

ROCHESTER 2034
ZONING ALIGNMENT PROJECT
COMMUNITY PARTICIPATION PLAN*

AUGUST 2020

Revised DECEMBER 2020



Rochester 2034 *Moving Forward*

PREPARED BY THE CITY OF ROCHESTER

***Subject to change**

Zoning Alignment Project (ZAP): Community Participation Plan

A. Project Background

Rochester 2034 was adopted unanimously by Rochester City Council in November 2019 with broad community support after a rigorous community engagement effort. Now, the community is tasked with implementing *Rochester 2034*! A key tool for implementing a comprehensive plan is the development and adoption of a Zoning Code and Zoning Map that align with the plan. Rochester's Zoning Alignment Project (ZAP) is the process through which the City will update its Zoning Code (Chapter 120) and develop a new Zoning Map to reflect the Vision, Guiding Principles, and Goals of *Rochester 2034*, and, more specifically, the Character Areas and Map outlined in the *Rochester 2034* Placemaking Plan.

The last comprehensive update to Rochester's Zoning Code and Map took effect on January 1, 2003. Since that date, there have been many incremental updates to both the code and the map. For the ZAP, some parts of the current Zoning Code and Map will not require substantial updating, while other parts will require complete modification in order to fully align with *Rochester 2034*.

In addition to alignment with *Rochester 2034's* Principles and Goals – some of which include expanding housing choices, increasing pipeline economic development opportunities, and creating an equitable development environment – additional goals of the ZAP include:

1. Modernizing the code to address current and emerging trends, like energy and sustainability;
2. Making the code more user friendly through heavier use of graphics and charts;
3. Reducing inconsistencies with the Building Code to make Building Permit review and Zoning approval more seamless;
4. Eliminating confusion by removing local code language where another unit of government already has jurisdiction; and
5. Reducing the likelihood for variances

The intent is for the ZAP to be a transparent process with community engagement at several points during the project schedule as described in the following sections. The ZAP will begin in the summer of 2020 and take approximately two years to complete. It is anticipated that an updated Zoning Code and Map will be brought to Rochester City Council for formal consideration and adoption in late 2022.

B. Role of *Rochester 2034* in Focusing Community Participation and Input

Rochester 2034 was developed with input from nearly four thousand community members over a two-year period that included:

- Sit down community engagement meetings with over 50 neighborhood groups and more than 100 stakeholder agencies and organizations
- Nearly 50 outreach events and “pop-ups” at the Public Market, libraries, R-Centers, public housing communities, Settlement Houses, social service providers, Foodlink mobile markets, the Celebrate City Living expo, local colleges and universities, and other community-based venues
- An online survey in English and Spanish (also available in paper)

Rochester 2034 is codified in Chapter 130 of Rochester City Code and provides specific direction to inform the ZAP. §130-5D. Placemaking Plan, reads:

The Placemaking Plan, Initiative Area 2 of *Rochester 2034*, shall inform an update to the Zoning Code and Map, as codified in Chapter [120](#) of the City Code, as well as future projects, programs, and policies related to community development, including, but not limited to, transportation, community building, parks and recreation, and arts and culture. The approximate boundaries and land use categorization of the Character Areas depicted on the Placemaking Plan Map shall guide any updated Zoning Map. The permitted uses and associated dimensional requirements of any updated Zoning Code shall be consistent with the general vision and objectives expressed in the Character Area descriptions and associated imagery, as well as other principles and recommendations expressed throughout the Initiative Area.

As such, elements of the updated Zoning Code and Map that are already directed by the adopted Character Area descriptions and Map in the *Rochester 2034* Placemaking Plan *will not be subject to a new round of public input through the ZAP*. The community has already accomplished the hard work of figuring out some of the difficult land use and zoning issues that will be implemented through the updated Zoning Code and Map. The focus of community participation and input for the ZAP will be on text, use, or design changes to the Code that go beyond the direction provided in *Rochester 2034*, as well as the more detailed parcel-specific mapping needed for new zoning district boundaries to complete a new Zoning Map.

C. Overview of Community Participation and Input

There will be four main phases for community participation and input for the ZAP:

ZAP Participation and Input Phases	Anticipated Timeframe
Draft Zoning Code text development	Fall 2020 - Fall 2021
Zoning Map development	Spring 2021 - Fall 2021
Public Workshop(s)	Late 2021 - Early 2022
SEQR process	Late 2021 - Summer 2022
City Council approval process	Fall - Winter 2022

The Rochester City Planning Commission (CPC) will serve as an advisory board across the entire process through a series of at least 7 meetings – three (3) Briefings and four (4) Informational Meetings – at key points across the two-year ZAP timeframe. This ensures regular check-in and feedback from the CPC, as well as regular opportunities for any interested community member to participate and share their thoughts. The CPC will help to facilitate input and revisions for the Zoning Code text and Zoning Map development phases. After the SEQR process is complete, the CPC will make a formal recommendation, as required by §12-13 of the City Charter, to City Council about whether to approve the final updated Zoning Code and Zoning Map.

The Rochester Environmental Commission (REC) will help to facilitate the SEQR process. It will hold three meetings in the spring and summer of 2022 – one (1) Public Hearing and two (2) meetings – about the Draft and Final Generic Environmental Impact Statement, and make an advisory recommendation, as required by §12-12 of the City Charter, about whether to approve the updated Zoning Code and Map.

The final decision to adopt the updated Zoning Code and Map lies with Rochester City Council, which will conduct a public hearing as part of their decision making process. It is anticipated that the updated Zoning Code and Map will be put before City Council for formal action in late 2022. If adopted, the updated Zoning Code and Zoning Map will be codified in Chapter 120 of City Code.

D. Detailed Description of Community Participation and Input

The Rochester City Planning Commission (CPC) will serve as an advisory board across the entire process and through a series of at least 7 public meetings at key points that lead up to a formal recommendation by CPC to City Council of whether to adopt the new Zoning Code and Zoning Map:

- Three (3) will be Briefings that are held as part of the regular monthly CPC calendar, where the public can listen as the project team provides updates and CPC members respond with feedback and direction on next steps. While the public can only listen at these meetings, written comments can be provided to the City following the meeting.
- Four (4) will be specially organized public Informational Meetings where the public can also speak and provide live input to the project team.

Through the first six (6) meetings, the CPC will help to facilitate input and revisions for the Zoning Code text and Zoning Map development phases. After the SEQR process is complete, the CPC will hold its final public Informational Meeting, where it will take public comments and make a formal recommendation to City Council regarding action on the updated Zoning Code and Zoning Map. See Section E below for more information on the reasons the CPC was selected to be the advisory board for this project. The detailed schedule of CPC meetings is below.

CPC Public Meeting Topic	Timeframe*	Briefing or Informational Meeting
Project overview, schedule, CPC role, community input summary	Summer 2020	Briefing
Introduce selected consultant team and scope	Fall 2020	Briefing
Present summary of key Zoning Code changes proposed	Winter 2021	Informational Meeting
Present revised summary of key changes proposed	Spring 2021	Informational Meeting
Present draft Zoning Maps to be discussed at public workshops	Summer 2021	Briefing
Present revised draft maps based on workshop feedback	Fall 2021	Informational Meeting
Review final Code, Map, and Final GEIS and make recommendation to Council	Summer 2022	Informational Meeting

**Note that the timing of public engagement events may be subject to COVID-related restrictions.*

The first phase of ZAP community participation will begin with revised Code development in the fall of 2020. There will be a series of stakeholder meetings held over approximately two (2) months that generate input on objectives laid out in *Rochester 2034* and specific ideas from particular stakeholder needs and perspectives. At a minimum, these meetings will engage the types of stakeholder organizations listed as partners for the ZAP in *Rochester 2034* – Neighborhood groups (e.g., MNBN, Neighborhood

Presidents), Business community (e.g., Business Association Presidents), Community groups (e.g., Urban Ag Working Group), and Developers (e.g. Affordable Housing Roundtable).

The project team will use *Rochester 2034*, staff knowledge, the consultant's national expertise on zoning best practices, and the input from diverse stakeholder perspectives to draft new Zoning Code text. A summary of key changes proposed for the draft Zoning Code will be presented at a specially organized CPC Informational Meeting sometime in the winter of 2021, where the general public can also attend and comment live. Based on the input received at the first Informational Meeting, key changes proposed for the draft Zoning Code text will be revised and presented at a second Informational Meeting with the CPC and general public a few months later in the spring of 2021.

The second phase of ZAP community participation will focus on Zoning Map development. We will present a series of draft Zoning Maps in a Briefing to CPC as part of their regular monthly schedule or as part of a special meeting in the summer of 2021. In addition to briefing CPC on these maps and receiving their input, a mapping workshop will be held in each of the City's 12 data divisions¹ to receive more detailed input from community members with deep knowledge of these different parts of the City. Outreach for these workshops will attempt to target residents and stakeholders that live, work, and serve these specific areas. Workshops will tentatively be held over the summer, but may be rescheduled depending on COVID-related restrictions. Revisions will be made after the mapping workshops are held and updated Zoning Maps will be brought back to present to CPC and the general public at a special public Informational Meeting in the fall of 2021.

The City will prepare a draft Generic Environmental Impact Statement (GEIS) in accordance with the New York State Environmental Quality Review Act (SEQR) regulations and Chapter 48 of the City Code. The GEIS will contain a generalized discussion of the existing setting, background, and rationale for the proposed Zoning Code text revisions and Map, including a discussion of alternatives that were considered. SEQR and Chapter 48 of the City Code include prescribed public input opportunities, including an opportunity for the public to comment on the draft scope (GEIS outline) and a public hearing on the draft GEIS.

In addition to the formal SEQR process, there will be a second series of public workshops after the Draft GEIS is released. These are anticipated to be in late 2021. At these workshops, there will be further opportunity to discuss the revised draft map with the project team, as well as opportunities to discuss the various sections of the updated zoning code.

The comment period for the Draft GEIS will remain open for several months and will include a public hearing with the Rochester Environmental Commission (REC). At the conclusion of the public review period, the City will work with REC to summarize and report on all comments received and prepare a final GEIS. It is anticipated that the final GEIS, along with final version of the draft Zoning Code and Map, will be released in the summer 2022, at which point the REC will make a recommendation of whether or not to approve. REC meetings are open to the public.

¹ Data Divisions are geographic divisions used internal to City Hall for the purposes of data analysis. Since they provide reasonably sized areas for analysis, staff decided to use the boundaries to break up the City geography for map analysis as well.

After the Final GEIS, and final draft of the Zoning Code and Map are released, a special CPC public Informational Meeting will be conducted in late summer or early fall of 2022, followed by the CPC making a formal recommendation to City Council on whether or not to approve the updated Zoning Code and Map.

We anticipate bringing the final draft of the new Zoning Code and Map to City Council for consideration and formal adoption in late 2022. A public hearing will be held before City Council the month that this legislation is brought for Council's consideration.

E. Explanation of Rochester City Planning Commission Role

The Rochester City Planning Commission (CPC) will serve as an advisory board for the duration of the process and will host a series of at least 7 public meetings – three (3) Briefings and four (4) Informational Meetings – at key points across the two-year ZAP timeframe. This ensures regular check-in and feedback from the CPC, as well as regular opportunities for any interested community member to participate and share their thoughts. The CPC will help to facilitate input and revisions for the Zoning Code text and Zoning Map development phases and, after the SEQR process is complete, will make a formal recommendation to City Council about whether to approve the final updated Zoning Code and Zoning Map.

There are a number of reasons to use the CPC in this role, rather than assembling and appointing another group to do so:

1. Takes advantage of an existing organizational structure that is already in place, codified, and subject to NYS Open Meetings Law
2. Has jurisdiction and authority with respect to Zoning Code and Map changes and the City's Comprehensive Plan
3. Has training and working knowledge on a range of planning and zoning issues specific to Rochester's existing Code
4. Is demographically and geographically diverse (includes at least one representative from each City Council district) and all are city residents
5. Is diverse in professional background and expertise, including land use, real estate, and architecture
6. Functions as an independent board, with members jointly appointed by the Administration and City Council