

# ROME

*Re-Tooling Rome for Smart Growth*

## *Findings Report*

*Prepared by Camiros*

\* NYSERDA has not reviewed the information contained herein,  
and the opinions expressed in the report do not necessarily  
reflect those of NYSERDA or the State of New York.

*SEPTEMBER 2015*

..... *This Page Intentionally Blank* .....

## *Contents*

Introduction.....	1
Sustainability Policies.....	2
Organization of Amendments .....	2
Key Findings .....	5
Zoning Districts .....	5
Use.....	10
Planned Development.....	12
Site Development .....	13
Off-Street Vehicle and Bicycle Parking .....	16
Administration.....	19
Subdivision Regulations.....	19

..... *This Page Intentionally Blank* .....

# Introduction

The term sustainability is often used in reference to environmental factors. Yet community sustainability, the ability for city investments and private development to provide a high quality of life for residents now and into the future, is much more than that. A sustainable community is one that contains a land use pattern that fits and encourages the particular economic and lifestyle needs of its residents. It is one that accommodates a host of transportation modes, scaled to the needs of the community. And it is one that enables environmentally-sound development practices, reducing urban heat islands through parking lot landscape, allowing solar panels and wind turbines, and permitting community gardens and specialized food processing to expand access to locally grown, healthy foods. It increases transportation choice by requiring bicycle parking, encouraging more dense development near transit, requiring the provision of pedestrian access to new development, and linking development proposals to the provisions of appropriate capital improvements. Finally, it provides the opportunity and the tools to protect the city's natural resources. With these considerations in mind, planning and zoning practices must be re-evaluated to assure that they support, encourage, and contribute to a sustainable and high quality of life.

To address sustainability, it is important to recognize that a change in one policy or regulation may inadvertently affect another. For example, accommodating parking may lead to over-paving and increased runoff. Accessory structure and use regulations may restrict renewable energy devices and other eco-initiatives. Uses are separated so that it becomes infeasible to walk from home to the store. These requirements were not established to create conflict or purposefully increase energy demand. They resulted from trying to meet specific community goals within a narrow focus. Therefore, planning policy and zoning regulation needs to be comprehensive in addressing all aspects of quality of life, and cognizant of any unintended consequences it may create. A sustainable master plan and zoning ordinance need to reach beyond environmental systems to consider how land use policy and regulation affects factors such as:

- Accommodating alternative energy sources
- Increasing walkability and encouraging alternate modes of transportation, including biking and public transit
- Allowing for local food production and access to healthy foods
- Ensuring use mixes and siting standards within districts that reinforce sustainability
- Creating well-connected, full service neighborhoods
- Requiring proper landscape and stormwater management

One way to make this assessment is to undertake a sustainability audit. The audit reviews both the plan and the ordinance as a whole, and assesses the roadblocks and omissions to sustainable development by uncovering policies and regulations that can be labeled unsustainable. The principle at the core of such an audit, which is the intent of this Report, is that policies and regulations should require, allow, or incentivize a variety of sustainable development techniques at the building and neighborhood level, improve opportunities for renewable energy, and incorporate standards that take advantage of existing resources. This Report is structured around the following goals:

- Reduce barriers to sustainable and energy saving development techniques.
- Create incentives for new development, as well as flexibilities for the retrofitting of existing development, to incorporate more sustainable development techniques.
- Set standards that for these techniques that make permissions clear and address potential impacts.

In addition, it is important to note that Rome is part of the larger region's sustainability goals. The Mohawk Valley Regional Sustainability Plan addresses sustainability comprehensively with goals, indicators, and targets for economic development, transportation, land use and livable communities, water management, materials management, energy, and agriculture and forestry. In updating the Master Plan and Zoning Ordinance, Rome will touch upon all these categories in planning policies as well as in zoning regulations.

The Mohawk Valley Regional Sustainability Plan has identified a number of indicators used to achieve sustainability goals. This Findings Report has also used these as a guide in the sustainability audit of Rome's policies and regulations. These include:

- Land use policies and zoning districts would encourage and facilitate mixed-use and LEED-ND development. This includes standards that require multi-modal connections.
- Planning policies and zoning regulations to protect and preserve agricultural land.
- Planning policies to encourage connections to local food production and more easily facilitate the set up of farmers markets and similar access to local food.
- Use permissions for renewable energy on both the private and commercial scale.

This Report serves as the drafting directions for Comprehensive Plan additions and Zoning Ordinance revisions. The intent of the Report is to gain general consensus on the revisions proposed and identify any issues that may have been unintentionally omitted. This Report is general in nature, as the details of the specific requirements and regulations will need to be worked out in the drafts of the language. The next step, based on the consensus achieved, is to prepare a preliminary draft of revisions to the Comprehensive Plan and Zoning Ordinance for review.

## *Sustainability Policies*

To reinforce sustainable development practices implemented within the Zoning Ordinance, the Comprehensive Plan should include a sustainability appendix that connects these actions to sustainability policies. For the purposes of this Report, these policies and objectives are outlined for each of the individual subsections of "Key Findings" below.

## *Organization of Amendments*

Once consensus is achieved on the revisions presented in this Report, we will include amendments to both the Comprehensive Plan and the Zoning Ordinance. The following outlines how this will be done:

**Comprehensive Plan:** The Comprehensive Plan is currently organized with a series of appendices that address specific issues such as community profile and historic preservation. Sustainability objectives determined through this process should be added to the Plan in a new appendix for sustainability (Appendix F).

**Zoning Ordinance:** We will undertake a reorganization of the current Ordinance to facilitate ease of use. Reorganization of the entire Ordinance is a more efficient alternative than incorporating amendments into the current structure. The following is proposed for the Zoning Ordinance structure:

- **Section 1:** Title, Purpose, and Applicability
- **Section 2:** Definitions
- **Section 3:** Zoning Districts
- **Section 4:** Natural Resource Districts
- **Section 5:** Residential Districts
- **Section 6:** Commercial Districts

- **Section 7:** Industrial Districts
- **Section 8:** Special Purpose Districts
- **Section 9:** Uses
- **Section 10:** Development Standards
- **Section 11:** Off-Street Parking and Loading
- **Section 12:** Landscape
- **Section 13:** Signs
- **Section 14:** Planned Development
- **Section 15:** Ordinance Administrators
- **Section 16:** Application Procedures
- **Section 17:** Zoning Application and Approval Processes
- **Section 18:** Nonconformities
- **Section 19:** Enforcement

Historic Preservation: We will also work with the City to begin the process of listing Rome's Historic District within the State and National Registry of Historic Places. This would benefit building owners within the district with eligibility for residential and commercial rehabilitation tax credits, enhancing the desirability of living within the district.

..... *This Page Intentionally Blank* .....

# Key Findings

## Zoning Districts

### ➔ Sustainability Policies

The zoning districts should reflect existing on the ground conditions and future development policies. For existing residential neighborhoods and commercial areas, the proper dimensional and design standards will help to facilitate investment in existing homes and neighborhoods, and encourage the local economy, respectively, by eliminating special approvals, out of date standards, nonconformities, eliminating conflicting info currently found in the Ordinance including revisions that eliminate frequent variances, and reducing excessive parking requirements. As is often said, the greenest structure is one that already exists.

Further, proposed new districts would specifically help to implement sustainable land use policies. These include:

- Agricultural districts to prevent development incompatible with agriculture and protect farmland from encroachment of incompatible uses.
- Open space districts to preserve active recreational areas and natural areas. Open space districts would also help to connect the City's greenway system both internally and to the larger region where appropriate.
- A waterfront district that guides development so that physical and visual access to the waterfront is maintained and the types of development occurring there are appropriate. These districts can be linked to a recreation areas map within the Comprehensive Plan.
- A neighborhood redevelopment district to facilitate large-scale development in a sustainable manner in line with principals such a LEED Neighborhood Development and similar systems. This would allow redevelopment of large areas like Park Drive Estates/Wright Park Manor in a mixed-use sustainable way.

While the Ordinance would contain the standards for these districts, the Comprehensive Plan would speak specifically to their land use implications and serve to further reinforce the purpose of each.

### Residential

***The dimensional requirements for the residential districts should be adjusted to reduce nonconformities for existing structures and eliminate the need for variances to build on vacant lots.***

The current residential zoning districts should be reviewed to ensure that the districts reflect the established development patterns and link to development policies. There may also be an issue with current dimensional requirements that have created development difficulties. If the dimensional standards don't match current development patterns, this limits owners in the ability to make improvements to their properties, makes reconstruction of or alterations to existing properties difficult, and causes significant problems in obtaining financing if the structure or lot is nonconforming.

- Preliminary analysis of the City's residential zoning districts indicates a number of areas where adjustments may be desirable, primarily related to the lot area and setback requirements of the current districts. An initial sample of lots in the R-1 district indicates that only 45% of lots are conforming based on the current lot area requirement of 10,000 square feet. Further, there are significant areas of substandard R-1 lots to the east of Black River Boulevard and north of Bloomfield Street. This is an indication that the R-1 may require some recalibration to accommodate established

development patterns in the inside district, or that a new district may be needed to address the development pattern within this area. An “R-1A” district, if desired, could accommodate lots that are smaller than the required R-1 lot area, but significantly larger than the predominant pattern of R-2 development within the City.

- Similarly, lot width within the R-1 may need to be re-evaluated to ensure that dimensional standards are in-line with existing development patterns. Analysis indicates that the median lot width in the R-1 district is 60 feet, ten feet less than the current required width. Currently, 45% of lots sampled conform to the 70 foot requirement in place now. If this standard were lowered to the median calculated value of 60 feet, 100% of lots sampled would come into conformance.
- Initial impressions indicate that the City’s other residential districts would benefit from similar revisions. The front yard requirement in the current R-2 district, for example, is set at 20 feet minimum. There are a significant number of lots that do not meet this standard, including some areas within the City that approach a 0 foot front yard. Adjusting the front yard standard to a percentage of lot depth for the R-2 district would help alleviate a good deal of the nonconformity and give homeowners increased flexibility to develop or improve homes on shallow lots.
- Further, it may be beneficial to re-evaluate current lot coverage requirements within the City’s residential districts, and to include a new standard for maximum impervious surface. Including a maximum impervious surface requirement helps to ensure that sites maintain adequate open space for infiltration and to reduce runoff. Including a maximum impervious surface requirement can also encourage the use of permeable surfaces or other creative site development solutions.
- Certain areas in the City exhibit irregular block structures with corner lots, reverse corner lots, and through lots in certain cases. The current provision that allows a property owner to select the side and rear yards on a corner lot may need to be adjusted or clarified to ensure consistency in development throughout these areas. Further, it may be beneficial to move to a “street yard” standard to simplify application of the setback standards on corner, reverse corner, and through lots. A street yard would supplant the front yard standard, and would be defined as any yard abutting a public right-of-way, excluding alleys.
- Permitted densities for multi-family and townhouse developments should be analyzed to ensure that current requirements are not restrictive and maximize the development potential of properties to allow for a diverse range of housing stock. This density analysis will include evaluation of compatibility with adjacent lower density areas as well as linkages to design standards to ensure high quality development.

***The current design guidelines for multi-family structures should be enhanced.***

The quality of new development influences perception about the City, for residents, business owners, and visitors. Section 80-5.9 of the current Ordinance contains multi-family design guidelines; these can be supplemented with additional specific standards that make them more objective in administration, and elicit the type of development the City desires. Multi-family dwellings can occasionally be a source of concern for neighboring residents due to the increased density and building design that may not fit neighborhood character. Clear design standards can help to mitigate such frictions as multi-family development becomes more predictable in character. These should also be expanded to include attached single-family dwelling design standards.

***Residential conversions should be considered in select areas.***

One permission that should be considered is the conversion of older large single-family dwellings, such those within the historic district, into multi-unit residences. The benefit to such permissions is that it allows for owners of large homes to continue to maintain the structure because of additional income and encourages the preservation of these buildings. However, conversions do increase the density of neighborhoods initially designed as single-family. One approach is to create standards that allow for conversion in specific instances. First, it would need to be determined in which specific districts this should be allowed. Then standards would be set based on lot size and unit size to determine where this could happen, as well as ensuring the proper amount of parking is provided. The intent is to limit this to only larger structures in select districts only with very specific standards for conversions.

## **Commercial**

### ***Dimensional standards for commercial lots within the commercial districts should be evaluated and potentially revised to facilitate development on shallow, odd-shaped lots.***

In order to encourage local economic development, the dimensional standards for commercial districts should acknowledge the difficulties posed by existing lot configurations. While no minimum lot size is required, setback requirements, in particular side and rear, and the limitations on lot coverage may put unnecessary constraints on new development. One approach to make these regulations more flexible is to make them more contextual, such as whether the abutting use is residential or non-residential. Such type of control is currently in place – one based on adjacent uses – in determining side or rear setback with additional limitations based on height. However, based on lot size limitations, this may be too restrictive. In addition, the expansion of the area of the Erie Boulevard commercial district will be evaluated.

### ***It is recommended to remove maximum development size in the Ordinance.***

Currently, the Ordinance includes limitations on the size of development in certain districts. This creates conflicts; for example, though it is intended to allow larger scale, mixed-use development, the C-2 District actually allows less square footage (gross floor area) than the C-1 District. This is an older zoning technique that can lead to nonconformities and variances, and should be eliminated. If the issue is scale and character within districts, this can be accomplished through building dimensional and siting standards and basic building form controls.

### ***It is recommended to eliminate hours of operation.***

Regulating hours of operation within the Ordinance can create difficulties for businesses; in order to modify those hours, approval of a variance is required. It is recommended to eliminate hours of operation from the Ordinance. Hours of operation should generally be tied to licensing or required permits, or in the case of uses that require special approval, hours of operation can be made a condition of approval. This would allow for a more tailored approach that balances the needs of the business and the concerns of neighboring areas. Removing hours of operation also serves to encourage economic development, as it creates a more attractive environment for business because the burden of unnecessary limitations is removed.

### ***The current design guidelines for commercial structures should be enhanced.***

Like the multi-family design guidelines discussed earlier in this Report, the current Section 80-5.8 can be supplemented with specific commercial design standards that make them more objective in administration and more specific regarding desired development forms.

## **New Districts**

### ***Open Space and Natural Areas Districts***

An Open Space District would be assigned to active and passive public recreation areas, primarily parks and playgrounds. A Natural Areas District would be targeted to natural environments where development would be severely restricted, allowing only certain low impact uses, such as nature trails. These types of districts offer two benefits. The first is that the only uses allowed within the district are related to recreation or preservation, as applicable. This allows the City to address uses of particular concern to these areas such as private campgrounds, accessory storage sheds, and seasonal uses. The second is that, if someone desired to change to the larger land use of that area, a rezoning is required, allowing the City control over the future land use of that parcel.

### ***Agricultural Districts***

It is recommended that the agricultural resources of the City be protected through zoning districts. However, not all agricultural areas are the same – some areas are appropriate for purely agricultural activities while others benefit from allowing compatible non-farming uses. Therefore it is proposed to create two districts – an AG District for agricultural preservation with a larger lot size (40 acres) and an AG-1 District for areas where agricultural uses have mixed with other non-farming but compatible uses with a smaller lot size (2-5 acres).

These districts would be a refinement of the current F-1 District.

- An AG Agricultural District is proposed that will function exclusively to protect farmland from encroachment of non-agriculture uses. The only uses allowed would be agriculture related. This would also allow the City to address those issues unique to agricultural areas, such as accessory uses like farmstands and U-pick opportunities, banquet/event facilities, and seasonal events like pumpkin patches, hay rides, or corn mazes.
- An AG-1 Agricultural Business District would be targeted to select areas where agriculture-related businesses and farming have mixed. This district would be a mix of agricultural uses and higher intensity businesses that support agriculture, such as light industrial uses, like slaughterhouses and processing plants, and heavy commercial uses, like feed stores and heavy equipment sales and rental.

### ***Waterfront District***

A waterfront district can be created to facilitate development along the river that maintains views and access to this valuable asset. Site design is the key aspect of regulation. The special aspect of waterfront zoning regulation should address how the structures are sited and how they facilitate continuous access, where appropriate, to the Mohawk River and Erie Canal. The boundaries of the district will have to be established, as well as key locations for view corridors and/or viewsheds.

Because of the unique mix of development types and uses that occur along the waterfront, it is anticipated that this district would consist of sub-districts to better address the form and function of waterfront development as well as planning polices currently being established for the area. Flexibility in the development process may be necessary as well. A process, similar to planned development, could be incorporated where an overall development program is first provided by the applicant and approved by the city, and then staged site plan approval is given for projects as they enter the development stage. Guidelines and criteria for site plan approval would be established as part of the initial program approval, and would build off of guideline and standards categories established within the Ordinance. The extent of the approval approach would be broader than that usually ascribed to zoning as it would address the complete development pattern within the area including access, parking location, landscape, urban design, and sustainability, as well as the usual controls over building location, bulk, and use.

### ***Neighborhood Redevelopment District***

In order to facilitate large-scale development in a sustainable manner, a Neighborhood Redevelopment District can be created. This would be a mixed-use district for areas like Park Drive Estates/Wright Park Manor. A variety of dwelling types as well as small-scale, local commercial uses, and institutions would be permitted to create full service neighborhoods in line with LEED-ND principles. It would also facilitate the adaptive reuse of existing buildings in sound condition, while ensuring that new development within these areas is planned and designed to promote a sustainable urban environment that optimizes the use of existing infrastructure and services.

The key to a district such as this would be the standards for redevelopment. Examples of standards include the following:

- Compact development and high levels of density to promote livability, walkability, and efficiencies in transportation and utility infrastructure.
- Mixed-use development that enables access to a variety of land uses clustered within a neighborhood center, preferably within the pedestrian shed.
- New development that incorporates access to public open space within the pedestrian shed. Recreational opportunities should be provided, such as greenways, and indoor or outdoor recreation facilities.
- A range of dwelling unit types, sizes, and affordability are encouraged to support a diverse population that may include families, singles, couples, students, and seniors.

- Designed to accommodate a variety of ages and abilities, and should provide features such as wheelchair accessible crossings, universal accessibility to public buildings, and housing options that include accessible features for people of diverse abilities.
- New structures and blocks oriented to maximize solar access, and provide opportunities for passive heating and cooling.
- New structures meet minimum energy and water efficiency thresholds, and are designed with regard to green building standards such as LEED or LEED-equivalent.
- New development incorporates energy and resource efficient infrastructure where possible, such as shared heating/cooling systems and alternative stormwater/wastewater treatment options.
- Site design reflects an efficient use of land that responds to the existing off-site utilities and service conditions in order to minimize the demand for additional municipal services, utilities, and infrastructure.
- Blocks designed as an extension of the surrounding neighborhood, aligning with and connecting to adjacent streets and reflecting the scale and orientation of adjacent blocks.
- The overall site design accommodates all modes of transportation, including pedestrians, bicyclists, public transit, and vehicles.
- Rear vehicle access to lots is encouraged to minimize curb cuts along the right-of-way.
- A clearly defined and identifiable network of pedestrian connections must be provided between public sidewalks, public open spaces or vacant lots, buildings, and public transit stops. Mid-block pedestrian passages through blocks are encouraged.

### ***Institutional Campus District***

We would recommend revising the current Hospitality/Medical District to a straightforward Institutional Campus District. While institutions likely understand how to work with current zoning, the development of a district that directly addresses the needs of these facilities should be considered. This would focus primarily on the hospital. Specific zoning for campus developments can facilitate implementation of a hospital campus plan, establish processes that are flexible enough to accommodate changes and expansions, and create requirements for transition between the campus and adjacent neighborhoods.

### ***Industrial Mixed-Use District***

An industrial mixed-use district can help to facilitate adaptive reuse of older industrial buildings. To acknowledge a growing mixed-use market and preserve existing manufacturing buildings, such a district would encourage the reuse of older industrial or commercial buildings for light industrial use and a variety of other non-industrial uses, such as live/work dwellings, higher density residential, commercial, and limited institutional uses, creating a mixed-use environment.

### ***Main Street Design Overlay District***

In order to ensure quality new development, certain areas should be subject to basic design standards. The key to successful design standards is to accurately convey the aesthetic desires of the community, protect key physical resources from inappropriate alterations, and maintain the flexibility needed to solve difficult design issues and allow innovative new development. Good design standards result in infill development that maintains existing character where desired and implements desired redevelopment patterns established by land use policies. In particular, an overlay district for East Dominick Street, West Dominick Street and James Street – the three “Main Streets” in Rome – should be created that integrates the desired Main Street forms into the regulations. Design standards for the Main Street Design Overlay District would acknowledge and build upon the recommendations of the City’s Downtown Design Guidelines and Urban Design Plan.

The intent of these controls is not to dictate the architecture of new development but rather to address basic building design: façade articulation, fenestration, public entrance design, prohibited building materials, and similar. Standards should be written so that they are more objective in nature than subjective, for easy review and administration.

### ***Griffiss Base Redevelopment District***

Using the standards already in place with the Zoning Ordinance Appendix, a proper zoning district should be crafted for the Griffiss Business and Technology Park. This would create a much simpler administrative process for both the City and Griffiss Business and Technology Park management, as opposed to the variety of interpretations and special approvals that are part of current application. This area will have a unique set of development standards for each sub-district. Because of unique ownership and control patterns, it is anticipated that the Mohawk Valley EDGE will provide a draft of the district revisions, which will then be incorporated into the Ordinance. As an established zoning district, rather than require site plan review for all developments as is currently done, it is anticipated that more development would occur by-right.

### ***Eliminate Preservation Zone***

With the creation of these specific types of districts, in particular the agricultural and open space districts, the current Preservation Zone District could be eliminated.

## ***Use***

### ***Sustainability Policies***

An updated use structure implements a number of sustainability goals. Incorporating a more flexible use structure allows for easier integration of new uses, both permanent and temporary, as they emerge, which is more business-friendly and encourages local entrepreneurship. The update also allows for the Ordinance to specifically add sustainable uses and streamline the standards for existing ones.

#### ***Adopt a generic use structure whereby specific uses of similar types are grouped into a larger use category and include modern uses.***

We propose a revision of how permitted and special uses within the zoning districts are controlled based upon the concept of “generic uses.” A generic use approach to the listing of uses is established by combining specific uses into a broader use category. For example, barber shops, beauty parlors, shoe repair shops, and tailors would be addressed in the use “personal services establishment,” which then can allow similar uses such as pet grooming establishments, dry cleaners, and nail salons.

Currently, Rome employs a specific use based approach, especially within the employment districts. This type of approach has become disfavored in modern practice because of its required detail and inability to respond to new and emerging uses. Inherent in a specific use based approach is the requirement that every possible use desired by the community must be included in the use list or it is prohibited by virtue of exclusion. Modern practice has moved toward the generic use approach because of two main benefits. First, it eliminates the need for extensive and detailed lists, and the permitted and special use sections of the Ordinance become shorter and easier to use. Secondly, the generic use approach provides the City with greater flexibility to review and permit those uses that may be desirable, but not specifically listed, within the broad context of the use definitions.

With the generic use approach, good use definitions are critical. Each generic use must be defined, and may provide examples of what is included, as well as explicit exclusions of those uses that are not part of the use definition. For example, the definition for “retail goods establishment” would specifically state that “adult bookstores” are not considered a “retail goods establishment.” This means that an “adult bookstore” must be specifically permitted within a district in order to locate there; it cannot fall under the umbrella of “retail goods establishment.” The second important element of the generic use approach is that any use that is permitted elsewhere within the Ordinance and is listed separately cannot be considered part of a generic use category. For example, if the Ordinance specifically defines “drive-through facilities,” “drive-through facilities” are not permitted unless they are allowed within that district – for example, they are not automatically part of a “restaurant” use. As part of this new approach, interpretation standards will also be included to assist the Zoning Board of Appeals in their review and decision-making.

Finally, the new use structure should incorporate modern uses, many of which relate to sustainable uses and technologies. Examples of such include community gardens, specialty food production, solar and wind farms, and artisan industrial.

***Permitted and special uses should be tailored specifically to the purpose of the district.***

The uses allowed in each district should be evaluated and updated. Uses must correspond to the purpose, form, and function of each district. The revision process will include a full evaluation and, where necessary, resorting of uses allowed in each district. We will also upgrade the approval standards used to evaluate the appropriateness of a special use application.

***The listing of uses is an inefficient means of presenting use permissions***

Implementing the generic use approach, as opposed to the specific use approach, would go a long way toward reducing the length of use lists for each district. Another method that makes the Ordinance more user-friendly is replacing use lists with a global use matrix that summarizes use information for all districts. As part of the revisions, definitions of all uses and any particular use standards would also be included in the same section as the use matrix so that all use regulations are maintained in one place, rather than, for example, having use standards spread out between special use permit and district regulations. Definitions will also be key as each term would be defined and any inconsistencies between use definitions would be eliminated; for example, revised definitions will better distinguish between a rooming house and a single family dwelling.

***A full range of temporary uses should be addressed.***

The current Ordinance addresses few temporary uses. Temporary uses are a key avenue to entrepreneurship, allowing new business owners to start “small” – through temporary uses like food trucks or pop-up retail spaces. It also fosters a creative environment allowing artists to sell and display their wares. In addition, some are just practical uses common to a community, such as garage sales, storage pods, and construction related uses. A comprehensive set of temporary uses should be included in the Ordinance with controls on their function – identifying in which districts they are allowed, timeframes, siting, and required operational plans. The following temporary uses should be included:

- Temporary outdoor entertainment events
- Temporary retail sales events
- Temporary holiday events (haunted houses, Christmas tree sales, etc.),
- Garage/yard sales
- Farmer’s markets
- Farmstands
- Mobile food trucks and trailers
- Construction-related temporary uses (dumpsters, on-site construction offices)
- Real estate model units
- Temporary storage pods
- Holiday displays

In addition, a temporary use permit should also be created so that uses can be better regulated for impacts and to ensure that a temporary use is not functioning, in fact, as a permanent use. This would also allow for easier enforcement. Some temporary events bring impacts such as traffic, noise, and security issues. With a temporary use permit, mitigation measures can be required as part of the permit approval and could control the duration of the event and enforce violations more effectively and efficiently as the permit would lay out the clear rules for how the event must be conducted.

# Planned Development

## ➔ Sustainability Policies

The City can use the leverage provided by planned development to encourage green design and sustainable development. Planned development should be expanded so that public amenities and benefits are required to be provided to the City in exchange for zoning and design flexibilities. This would encourage such things as green roofs, impervious surface reductions, greywater reuse systems, conservation easements, innovative stormwater management, etc.

### ***The Planned Development (PD) process should be a multi-step approval process.***

Because of the complex nature of a PD application, there are additional steps that require review and approval and offer opportunities for public input. An outline of a revised process is provided below:

- **Pre-Application Meeting with Staff.** Prior to the formal filing of an application for a PD, the applicant meets with City staff to discuss the proposed development. The purpose of the pre-application meeting is to make advice and assistance available to the applicant before preparation of the preliminary plan.
- **Optional Concept Plan.** Before submitting a formal application for a PD, the applicant should be provided the option to present a concept plan before the Planning Board for the purpose of obtaining information and guidance prior to entering into binding commitments or incurring substantial expense. Any opinions or advice provided at the meeting are not binding with respect to any official action on the subsequent formal application.
- **Preliminary Plan.** Following the concept plan, the detailed preliminary plan is submitted, where the Planning Board would hold a formal public hearing on PD application. The Board's recommendation would be forwarded to the Common Council for approval or denial.
- **Final Plan.** Because all issues and concerns with the PD should be resolved during the preliminary plan and the public hearing that takes place as part of that approval, the final plan approval is intended to be a technical confirmation of the approved preliminary plan. If there are numerous changes between the approved preliminary plan and the final plan, then the plan requires resubmittal as a new application. Typically the Zoning Administrator reviews the final plan for conformance with the approved preliminary plan, which is then forwarded on to the Common Council for approval or denial.

### ***There are opportunities to make PD a more effective mechanism for leveraging high quality development.***

The intent of a PD is to encourage flexibility in the use and development of land and design of structures by a more creative approach than might otherwise be accomplished under the strict application of the ordinance. In exchange for flexibility offered under the PD process, the process should be structured so that the City gains high-quality amenities, open space, building design, and/or other benefits to the community.

The City's ability to negotiate for the flexibilities offered through the process are not clearly defined. In exchange for flexibility offered under the PD process, the City should gain high-quality amenities and/or other benefits to the community. The existing Ordinance does not clearly define the types of amenities that would be considered in exchange for the flexibility available through the PD process. Therefore, the PD process should be updated to include a menu of public benefits and amenities that can be provided in exchange for exceptions to district requirements. Examples of some of the design characteristics and amenities that can be considered in determining whether an exception should be granted include the following. During drafting, this list will be further refined so that there is a full menu of public benefits and amenities.

- Use of sustainable design and architecture, such as green roofs, blue roofs, white roofs and other energy efficient design concepts, new building technologies, and approval of buildings as LEED or LEED-equivalent structures.
- Enhanced design characteristics including, but not limited to, mixed-use development and transit-

oriented development.

- Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and transit facilities.
- Preservation of natural areas and site design that is sensitive to environmental features.
- Additional open space and recreational amenities such as recreational open space and playgrounds, including athletic fields, dog parks, and natural water features and conservation areas,
- Additional public infrastructure improvements in addition to the minimum required by the planned unit development, such as new or repaved streets, provision of bicycle paths, installation of gutters and sewers, and traffic control devices to improve traffic flow.
- Senior housing set-aside.
- Affordable housing set-aside.
- Provision of public car and/or bike share facilities.

As part of such revision, the PD regulations should clearly state that both dimensional standards and use permissions can be modified as part of the PD. In keeping with PD best practices, the process would be one general process allowed within certain districts, rather than divided into broader land use category types.

## Site Development

### ➔ Sustainability Policies

Sustainable site development is wide ranging in its scope, includes energy efficiency orientation of structures, incorporation of landscape and water conservation techniques, environmental sensitivity to the natural features on the site, encouraging new building technologies, and other initiatives. Policies need to encourage the incorporation of eco-friendly structures like solar panels, wind turbines, recycling bins, cisterns and rain barrels, and composting. Landscape should be a priority as, in addition to beautifying areas, it enhances the urban tree canopy, manages stormwater, and maximizes energy conservation. Freestanding solar panel installations should be allowed in rural and agricultural zones that fall under a certain acre threshold.

#### ***The accessory structure section of the existing Ordinance should be updated.***

A limited number of accessory structures are included in the current use lists. The Ordinance update should include a comprehensive list of accessory structures and include specific regulations for each in terms of size/dimension, height, placement, and other dimensional and location requirements. They should be removed from the principal use lists and organized within their own section. The accessory structure section is also where a number of new sustainable technologies are regulated, such as solar panels, wind turbines, electric vehicle charging stations, rain barrels, etc. Many common variances stem from the controls of this section so the revision will adjust standards for each in order to minimize such zoning applications.

Also, there are no clear standards for exterior lighting control. A full range of exterior lighting standards should be created. Tailored lighting standards are typically required for certain districts, such as shopping centers versus residential districts, and for certain uses, such as recreational fields, which typically require higher intensity lighting mounted on significantly taller light poles. Many of the “best practice” standards on appropriate exterior lighting are based on information gathered and model ordinance standards created by the International Dark-Sky Association, a non-profit organization that seeks to minimize light pollution and conserve energy. These standards provide a model for exterior lighting regulations, but can be adjusted as needed so that they can be easily administered and would not require technical expertise beyond the capacity of the City.

***The accessory use section of the Ordinance should address private food production.***

Over recent years, there has been significant interest in the keeping of animals on site for private use on private property, such as chickens, bees, and fish farms. The Ordinance should address these types of accessory uses and include regulations on where they are permitted and standards to mitigate their impacts on adjacent property owners. In addition, these need to be similarly regulated when part of community gardens.

- **Chicken Coops.** The Ordinance can allow for chicken coops and chicken runs, with regulations that limit the number of chickens allowed on a lot, prohibit roosters, limit the location to rear yards, require storage of chicken feed in predator/rodent-proof containers, and include other maintenance requirements.
- **Apiaries/Bee-Keeping.** Similar to chickens, there has also been significant interest to allow apiaries for private use on private property. The Ordinance can allow for a set number of hive structures and colonies, with regulations for structure siting, fencing, water, swarm control, and queen replacement to ensure proper set up and maintenance.
- **Aquaponics.** Private fish farms are also of interest to some property owners. These should be regulated as to location, requirements for full and/or partial enclosure, and the like.
- **Vegetable Gardens.** In recent years, homeowners have expressed interest in planting vegetable gardens in their front and corner side yards. These gardens both enhance local food production efforts and have the potential to conserve water on-site. In order to encourage this, the Ordinance should allow vegetable gardens in all yards and provide basic maintenance requirements.

***Clear permitted encroachment regulations should be included to address common architectural features.***

Architectural features typically encroach to some degree into required yards; currently, only a few projecting architectural features are addressed. This section should be expanded to include the wide variety of architectural features seen in modern development. The benefit of permitting such encroachments is that it encourages key architectural elements, such as eaves and cornices that create shadowing on building facades. Without such allowances, the structure would have to set back further into the lot to accommodate them, which would decrease the building area and discourage their inclusion.

***Current landscape requirements should address all aspects of site development to properly beautify, screen, and buffer.***

The contribution of landscape to the visual quality of the built environment cannot be overemphasized. In addition to its aesthetic benefits, green space provides numerous environmental benefits. The current interior parking lot landscape should be increased and more specifically defined in terms of type and amount. Flexibilities should also be built in to allow for parking lot rain gardens or other stormwater BMPs where appropriate. The perimeter landscape standards should be refined. The current standards do not cover the full range of landscape requirements that an ordinance should have for the proper levels of beautification and screening. The Ordinance should be organized around landscape requirements for:

- **Landscape yards.** Landscape yards should be required for all multi-family dwellings of a certain number of dwelling units, mixed-use developments, and non-residential uses that maintain a setback along the street of ten or more feet. A landscape yard requirement should be flexible to tailor the plantings to the design of the façade.
- **Perimeter of parking lots.** Where a parking lot abuts the street, requirements should be in place to screen the cars from the right-of-way (again, similar to current street frontage requirements but more tailored). This requirement could be an ornamental fence and shrubs to ensure proper screening. This could also be substituted with a pedestrian-scale wall. These types of requirements provide better screening of the cars and create a more defined streetwall.
- **Interior of parking lots.** There should be specific interior parking lot requirements, including a minimum number of landscape parking lot islands and a minimum percentage of overall landscape for larger parking lots. This improves the appearance of large parking lots and provides environmental

benefits. In order to address site conditions and encourage stormwater management within parking lots, the design of islands will include permissions for curbed and no curb island design.

- **Buffer yards and screening.** Buffer yards should be required for larger, more intensively used sites. There are no buffer yard requirements within the current ordinance. Buffer yards are planting areas typically required for more intensive uses that abut less intensive uses, such as a residential district abutting a heavy commercial district. Buffer yards create transitions between incompatible uses or districts and mitigate light, noise, dust, and other impacts created by more intensive uses. Because some areas are built with residential and commercial uses located very close together, buffer yards may not be appropriate in all situations. It is recommended that these be targeted at larger sites within the commercial and industrial districts.
- **Street tree plantings.** In order to create an urban canopy along as well as beautify the right-of-way, street tree plantings can be required for new development. Typically, street tree plantings require one tree every 25-35 feet. Flexibility would be built into the requirement so that street trees may be clustered or spaced differently when appropriate or exemptions from the planting requirement when there is insufficient space in the right-of-way.

Requirements would be tailored to districts and/or uses to avoid onerous requirements or the creation of nonconformities. The above requirements would also be written to encourage and allow the inclusion of a variety stormwater management techniques.

***A stormwater management performance standard should be required for new development.***

A performance-based standard should be added to the Ordinance to enhance on-site stormwater management. Updated landscape requirements and paving limitations will go a long way toward preventing run-off, but an additional performance standard can increase the sustainability of sites. One option is to require all new construction on lots of 10,000 square feet or more in area to capture the first inch of rainwater on-site. Meeting these requirements should be allowed through any combination of stormwater best management practices (BMPs) as described in manuals such as The New York State Stormwater Management Design Manual and New York Standards and Specifications for Erosion and Sediment Control (New York State Department of Environmental Conservation).

The Ordinance should also allow for community-based stormwater management systems. On a smaller scale, this allows neighbors on adjacent properties to construct an on-site water management system to be shared between their properties, and requires an agreement between neighbors as to access, operation, and maintenance of the system. For larger multi-tenant developments or new residential subdivisions, this allows for shared, integrated stormwater management. This would be especially applicable to neighborhoods in South Rome.

***Sign regulations should be evaluated to better reflect the character of zoning districts.***

Sign regulations should address all aspects of the sign's character and location - maximum height and sign area, minimum setback, vertical clearance, maximum projection, etc. It should also distinguish between business identification and merchandising signs, which is not a clear enough distinction in the current Ordinance. The Ordinance should refine permissions by district and address the issues identified below:

- **Residential and Agricultural Districts:** Within the residential and agricultural districts, signs for the non-residential uses need to ensure compatibility with neighborhoods but also need to effectively communicate with the public. For example, places of worship and parks often require bulletin board signs and often express a preference for electronic message signs. Signs for residential subdivisions and multi-family complexes also need to be addressed.
- **Commercial Districts:** Signs in commercial districts need to be tailored to their intensity and reinforce a positive, coordinated community image. For example, where a district is more oriented to the pedestrian, regulations should focus on the design and size of certain specific sign types - awnings, window signs, projecting signs and smaller wall signs. In contrast, districts geared toward fast-moving auto traffic and may require permissions for larger ground and projecting signs. This also means

evaluating ground sign areas and heights within each district to determine appropriate maximums.

- **Office and Manufacturing Districts:** Within office and industrial parks, there are unique sign needs that stem from larger scale structures on large lots, often setback from the street a good distance. Wall and ground sign regulations become critical for such developments and should be reasonable. While many are aware that a large sign on small structure looks disproportionate, the same can be said for small signs on large structures.
- **Institutional Districts:** Signs for institutional uses have unique functions, related to the scale of structures, such as schools, which are typically large, and the need for electronic message signs.
- **Electronic Signs:** Current regulations for electronic signs, also called digital or LED signs, are limited and do not effectively control their impacts. A clear definition of this type of sign is necessary, with clear permissions for where they would be allowed. These types of signs should be properly defined, and permitted or prohibited in districts as appropriate. These types of regulations include:
  - Districts and/or uses permitted such signs
  - Number of signs allowed per lot
  - Type of sign construction (freestanding, wall, marquee): the regulations applicable to the sign type would apply to the electronic sign
  - Maximum percentage of sign devoted to the electronic component
  - Message changeover delay
  - Operational controls
  - Maximum illumination
  - Prohibition of flashing, scrolling, and animation
- Clarification of measurement methodologies for sign area and sign height will make sure that sign sizes are consistent.
- Permissions for temporary signs in the districts should be clarified. This includes signs such as banners, real estate signs, and political signs. Because these types of signs are very common, the regulations should be drafted so that they are easy for staff to administer.

## *Off-Street Vehicle and Bicycle Parking*

### **➔ Sustainability Policies**

How parking is approached has key implications for sustainability. Large paved areas contribute to stormwater run-off and the urban heat island, and may incentivize driving over alternative methods of transportation. Excessive parking ratios can also penalize some new developments by requiring parking variances. The presence of significant surface parking areas also prioritizes automobiles over other modes of transit, such as biking and walking. This is further reinforced when parking lots are designed without landscape or designated pedestrian ways that guide visitors safely to the front door, and with numerous, wide curb cuts. A parking policy grounded in realistic parking requirements and proper design standards can counteract many of the negatives that result from surface lots, while still accommodating vehicles.

***The off-street parking standards, including vehicle, bicycle, and loading facilities, should be updated.***

It is important that parking requirements address the demand for parking and the realities of existing conditions. The updated parking requirements should address the full range of off-street parking facility elements. In order to be comprehensive, this section should address the following:

- Permitted location of off-street parking for all districts
- Parking lot design (surfacing, curbing, marking, etc.)

- Permissions for the use of permeable paving materials
- Minimum parking space and aisle dimensions
- Parking flexibilities
- Permissions for cross-access easements
- Bicycle parking requirements
- Location and design of off-street loading
- Storage of commercial and recreational vehicles

***Parking ratios (parking spaces per use) should be revised to reflect local demand, including parking maximums where appropriate.***

It is important that parking requirements address the actual demand for parking and the realities of existing conditions. A table that establishes requirements for a certain amount of off-street parking for each use listed within the districts should be created. It is also recommended that the parking ratios be determined by objective standards, such as physical space, whether gross square footage or rated capacity, rather than by number of employees. It is also recommended to consider parking maximums for certain large-scale uses, such as large retail centers and office parks, in order to prevent excess parking and the negative effects of over-paving.

Finally, special development types, such as strip retail centers and shopping centers, are better served by specialized parking requirements that calculate the required parking based on the gross floor area of the development as a whole, rather than as a collection of individual uses. Because uses turnover frequently, parking calculations for these developments can move between conformance and nonconformance. A single calculation based on gross floor area would better allow these developments to manage parking and maintain and attract new tenants.

***Development standards for parking areas should be updated and enhanced.***

Parking regulations should consider the design and appearance of parking areas. Some of these are already addressed in the Ordinance but these can further be enhanced to create attractive and safe parking areas, including the following:

- Standards should address maximum driveway sizes for residential and non-residential uses, as well as driveway placement and permissions for shared driveways. The number of curb cuts allowed for residential and non-residential uses should also be included.
- Standards should be included for parking lots over a certain size that require pedestrian walkways in parking lots to ensure safe pedestrian circulation through parking lots, as well as connections between parking lots.
- The Ordinance should allow the construction of parking lots with permeable materials, such as pervious pavers, grass-crete, gravel-crete, and other paving materials that allow for water percolation. Permeable paving should be allowed for residential areas for use as driveway and parking pad surfaces, but for non-residential uses, it may not be ideal to have 100% permeable paving of parking lots. In non-residential development, permeable paving may be better suited for overflow areas, emergency access drives, and more remote parking areas (i.e., parking spaces developed above the minimum required).
- Surfacing with gravel should generally not be allowed in the inside areas as it creates two negative impacts - it runs off the drive area and can clog sewers and, if a gravel area is not regularly resurfaced, the area can compact and become as impervious as asphalt. Gravel may be appropriate in the Outside District for agricultural and residential estate districts.
- Residential driveway standards should include permissions for driveways designed with wheel strips.
- Design regulations for parking structures should be added. These regulations include design standards for garage facades facing a street, articulation and screening of the ground floor and any rooftop

parking, and maintenance of a vehicular clear sight zone at any entry/exit points to prevent conflicts with any other vehicles and pedestrians.

**The Ordinance should include parking exemptions to address the realities of developed areas.**

As a built-out city, there are areas that may have trouble accommodating the required amount of on-site parking. Therefore, additional districts or uses may benefit from parking flexibilities. Examples of such exemptions include:

- o Certain developments have been constructed without any room on the lot for parking, so existing structures that lack parking can be exempted.
- o Exemptions can be based on the size of a business – for example, exempting the first 2,500 square feet from parking calculations – in order to provide relief for new developments on small lots. This would require only larger structures to provide parking.
- o Parking facilities that provide car-share spaces could be given a reduced parking bonus. At a minimum, car share spaces should count toward required minimum parking.
- o A by-right shared parking regulation should be included based on a formula that calculates how much parking is actually needed by the uses when developed collectively, based on their intensity of use during the hours of the day. Mixed-use developments, multi-use office parks, and similar types of development, as well as property owners that establish cross-access easements, would be eligible for this type of shared parking. Retail centers as described earlier would not be eligible for this flexibility. The following is an example of such a standard:

The required number of spaces for each use is calculated according to parking requirements. The required number of spaces for each use is then applied to the percentages for each timeframe, according to the appropriate land use category, as shown in the table below, to determine the number of required spaces. This is done for each time category. The numbers are summed for all land uses within each timeframe and the highest sum total in a timeframe is the required number of spaces. Due to the percentages, this is less than would be required by simply summing the requirements at 100%.

**Example Of Shared Parking Equation – For Illustration Purposes Only**

<i>Land Use</i>	<i>Weekday</i>			<i>Weekend</i>		
	Mid-7am	7am-6pm	6pm-Mid	Mid-7am	7am-6pm	6pm-Mid
Residential	100%	55%	85%	100%	65%	75%
Retail/Personal Service	0%	100%	80%	0%	100%	60%
Restaurant	50%	70%	100%	45%	70%	100%
Hotel/Motel	100%	50%	90%	100%	65%	80%
Office	5%	100%	5%	0%	40%	10%
Industrial/Laboratory	5%	100%	5%	0%	60%	10%

This table would be adjusted to reflect the use structure and parking demand for Rome. The above table is an example only.

## Administration

### ***Incorporate a zoning permit for development that does not require a building permit.***

When a structure does not require a building permit, a zoning permit should be issued to capture assessment information.

### ***Nonconformity regulations should be updated to specifically address the variety of potential nonconforming situations.***

In any ordinance update, the intent is to eliminate as many nonconformities as possible. Many are eliminated when districts are tailored to existing conditions or remapping of districts is undertaken, however, some properties and uses will remain nonconforming. Therefore, the nonconformities article should be rewritten for clarity and include provisions for nonconforming uses, structures, site characteristics, and lots. The updated provisions should clearly spell out what types of changes and/or alterations are permissible. The following are the types of nonconformities the Ordinance should address:

- **Nonconforming Structure.** A nonconforming structure is an existing, legal structure that does not conform to the standards of the district where it is located, created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming.
- **Nonconforming Use.** A nonconforming use is the existing, legal use of a structure or land that is not allowed within the district, created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming.
- **Nonconforming Site Characteristic.** A nonconforming site characteristic is an existing, legal site characteristic, such as landscape, fences or walls, lighting, or parking, that does not comply with the standards of the Ordinance, created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming. This would be a new category of nonconformity.
- **Nonconforming Lot.** A nonconforming lot is an existing lot of record that does not comply with the lot dimension standards of the Ordinance, created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming.
- **Nonconforming Sign.** A nonconforming sign is an existing, legal sign that does not comply with the sign standards of the Ordinance, created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming. Nonconforming signs should also contain provisions specifically for permanent versus temporary signs. Temporary signs can be more aggressively regulated; for example, all temporary signs can be required to come into conformance within 60 days of the effective date of the Ordinance.

## Subdivision Regulations

### ***Sustainability Policies***

Development in areas where infrastructure and services are not available, primarily within the outside district, should be limited. The majority of new development should be directed into existing neighborhoods and commercial areas. When development does occur in more rural areas, policies should advocate for conservation or cluster design to minimize impact to the surrounding area. Finally, as new development or redevelopment occurs, it should promote greater connectivity. Utilizing the “Complete Streets” philosophy, where rights-of-way are designed and operated to enable safe access for all users; persons with disabilities, pedestrians, bicyclists, motorists, and transit riders are able to safely move along and across a complete street.

***Create a major and minor subdivision process.***

Two processes for subdivision will be established – one for minor adjustments and another for more significant divisions of land. Minor subdivisions will go through an expedited approval process with simple submittal requirements for actions such as lot line adjustments, consolidation of lots, and lot splits, in which a single lot is split into up to three separate lots of record. Major subdivisions involving splits into four or more lots or infrastructure improvements will require more review and detailed application submittals.

***Align subdivision regulations with district standards.***

Zoning and subdivision regulations should work together to facilitate the development patterns established within the City. Once zoning district lot sizes are confirmed with the intent of preserving the existing or desired lotting patterns, subdivision requirements for lots should be that of the district.

***Adopt the Complete Streets approach for right-of-way standards.***

The recommended approach to right-of-way reconstruction or development is to implement the “Complete Streets” approach. A “Complete Street” is defined as right-of-way facilities that are designed and operated to enable safe access for all users; persons with disabilities, pedestrians, bicyclists, motorists, and transit riders are able to safely move along and across a complete street. When right-of-way is reconstructed or newly constructed, it should be designed in a way that accommodates multi-modal transportation (auto, bike, and pedestrian) where appropriate and reflects how residents move about their neighborhood and the larger City. The right-of-way standards should include a series of right-of-way widths and design requirements, implementing Complete Streets principals as appropriate to the larger character of the area. These requirements will apply to reconstructed or newly established streets, subject to approval by Public Works.

As part of the larger Complete Streets philosophy, pedestrian connectivity will be more specifically regulated with requirements for the installation of sidewalks and the design of the pedestrian way. The pedestrian way is measured from the curbline to the property line of the abutting property. This is the portion of the right-of-way that typically includes the parkway and sidewalk. In order to facilitate better design of these areas, the subdivision regulations should clearly describe each component of the pedestrian way. Depending on the character of the area, not all will be applicable. Typically these are: 1) maintenance zone - the area between the public sidewalk and the building façade; 2) pedestrian zone - the sidewalk used for pedestrian travel; 3) parkway zone - that portion used for street trees, landscape, transit stops, street lights, outdoor dining, and site furnishings, as well as used by people accessing cars parked at the curb; and 4) extension zone - the optional element of the sidewalk area where pedestrian zone may be extended into a parking lane, such as by a bulb-out.

***The Ordinance can include an adequate public facilities requirement to limit sprawl.***

A strategy to encourage balanced growth is the adoption of an adequate public facilities requirement. An adequate public facilities requirement requires all proposed development to meet a series of standards that ensure that public facilities and services necessary to support development are available to serve the development. Adequate public facilities requirements can include: roads, potable water, electricity, sanitary sewer, solid waste disposal, police/fire/emergency, and schools. Many adequate public facilities requirements establish a concurrency management system, which sometimes includes a certificate of concurrency issued along with development approval. Essentially, this is a secondary development review process that looks specifically at these elements. Developments that do not meet minimum standards are not approved.

***Create a conservation design requirement to use in areas in the Outside District.***

Because of the environmentally sensitive nature of certain portions of the Outside District, conservation design should be considered as a requirement for new development in those areas. Conservation design subdivision is intended to preserve environmentally sensitive areas while allowing for residential development. The intent is to work with – rather than against – the natural land features. The central idea of Conservation Design is to cluster residential development within the larger development space and leave the remainder of the site as natural areas or open space, either common open space shared by the community or preserved in its natural state. Conservation design typically requires a perimeter buffer along the edge of the development, a

minimum development size, required minimum open space for the development (typically 40% of the total site area), and spacing requirements between residential clusters within the development.

Conservation design subdivision helps to achieve numerous environmental and ecological benefits, including wildlife management and habitat preservation, water quality protection, greater aquifer recharge, and environmentally sensitive sewage treatment and disposal. Natural areas preserved in conservation subdivisions provide important habitat for wildlife to dwell and travel through. Greenways provide cover and sheltered corridors for various species. Conservation subdivisions provide larger areas of natural vegetation that act as buffers to help filter stormwater flowing into wetlands and waterbodies, trapping pollutants and excessive nutrients contained in stormwater runoff. Buffers also offer important infiltration and “recharge” benefits because they help maintain adequate flows of filtered water to underground aquifers. Reduced impervious surface significantly reduces the size and number of stormwater detention basins needed on the site. This lowers infrastructure costs and frees land for other uses. Conservation subdivisions also offer greater opportunities to implement environmentally sensitive sewage treatment and disposal systems known as “alternative systems.” Because of reduced lot sizes, individual septic systems may no longer fit on each lot – alternatives must be found. It is possible to use shared septic systems and/or a common leach field, and to locate that leach field outside of lot lines.

# ROME

*Re-Tooling Rome for Smart Growth*

