

CODE Green – City of Utica Zoning Ordinance Update

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What is Zoning? Simply put, zoning regulations are locally administered laws that determine what gets built and where it gets built. Zoning regulates the dimensions and placement of buildings and the types of uses allowed in particular parts of the city.

What's Happening? The City of Utica has not comprehensively reviewed and updated their zoning (aka 'land use') regulations since 1994. Much has changed in the City since that time and the zoning regulations are out of date. Recent community plans, including the Utica Master Plan (2011), the Mohawk Valley Regional Sustainability Plan (2012) and Utica's Brownfield Opportunity Area Pre-Nomination Study (2014) explicitly call for revisiting the zoning in order to better align rules governing land use with community goals.

The purpose of updating the zoning regulations is to provide opportunities for innovative approaches to development, including sustainable design and smart growth, to become a more economically viable and sustainable community.

Project Goals: To guide these efforts the following goals were developed. These goals are considered as certain zoning techniques, processes and district boundaries are evaluated for their applicability within the City of Utica:

- 1) Ease of use for City and applicants
 - The current regulations span more than 200 pages and include complex legal and technical terms. Updating language, introducing graphics and process charts and illustrating dimensional requirements will make zoning rules more approachable.
- 2) Ensure a level of predictability for residents, developers and administrators of zoning regulations
 - When residents and project applicants know what to expect, they have more confidence that their community and that their investments will be successful. Trusting that development within the City will be guided by even-handed zoning rules encourages investments and the maintenance of neighborhoods.
- 3) Update to account for new technology and legal rulings
 - Zoning, despite being one of the most localized system of rules that a municipality has, is still impacted by legal precedent set by state and federal court decisions. Since 1994, court decisions regarding signs, multi-family housing and other topics have had an impact on how municipalities can develop and implement their land use regulations.
- 4) Consider the needs of an increasingly diverse population
 - The City of Utica has a unique mix of cultures and age groups. According to US Census data, Utica's population is younger and more diverse than the vast majority of upstate

NY communities. In addition to a large cohort of young people, there is an anticipated surge of seniors due to aging Baby Boomers that are expected to live longer than ever before. Zoning regulations will be updated to reflect the unique housing and accessibility needs of all of these groups.

5) Foster environmental sustainability

- How we use land has a large impact on environmental sustainability. Making sure that development within the City of Utica does not have a disproportionality negative impact on the environment will be a very important consideration in the zoning update process.

6) Encourage redevelopment

- Utica's peak population was 101,740 people in 1930. Today, it hovers around 62,000. This population decline has left numerous vacant spaces and aging buildings for today's residents. Many of the historic structures still standing contained uses that are now illegal under today's existing zoning regulations. The updated zoning should allow for redevelopment that creatively re-uses existing structures and spaces.

7) Support alternative modes of transportation

- Zoning regulations developed in the 20th century considered the automobile to be the most important form of transportation. Unfortunately, overemphasis on cars has led to disconnected communities where walking and biking can be unsafe. The zoning update will look at ways to consider public transit, walking and biking as viable modes of transportation. Getting around the city safely should not be limited only to those able to afford and operate an automobile.

8) Provide a mix of housing opportunities

- A wide ranging demographic mix calls for diverse housing opportunities. Zoning regulations should help ensure that all Utica residents have access to safe, secure housing that fits their lifestyle.

9) Update to account for a variety of local and regional plans that have been adopted since the last zoning overhaul.

- As the seat of Oneida County and the largest city within the tri-county area, Utica's success is tied to the success of the region. The understanding that land use decisions in Utica have an impact on the surrounding region will be integrated into the zoning update process. The use of common language and practices will support inter-municipal cohesiveness.

Who is funding this project? The City of Utica Department of Urban and Economic Development successfully solicited a \$168,750 grant from the New York State Energy Research Development Authority (NYSERDA). NYSERDA provides these types of grants to help communities integrate sustainability measures into their local laws. The Department of Urban and Economic Development has partnered

with Elan Planning, Design and Landscape Architecture, O’Brian and Gere Engineering, Rust2Green, the Paige Group and Stream Collaborative for the project.

Public Input: All members of the community are strongly encouraged to express their ideas and provide input on the zoning update. There will be public meetings soliciting input and explaining the zoning update process over the course of the project. Meeting dates will be published here and elsewhere when they are announced.

Send a Comment: Please send any comments or questions to clawrence@cityofutica.com. All comments will be reviewed and are strongly encouraged!