

Comprehensive Plan

The Town Of
Rochester
New York



July 28, 2006

PRELIMINARY DRAFT

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Introduction

This Comprehensive Plan is intended to ensure that the Town of Rochester has policies in place so that the property rights of landowners and the community as a whole are both protected by employing a balanced set of standards of preserving the rights to use land as desired while also addressing the impacts of such development on adjacent landowners and their property rights.

Throughout the development of the plan, at both meetings of the committee and general public, there were mixtures of praise, doubt and skepticism. Overall there was a strong persistent expression of love for the Town by virtually every participant in the process, coupled with a desire to make it an even better place in which to live.

In honoring that sentiment, the plan has sought to find areas of common ground. It is offered as a reasonable first step in an ongoing process of maintaining and/or improving the quality of life in the Town of Rochester for all of its residents.

Planning in the Face of Change

The Town of Rochester began the process of updating its comprehensive plan in January 2006. This plan is to replace the Town's current plan which was completed and adopted in 1969.

Changes in State Law Since 1969: In 1969, a comprehensive plan had no formal role in New York State law, so a town's plan could address any issue or make any recommendation with little or no ramifications for the town itself. In the 1990s, New York State law finally gave comprehensive plans a formal role. Any town that wished to institute zoning or changed their zoning were required to justify those actions on the basis of an adopted comprehensive plan. It was important for Rochester to update its plan so that it fits into this new legal framework.

Community Changes Since 1969: In the decades that have passed since that plan was adopted, Rochester and Ulster County have seen dramatic changes. According to the 1969 plan, in 1960, the four largest sectors in which the residents in the Town had jobs (either in Town or elsewhere) were manufacturing (employing 23 percent of all residents who were working), agriculture (14%), retail (11%) and construction (11%). By the 2000 Census, the four major employing industries for residents were health care (11%), retail (11%), education (11%), and construction (9%).

Agriculture, long the mainstay of the local economy, sustained a dramatic downsizing in the 1950s with land in farms falling from 27,000 acres in 1950 to 14,000 by 1964. Local farms that have survived into the 21st century face a combination of changing consumer preferences along with increases in global competition and State and federal regulation.

Tourism in the area has been transformed from an industry dominated by large-scale full-service resorts to a diversified activity serving day trippers, second-home-owners, climbers and others whose lodging preferences range from beds and breakfasts to campgrounds. More and more tourists now come to the area to visit and buy local products, infusing cash into tourism, the arts and agriculture in Rochester.

In the last twenty years, changes in technology have had huge implications for Rochester. In the early nineties, IBM-Kingston—long a source of high-wage manufacturing employment for

people throughout Ulster County—closed its doors. In the ensuing years, the Internet has dramatically changed the way almost every business operates, from the local convenience store to people in the trades, to telecommuters who can live in Rochester, hold down jobs at companies two and three hours away, while working at home at least several days each week. While these changes were taking place, the Town continued to gain population. From 1990 to 2000, Rochester was the fastest growing town in Ulster County, growing by 24 percent, reaching a population of 7,018 persons. From 2000 to 2005, the Town’s growth continued at a more moderate pace of 4 percent to 7,306.

Through it all the Town of Rochester has remained a community with great natural beauty, a strong sense of history and a high quality of life. To be an effective guide for the future, a plan should consider all of these factors—natural beauty, history and quality of life—along with others such as economic opportunities and community values. This plan and its recommendations are intended to enable the Town to respond to changes it faces in ways that keep these essential qualities intact.

The Planning Process

The formal planning process began with the review of goals from previous planning efforts in the Town, including the 1969 plan, a 1990 that was drafted but never adopted, and the 2004 “Imagine Rochester” visioning process. The goals from these efforts were reviewed and integrated into a single set of draft plan goals. These were reviewed by the comprehensive plan committee and then release for public review and comment. In April of 2006, four public input meetings were held as follows:

- Monday, April 17, 2006: Accord Firehouse
- Tuesday, April 18, 2006: Alligerville Firehouse
- Thursday, April 20, 2006: Rochester Town Court
- Monday, April 24, 2006: Rochester II Firehouse

During the meetings, the draft goals were reviewed and comments taken from the public. In addition, participants were asked to rate a variety of images in terms of their desirability as potential developments in Rochester. In addition, four plan scenarios were presented to participants for evaluation and comment by those in attendance.

The results of these meetings were compiled and reviewed by the Comprehensive Plan Committee. As a consequence of this review, the draft plan goals were revised to reflect the input received. A second round of public meetings was scheduled to elicit public response to the revised goals and objectives. They were:

- Saturday, June 17, 2006, 9 AM, Town Hall
- Wednesday, June 21, 2006, 7 PM, Alligerville Firehouse
- Thursday, June 22, 2006, 7 PM, Rochester Court
- Tuesday, June 27, 2006, 7 PM, Rochester 2 Firehouse
- Thursday, June 29, 2006, 7 PM, Accord Firehouse

The current draft plan incorporates the results of the input from these meetings, which are summarized in the plan appendices.

The General Approach of this Plan

As indicated above, this plan seeks a reasonable balance in all of its recommendations. This means finding a balance between the varying interests of different citizens. It means finding a balance among the types of development promoted. The Cost of Community Services Study completed for the Town of Rochester provides one example of why it is important to balance different types of land uses. (See the appendices for a copy of the study.)

In sum, a balanced approach means keeping a reasonable balance between important community goals stated and the rights of individual property owners so that:

- Growth can take place without compromising the quantity and quality of drinking water available to all Town residents.
- New development is sited and designed to minimize the amount of taxes that must be raised townwide to provide new facilities and services to support that development.
- Town government expands its ability to collaborate and share services and purchasing with a variety of other governments, including the School District as part of its efforts to hold down costs.
- Rochester may take advantage of changes in the national and regional economy to build the Town's economic base through encouraging small business, tourism, arts, agriculture and historic preservation.
- To the greatest extent possible, the Town remains an affordable place for all to live.
- Development complements and strengthens Rochester's small town quality.
- Growth occurs in a way that minimizes loss of open spaces or scenic views.

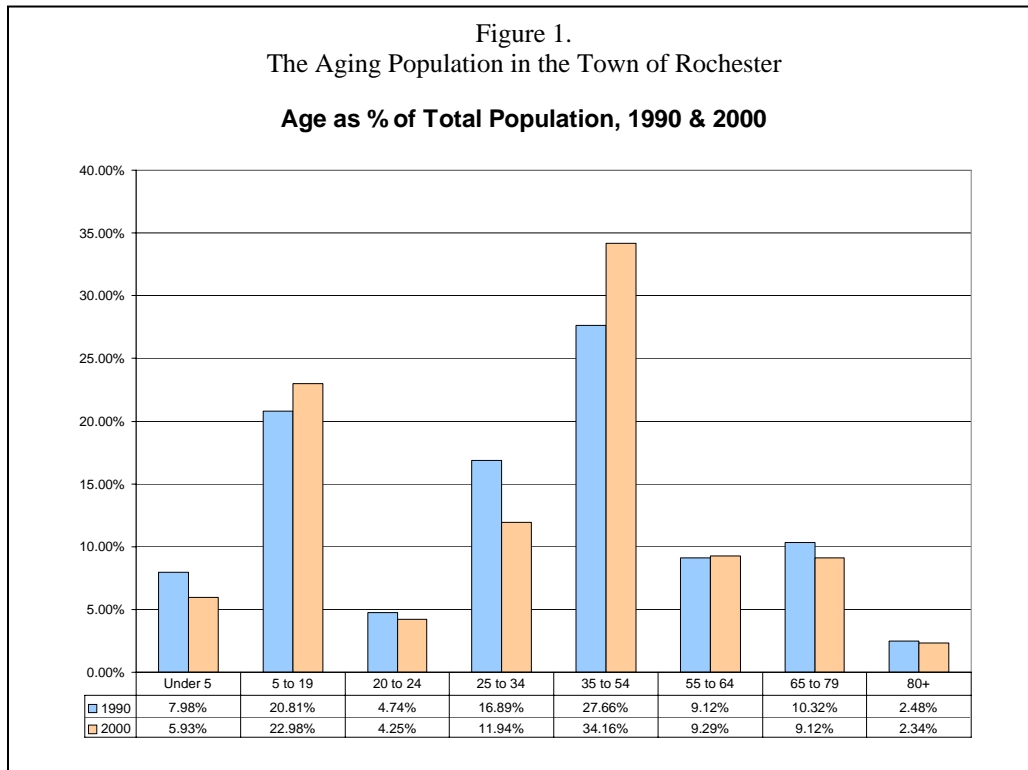
The issue of housing affordability has been a key concern in creating this plan. Table 1 provides an overview of housing affordability in Rochester for 2005, the latest year for which complete data are available. Housing experts such as the US Department of Housing and Urban Development use a general "rule of thumb: that housing

| Table 1. HOUSING AFFORDABILITY IN ROCHESTER, 2005 | | |
|---|-------|---|
| | | Median Value of Single-Family Residences Sold between Jan 1 and December 31, 2005 |
| | | \$221,000 |
| Tax Rates (per 1000 AV using Residential Assessment Ratio of 50.00) | | Taxes |
| County | 5.42 | \$599 |
| Town (inc. Special Districts) | 5.44 | \$601 |
| Rondout Valley School District (inc. any Library) | 33.14 | \$3,662 |
| Mortgage Costs | | |
| Annual Costs of an 80% Mortgage at 7% for 30 years | | \$14,115 |
| Mortgage & Taxes | | |
| | | \$18,977 |
| Estimated Median HH Income, 2005* | | \$50,491 |
| Percent of MHHI | | 38% |
| Threshold Income at Which Housing Costs = 30% of HH Income | | \$63,257 |
| Source: NYSORPS, 138 Sales of Single Family Homes (inc. Mfg. Housing) Jan. to Dec., 2005 *Uses 1999 Census Median HH Income of \$43,071 inflated to 2005 dollars using the Consumer Price Index. | | |

costs become burdensome to a household when those costs (e.g., payments for mortgages and taxes for homeowners) exceed thirty percent of household income.

Table 1 compares the costs of owning the median value of a house sold in 2005 with the median household income for 1999 as recorded by the US Census Bureau. Note that costs for a house priced at the median sale price of \$221,000 are \$18,977, or 38 percent of the estimated 2005 median income of \$50,491.

As a further indication of the burden of housing costs in Rochester, the tables shows that the amount of household income that is required if \$14,155 in housing costs are to remain at 30 percent of income is \$63,257, 25% above the estimated median household income for the Town. Thus it is clear that Rochester must find ways to keep housing affordable.



An issue closely related to housing affordability is the aging of Rochester’s population. As shown in Figure 1, from 1990 to 2000, the Town saw an increase in the proportion of its population between the ages of 35 and 54, while the Town’s share of 20 to 34 year-olds diminished. This suggests that, over the next ten to fifteen years, a greater proportion of the population in the Town will be approaching the traditional retirement age of 65. Thus it is important for the Town to begin to respond to the changes associated with an aging population now so that policies will be in place as more residents reach or pass retirement age. This means ensuring that, when this population is looking to move to a smaller, more manageable residence, opportunities will be available in Rochester. It also means planning so that Town programs and facilities will be able to respond to an aging population.

At the same time, the Town should provide ways to help young families with children find affordable housing in the Town. Again, this involves making sure that there are smaller,

more affordable “starter” homes in sufficient supply. Thus, the same types of initiatives can help supply housing to meet the needs of both the elderly and young families. These concerns have shaped various recommendations found in this plan.

Finally, building and maintaining constructive working relationships among all stakeholders in the community is the single most important thing to make this plan a success. To the extent possible, all members of the community should play a role in reviewing and finalizing this plan and should continue to be involved in its implementation through the boards, committees and other entities that will be taking necessary action. That, more than any specific recommendations in this plan is the key Rochester’s future. The Plan should be revisited by 2009 to ensure that it remains relevant and as another way of building and maintaining those working relationships.

How the Plan is Organized

As indicated above, a comprehensive plan is intended to set a direction for development in the Town and then define the actions, policies and other tools that will be used to move the Town in that direction.

Goals: The plan goals set a direction for actions by the Town. They address six elements of growth and development in the Town:

- environmental quality
- land use
- community character
- economic development
- infrastructure
- government services

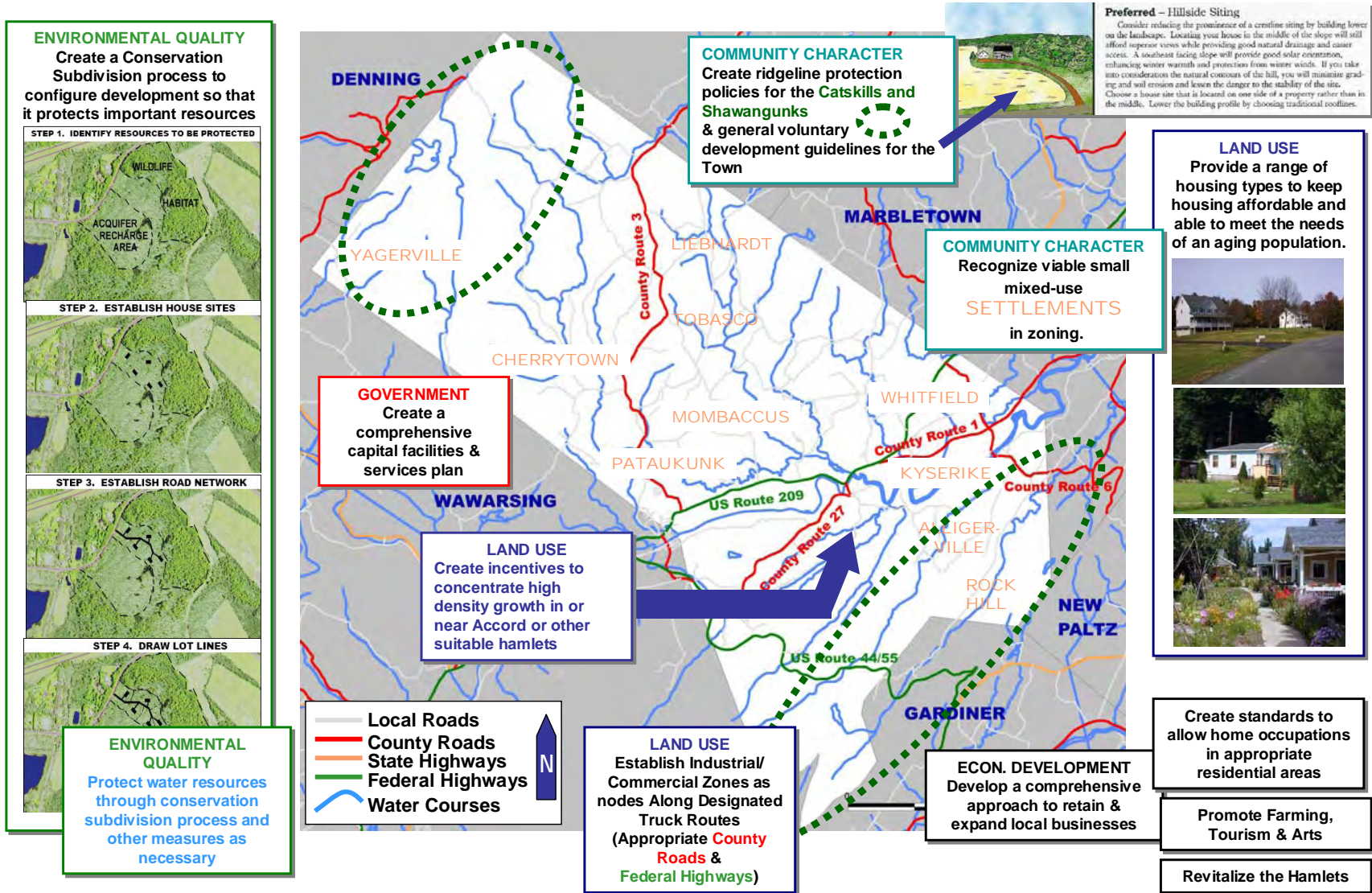
Objectives: Each plan goal is accompanied by objectives that identify specific actions that the Town can take to move in the direction set by the goals

Policy recommendations: The plan goals and objectives are followed by policy recommendations. These recommendations identify tools that Town government should use to accomplish the plan objectives. Recommendations can indicate potential laws, government programs, voluntary actions, regulations and other initiatives designed to achieve the objectives associated with each goal.

Implementation Schedule: The broad scope of issues that are addressed by a comprehensive plan can make it difficult for a Town to decide which items should be the first to be addressed. The implementation schedule provides a time frame for enacting the recommendations of the plan, indicating which measures should be adopted within the first year, the first two years and within five years.

Plan Concept: This graphic provides an overview of the major elements of the plan. (See Figure 2 below.) It is intended to show in summary form how the major recommendations interact to accomplish the plan’s purpose and goals.

Figure 2.
DRAFT Plan Concept for Rochester



Plan Element: Environmental Quality

Goal:

Strike a balance so that growth can take place in a way that protects the environmental resources we all need to live.

Objectives:

Protect the quantity and quality of the water supply by

- **strengthening measures to prevent groundwater contamination**, such as limiting density of development in areas of lowest groundwater yields and in aquifer recharge areas
- **developing standards to assure protection of surface waters**, including standards for development to assure stream bank protection
- **protecting the quality of wetlands and other water bodies**
- **providing sewage collection and treatment for hamlets** such as Accord

Protect the Town's important natural resources as identified through the Town's Natural Resources Inventory as adopted by the Town Board.

Minimize disturbance to wildlife and vegetation from the effects of new development and the activities that accompany it.

Policy Recommendations

Implement a conservation subdivision process in the Town. This process involves identifying the important resources to be protected on the site of a proposed subdivision. It is a four-step process that involves representatives of the planning board and the applicant walking the land together to confirm the resources on site to be preserved and to consider various design options possible under this approach.

Under conservation subdivision techniques, the density of development is not affected. Rather the approach is to configure the development so that it has minimal impact on the important resources associated with the land to be developed. Thus, the first step in the subdivision process is not to lay out house lots, but rather to identify the physical location of environmental and cultural resources on the property that are worthy of protection. Once the resources to be protected have been defined and mapped, the next step is to map the areas where development can take place. House footprints are then sited in the “developable” area; streets and trails are then added (also taking care to avoid the critical resources on site). Finally, the lot lines are defined, producing a subdivision that meets the existing density schedule but which is configured to conserve the site’s critical resources. The number of units developed through the conservation subdivision process is the same as in a regular subdivision process.

Land set aside during the Conservation Subdivision process should be put into formal conservation easements or other form of legal protection so that it is protected in perpetuity. See Figure 2 for an illustration of the four steps of the Conservation Subdivision process.

Figure 2.

The Conservation Subdivision Process

A STANDARD SUBDIVISION PROCESS

THE SITE BEFORE DEVELOPMENT



THE SITE AFTER STANDARD DEVELOPMENT



Standard subdivision processes often ignore important resources that could be saved through more creative development.

THE CONSERVATION SUBDIVISION PROCESS

The Conservation Subdivision process explicitly identifies important resources ahead of time (See Step 1 below) and then lays out the house sites in ways that protect these resources (Step 2).

STEP 1. IDENTIFY RESOURCES TO BE PROTECTED

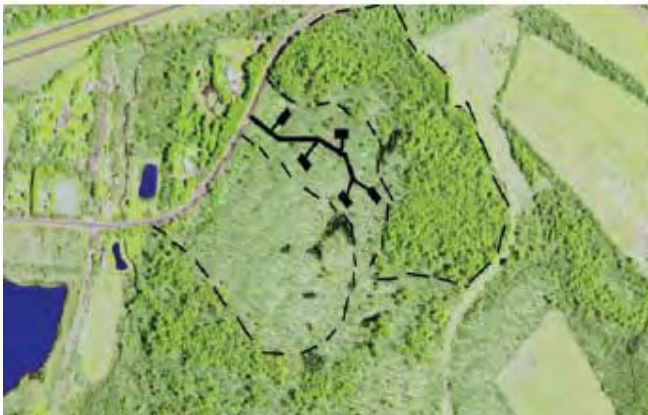


STEP 2. ESTABLISH HOUSE SITES



Once the houses have been sited, the road network is laid out (Step 3) and the lot lines are drawn (Step 4). Each step of the way, development is configured to avoid important resources.

STEP 3. ESTABLISH ROAD NETWORK



STEP 4. DRAW LOT LINES



Adopt special policies for protecting water resources. The New York Rural Water Association has recently completed an inventory of groundwater resources for the Town that has mapped important aquifers and other important components of the Town's drinking water resources. This information will enable the Town to evaluate the feasibility of implementing a variety of groundwater protection policies. Given the importance for maintaining the quality of drinking water supplies to the Town should ensure that it has policies in place to protect them. The town should evaluate the effectiveness of such policies as:

- Establishing mandatory conservation subdivisions for areas containing important groundwater supplies and aquifers.
- Developing a water resources overlay in the Town's zoning. Based upon information from the New York State Rural Water Association mapping and other information from local well drillers, developers, the sanitarians from the Ulster County Health Department, the Town can identify those areas in Town in which any proposed subdivision should be required to perform more extensive tests of water supplies. An overlay zone would be created that does not change the existing uses or density allowed. However, developments proposed in the overlay zone may be required to perform a more extensive pump test than would normally be the case.
- Reducing density in areas in which groundwater may be particularly sensitive to development
- Reviewing zoning and subdivision regulations to ensure that they minimize the use of impervious surfaces in important groundwater recharge areas in the Town.

Use the conservation subdivision process to protect other natural resources defined in the Natural Resources Inventory, including habitat of endangered wildlife and important types of vegetative cover. The Town should consider a variety of approaches to implementing a conservation subdivision process for these purposes, ranging from guidelines to incentives to a mandatory process, depending upon which approach is most likely to achieve conservation goals given the importance of the resource, the configuration of the landscape and the need to protect individual property rights.

Ensure completeness and accuracy of maps of wetlands in the Town. In order for development to take place in an environmentally sound manner with minimal delays, the Town should keep an updated set of maps of the wetlands in Town. This will enable both the applicant and the planning board to be able to quickly and accurately assess the impact of development proposals on wetlands and make appropriate revisions to those proposals with minimal expenditure of time and other resources.

Plan Element: Land Use

Goal:

Shape future development so that it

- Minimizes tax increases needed to support new growth
- Maximizes the ability of people of all means to find an affordable place to live in Rochester by providing for a range of housing choices and lot sizes

Objectives:

Direct growth to where it works best by encouraging concentrations of new residential and mixed-used, and nonresidential developments in areas which presently are or which can conveniently be served by roads, utilities, schools and other facilities

Direct large-scale or intensive development away from more remote areas with difficult accessibility which would likely result in greater environmental impacts and would involve excessive costs for road improvements, road maintenance, and utility installation.

Broaden housing opportunities in the Town of Rochester to provide housing for all populations including senior citizens, working families and households, single adults, and others.

Use incentives to encourage better site design and green design principles in new development projects.

Policy recommendations:

Create incentives that direct much development to locate in or near existing concentrations of development, including Accord and other appropriate areas. Tools to accomplish this include:

- Incentive zoning that encourages developers to site larger projects in or near hamlet areas or which enable developers to slightly expand the size of proposed projects within specified guidelines in exchange for payments to the Town to support the creation and/or expansion of sewer and water facilities, sidewalks or other public infrastructure for hamlet areas.

Transfer of Development Rights (TDR): TDR systems sets development patterns through a free market mechanism. According to the New York State Department of State’s 1998 publication *Creating the Community You Want: Municipal Options in Land Use Control*:

Transfer of development rights (TDR) is an innovative and complex growth management technique. It is based on the concept that ownership of land gives the owner a “bundle of rights,” each of which may be separated from the rest. For example, one of the “bundle of rights” is the right to develop land. With a TDR system, landowners are able to retain their land, but sell the development rights for use on other properties. TDR has been most often applied for preservation of farmland in New York. Under common TDR systems, a farmer is able to keep the land in agriculture by selling the property’s development rights, which are then used on non-agricultural land. . . .

Under the State zoning enabling statutes, areas of the municipality which have been identified through the planning process as in need of preservation (e.g., agricultural land) or in which

development should be avoided (e.g., municipal drinking water supply protection areas) are established as “sending districts.” Owners of land in these designated areas may sell the rights to develop their lands, and those development rights may be transferred to lands located in “receiving districts.” Those rights usually take the form of a number of units per acre, or gross square footage of floor space, or an increase in height. The rights are used to increase the density of development in the receiving district. Receiving districts are those areas which the municipality has determined are appropriate for increased density based upon a study of the effects of increased density in such areas. For example, a town may determine that it is appropriate to preserve prime agricultural land, which it designates as a sending district, and that its unincorporated hamlet area may be developed at a higher density and designated as a district where development rights can be used to increase density above what is allowed by right. In this manner, owners of land in sending districts are able to realize a level of economic return while the municipal goal of preserving the land is achieved. The TDR system will be successful, however, only where there is a demand to increase development in the receiving districts and where the municipality does not undermine the incentive to purchase development rights by rezoning receiving districts to higher densities which will alone meet market demand.

James L. Coon, *Creating the Community You Want: Municipal Options in Land Use Control*. pp. 8-9.

Under a TDR system for Rochester, the “sending areas” may be comprised of zoning districts in remote areas of the Town. The “receiving zones” could be the in or immediately adjacent to hamlet of Accord and/or other areas that have vacant land with the potential receive additional development (e.g., the land is currently served by or could be served by municipal sewer and water and has ready access to major roads).

Ensure that high intensity and/or high-impact industrial or commercial uses are sited along roads that have sufficient capacity to handle the weight of truck traffic. The Town should establish its zones for high-intensity/high-impact industrial and commercial uses on State or County roads that have the capacity to accommodate extensive truck traffic. This will keep the heavy traffic associated with such uses on roads designed to withstand that traffic. At the same time, this policy will also limit the impacts such activities have on residential areas (e.g., noise, air quality, etc.), by keeping such uses to areas that have the capacity to handle high traffic impacts.

Adopt and implement policies to promote housing that can be priced to be affordable to those making less than the median household income in Rochester. Policy options to be considered include:

- **Incentive Zoning** can be used to encourage various housing styles by allowing a developer additional density in a project if it contains smaller, more affordable houses along with standard, market-rate units.
- **Inclusionary Zoning** that requires developers to set aside a certain number of units in large-scale residential projects for purchasers who meet certain income guidelines.
- **Planned Unit Developments** enable a developer to use a single large parcel of land to create mixed-use developments that can include a wide range of housing styles from large-lot estates to small apartments in the second floor of commercial buildings.
- **Allowing mixed uses** particularly in the hamlet areas which have traditionally been a source of starter housing for young couples and an option for elderly housing. Apartments and condominiums on the upper floors of nonresidential development is a traditional style of hamlet housing.

- Delineation of areas for manufactured housing developments so that this type of lower-cost housing can be provided without disturbing the existing character of residential areas.
- Federal and/or State grants through such programs as the Department of Housing and Urban Development's HOMES program which can provide funding for the creation of housing for those with moderate to low incomes, including senior citizens.

NOTE: This effort should also seek to provide housing options to accommodate an aging population in the Town of Rochester. For example, it may be important to create smaller residences in or near hamlet areas that retirees could move into as they become unable to care for larger, more isolated houses. This would allow those residents to remain in Rochester while making the large houses available for families and others.

Adopt incentive zoning provisions that encourage energy conservation. These provisions could award developers the right to build additional units if they incorporate energy conservation measures as passive solar heating and energy saving landscaping in the site design of their proposal. Alternatively, such density bonuses could be awarded developers in return for monetary contributions that could help finance a low-interest revolving loan fund to help property owners in the Town improve the energy efficiency of their properties.

Plan Element: Community Character

Goal:

Shape growth so that it contributes to and strengthens the qualities that make Rochester unique and define the character of the area from a public perspective, including such qualities as:

- Scenic views
- Open space
- History

Objectives

Develop standards of ridgeline protection for the Catskills and the Shawangunk Ridge that limit clearing and intensity of use so as to maintain existing character.

Create standards and/or guidelines for development and landscaping that maintain a high-quality built environment while preserving and using natural beauty wherever possible.

Where appropriate, recognize historical small neighborhoods or settlements in zoning to preserve small-scale mixed use where it remains viable.

Protect and preserve the Town's historically significant buildings and sites in a manner that actively involves private owners of such properties.

Prevent intrusion of incompatible uses in residential areas

Ensure that signage in Town is both attractive and functional.

Create an Open Space Plan to provide for significant areas of open space including preserving wooded areas and agricultural lands to the extent possible. The plan should define a system of open spaces and park and recreation facilities.

Policy Recommendations:

Create and implement local policies to ensure high standards for design and development. Policies to be considered include:

- Ridgeline protection policies to ensure that new development is compatible with the scenic beauty of the Shawangunks and Catskills. Generally, such policies either encourage or require that new development be sited so that the buildings do not extend above the ridgeline to preserve the existing view from the valley below. As with the conservation subdivision process, the potential approaches range from voluntary guidelines to incentives to mandatory standards. The policies adopted by the Town should take the approach is most likely to achieve ridgeline protection, given configuration of the ridgelines and affected properties and the need to protect individual property rights.
- General site development guidelines. These voluntary suggestions can be very useful to help property owners and/or developers create projects that have minimal environmental impacts and blend well with the existing scenery. Design guidelines developed by the Dutchess Land Conservancy are included in the appendix as a suggestion for what might be included in these design guidelines.

- Standards or guidelines for clearing substantial areas of land which either contain or are adjacent to important water resources. Improper clearing associated with subdivisions, site development or other actions requiring permits can lead to erosion and thus dramatically impair water quality. While a voluntary approach is preferred, it may be necessary to mandate clearing standards for such areas.

Create zoning districts or overlays that recognize small areas in the Town that have the potential to become or continue as small mixed-use areas at densities of less than one unit per acre. These zones would not create large hamlets like Accord, but would seek to preserve small neighborhood settlements like Alligerville or Kyserike

Review the Town regulations to ensure they prevent unwarranted noise and other nuisances from degrading the residential character of neighborhoods while at the same time allowing working residents to be able to perform regular maintenance of their properties (e.g., mowing, clearing brush, etc.) during non-working hours.

Site high intensity/high impact commercial and/or industrial uses along designated truck routes, as indicated in the land-use recommendations. This policy will help keep the noise or dust associated with such uses from unduly effecting residential areas.

Create an open space plan that identifies important areas in Town that should remain in open space as the Town develops and outlines means implementation techniques involving voluntary cooperation by the property owners, including incentives, conservation easements, programs to purchase properties or their development rights from willing sellers. In this way, the Plan should define ways to protect key in ways that work for both individual property owners and the Town as a whole. The Open Space Plan will not use eminent domain as an implementation technique. It should be completed in cooperation with the efforts of the Shawangunk Mountain Scenic Byway and Ulster County to create their own open space plans.

Create an historic preservation law to designate and preserve historically significant sites in Rochester that is based upon voluntary participation of owners of historic properties and includes appropriate incentives for property owner participation.

Plan Element: Economic Development

Goal:

Enhance both the tax base and local employment opportunities by supporting a diverse economic base that includes tourism, agriculture, services and manufacturing all sited and scaled to blend in with the historic character of Rochester.

Objectives:

Encourage the tourism and vacation industry in the Town including but not limited to well-planned resort, recreation and Bed and Breakfast development.

Recognize and respond to the economic impact of 2nd home development in ways that strengthens Rochester's economy and community.

Provide for continued commercial and industrial growth compatible with the Land Use Goals of the Comprehensive Plan including but not limited to allowing higher density development in hamlet areas.

Create community and cultural facilities integrated with commercial development in hamlet areas.

Promote hiking, sightseeing and other outdoor recreation related businesses.

Provide sites for compatible industries (keeping in mind that the predominant character of the Town is residential)

Permit home occupations while regulating their size and the type of use permitted.

Promote energy conservation and renewable energy resources.

Promote broadband Internet access and expanded cellular access throughout the Town.

Take measures to preserve productive farmlands as a viable industry resource and as a means for maintaining open space by maintaining right to farm protections.

Support creation of local Purchase of Development Rights (PDR) programs and/or Transfer of Development Rights (TDR) programs designed to encourage participation by farmers.

Provide opportunities for farmers to earn supplemental income as a means for remaining in farming. This could include policies that:

- encourage direct marketing of agricultural products through farm stands and similar activities
- provide opportunities for farmers to earn nonfarm income on their properties, such as allowing farm buildings to be re-adapted to other, similar uses (e.g., small engine repair) and finding ways to allow farm-related mining below the DEC threshold of 1,000 tons per year to occur with the minimum amount of impact on residential areas.

Encourage or support agri-tourism activities by farms in the town.

Consider creating a plan to proactively promote & develop agriculture in the Town.

Policy Recommendations:

Develop a comprehensive approach to retain and expand local businesses, including:

- Allowing home occupations in appropriate residential districts with clear modern definitions recognizing how such business have been and are being changed by such factors as the Internet and computer technology in general.
- Creating industrial and commercial zones in Town that provide places for home-based businesses to “graduate to” as they become more successful. As indicated elsewhere in this plan, these zones need to be located along truck routes so the businesses in them can grow without “neighbor problems.” The zones should be clearly defined and titled in local zoning law to reduce the potential for future conflicts that can occur when people unknowingly build or buy homes next to industrial areas

Develop a hamlet revitalization program for Accord and other suitable hamlets. The Town should seek grants and other support for the creation of a “Main Street” program for the hamlets. In addition, the Town should consider creating special mechanisms for hamlet revitalization such as local development corporation(s) to administer revolving loan funds focusing on hamlet businesses along with establishing a Business Improvement District (BID) for each hamlet. Under a BID, property owners within a set boundary agree to have a special assessment levied on their properties. That assessment is then earmarked for projects and activities specifically designed to promote business opportunities in the BID. Activities can range from façade improvement programs to joint promotion and marketing efforts. As part of this effort, identify ways in which the siting of Town facilities and/or cultural facilities can contribute to hamlet revitalization.

Promote Tourism and the Arts as sources of economic development for Rochester through such initiatives as:

- Ensuring there are adequate standards in Rochester’s zoning for beds and breakfasts in residential zones and that small scale inns and lodges are accommodated in appropriate locations in zoning
- Providing infrastructure such as signage, trails and information sources (e.g., links on the Town website) for self-directed visits by agri-tourists, ecotourists and heritage tourists
- Ensuring that existing tourism enterprises are able to operate in a manner that minimizes conflicts with other existing uses in Town
- Ensuring that uses related to artists and artisans (e.g., ceramics production, jewelry making, etc.) are allowed in appropriate industrial and commercial zones, including any opportunities for artist “live/work” space in hamlet areas
- Creating a committee to promote tourism and the arts (including drama and dance) in Rochester through festivals and other promotional activities

Create and implement policies to promote local agriculture, including:

- Maintaining “right to farm” protections that reinforce State regulations protecting farmers’ rights to use accepted farming practices on their lands.

- Supporting the participation of Rochester's farms in the Ulster County Purchase of Development Rights (PDR) program. Under this program the County seeks to purchase the development rights from farms on a willing-seller, willing-buyer basis. A farm selling its development rights foregoes future development opportunities in exchange for a one-time cash payment negotiated with the County.
- Investigating the feasibility of creating a local Purchase of Development Rights (PDR) program in which the Town itself raises money through grants or a tax on real estate property transfers to purchase development rights on farms in Rochester, again on a willing-seller, willing-buyer basis.
- Encouraging participation of farms as sellers in any Transfer of Development Rights (TDR) programs created in the Town. For example such programs could be designed so that development rights purchased from farms provide more development potential than similar rights purchased from nonfarm properties. Thus, developers looking to purchase such rights will have additional incentives to negotiate with farmers.
- Reviewing local zoning and other regulations to ensure that they
 - encourage direct marketing of agricultural products through farm stands and similar activities
 - provide opportunities for farmers to earn nonfarm income on their properties, such as allowing farm buildings to be re-adapted to other, similar uses (e.g., small engine repair) and allow farm-related mining to occur below the DEC threshold of 1,000 tons per year with the minimum amount of impact on residential areas.
- Provide support for agri-tourism activities by farms in the town by ensuring that local regulations allow for such activities and encouraging local and county tourism promotion efforts to highlight agri-tourism in Rochester.
- Consider creating a plan or town committee to proactively promote and develop agriculture in the Town that would combine the above initiatives with others that could provide farms with expanded markets, enhanced tax planning opportunities, etc.

Plan Element: Infrastructure

Goal:

Adopt Town Policies to minimize costs associated with constructing and maintaining public infrastructure needed to accommodate growth.

Objectives

Provide adequate sewer and water capacity to accommodate growth of the Accord hamlet or other hamlets, if appropriate.

Promote concepts to reduce traffic congestion along highways in the Town.

Improve the safety of the roads in the Town by:

- Developing high standards for constructing and maintaining private roads
- Evaluating and addressing the intensity of use compared to highway capacity when reviewing proposed land uses and/or development projects
- Employing capital improvement programming to correct safety problems.

Require adequate setbacks and off-street parking for both residential and nonresidential uses with public road frontage.

Seek alternatives to strip commercial development along Route 209 and other frontage access highways, by directing such development to hamlet areas and/or concentrated nodes that minimize the road frontage and necessary curb cuts.

Ensure that new construction provides adequate access for emergency services.

Policy Recommendations:

Define hamlet growth areas in zoning based upon the ability of those hamlets to support growth through existing infrastructure or the potential to absorb new infrastructure. Such areas should have adequate highway access and the ability to support public sewer and water infrastructure. While Accord should be the first area considered for such zones. Others may be considered if it is not able to accommodate the necessary infrastructure (e.g., sewer and water systems, road network, etc.).

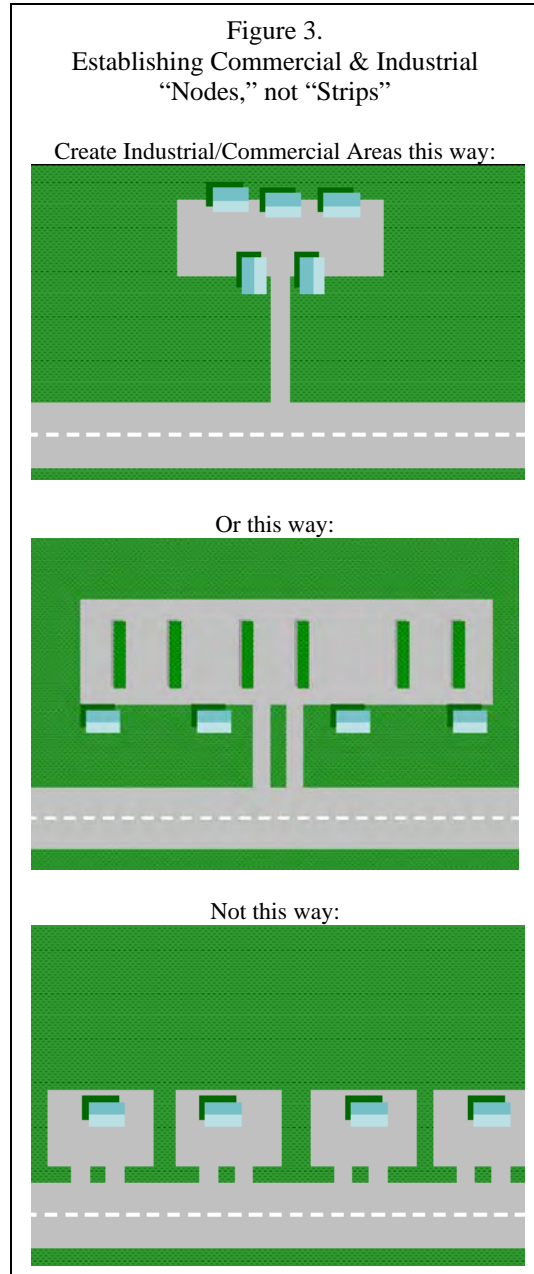
Use truck routes to define areas of high intensity/high impact commercial and industrial use. As indicated under the Land Use objectives, zones for such uses should be sited on designated truck routes to ensure that the roads will be able to sustain the traffic associated with those uses.

Review zoning to ensure that each type of use has appropriate front, side and rear setbacks. For example, uses in the high intensity/high impact industrial and commercial nodes should have substantial setbacks while uses in the hamlet areas can be configured close to the road to be consistent with the existing built environment in the hamlet and/or traditional hamlet designs.

Establish commercial and industrial zones as “nodes” that have minimal road frontage on the major highways and/or truck routes. The zones should not be “strips” along the highway, but should be configured as “deep” zones that create complexes of industrial and/or commercial properties that access the road from a single major entrance. (See Figure 3.)

Promote interconnection of local roads in appropriate locations. If local roads provide an interconnected network for local, short-distance trips, it can help keep such trips off major highways, leaving those roads for use by through traffic. Local policies that create a plethora of cul-de-sacs and dead end streets force drivers to use major through routes for local trips, adding to overall traffic congestion.

Review and, as necessary, revise road standards to ensure that they promote accomplishment of the Infrastructure objectives listed in this plan, including ensuring adequate standards for construction and maintenance consistent with the requirements of public health, safety and welfare



Plan Element: Government Services

Goal:

Provide effective and cost-efficient services for the residents of the Town.

Objectives

Create and maintain reliable communication resources for the town so that residents can better participate in local government.

Improve municipal codes and code enforcement by improving the clarity of code language, simplifying enforcement procedures and seeking to continually improve code enforcement practices in the Town

Provide a capital facilities planning process with appropriate policies and incentives to ensure that the Town has adequate equipment and facilities for such needs as public safety (e.g., fire and rescue services), highways and transportation, recreation, and overall administration.

Ensure that local policies and regulations encourage development that minimizes the risk from fire and other hazards.

Continue to pursue opportunities to work with other municipalities and agencies to reduce costs and improve the effectiveness of government services such as:

- planning for open space for recreation (e.g., the rail trail)
- identification and conservation of contiguous areas of natural habitat
- economic development including agriculture
- planning for areas such as the Route 209 corridor.

Policy Recommendations:

Continue to seek cost sharing among local governments through the Ulster County Supervisor's Association and other initiatives.

Create a Comprehensive capital facilities and services plan that provides for sharing of facilities, purchasing and/or services for government agencies serving Rochester including the Town the Rondout Central School District and the Town's fire districts. Slow or declining growth in school enrollments may free up space that could be used by Town offices. At the same time, costs for the construction of new facilities may be minimized if they are designed for use by multiple agencies and may even be eligible for multiple sources of building aid from state and federal agencies. This plan should also assess how community facilities and programs should be reconfigured and/or reorganized to accommodate and aging population.

Review existing zoning and development regulations to clarify and simplify them. Ambiguous, obsolete or poorly organized regulations can add significantly to the cost of complying with and/or enforcing local policies. Implementing this plan should include a thorough review and simplification of these regulations.

Seek additional areas for intermunicipal cooperation on such issues as transportation, economic development, provision of local services and others. The Scenic Byway should serve as a model for creating these other initiatives.

Ensure that local policies and regulations encourage development that minimizes the risk from fire and other hazards as part of the ongoing review of municipal regulations involved in implementing this plan.

Plan Implementation

The implementation schedule given below groups actions in three priority areas. “Immediate priority” actions should be initiated immediately. Whenever possible, such projects should be completed within the first six months after plan adoption. “Secondary priority” actions should be initiated within the first year after plan adoption. These projects should be completed within the first two years after plan adoption. “Long-term priority” actions should be completed within five years of plan adoption.

| <u>TOWN OF ROCHESTER COMPREHENSIVE PLAN: IMPLEMENTATION SCHEDULE</u> | | | |
|--|---|---|---|
| <u>RECOMMENDATION</u> | <u>LEAD RESPONSIBILITY</u> | <u>ACTION</u> | <u>CRITERIA FOR EVALUATING SUCCESS</u> |
| <u>Immediate Priority Actions</u> | | | |
| Implement a conservation subdivision process | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Adopt special policies for water resources | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law/regulation, etc. | Law/regulation adopted by Town Board |
| Use conservation subdivision to protect other natural resources | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Create incentives to direct development toward hamlets | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Ensure high-intensity/high-impact industrial or commercial uses are sited on existing truck routes | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |

| <u>TOWN OF ROCHESTER COMPREHENSIVE PLAN: IMPLEMENTATION SCHEDULE</u> | | | |
|---|---|------------------------|---|
| <u>RECOMMENDATION</u> | <u>LEAD RESPONSIBILITY</u> | <u>ACTION</u> | <u>CRITERIA FOR EVALUATING SUCCESS</u> |
| Adopt and implement polices to promote housing affordable to all residents | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Establish commercial and industrial zones as “nodes” rather than strips | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Continue to seek cost sharing among local governments | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Review and revise existing zoning to clarify and simplify | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Review and, as necessary revise road standards | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| <u>Secondary Priority Actions</u> | | | |
| Create and implement local policies to ensure high standards for design and development | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |

| TOWN OF ROCHESTER COMPREHENSIVE PLAN: IMPLEMENTATION SCHEDULE | | | |
|--|---|---|---|
| RECOMMENDATION | LEAD RESPONSIBILITY | ACTION | CRITERIA FOR EVALUATING SUCCESS |
| Review Town Regulations for nuisance prevention provisions | Town Board | Enactment of local law | Law adopted by Town Board |
| Create an Open Space Plan | Environmental Conservation Commission & Town Board | Plan created ECC | Plan adopted by Town Board |
| Create an Historic Preservation Law | Town Board upon Recommendation of Historic Preservation Committee | Enactment of local law | Law adopted by Town Board |
| Develop comprehensive approach to retain and expand local business | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Develop hamlet revitalization program for Accord and other hamlets | Town Board | Plan created in cooperation with local merchants and others | Hamlets continue to improve in appearance & commercial viability |
| Promote Tourism and the Arts as economic development | Town Board | Create | |
| Create and implement policies to promote local agriculture | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local laws and programs (including PDR) | Farmers have additional support to stay in business from local laws and participation in such programs as PDR |
| Define hamlet growth areas based upon ability to support growth | Town Board upon Recommendation of Planning & Zoning Committee | Hamlets defined in zoning | Provisions adopted by Town Board |

| <u>TOWN OF ROCHESTER COMPREHENSIVE PLAN: IMPLEMENTATION SCHEDULE</u> | | | |
|---|---|---|--|
| <u>RECOMMENDATION</u> | <u>LEAD RESPONSIBILITY</u> | <u>ACTION</u> | <u>CRITERIA FOR EVALUATING SUCCESS</u> |
| Create a comprehensive capital facilities and services plan | Town Board | Create plan with Town officials, Fire officials and Rondout Central School District | Plan adopted and implemented by participating jurisdictions |
| <u>Long-term Priority Actions</u> | | | |
| Adopt incentive zoning provisions for energy conservation | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Create zoning districts or overlays for small mixed use neighborhoods | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Review zoning to ensure that each use has adequate setbacks | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Promote interconnection of local roads | Town Board upon Recommendation of Planning & Zoning Committee | Revision of road standards and/or subdivision process | Law adopted by Town Board |
| Develop a Town-wide communication committee | Town Board | Committee appointed | Committee recommendations for communications policies approved by Town Board |
| Seek additional areas for intermunicipal cooperation | Town Board | Continued work with other jurisdictions | Areas of intermunicipal cooperation expand |

| TOWN OF ROCHESTER COMPREHENSIVE PLAN: IMPLEMENTATION SCHEDULE | | | |
|--|---|---|---|
| RECOMMENDATION | LEAD RESPONSIBILITY | ACTION | CRITERIA FOR EVALUATING SUCCESS |
| Ensure that local policies and regulations encourage development that minimizes risk of fire and other hazards | Town Board upon Recommendation of Planning & Zoning Committee | Enactment of local law | Law adopted by Town Board |
| Review Comprehensive Plan for Possible Updating | Town Board | Appoint comprehensive plan review committee | Plan reviewed and recommendations made for updating |

Plan Appendices

Summary Results of Comprehensive Plan Outreach

Draft Natural Resources Inventory including work by New York Rural Water Association

“Planning & Siting Your House: A Guidebook” the Dutchess Land Conservancy

Analysis of Demographics of the Town of Rochester

Town of Rochester Cost of Community Services Study, 2005