

Hot Topics in Planning

FROM A[CCESSORY DWELLINGS] **TO Z**[OOM TOWNS]



Genesee/Finger Lakes
Regional Planning Council

Regional Local Government Workshop
May 18, 2021

Your Hosts!

A couple of self-professed
planning nerds



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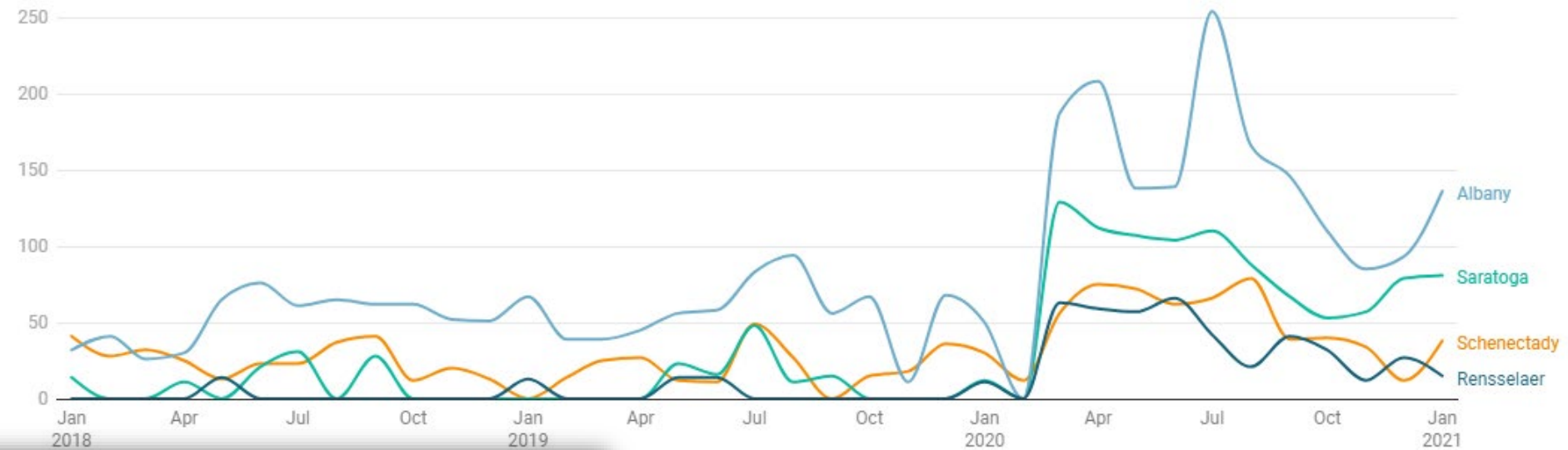
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What We'll Cover

- **“Zoom Towns”**
- **Climate Change Refugees**
- **Accessory Dwelling Units**
- **Home Occupations & Accessory Commercial Uses**
- **Limited Contact Services**
- **Outdoor Dining**
- **Biking & Park Use During COVID**
- **Marijuana / Cannabis Regulation**
- **Equity in Planning & Zoning**

"Zoom Towns" - Disruption & Migration

Address Changes from NYC Boroughs to Capital Region Counties



OBSERVER-DISPATCH

Amid COVID-19 pandemic, renters and buyers flock to Adirondacks, Finger Lakes, Catskills real estate

By Mario Marroquin and Sarah Taddeo, New York State Team

Posted Jul 1, 2020 at 10:30 AM

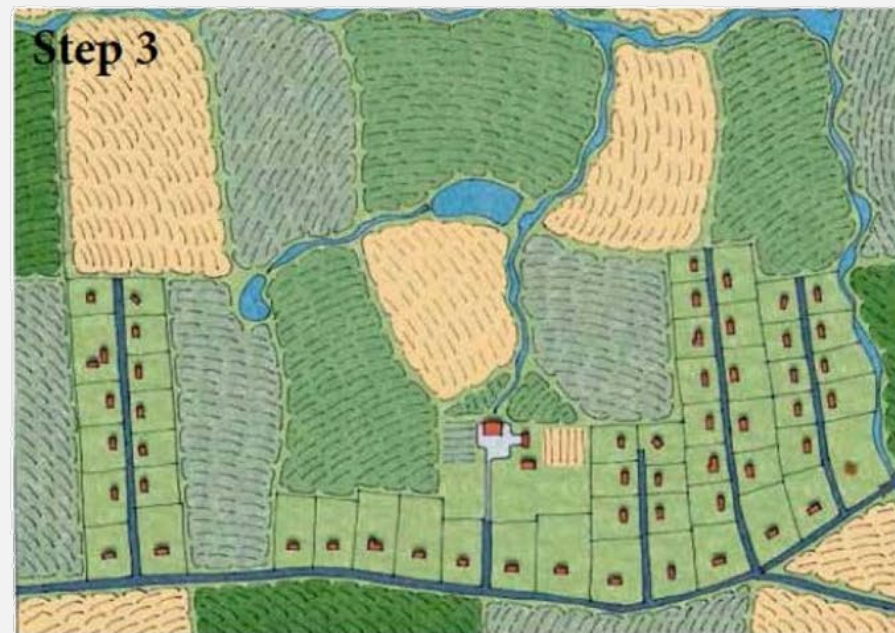
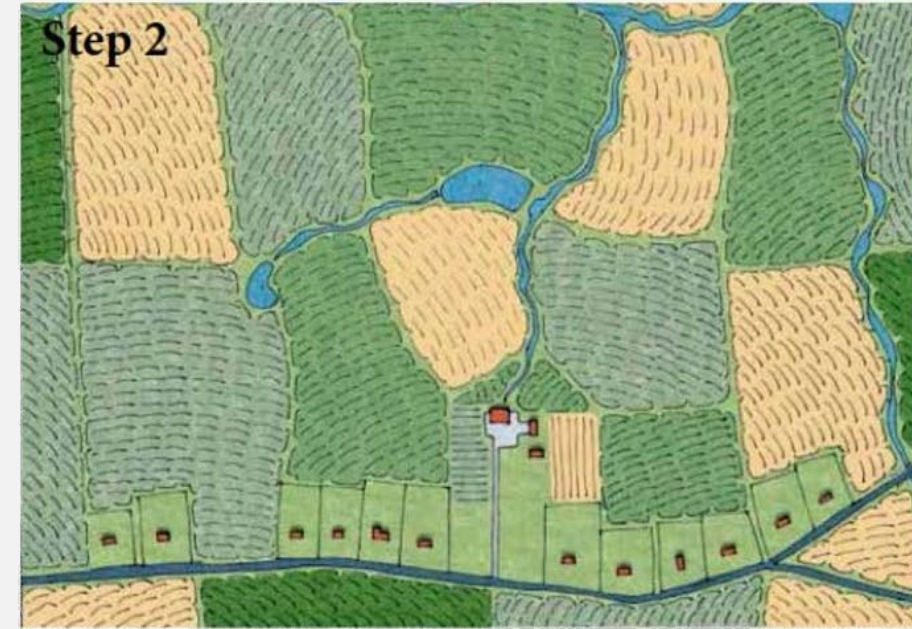
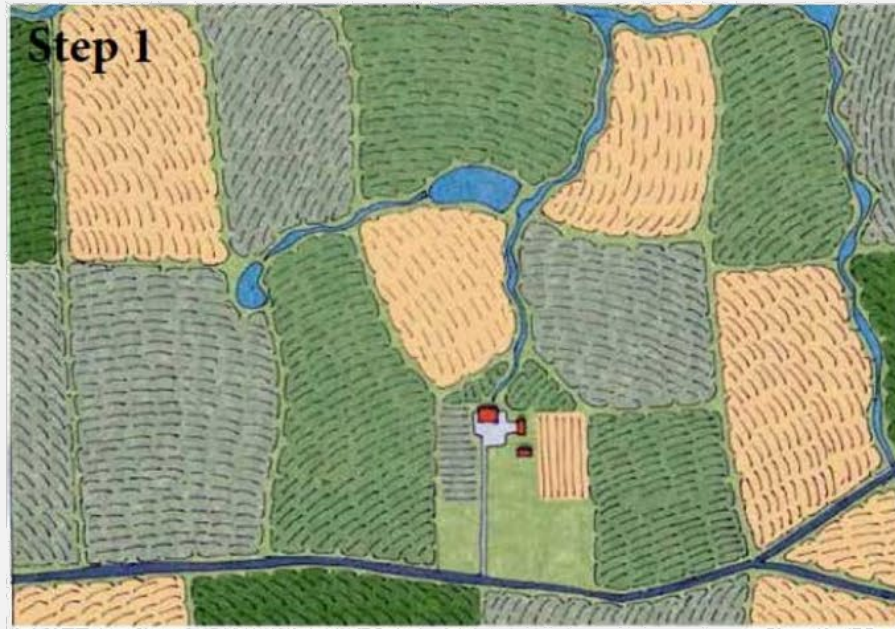
"Zoom Towns" - Disruption & Migration

Characteristics

- Good internet connectivity
- Within 90 minutes of a reasonably large airport
- Often have scenic, recreational, and/or cultural amenities
- Often have colleges and universities



"Zoom Towns" - Unintended Consequences



"Zoom Towns" - Unintended Consequences

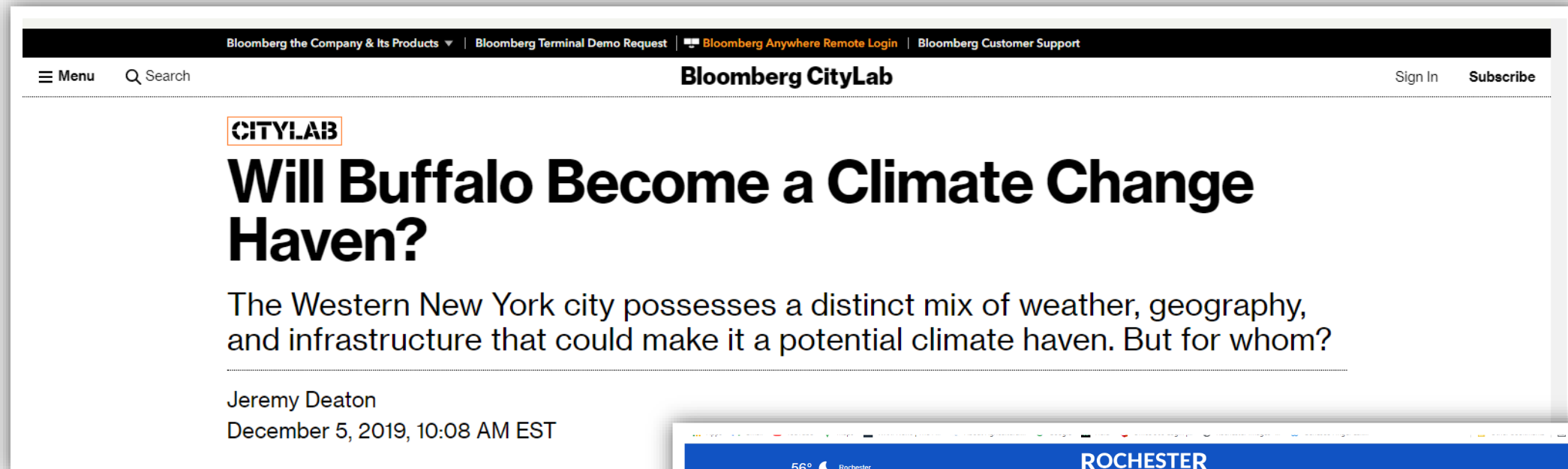
CONTRIBUTING FACTORS

- Limited appeal of small cities and villages
 - (aging housing stock, aging infrastructure, poverty)
- Availability of formerly urban-type services in many rural places
 - Cell coverage
 - Internet
 - Public water
- Affluence of new arrivals
- Relatively weak land subdivision regulations in NYS
- Difficult for municipalities to deny land subdivision or development



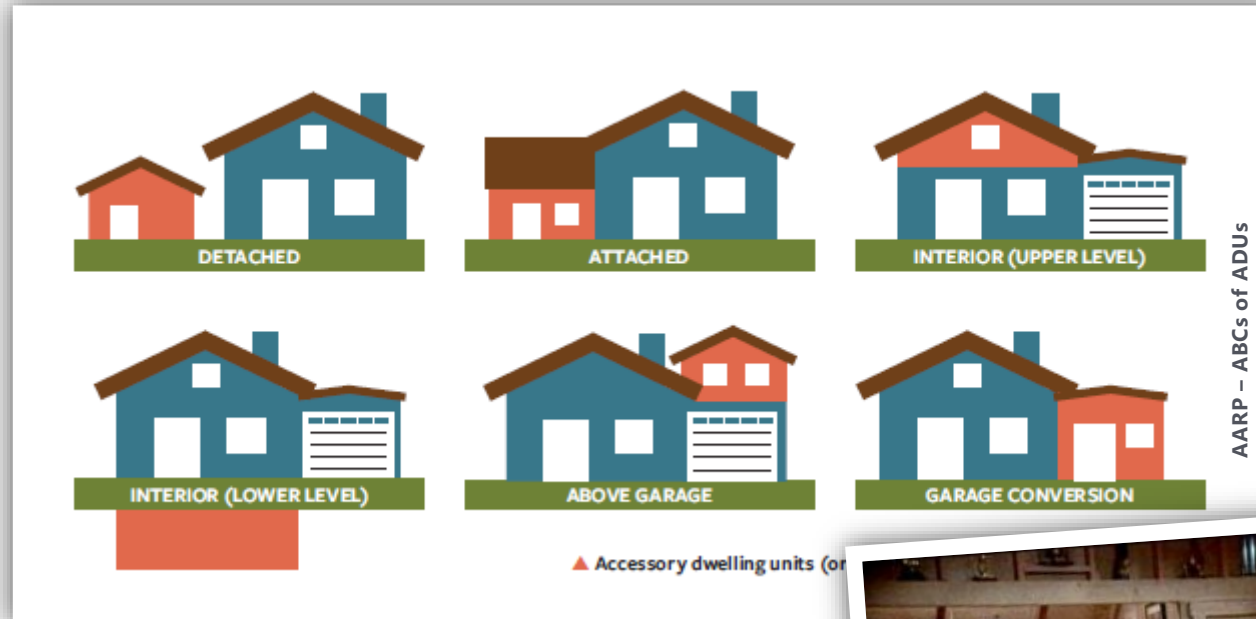
Climate Change Refugees

Much speculation about migrants



Accessory Dwelling Units (ADUs)

- Generally 30% of floor area or 1,000 sf max
- Independent living unit (full kitchen & bath)
- Not “subdividable” – Can’t be sold off separately



ADUs – The Why

- Diversify housing stock
- Increase affordable options
- Foster ability to age-in-place
- House parents, adult children, caregivers, etc.
- Provide additional property income opportunities
- Support sustainable living
- Increase property value by 50%
(Investigating ADUs, Sarah Thomaz, UC Irvine)





*“Home experts predict **ADUs could be a solution** to other challenges posed by COVID-19 as we **rethink the functionality of our living spaces.**”*
- (apartmenttherapy.com)

HOME-DECOR

AT HOME WITH MARNI JAMESON: Accessory Dwelling Units are hot properties

The pandemic has pushed the demand for Accessory Dwelling Units. They fill an increased need for affordable housing. More cities and states are allowing them

Marni Jameson Special to the Herald-Tribune
Published 6:30 a.m. ET Apr. 16, 2021

[View Comments](#)    

SUPPLY: “Freddie Mac estimated that there was a **national growth rate of ADUs averaging 8.6%** annually between 2009 and 2019.”

DEMAND: “In 2000, 1.6% of **active MLS listings had ADUs.** That grew to **6.8% in 2019.**”

- (mortgagenewsdaily.com)

ADUs – The How

Local Zoning Could Regulate...

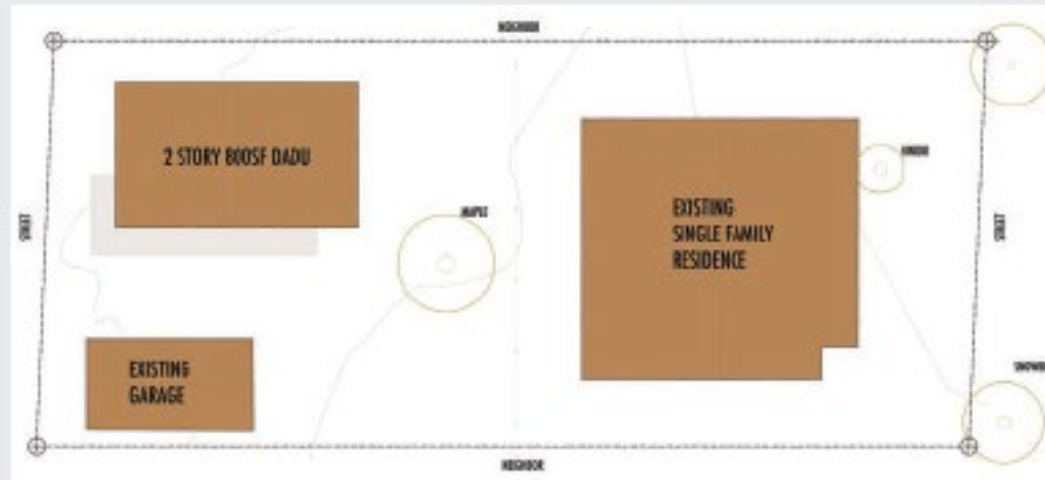
- Location (District)
- Owner-occupancy
- Off-street parking
- Size & Setbacks
- Maintaining character of home
- Etc.

HOME VISIT #1
Attached ADU Addition
Santa Cruz, California
Size: 500 square feet



▲ The area with the darker roof shingles is the ADU that was added onto the home of Carrie and Sterling Whitley.
◀ The Whitleys' ADU (that's Carrie showing off the front yard's new paths and plantings) has its own entrance on the side of the home and is being rented to the couple's daughter so she can help her elderly parents when needed.

AARP



HOME VISIT #2
Garage Apartment ADU
Denver, Colorado
Size: 360 square feet



▲ The apartment above the garage can be reached from inside the garage or from an exterior side entrance accessed from the yard it shares with the primary residence.



▲ The zoning code in Evanston, Illinois, permits accessory dwelling units, creating an opportunity for the owners of this 1911 home with an outbuilding in the backyard.

Home Occupations & Accessory Commercial Uses

LIMITED IMPACT BUSINESSES



HIGHER IMPACT BUSINESSES



**Balance economic opportunity with
impacts to neighborhood**

Accessory Commercial Uses (ACUs)

- Similar to Home Occupations (but “visible” commercial use)
- “Neighborhood-friendly” businesses (tailors, barbershops, bike shops, cafes, etc.)
- Not intended to be sold off separately



Home Occs & ACUs

– The Why

- Support local entrepreneurship
- Create business incubator space
- Provide ease of access to local goods & services
- Increase property values

The post-COVID commercial real estate market is expected to look dramatically different than we know it today...

- Census Bureau Small Business Pulse Survey indicates COVID had a **'large negative effect' on 51% of businesses**
 - Another **39% indicated a 'moderate negative effect'.**

Recent announcements from businesses indicated that **employees may now work from home indefinitely**. This will have **direct ripple effects on the businesses** that co-locate and depend on these employees as patrons, from coffee shops, to sandwich shops, restaurants, print shops and other retailers.

Home Occs & ACUs – The How

Local Zoning Could Regulate...

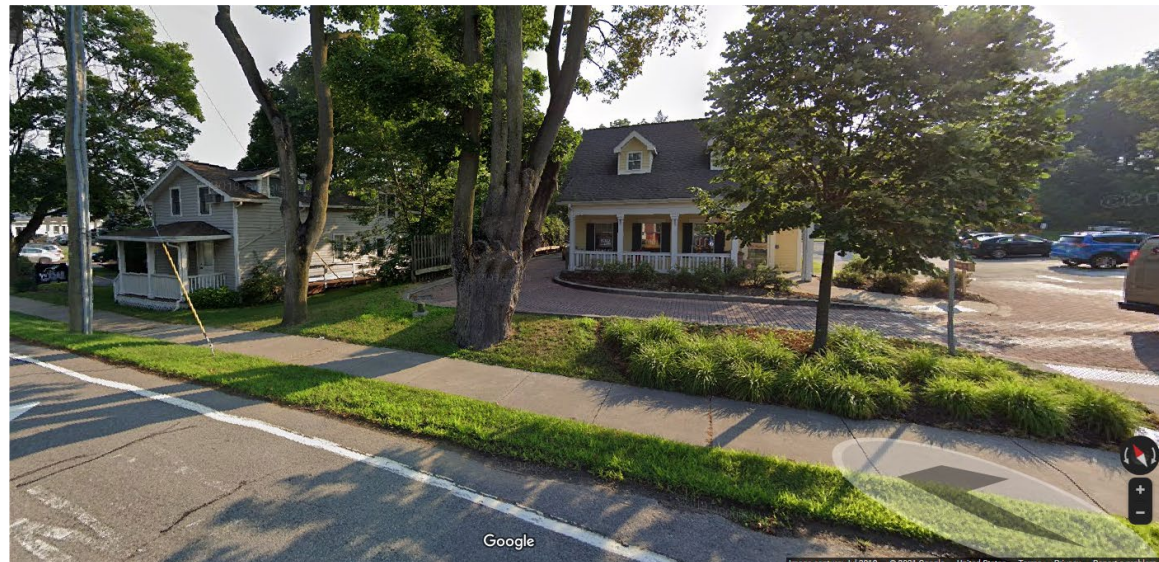
- Location (District)
- Type of businesses
- Owner-occupancy
- Off-street parking
- Size
- Setbacks
- Building design
- Etc.



Limited Contact Services

Drive Thrus

- Queuing and maneuvering lanes take up a lot of space
 - Difficult to fit into urban or village locations where walkability is encouraged
 - Successful examples: Starbucks on Mount Hope Avenue in Rochester, Tim Hortons on Route 96 in Bushnell's Basin.



Limited Contact Services

Walk Up Window

- A good solution/option in village or city locations where pedestrian activity is encouraged or expected.
- Zoning code needs to allow/mandate this where appropriate.



The Raven bookstore opens their window to customers for walk-up service

April 7, 2021 by Lucie Krisman



Bookstore making a limited return to in-person book sales through its new walk-up window. If image courtesy of the bookstore

Parking Regulations

Short duration ("curbside") pickup

- If in private parking lot, regulated by zoning code
- If on public street, regulated by Department of Public Works, Town/Village Board, City Council, and/or whatever entity maintains the street



Outdoor Dining

PRIVATE PROPERTY (ZONING)

- On-site patios, decks, porches
- Adjacent parking lots



PUBLIC RIGHT-OF-WAY (POLICY & PERMITTING)

- Sidewalks
- On-street parking lanes
- Street closures



Outdoor Dining

COVID Response

- Waived permit fees
- Temporary street closures
- Waived parking requirements (where occupying spaces)
- Open Container Law suspension
- Adds vibrancy to streets!

Flower City Sidewalks

Let's get creative with Rochester's outdoor spaces!

This innovative program rethinks the use of outdoor spaces during reopening phases, where we encourage businesses to expand into outdoor spaces like **sidewalks**, **parking lots**, and even **streets**! Some restaurants and stores don't have enough space indoors to maintain safe distances between customers while attracting enough customers to stay in business. So we're getting creative with our outdoor spaces! **We encourage interested businesses to apply for participation as soon as possible!**

Review your local regulations for increased opportunity – Remove unnecessary “red tape”

Bicycle Infrastructure

- Fear of public transit during pandemic
- Safe, outdoor, physical activity
- Consider entire system
- Consider year round maintenance



Public Health & Park Systems

- COVID-19 has made visible the value of activity infrastructure (including parks)
- Activity infrastructure can play a key role in promoting resiliency to future health crises



73% of Americans hospitalized with COVID-19 have at least one underlying condition (CDC)

The most common underlying conditions include obesity, diabetes, and high blood pressure (AMA)

Increased physical activity is an effective countermeasure for all three of these underlying conditions (WHO)

In Dallas, where parks employees monitor usage on more than a dozen popular trails, **visitation rose from 30% to 75%** during the month of March (2020).

Highland Park Lilac Adventure Zone

Monroe County staff report unusually high use of LAZ during the 2020 pandemic, especially during off-peak times.



Marijuana / Cannabis

NYS Marijuana Regulation and Taxation Act

- Municipalities may opt out entirely, but only by permissive referendum by end of 2021
- Otherwise treated as any legal retail use
- "Geography lottery"
- NYS Office of Cannabis Management:
<https://cannabis.ny.gov>
- Webinar presented by Tug Hill Commission, June 1
<https://tughill.org>



Equity

Historic impacts of Planning & Zoning on Marginalized Communities

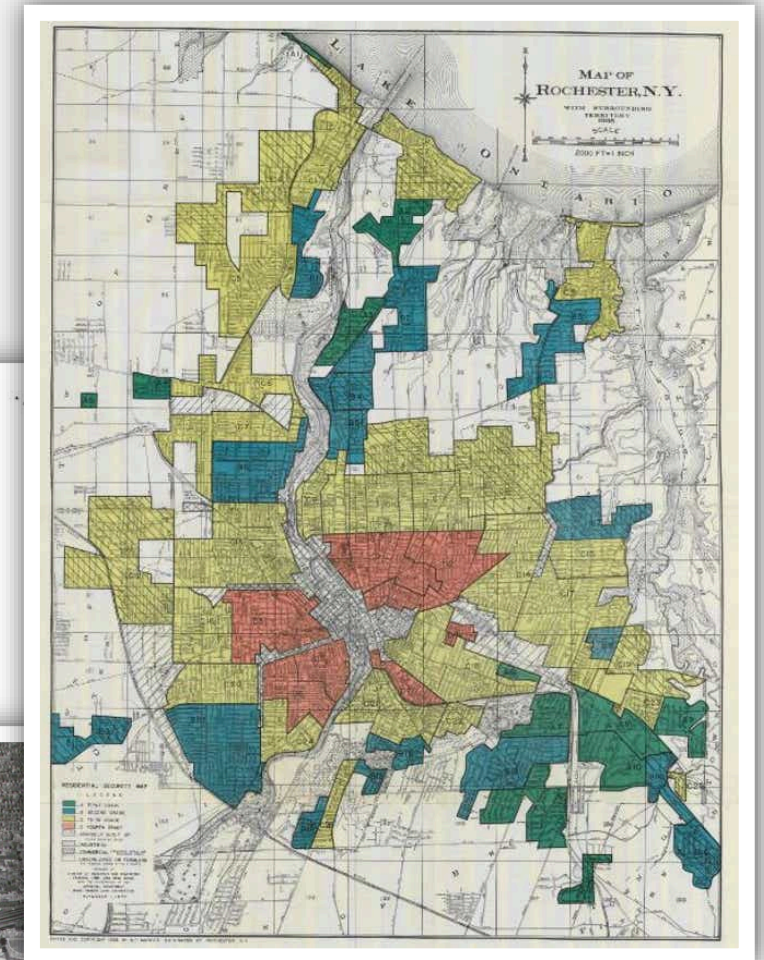
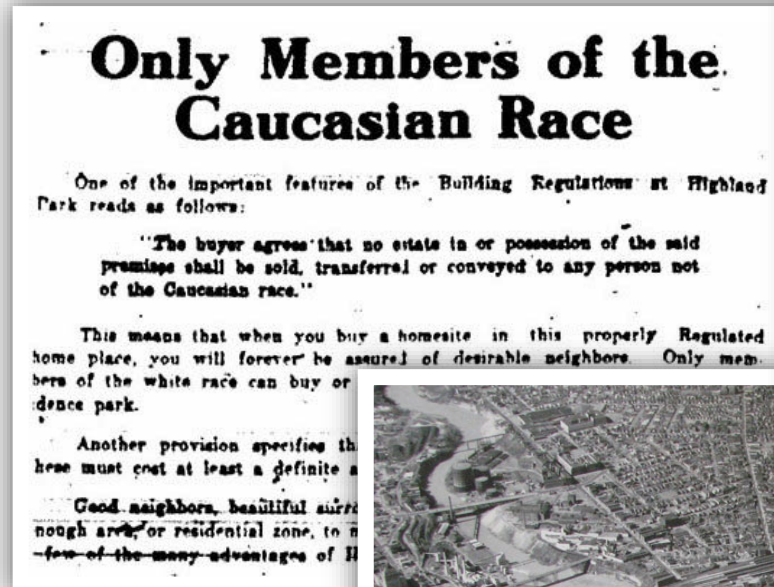
- Zoning
- Redlining
- Urban renewal
- Highway construction

LEVINE CENTER TO END HATE
<https://vimeo.com/511294418>

ZONING MATTERS
<https://www.youtube.com/watch?v=aLMsI92crZw>

ADDITIONAL RESOURCES
<https://reconnectrochester.org/tag/redlining/>

The Color of Law: A Forgotten History of How Our Government Segregated America
- Book by Richard Rothstein



Thank You!

Questions? Discussion?

Please feel free to reach out!



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