains some design guidelines for signage. It stipulates that signs cannot obstruct ornamental architectural features of buildings and signs must be compatible with the “form, color, and materials” of the building they accompany (Section 71.2, p. 108). However, the ordinance does allow illuminated signs as long as they do not detract from building architecture, although they cannot cause glare for drivers or pedestrians, and colored lighting is prohibited. The ordinance contains detailed provisions for calculating the height and area of attached and free-standing signs. Off-premise signs are allowed, subject to various requirements, except in areas considered to have “historic or scenic significance” (Section 72.6, p. 113).

METHUEN

Methuen is located in northern Essex County, Massachusetts, on the border with New Hampshire. Incorporated in the early 1700s, its population today is 47,255. It is located roughly in between Boston, Massachusetts and Manchester, New Hampshire. Similar to Pittsfield, it is crossed by several major highways, including Interstate 93. Therefore, Methuen also has a vested interest in preventing visual clutter from an excessive amount of signage. Methuen’s zoning ordinance includes a table of permitted signs, which is found in the appendices of the Zoning Ordinance.

Methuen’s sign regulations are particularly detailed with regard to illuminated signs. Like many other communities, Methuen prohibits moving or flashing signs and requires that sign illumination does not cause glare. Signs in residential or rural districts have even more strict restrictions on illumination. Other major aspects of signage are also covered relatively thoroughly. For instance, as in other communities, the total wall sign area can be distributed among several signs, and wall and window signs cannot obstruct building access or ventilation.

SUMMARY

An overview of each community's specific sign regulations can be found in Appendix IX.

DISCUSSION AND SWOT ANALYSIS

Pittsfield's sign ordinance will require significant changes in order to integrate with the client's other directives to improve Pittsfield's quality of life. The existing ordinance already has some strong points that Shire City Consulting can build on, as well as some weaknesses that need to be addressed. Similarly, Pittsfield contains both opportunities for improvement and factors that threaten the success of these potential changes.

One strength is that the existing sign ordinance already addresses many different types of signage. In particular, it has already begun to address the modern issue of how to regulate electronically lit and moving signs. Although the ordinance is not as involved as some other communities' sign ordinances, in a way this is a good thing because most of it is less likely to be considered content-based. The actual text of the existing ordinance is fairly strong. It provides a solid framework onto which to add new regulations. Although the 2007 design amendments were not passed, in the draft ordinance indicates that Pittsfield's government is thinking about signage design issues.

A weakness is that the ordinance is very short and not nearly as detailed in its structure, especially when compared with some of the ordinances examined in the precedent studies. It lacks any form of design guidelines for any zoning district. The ordinance also makes only broad distinctions between residential, industrial, and commercial zoning districts. In reality, Pittsfield's commercial districts are varied, from downtown business to commercial strip retail to neighborhood shops. Each of these types of development has a different character. Signage that is appropriate to one area may be disruptive in another area.

Fortunately, Pittsfield now has several opportunities to begin re-working many portions of their existing zoning. The City has been touted as being in the middle of an economic and cultural renaissance, and the 2009 Pittsfield Master Plan has outlined specific goals for Pittsfield. Pittsfield already has an attractive downtown area that is framed by beautiful views of the Berkshire Mountains. Improving the sign ordinance is a step that will not only fix Pittsfield's

more problematic areas, but improve the assets that Pittsfield already has. Figure 67 and Figure 68 show some opportunities for using signage to help enhance Pittsfield's streetscapes. For example, when the size of the Carr's Hardware sign in downtown Pittsfield is reduced and some of the smaller wall signage around it is removed, the signage is not a conspicuous aspect of the streetscape and the opportunity for other kinds of decoration, like the artwork shown in the rendering, is created.



Figure 67: Rendering (right) showing the potential of the AutoZone property on Dalton Ave., including aesthetically appealing signage.

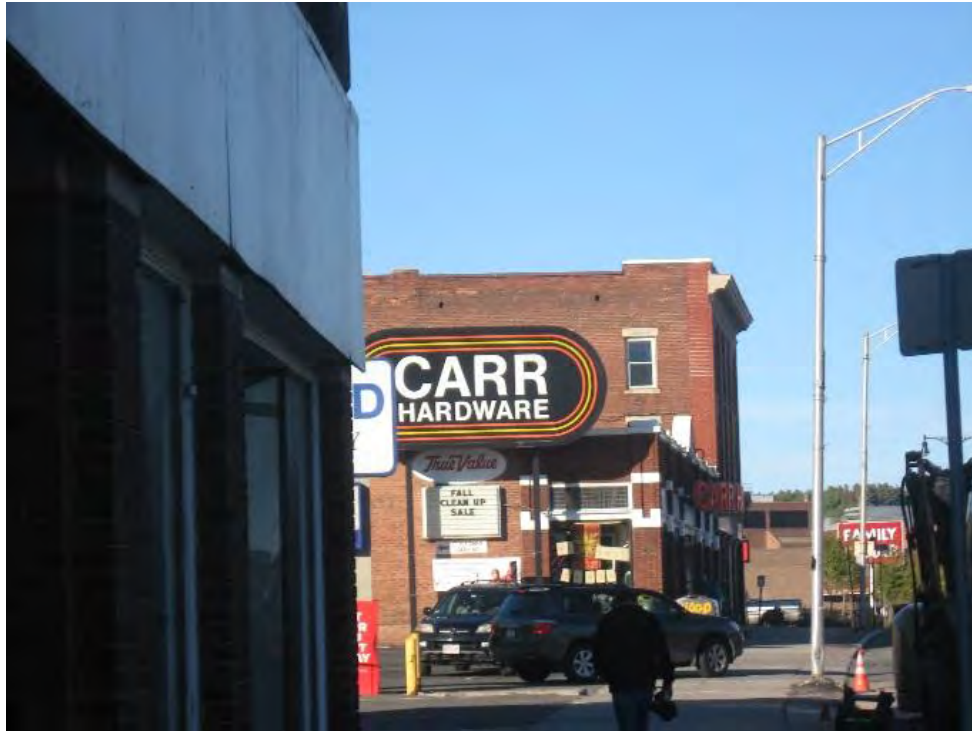


Figure 68: The left image shows signage that disrupts the streetscape. The right image illustrates the businesses primary sign along with a public art mural.

One major threat to a new, more stringent sign ordinance is the danger of property owners and business owners feeling over-regulated. If the ordinance is updated with different regulations for different kinds of commercial districts, some business owners may feel unfairly impacted by these changes. There are also segments in Pittsfield's community that may not see the need for overhauling the City's zoning at all, and would prefer to keep the sign ordinance as it is. *Reed v. Gilbert* also poses a potential new threat to all sign ordinances in the country. Treating commercial signage differently in different zoning districts has the potential to be a legally vulnerable area of the ordinance.

By expanding its sign ordinance, Pittsfield will be able to have greater control over its visual character, which has become a valuable commodity in Pittsfield's ongoing renaissance. Through creating strong sign regulations for its most important areas, Pittsfield can continue to reshape its identity, moving away from being simply a languishing post-industrial city. The question still remains of whether, or when, the new legal precedent set by *Reed v. Gilbert* will truly come into play on the local level.

RECOMMENDATIONS

Shire City Consulting first recommends that Pittsfield's Sign Ordinance be folded into its Zoning Ordinance. This makes sense, since the Zoning Board of Appeals already acts as the Sign Appeals Board. Combining the ordinances will make enforcement of the ordinance and the appeals process easier and more streamlined. Once more extensive and district-specific regulations are added to the ordinance, it will also be easier to understand if all applicable definitions and other requirements are contained within one document.

Shire City Consulting recommends not adopting the proposed 2007 Sign Ordinance amendment. With the ordinance remaining as it is, this amendment will not have sufficient regulatory power to be effective. Our team also recommends that billboards remain classified as land-use and included in the permitted use table, rather than being classified as signs.

Shire City Consulting recommends that the Sign Ordinance be updated with different signage requirements for each specific zoning district, particularly the Downtown Business Umbrella District, General Business and other districts within the Business/Industrial Collective, and proposed Gateway Districts. Different types of commercial development require different

kinds of signage, and the ordinance should reflect this. One major difference in these new regulations will be the maximum permitted height and dimensions of the various sign types. Regulations on illumination will also differ – less stringent illumination restricts could be acceptable in at least some Business/Industrial Collective areas because they are less likely to have people living close by. All of the districts should include some design guidelines.

Requirements for the Downtown Business district should be designed with the goals of creating a cohesive downtown and atmosphere and encouraging street life. Signs in this district should be tailored to enhance downtown Pittsfield’s unique architecture, rather than overpower it. Free-standing signs will be much less prevalent in the downtown than in other areas because of the lack of building setbacks. For wall signs, dimensions should be determined based on the dimensions and appearance of building faces, using metrics similar to the ones outlined in Appendix IX. Shire City Consulting recommends prohibiting neon, LED, and similar light sources in external signs, but continuing to allow them in internal signs – for example, OPEN signs on the inside of businesses’ windows.

The sign regulations for the proposed Gateway district should also incentivize attention to sign aesthetics, as well as the creation of wayfinding signage, which the gateways currently lack. Since these are the areas where first impressions of Pittsfield are formed, the City has a vested interest in ensuring that these areas communicate the best of Pittsfield’s unique character. Signage, along with the rest of the built environment, should serve to enhance the areas of natural beauty along Pittsfield’s gateways.

Shire City Consulting recommends requiring that full cutoff fixtures be used for new illuminated signs. Full cutoff fixtures are external lighting fixtures that not only minimize glare onto neighboring properties, but emit no direct “uplight,” or light that would project upward into the sky. This kind of lighting is a possible compromise for business that want to have illuminated signs near residential neighborhoods. Additionally, it is considered more environmentally responsible than other methods of illumination because it contributes a comparatively small amount of light pollution to the night sky. As nonconforming signs are upgraded or replaced, the City can require that they comply with the new lighting requirements. This way, nonconforming lighting can be phased out over time.

The primary focus in General Business districts should be to avoid signage that creates visual clutter. Suggestions for accomplishing this including limiting the height and dimensions of both free-standing and attached signs based on the limits on building height and size. The City can also consider requiring or incentivizing landscaping around the bases of free-standing signs, which will help fulfill the requests expressed in the asset-mapping workshop for formula retail strips containing more green detail.

These sign regulations should also help promote pedestrian and bicyclist safety in these areas. Suggestions for accomplishing this include requiring free-standing signs to be set back from pedestrian and bicycle tracks and keeping property owners from locating signs in places where they will obscure sight lines in already hazardous areas like intersections.

Existing non-conforming signs will, of course, be protected by a grandfather clause in the updated sign ordinance. However, many communities have provisions in place to ensure that non-conforming signs are gradually phased out of the community over time. For example, as discussed in a previous section of this chapter, the City of Arlington requires that if a sign owner wants to make structural or aesthetic changes to their sign, they must alter the entire sign to conform to the current zoning regulations. The City will need to decide upon a reasonable threshold for what kinds of changes will trigger this provision. Additionally, the City could begin examining incentives to encourage property owners to alter their non-conforming signs on their own.

In addition to simply updating the sign ordinance, signage review can also be incorporated into the updated site plan review process. For example, the site plan review point system proposed for the Gateway districts can incentivize creation of wayfinding signage. Developers could earn points on their site plan by including design-appropriate wayfinding signage, not necessarily related to their own business, but to the development as a whole.

IMPLEMENTATION

6 MONTHS

- The Department of Community Development investigates folding the Sign Ordinance the Zoning Ordinance.
 - The Department of Community Development should develop specific signage guidelines for Downtown Business and Business/Industrial Collective zoning districts.
 - The Planning Intern should track the effects of Reed v. Gilbert on other communities.
-

1-2 YEARS

- The Department of Community Development should incorporate sign requirements and suggestions into the site plan review process.
 - The Permitting Coordinator should begin enforcing new business district signage requirements.
 - The Community Development Board and Design Review Board should begin incorporating design guidelines for signage into the Downtown Business and General Business zoning districts.
-

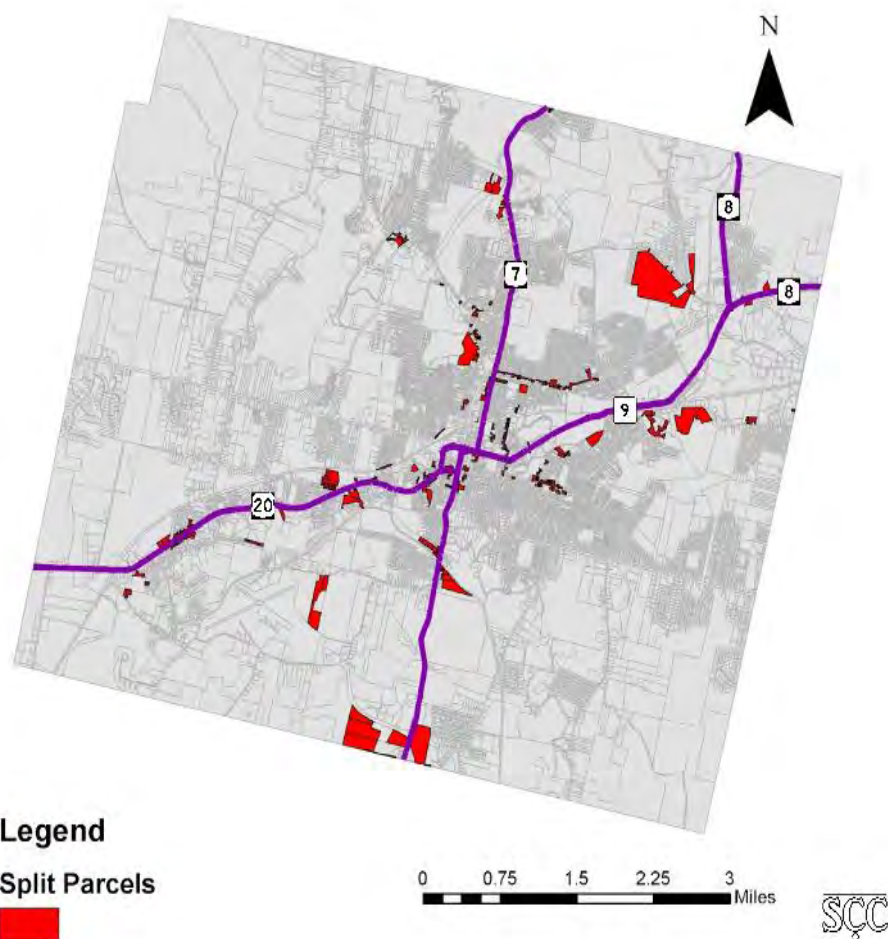
3-5 YEARS

- The Community Development Board should incorporate design guidelines for signage into the new Gateway umbrella district.

CHAPTER 6: RESOLUTION FOR SPLIT PARCELS

CLIENT DIRECTIVE

The client has requested that Shire City Consulting identify parcels in Pittsfield that are split between two zoning districts and form recommendations that would best resolve this situation.



Map 6: Map showing the locations of the split parcels in Pittsfield (n=358)

BACKGROUND

Pittsfield's zoning map was hand-drawn in 1973, before the advent of GPS or GIS technology. The zoning lines on this hand-drawn map were based on the distance from the

centerline of the street. When the zoning map was rendered using GIS technology, many zoning boundaries ran through parcels, splitting them between districts (see Figure 69 & Figure 70). Property owners who live in these areas may have difficulties making improvements to their properties because of issues with insurance and permitting.

There are various issues that split parcels may create. First, split parcels create non-conforming land-use, which leads to uncertainty. For example, if the building on a split parcel is damaged, which zoning district's requirements will the renovation need to comply with? Christensen (1985) writes that "effective planning begins by confronting the problem at hand and assessing conditions of uncertainty, rather than misapplying methods without regard to particular problem conditions" (p. 64). It is important for a community to ask itself what they can do with split parcels if they are not certain of how they should be zoned. Furthermore, in order to minimize any complications or confusions that may arise, Christensen suggests that a crucial task in planning is to "discover, assess, and address uncertainty" sooner rather than later (p. 64).

Second, Pittsfield's Department of Community Development does not have a systematic method that allows individual owners of split parcels to resolve potential development constraints. Due to this lack of a systematic process, it is possible to question whether all citizens have equal access and opportunity to improve their property. If all property owners are not granted equal access, then any zoning decision could be deemed arbitrary and capricious, and, in a worst-case scenario, the entire zoning ordinance could be thrown out. Having a streamlined method for finding and correcting all of Pittsfield's split parcels should remove these uncertainties.

When conducting analysis and forming recommendations for this section, Shire City Consulting has used the Tyler Street corridor as a pilot project for devising recommendations that can be applied to other areas in the City. Our team chose this location because Tyler Street has a large concentration of split parcels. Tyler Street is a well-known corridor within Pittsfield, as noted in the asset-mapping workshop. Lastly and due to the presence St. Mary's Church (Figure 69), a historic building whose future is currently uncertain, partially because the parcel is split.



Figure 69: Street view of St. Mary's Church

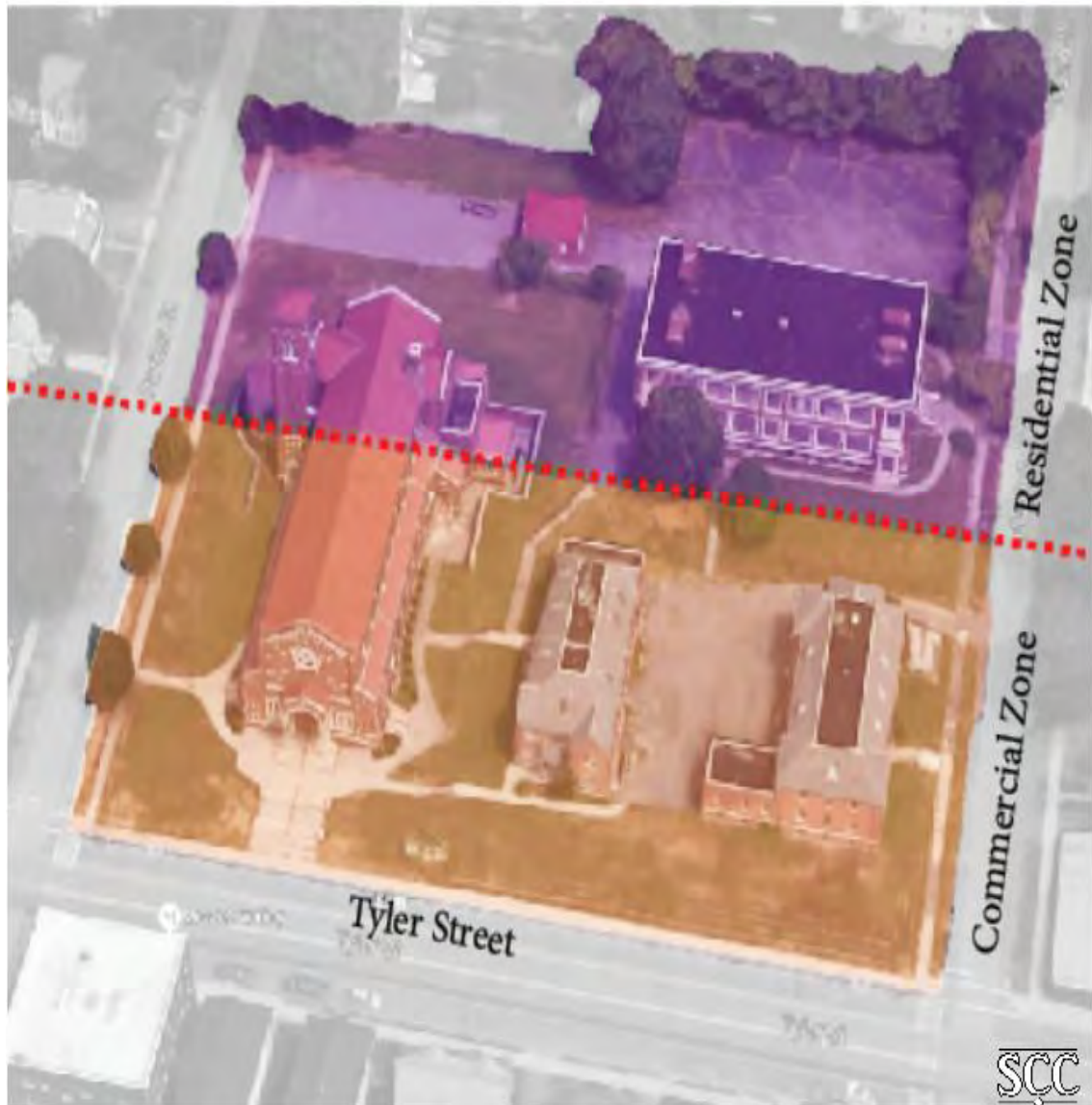


Figure 70: Aerial view of St. Mary's with zoning line splitting the parcel

St. Mary's Church is located on a split parcel (Figure 70). The front half, highlighted in orange, is zoned General Business and the rear half is zoned residential. This brings up the issue of uncertainty over what the future of the vacant church holds. Whether the vacant church is ultimately preserved or removed, the question will remain of what land-use will be allowed on the property. If the church is preserved, the question is what should be the prevailing land-use, commercial or residential. If the vacant church is torn down, the question becomes what can be built in its place, and what the features of the new development will be. Split parcels like this example may prevent property owners from maximizing a property's development.

ZONING ANALYSIS

There are several sections in Pittsfield's existing zoning ordinance that contain methods for resolving split parcel issues. Section 3.405 of the Pittsfield Zoning Ordinance states that, "where a district boundary line divides a lot which was in single ownership on the effective date of this ordinance, the entire lot shall be deemed to be in that district in which the greater part of the lot lies" (CPZO, section 3.405). In other words, if the property is split between two boundary lines, it would be classified as whichever zoning district occupies the greater area within the parcel. However, there is a loophole – if each portion of the divided lot meets the minimum required area for a principle permitted land-use, the Building Inspector can issue a special permit to subdivide the lot into two different districts.

Section 3.406 of the Zoning Ordinance discusses one way of controlling potential problems caused by split parcels, but there is a constraint to this. When a property owner owns a split property, they may not move the zoning boundary line any more than fifty feet into the "remaining portion of the lot" (CPZO, section 3.406). This may be a problem because extending a zoning line only fifty feet in length may not make a difference when the property is large as five or more acres.

Section 3.407 of the Zoning Ordinance discusses how to resolve disagreements between the property owner and the Department of Community Development over where the zoning boundary line is located. If a disagreement occurs, then the Community Development Board will determine where the zoning boundary line is (CPZO, section 3.407).

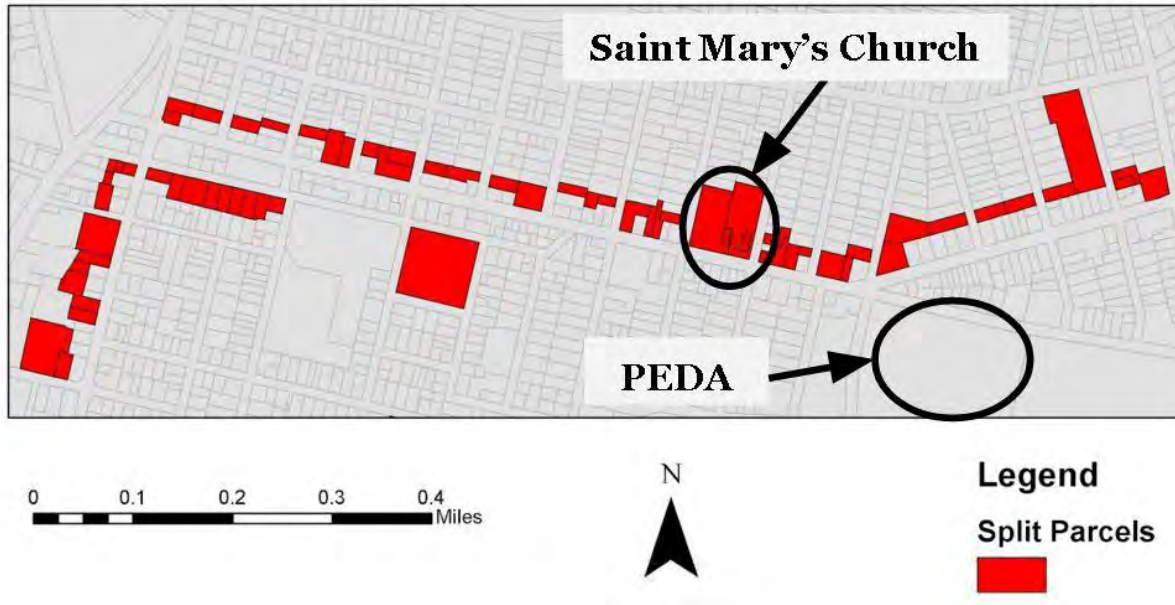
EXISTING CONDITIONS

As of today, the City of Pittsfield has not mapped the locations of all the split parcels within the City. To determine the location of the split parcels in each zoning district, Shire City Consulting has referred to several datasets provided by the City. One is the 2007 Pittsfield Land-Use Map, which details all the different land-use throughout the city. Another is the set of GIS shapefiles of properties and streets in Pittsfield. This source helped our team identify parcels, building footprints, and historical land-use. Finally, the Tyler Street Redevelopment Project Scope of Work laid out a detailed plan to transform this corridor into a vibrant, comfortable, and more pedestrian-friendly space.

Shire City Consulting has conducted a preliminary GIS assessment of parcels that contain multiple zoning designations and will make recommendations on whether or not the parcels should be rezoned. Our team's findings are a preliminary estimate only because the GIS data came from a variety of sources that may have been created at different times, so some of the "split" designations may have been caused by shapefiles from different sources simply not lining up with one another. Our team tried to minimize this confounding variable by considering a parcel to be split only if more than one percent of the parcel was zoned differently from the rest. After determining the size and locations of the split parcels on Tyler Street, as well as which zones they are split between, our team collected property information and conducted site visits of each split parcel.

To collect the property information for split parcels along the Tyler Street corridor, our team used the Pittsfield Assessors Office webpage. From this website, Shire City Consulting identified the property information for all thirty-six split parcels located along the Tyler Street corridor (see Map 7), in order to conduct a visual examination of all the split parcels. During this site visit, the team observed the land-use along both sides of Tyler Street in order to begin to form the best recommendation for dealing with the split parcels.

Tyler Street Corridor:



Map 7: Split parcels along the Tyler Street corridor

In order to give Pittsfield the best method to resolve split parcels our team has created a table of our best estimate of all the split parcels (see Appendix X). The appendicized table contains the GIS unique identification (OBJECTID) and assessor's parcel identification number (MAP_PAR_ID). From the map object identification, then Pittsfield's Department of Community Development can then verify if it is industrial (Industrial), commercial (Commercial), residential (Residential) zoning, and then use the split column (Split1). Ultimately, Pittsfield should hire a GIS person or GIS interns to start updating their land-use maps and their zoning maps with both of the object identification and parcel in the GIS database. There is a column called "AGI_COMMEN." In our search our team could not determine if this was created by the Department of Community Development or the City of Pittsfield Assessors Office. This will be an issue for someone to clarify in the future.

WORKSHOP FINDINGS AND SITE VISITS

During the asset-mapping workshop, Shire City Consulting learned that split parcels may be causing several issues in the City of Pittsfield, including vacancy and building abandonment. Although there are several areas in the City that are in need of help or redevelopment, the residents also mentioned various parks and green spaces throughout the City that are successful

and utilized by the public. The Tyler Street corridor was one of the focus areas given to the workshop participants.

The workshop participants mentioned that the Tyler Street corridor is in need of improvement because it is a forgotten area. There has been some recent controversy over St. Mary's Church, which has the potential to be a major landmark and a focal point for drawing people and business onto Tyler Street. St. Mary's Church is located on a split parcel. The front half is zoned commercial and the back half is zoned residential land-use (see Figure 70). Some of the participants seemed to think that the church is a waste of space because it is currently vacant. On the other hand, many people are unwilling to see the church demolished because of its historical significance within the City. It is clear from the workshop results that the difficulty of developing on split parcels and vacant lots are seriously detracting from the character of the City.

The fate of the abandoned General Electric building is another rising concern that the residents expressed. Some suggested that it should be knocked down or filled with new businesses. People also had concerns about the Route 7/20 South Street corridor. Almost every workshop group pointed out that the businesses along the highway are very disconnected and it is difficult to get from one store to another, either by foot or by car. Shire City Consulting hopes that forming a system to re-zone split parcels in accordance with the surrounding land-use will help improve some of these issues.

Although the Tyler Street corridor and the abandonment of General Electric were the primary concerns that the participants raised at the asset-mapping workshop, Shire City Consulting decided to focus primarily on the Tyler Street corridor as a pilot study for the entire City of Pittsfield. There are many split parcels that are along the Tyler Street corridor, as well as a number of vacant buildings. In order to bring life back to the Tyler Street corridor, these issues must be examined. This pilot project can be a prototype for other corridors in the City that are facing similar issues.

LITERATURE REVIEW

INTRODUCTION

There are multiple issues that split parcels may cause within a community. One such issue is that split parcels can result in uncertainty for homeowners and residents. In many municipalities, split parcels may have prohibited property owners from making improvements to

their properties, whether these cities' regulations are restrictive towards the majority land-use of the property or the land-use that makes up less than fifty percent of the property.

Property owners rely on land-use regulations to help them maintain their investment. Property owners who live on a property that is a split parcel are likely to face problems with insurance and permitting. Because split parcels skew land-use regulations, being able to maintain their property may become an extremely difficult and complicated task for property owners. This could result in owners relocating elsewhere because they are not willing to be subjected to unnecessary uncertainty. With that said, split parcels in Pittsfield have been known to increase the presence of vacant commercial real estate, which deteriorates the current residency status.

Shire City Consulting studied other cities and towns in Massachusetts that have had problems with split parcels and examined the approaches they used to resolve these problems. These precedents helped our team understand how community residents react to split parcels and proposed considerations that the community leaders are trying to amend. Peer-reviewed material helped our team establish methods for how to properly address the current issues regarding the split parcels on the Tyler Street Corridor and to resolve the needs of the community residents with minimal conflicts. The three major themes that our team will be focusing on are preserving neighborhood character, property owner concerns, and the role of zoning regulations in relation to split parcels.

Following this brief introduction, the next section explores preserving neighborhood character and the impacts of neighborhood quality on residents' perceptions. The next sections examine the issues that split parcels create for property owners and how these concerns contribute to residents' sense of place. The final section of the review will discuss the role of zoning regulations in controlling split parcels and the burden that split parcels put on local government regulations. Lastly, the review will conclude with suggestions for how this material can be applicable to correcting split parcels in Pittsfield.

PRESERVING NEIGHBORHOOD CHARACTER

In this section of the review, our team explored articles relating to how neighborhood quality impacts people's perceptions of the neighborhood. Kaysen (2015) sheds light on the importance of historic preservation and its contribution to a city's unique character. Forman (2000) discusses property owners who discover that their property violates a zoning ordinance

and the resolution of the issue. Good (2002) discusses preservation of character within a town by using buildings as a method that linking the past and present culture.

Kaysen (2015) discussed the fine line that distinguishes which historical structures in New York City should be preserved and which should not. Structures that may not be defined or protected as New York landmarks can still serve as treasured aspects of the characteristic of a neighborhood, regardless of their official status. The case of Midtown Manhattan and its driving development sheds light on the hunger among New York developers for new land to build on and makes people question the extent to which developers are willing to ignore character and history to make way for profit. One solution to this dilemma is an approach that integrates old façades and décor into new development plans. There is a need to incorporate both new and old features into a structure, rather than simply demolishing them altogether.

Forman (2000) explored the legal circumstances under which people purchase property and discover that the property violates zoning ordinances. Through an analysis of precedent court rulings, Forman points out that in many cases, unsuspecting buyers are potentially liable even if a general warranty deed was obtained and exhaustive investigative measures were taken. Only if zoning nonconformities are discovered during the contract stage can a title be considered unmarketable, allowing potential purchasers to leave the contract. Forman concluded by acknowledging that latent zoning violations do not constitute a breach of the covenant against encumbrances – burdens on a property that its seller fails to mention. Since the purchaser has very little leverage once these latent zoning violations have been discovered, the solutions Forman offers included specifying land-use in the deed contract, checking the zoning regulations thoroughly, and having attorneys be held more accountable for alerting property owners to these potential occurrences.

Forman examined very realistic potential scenarios for property owners. Many communities' zoning ordinances are confusing as what is written sometimes does not actualize on the ground. These inconsistencies can be caused by oversight as well as by issues resulting from transposing handwritten data to a more precise digital format. The impact of these planning errors can have resounding effects on the lives of property owners, even leading to financial and legal hardships. While his analysis of legal culpability is very thorough, Forman could have expanded on instances in which planners, rather than previous property owners, are clearly at

fault for zoning inaccuracies or inconsistencies. In those scenarios, further research into the legal and financial implications for property owners should be examined.

Good (2002) addressed the question of what planning tools can be used to protect historic structures and preserve small town character. Good's methodology involved conducting a literature review to define "small town character," creating a typology of planning techniques categorized by historic preservation, business revitalization, and zoning by-laws, and then analyzing different case studies that have applied the different typologies. In addition to the case studies and Massachusetts legal precedents, Good gathered data by observing planning board meetings in Rutland, Massachusetts. Her findings concluded that many of the tools and techniques used by communities to successfully preserve their character. These include are context-specific design, business district guidelines, demolition delay, and overlay districts that rely on local community support, rather than governmental efforts alone.

While Good's research specifically focused on small towns, she suggested that this idea of concerted public effort could also be applied to neighborhoods within larger cities rather than just the small towns. Another important point in her study is the fact that if there is not enough community support for historic districts, buildings can still be protected using design guidelines. However, her toolkit was limited. She emphasized only the National Main Street Program, a federally-funding program that facilitates revitalization through improving a community's "main street," and ignored strategies such as permitted land-use. While she played down the importance of site plan review, Good did emphasize how important demolition delays may preserve character in places that have very little leverage in controlling development. While the toolkit Good provided is very informative and useful, her research focused only on preserving structures themselves and not on repurposing or reusing these buildings for other functions.

From the examination of these sources, the research demonstrated that there are multiple factors that contribute to the idea of preserving neighborhood character. In order to preserve neighborhood characteristics, it is important for communities to identify which historic structures should be preserved (i.e., contributing) and those structures that can be removed (i.e., non-contributing). In addition, it is important for attorneys and town planning staff to be held accountable for informing property owners of the zoning restrictions that may affect their properties so that future changes that are made to their property are legal, and if they are not, the property owners are not held liable. In addition, it is important to identify which tools should be

used to protect and preserve historic structures. This may include planning techniques in relation to historic preservation and business revitalization, but again, these are dependent on community support and political will. Overall, all of these factors are essential elements for preserving neighborhood character.

PROPERTY OWNER CONCERNS

In this section, our team explored articles relating to the impact of property ownership in relation to a sense of place. DePriest-Hricko and Prytherch (2013) attempted to study the sense of place related to Middletown, Ohio's declining downtown by using stories from residents to study "place perceptions and hopes for revitalization." Katz (2015) gave six examples of adaptive land reuse in Boston that showed how each property was identified, what types of challenges stakeholders faced, and the benefits to the community. This research will help our team understand people's perceptions of different types of spaces.

DePriest-Hricko & Prytherch (2013) discussed how to integrate participatory planning and "sense of place" in order to preserve the "dying" downtown of a post-industrial city (p. 145). The authors examined Middletown, Ohio, a city that has faced loss of industry and severe economic decline, to study how planners can incorporate citizens' place perceptions and aspirations into future planning visions. They first solicited residents' personal stories and pictures of downtown Middletown, as well as conducting semi-structured interviews, and then incorporated these results into four public forums. The participants generally had positive memories of the old downtown and specific activities that took place there, but also felt a deep frustration at the declines they experienced. Although the participants expressed a strong desire to see downtown Middletown become a lively destination again, the researchers encountered difficulty translating these visions into design-based planning strategies that would be both feasible and understandable.

There has been a significant amount of research conducted on place attachment and sense of place. Sense of place can be a primary contributing factor in whether communities thrive and planning projects succeed or fail. However, it remains a nebulous concept that planners are always struggling to put into words and images. This article was a useful addition to that research because it articulated the challenge of translating the extremely qualitative data gathered from the public into architectural and regulatory form. The authors also stressed the importance

of seeing sense of place as a process rather than a fixed entity. This continual process is what allows communities the flexibility to rise to new challenges.

Katz (2014) discussed the potential for reusing old buildings and reinventing these properties for residential land-use. In cities that want to support urban growth, certain areas may not be zoned appropriately to support growth. Therefore, the rehabilitation of underutilized properties as residential development is an alternate path that developers can follow. Examples provided in the article include former fire stations, churches, a plastic factory, utility sites, and financial buildings. The paper also discussed the benefits of renovating buildings in order to keep the historic character of a city intact. Alternatively, renovation of former buildings can pose unforeseen challenges when taking into account the regulation standards for commercial and/or residential land-use.

Collectively, these papers showed the benefits of preserving downtown elements, specifically for city residents. In order to create, preserve, and maintain a sense of place for community residents and to avoid having a “dying” city that cannot recover from the loss of industry, it is important for a community to gain community support in order to preserve historic buildings in a community. If this does not happen, downtown areas may become abandoned, so it is important to actively revitalize these areas. When preserving a downtown, it is important to make sure that its historic character is maintained because that character gives the community uniqueness and identity.

THE ROLE OF ZONING REGULATIONS

This section explored articles relating to how zoning may impact the quality of life in a community. Hirt (2005) provides a post-modern perspective on planning policy by examining Cleveland as a model for central city planning practices. Hackworth (2015) examines different techniques used to avoid sprawl and encourage dense, mixed-use development in five cities in upstate New York and the Midwest. Shire City Consulting understands that it is crucial to consider the importance of quality of life and features that will help avoid sprawl when revising zoning ordinances.

Hirt (2005) attempted to flesh out the theoretical debate on postmodernism and planning in terms of rich, place-based context through an in-depth study of planning in Cleveland, Ohio. The author examined the city’s current and historical plans, its zoning codes, and conducted 26

interviews. The author wanted to find out if there was a detectable shift towards postmodernism within the city of Cleveland. She found a detectable shift in the city towards postmodern thought, but her findings also showed that the shift seems to be more in discourse than in practice.

This article showed that there has been a shift in the way that planners and citizens interact with each other. The planning process has shifted to a pattern that transforms the public into experts and the planners into facilitators. Based on other research, this trend seems to be having a more widespread effect than in just Cleveland. Creating sense of place and promoting arts is happening all over the country in order to make cities more attractive.

Hackworth (2015) discussed postindustrial cities in the central and northern areas of the United States that have had declining populations over the last several decades. Some cities such as Detroit, East Saint Louis, and Cleveland have lost more the half of their populations since the middle of the twentieth century. The author investigates whether “rightsizing” is the proper “planning paradigm” for shrinking communities. After becoming familiar with these cities’ “rightsizing” plans, the author suggested that austerity urbanism, a planning paradigm that encourages dense, mixed-use development, is the best solution for overcoming these current trends. The concept of austerity urbanism was founded by Jamie Peck, an institutional political economist at the University of British Columbia, during the Great Recession of 2007-2013 (Peck, 2013). Additionally, Hackworth stressed how important it is to understand and identify the characteristics that were causing people to migrate out of the city in the first place.

Hackworth concluded that “rightsizing lacks the utopianism of urban renewal, and only superficially engages with the greening, housing, and participation goals outlined by rightsizing theorists” (p. 766). It is important to keep in mind that “no two shrinking cities are identical” (p. 767). In other words analyzing the specific environmental, equity, and economic trends that cause shrinking to happen will help identify the best solutions for each community.

This research on postmodernism and austerity urbanism demonstrated ways of reducing urban sprawl. There have been ongoing discussions about whether cities should shift toward postmodernism because people find it more aesthetically pleasing than modernism and believe that it enhances the quality of life within the city. Additionally, when reducing urban sprawl, “austerity urbanism” may be an effective technique to use because it encourages mixed-use, dense development. It is important to take these ideas into consideration when attempting to prevent urban sprawl in post-industrial cities, as they will change how people interact with each

other and cities' overall quality of life. If Pittsfield's residents consider the Tyler Street corridor an unattractive part of their downtown, it will in turn become an unwelcoming place for people to visit. Thus, it is important for the Department of Community Development to amend the zoning map along this corridor as a way to liven the streetscape of the Tyler Street corridor.

OVERALL CONCLUSION

Many factors contribute to the preservation of neighborhood character, ranging from historical structures already present within the streetscape to regulations that guide land-use. While there is no one approach that will ensure that the unique character of a neighborhood will continue through multiple phases of development, planners can use many tools and techniques to ensure that local context is maintained, including historic district designation, reviews of the impact of zoning changes on the streetscape, and implementation of design standards. Since neighborhood character is such a fluid, subjective concept, a multi-pronged approach is necessary to ensure that the strategy adheres to the neighborhood-specific context. However, the guiding factor in any approach should be a clear process that resolves any confusion over project goals and the direction that the changing character of the neighborhood should take.

Some of the issues that split parcels create are concerns for property owners. For instance, a property owner may not be able to build the building that they want, or any building at all, because of unclear zoning regulations. Shire City Consulting understands that communities may have workarounds to accommodate this issue, but our team would like to directly address the issue in order to reduce any confusion for property owners. That said, our team strongly recommends that Pittsfield should have specific regulations for how to deal with split parcels permanently.

Zoning regulations play a significant role in quality of life, since they are one of the underlying forces that determine the character of the community that people live in. Many planners in the past several decades have worked to create zoning paradigms that create sense of place and allow stakeholders to feel engaged in the planning process. Resolving the issue of split parcels in Pittsfield provides the City with a valuable opportunity to re-examine their own zoning paradigm. This concern can become a chance to use new zoning techniques to help create more prosperous, lively corridors within Pittsfield.

The commercial and residential split parcels along the Tyler Street corridor have changed the neighborhood character in this area. They have changed the quality of life and how community residents view this corridor. Many of the buildings are vacant, have been abandoned, and are not preserved or maintained in an effective manner. This has resulted in a loss of the corridor's unique character, making it seem like an unwelcoming place. People are discouraged from visiting this corridor because the area seems to have only minimal street life. In order to significantly increase the quality of life in this neighborhood, the Tyler Street corridor will need to be redeveloped in a way that accommodates both residential and commercial land-use as well as attracts people to increase the vibrancy of the neighborhood.

PRECEDENT STUDIES

In order to see how other communities addressed split parcels, Shire City Consulting looked at comparable Massachusetts communities with demographics similar to Pittsfield's. These communities are the City of Northampton, the City of Westfield, the Town of Brewster, and the Town of Wellesley. Shire City Consulting communicated directly with the planners of each of these communities in order to find out how they have dealt specifically with split parcel issues.

NORTHAMPTON

The City of Northampton is located in Western Massachusetts and has a population of about 29,000 people. It is about 15 miles north of Springfield. It is a college town and has many cultural institutions. When dealing with split parcels, the city land-use factors that include the zoning land-use, the dimensional standards, the lot size, and setbacks as determinants for zoning split parcels. Sometimes, parcels are allowed to be split between land-use types. For example, a residential/commercial split parcel could legally be partly commercial and partly residential. Setbacks on a split parcel are determined in the same way. For example, the residential portion of the property will have residential setbacks, while the commercial portion will have commercial setbacks. Dimensional standards are determined by the majority of the lot, but the city bases the total lot size of the two zones on the majority land-use. For example, for a parcel that is developed as more than 50 percent central business, the city will use the central business zoning district lot size (*Zoning Ordinance of the City of Northampton*, Section 350-6.9, 2014).

WESTFIELD

The City of Westfield is located in the southwest part of Massachusetts and has a population of about 41,000 people. It is about eight miles west of Springfield. It is a rural city and a large percentage of the city is open space. The City land-use factors that include frontage, lot, width, and density sizes as determinants for zoning split parcels; however, it is important to note that the City does not see a split parcel as a problem unless the landowner sees it as a problem. When determining the frontage and lot size requirements, the requirements of the district in which the majority of the frontage is located shall apply. If the amount of frontage in both districts is equal, the more restrictive zoning district's requirement shall apply. The width requirement is determined by the district that is least restrictive. Finally, the permitted density depends on the total density of the entire parcel for both land-use. In other words, there cannot be any more than the total number of dwelling units per acre for each of the zoning land-use. For example, if the maximum density for residential districts is four dwelling units per acre and for commercial districts is six dwelling units per acre, the split parcel cannot contain more than ten dwelling units per acre (*The City of Westfield Zoning Ordinance*, Article III, Section 3-30.2, 2015).

BREWSTER

The Town of Brewster is about 85 miles southeast of Boston and has a population of about 10,000 people. It is also tourism community on Cape Cod for vacationers. The Town has a straightforward and simplistic approach when determining the permitted land-use of split parcels. The landowner is able to use the entire lot for one district or the other, but they need to get a special permit from the Board of Appeals (*The Town of Brewster Zoning Bylaws*, Article II, Section, 179-5, 2014).

WELLESLEY

The Town of Wellesley is about 13 miles west of Boston and has a population of about 28,000 people. It is an affluent community and it primarily known for the Massachusetts Bay Community College and Wellesley College. The Town land-use factors that include zoning land-use and the dimensional requirements as determinants for zoning split parcels. If a lot is split between Single Residence and any other zoning district, the buildings, access ways, parking, and

storage associated with that other land-use may extend no more than ten feet into the Single Residence District. However, the dimensional requirements for each of the zoning districts should remain the same depending on which portion of the lot the zoning district is located within. On the other hand, if part of a single-family dwelling unit is not located within the single-family zone, the area and the frontage may be used to meet the minimum requirements of the Single Residence District.²⁰

DISCUSSION AND SWOT ANALYSIS

The split parcels in Pittsfield have resulted in a variety of issues that have negatively impacted the community in various ways. Although the community is vulnerable to these problems, the City of Pittsfield has resources to help resolve these issues so that they do not reoccur in the future.

One strength is that Shire City Consulting has been able to use GIS to identify the locations of the split parcels throughout the city. This can help reduce confusion for developers and homeowners. Rezoning split parcels provides consistency in the data by allowing Shire City Consulting to attribute zoning data directly to the parcel field.

One of the weaknesses is that split parcels may result in issues such as uncertainty, building vacancy and abandonment, and zoning deficiencies – for example, the ongoing controversy over the fate of St. Mary’s Church. Another weakness is the loophole mentioned in Section 3.405 of the Pittsfield Zoning Ordinance, which permits property owners to have a Building Inspector divide their parcel into two separate zones. There is some degree of arbitrariness to this loophole, as it only works for larger properties, not smaller lots that do not meet the minimum requirement for subdivision.

One possible opportunity is the existence of St. Mary’s Church on Tyler Street. Since this site has redevelopment potential, the City of Pittsfield can look for other examples of repurposed churches to see how the church could bring back vibrancy to the Tyler Street corridor. Also, since Pittsfield has GIS shapefiles, the City could benefit from hiring a GIS intern to consolidate and clear up the zoning data.

²⁰ The Town of Wellesley does not have their policy on how to address split parcels in their Zoning Bylaw. To find out about it, a person would need to call the planning office and discuss it with a building inspector.

Another possible opportunity could be to add mixed-use development as a permitted use in the City's Zoning Ordinance. Although the 2009 Pittsfield Master Plan calls for mixed land-use in the downtown, the zoning ordinance has yet to define mixed-use development. As our team noted as we conducted our site visits of Tyler Street, the Tyler Street corridor contains multiple land-use, including both residential and commercial land-use, but it is not considered a mixed-use district. Allowing and even encouraging mixed-use development along the Tyler Street corridor could help Pittsfield regulate the complexity of the corridor.

Shire City Consulting understands that a potential threat to Pittsfield is the issues caused by split parcels, such as uncertainty and zoning deficiencies. These resulting issues could be one of the reasons the population of Pittsfield has been steadily decreasing since the 1970s. People in these areas have difficulty making improvements to their properties, which may be something they are not willing to deal with. As a result these people may move somewhere else, which could be a contributing factor to building vacancy and abandonment. If attempts are not made to resolve the issue of split parcels, the population could continue to decline.

Although there are serious issues stemming from the existence of split parcels, the City of Pittsfield has the technological resources to mitigate the issues. Pittsfield has its own GIS sources, which are able to identify all of the commercial and residential split parcels along the Tyler Street corridor and can reduce confusion for developers and homeowners. However, the GIS data is from more than one source and the data may have been collected at different time periods.

RECOMMENDATIONS

Shire City Consulting recommends that in order to improve the overall quality of the Tyler Street corridor, this corridor should be zoned as an overlay district that allows mixed-use development. With that said, split parcels that have frontage on Tyler Street should be rezoned as General Business, and parcels that do not front onto Tyler Street should be rezoned as residential. Our team further recommends that the City of Pittsfield define mixed land-use and allow them as a conditional land-use within the General Business zone along the Tyler Street corridor. Shire City Consulting is using the Tyler Street Corridor as a pilot project, and hopes that these recommendations will eventually be applied to other areas of Pittsfield.

As a potential model, Shire City Consulting recommends using Newbury Street in Boston as a prototype of what the Tyler Street corridor could be transformed into (see Figure 71). Newbury Street is an example of mixed-use development and preserving neighborhood character. The first floors of buildings are commercial and the upper floors may be commercial or residential. A mixture of uses is a way to invigorate the streetscape and preserve the historic character that the Tyler Street corridor provides for the community.



Figure 71: Newbury Street in Boston (Source: YAH Global [2015])

Shire City Consulting also recommends preserving the historic buildings along this corridor, specifically St. Mary's Church. The church could be adaptively reused, for example "converted into a concert hall" (Cracolici, 2015), although it should undergo a special use permit process. This could increase tourism and potentially businesses along the corridor. Currently, "thirty percent of commercial space on Tyler Street is vacant" (Cracolici, 2015). If this kind of re-purposing were to occur, a parking and traffic plan would need to be made in order to ensure that the property is ready to accommodate the flow of increase traffic.

Shire City Consulting strongly recommends that the City of Pittsfield adopt mixed-use as a permitted use and define it within their Zoning Ordinance. As discussed in Chapter 2, our team researched five communities in Massachusetts suggested by our client to see how they define mixed-use as a permitted use in their zoning regulations (see Table 11). Based on how these communities define mixed-use development in their zoning regulations, our team was able to develop a best-fit definition that can be used in City of Pittsfield Zoning Ordinance.

Table 11: Precedent Study mixed-use definitions

	Pittsfield	Framingham	Gloucester	Greenfield	Northampton	Somerville	Best-Fit Definition
Mixed-Use Definitions	N/A	<p>MIXED-USE: “A building containing residential use on any floor above the ground floor of a building combined with an allowed non-residential use or land-use on the ground floor and other floors of a building.”</p> <p>MIXED-USE COMPLEX: “A parcel or contiguous parcels (whether or not in common ownership) of at least five acres with adaptive reuse of historic manufacturing structures for multifamily residential and allowed non-residential land-use within the existing historic structures. Such Mixed-use Complex shall have shared parking and integrated facilities and infrastructure. Residential and non-residential land-use may be in the same or separate buildings, provided however that neither the total residential land-use nor the total non-residential land-use shall exceed 80 percent of the gross floor area of the buildings in the Mixed-use Complex, excluding parking facilities” (<i>Town of Framingham Zoning By-Laws</i>, 2015).</p>	<p>“Where a building, structure or land is proposed to be used for more than one principal use, all of which are permitted in the zoning district in question and none of which is accessory to another, such mixed land-use shall be allowed. In the event that a provision of this ordinance applying to one of such land-use is inconsistent with a provision applying to another, the more restrictive provision shall apply” (<i>City of Gloucester Zoning Ordinance</i>, 2008)</p>	<p>A. “All dwelling units shall be above the first-floor level (the street level which faces the street with the highest traffic use); B. Business land-use mixed with residential land-use on the same floor shall be limited to office land-use only; C. Business land-use shall be limited to only those business land-use allowed by right in the district in which the building is located” <i>Town of Greenfield Zoning Ordinance</i>, 2015).</p>	<p>“Two or more principal land-use occupying the same structure or lot, where more than one principal use is permitted on the lot” (<i>City of Northampton Zoning Ordinance</i>, 2014).</p>	<p>MIXED-USE BUILDING: “A multi-story building type with ground floor commercial and upper story residential land-use with six or more dwelling units” (<i>City of Somerville Zoning Ordinance</i>, 2013).</p>	<p>MIXED USE PARCEL: A parcel that allows permitted commercial and residential land-use on the same parcel of land so long as they occupy separate structures.</p> <p>MIXED USE STRUCTURE: A multi-story building that has permitted commercial and business land-use on the first floor and residential and office land-use on the above floors.</p>

IMPLEMENTATION

6 MONTHS

- The Community Development Board should hire a GIS intern to continue working to identify zoning and land-use map deficiencies.
- The Department of Community Development should hold community workshops to inform residents about the split parcel issues.
- The Department of Community Development should seek suggestions for improving the Tyler Street corridor from community residents.
- The Community Development Board should start the discussion on the implementation of mixed-use development as a permitted land-use in the in the downtown core.

1-2 YEARS

- The Department of Community Development should rezone the split parcels based on frontage along the Tyler Street corridor.
 - Parcels that are fronting Tyler Street should be zoned general business.
 - Parcel that are not fronting Tyler Street should be zoned residential
- The Community Development Board should promote and incentivize mixed-use development along the Tyler Street corridor.

3-5 YEARS

- The Department of Community Development should assess the results of the Tyler Street pilot project and apply the model to other areas with similar problems.

CHAPTER 7: PRO FORMA & MULTI-FAMILY HOUSING

CLIENT DIRECTIVE

Our client has requested that Shire City Consulting develop a pro forma template that evaluates the feasibility of constructing multi-family housing in Pittsfield's current market.

BACKGROUND

Increasing property vacancy is causing financial burdens for the city and its residents, disinvestment, and negative perceptions within the community (Figures 72, 73, and 74). In contrast to this, Pittsfield's location and regional role prime it for a vibrant "18-hour downtown" that would help alleviate vacancies. An 18-hour downtown is a location that is active from 6am to midnight and balances the vibrancy and activity of a 24-hour city with the quiet charm of a 9-5 bedroom community²¹. As Pittsfield moves to create an 18-hour downtown that will attract and retain visitors and residents, developing in denser patterns will provide more financial efficiency, generating increased taxes and rental income per acre. This will allow the City to attract the businesses and residents required to sustain this vision.

Shire City Consulting has produced pro forma template to assess project risk by assisting in modeling the financial flow of a typical four-unit multi-family project. With this information, the City will be better equipped to discuss investors' capital return and the community's development objectives. Using estimated numbers gathered from interviews with local developers, banks, and realtors, our team ran several fiscal models to determine the types of payout that new development can generate in Pittsfield. Staying true to our focus, we input the median rates for a development in the Westside or Morningside neighborhoods. The results below show the pro forma's main workspace with inputs marked blue and labelled under I/P sections. The main finding is the "cash on cash min"²² number that represents the developer's

²¹ <http://realitytimes.com/consumeradvice/homeownersadvice1/item/31986-20141216-rise-of-the-18-hour-city>

²² Cash-on-Cash Min: "The main purpose of COCR is to identify how much cash you are putting into a project, and how much cash you are getting out. It is very efficient at measuring whether or not you are exceeding the opportunity cost of your money.

The formula is: $\text{Annual Cash Flow} \times 100 = \text{Cash On Cash Return (expressed as a percentage)}$

(Source: <http://www.theglobeandmail.com/life/home-and-garden/real-estate/cash-on-cash-return-is-the-lifeblood-of-investment-properties/article1378871/>)

return on investment. This number shows that current rates would give developers a negative return on investment after a ten-year sale period (see

Source	274,000	Operations	Units	I/P	Finance		I/P
Equity	99,000	Unit 1 - One Bedroom	per Month	750	Tranche 1		
Investor1	80,000	Unit 2 - Two Bedroom	per Month	850	Principal	Principal_T1	150,000
Investor2	19,000	Unit 3 - Two Bedroom	per Month	850	Term (Year)	Term_T1	20
Debt	175,000	Unit 4 - Two Bedroom	per Month	850	Interest Rate	Interest_T1	7.00%
Tranche1	150,000	Vacancy 1		6%	Structure (CPM:1, IO:2, Cus	Structure_T1	1
Tranche2	25,000	Vacancy 2		6%	Origination Fee	Orig_Fee_T1	1.00%
Uses	274,000	Vacancy 3		6%	Tranche 2		
Purchase Price	160,000	Vacancy 4		6%	Principal	Principal_T2	25,000
Renovation	80,000	Rental Escl	Annual	2%	Term (Year)	Term_T2	20
Legal	3,500	Management	per Net Revenue	5%	Interest Rate	Interest_T2	15.00%
Bank	2,000	Repairs	per Net Revenue	5%	Structure (CPM:1, IO:2, Cus	Structure_T2	1
Personal	1,500	Janitor	Per Year	2,600	Origination Fee	Orig_Fee_T2	1.00%
IDC (Interest Durir	24,700	Heat	Per Year	2,130	Valuation		
Tax Escrow	1,300	Electricity	Per Year	1,000	Capitalization Rate	Cap_Rate	5.00%
Finance Cost	4,500	Water	Per Year	1,200	Sales Expense	Sales_Exp	6.00%
Surplus/(Deficit)	-	Property Tax	Per Year	7,800	Discount Rate	Discount_Rate	10.00%
DSCR Min	0.90	Insurance	Per Year	2,600	Sale Period	Sale_Term_Yr	10
Cash-on-Cash Min	-1.81%	Expense Escl	Annual	2%			
IRR	9.26%						

Figure 75).

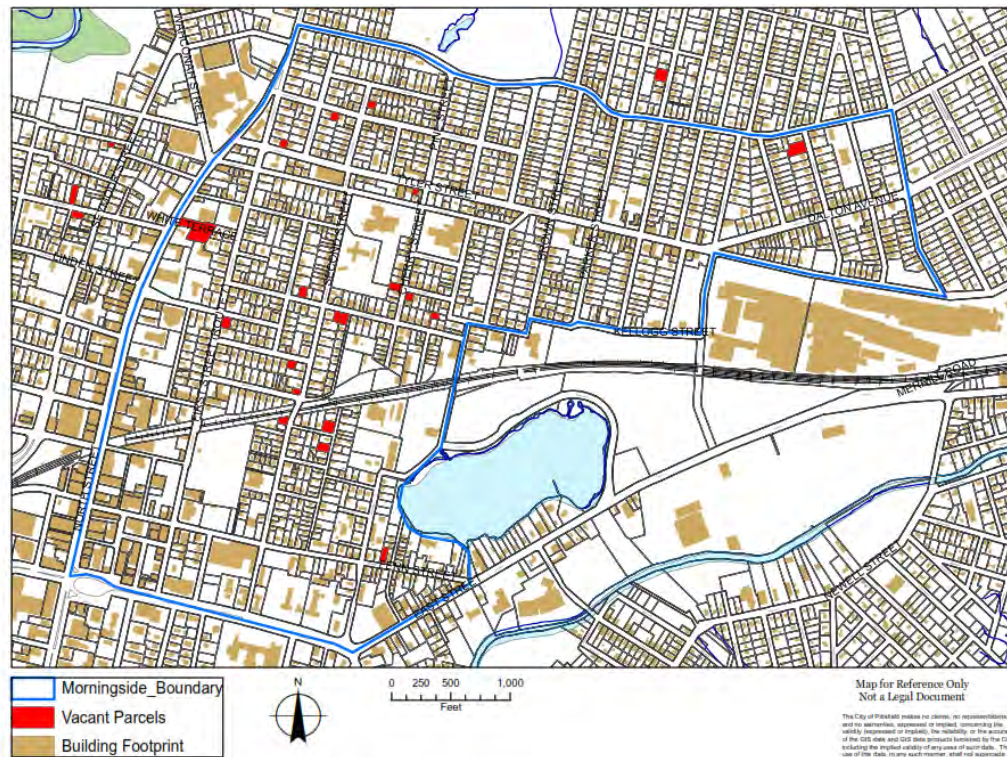


Figure 72: "Morningside" Neighborhood vacancy map provided by the City of Pittsfield

Operating income (NOI) by the price you are paying for the property (e.g. you buy an investment for \$1,000,000 and the NOI is \$100,000 annually – the cap rate on this investment is 10%)
(Source: <http://www.annettecooper.com/cap-rates-vs-cash-on-cash-returns/>)

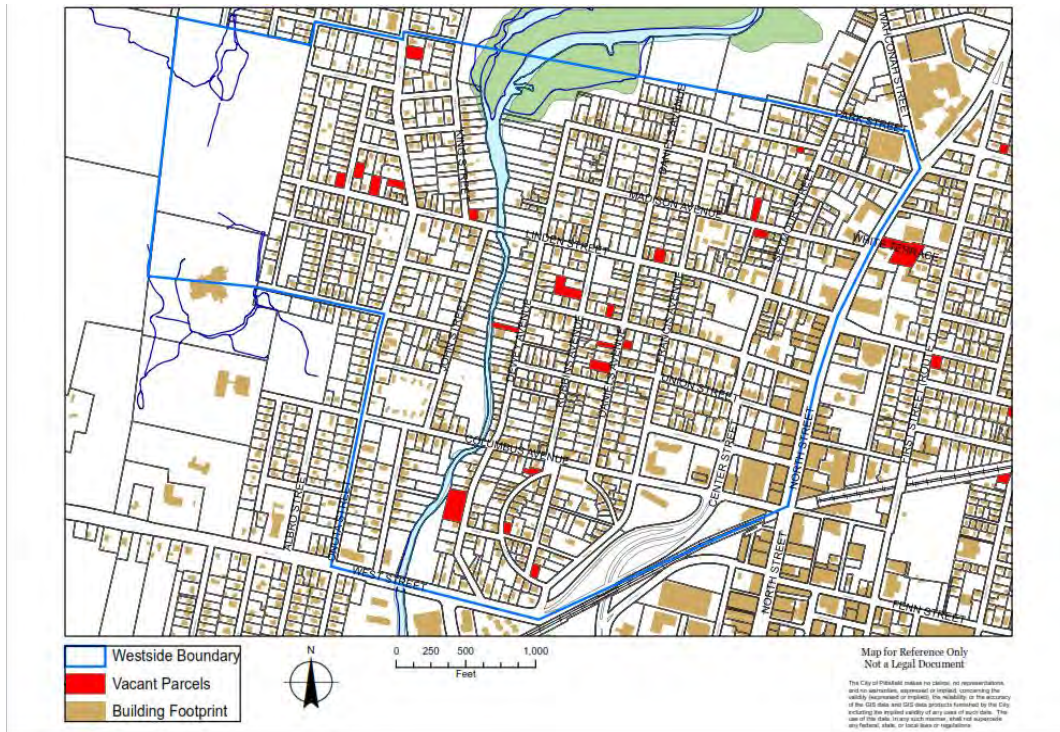


Figure 73: “Westside” Neighborhood vacancy map provided by the City of Pittsfield

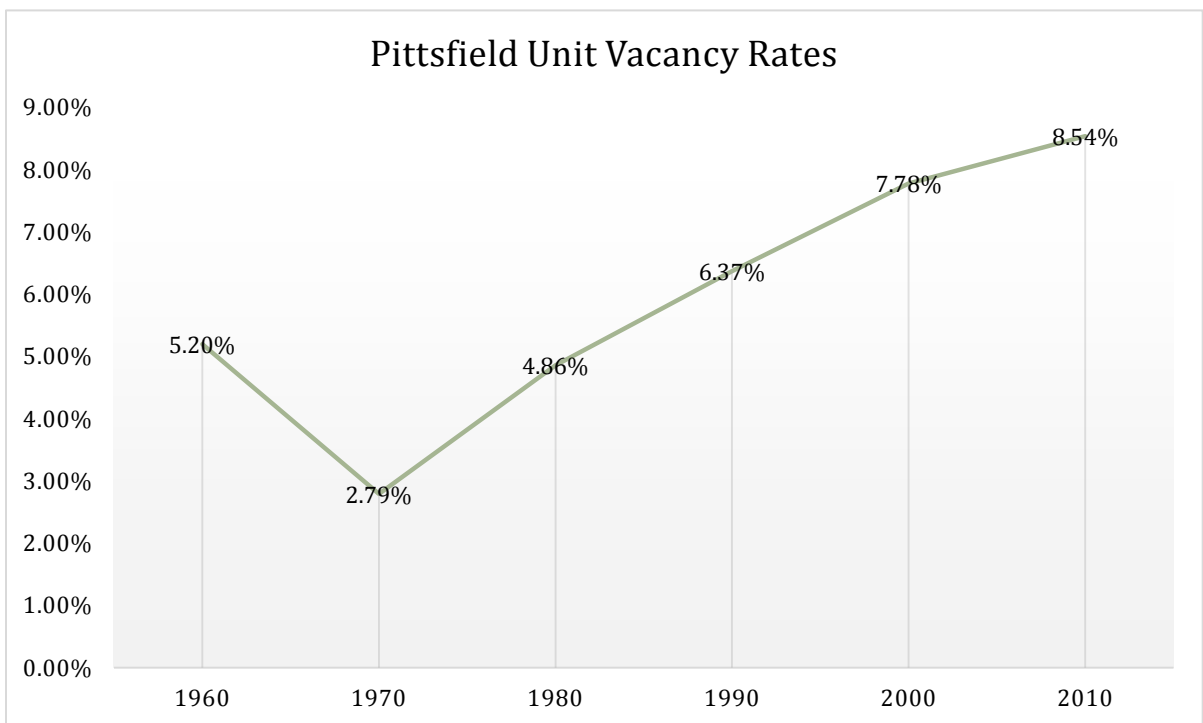


Figure 74: Unit vacancy rates in Pittsfield, MA (Source: 2013 ACS 5-Year Estimates)

By adjusting rents (see Figure 76) our team was able to generate positive return on investment, but only by narrow margins that may not entice new development. Because of this, new methods of enticing development need to be pursued in order to make projects more attractive. This type of investment can be generated through strategic incentives to help developers generate better financing while the City completes community objectives such as historic preservation with historic tax credits.

Source	274,000	Operations	Units	I/P	Finance		I/P
Equity	99,000	Unit 1 - One Bedroom	per Month	750	Tranche 1		
Investor1	80,000	Unit 2 - Two Bedroom	per Month	850	Principal	Principal_T1	150,000
Investor2	19,000	Unit 3 - Two Bedroom	per Month	850	Term (Year)	Term_T1	20
Debt	175,000	Unit 4 - Two Bedroom	per Month	850	Interest Rate	Interest_T1	7.00%
Tranche1	150,000				Structure (CPM:1, IO:2, Cus	Structure_T1	1
Tranche2	25,000	Vacancy 1		6%	Origination Fee	Orig_Fee_T1	1.00%
Uses	274,000	Vacancy 2		6%	Tranche 2		
Purchase Price	160,000	Vacancy 3		6%	Principal	Principal_T2	25,000
Renovation	80,000	Vacancy 4		6%	Term (Year)	Term_T2	20
Legal	3,500	Rental Escl	Annual	2%	Interest Rate	Interest_T2	15.00%
Bank	2,000	Management	per Net Revenue	5%	Structure (CPM:1, IO:2, Cus	Structure_T2	1
Personal	1,500	Repairs	per Net Revenue	5%	Origination Fee	Orig_Fee_T2	1.00%
IDC (Interest Durir	24,700	Janitor	Per Year	2,600	Valuation		I/P
Tax Escrow	1,300	Heat	Per Year	2,130	Capitalization Rate	Cap_Rate	5.00%
Finance Cost	4,500	Electricity	Per Year	1,000	Sales Expense	Sales_Exp	6.00%
Surplus/(Deficit)	-	Water	Per Year	1,200	Discount Rate	Discount_Rate	10.00%
		Property Tax	Per Year	7,800			
DSCR Min	0.90	Insurance	Per Year	2,600	Sale Period	Sale_Term_Yr	10
Cash-on-Cash Min	-1.81%	Expense Escl	Annual	2%			
IRR	9.26%						

Figure 75: Example of the pro forma workspace with focus variables highlighted

Source	274,000	Operations	Units	I/P	Finance		I/P
Equity	99,000	Unit 1 - One Bedroom	per Month	900	Tranche 1		
Investor1	80,000	Unit 2 - Two Bedroom	per Month	1,020	Principal	Principal_T1	150,000
Investor2	19,000	Unit 3 - Two Bedroom	per Month	1,020	Term (Year)	Term_T1	20
Debt	175,000	Unit 4 - Two Bedroom	per Month	1,020	Interest Rate	Interest_T1	7.00%
Tranche1	150,000				Structure (CPM:1, IO:2, Cus	Structure_T1	1
Tranche2	25,000	Vacancy 1		6%	Origination Fee	Orig_Fee_T1	1.00%
Uses	274,000	Vacancy 2		6%	Tranche 2		
Purchase Price	160,000	Vacancy 3		6%	Principal	Principal_T2	25,000
Renovation	80,000	Vacancy 4		6%	Term (Year)	Term_T2	20
Legal	3,500	Rental Escl	Annual	2%	Interest Rate	Interest_T2	15.00%
Bank	2,000	Management	per Net Revenue	5%	Structure (CPM:1, IO:2, Cus	Structure_T2	1
Personal	1,500	Repairs	per Net Revenue	5%	Origination Fee	Orig_Fee_T2	1.00%
IDC (Interest Durir	24,700	Janitor	Per Year	2,600	Valuation		I/P
Tax Escrow	1,300	Heat	Per Year	2,130	Capitalization Rate	Cap_Rate	5.00%
Finance Cost	4,500	Electricity	Per Year	1,000	Sales Expense	Sales_Exp	6.00%
Surplus/(Deficit)	-	Water	Per Year	1,200	Discount Rate	Discount_Rate	10.00%
		Property Tax	Per Year	7,800			
DSCR Min	1.27	Insurance	Per Year	2,600	Sale Period	Sale_Term_Yr	10
Cash-on-Cash Min	4.85%	Expense Escl	Annual	2%			
IRR	18.77%						

Figure 76: Example of the pro forma workspace with adjusted rental prices

EXISTING CONDITIONS

To complete this directive, Shire City Consulting has referred to data from these identified sources in order to create the following outputs:

- An Excel sheet template of a pro forma
- A number of GIS maps and diagrams of the collected information to be used for the report accompanying the pro forma template

The identified sources include:

- 2012 Pittsfield Zoning Ordinance
- 2009 Pittsfield Master Plan
- GIS shapefiles (including parcel size and location)
- Survey of local contacts such as business associations, banks, developers, real estate brokers, and realtors
- Review Census data to develop a list of local rental prices, comprising of mean and median collected rent prices
- Review of Trulia.com to collect median listing price information
- Precedent materials listed in the following section

From these sources, Shire City Consulting was able to develop a better understanding of the context into which the pro forma would be adapted. One of the first statistics that was collected was rental information from the 2013 American Community Survey.



Figure 77 below shows that the majority of gross rents, which include expenses such as heat and electricity, fall within the \$750 - \$999 range. The median gross rent in Pittsfield was reported at \$765. A review of Craigslist and Zillow prices confirmed that these price ranges remained accurate, if only marginally higher.

Further review of household income (see Figure 78) revealed that much of Pittsfield's rental population suffers from a housing burden, meaning that more than 30% of their income pays housing costs.²³ With 39% of Pittsfield's resident population consisting of renters (see Figure 79), this presents a significant issue for generating investment and financial growth.

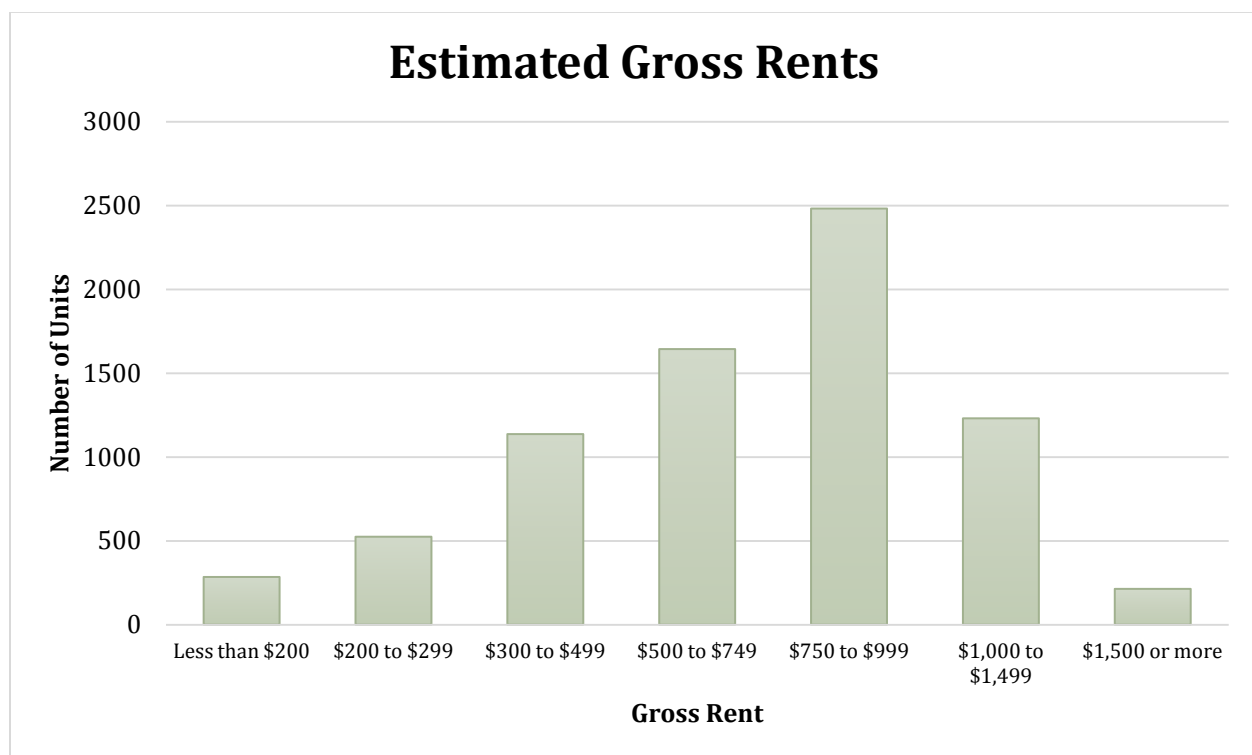


Figure 77: Estimated gross rents in Pittsfield, MA (Source: 2013 ACS 5-Year Estimates)

²³ <http://www.census.gov/housing/census/publications/who-can-afford.pdf>

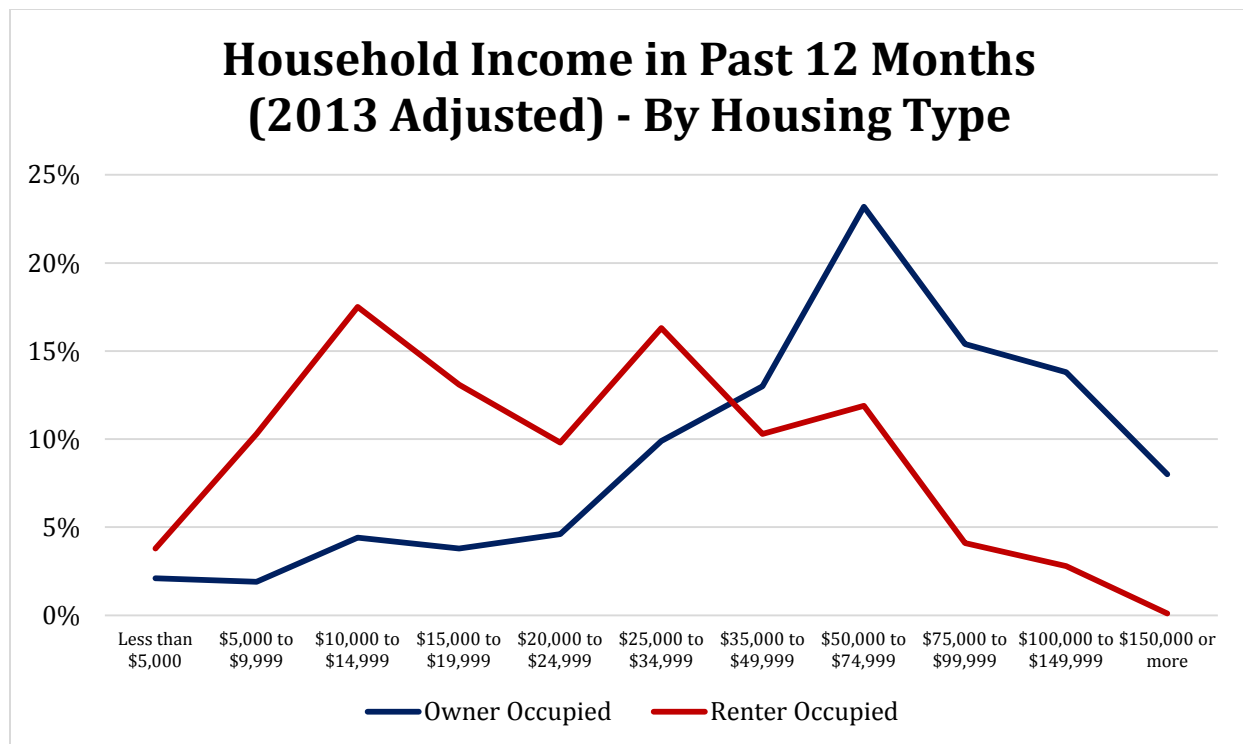


Figure 78: Household income by housing type in Pittsfield, MA [2013 adjusted dollars] (Source: 2013 ACS 5-Year Estimates)

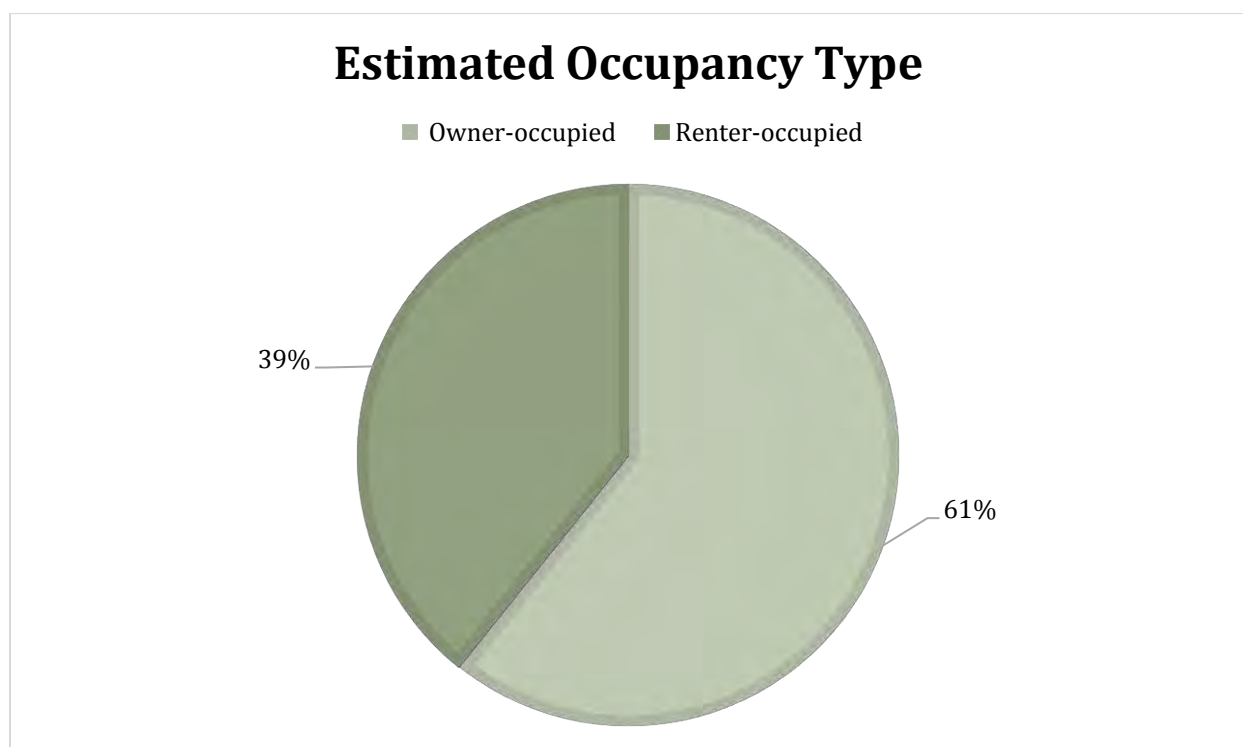


Figure 79: Estimated occupancy type in Pittsfield, MA

Figure 80, Figure 81 and Figure 82 also show issues related to the generation of dense urban environments that would be more conducive to investment and the generation of the 18-hour downtown. Currently, the majority of multi-family housing types consist of 2-4 units per structure. Although this is a desirable density per structure, the density per acre in Pittsfield's surrounding neighborhoods is hindered by parking requirements that eat up developable space, negating this benefit. A recent parking plan developed in September of 2014²⁴ by Nelson Nygaard and the Community Development Board shows that the supply of parking within the city is misaligned with the current demands (see Figure 81).

²⁴http://www.cityofpittsfield.org/city_hall/community_development/docs/Final_Report___Pittsfield_Parking_Plan__Oct__2014.pdf

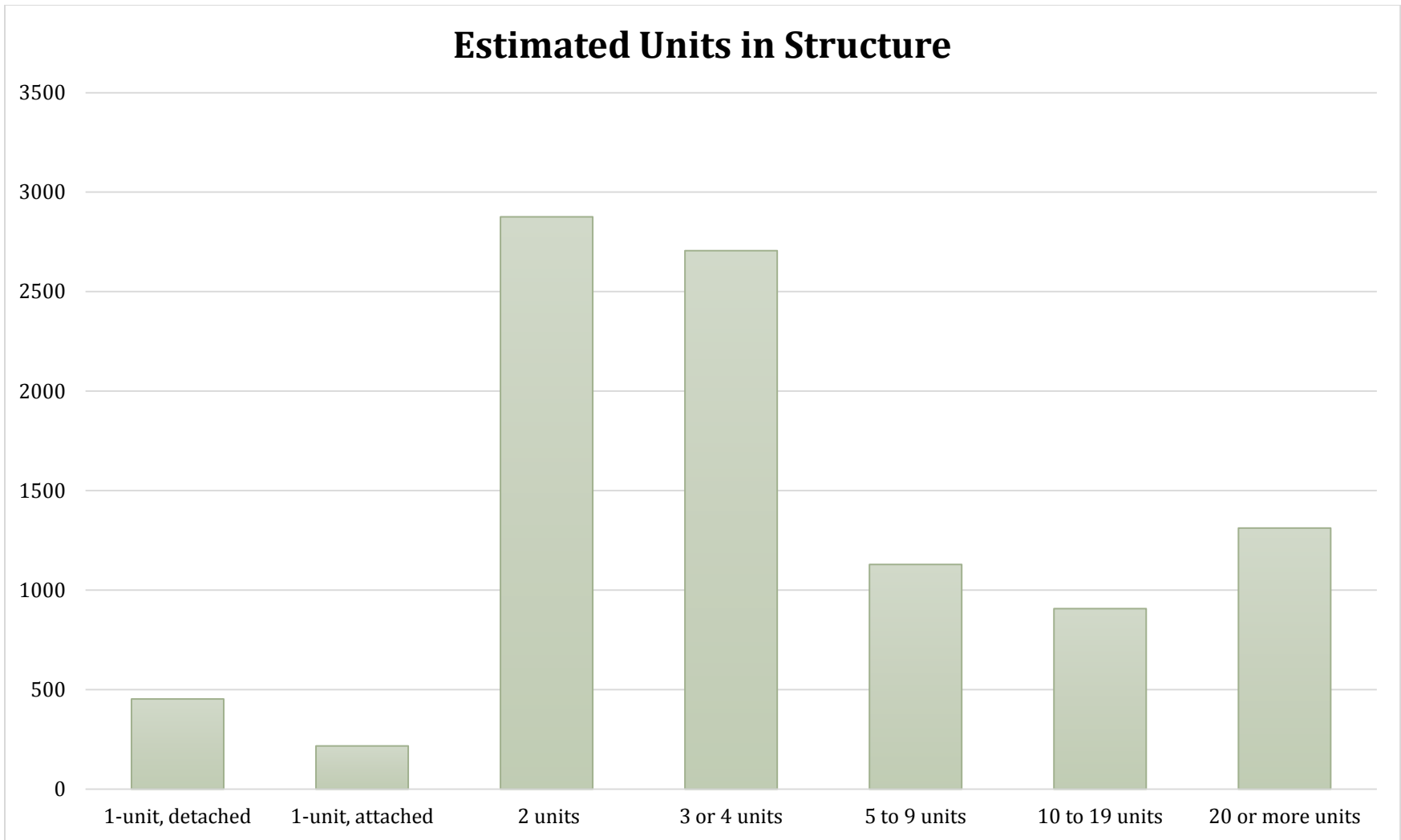


Figure 80: Estimated units in structure in Pittsfield, MA (Source: 2013 ACS 5-Year Estimates)

Principal Use		Pittsfield Regulation	ITE Peak Parking Demand Rates	Pittsfield vs. ITE
Residential	Single Family Residential	1 per Dwelling Unit	1.83 per Dwelling Unit	Below
	Townhome (Ownership)	1.5 per Dwelling Unit	1.38 per Dwelling Unit	Above
	Multi-Family Residential	Townhome (Rental)	1.38 per Dwelling Unit	Above
		Apartments	1.23 per Dwelling Unit	Above
	General Residential	1 per Dwelling Unit (SGOD)		Above
Office	General Office	5 per 1000 sq ft	2.84 per 1000 sq ft	Above
		2.5 per 1000 sq ft (BD)		Below
Commercial/ Retail	Pharmacy/Drugstore	6.7 per 1000 sq ft	2.2 per 1000 sq ft	Above
	Restaurant	6.7 per 1000 sq ft	10.6 per 1000 sq ft	Below
		0.33 per seat	0.47 per seat	Below
	Supermarket	6.7 per 1000 sq ft	9.98 per 1000 sq ft	Below
	Shopping Center	6.7 per 1000 sq ft	2.55 per 1000 sq ft	Above
		4.85 per 1000 sq ft (BD)		Above
	Apparel Store	1.25 per 1000 sq ft	1.13 per 1000 sq ft	Above
	Convenience Market	6.7 per 1000 sq ft	5.5 per 1000 sq ft	Above
	Bank	3.33 per 1000 sq ft	4 per 1000 sq ft	Below
	Hardware Store	1.25 per 1000 sq ft	1.9 per 1000 sq ft	Below
	Furniture Store	1.25 per 1000 sq ft	1.22 per 1000 sq ft	Above

Figure 81: Parking demand chart from "Parking Strategies for Downtown Pittsfield" (2014)²⁵

²⁵ Source: http://www.cityofpittsfield.org/city_hall/community_development/docs/Final_Report___Pittsfield_Parking_Plan__Oct__2014.pdf

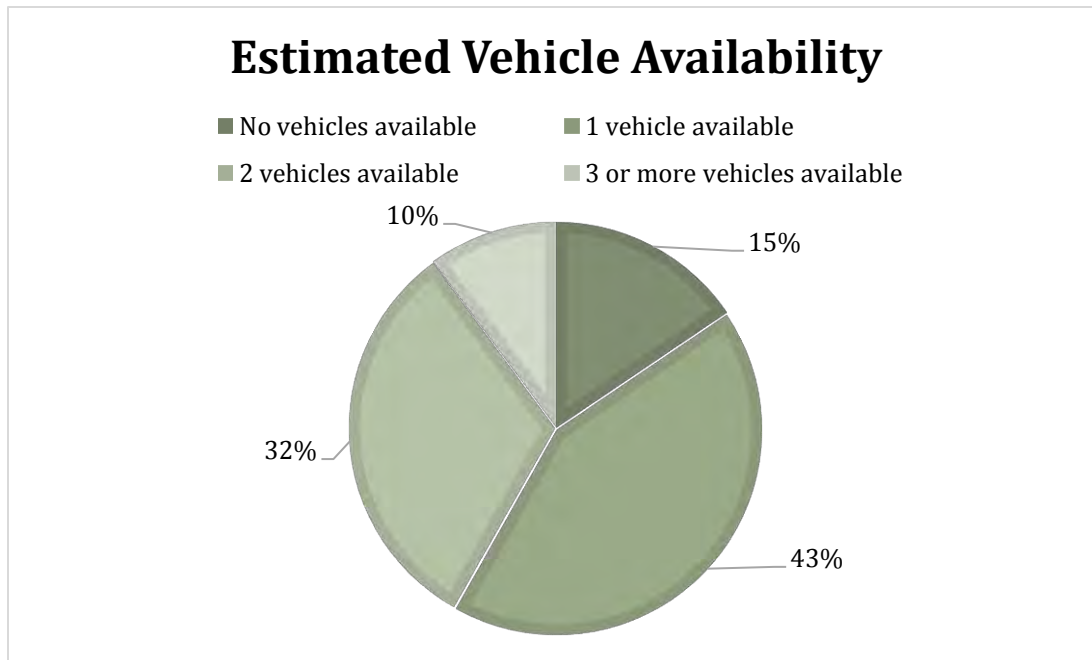


Figure 82: Estimated Vehicle Availability in Pittsfield, MA (Source: 2013 ACS 5-Year Estimates)

WORKSHOP FINDINGS AND SITE VISITS

A number of issues pertaining to pro forma development were discussed during the Pittsfield asset-mapping workshop. A recurring theme discussed perceptions of a dated housing stock. Review of census data coupled with site visits revealed this perception to be a reality (see Figure 83 and Figure 84). One of the major concerns related to this was the distribution of funding for different projects. It was mentioned that a number of projects within local neighborhoods did not always receive the appropriate funding required for project completion, leading to inadequate results.

In addition to this, the participants identified a number of locations in the Tyler Street and West Housatonic focus locations that the community felt could be available for development or significant rehab. These areas varied in type, including open space and large, empty parking lots. When choosing inputs, our team will have to gear the pro forma template to be able to address a variety of location types and development constraints. This variation can be an asset because it provides an array of development opportunities, but it can also pose a challenge because the template must still ensure that all site conditions are addressed and that locations throughout the City receive the appropriate support.

It will be important to align these development goals within the community to those presented by the Master Plan, which expresses an intention to preserve adequate industrial and commercial space in a manner that reduces conflict with local residential zones. This is important when considering the inputs for infill projects that build upon previous sites, as opposed to new development projects slated to be built upon undeveloped sites. Ensuring this cohesion between development goals will allow the pro forma template to address the proper variables.

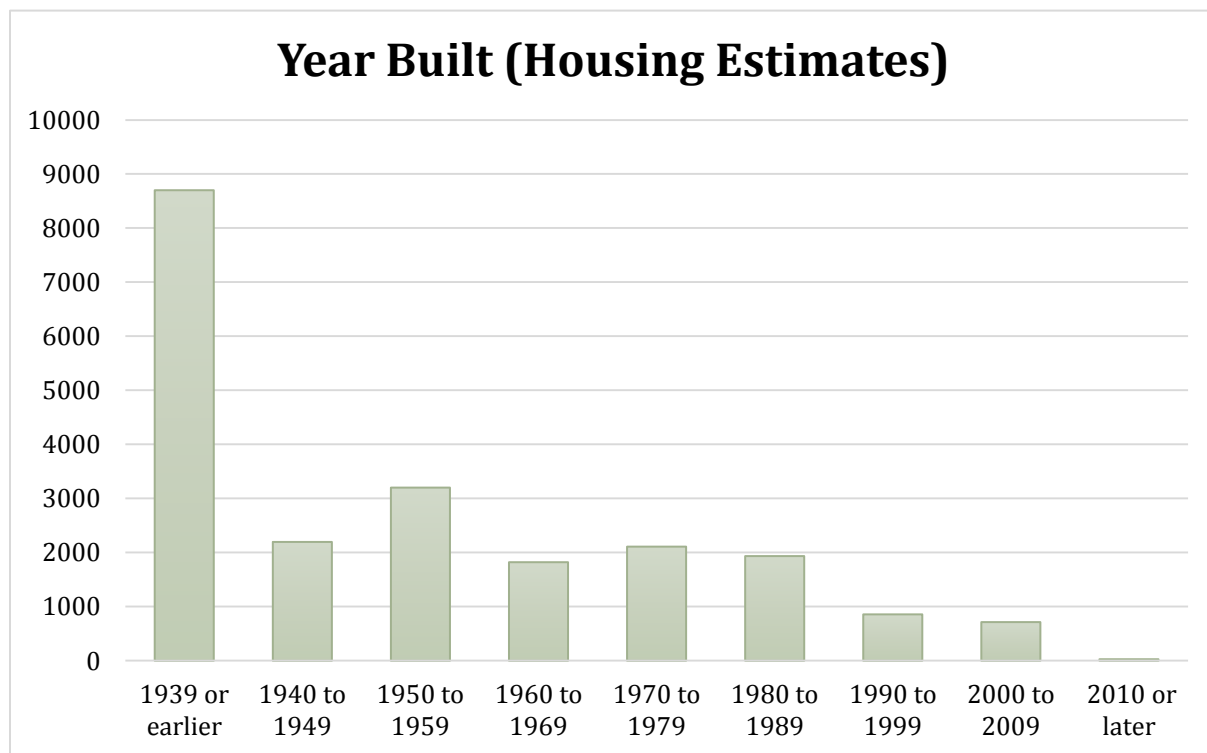


Figure 83: Year Built Estimates (Source: 2013 ACS 5-Year Estimates)



Figure 84: Housing in the Morningside neighborhood

LITERATURE REVIEW

INTRODUCTION

A pro forma is a document that models the cash flow of a development proposal and projects the expected final revenue. Financing a new development project involves a number of complex variables. A pro forma can manage these variables more easily, since having accurate projections of final revenue can help in project design and management. Pro formas typically take a number of identified inputs such as loan characteristics, construction costs, and rent prices and combine them through a number of formulas that allow a developer to see the projected funding at various stages of the project. By using the pro forma, the City will be able to protect the profit margins of developers investing in the community while leveraging funding from projects to better achieve development goals.

With Pittsfield's population declining, the vacancy rate has been on the rise, which has hindered growth in the retail sectors and created a number of vacant parcels throughout the Pittsfield's peripheral neighborhoods. These vacancies, coupled with dated housing stock, detract from the housing conditions within these neighborhoods and contribute to negative perceptions within the community. By understanding project financing, the City will be better equipped to address these issues by leveraging available funding and defending the stakeholders that are investing within the community. Understanding project financing will also help tailor design guidelines to achieve community goals, ensuring a more informed process.

Pittsfield is aware of its population decline and vacancy rates and is working to address them. Our team's research has called upon a number of sources, including articles from the Web of Science Database, to help shape and inform our recommendations. Using the concepts identified in this research will help create implementation strategies that can effectively implement the pro forma template in a way that is sensitive to the development process and Pittsfield's specific context. In this way, Shire City Consulting can position Pittsfield to achieve innovative solutions that most effectively address the concerns and issues that its residents face.

The literature review has been organized into three discussion themes that include development funding, increasing density, and vacancy issues. Organizing the research in this way has allowed our team to focus on the main concerns involved with the pro forma directive and generate recommendations that are in tune with Pittsfield's objectives and needs. The specifics within the discussion provide the insight needed to achieve effective solutions, while the broader analysis provides wider applicability and consistency across themes.

DEVELOPMENT FUNDING

In this section on development funding, our team reviewed literature pertaining to the processes and variables involved in land value, developer interest, and outside support that eventually decide a project's funding outcome. Ryan and Weber (2007) compare land value assessments in high-poverty areas of Chicago. Reichl (1997) shows that enlisting preservation language and project framing can reignite local support for development efforts. Finally, Wampler (2009) shows how public support is important to ensure a pro forma's adoption into the local legislation. These articles together begin to explore how to generate the development

funding and interest needed in Pittsfield's neighborhoods while preserving historical locations and structures.

Ryan and Weber (2007) examined the effect of design on the assessed values of new housing units in high-poverty areas of Chicago. Since most previous research has focused on New Urbanist communities, Ryan and Weber performed a parcel-based hedonic regression of housing values with three different urban design types: enclave (referring to low income neighborhoods), traditional neighborhood development (TND), and infill. They defined high-poverty areas as neighborhoods where at least 20% of the households were below the federal poverty line and collected construction permit data for housing units built within those areas between 1993 and 2001. Ryan and Weber found negative regression results for characteristics associated with enclave and traditional neighborhood development (both of which are associated with lots of parking and large setbacks), which indicates that these design types lower the assessed value of a housing development. Ryan and Weber concluded that integrating elements like front parking and street buffering (usually associated with infill development) both appealed to resident preferences and increased assessed property values.

Ryan and Weber's statistical examination of the relationship between development design types and property values supports the argument that supporting infill developments in neighborhoods can increase a development's final assessment. This study further supports similar findings reported in Shire City Consulting's Tax Yield Per Acre (TYPA) analysis (Chapter 8). This study shows that the role of aesthetics and design goes beyond qualitative factors, but also has quantitative validity. By focusing on low-income areas, Ryan and Weber demonstrated the need for higher standards of development if these areas are to be revitalized successfully. Since Ryan and Weber focus only on residential development, it would be useful for this framework to be applied to commercial properties.

Reichl (1997) discussed the use of revitalization context as a way of sparking and re-motivating urban renewal coalitions. Reichl examined New York City's "Great White Corridor," which directed commercial office development to combat urban decline in order to preserve New York's historic theater district. This combination of urban revitalization and preservation generated the public motivation necessary for the project's support. By gearing the project in this way, New York was able to preserve culturally significant buildings while pushing revitalization goals.

This article helps to expand understanding of the political implications of redevelopment and historic preservation efforts. Understanding how to generate public support is extremely relevant when discussing development funding. This article provides a clear perspective as to how this is achieved, giving a comprehensive review that can inform our team's recommendations. By generating more effective support through community-driven branding and focus, a project can increase its financial feasibility while better serving its community and end users.

According to Wampler (2009), due to the lower "political pay-off" associated with adopting pro forma and participatory budgeting measures, governmental policy officials have difficulty being motivated into adopting such measures. Instead, non-governmental policy advocates are seen to have greater success championing such a policy into fruition. Wampler also included other forms of innovative "good government" practices that struggle with adoption unless they have enough political motivation or public support backing them. His review provided critique on how to best implement innovative strategies and strengthens the argument for public involvement.

These articles cover a variety of aspects of project funding, including the importance of infill and generation of political and local support. These aspects all feed into the development of strong project funding and have implications for Pittsfield's development and use of a pro forma template. A strong template will be attuned and applicable to these areas and will better address the identified concepts. Ensuring that the use of the pro forma template generates sufficient support while remaining effective within different development contexts will allow it to be a more broadly applicable tool.

HISTORIC PRESERVATION & DENSITY

In this section on historic preservation and density, our team continues the discussion of preservation techniques as they pertain to the increased density and new development that is sometimes necessary for project financing. Mattson-Teig (2015) explores how a mill space that received little interest was initially preserved through use of the National Register seed funding. Ryberg-Webster and Kinahan (2014) reviewed the interconnectedness of preservation with urban planning facets. Stahl (2014) expands the discussion by reviewing the courts' disposition trend

between developers and project neighbors. Finally, Canepa and Resnick (2015) examine parking's effect on developable space.

Mattson-Teig's (2015) article on converted mill space describes the life cycle of a historic building in the city of Minneapolis. The old Pillsbury factory was originally slated for redevelopment shortly after production had been ceased. However, low interest from developers caused the property to remain abandoned for over a decade. The property site is within a historic district and protected by the National Register of Historic Places. As a result, the building was protected until for new developers to take ownership.

In their literature review, Ryberg-Webster and Kinahan (2014) examined the question of how historic preservation and urban revitalization are interconnected and what roles these fields will play in twenty-first century urban planning. The data the authors originated in the 1960s to 1990s. The authors categorized the literature categorized into four different discourses – “New American City,” place matters in economic and community development, anchor institutions, and legacy cities. The authors concluded that historic preservation and revitalization efforts are linked through economics, culture, and community needs, but the field suffers from isolation from the other facets of urban planning (e.g., economics, housing, transportation). Only by integrating revitalization efforts and sustainability with historical preservation can preservation efforts be effective in the future.

While extremely comprehensive, Ryberg-Webster and Kinahan fail to include literature that addresses the question of which land-uses to allow in order preserve historic structures. Ryberg-Webster and Kinahan seemingly assume that preservation for the sake of preservation is enough for revitalization, but fail to emphasize the fact that buildings need purpose in order be vital. Their research is especially good in stressing the importance of anchor institutions and legacy cities in historic preservation. Ryberg-Webster and Kinahan discuss how not only governments and nonprofit organizations, but also educational facilities, hospitals, and museums can play a critical role in efforts to preserve buildings. Although they alluded to a need for more inquiry in the area, Ryberg-Webster and Kinahan could explore in greater depth what types of preservation strategies are effective in legacy cities.

Stahl (2014) examined the trend of judicial court decisions that favored the developers' interests more favorably than a project's abutting neighbors. Stahl investigated how homeowners have fared when combating unwanted zoning changes in their neighborhoods. He distinguished

between homeowners who invest substantially into their properties (developers) and homeowners who desire to prevent neighboring development (neighbors). Stahl found that courts tend not to favor neighbors over developers because neighbors already have sufficient influence over the political process rather than the judicial one; therefore, they can protect their interests more appropriately through legislation, such as zoning ordinances. From these findings, Stahl suggested that the courts' protection of reliance interests, regardless of neighbor versus developer, is self-defeating because it reinforces racial and income segregation and because property values are determined by a complex system that extends beyond the control of local governments.

Stahl's analysis of homeowner concerns, both from people who wish to make improvements and those who fear certain land-uses that abut their property, goes beyond a discussion of NIMBY-ism and investment and speaks to American society's and government's bias toward single-family residential owners. Furthermore, his connection to previous studies that suggest widespread homeowner dissatisfaction with local land-use policies demonstrates that zoning's attempt to stabilize property values is futile. By calling for a radical shift in judicial favor toward reliance interests, Stahl exposed the legal flaws associated with supporting Euclidean zoning, thus calling for a radical shift in American land-use policies.

Canepa and Resnick's article (2015), discussed new requirements for development in relation to parking spaces. At times, the number of required parking spaces leads to underutilized space, which then leads to loss of money and potential development opportunities for the city. As Pittsfield implements new development strategies, discussions about parking will be necessary, especially if the City wants to encourage increased density. When looking at development models that promote increased density and intense land-use, this article presents an argument that addresses how to more effectively utilize developable space.

These articles give a better understanding of how to shift revitalization efforts to join with preservation goals and generate public support while addressing disinvested communities with better design objectives that help to increase assessed value. Understanding these concepts and how they relate to one another will help link the pro forma to these preservation and revitalization goals shared within Pittsfield's context. By increasing density and providing better design, the community can begin to establish more successful development patterns while combatting the negative perceptions within the community. By adjusting the pro forma and

recommendations to involve these concepts, Shire City Consulting can provide stronger solutions.

VACANCY ISSUES

In this section on vacancy issues, our team looked at strategies for rightsizing communities with shrinking populations. Hobor (2013) explores the effects of deindustrialization by comparing a number of communities within the rust belt. Hackworth (2015) then looks at the concepts of rightsizing and how cities adjust to declining populations. Finally, Schilling and Logan (2008) take a green infrastructure approach to addressing vacant parcels. These articles combined give a review of possible strategies and concepts that can help Pittsfield address vacancy within its surrounding communities.

Hobor (2013) examined the commonalities in how the local economies of the Rust Belt region's most and least successful cities have changed post-deindustrialization. By choosing medium-sized cities based around the original metal-workings corridor along I-90, Hobor created a "fuzzy set" classification system to sort legacy cities into eight different types based on population size, industrial concentration of employment in manufacturing, and concentration of manufacturing of employment in metals-based industries. Hobor used regression analysis of Metropolitan Statistical Area census data to track employment and demographic changes over the course of economic restructuring starting in 1970. Hobor found that cities were either stable, struggling, or devastated, and that larger Rust Belt cities stabilized through diversified manufacturers, while smaller medium-sized cities stabilized through specialized, old manufacturing in branch plants. He demonstrated the correlation between unsuccessful Rust Belt cities and the adoption of tourist-based, healthcare-based, or finance-based economies.

Hobor worked on showing statistically significant relationships between the factors affecting stable, struggling, and devastated Rust Belt cities that see vacancy. However, his comments regarding the healthcare industry as a business service need more substantiation. For example, Pittsburgh is one of the more well-known successful Rust Belt cities because of their investment in medical technology, so the differences in that case study compared to the cities Hobor researches must be clarified. In summation, Hobor's greater message of the difficulty of stabilizing these cities can only be accomplished through a diverse, multi-pronged approach that supplements the major manufacturing strategies he suggests.

Many postindustrial cities in the central and northern areas of the United States have had declining populations over the last several decades. Some cities such as Detroit, East Saint Louis, and Cleveland had lost more the half of their population since the middle of the twentieth century. After becoming familiar with these cities' "rightsizing" plans, Hackworth (2015) suggested that "austerity urbanism" was the best solution for overcoming this current trend. The author concluded that "rightsizing lacks the utopianism of urban renewal, and only superficially engages with the greening, housing, and participation goals outlined by rightsizing theorists" (p. 766). He also writes further, encouraging mixed-use and dense development.

Furthermore, Hackworth stressed how important it is to understand and identify what characteristics were causing people to migrate out of the city and causing the population to decline. It is important to keep in mind that "no two shrinking cities are identical" (p. 767). In other words, being able to identify the environmental, equity, and economic trends that were causing this to happen will help identify the major reasons for a city's population loss. These three variables align with the "three e's" of sustainability and lead into larger discussions of population retention and resilience.

Schilling and Logan (2008) examined the opportunities for transforming vacant parcels into green spaces, since current planning models do not offer a holistic approach to solving the problems associated with America's shrinking industrial cities. Using fieldwork data obtained through the National Vacant Properties Campaign (NVPC) and a synthesis of greening and vacant property reclamation programs in the United States, the authors developed a right-sizing model for shrinking cities. By using green infrastructure as the primary strategy for revitalizing these vacant properties, Schilling and Logan argued that surrounding property values will increase, there is potential for green sector job creation, and people's perceptions of the place will change for the better. Schilling and Logan concluded by showing that for any rightsizing strategy using green infrastructure to succeed, a community must gain public input, create a green infrastructure plan to connect these vacant properties in a holistic manner, and create land banks to finance and manager the initiatives. Implementing this model to solve some of the problems of shrinking cities requires a collaboration of academics, practitioners, and policy-makers to explore innovative design and land-use approaches, as well as establishment of a policy network to share experiences.

Schilling and Logan's model provides an innovative technique that shrinking communities can use to address the vacancy issues that have vast negative impacts on the character of the community. The authors provided a realistic framework for practitioners to execute this model by taking into account past examples and barriers to implementation. Their study is useful because it expands beyond the environmental benefits of green infrastructure and discusses societal, economic, and political impacts. Based on their studies, green infrastructure as a stabilizing tactic seems greatly underutilized, but highly effective.

By looking at these articles, one can begin to see the methods with which Pittsfield can address vacancy in both residential and retail sectors. Bringing these concepts to light along with the creation of the pro forma template will equip the City with the tools to better develop effective policy and address the vacancy rates within the surrounding neighborhoods. By diversifying manufacturing to stabilize communities, providing retail with resilience solutions, and allowing the City to shrink gracefully and effectively, Pittsfield can move towards a healthier and more prosperous future. Coupling this with the pro forma template will allow for enforcement and consideration of new development to fit within these goals.

OVERALL CONCLUSION

As this literature identifies, Shire City Consulting believes that Pittsfield can benefit from a pro forma that provides more information about project financing for proposed development projects. With pro forma knowledge, the City can implement stronger development codes that support the local community and increase values while also being sensitive to the developer's financial interests. Better understanding will ideally lead to more development that is financially successful and community-minded. In addition, awareness of outside funding sources from a broader context will allow for community investment in new and innovative ways while helping to build local relationships amongst various city stakeholders.

When discussing how to generate quality housing stock, encourage infill, and promote renovation, some of the major concerns revolved around projects funding. Our team's review of these processes has enhanced our recommendations' ability to not only seize more financial opportunity, but also ensure beneficial project financing. With the resulting financing strategies, projects will have better chance at creating dense development that combats vacancy.

Through increases in density, Pittsfield can see enhancements within its community that extend beyond the financial aspects. Again drawing upon design and partnerships, the discussion shifts to how this design can be used to generate beneficial development that integrates community objectives. As Pittsfield works to shift towards an 18-hour downtown, increased density will encourage a population increase that provides the required downtown vibrancy and activity. This, in turn, will contribute to better community perceptions and better financing for future projects.

When discussing density in the context of Pittsfield, it is apparent that the City can gain many benefits from new development that is implemented in denser patterns. Gearing this new development alongside preservation goals can help sustain Pittsfield's strong historic character while improving its tax base and economics. Much of the preservation literature pointed to the benefits of linking preservation efforts with other interests such as redevelopment and broader institutional stakeholders, while other literature explored the relationships of value with different development types.

The literature also delved into addressing vacancy issues in both retail and residential. Although the pro forma focuses on housing, our proposed pro forma template is modular enough to be applied within a commercial project, especially one that includes mixed use or other forms of commerce. The concepts outlined in the literature relate to other themes of density and funding while helping to inform our recommendations to provide solutions that create community resilience. We believe that understanding the factors in a pro forma will further assist in bringing in the healthy development that Pittsfield needs in order to combat the vacancy.

Vacancy issues within Pittsfield's neighborhoods contribute to the lack of investment and economic stress. The 2013 American Community Survey (ACS) census data estimates the owner occupied vacancy rate at 2.6% and the renter occupied vacancy rate at 5.7%. Factoring these rates into the pro forma will help us to generate housing that is financed in a way to withstand the projected vacancy. Understanding the factors that play into these rates, as well as the methods for dealing with vacancy, will also help our team's recommendations to better inform future policy.

DISCUSSION AND SWOT ANALYSIS

Shire City Consulting surveyed with local business associations to gain a better understanding of typical expenses and possible funding options while gathering additional relevant inputs. These identified inputs can be added and organized within the existing spreadsheet. From these inputs, the team has developed a model that estimates the development costs of local properties. With this model, the team has identified and evaluated the development costs of a number of Pittsfield's vacant lots and proposed a cost-sensitive redevelopment strategy. These proposals are outlined in the following recommendations and TYPA chapter below.

The strength of using a pro forma review during the development process is that it allows for evaluation of developers' return on investment, allowing for limited incentives to be targeted at the most deserving projects. By having a project's cash flow laid out and reviewed before permits are granted, more effective conversation can be created between the permitting authority and the developer. It allows for discussion of using the project's funding to achieve community goals and objectives while protecting and being sensitive to the developer's profit margins. In this way, proposals for additional revitalization amenities can be costed out and leveraged without sinking the project or hurting the developer.

One of the weaknesses when using a pro forma use is that it can be complex "under the hood." Although the pro forma is developed to be as user-friendly as possible, there are a number of formulas and linkages that work in the background to auto-populate values. Understanding the full extent of the cash flow may be difficult for the average user and may require some explanation. In addition, the pro forma is not very effective as a standalone product, but rather sees its full potential when paired with other planning methods such as design guidelines and site plan review.

When paired with Pittsfield's neighborhood loan programs, the pro forma sees the additional benefit of being able to leverage outside funding. Co-housing programs have seen some success in urban environments by bringing the development's end user into the process to help in decision making and financing. By pairing this process with city funding and incentives,

Pittsfield will have an easier time requiring use of the pro forma to evaluate the project's financing and protect investors.

The threat to pro forma use revolves around aggressive pursuit of profit. The template should not be used to push for project goals that make the end capitalization rate too small for the developer to see benefit in investing. Alternatively, a pro forma should not be used to evade complying with Pittsfield's zoning code. Keeping strong capitalization rates will entice the developer to invest while making them more likely to comply with the desired development objectives. Low capitalization rates will have the opposite effect and lead to poor investment and development practice.

The overall theme of this analysis is to use the template to build and enhance relationships rather than to detract from them. By laying out the cash flow, all parties involved can work to ensure financial compromise that allows everyone to leave the table satisfied. It allows the development process to protect the financial interests of the investors and developers while maintaining project viability and pushing for development objectives that will increase project success. Linking the project to outside interests and methods also sees the benefit of enhancing pro forma use and encouraging healthy development.

RECOMMENDATIONS

After reviewing this analysis, Shire City Consulting recommends a review a pro forma template within the city's permitting process. By providing the template and requesting its use, the City can benefit from more successful projects and new development. Linking the use of the pro forma with the Pittsfield Economic Development Authority will encourage the public involvement for which the literature has advocated as a critical component, as this organization is "quasi-public." Coordinating a number of tasks between this organization and city officials will further strengthen this government public bond while helping to ensure that regular updates retain accurate input values leading to more reliable projections.

In order to encourage new development, our team recommends that the city revise local regulations and standards to facilitate increased density and reduce or waive parking requirements when appropriate. By increasing the density and developable area of the parcel, the land becomes more valuable by generating more rent and taxes per acre. The tax generation

component of this topic is explored more thoroughly in the next chapter. Regulations that the city should specifically review are parking and lot line setbacks. Currently, excessive parking requirements consume valuable developable land without providing any significant benefits to the City or its residents.

Finally, as a low-cost solution to combat the negative perceptions that vacancy and empty store fronts are creating, our team recommends organizing a poster or arts campaign that fills the retail windows with desired types of development. Beyond enhancing aesthetic, this will encourage local discussion and thought about possible businesses that the City would like to attract. Again, linking this through quasi-public organizations and arts communities will help to generate public interest and involvement while generating stronger support. By commissioning local artists, the City can work to support the local economy while also introducing local vision into this component.

IMPLEMENTATION

6 MONTHS

- With input from the Department of Community Development, the Pittsfield Economic Development Authority should coordinate with the Downtown Business Improvement District and local artists to place full-sized posters in windows of vacant retail properties to identify desirable land-uses.
- The Permitting Coordinator should offer the pro forma as a voluntary/incentivized element to interested local developers who are seeking new permits.

1-2 YEARS

- The Department of Community Development should propose a zoning amendment to reduce parking requirements and increase density in targeted residential areas where increased growth and development is desired, such as around the downtown core.
- The Pittsfield Economic Development Authority should work with the Permitting Coordinator to investigate how to further integrate the pro forma template into the permitting process and apply it to commercial properties as well as multi-family properties.
- The Department of Community Development should develop a regular schedule for updating the pro forma with more current input values.

3-5 YEARS

- The Pittsfield Economic Development Authority should update and review the pro forma with current input values, additional modules and other desired inputs.
- The Pittsfield Economic Development Authority should revise the template to handle owner-occupied properties as a separate document.

CHAPTER 8: TAX YIELD PER ACRE (TYPA)

Shire City Consulting has created a framework to make Pittsfield's development processes clearer and more effective, as well as create more opportunities for the City to engage developers and other stakeholders in conversations regarding specific development projects. Not only will our team's recommendations have aesthetic and social benefits for the City, but through a Tax Yield per Acre (TYPA) analysis, they create the potential for the City to increase its tax revenue. The TYPA analysis will demonstrate that vacant lots generate a comparatively small amount of money for the City while advocating the direct benefits of well-designed, dense development. This analysis is a measure of soft tax generation and does not account for fiscal impacts that the development may incur such as traffic and infrastructure. The City should do a more thorough fiscal analysis when considering these options as our TYPA analysis represents a preliminary review. Furthermore, by encouraging the development of certain residential, commercial, and mixed-use in areas of the City through a context-specific permitted land-use, the City can generate increased revenue on smaller parcels.

Analyzing data based on tax yield per acre, as opposed to other metrics, demonstrates the most financially efficient way to develop a single acre of land. As of 2015, the tax rate for residential properties was \$18.06 and \$36.63 for commercial properties. In Pittsfield, the tax yield per acre is calculated as follows:

$$\text{TYPA} = [(\text{Assessed value of the parcel}) \times (\text{Tax rate}/\$1000)] / \text{Parcel acreage}$$

Another useful aspect of TYPA is the fact that it can demonstrate the benefits that come from integrating the community values identified in the 2009 Master Plan, such as “strengthen Downtown Pittsfield as a pedestrian friendly, vibrant, mixed use urban place” (CPMP, 2009, 111). Another major goal of the Master Plan was to raise the quality of the housing stock, while also providing a diverse set of housing options to attract various residents to the city. This TYPA analysis will support the argument for increasing the dwelling unit (DU) of certain locations in order to facilitate an 18-hour downtown.

TYPOLOGIES

Using building types that are already present within the City of Pittsfield, Shire City Consulting created an array of typologies (classifications based on general type) that demonstrate how different development models within local parcels will yield different tax revenues for the City. These chosen typologies vary in type, design, and density. The typologies provide a range of development types that can be combined to fit various development contexts. In this way, the typologies can be viewed as a “shopping list” that allows Pittsfield to tailor the TYPA model to neighborhood context. Figure 85 lists the tax yields per typology and the next sections provide details on each typology.

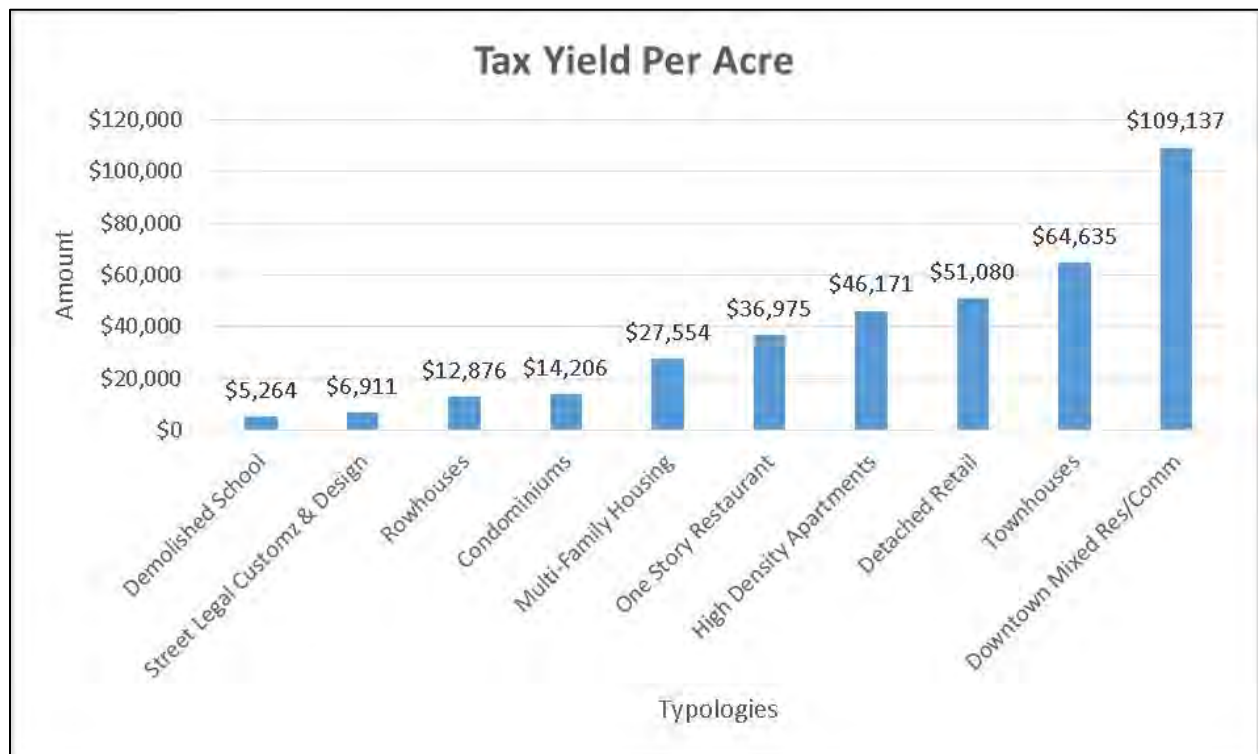


Figure 85: A Summary of Building Typologies

1. DETACHED RETAIL WITH DRIVE-THRU

The first typology is a common building type in Pittsfield, a Detached Retail Location with a Drive-Thru. Usually a fixture of fast-food restaurants, this typology is characterized by a one-story building with large setbacks and large swaths of often underutilized parking. The location used to represent this typology is a Dunkin Donuts restaurant located at 18 First Street, on the periphery of downtown Pittsfield. The annual tax yield is roughly \$51K.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$659,600) \times (\$36.63/\$1,000)]/0.473 = \$51,080.65$$



Figure 86: Typology 1 - Detached Retail with Drive Thru with a TYPA of \$51,080.65

2. ONE-STORY CHAIN RESTAURANT

The second typology is also formula retail inside of a stand-alone building that contains two restaurants. However, the One-Story Chain Restaurant typology lacks a drive-thru. The location used for this typology is the combination of Ben and Jerry's/Subway restaurants at 179 South Street. The annual tax yield is roughly \$37K.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$428,000) \times (\$36.63/\$1,000)]/0.424 = \$36,975.57$$



Figure 87: Typology 2 - One Story Chain Restaurant with a TYPA of \$36,975.57

3. RESIDENTIAL/COMMERCIAL MIXED-USE

The third typology is a commercial/residential mixed-use building that is typically associated with downtowns. The property chosen for this typology is the Howard Building, located at 67 Federal Street and is characterized by Classical Revival architecture. This was an adaptive reuse project of a former hardware store (established in 1916) and is listed on the National Register (National Register of Historic Places, 2014). Since this area is zoned as commercial, it is taxed as such. The building has three stories, no setback, and no associated parking. The annual tax yield is roughly \$110K.

$$TYP A = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYP A = [(\$718,050) \times (\$36.63/\$1,000)]/0.241 = \$109,137.64$$



Figure 88: Typology 3 - Mixed Residential/Commercial Use with a TYP A of \$109,137.64

4. TOWNHOUSES

The townhouse typology is multifamily residential. Located at 396 North Street, these housing units, called the New Amsterdam Townhouses, are a relatively new construction in the Scandinavian/Contemporary style. Although, there is sufficient parking within the development, the development provides a landscaped street front. The annual TYPA for this complex is \$65K, which is the highest residential typology.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$4,802,910) \times (\$18.06/\$1,000)]/1.342 = \$64,635.29$$



Figure 89: Typology 4 – Townhouses with a TYPA of \$64,635.29

5. MULTI-FAMILY RESIDENTIAL

Another residential housing typology is Multi-Family Housing Units. This three-story structure contains two separate units. It is built in the Colonial Revival style and is a renovated historic structure. It has a minimal front-yard setback. It is located at 85 Linden Street. Located on a very small parcel (0.07 acres), its annual TYPA is roughly \$28K.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$106,800) \times (\$18.06/\$1,000)]/0.07 = \$27,554.40$$



Figure 90: Typology 5 - Multi-Family Residential with a TYPA of \$27,554.40

6. CONDOMINIUMS

Another residential housing typology is Condominiums. These units are located at 255 Columbus Avenue. These buildings are characterized by relatively new construction in the Regency style. The relatively low annual TYPA of \$14K suggests that the amenities associated with these condominiums (large lot, open space, parking) may negatively influence tax yield.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$863,700) \times (\$18.06/\$1,000)]/1.098 = \$14,206.21$$



Figure 91: Typology 6 - Condominiums with a TYPA of \$14,206.21

7. HIGH-DENSITY MULTIFAMILY RESIDENTIAL

The High-Density multifamily residential typology is based on a senior living facility located at 176 Columbus Avenue. This building is characterized by eight stories constructed in a mid-20th century style. Although the aesthetic of this building is reminiscent of urban renewal, it is the one of the few examples of apartment complexes located near Pittsfield's downtown at this level of density. The annually TYPA for this development (roughly \$46K) is the second-highest residential typology.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$6,084,600) \times (\$18.06/\$1,000)]/2.38 = \$46,171.38$$



Figure 92: Typology 7 – High Density Apartments with a TYPA of \$46,171.38

8. MULTIFAMILY ROW HOUSES

The last typology is the Row House and it has the lowest annual TYPA of roughly \$13K. These housing units are characterized by Colonial architecture with parking behind the units. This typology is located at 74 Wellington Avenue.

$$TYPA = [(Assessed\ value\ of\ the\ parcel) \times (Tax\ rate/\$1000)] / Parcel\ acreage$$

$$TYPA = [(\$246,700) \times (\$18.06/\$1,000)]/0.346 = \$12,876.88$$

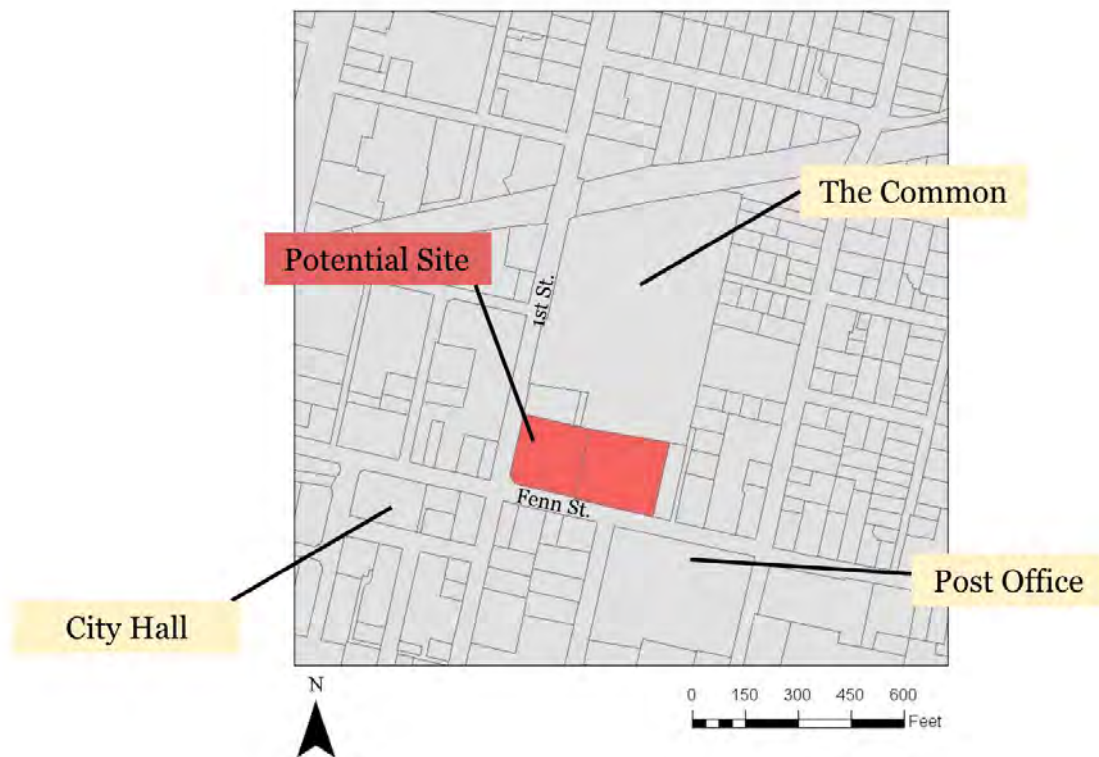


Figure 93: Typology 8 - Multifamily Row Houses with TYPA of \$12,876.88

REDEVELOPMENT SCENARIOS

For the initial TYPA analysis, Shire City Consulting utilized the vacant parcel (formerly the Plunkett Middle School in Figure 94) and the adjacent parcel, which contains Street Legal Customz Design. Currently, the Plunkett parcel, is vacant and the Street Legal site is a one-story retail structure with excessive parking. The parcel zoned General Business zone and maintain frontage on Fenn St. These sites are on the periphery of downtown and are surrounded by major amenities, such as the Post Office, the City Common, and Pittsfield City Hall.

Currently, the TYPA for the Plunkett parcel is \$5,264.52 ($\text{TYPA} = [(125,900) \times (36.63/1,000)]/0.876$). The TYPA for the Street Legal parcel is \$6,911.08 ($\text{TYPA} = [(207,540) \times (36.63/1,000)]/1.1$). Because of these low revenues, Shire City envisions increase development for these parcels.



Map 8: Site for Shire City Consulting's three redevelopment scenarios



Figure 94: Demolished Plunkett School

Applying the typologies previously discussed, Shire City Consulting created three redevelopment scenarios to demonstrate the potential these parcels have to benefit the City's character as well as its coffers.

SCENARIO #1: STRIP COMMERCIAL STATUS QUO

Table 12: TYPA comparison of Redevelopment Scenario #1

Redevelopment Scenario #1						
Typology	Total Assessed Value	Size (Acre)	Tax Yield	Average TYPA	Size within Redevelopment parcel (Acre)	Tax Yield (Redevelopment)
Detached Retail with Drive-Thru	\$659,600.00	0.473	\$24,161.15	\$51,080.65	0.88	\$44,746.65
One Story Chain Restaurant	\$428,000.00	0.424	\$15,677.64	\$36,975.57	1.10	\$40,673.13
Residential/Commercial Mixed-Use	\$718,050.00	0.241	\$26,302.17	\$109,137.64	0.00	\$0.00
Townhouses	\$4,802,910.00	1.342	\$86,740.55	\$64,635.29	0.00	\$0.00
Multi-Family Houses	\$106,800.00	0.07	\$1,928.81	\$27,554.40	0.00	\$0.00
Condominiums	\$863,700.00	1.098	\$15,598.42	\$14,206.21	0.00	\$0.00
High Density Apartments	\$6,084,600.00	2.38	\$109,887.88	\$46,171.38	0.00	\$0.00
Row Houses	\$246,700.00	0.346	\$4,455.40	\$12,876.88	0.00	\$0.00
					1.98	\$85,419.78
	Total Tax Yield	Total TYPA				
Redevelopment	\$85,419.78	\$43,228.63				
Current	\$12,175.60	\$6,161.74				
Difference	\$73,244.18	\$37,066.89				

The Strip Commercial Status Quo redevelopment scenario applies a typical formula development model to the parcel. Shire City Consulting chose this typology because a Dunkin Donuts was initially proposed for the site, but the special permit for a drive-thru was ultimately denied, thus putting the project in limbo.

The Strip Commercial Status Quo scenario demonstrates the tax implications had this project been approved. More importantly, this scenario demonstrates the financial implications of allowing formula retail so close to the downtown core.

- ✓ The Strip Commercial Status Quo scenario provides roughly \$86K in annual tax revenues (TYPA = roughly \$43K). This is nearly seven times the rate of the vacant parcel. This projected tax revenue is slightly more than a typical retail location due to the parcel's size (1.98 acres) as noted in Figure 95.



Figure 95: A Rendering of Scenario #1: Strip Commercial Status Quo

SCENARIO #2: MULTIFAMILY RESIDENCES

Table 13: TYPA Comparison of Redevelopment Scenario #2

Redevelopment Scenario #2						
Typology	Total Assessed Value	Size (Acre)	Tax Yield	Average TYPA	Size within Redevelopment parcel (Acre)	Tax Yield (Redevelopment)
Detached Retail with Drive-Thru	\$659,600.00	0.473	\$24,161.15	\$51,080.65	0.00	\$0.00
One Story Chain Restaurant	\$428,000.00	0.424	\$15,677.64	\$36,975.57	0.00	\$0.00
Residential/Commercial Mixed-Use	\$718,050.00	0.241	\$26,302.17	\$109,137.64	0.00	\$0.00
Townhouses	\$4,802,910.00	1.342	\$86,740.55	\$64,635.29	0.88	\$56,624.07
Multi-Family Houses	\$106,800.00	0.07	\$1,928.81	\$27,554.40	0.44	\$12,123.94
Condominiums	\$863,700.00	1.098	\$15,598.42	\$14,206.21	0.00	\$0.00
High Density Apartments	\$6,084,600.00	2.38	\$109,887.88	\$46,171.38	0.66	\$30,473.11
Row Houses	\$246,700.00	0.346	\$4,455.40	\$12,876.88	0.00	\$0.00
					1.98	\$99,221.12
	Total Tax Yield	Total TYPA				
Redevelopment	\$99,221.12	\$50,111.68				
Current	\$12,175.60	\$6,161.74				
Difference	\$87,045.52	\$43,949.94				

The Multifamily Residence redevelopment scenario demonstrates the impact of another goal of the 2009 Master Plan, which is encouraging a diversity of housing types in Pittsfield. Shire City Consulting applied three housing typologies to the parcels. Although Pittsfield's residential tax rate is half of its commercial tax rate, by increasing density, Pittsfield can earn greater tax revenue from residences than commercial development. In order to implement this scenario, the parcels would have to be re-zoned from General Business to allow for the development of residential land-use.

- ✓ The Multifamily Residential scenario provides roughly \$99K in annual tax revenues (TYPA = roughly \$50K). This is nearly seven times the rate of the vacant parcel. Please note that Figure 96 removes the Street Legal commercial use and provides several multifamily typologies.



Figure 96: A rendering of Scenario #2: Multifamily Residential

SCENARIO #3: RETURNING TO HISTORIC MIXED-USE DEVELOPMENT

Table 14: TYPA Comparison of Redevelopment Scenario #3

Redevelopment Scenario #3						
Typology	Total Assessed Value	Size (Acre)	Tax Yield	Average TYPA	Size within Redevelopment parcel (Acre)	Tax Yield (Redevelopment)
Detached Retail with Drive-Thru	\$659,600.00	0.473	\$24,161.15	\$51,080.65	0.00	\$0.00
One Story Chain Restaurant	\$428,000.00	0.424	\$15,677.64	\$36,975.57	0.00	\$0.00
Residential/Commercial Mixed-Use	\$718,050.00	0.241	\$26,302.17	\$109,137.64	0.75	\$81,853.23
Townhouses	\$4,802,910.00	1.342	\$86,740.55	\$64,635.29	1.23	\$79,242.87
Multi-Family Houses	\$106,800.00	0.07	\$1,928.81	\$27,554.40	0.00	\$0.00
Condominiums	\$863,700.00	1.098	\$15,598.42	\$14,206.21	0.00	\$0.00
High Density Apartments	\$6,084,600.00	2.38	\$109,887.88	\$46,171.38	0.00	\$0.00
Row Houses	\$246,700.00	0.346	\$4,455.40	\$12,876.88	0.00	\$0.00
					1.98	\$161,096.10
	Total Tax Yield	Total TYPA				
Redevelopment	\$161,096.10	\$81,361.67				
Current	\$12,175.60	\$6,161.74				
Difference	\$148,920.50	\$75,199.93				

The Historic Mixed-Use redevelopment scenario showcases the impact of one of the 2009 Master Plan's goals, which is to encourage mixed-use in the downtown area. Since this scenario generates the largest TYPA, there is strong evidence to support the argument that allowing and encouraging mixed-use is the best way for Pittsfield to increase its tax revenue. Furthermore, this scenario implements development density that is already present in Pittsfield. By encouraging density, Pittsfield will be able to generate more money on smaller parcels of land while also adding to the City's vibrancy. In order to implement this scenario, Pittsfield would need to define mixed-use in its permitted use table and re-zone the parcels to residential uses.

- ✓ The Historic Mixed-Use scenario provides roughly \$161K in annual tax revenues (TYPA = roughly \$81K). This is nearly seven times the rate of the vacant parcel. Please note that Figure 97 includes both townhomes as well as the historic mixed-use typology.



Figure 97: A Rendering of Scenario #3: Historic Mixed-Use Development

OVERALL SUMMARY

From these three redevelopment scenarios (e.g., Strip Commercial, Multifamily Residential, Historic Mixed-Use), it is clear that high-density development produce the greatest tax revenue for the City. Redirecting development practices away from the suburban model (Scenario #1) and towards Pittsfield's historic density (Scenarios #2 and #3) will help revitalize street life by bringing in more people, as well as helping the City generate a larger stream of income to pay for City services. To ensure regulatory cohesion, Pittsfield must vertically integrate its zoning policies with the visions for greater mixed-use development and more residential dwellings in downtown that were expressed in the 2009 Master Plan. Adopting the recommendations made in this report will help Pittsfield attain the vision of a vibrant, prosperous community.

FINAL CONCLUSION

SUMMARY OF RECOMMENDATIONS

Our client, the Pittsfield Department of Community Development, tasked Shire City Consulting with seven directives relating to development practices in Pittsfield. In response, our team has coalesced those directives into one cohesive vision that will clarify development processes and create more opportunities for engagement between the City, the community, and developers. Shire City Consulting's overarching recommendations is the creation of four Umbrella Districts: Downtown, Business/Industrial Collective, Gateway, and Residential. Recommendations from each directive will adhere to these four Umbrella Districts to ensure that Shire City Consulting's vision incorporates the many unique aspects of Pittsfield's neighborhoods. Our major recommendations include:

1. Establish three Gateway Districts: Commercial, Residential, Industrial. These will include aspects of design guidelines, signage, and public safety.
2. Reformat the permitted use table by creating zoning categories, addressing context-specific use groups, and defining undefined land-use.
3. Establish an Advisory Design Review Board Subcommittee that reviews proposals on developments, additions, and exterior renovations.
4. Stratify the site plan review process based on the Umbrella Districts and appropriate thresholds. Each Umbrella District will have major and minor reviews, the former done by the Community Development Board, with the latter done by the Department of Community Development.
5. Update the Sign Ordinance with context-appropriate regulations for the Umbrella Districts
6. Conduct a split parcel pilot project on the Tyler Street Corridor that will rezone parcels based on their frontage along Tyler Street.
7. Utilize the Pro Forma developed by Shire City Consulting to evaluate factors impacting development demand.

Taken together, these major recommendations, along with the other recommendations made, will embody a vision for Pittsfield as a vibrant community that welcomes appropriate development that will enhance economic and cultural renaissance.

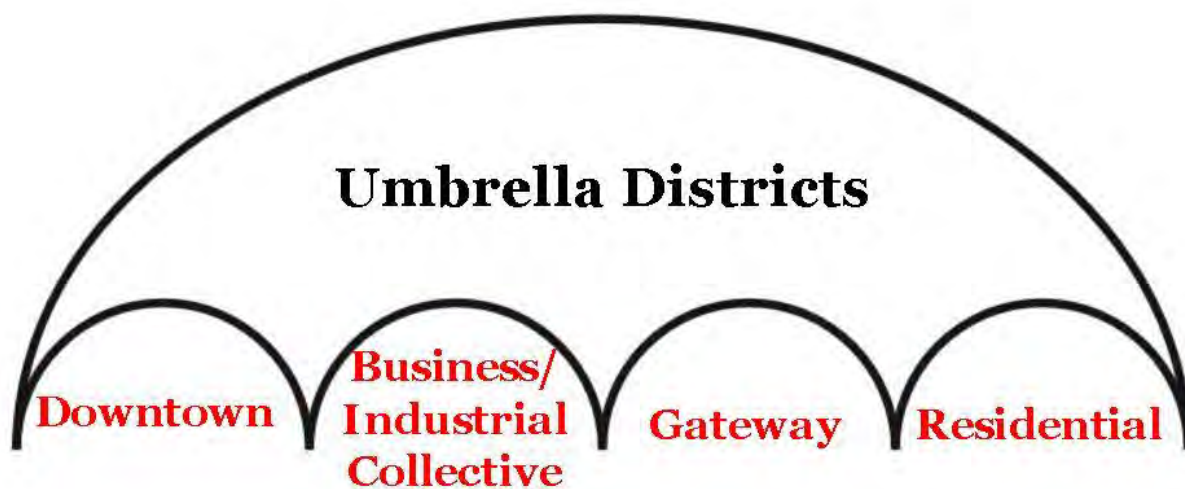


Figure 98: Umbrella Districts

CLOSING REMARKS

Pittsfield has made tremendous strides as a community in combatting the economic and environmental devastation left by GE's departure. Due to its rich cultural heritage and the drive and passion of its citizens, Pittsfield has been able to reshape its identity as an arts-based community and a retail center. In order to further propel the community into a vibrant future, Pittsfield needs to empower its citizens and maintain a cohesive vision of community values.

The routes to Pittsfield's renaissance lie not only in updating land-use regulations to meet the needs of the twenty-first century, but also in the hearts and spirits of its populace. As Shire City Consulting has studied each of the problems that face the community and the roots of those problems, our team has been introduced to an equally significant asset or resource that can be used to overcome those problems. Shire City Consulting steadfastly believes that Pittsfield has the potential to become a thriving community that welcomes new residents and visitors alike.

Pittsfield is ready for a renewed sense of strength, identity, and vitality. It is Shire City Consulting's hope that our analysis and recommendations provide the community with the tools

necessary to protect its heritage while fitting new development into its community character. Although the journey may be long and intensive, the route to success is clearly laid out.

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APPENDICES

APPENDIX I: ASSET MAPPING WORKSHOP RESULTS

This appendix contains the results of the asset-mapping workshop that Shire City Consulting held on October 8, 2015 at Pittsfield City Hall. The main purpose of this workshop was to engage with members of the community as well as town officials in order to reveal which parts of Shire City Consulting’s scope of work were most highly valued and which were considered high priorities by Pittsfield residents. Participants were divided into five groups, each of which were given a large map of one of Pittsfield’s gateways (Route 20 West Housatonic Street, Route 9, and Route 7/20 South Street), the downtown corridor, or the Tyler Street corridor. After a picture of each of the marked-up maps, there is a list that contains comments made by members of the public at each of the tables and the list of priorities for the areas decided on by the entire group.

[See attached documents]

APPENDIX II: COMMERCIAL INVENTORY OF MAJOR GATEWAYS

Data found in this appendix is an inventory of all the businesses within the gateways. The businesses were placed within four categories: local, regional, state, and national. The inventory contributes in understanding the overarching characteristic of the gateways.

[See attached documents]

APPENDIX III: MAPS OF PROPOSED GATEWAY DISTRICTS

This appendix contains maps of the five proposed gateway districts. These gateways are split into industrial, residential and commercial categories to fit the current use patterns. The colors highlighted show the extent of the district boundaries and parcels to be included.

[See attached documents]

APPENDIX IV: TABLE OF PARCELS WITHIN GATEWAY DISTRICTS

This appendix contains a table with the parcel information for each gateway district category. This retains the “OBJID” field for GIS identification of the proposed parcels. The table also contains the parcel addresses with the number and street split as well as combined for ease of identification.

[See attached documents]

APPENDIX V: PERMITTED USE DEFINITIONS

In this appendix, Shire City Consulting addresses each land-use that is located in Pittsfield's permitted use table. Our team searched the 2014 Zoning Ordinance for a clearly denoted definition of each land-use. If one was not found, the cell was marked with N/A. Shire City Consulting then completed the same task for each of the precedent communities. Once the initial table was complete with available definitions of each land-use from all communities, our team analyzed each land-use across the communities, recommending a next step for that specific land-use definition.

The four recommendations that will be found in this table are change term and/or definition (denoted with green), consolidate with another use (denoted with yellow), see six month implementation phase (denoted in blue), or leave as is (denoted in grey). If our team asked Pittsfield to change the term and/or definition used, Shire City Consulting suggested what the change should be based on the precedent communities' terms and definitions. If our team recommended that Pittsfield consolidate the land-use with another use, we suggested with which land-use to consolidate with. Lastly, when Shire City Consulting recommended to see six month implementation phase, Shire City Consulting asked Pittsfield to task an intern with doing more research on best-practices across the nation on a best-fit definition for Pittsfield.

[See attached documents]

APPENDIX VI: PERMITTED USE TABLE FORMATTING COMPARISON – PRECEDENT STUDIES

In this appendix, Shire City Consulting asks a number of formatting inquiries about each of the precedent communities' permitted use table and land-use definitions. This analysis was conducted in order to create best-fit recommendations for Pittsfield. Our team wanted to see such things as where zoning district definitions and land-use definitions were placed in the zoning ordinance or bylaw in comparison to the permitted use table, which needs these definitions to be easily accessible. Shire City Consulting also compared how each community displayed use groups within the permitted use table. Having a well-organized and clarified permitted use table and land-use definitions will be of benefit to the City.

[See attached documents]

APPENDIX VII: DESIGN ARCHITECTURE REFERENCE MANUAL

Pittsfield is a city of neighborhoods that are defined by many different architectural styles. To duplicate these styles and techniques in new developments, developers must have access to a reference manual designed by the city. In order to understand which architectural elements are represented within the specific neighborhoods of Pittsfield, the city should reference a database that has been constructed by a third party. The Massachusetts Cultural Resource Information System (MACRIS) is a database maintained by the Commonwealth of Massachusetts Historical Commission. This database is a comprehensive inventory of culturally significant properties and areas within the Commonwealth.

The MACRIS list is far from a complete list of architecturally (or historically) significant structures within the City; it does provide the initial documentation of these details that makes each neighborhood so unique. Part of the recommendations of our group suggests creating an RFP to hire on an architect that will be able to thoroughly assess the individual neighborhoods in greater detail. This assessment will further document in detail the architectural collective of the entire area. Together, this database and the architect's findings will provide a holistic tool which the city will be able to base their design guideline directives on. This table would demonstrate what such a reference manual would look like.

[See attached documents]

APPENDIX VIII: COLLEYVILLE, TEXAS: COMMERCIAL/INSTITUTIONAL BUILDING DESIGN FACTORS WORK SHEET

This appendix shows the Colleyville, Texas Commercial/Industrial Building Factors Work Sheet. This work sheet explains how developers can add design elements to developments in order to bypass architectural review in their commercial districts. This work sheet includes all five formulas in which the total points will be calculated. A development must acquire 30 points out of a possible 50 in order to bypass architectural review. If it has reached 30 points, it becomes part of the developer's application in order to get a building permit.

[See attached documents]

APPENDIX IX: SIGN REGULATION COMPARISON – PRECEDENT STUDIES

This appendix shows some of the notable points from the sign ordinances of the sample communities Shire City Consulting used as precedent studies. The regulations for each community are sorted based on whether they refer to number of signs, location and size of signs, illumination of signs, other design-related requirements, or the permitting process. They are further divided either by zoning district or by sign type, depending on how the community's ordinance was structured.

[See attached documents]

APPENDIX X: LIST OF SPLIT PARCELS IN PITTSFIELD

The team has placed the GIS unique identification (OBJECTID) and assessor's parcel identification number (MAP_PAR_ID). From the map object identification, then Pittsfield's Department of Community Development can then verify if it is industrial (Industrial), commercial (Commercial), residential (Residential) zoning, and then use the split column (Split1). Ultimately, Pittsfield should hire a GIS person to or at least a couple of GIS interns to start updating their land-use maps and their zoning maps with both of the object identification and parcel in the GIS database. There is a column called "AGI_COMMEN." In our search our team could not determine if this was created by the Department of Community Development or the City of Pittsfield Assessors Office. This will be an issue for someone to clarify in the future.

[See attached documents]

APPENDIX XI: SAMPLE PRO FORMA TEMPLATE

This appendix contains a pdf version of the pro forma workspace page with estimated values developed through interviews with local stakeholders. Included on the disk is the excel sheet version that is able to have the inputs (marked in blue) modified. The page will automatically calculate the new output values. When modifying the table it is recommended that a new save of the file be made to ensure the original is preserved.

Cash-on-Cash Min: "The main purpose of COCR is to identify how much cash you are putting into a project, and how much cash you are getting out. It is very efficient at measuring whether or not you are exceeding the opportunity cost of your money.

The formula is: $\text{Annual Cash Flow} \times 100 = \text{Cash On Cash Return (expressed as a percentage)}$ "

(Source: <http://www.theglobeandmail.com/life/home-and-garden/real-estate/cash-on-cash-return-is-the-lifeblood-of-investment-properties/article1378871/>)

Capitalization Rate: “A capitalization rate is the percentage of return from an investment when you divide the Net Operating Income (NOI) by the price you are paying for the property (e.g. you buy an investment for \$1,000,000 and the NOI is \$100,000 annually – the cap rate on this investment is 10%)

(Source: <http://www.annettecooper.com/cap-rates-vs-cash-on-cash-returns/>)

Discount Rate: The interest rate charged to commercial banks and other depository institutions for loans received from the Federal Reserve Bank’s discount window. The discount rate also refers to the interest rate used in discounted cash flow (DCF) analysis to determine the present value of future cash flows. The discount rate in DCF analysis takes into account not just the time value of money, but also the risk or uncertainty of future cash flows; the greater the uncertainty of future cash flows, the higher the discount rate. A third meaning of the term “discount rate” is the rate used by pension plans and insurance companies for discounting their liabilities. (Source: <http://www.investopedia.com/terms/d/discountrate.asp>)

Tranche: A piece, portion or slice of a deal or structured financing. This portion is one of several related securities that are offered at the same time but have different risks, rewards and/or maturities. "Tranche" is the French word for "slice". (Source: <http://www.investopedia.com/terms/t/tranches.asp>)

[See attached documents]

APPENDIX XII: TAX YEILD PER ACRE (TYPA) ANALYSIS

This appendix contains a table that contains the analysis Shire City Consulting conducted in order to determine the tax yield per acre (TYPA) of various developments throughout Pittsfield. Each column in the table contains either the name of the building, its address, what typology name Shire City Consulting classified it as, its assessed value gathered from the Pittsfield’s Assessor’s Office, the 2015 tax rate depending on if it is commercial or residential, and then the calculated TYPA using the formula:

$$\text{TYPA} = [(\text{Assessed value of the parcel}) \times (\text{Tax rate}/\$1000)] / \text{Parcel acreage}$$

The bottom two typologies (Demolished School and Street Legal Customz) are current buildings that occupy the redevelopment sites mentioned in Chapter 8.

[See attached documents]