

FINAL DRAFT ZONING CODE GOING TO CITY COUNCIL SOON

Meetings To Enable Communication With City Council Members:

October 13, 5:30 p.m. East District with Council Member, Mary Lupien at Thomas P. Ryan R-Center

October 14, 6:00 p.m South District with Council Member LeShay Harris

October 21, 5:00 – 8:00 p.m. 1st Official City Council Hearing and

October 22, 5:00 – 8:00 p.m. 2nd City Council Hearing if needed.

This overhaul of the City's Zoning Code will shape the future of City Neighborhoods. It is your last chance to be heard on issues such as increasing the density, living with AirBnB-type uses of properties, increasing commercial businesses in residential homes, and more. All of these changes can impact neighbors' individual properties, as well as the environment of a neighborhood as a whole.

In the Spring 2026 *Crier* we advised the readers that the "Final Draft Zoning Code" was issued by the City of Rochester, and where to view it on the City's ZAP website at [http://rochesterzap.com/04/documents & presentations](http://rochesterzap.com/04/documents&presentations), along with the separate draft code "Final Draft Short Term Rentals Code"

Why did the City divide the Code into "Final Draft Zoning Code" and "Final Draft Short Term Rentals Code"? The Short Term Rental (STR) handling – predominately what to do about the AirBnB and VRBO companies is a major concern but is up in the air. While the rest of the State, except Monroe County, knows that they want STRs' locations registered, regulated for health and safety, and taxed, the City of Rochester and the County of Monroe are hedging. The State Law regarding regulation and taxing of STRs was welcomed and signed-on to by all of the major NYS counties except Monroe. This left Rochester on its own. See the article in the Spring Crier on the BrowncroftNA.org website, as well.

A concern is what are the implications of a STR code for the City of Rochester, and Browncroft? STRs include AirBnB, VRBO and similar bed and breakfast businesses handled by online booking corporations, which many cities are trying to control because they affect regular housing availability, and for neighborhoods, they potentially impact the quality of life for next door neighbors especially when houses are only separated by a driveway and privacy and noise become issues. As you can read below, whole house letting for such use is allowed in a Low Density Residential (LDR) district such as Browncroft. Whole houses taken over by these enterprises have been the source of wild parties, illegal activities (including murder), and other problems in Rochester, as well as other cities.

NOTE: As you can read below, STRs in a whole dwelling Unit in the proposed code are allowed in non-owner occupied structures in our LDR (Low Density Residential) district in single family houses, by special permit. Short term rental of individual sleeping units are not allowed in the LDR district under this code. (See the use table on the ZAP website in the STR code.)

The consensus and comments of most neighborhood associations in the City is that either type of STRs should not be allowed in an LDR district.

The following are excerpts in italics copied and pasted from the text of the City's STR proposed code for your reference.

"3.9 Definitions of Uses in Use Table

Short-Term Rental, Whole Dwelling Unit. The rental of a whole dwelling unit for periods of less than 30 consecutive days, where the property owner does not reside within the dwelling unit. Only rooms originally designed as bedrooms may be used for sleeping.

Short-term Rental, Individual Sleeping Units. The rental of one or more individual sleeping units for periods of less than 30 consecutive days in an owner-occupied dwelling unit. The dwelling unit shall be the owner's primary residence and at least one bedroom within the unit must be reserved for the owner's exclusive use. Only rooms originally designed as bedrooms may be used as rental sleeping units. This use includes, but is not limited to, the traditional bed and breakfast establishment."

To read the standards for these uses go to the City's ZAP website referenced above. You will see they are minimal.

Other provisions in the proposed code of concern may include:

Accessory Dwelling Units (ADUs) The first draft of the City's amended code limited their construction in LDRs to cluster developments of cooperative housing, which was a good use of large vacant parcels where demolished houses left open spaces with building potential. In the latest draft they have been added back to LDRs by special permit such that an ADU can be erected in practically any back yard of a single family home, with setback requirements a mere three feet from lot lines as per the Fire Code. The allowable minimum percentage of total building size per whole lot size (50%) would not prevent a typical back yard to be taken up almost entirely by another living unit thereby eliminating green-space -- not just for the lot owner, but also for their neighbors. Or a garage could be converted into a small house. This negates the concept of a single living unit per lot, which has been the definition of current R1 – Low Density Residential. Though the City claims LDR is just the new name for these districts, it clearly has loosened standards in this and other categories to an extent that a change in the character of current residential neighborhoods is likely.

Allowable Building Height in a Neighborhood Mixed Use (NMU) District (such as the commercial districts along Winton Road) if a current building or buildings were to be torn down, it would be possible to build a four story, 55 foot tall building, except for the portion that is to be within 30 feet of a LDR lot line, in which case the back must taper down to a maximum of 40 feet. In any case, residents that currently back up to two story small neighborhood commercial districts that have not imposed on their residential neighbors to date could experience a very different living environment. Traditional commercial districts of scale surrounded by residential neighborhoods define the touted goals of walk-able city living that a revamped code should strive to preserve, not disrupt.

The "Increase the Density" Issue is based on a theory of housing needs should the population of Rochester within the city limits increase in the future. Some believe that would be an inevitable thing and a good thing. Some may assert that it is not inevitable, and would not be a good thing for the population already living here if there is a goal to preserve comfortable unit sizes for families, green space for recreation and tree planting, and space for small urban farms is the vision for Rochester's future. Are there vacant living units and commercial spaces to be filled today (yes), and will there be more available as baby boomers give up their houses (probably)? Whichever the hypothesis, is it worth denigrating the current quality of life of many city neighborhoods now? And are residents willing to agree to code changes that may affect them and their neighbors in ways they have not considered? Is single family housing preferred by most? **This is what City Council wants to know from us.**

Attend the public meetings and write letters – If you don't make your concerns known, you cannot complain later if something you do not want occurs.