

Village of Fairport



# VILLAGE OF FAIRPORT CHARACTER-BASED CODE

*An Update of the Village's Zoning Code*

## Community Engagement Plan January 2024



# Village of Fairport



**CBC**  
*Character-Based Code*

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# OVERVIEW

## Introduction

In 2021 the Village of Fairport adopted a comprehensive plan, and update of one it had completed almost a decade prior. Comprehensive plans help guide the Village's future land use, while maintaining flexibility to adapt for economic, demographic and societal changes and trends. Fairport's comprehensive plan is the Village's roadmap for the long-range development of the community and provides both a framework and the policy context within which to make decisions relating to land use, future planning and development.

Although there are numerous actions for the Village to take in order to implement the vision and goals in the comprehensive plan, one of the primary ways is to update the Village's Zoning code.

Zoning regulates what structures and land may be used for, where the building(s) are located on a lot, dimensional standards (e.g., how tall a building can be), how much parking is required, open space requirements, and more. Zoning regulations are divided into districts, so that these regulations can be tailored throughout the Village.

The effects of zoning goes far beyond the development of individual buildings. Rather, zoning has a tremendous effect on a number of areas relevant to the Village:

- **Neighborhood character.** Beyond an individual building, the types of buildings, the urban design, and the architecture come together to shape the very essence of a neighborhood's physical characteristics.
- **Economic development.** The types of uses, the customer base, the vibrancy of the area, and more all contribute to economic development,

especially in walkable, mixed-use areas.

- **Sustainability.** Land use patterns have a major effect on sustainability measures. For example, sprawling, auto-centric development requires greenhouse-gas emitting vehicles for most trips, as well as the loss of open spaces. Conversely, compact, mixed-use development encourages walking and biking for more trips, thus allowing for the reduction in single occupancy vehicle utilization and the preservation of open spaces. Zoning can also include requirements for low-impact development and stormwater standards.
- **Equity.** Zoning has a tremendous effect on equity considerations. For example, diversifying the types of housing available in the Village – one of the comprehensive plan's goals – can provide housing that is more affordable and provides the type of housing desired by different demographic groups. That is, a range of housing choices, including downtown units above stores, townhomes, and single family homes of different sizes, can provide housing for a range of income levels.

## Updating the Village's Zoning Code

Given the importance that zoning has on many facets of the Village, it is important to ensure that the code is aligned with the goals developed in the Comprehensive Plan. As with many communities, the current code is outdated, difficult to understand, ambiguous in certain areas, and can result in development that does not meet the needs and goals of the Village.

In addition, modern zoning codes have greatly improved in recent years. Traditional zoning codes focused on a separation of uses, employed

“blunt” tools to shape development. These tools include very simple dimensional standards such as maximum height or floor area ratio (which is a means of calculating density). These types of standards can result in drastically different types of development, often resulting in sites that do not fit with the context, especially for historic communities. Finally, traditional zoning codes were often written in a legalese way that can be difficult for many users to understand. When done well, modern zoning codes fix these problems found in traditional codes.

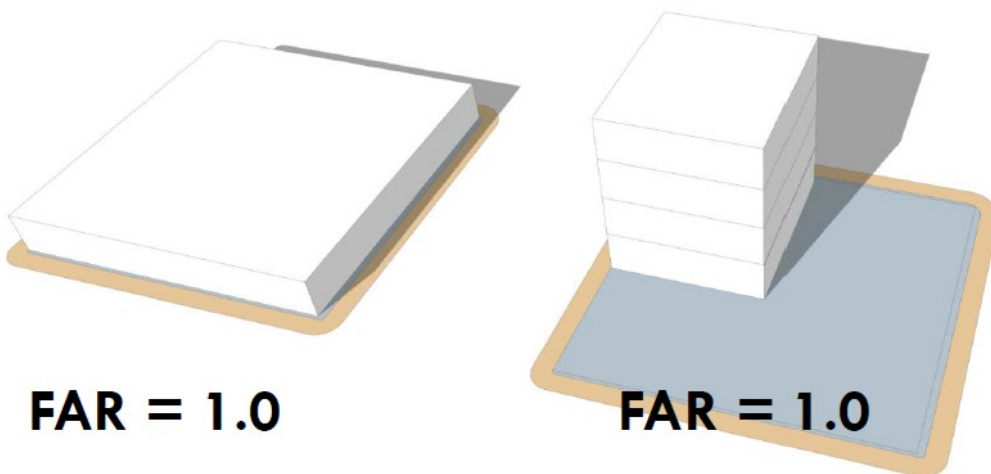
This the overall purpose of the Village of Fairport’s **Character-Based Code (CBC)**. Unlike traditional zoning codes, which focus on “zoning districts” based primarily on uses, the CBC focuses on the character found in the Village’s various neighborhoods. Uses are still a consideration for each neighborhood, but a more holistic view of shaping our neighborhoods will be used as part of the CBC. This includes more advanced design standards to ensure development that is compatible with the historic fabric of the Village. It also includes

better mechanisms for handling impacts from development (e.g., traffic) through policies that encourage multimodal travel, reduce stormwater runoff, etc.

By aligning the regulations with the community’s vision, this will reduce the likelihood for variances.

The CBC will also be far more user-friendly by using clear language, tables, and diagrams to communicate the regulations.

Finally, the CBC will update the various processes for development, ensuring that the approval process is clear and streamlined. Various definitions will be added, updated, or eliminated, as will other problematic provisions found in the existing code. As part of this process the zoning code and the building code will be aligned to streamline and clarify processes.



The diagram to the left illustrates the concept of Floor Area Ratio (FAR), a traditional tool used in zoning. FAR does a poor job of shaping development. An FAR of 1.0 could mean a single story building covering the entire lot or a 4 story building covering a quarter of the lot (as well as other options). Modern codes employ different standards to ensure development meets the community’s vision.

## **Project Goal**

The Village of Fairport will adopt an updated zoning code that will be user-friendly, help implement the Comprehensive Plan's goals, and act as a model for other villages throughout New York State and beyond.

## **Community Engagement Process**

The community engagement process will establish two-way communications between the project team and the community to create the CBC. The goal of the process is to develop broad-based consensus on various elements of the updated code, while working with the framework of the Comprehensive Plan's goals.

It is important to note that this project – and by extension the engagement process – is strongly connected to the comprehensive planning process. The zoning code update is, in effect, a Phase 2 implementation step, i.e., a continuation of that process.

The Comprehensive Plan was developed with input from community members that included:

### **Community Engagement Meetings and Types**

- Activities conducted between July 2020 and April 2021 and included pre-engagement interviews with key stakeholders, an online survey, pop-up events, and four public meetings (three virtual and one in-person)
- Communications and project updates were available via the project website, social media, Village newsletter and post-card mailings
- Open House – hosted at Johanna Perrin in September 2020, 60 people attended
- Phone interview with a small number of Village of Fairport residents and business owners

## **Outreach Events**

- Attendance at Farmers' Market in August
- Booth at Pavilion along the Canal in September
- Over 350 people were engaged through these two events
- Promotional postcards with information on how to access the survey were left at local restaurants

## **Online Survey**

- Active from August through October with 1,413 surveys received

## **Virtual Community Meetings**

- Review the initial recommendations of the Comprehensive Plan Committee
- Over 100 residents participated
- Online public meeting hosted via Zoom in October 2020

As such, elements of the updated Zoning Code and Map that are already directed by the adopted Character Area descriptions and Map in the Comprehensive Plan will not be subject to a new round of public input through the Zoning Code Update. 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 Zoning Code Update will be on text, use, or design changes to the Code that go beyond the direction provided in the Comprehensive Plan, as well as the more detailed parcel-specific mapping needed for new zoning district boundaries to complete a new Zoning Map.

While this Community Engagement Plan is intended to provide a framework for community engagement, it is also intended to be a dynamic strategy. This Plan is developed with the flexibility to evolve over the course of the project as the effectiveness of various tools and techniques are evaluated and modified to better suit the project and broader community.

The Plan's approach incorporates the following steps to ensure a quality public engagement process:

- **Community Needs and Expectations:** Early in the process, the project team will identify key stakeholders and community leaders who represent the broader community.
- **Objectives:** The objectives established in this Plan will enable the project team to target outreach efforts accordingly. The objectives are based on the goals of the Comprehensive Plan. They aim to outline the community's role and provide a clear understanding of what will be achieved.
- **Tools + Outreach Strategies:** The tools and outreach strategies identified in this Plan have been chosen based on the team's understanding of the community's expectation for involvement. The tools and strategies may vary depending on whether the intent is to inform, consult with, or collaborate with the intended audience.

# ROLES + RESPONSIBILITIES

## **Village of Fairport**

Staff from the Village of Fairport are responsible for project direction, oversight, and administration. The Village will maintain the website and be the initial point of contact for issues related to the CBC, unless directed to other project partners.

## **Genesee Transit Council MPO (GTC)**

GTC is a project sponsor. Funding for this zoning code update and related materials is provided in part by GTC with a match from the Village. GTC will assist the project team throughout the process to meet the objectives outlined in the award criteria, which includes developing an updated zoning code that encourages multimodal travel options.

## **Fisher Associates**

Fisher Associates is the consultant to the Village and is responsible for project execution and the creation of the CBC. This includes planning, engagement, facilitation, and technical expertise to develop the code.

## **Zoning Working Group (ZWG)**

The ZWG will serve as an advisory board across the entire process. This ensures regular check-in and feedback from members. It will include representatives from each of the land use boards (Historic Preservation Commission, Zoning Board of Appeals, and Planning Board), a representative from the County Department of Environment and Planning, a representative from Genesee Transportation Council, as well as the Village Manager, Village Code Enforcement Officer/Fire Marshal and Village Planner.



## Zoning Working Group Meeting Topics

The following are tentative topics that will be discussed by the ZWG. The topics are subject to change and additional meetings may be added, as necessary. Throughout the process the ZWG will review and discuss comments received by the public.

- 1** **Introductory Meeting**
  - Introduction to project, relationship to comprehensive plan
  - Roles and responsibilities
  - Schedule, engagement, and tasks
  - Overall format of future code
  
- 2** **Outline + Outreach**
  - Outline of code
  - Draft districts: new districts, removed/consolidated districts, and purpose of each
  - Preparation for outreach activities
  
- 3** **Lot and Building Standards**
  - Lot Standards
  - Dimensional Standards
  - Other Design Standards and Guidelines
  
- 4** **Transportation Demand Management + Parking**
  - TDM
  - Parking requirements
  - Other multi-modal mobility issues
  
- 5** **Other Standards**
  - Subdivisions
  - Roadways
  - Stormwater Management
  - Other TBD (e.g., inclusionary zoning, adult uses)
  
- 6** **Process**
  - Approval process
  - Site Plan Review
  - Special Permit
  - Enforcement
  - Other process-related issues TBD
  
- 7** **Full Draft Review**
  - Provide final comments on the full draft prior to approval process

# MEETINGS + OUTREACH

This plan outlines an approach to achieve the following objectives:

- Listen to stakeholders and community members
- Solicit feedback and input on draft recommendations for the updated code.
- Generate excitement and interest in the community for the updated code.

## **Engagement Planning Phase**

There are three phases to the engagement process. The first phase is the Engagement Planning phase, which is currently ongoing. During this phase the Project Team, with guidance from the Zoning Working Group, will identify stakeholders and the optimal ways to engage them.

During this time the Team will also develop various materials to both educate on the project, as well as to promote upcoming events. This work is being done concurrently with Existing Conditions analysis, and it is expected that materials developed from the latter will be used as part of the engagement efforts.

## **Round 1 Outreach**

The bulk of the outreach activities occurs in this phase of the engagement. The goal of this phase is two-fold:

First is to educate the community on the project, process, and goals. This includes an explanation of what zoning is, what it can do and what it can't do. It will include context as to the relationship with the comprehensive plan. It will be clearly communicated that the intent of this project is to develop a new code that implements the comprehensive plan, not to "re-litigate" the comprehensive plan itself.

The second goal will be to gather information from the community to inform the CBC. Although the code will be developed within the framework of implementing the comprehensive plans recommendations, there is substantial opportunity for how this takes place in the regulations.

The Project Schedule at the end of this document provides a general timeline for the Round 1 Outreach activities. Actual dates will be determined and refined during the course of the project. Note that although the Project Schedule provides a timeline of 2.5 months, this includes preparation of materials and outreach.

The following page provides a list of potential engagement activities. The actual events will be determined by Village Staff and the Zoning Working Group. Note that this list is not exhaustive and the group may brainstorm additional/alternative ways of engagement (dependent upon budget).

## Round 1 [Potential] Outreach Activities

- 1 Focus Groups**

Focus groups allow for nuanced conversations among various groups of people. Working with Village staff and the Zoning Working Group to identify appropriate groups, 1-4 focus group conversations will be conducted. Examples could include business owners, housing advocacy groups, high school students, developers.
- 2 Walkshop/Tour**

A walking tour can be paired with other events to allow the community to see key areas and provide thoughts that will inform the zoning. For example, this could be done in the downtown to see key sites and the potential for redevelopment.
- 3 Pop-up events**

Public forums, especially in-person weeknight ones, tend to attract a smaller group of people that is not representative of the broader population (e.g., parents with young children are less likely to attend). Pop-up events will “bring the project to them.” This may include setting up a booth at a farmer’s market, community event, library, or other place that can attract both people who planned to provide input, as well as impromptu visits.
- 4 Virtual Forum\***

A virtual forum (i.e., conducted on zoom) can result in a higher turnout than an in-person event. This strategy can work well for a presentation of the project. If turnout is large, small group breakout sessions can allow for productive conversations. A larger group Q+A /comments can also take place.
- 5 In-Person Forum**

An in-person forum allows for a high degree of interactive exercises, as well as small group and one-on-one conversations. For example, an open house style event with various stations can provide a number of ways for participants to inform the zoning. For example, based on information from previous plans, analysis, Village staff, and the Zoning Working Group, an initial draft of various elements of the code could be organized for participants to provide feedback. Another potential exercise could be a visual preference survey which would inform various aspects of the code.

\*We could consider a hybrid event; however, in the consultant’s experience, these tend to be suboptimal for either the in-person or remote participants, especially where there is an interactive element to the event.

## **Round 2 Outreach**

After the consultant team, guided by Village Staff and the Zoning Working Group, synthesize the information from Round 1 Outreach and develop drafts of the zoning recommendations, a second round of outreach will take place. This round will be shorter and less intense than the first round. It provides an opportunity for the community to provide feedback on the draft code, which can then be refined.

The recommendations will be posted online with opportunities for comment. A presentation (virtual or in-person) will also provide an opportunity for the community to learn more context and hear about how and why the recommendations were developed.

## Description of Community Participation and Input

The project team will provide at least six briefings before the Village Board where the public can listen as the project team and ZWG members provide updates and the Village Board responds with feedback and direction on next steps. While the public can only listen at these meetings, written comments can be provided to the ZWG following the meeting.

In addition, there will also be specially organized public Informational Meetings where the public can also speak and provide live input to the project team and ZWG.

The final decision to adopt the updated Zoning Code and Map lies with Village Board, 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 the Village Board for formal action in early 2025. If adopted, the updated Zoning Code and Zoning Map will be codified in Chapter 550 of Village Code.

Public Meeting Topic	Timeframe	Briefing, Informational Meeting, or Public Hearing
Introduction of Consultant Team, Project Overview, Community Input Summary	Winter 2024	Briefing
Progress Updates to Village Board	Ongoing	Briefing
Present draft Zoning Code Text Changes	Summer 2024	Informational Meeting
Present draft Zoning Map	Summer 2024	Informational Meeting
Present draft Zoning Code Text and Map based on feedback	Fall 2024	Informational Meeting
Village Board Review of Final Code Text, Map and <a href="#">take action</a>	Early 2025	Public Hearing



# Project Schedule

