

APPENDICES

Appendix 6A

City of Canandaigua – List of Permitted Uses and Special Uses in Mixed Use Zones

Chapter 850. ZONING, Article VII. Zone District Regulations. § 850-49. Mixed Use Zoning Schedule. [Added 1-16-2003 by Ord. No. 2002-017; amended 11-3-2011 by Ord. No. 2011-006]

Mixed Use Zoning Schedule

P = Primary Use

A = Accessory Use

SU = Special Use

SU2 = Special Use - Renewable

— = Not Permitted

Use		Zone District		
		MU-1 - Mixed Use Low Density	MU-2 - Mixed Use Medium Density	MU-3 - Mixed Use High Density
Personal Service Uses: An establishment providing work or other activities for or on behalf of individual customers.				
1	Artist and photographer studios	P	P	P
2	Banks, credit unions, and financial institutions	—	P	P
3	Barbershops, hair styling, beauty salons, and tanning parlors	P	P	P
4	Caterer	P	P	P
5	Dry cleaners	—	P	P
6	Dressmakers, clothing alterations and tailoring, custom clothing manufacturing for retail on premises only, art needle work and similar personal services	P	P	P
7	Drive-through bank or pharmacy	—	SU	SU
8	Indoor commercial recreation including health clubs or facilities, exercise and fitness centers, studios for instruction in martial arts.	P	P	P
9	Hotels, motels or inns	—	SU	SU
10	Instructional studios for dance, music, art, and theater	P	P	P
11	Locksmith	P	P	P
12	Office, electronic, household, computer television, radio, musical instrument, video equipment or similar rental, service, and repair	P	P	P
13	Optical and eye wear	P	P	P
14	Photo processing services	—	P	P
15	Photographic and video processing labs associated with a primary use	—	A	A
16	Printing and copying and services	—	P	P
17	Private event center with guest accommodations	SU	SU	SU
18	Restaurant — full-service	SU	SU	SU

19	Restaurant — carry-out	SU	SU	SU
20	Shoe repair, tailoring shop, or other similar establishment	P	P	P
21	Theaters (including movie theaters)	—	SU	SU
22	Tourist homes/bed-and-breakfast	P	P	P
23	Watch and jewelry repair	P	P	P
Retail Shopping Uses: An establishment engaged in selling commodities or goods to individual customers for personal use rather than for resale.				
24	Appliance, hardware, furniture, paint, wallpaper, home decorating, window covering, floor covering, building supply and custom kitchen stores	—	P	P
25	Art galleries, and art stores including artist supply stores and framing stores	P	P	P
26	Bookstores and indoor news stands	P	P	P
27	Camera and photographic equipment sales	P	P	P
28	Clothing, apparel, fabric, sewing machine, and needlecraft stores	P	P	P
29	Department, general merchandise, and toy stores	—	P	P
30	Drugstores, pharmacies and medical supply stores	—	P	P
31	Gift, florist, jewelry antique, craft, hobby, novelty, artisan, and specialty stores	P	P	P
32	Grocery stores, supermarkets, produce markets, butcher shops, delicatessens, and bakeries	—	P	P
33	Leather goods and luggage stores	P	P	P
34	Liquor stores	—	P	P
35	Pet stores	—	SU	SU
36	Shoe stores	P	P	P
37	Sporting and athletic goods stores, bicycle shops and similar uses	P	P	P
38	Stationery, office supply, office equipment, electronic, household, computers, television radio, video equipment and musical equipment sales	—	P	P
39	Video rental and sales	P	P	P
Residential Uses: A building designed or used for residential occupancy as the living quarters of one or more households.				
40	Single-family and two-family dwellings	P	P	P
41	Multifamily dwellings	SU	SU	SU
42	Townhouses	SU	SU	SU
43	Senior housing	SU	SU	SU
44	Residential uses in combination with other permitted uses	SU	SU	SU
Office Uses: A room or group of rooms used for the conducting the affairs of a business, profession, service, industry or government.				
45	Professional, business, commercial, e-commerce, and governmental offices	P	P	P
Commercial Uses:				

46	Boat sales, storage and service	—	—	P
47	Carpentry including custom woodworking and furniture making	—	P	P
48	Drinking establishment or nightclub when part of a hotel, motel, inns, that also includes a full-service restaurant	—	A	A
49	Electronic, mechanical, or computerized amusement devices operated by coin, or token, or for a fee, provided that such devices are clearly incidental to the primary use and located within such primary building	A	A	A
50	Essential services and public utilities, excluding power plants, maintenance buildings and storage yards	SU	SU	SU
51	Garages and storage buildings for the storage of vehicles, equipment or materials used in conjunction with a permitted primary use	A	A	A
52	Greenhouses, garden supply, plant nurseries	—	—	P
53	Home occupations	SU2	SU2	SU2
54	Major commercial developments	—	SU	SU
55	Motor vehicle sales — new or used, including service, repair	—	—	SU
56	Social halls, lodges, fraternal organizations and clubs	SU2	SU2	SU2
Institutional Uses:				
57	Day-care center/facility	SU2	SU2	SU2
58	Public or semipublic uses, including uses of an institutional, educational, or cultural nature, including museums	SU2	SU2	SU2

Appendix 6B

American Planning Association’s Model Mixed-Use Zoning District Ordinance

Model Smart Land Development Regulations, March 2006

4.1 MODEL MIXED-USE ZONING DISTRICT ORDINANCE

The following model zoning district provisions represent a commercial zoning classification that permits, rather than mandates, a vertical mix of commercial and residential uses within the same building. The district is intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities.

Primary Smart Growth Principle Addressed: Mix land uses

Secondary Smart Growth Principle Addressed: Compact building design

CX1, Neighborhood Commercial, Mixed-Use District

101. Purpose

The purposes of the CX1, Neighborhood Commercial, Mixed-Use District are to:

- (1) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space;
- (2) Encourage development that exhibits the physical design characteristics of pedestrian- oriented, storefront-style shopping streets; and
- (3) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

102. Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

“**Floor Area Ratio**” means the ratio of a building’s gross floor area to the area of the lot on which the building is located.

“**Gross Floor Area**” is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one- half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use’s minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.

“**Mixed-use Building**” means a building that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

103. Allowed Uses

Uses are allowed in “CX1” zoning districts in accordance with the use table of this section.

USE GROUP		Zoning District
Use Category		CX1
Specific Use Type		
P= permitted by-right C = conditional use N = Not allowed		

USE GROUP	Zoning District
Use Category	CX1
Specific Use Type	
P= permitted by-right C = conditional use N = Not allowed	
RESIDENTIAL	
Household Living	
Artist Live/Work Space located above the ground floor	P
Artist Live/Work Space, ground floor	C
Dwelling Units located above the ground floor	P
Detached House	C
Multiunit (3+ units) Residential	C
Single-Room Occupancy	C
Townhouse	C
Two-Flat	C
Group Living	
Assisted Living	C
Group Home	P
Nursing Home	C
Temporary Overnight Shelter	C
Transitional Residences	C
Transitional Shelters	C
PUBLIC AND CIVIC	
Colleges and Universities	P
Cultural Exhibits and Libraries	P
Day Care	P
Hospital	N
Lodge or Private Club	N
Parks and Recreation	P
Postal Service	P
Public Safety Services	P
Religious Assembly	P
School	C
Utilities and Services, Minor	P
Utilities and Services, Major	C
COMMERCIAL	
Adult Use	N
Animal Services	
Shelter/Boarding Kennel	N
Sales and Grooming	P
Veterinary	P
Artist Work or Sales Space	P
Drive-Through Facility [See comment]	C
Eating and Drinking Establishments	
Restaurant	P

USE GROUP	Zoning District
Use Category	CX1
Specific Use Type	
P= permitted by-right C = conditional use N = Not allowed	
Tavern	C
Entertainment and Spectator Sports	
Small (1–149 seats)	P
Medium (150–999 seats)	N
Large (1,000+ seats)	N
Financial Services	P
Food and Beverage Retail Sales	P
Gas Stations	N
Lodging	
Small (1–16 guest rooms)	P
Large (17+ guest rooms)	C
Medical Service	P
Office	P
Parking, Commercial (Nonaccessory)	C
Personal Service, including health clubs and gyms	P
Repair Service, Consumer, including bicycles	P
Residential Storage Warehouse	N
Retail Sales, General	P
Vehicle Sales, Service, and Repair	N
INDUSTRIAL	
Manufacturing, Production and Industrial Services	
Artisan (hand-tools only; e.g., jewelry or ceramics)	C
OTHER	
Wireless Communication Facilities	
Co-located	P
Freestanding (Towers)	C

Comment: *This use table should be refined to reflect local characteristics and planning objectives. The range of uses allowed should be kept as broad as possible in order to ensure that the district is economically viable. Note that this model allows, as a conditional use, drive-through facilities. Drive-through facilities may be appropriate in such areas in connection with banks and pharmacies. Whether to allow them is a policy choice, no different than other policy choices in selecting permitted uses. Also keep in mind that in buildings with residential units, commercial use issues will be largely self-policing because owner associations and builder/developers will ensure that commercial uses in mixed-use buildings will be compatible with upper-story residential uses.*

104. Commercial Establishment Size Limits

The gross floor area of commercial establishments in the CX1 district shall not exceed [15,000] square feet.

Comment: *Floor area limits are proposed in the model ordinance to help ensure that allowed commercial uses would be geared toward a neighborhood market area. Some local ordinances impose much more restrictive floor area limits in neighborhood-oriented districts. The limit proposed in this model ordinance would accommodate a modern drug store. If floor area limits are employed, the standards should not be so restrictive as to hamper the economic viability of the district.*

105. Indoor/Outdoor Operations

All permitted uses in the CX1 district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas.

106. Floor-to-Floor Heights and Floor Area of Ground-floor Space

(1) All commercial floor space provided on the ground floor of a mixed-use building must have a minimum floor-to-ceiling height of [11] feet.

(2) All commercial floor space provided on the ground floor of a mixed-use building must contain the following minimum floor area:

(a) At least [800] square feet or [25] percent of the lot area (whichever is greater) on lots with street frontage of less than [50] feet; or

(b) at least 20 percent of the lot area on lots with [50] feet of street frontage or more.

Comment: *In areas with strong residential real estate markets, ground-floor space is sometimes viewed as an afterthought, particularly when developed by those with a poor understanding of mixed-use development. These types of provisions can help ensure that ground-floor space will meet the needs of future retailers and not sit vacant for years after upper-floor residential units have been leased or sold.*

107. Lot Area per Unit (Density)

The minimum lot area per dwelling unit shall be [1,000] square feet for mixed-use buildings and [1,500] square feet for all other buildings.

Comment: *If mixed-use buildings are desired, such buildings should be rewarded with more flexible development standards. The model ordinance allows higher residential densities in mixed-use buildings than it does in single-use buildings.*

108. Floor Area Ratio

The maximum FAR shall be [2.0] for mixed-use buildings and [1.25] for all other buildings.

Comment: *To encourage mixed-use buildings, the model ordinance allows higher FARs for mixed-use projects.*

109. Setbacks

(1) The entire building façade must abut front and street side property lines or be located within [10] feet of such property lines.

Comment: *Rather than mandating a zero-foot “build-to” line for all properties in CX1 zoning districts, this model offers flexibility to accommodate shallow building setbacks that are sometimes necessary to accommodate features such as outdoor seating/display areas, stoops and sidewalk widening. Alternately, it is possible for the ordinance to establish a formula to determine setbacks based on the average setback of buildings in a block face. For an example of this, see Section 108 of the Model Town Center Ordinance (below).*

(2) The minimum rear setback is [0–30] percent of the lot depth.

Comment: *The appropriate minimum building setback will depend on lot and development patterns in the area. When alleys abut the rear of CX1 lots, no rear setback may be necessary, except perhaps for upper floors. On the other hand, when CX1-zoned lots will abut the rear property line of residential lots, buildings in the CX1 district should be set back from rear property lines in order to protect the privacy and open feeling expected within residential rear yards.*

(3) No interior side setbacks are required in the CX1 district, except when CX1-zoned property abuts R-zoned property, in which case the minimum side setback required in the CX1 district shall be the same as required for a residential use on the abutting R-zoned lot.

Comment: *Most pedestrian-oriented shopping streets are lined with buildings that span the entire width of the lot. The standard proposed here will help reinforce that pattern, while also ensuring that if a CX1 district abuts a residential zoning district, a “typical” residential side yard will be provided.*

110. Building Height

The maximum building height shall be [38–50] feet for mixed-use buildings and [35–47] feet for all other buildings.

Comment: *Some communities will want to regulate height by stories rather than feet above grade, since stories will allow for greater flexibility in building design. The standards proposed allow greater height for mixed-use buildings than for single-use buildings because mixed-use buildings are required to have taller floor-to-ceiling heights on the ground floor. The proposed standards will accommodate three- or four-story buildings.*

111. Off-Street Parking

(1) [Insert off-street parking standards]

(2) No off-street parking is required for nonresidential uses in CX1 districts unless such uses exceed [3,000] square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of [3,000] square feet.

Comment: *Paragraph (2) may be incorporated into paragraph (1). Exempting small retail businesses from compliance with off-street parking requirements will help promote pedestrian-oriented character and encourage use/reuse of storefront retail space. Communities should also*

examine off-street parking ratios with an eye toward reducing the amount of off-street parking required overall and encouraging shared and off-site parking arrangements.

(3) Off-street parking spaces must be located to the rear of the principal building or otherwise screened so as to not be visible from public right-of-way or residential zoning districts.

112. Transparency

(1) A minimum of [60–75] percent of the street-facing building façade between two feet and eight feet in height must be comprised of clear windows that allow views of indoor space or product display areas.

(2) The bottom of any window or product display window used to satisfy the transparency standard of paragraph (1) above may not be more than [3–4.5] feet above the adjacent sidewalk.

(3) Product display windows used to satisfy these requirements must have a minimum height of [4] feet and be internally lighted.

113. Doors and Entrances

(1) Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

(2) Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

Comment: *Requiring ground-floor windows and sidewalk-facing entrances help make for a more pleasing pedestrian environment.*

114. Vehicle and Driveway Access

No curb cuts are allowed for lots that abut alleys.

Comment: *Driveways that cross sidewalks disrupt pedestrian movements and pose safety threats. They should be the rare exception in neighborhood-oriented mixed-use districts.*

References

Denver, Colorado, City of. Div. 15. Mixed-Use Districts, Sections 59-301--59-320, website [accessed November 5, 2004]: www.municode.com/resources/gateway.asp?pid=10257&sid=6

Fort Worth, Texas, City of. Zoning Code, Mixed Use Sections 4.902, Low-Density Mixed Use [accessed November 5, 2004]: www.fortworthgov.org/csec/disclaimer.asp

Maryland, State of. Infill Development Model [accessed November 5, 2004]: www.mdp.state.md.us/mgs/infill/InfillFinal_1.pdf

Orland, Florida, City of. Southeast Orlando Sector Plan Development Guidelines and Standards [accessed November 5, 2004]: www.cityoforlando.net/planning/deptpage/sesp/sespguid.htm

Appendix 6C

Town of Clarkson - Incentive Zoning

Town of Clarkson Chapter 140. Zoning Article VIII. Incentive Zoning

[Added 5-14-2013 by L.L. No. 3-2013]

§ 140-54. Title.

This article shall hereinafter be known and cited as "The Incentive Zoning Law of the Town of Clarkson."

§ 140-55. Purpose and intent.

The Town Board has determined that it may be appropriate to make adjustments to permissible use, density and area requirements for the specific purpose of encouraging development using principals set forth in the Town of Clarkson's Comprehensive Plan while providing amenities to the Town at a minimum cost to the residents and taxpayers. It is the intent of this article to empower the Town Board to grant incentives or bonuses to advance the vision and policies articulated in the Town of Clarkson's Comprehensive Plan and the following objectives:

- A. The preservation and enhancement of natural and cultural features.
- B. The accommodation of land uses and physical site arrangements which are not contemplated under conventional zoning but which would further the land use goals of the Town.
- C. The creation of usable open space and public access to recreation lands and trails.
- D. The orderly development of parks.
- E. The preservation of scenic viewsheds, water resources, forests, meadows, geologic features, environmentally sensitive areas, significant plant and animal habitats, and important ecological resources.
- F. The provision of a more desirable environment than what would be possible through the strict application of existing zoning regulations.
- G. The promotion of the general health, safety and welfare of the Town.

§ 140-56. Legislative authority.

In accordance with § 261-b of the Town Law of the State of New York, the Town Board of the Town of Clarkson is empowered to provide for a system of zoning incentives or bonuses in exchange for specific social, economic, or cultural benefits or amenities as the Town Board deems necessary and appropriate and which are consistent with the intent and purpose set forth in § 140-55.

§ 140-57. Applicability.

This article shall apply to all zoning districts in the Town of Clarkson.

§ 140-58. Definitions.

For the purpose of this article, the terms used are defined as follows:

COMMUNITY BENEFITS OR AMENITIES

Open space, parks, Historical Overlay District enhancements, off-street parking and other specific physical, social or cultural amenities, or cash in lieu thereof, of benefit to the residents of the community, authorized by the Town Board.

INCENTIVES or BONUSES

Adjustments to the permissible density, area, height, use or other requirements of the Zoning Code for the Town of Clarkson and any amendments thereto in exchange for a specific community benefit or amenity. These adjustments may incorporate two or more noncontiguous parcels of land.

INCENTIVE ZONING

The system by which specific incentives or bonuses are granted, pursuant to § 261-b of New York State Town Law, on condition that specific social, economic, or cultural benefits or amenities are provided to the community.

§ 140-59. Benefits or amenities.

A. The following benefits or amenities may be either on or off the site of the subject application:

- (1) Preservation of open space.
- (2) Construction, improvement and enhancement to Town buildings and grounds including parks.
- (3) Preservation of cultural or historic facilities in excess of those required to mitigate proposed development impacts.
- (4) Enhancement and preservation of the Clarkson Historical Overlay District.
- (5) Other facilities or benefits to the residents of the community which are consistent with the purpose and intent of this article, as determined by the Town Board.
- (6) If the Town Board finds that a community benefit is not suitable on the site or cannot be reasonably provided, the Town Board may require a cash payment in lieu of the provision of the amenity or bonus. These funds shall be placed in a trust fund to be used by the Town Board exclusively for amenities specified in these provisions.
- (7) Any combination of the above-listed amenities and/or cash in lieu of any amenity(s) for specific purposes identified.

B. Prior to the issuance of any permit, stripping of any ground cover, site grading, or any other site improvements or construction activities:

- (1) Any property transfers shall have been made;
- (2) A cash payment in lieu of amenities shall be made;
- (3) If the amenities include construction by the developer, the letter of credit posted by the developer shall include provisions for such work.

C. These amenities shall be in addition to any mandated requirements pursuant to other provisions in the Code of the Town of Clarkson.

§ 140-60. Incentives or bonuses.

The following incentives may be granted by the Town Board to an application on a specific site:

- A. Increases in residential or nonresidential unit density.

- B. Changes in use.
- C. Increases in lot coverage.
- D. Changes in setbacks or height.
- E. Increases in floor area.
- F. Reduction of required buffer area.
- G. Modification of parking requirements.

§ 140-61. Criteria and procedure for approval.

A. A preapplication conference is required prior to the submission of an application for incentive zoning. The purpose of a preapplication conference is to inform the applicant of applicable procedures, submission requirements, development standards and other pertinent matters before the applicant finalizes the incentive zoning proposal.

(1) The preapplication conference will be coordinated through the Building Department and will normally be attended by the Supervisor, the Chairperson of the Planning Board (or designee), the Chairperson of the Zoning Board of Appeals (or designee), the Chairperson of the Conservation Board (or designee), the engineer representing the Town, the Highway Superintendent, the Building Inspector, the Town Attorney and other interested parties who may be designated by the Town Supervisor or Planning Board Chairperson. If the proposal impacts the Historical Overlay District, the Chairperson of the Architectural Review Board (or designee) shall be included.

(2) The applicant requesting consideration for incentive zoning is required to attend the preapplication conference and is encouraged to bring the project's design professional(s).

(3) Upon the request for the preapplication conference, the applicant shall pay a fee in an amount determined by the Town Board by resolution and as set forth in the fee schedule.

Editor's Note: The fee schedule is on file in the Town offices.

This fee shall be nonrefundable.

(4) Opinions presented during a preapplication conference are advisory in nature and do not represent a commitment on behalf of the Town Board or represented agency regarding the acceptability of the incentive zoning proposal.

B. An application for incentive zoning will consist of a letter of intent accompanied by the following information:

(1) One concept plan showing the site developed to its fullest extent under the zoning regulations in this chapter of the Town Code and one concept plan showing the site developed in a manner that incorporates the desired incentive and amenity to be provided. These plans shall show the following information:

(a) Location and extent of all proposed land uses, including development areas and open spaces, with areas shown in acres.

(b) All interior streets, roads, access easements and their planned private or public ownership, as well as all points of access and egress from existing public rights-of-way.

(c) An area map showing adjacent parcels; that portion of the applicant's property under consideration; all properties, zoning districts, subdivisions, streets, access easements, watercourses, drainage facilities, buildings, structures and other significant natural and built features within 300 feet of the applicant's property and all uses of abutting lands.

(2) A written description of the proposed amenity.

(3) The cash value of the proposed amenity.

(4) A narrative which:

(a) Describes the benefits to be provided to the community by the proposed amenity.

(b) Provides a preliminary indication that there are adequate sewer, water, transportation, waste disposal and fire-protection facilities in the zoning district in which the proposal is located to handle the additional demands the incentive and amenity may place on these facilities beyond the demand on them as if the site were developed to its fullest extent under the zoning regulations in this chapter of the Town Code.

(c) Explains how the amenity helps implement the vision and policies of the Comprehensive Plan and, where appropriate, the Clarkson Historical Overlay District, and land use goals of the Town as supplemented by the laws and regulations adopted by the Town Board.

(d) Describes in detail the requested incentive(s).

(5) A completed Long Environmental Assessment Form, Part I.

(6) A check to the Town of Clarkson in an amount established by resolution of the Town Board as set forth in the fee schedule. This shall be nonrefundable.

C. In addition to the fee above, the developer shall be responsible for all costs associated with reviewing the application, including legal fees and engineering fees. To guarantee the payment of these costs, the developer shall be required to deposit the sum of \$1,500 with the Town at the time of application. Any unused portion shall be refunded to the developer upon completion of the project or withdrawal of the application. The Town may request payment of additional fees as required, and such payment shall be due within 10 days of request.

D. Twenty sets of the application shall be provided to the Town for distribution and review. The Town Board, upon receipt of an application, and as part of its review, shall refer the application to the Planning Board for its review and recommendations.

E. The Planning Board shall forward a written recommendation to the Town Board indicating whether or not it supports the approval of the incentive and amenity. This recommendation shall consider the following:

(1) The suitability of the site(s) for the type of open space preservation proposed, the physical characteristics of the land and the relation of the proposed development to surrounding existing and probable future development.

(2) The adequacy of major roads, utilities and other facilities and services to serve the development.

(3) That the proposal is conceptually sound, is consistent with the Town Comprehensive Plan, and meets local and area-wide needs.

F. The application shall be referred to the Monroe County Planning Department for its review. The Town may also refer the application to the Town Engineer, as well as other local and county officials, representatives of federal and state agencies and consultants as deemed appropriate. These agencies may include, but are not limited to, the Monroe County Department of Transportation, the New York State Department of Transportation and the New York State Department of Environmental Conservation.

G. Once the application has been determined to be complete, a public hearing will be scheduled before the Town Board. The Town Clerk shall give notice of the hearing in the official newspaper of the Town at least 10 days prior to the date of the hearing.

H. All applicable requirements of the State Environmental Quality Review (SEQR) Act shall be complied with as part of the review and hearing process. In addition to other information that may be required as part of the environmental assessment of the proposal, the assessment shall include verification that the zoning district in which the proposal is to be located has adequate sewer, water, transportation, waste disposal and fire-protection facilities to:

(1) First, serve the remaining vacant land on the site as though it were developed to its fullest potential under the zoning regulations in effect at the time of the amenity/incentive proposal; and

(2) Then, serve the on-site amenity and incentive, given the development scenario in Subsection H(1) above.

I. In order to approve an amenity/incentive proposal, the Town Board shall determine that the requirements of SEQR have been met and the proposed amenity provides sufficient public benefit to provide the requested incentive. In order to make this determination, the Town Board may require the completion of an environmental impact statement. Thereafter, the Town Board is authorized to act on an application for approval pursuant to this article.

J. The Town Board may impose conditions on a project to ensure that the above findings are ensured through the subsequent plan review and construction phases of the project.

K. Upon a favorable decision of the Town Board, an application shall be submitted to the Planning Board for subdivision and/or site plan approval pursuant to the applicable provisions of the Code and regulations of the Town of Clarkson. Failure to submit the application to the Planning Board within six months of approval by the Town Board shall render any incentive zoning granted hereunder null and void unless extended by resolution of the Town Board for a maximum of six additional months.

§ 140-62. Expenses of compliance with SEQRA.

In accordance with § 261-b of the Town Law, any applicant for incentives or bonuses shall pay a proportionate share of the cost of preparing any generic environmental impact statement prepared in conjunction with the project, and such charge shall be added to any site-specific charge made pursuant to the provisions of § 8-0109 of the Environmental Conservation Law.

Appendix 6D

City of Rochester – Alternative Parking Plans to satisfy Off-street Parking Requirements

City of Rochester Zoning Code Chapter 120-173 E. Off-street Parking - Alternative Parking Plans (APP).

An alternative parking plan is a means to meet vehicle parking requirements other than providing parking spaces on site in accordance with the ratios established in this section. Applicants seeking to meet the requirements of this section by alternative means shall be required to secure approval of an alternative parking plan in accordance with the standards of this section.

(1) Contents. Alternative parking plans shall be submitted in a form and with such documentation as established by the Director of Planning and Zoning and made available to the public. At a minimum, such plans shall include the parking alternative and rationale for how the alternative will compensate for the provision of the required parking on site. [Amended 6-16-2009 by Ord. No. 2009-179]

(2) Review and approval procedure.

(a) In the cases where five or fewer parking spaces are proposed to be supplied by an alternative parking plan pursuant to this section, the Director of Planning and Zoning shall be authorized to make a decision pursuant to the procedures for administrative adjustment in § 120-191. [Amended 6-16-2009 by Ord. No. 2009-179]

(b) In cases where six or more parking spaces are proposed to be supplied by an alternative parking plan, a special permit shall be required pursuant to § 120-192.

(3) Eligible alternatives. Potential alternatives to be considered include, but are not limited to:

(a) Shared parking. Shared parking is encouraged to promote efficient use of land and resources by allowing users to share off-street parking facilities for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking shall be subject to the following standards:

[1] Location. Shared off-street parking spaces shall be located no further than 1,000 feet from the buildings and uses they are intended to serve. This distance limitation may be waived by the Planning Commission if adequate assurances are offered that shuttle service shall be operated between the shared lot and the principal use.

[2] Shared parking agreement. A shared parking plan shall require a shared parking agreement, acceptable to the Director of Planning and Zoning, which shall include an agreement by the owners(s) of record of the parking area and of the applicant. The agreement shall be submitted to the Director of Planning and Zoning prior to issuance of a certificate of zoning compliance. A shared parking agreement shall be revocable by the parties to the agreement only if the off-street parking requirement is satisfied. The agreement shall specify that the shared spaces are not leased for a use that operates during the same time frame and would create a conflict. The agreement shall specify the time frame, number and location of spaces to be shared. [Amended 6-16-2009 by Ord. No. 2009-179]

[3] Site plan. A site plan shall be submitted to indicate the spaces that are to be leased and the owners of the uses seeking a parking alternative that specifies the number of parking spaces and time frames for use of the spaces.

(b) Credit for on-street parking spaces. On-street parking spaces may be used to satisfy 20% of the requirements for off-street parking. Such on-street parking shall be located only on arterials or collector streets within the public right-of-way and shall be located within 1,000 feet of the use.

(c) Bicycle parking. A reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking or that make special provisions to accommodate bicyclists may be made. Examples of accommodations include bicycle lockers, employee shower facilities and dressing areas for employees. Consideration of the seasonal nature of bicycle use shall be given in approving this reduction.

(d) Pedestrian-oriented use. For uses that serve the immediate neighborhood, a reduction in the number of required parking spaces may be made.

(e) Valet parking. Valet parking may be used as a means of satisfying otherwise applicable off-street parking standards.

(f) Transit credit. When located proximate to a bus stop, credit towards the parking requirements may be granted. The transit stop shall be within 1,000 feet of the use.

Appendix 7.A.

Excerpts from the Building Code of New York State - Chapter 1 – General Requirements

SECTION 101 TITLE, SCOPE AND PURPOSE

101.1 Title. These provisions shall be known as the *Building Code of New York State* and shall be cited as such and will be referred to herein as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above grade with separate means of egress and their accessory structures shall comply with the *Residential Code of New York State*.
2. Agricultural buildings, including barns, sheds, poultry houses and other buildings and equipment on the premises used directly and solely for agricultural purposes.
3. Construction trailers used as a temporary office for the purpose of monitoring construction at a construction site.
4. Structures such as radio and television transmission, communication and wind generation towers not attached to buildings.

101.3 Purpose. This code is intended to provide minimum requirements to safeguard public safety, health and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. The provisions of Chapter 27 of this code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.2 Fuel gas. The provisions of the *Fuel Gas Code of New York State* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the *Mechanical Code of New York State* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.4 Plumbing. The provisions of the *Plumbing Code of New York State* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.5 Property maintenance. The provisions of the *Property Maintenance Code of New York State* shall apply to existing structures and premises; equipment and facilities; light, ventilation,

space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.6 Fire prevention. The provisions of the *Fire Code of New York State* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The provisions of the *Energy Conservation Construction Code of New York State* shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Existing buildings. The provisions of the *Existing Building Code of New York State* shall apply to all matters governing the repairs, alterations, change of occupancy, additions and relocation of existing buildings.

Appendix 7.B.

Excerpts from the Building Code of New York State - Chapter 3 - Use and Occupancy Classification*

SECTION 302 CLASSIFICATION

302.1 General. Structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed below. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Structures with multiple occupancies or uses shall comply with Section 508. Where a structure is proposed for a purpose that is not specifically provided for in this code, such structure shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved.

SECTION 303 ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

Exceptions:

1. A building or portion of a building used for nonaccessory assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.
2. A room or space used for assembly purposes with an occupant load of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
3. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and is accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

Assembly occupancies shall include the following:
Groups A-1, A-2, A-3, A-4 and A-5

SECTION 304 BUSINESS GROUP B

304.1 Business Group B. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts.

SECTION 305 EDUCATIONAL GROUP E

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade. Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 508.3.1 and have occupant loads of less than 100, shall be classified as A-3 occupancies.

305.2 Day care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2¹/₂ years of age, shall be classified as a Group E occupancy.

4. Factory and Industrial:

SECTION 306 FACTORY GROUP F

306.1 Factory Industrial Group F. Factory Industrial Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as a Group H hazardous or

Group S storage occupancy.

306.2 Factory Industrial F-1 Moderate-Hazard Occupancy. Factory industrial uses which are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard

SECTION 307 HIGH-HAZARD GROUP H

307.1 High-Hazard Group H. High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed in control areas constructed and located as required in Section 414. Hazardous uses are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this section, the requirements of Section 415 and the *Fire Code of New York State*. [F]

Exceptions: The following shall not be classified in Group H, but shall be classified in the occupancy that they most nearly resemble:

1. Buildings and structures that contain not more than the maximum allowable quantities per control area of hazardous materials as shown in Tables 307.1(1) and 307.1(2), provided that such buildings are maintained in accordance with the *Fire Code of New York State*.
2. Buildings utilizing control areas in accordance with Section 414.2 that contain not more than the maximum allowable quantities per control area of hazardous materials as shown in Tables 307.1(1) and 307.1(2).
3. Buildings and structures occupied for the application of flammable finishes, provided that such buildings or areas conform to the requirements of Section 416 and the *Fire Code of New York State*.
4. Wholesale and retail sales and storage of flammable and combustible liquids in mercantile occupancies conforming to the *Fire Code of New York State*.
5. Closed piping system containing flammable or combustible liquids or gases utilized for the operation of machinery or equipment.
6. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment listed by an approved testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour fire barriers or 1-hour horizontal assemblies or both.
7. Cleaning establishments that utilize a liquid solvent having a flash point at or above 200°F (93°C).
8. Liquor stores and distributors without bulk storage.
9. Refrigeration systems.
10. The storage or utilization of materials for agricultural purposes on the premises.
11. Stationary batteries utilized for facility emergency power, uninterrupted power supply or telecommunication facilities, provided that the batteries are provided with safety venting caps and ventilation is provided in accordance with the *Mechanical Code of New York State*.
12. Corrosives shall not include personal or household products in their original packaging used in retail display or commonly used building materials.
13. Buildings and structures occupied for aerosol storage shall be classified as Group S-1, provided that such buildings conform to the requirements of the *Fire Code of New York State*.
14. Display and storage of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in quantities not exceeding the maximum allowable quantity per control area in Group M or S occupancies complying with Section 414.2.5.
15. The storage of black powder, smokeless propellant and small arms primers in Groups M and R-3 and special industrial explosive devices in Groups B, F, M and S, provided such storage conforms to the quantity limits and requirements prescribed in the *Fire Code of New York State*.

SECTION 308 INSTITUTIONAL GROUP I

308.1 Institutional Group I. Institutional Group I occupancy includes, among others, the use of a building

or structure, or a portion thereof, in which people are cared for or live in a supervised environment, having physical limitations because of health or age are harbored for medical treatment or other care or treatment, or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

308.2 Group I-1. This occupancy shall include buildings, structures or parts thereof housing more than 16 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

SECTION 309 MERCANTILE GROUP M

309.1 Mercantile Group M. Mercantile Group M occupancy includes, among others, buildings and structures or a portion thereof, for the display and sale of merchandise, and involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public.

SECTION 310 RESIDENTIAL GROUP R

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *Residential Code of New York State* in accordance with Section 101.2.

SECTION 311 STORAGE GROUP S

311.1 Storage Group S. Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.

311.2 Moderate-hazard storage, Group S-1. Buildings occupied for storage uses that are not classified as Group S-2

SECTION 312 UTILITY AND MISCELLANEOUS GROUP U

312.1 General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy.

**Chapter Three includes examples for each of the use classes. Space limitations did not permit their inclusion in this appendix.*

Appendix 7.C.

Selected Accessibility Codes

The Existing Building Code requirements for accessibility are frequently excepted for conditions that are “technically infeasible.” The definition of technically infeasible is found in **Chapter 2 , DEFINITIONS**, under **SECTION 202 GENERAL DEFINITIONS**:

TECHNICALLY INFEASIBLE. An alteration of a building or a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements for new construction and that are necessary to provide accessibility.

Detailed requirements for accessibility begin in Chapter 6, ALTERATION LEVEL 1.

SECTION 605 ACCESSIBILITY

605.1 General. A building, facility or element that is altered shall comply with the applicable provisions in Sections 605.1.1 through 605.1.12, Chapter 11 of the *Building Code of New York State* and ICC/ANSI A117.1 unless it is technically infeasible. Where compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent that is technically feasible.

A building, facility or element that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 605.2.
2. Accessible means of egress required by Chapter 10 of the *Building Code of New York State* are not required to be provided in existing buildings and facilities.
3. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units and shall comply with the applicable provisions in Chapter 11

of the *Building Code of New York State* and ICC/ANSI A117.1.

605.1.1 Entrances. Where an alteration includes alterations to an entrance, and the building or facility has an accessible entrance on an accessible route, the altered entrance is not required to be accessible unless required by Section 605.2. Signs complying with Section 1110 of the *Building Code of New York State* shall be provided.

605.1.2 Elevators. Altered elements of existing elevators shall comply with ASME A17.1 and ICC/ANSI A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

605.1.3 Platform lifts. Platform (wheelchair) lifts complying with ICC/ANSI A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

605.1.4 Ramps. Where steeper slopes than allowed by Section 1010.2 of the *Building Code of New York State* are necessitated by space limitations, the slope of ramps in or providing access to existing buildings or facilities shall comply with Table 605.1.4.

TABLE 605.1.4
RAMPS

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

605.1.5 Dining areas. An accessible route to raised or sunken dining areas or to outdoor seating areas is not required provided that the same services and decor are provided in an accessible space usable by any occupant and not restricted to use by people with a disability.

605.1.6 Performance areas. Where it is technically infeasible to alter performance areas to be on an accessible route, at least one of each type of performance area shall be made accessible.

605.1.7 Jury boxes and witness stands. In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and shall be permitted to be located outside these spaces where ramp or lift access poses a hazard by restricting or projecting into a required means of egress.

605.1.8 Dwelling or sleeping units. Where Group I-1, 1-2, 1-3, R-1, R-2, or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *Building Code of New York State* for accessible or Type B units and Chapter 9 of the *Building Code of New York State* for accessible alarms apply only to the quantity of the spaces being altered.

605.1.9 Toilet rooms. Where it is technically infeasible to alter existing toilet and bathing facilities to be accessible, an accessible unisex toilet or bathing facility is permitted. The unisex facility shall be located on the same floor and in the same area as the existing facilities.

605.1.10 Dressing, fitting and locker rooms. Where it is technically infeasible to provide accessible dressing, fitting, or locker rooms at the same location as similar types of rooms, one accessible room on the same level shall be provided. Where separate sex facilities are provided,

accessible rooms for each sex shall be provided. Separate sex facilities are not required where only unisex rooms are provided.

605.1.11 Thresholds. The maximum height of thresholds at doorways shall be 3/4 inch (19.1 mm). Such thresholds shall have beveled edges on each side.

605.1.12 Extent of application. An alteration of an existing element, space, or area of a building or facility shall not impose a requirement for greater accessibility than that which would be required for new construction. Alterations shall not reduce or have the effect of reducing accessibility of a building, portion of a building, or facility.

605.2 Alterations affecting an area containing a primary function. Where an alteration affects the accessibility to a, or contains an area of, primary function, the route to the primary function area

shall be accessible. The accessible route to the primary function area shall include toilet facilities or drinking fountains serving the area of primary function.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.
2. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems and abatement of hazardous materials.
4. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility or element.

Chapters 7 ALTERATION LEVEL 2 and 8 ALTERATION LEVEL 3 refer back to Section 605 and add a few additional provisions:

SECTION 706 ACCESSIBILITY

706.1 General. A building, facility, or element that is altered shall comply with Section 605.

706.2 Stairs and escalators in existing buildings. In alterations where an escalator or stair is added where none existed previously, an accessible route shall be provided in accordance with Sections 1104.4 and 1104.5 of the *Building Code of New York State*.

706.3 Dwelling units and sleeping units. Where Group I-1, I-2, I-3, R-1, R-2, or R-4 dwelling units or sleeping units are being added, the requirements of Section 1107 of the *Building Code of New York State* for accessible units or Type B units and Chapter 9 of the *Building Code of New York State* for accessible alarms apply only to the quantity of spaces being added.

SECTION 806 ACCESSIBILITY

806.1 General. A building, facility, or element that is altered shall comply with Section 605.

806.2 Type B Units. When more than four Group R-2 or R-3 dwelling units or sleeping units are being altered, 25 percent shall comply with Section 1107.2 of the *Building Code of New York State*.

Exception: Buildings without elevator services where the lowest story containing Group R-2 or R-3 dwelling units is not the ground floor

Chapters 9, Change of Occupancy contains a separate but similar list of accessibility requirements:

912.8 Accessibility. Existing buildings or portions thereof that undergo a change of group or occupancy classification shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
Signage complying with Section 1110 of the *Building Code of New York State*.
3. Accessible parking, where parking is provided.
4. At least one accessible passenger loading zone, where loading zones are provided.
5. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
6. At least one accessible toilet room complying with Section 1109.2.1 of the *Building Code of New York State*, where toilet rooms are provided.
7. Where more than four Groups R-2 or R-3 dwelling units or sleeping units are being constructed, twentyfive percent shall comply with Section 1107.2 of the *Building Code of New York State*.

Exception: Buildings without elevator service where the lowest story containing Group R-2 or R-3 dwelling units is not the ground floor.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Changes of group or occupancy that incorporate any alterations or additions shall comply with this section and Sections 605.1, 706.1 or 1005.1 as applicable.

Appendix 9

Chapter 9 – Financial Considerations and Funding – Additional Information

This appendix contains additional information for Chapter 9 including lists of resources and links. Some portions include additional descriptions and case studies.

Public and Private Financing - Loans

Federal

1. U.S. Small Business Administration – multiple types of loans

<http://www.sba.gov/category/navigation-structure/loans-grants/small-business-loans/sba-loan-programs>

2. US Small Business Administration 504 Loan Program

http://www.nybdc.com/about-us/SBA_504_Loans_54_24_sb.htm

3. US Small Business Administration 7(a) Loan Program

http://www.nybdc.com/about-us/SBA_7_a_Loans_54_25_sb.htm

4. US Small Business Administration 7(m) Micro Loan Program

<http://www.sba.gov/content/microloan-program>

5. US Department of Agriculture (USDA) - Business and Industrial Guaranteed Loans

http://www.nybdc.com/about-us/USDA_Loans_54_26_sb.htm

New York State

1. NYS Empire State Development – Linked Deposit Program

<http://www.esd.ny.gov/BusinessPrograms/LinkedDeposit.html>

2. NYS Empire State Development – Manufacturing Assistance Program

<http://www.esd.ny.gov/BusinessPrograms/MAP.html>

3. NYS Empire State Development – Community Development Financial Institution Assistance Program (CDFI)

<http://www.esd.ny.gov/BusinessPrograms/CDFI.html>

4. NYS Empire State Development – Capital Access Program

<http://esd.ny.gov/BusinessPrograms/CapitalAccess.html>

5. NYS Empire State Development – Commercial District Revolving Loan Trust Funds

<http://www.nyfirst.ny.gov/ResourceCenter/Data/CommercialDistrict.pdf>

6. NYS Empire State Development – Innovate New York

<http://www.esd.ny.gov/InnovateNY.html>

7. NYS Empire State Development – Minority and Women-Owned Business Development & Lending Program
<http://www.esd.ny.gov/BusinessPrograms/MWBEDevelopmentLending.html>

8. NYS Empire State Development – Minority and Women Revolving Loan Trust Fund Program
<http://www.esd.ny.gov/BusinessPrograms/MWBERevolvingLoanTrustFund.html>

9. NYS Empire State Development – Microenterprise Loan Fund
<http://www.esd.ny.gov/BusinessPrograms/Data/MICROLENDING/MicroLendingProgramFACTSHEET.pdf>

10. NY Business Development Corporation – Conventional Non Guaranteed Loans
http://www.nybdc.com/about-us/Conventional_Non-Guaranteed_Loans_54_27_sb.htm

Regional

1. G/FLRPC Regional Revolving Loan Fund
<http://www.gflrpc.org/programareas/EconomicDevelopment/RLF.htm> (update address after new website goes live)

2. Greater Rochester Enterprise – Regional Economic Development – List of loan programs
<http://www.rochesterbiz.com/DoingBusinessHere/BusinessInformation/BusinessIncentives/Programs.aspx?cat=8>

3. Pathstone – Loan Fund and Microenterprise Assistance
http://www.pathstone.org/services/economic-development-services/#Loan_Fund

Counties

Genesee County

Genesee County Economic Development Center - Revolving Loan Fund
<http://www.gcedc.com/index.php/doing-business/support-services/>

Livingston County

Livingston County Development Corporation - Revolving Loan Fund
<http://www.livingstoncountydevelopment.com/programs-financing.html>

Alliance for Business Growth Microenterprise Loan Program
http://www.esd.ny.gov/SmallBusiness/Data/AlternativeFunding/2013/ALLIANCE_FOR_BUSINESS_GROWTH.pdf

Monroe County

Monroe County Economic Development – Revolving Loan Fund
<http://www.monroecounty.gov/economic-loanfund.php>

Genesee Coop Federal Credit Union Microenterprise Loan Program
<http://www.esd.ny.gov/SmallBusiness/Data/AlternativeFunding/2013/GENESEECOOPFEDCREDITUNION.pdf>

Orleans County

Orleans County Economic Development – Revolving Loan Fund

<http://orleansdevelopment.org/orleans-revolving-loan-fund-application-orlf/>

Ontario County

Ontario County Economic Development Corporation - Revolving Loan Fund

<http://www.ontariocountydev.org/ontario-county-development/how-we-help/our-products>

Seneca County

Seneca County IDA – Revolving Loan Fund

http://www.senecacountyida.org/advantage/incentives/revolving_loan_fund

Alternatives Federal Credit Union Small Business Loan

<http://www.esd.ny.gov/SmallBusiness/Data/AlternativeFunding/2013/ALTERNATIVESFCU.pdf>

Wayne County

Wayne County IDA – Revolving Loan Fund

<http://www.wedcny.org/Financialinfo.html>

Wyoming County

Wyoming County IDA – Business Development Revolving Loan Program

<http://www.wycoida.org/loan-program>

Alliance for Business Growth Microenterprise Loan Program

http://www.esd.ny.gov/SmallBusiness/Data/AlternativeFunding/2013/ALLIANCE_FOR_BUSINESS_GROWTH.pdf

Yates County

Yates County – Finger Lakes Economic Development Center - Revolving Loan Fund

<http://www.fingerlakesedc.com/#!/financing/clyst>

Historic Preservation - Funding and Assistance

Landmark Society of Western New York

<http://landmarksociety.org/>

The Landmark Society of Western New York, Inc., is one of the oldest and most active preservation organizations in America. It is a not-for-profit membership organization dedicated to protecting the unique architectural heritage of our region and promoting preservation and planning practices that foster healthy, livable, and sustainable communities. Landmark Society staff work collaboratively with municipal officials, developers, commercial property owners, homeowners, and community advocates across a nine-county service area (Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates counties).

The Landmark Society offers a variety of services and programs to foster revitalization and support historic preservation efforts throughout the region:

1. Preservation Planning Services

- Technical expertise and contractor references – Landmark staff can provide advice on the appropriate repair and maintenance of older buildings. We also maintain a list of design professionals, contractors, and craftspeople who offer expertise and experience with historic buildings and structures.
- Advocacy – The Landmark Society works with citizens, municipal officials, and property owners to find positive solutions for at-risk buildings and structures in all types of communities.
- Outreach and training – Landmark staff can provide training to municipal officials and boards (ZBAs, Planning Commissions, Design Review Boards, and Historic Preservation Commissions).
- Preservation consulting – Landmark staff can be hired to prepare historic resource surveys, National Register nominations, or local landmark applications.
- Funding assistance – Staff work with owners of commercial, residential, and religious properties to seek funding for the repair and rehabilitation of older buildings.

2. Preservation Rehab Loans

<http://landmarksociety.org/programs/preservation-rehab-loans/>

In partnership with NeighborWorks® Rochester, The Landmark Society offers Preservation Rehab Loans to homeowners in historic districts within the City of Rochester. Homes located outside of the city or outside National Register-listed historic districts can be considered on a case-by-case basis. The Landmark Society provides preservation oriented construction management services including the development of a work plan and rehab specifications, contractor selection, and support monitoring the construction phase. NeighborWorks® Rochester will also help interested homeowners apply for a free energy audit through NYSEERDA's Green Jobs Green New York (GJGNY) program. GJGNY energy audits are free to households making less than \$137,000.

3. Preservation Grant Fund

<http://landmarksociety.org/programs/preservation-grant-fund/>

The Landmark Society's Preservation Grant Fund program offers funds (up to \$3,500) for preliminary design and planning studies to help make positive improvements to at-risk buildings. Applications are considered quarterly. The grant will not pay for any "bricks and mortar" work. Only pre-construction services are eligible for funding. Specific use of funds is flexible. Examples of eligible projects include:

- code compliance studies
- construction estimates
- visual project renderings
- measured drawings
- feasibility studies
- condition reports

4. Five to Revive

<http://landmarksociety.org/programs/five-to-revive/>

The Five to Revive is a list of historic properties in our region that we have identified to be in need of targeted revitalization. Whether buildings, landscapes, or structures, they are significant historic properties whose rehabilitations can become catalytic projects for the neighborhoods and communities that surround them.

Each year, these five properties become priority projects for our staff and programs as we work collaboratively with owners, municipal officials, and developers to facilitate investment and foster rehabilitation. The ultimate goal is to return these important historic resources to a place of prominence in their respective communities, as economic and social assets that spark even more investment and revitalization

5. Public Outreach & Education

Through our annual Statewide Preservation Conference and Spring and Fall Partners Roundups, we provide training, inspiration, ideas, and networking opportunities to a diverse range of community advocates, planners, and property owners.

Preservation League of New York State

1. Technical Services Program

http://preservenys.org/01_what_tech.html

This statewide program offers a wide range of services including the identification of grant support (including Preservation League funding opportunities), guidance on effective advocacy assistance with listing properties on the State and National Registers of Historic Places and expert advice on community revitalization strategies. Technical Services staff members work with other groups and municipalities to offer workshops and conference sessions on upper floor redevelopment/Main Street revitalization, energy conservation in historic buildings, state and federal tax credit use and other topics. Program staff provide direct services and frequently collaborate with the leaders of local and regional preservation not-for-profit groups through “Preservation Colleagues” who meet to share ideas, receive training and strengthen the statewide preservation movements. Often Technical Services and Public Policy staff work together on issues related to local landmark laws and their municipal commissions.

2. Public Policy Program

http://preservenys.org/01_what_pub.html

This program develops and advocates for preservation policies and appropriations at the state and national levels for the benefit of New York State communities. Public Policy staff meet federal regularly with policymakers on significant legislative issues and network statewide with constituents including “Preservation Colleagues” to ensure that preservation concerns are addressed. This program gives particular attention to community efforts to implement local preservation laws effectively (using the Model Law as the base document) and to tax credits and other incentives aimed at downtown and neighborhood reinvestment. Preservation advocates can subscribe to policy alerts at the League’s website:

capwiz.com/preservenys/mlm/signup/?ignore_cookie=1

3. Seven to Save Endangered Properties Program

http://preservenys.org/01_what_project.html

Seven to Save assists community leaders and advocates in their efforts to preserve at-risk historic places facing disinvestment, demolition and other threats. Through a nomination process offered every other year a Seven to Save list is established and the endangered properties receives enhanced technical, funding policy and media attention from League staff.

4. Preserve New York Grant Program (PNY)

https://preservenys.org/01_what_grants_presny.html

Nonprofit organizations with 501(c) (3) status and units of local government are eligible to apply. Grants are likely to range between \$3,000 and \$10,000. A formal match (funds, materials and/or in-kind services) is not required. However, the Preservation League and its funder, the New York State Council on the Arts, require a project budget that reflects the applicant's meaningful commitment to the project. Most grant awards are for partial support of project costs. PNY grants fund historic structure reports, historic landscape reports and cultural resource surveys. The latter includes the completion of nominations to the State and National Registers of Historic Places. Eligible expenses include consultant fees, in-state travel, photography, report production costs and other associated expenses. The application deadline usually occurs once a year in the spring.

5. Technical Assistance Grants (TAG)

https://preservenys.org/01_what_grants_tag.html

Not-for-profit arts/cultural groups and municipalities managing an arts/cultural facility may apply. Grant amounts will not exceed \$3,000 and the total cost of the applicant's project may not exceed \$3,500. Each applicant must provide \$500 toward the total project cost. TAG awards support short-term, discrete projects that advance the preservation of historic sites, museums, arts facilities, and other culturally important institutions that are located in historic buildings and structures that are open to the public. These professional studies include: building conditions surveys, engineering/structural analyses, feasibility/reuse studies, and specialized building conservation studies. TAG funds cannot be used for acquisitions, specifications and construction. The application deadlines have been in the spring and fall; contact the Preservation League for exact dates each year.

6. Endangered Properties Intervention Program (EPIP)

http://www.preservenys.org/01_what_grants_endangrd.html

The Endangered Properties Intervention Program allows the Preservation League to intervene directly when historic buildings are threatened with disinvestment, neglect, and demolition. Individuals, not-for-profit organizations, companies and municipalities are eligible for EPIP assistance. EPIP provides loans of up to \$200,000 for property acquisition, stabilization and restoration. All proposed work must conform to the Secretary of the Interior's Standards for Historic Preservation. The term of a loan is up to three years. There is a modest fee due at closing.

National Trust for Historic Preservation

<http://www.preservationnation.org/>

*Only National Trust Forum Members or National Trust Main Street Network members are eligible to apply for the funds below. Public agencies and non-profits can become members at:

<http://www.preservationnation.org/forum/joinforumnow.html#.VAXo2fldXX4>

1. Technical Assistance

The National Trust for Historic Preservation chartered by Congress in 1949 is the nation's clearinghouse and leading voice for preservation. It is a privately funded nonprofit leading group that works to save America's historic places through its many educational, funding and advocacy programs. Its large staff includes preservation planners, attorneys and many other professionals. NTHP staff work from its headquarters in Washington D.C., field offices and over two dozen historic sites. Its funding opportunities and the National Main Street Center described here have the greatest relevance to upper floor redevelopment.

2. National Trust Preservation Funds

<http://www.preservationnation.org/resources/find-funding/preservation-funds-guidelines-eligibility.html#.VAXpIldXX4>

Public agencies, 501(c) (3), and other nonprofit organizations are eligible. Grants generally start at \$2,500 and range up to \$5,000. Applicants must be capable of matching the grant amount dollar-for-dollar. Eligible activities include planning, such as hiring a preservation planner to produce design guidelines for a historic district, and support for preservation education activities aimed at the public. Fees for consultant services and costs for the development of materials for education and outreach campaigns, including web site development are examples of eligible expenses. Application deadlines are February 1, June 1, and October 1.

3. Johanna Favrot Fund for Historic Preservation

<http://www.preservationnation.org/resources/find-funding/special-funds/johanna-favrot-fund.html#.VAXp0vldXX4>

Public agencies and nonprofit organizations are eligible. Grants from the Johanna Favrot Fund for Historic Preservation generally range from \$2,500 to \$10,000. Applicants must be capable of matching the grant amount dollar-for-dollar. Favrot Fund grants are awarded for planning activities and education efforts focused on preservation such as designing, producing and marketing print and video communications materials. Speaker/faculty costs and fees for consultant services are examples of eligible expenses. The application deadline usually occurs once a year in the spring.

4. Hart Family Fund for Small Towns

<http://www.preservationnation.org/resources/find-funding/special-funds/hart-fund.html#.VAXp5vldXX4>

Public agencies and nonprofit organizations in towns with a population of 5,000 or less are eligible. Grants from the Hart Family Fund for Small Towns generally range from \$2,500 to \$10,000. Applicants must be capable of matching the grant amount dollar-for-dollar. Support is provided for obtaining professional expertise for activities such as a historic structure report or historic landscape master plan or an economic feasibility study for the reuse of a threatened structure. Speaker/faculty costs and fees for consultant services are examples of eligible expenses. The application deadline usually occurs once a year in the spring.

5. Cynthia Woods Mitchell Fund for Historic Interiors

<http://www.preservationnation.org/resources/find-funding/special-funds/cynthia-woods-mitchell.html#.VGDjDMsU-P-8>

Public agencies and non-profit groups are eligible to apply. Individuals and for-profit businesses may apply only if the project for which funding is requested involves a National Historic Landmark (NHL). The program assists with the preservation restoration and interpretation of historic interiors. Eligible projects activities include obtaining expertise from architects, conservators, museum consultants and other professionals. Grants generally range from \$2,500 to \$10,000 and require a dollar-for-dollar match. The application deadline usually occurs once a year in the spring.

6. 11 Most Endangered Historic Places (11 Most)

<http://www.preservationnation.org/issues/11-most-endangered/#.VGDkOMsU-P8>

Since 1968 the “11 Most” program has raised awareness about the threats facing important places through its annual national list. The program shines a national spotlight on the threatened places and helps create strategies and galvanize resources for “saves” of places at-risk.

7. National Treasures Program

<http://www.savingplaces.org/>

Begun in 2011, this program offers enhanced national attention to some of the nation's most significant places including buildings, landscape, monuments and communities. The threats include: closure, demolition, inappropriate development, insufficient production, lack of funding and neglect. The NTHF works closely with local preservationists on direct actions to save the treasures through fundraising, coalition building and legal and advocacy support.

8. National Main Street Center, Inc.

<http://www.mainstreet.org>

The National Trust launched a Main Street program in 1980 and is now reorganized as a national organization. It continues the long-standing commitment to historic preservation and community revitalization using the center's "Main Street Four-Point Approach". The Center, based in Chicago, has a Washington, D.C. field office. The Center offers publications, a listserv, a national conference, training opportunities, on-line resources and other services aimed at assisting and strengthening historic commercial centers.

9. National Trust Community Investment Corporation (NTCIC)

Ntcicfunders.com/

The NTCIC is a wholly owned for-profit subsidiary of the National Trust. It makes equity investments in real estate projects that qualify for federal and state historic, low-income and New Markets tax credit programs. It is also the tax credit industry's leading advocate for improving and expanding the use of historic tax credits. Its focus is on projects that have high economic impacts on the surrounding community.

10. Emergency/Intervention Funding

<http://www.preservationnation.org/resources/find-funding/special-funds/#Emergency>

Intervention funding from the National Trust is awarded in emergency situations when immediate and unanticipated work is needed to save a historic structure, such as when a fire or other natural disaster strikes. Funding is restricted to nonprofit organizations and public agencies. Emergency grants typically range from \$1,000 to \$5,000, but unlike the majority of other National Trust grant funding, a cash match is not required for intervention projects. Emergency funding is very limited; applicants are encouraged to contact the National Trust if a project potentially qualifies for this type of funding.

Certified Local Government Program

<http://nysparks.com/shpo/certified-local-governments/>

For local governments applying for CLG status, reviews of requests for CLG status and grant applications can be done simultaneously. New York is required to allocate ten percent of their annual Federal appropriation for historic preservation to CLG activities. In recent years, New York State has used their CLG monies to fund architectural and historical surveys; nominations to the National Register of Historic Places; staff work for historic preservation commissions; community design guidelines and preservation plans; public outreach materials such as publications, videos, exhibits, and brochures; training for historic preservation commission members and staff; and rehabilitation or restoration of National Register-listed properties. Any and all of these activities can support downtown revitalization including upper floor redevelopment.

Past grant awards have ranged from \$1,200 to \$29,000, with most in the \$5,000 to \$15,000 range. Communities are encouraged to contribute funds or in-kind services equaling at least 40% of the total project cost. A new award cycle commences each October 1 and applications are due in mid-July.

Contact the State Historic Preservation Office for information on becoming a CLG.

Additional Funding and Programs

Energy Efficiency Incentives

Energize NY Finance

http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY114F&re=0&ee=0

Energize NY Finance is a program offered by the Energy Improvement Corporation* (EIC) that provides financing to commercial properties for deep energy upgrades and renewable energy projects. The program is financed with Property Assessed Clean Energy (PACE) structure to provide low interest rates, long repayment terms, transferability of the loans, and other benefits. The program allows the property owners to borrow money from EIC which is repaid via a special assessment in the real estate tax bill. The loans are issued based on property value instead of credit history. If the property is sold, then the repayment option is legally transferred with the property.

Eligibility

Financing is available for wide variety of buildings including commercially owned buildings, multi-family buildings, industrial space, schools, non-profits, and others. Funding however is not available for new construction of buildings.

To participate in the program, the projects should be located within a municipality that is a member of the Energy Improvement Corporation (EIC). The property that is being financed should be current on property tax payments, and must not have any involuntary liens or defaults.

Financing

Interested participants can file for pre-application [online](#) or contact the address provided below to determine their eligibility. After being approved, the program along with NYSERDA will assist with energy study of the building, help find contractors, and provide best options for financing.

The amount of financing is limited to 10% of the appraised value of the property, or the cost of energy improvements, whichever is lower. Typically the values range from \$5,000 to \$2,500,000. The loan can be issued with term lengths from 5 to 15 years with interest rate ranging from 5% to 7% depending on the term length.

**EIC is a local development non-profit corporation established to assist municipalities and property owners to achieve long-term energy savings. New York municipalities can join EIC by passing a local law, signing a Municipal Agreement codifying the tax charge transfer, and requesting membership. List of participating municipalities is listed in the website above.*

Energy Conservation Improvements Property Tax Exemption

http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY27F&re=0&ee=0

Qualifying energy-conservation improvements to homes are exempt from real property taxation to the extent that the addition would increase the value of the home. The exemption includes general municipal property taxes, school district taxes, and special ad valorem taxes, but does *not apply* to special assessments. Eligible properties include single-family to four-family dwellings. The exemption applies directly to a variety of equipment and measures, but the statute also states that any conservation-related state or federal tax credit or deduction is also exempt from New York's property tax under this statute. The state Tax Assessor's Manual also specifically identifies solar and wind energy systems as eligible for the exemption.

Multifamily Performance Program

<http://www.nyscrda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Multifamily-Performance-Program/Multifamily-Performance-Partner.aspx>

http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY36F&re=0&ee=0

Under NYSERDA's Multifamily Performance Program (MPP), new construction of multifamily buildings and existing multifamily buildings are eligible for incentives that improve energy savings through energy efficiency or innovative energy solutions, such as renewable energy. Through this program, interested building owners must work with a Multifamily Performance Partner. The program website contains a guide to assist building owners/managers in selecting a Performance Partner. Additional incentives are available for projects that serve or are expected to serve low-income tenants.

Eligibility

To participate in the program, the building must be a multifamily residential building, containing 5 or more units with at least 4 floors. Buildings must also contain residential space comprising at least 50% of the gross heated square footage of the entire project. The participant must work with a Performance Partner, who will conduct an energy assessment of the project, recommend improvements, and process and submit the incentive payments.

Buildings must use electricity from the utilities that collect the System Benefit Charge (SBC). These generally include major investor owned utilities in the State including: Central Hudson Gas & Electric Corp., Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, National Grid, Orange and Rockland Utilities, Inc. and Rochester Gas and Electric Corporation. Some of these utilities also offer multifamily residential incentives. Utility program participants are not permitted to participate in the Multifamily Performance Program. Existing buildings that have received incentives from other program are not eligible for this program until 12 months.

Existing Building

Incentives amounts for existing building are categorized into Base Incentive and Performance Incentive. Base incentives are awarded as a series of payments upon completion of certain project milestones. In addition to base incentives, performance based incentives are available to projects that have at least 20% energy reduction. Performance based incentives are classified into different "tiers" of payment. Maximum incentive that can be received through the program is capped at \$1,000 per unit for Firm gas and \$800 per unit for Non-Firm gas*. Affordable program incentives for low-income participants are capped at \$1,300 per unit for Firm gas and \$1,100 per unit for Non-Firm gas.

New Construction

Multifamily residential new construction buildings or buildings undergoing gut-rehab are eligible for this incentive. The program offers a Prescriptive Path and a more flexible Performance Path. Prescriptive path includes a fixed set of energy saving measures, while the Performance path includes a customized energy modeling to create unique Proposed Energy Reduction Plan.

Similar to the Existing Buildings plan, the incentive payments are made in 3 stages upon completion of certain milestones. Maximum incentive for the project is capped at \$675 per unit for prescriptive, \$900 per unit for performance; and \$1,200 per unit for affordable performance, and \$900 per unit for affordable prescriptive program.

Additional details on the incentive amount are available in the program website above. The participants also have the option to fund the project through low-interest rate financing through NYSERDA's [Green New York Financing program](#).

**Firm gas projects are for buildings that receive gas from firms that pay into the SBC, while Non-Firm gas projects are within buildings that are alternatively heated or do not obtain gas from firms that pay into the SBC.*

Existing Facilities Program

<http://www.nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities/PON-1219-Existing-Facilities-Program.aspx>

http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY46F&re=0&ee=0

The NYSERDA Existing Facilities program merges the former Peak Load Reduction and Enhanced Commercial and Industrial Performance programs. The new program offers a broad array of different incentives to electricity and natural gas customers within the state that pay the System Benefits Charge (SBC). Energy service companies (ESCOs) that implement efficiency measures for eligible customers are likewise eligible. Both pre-qualified equipment rebates and performance based rebates are offered under this program, as described below. Projects with a simple payback greater than 18 years, or less than 1 year (or 6 months for manufacturing and data center projects) are not eligible for incentives.

Pre-qualified Measures

The pre-qualified equipment category is designed to support comparatively small electric and natural gas efficiency projects through fixed \$/unit equipment rebates. The general technologies covered by the pre-qualified designation are as follows: lighting, HVAC, chillers, motors, variable frequency drives, interval meters, natural gas equipment, commercial washing equipment, commercial refrigeration, and commercial kitchen equipment. Pre-qualified applications should be sent within 90 days of the invoice for purchase and installation of the equipment. Incentives are limited to \$30,000 per facility per year for electric efficiency incentives and \$30,000 per facility per year for natural gas efficiency incentives.

Performance-based Incentives

This category of incentives is generally oriented towards large improvement projects. Performance incentives are available for electric efficiency, natural gas efficiency, energy storage, demand response, monitoring-based commissioning, and industrial and process efficiency ([Industrial and Process Efficiency Program details](#)). Performance incentives are awarded as one-time payments based on the expected first-year savings offered by a given improvement. Customers of downstate utilities (defined as Consolidated Edison and National Grid) are generally eligible for higher incentives than customers of other utilities. Each category of performance incentive is governed by a distinct set of eligibility limits, incentive limitations, equipment requirements, and other rules. Some of the basic program rules are described in the fields above this summary.

The general deadline for applications under this program is December 31, 2015, or until program funding is exhausted. Please consult the program website for additional rules and application information or see [Program Opportunity Notice \(PON\) 1219](#) for additional program contacts.

For additional incentives for energy efficiency visit:

<http://www.dsireusa.org/incentives/index.cfm?re=0&ee=0&spv=0&st=0&srp=1&state=NY>

New York State

New York State Consolidated Funding Application

<http://regionalcouncils.ny.gov/>

<http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/fingerlakes/FLREDCStrategicPlan.pdf>

<http://www.esd.ny.gov/ConsolidatedFundingApplication.html>

New York State formed ten Regional Economic Development Councils, composed of local stakeholders from business; academia; local government; and non-governmental organizations, to help drive regional and local development efforts. Each of the ten councils developed an initial five-year strategic plan in November 2011 that included a vision statement; regional strategies to help achieve the vision; specific priority projects that can stimulate economic investment and job creation; and an outline for implementation of these strategies and performance measures. With strategic plans in place within each Region, New York State established the Consolidated Funding Application process.

The New York State Consolidated Funding Application (CFA) was established in line with the Regional Economic Development Councils to competitively award economic development funds to assist Region's in the implementation of their Economic Development Strategic Plans. The CFA is the single entry point to apply for up to \$750 million in economic development funding from 13 state agencies in 2013 to support economic development projects that are in alignment with the Regional Council's strategic plans. State agencies and authorities making resources available through the CFA includes: Empire State Development; NYS Canal Corporation; NYS Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Parks, Department of State, Office of National and Community Service; Office of Temporary and Disability Assistance; Higher Education Services Corporation; Department of Environmental Conservation and Council on the Arts.

Application guidelines for most of the existing programs that have been consolidated into the CFA have not changed significantly, but the rating systems have been revised to include economic impact input from the Regional Economic Development Councils. Once the CFA is submitted by the applicant, it initially goes to a state agency for scoring and ultimately to the local Regional Council to be reviewed and ranked as part of its strategic planning process.

New York State Heritage Area System

<http://nysparks.com/historic-preservation/heritage-areas.aspx>

The New York State Heritage Area System is a grassroots partnership with state and local government, non-governmental organizations, and the private sector to preserve, develop, and promote areas that encompass the state's most significant natural, historic, and cultural resources. The program was created in 1982, and is run by the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP). Much of the funding for the New York State Heritage Area System comes from the Environmental Protection Fund (EPF). The Heritage Areas Program funds projects that acquire, preserve, rehabilitate or restore lands, waters or structures, identified in the approved management plans for Heritage Areas. Programs funded by the EPF are now part of the NYS Consolidated Funding Application (CFA) process.

The New York State Heritage Area System has expanded to include 20 heritage areas and corridors including the Western Erie Canal Heritage Corridor which crosses through five counties: Erie, Monroe, Niagara, Orleans and Wayne. More information can be found at <http://www.westerneriecanal.com/>

1. Western Erie Canal Main Street Program

<http://www.westerneriecanal.com/#!main-street-program/cee5>

The Western Erie Canal Main Street Program is a regional coordinating program for the National Trust Main Street Program. Three designated Main Street Programs are currently in existence in the Western Erie Canal Heritage Corridor including Albion, Lockport and Lyons. The regional program works on coordination and collaboration between programs as well as new program start up.

The local Main Street programs operate as independent non-profits focused on downtown revitalization. They utilize the Main Street Four-Point Approach® which focuses on organization, promotion, design, and economic restructuring. <http://www.preservationnation.org/main-street/>

New York State Office of Community Renewal

1. New York Main Street Program

<http://www.nyshcr.org/Programs/NYMainStreet/>

The New York Main Street program (NYMS) is administered by the Office of Community Renewal (OCR). NYMS provides funds to stimulate reinvestment in properties located within mixed-use commercial districts located in urban, small town, and rural areas of New York State. NYMS is a comprehensive grant program that provides funding for local revitalization efforts and technical assistance to help communities build the capacity required to grow their downtown or neighborhood retail district. Eligible not-for-profit organizations and municipalities apply to act as Local Program Administrators (LPAs). If awarded LPAs administer funds to local property owners. NYMS is now included within the NYS Consolidated Funding Application process.

2. Community Development Block Grant Program (CDBG)

<http://www.nyshcr.org/Programs/NYS-CDBG/>

<http://www.nyshcr.org/Programs/NYS-CDBG/ProgramGuidelines.htm>

The Office of Community Renewal administers the Community Development Block Grant (CDBG) program for the State of New York. The NYS CDBG program provides financial assistance to eligible cities, towns, and villages with populations under 50,000 and counties with an area population under 200,000, for use in developing decent, affordable housing, and suitable living environments, as well as expanding economic opportunities, principally for persons of low/moderate income.

The state must ensure that at least 70% of CDBG funds benefit low/moderate-income persons, though programs including: job creation; prevent/eliminating slums and blight; or address a community development need that poses a threat to the community's health or welfare. Project selection incorporates the regional economic development council priorities or Commissioner's determination that the project aligns regional strategic priorities.

Awards are made within four targeted areas: Economic Development; Small Business Assistance; Public Infrastructure; or Public Facilities.

There are three types of housing projects eligible for NYS CDBG funding: housing rehabilitation, direct homeownership assistance, and private water/wastewater system assistance.

Housing Rehabilitation projects can include: grants or loans; target area approach for housing in a defined; an approach to reduce substandard housing on scattered sites; focus on certain income levels; selection based on need or first come first serve; and rehabilitation of owner-occupied, renter occupied, or vacant units to be occupied by low/moderate-income persons.

Homeownership projects can include: financial assistance including down payment assistance and closing costs; counseling prospective homeowners; and minor rehabilitation of houses.

3. Urban Initiatives Program

<http://www.nyshcr.org/Programs/UrbanInitiatives/>

The purpose of the Urban Initiatives program is to provide financial/technical resources to New York communities for the restoration and improvement of housing, commercial areas and public/community facilities in eligible neighborhoods, within cities, towns or villages with a population of 20,000 or more. This program will provide grants to not-for-profit community based organizations and charitable organizations that have a direct interest in improving the health, safety and economic viability of a distressed urban neighborhood or other aspects of the area environment that are related to community preservation or renewal activities. Eligible projects include: preserving existing housing units; generating new housing units; upgrading commercial and retail areas; and improving cultural and community facilities.

4. Rural Areas Revitalization Projects Program (RARP)

<http://www.nyshcr.org/Programs/RARP/>

The Rural Areas Revitalization Projects Program (RARP) is intended to provide financial/technical resources to New York cities, towns and villages with populations less than twenty-five thousand, for the restoration and improvement of housing, commercial areas and public/community facilities in rural areas of the state. It provides grants to not-for-profit community based organizations and charitable organizations that have a direct interest in improving the health, safety and economic viability of a rural area or other aspects of the area environment that are related to community preservation or renewal activities. Eligible projects include: preserving existing housing units; generating new housing units; upgrading commercial and retail areas; and improving cultural and community facilities.

New York State Canal Corporation

<http://www.canals.ny.gov/>

The New York State Canal Corporation is a subsidiary of the New York State Thruway Authority. Operation and maintenance expenses are supported by Thruway toll revenue. The goal of the Canal Corporation is to develop the New York State Canal System into a world class recreation- way that fosters recreation, tourism, and economic development and preserves the natural and historical environment along the canal.

1. Canalway Grant Program

<http://www.canals.ny.gov/community/grant.html>

Funding is available to expand public access, increase recreational use, improve services for motorized and non-motorized boaters, increase tourism, and stimulate private investment along the canal. Canal projects are expected to offer a greater appreciation and understanding of canal and community history, and to promote the protection of environmental and historic canal resources. Grant requests between \$50,000 and \$150,000 are available to eligible municipalities and 501(c)(3) non-profit organizations along the New York State Canal System. Projects are intended to meet the objectives of the Regional Economic Development Councils Strategic Plans and the *NYS Canal Recreationway Plan*. Canalway Grants Program has been placed in the NYS Consolidated Funding Application process.

For the NYS Canal Recreationway Plan visit - <http://www.canals.ny.gov/news/crc/plan.html>

New York State Council on the Arts (NYSCA)

<https://www.nysca.org/public/guidelines/architecture/Architecture%20+%20Design%20-%20General%20Support.pdf>

Architecture + Design supports organizations and individuals working to further innovation and excellence in the design arts, to preserve New York State's architectural + design heritage and to encourage the development of design literacy for all New Yorkers. There are several program areas: General Support; Project Support; Technical Support; Regrants and Partnerships; and Independent Projects.

1. Project Support

<https://www.nysca.org/public/guidelines/architecture/Architecture%20+%20Design%20-%20General%20Support.pdf>

This category offers an opportunity for support for projects or programs which promote an understanding of architecture and/or design, and may be directed at a general or professional audience. Projects might include: exhibitions, publications, workshops, conferences, public programs, or services to the field. Personnel costs for site-specific restoration projects are not eligible. Emerging Architecture + Design organizations may seek salary support for a senior design or historic preservation professional with whom the organization's growth and development would be advanced. Project Support grants are awarded between \$2,500 and \$25,000.

2. Technical Support

<https://www.nysca.org/public/guidelines/architecture/Architecture%20+%20Design%20-%20General%20Support.pdf>

NYSCA funding is available for historic preservation documentation projects through Preserve New York. The Preservation League of New York State administers this programs on behalf of the New York State Council on the Arts. See Preserve New York program description above.

3. Facilities Support

<http://www.nysca.org/public/guidelines/facilities/Facilities%20-%20Design%20+%20Planning%20Studies.pdf>

Arts and cultural organizations that own or lease buildings face many challenges in managing those structures. Through Facilities support, NYSCA makes strategic investments in supporting those arts and cultural organizations to help them become more physically accessible, stabilize their facility, support their artistic efforts, and be more sustainable for their communities. Strong Facilities projects combine excellence in design with informed decisions which will positively affect the future of arts and cultural organizations across the state. NYSCA offers three areas of support to assist the arts and cultural community in meeting those challenges: Capital Fixtures and Equipment; Capital Projects; and Design and Planning Studies.

4. Capital Projects

<http://www.nysca.org/public/guidelines/facilities/Facilities%20-%20Capital%20Projects.pdf>

Support is available for "shovel-ready" renovation, expansion, or restoration projects. Additionally, applicants requesting support for installation of elevators, wheelchair lifts, boilers, and HVAC systems should apply under this category. Support in this category is not available for the construction of entirely new facilities.

5. Design & Planning Studies

<http://www.nysca.org/public/guidelines/facilities/Facilities%20-%20Design%20+%20Planning%20Studies.pdf>

Funding is available for any nonprofit arts or cultural organization or local governmental agency which manages a cultural facility in New York State to engage the services of an architect for the completion of concept design, schematic design, or design development for a planned capital project. Requests for an architect-designed master plan for a cultural facility are also accepted. NYSCA encourages design work that generates creative solutions to the problem of adapting existing structures to new or expanded cultural uses.

Empire State Development

<http://www.esd.ny.gov/>

1. Empire State Development Grant Funds

<http://esd.ny.gov/BusinessPrograms/RegionalCouncilCapFund.html>

<http://esd.ny.gov/BusinessPrograms/EDF.html>

<http://www.esd.ny.gov/BusinessPrograms/UCDP.html>

Empire State Development provides direct assistance to businesses through three grant programs: Regional Council Capital Fund; Empire State Economic Development Fund; and the Urban and Community Development Program. Funding is available for capital-based economic development initiatives intended to create or retain jobs; reduce or eliminate unemployment; and/or increase business activity and investment. Empire State Development Grant Funds have been placed in the NYS Consolidated Funding Application process. Grants will be allocated to regions based upon implementation of their Economic Development Strategic Plans and identified priority projects.

2. Excelsior Jobs Program

<http://esd.ny.gov/businessprograms/Excelsior.html>

The Excelsior Jobs Program provides job creation and investment incentives to targeted industries: biotechnology, pharmaceutical, high-tech, clean-technology, green technology, financial services, agriculture, and manufacturing. Firms participating in the program are eligible to receive up to four tax credits, depending on the level of investment and the number of jobs created or retained. The following credits can be earned through the Excelsior Jobs Program: Excelsior Jobs Tax Credit, Excelsior Investment Tax Credit, Excelsior Research and Development Tax Credit, and the Excelsior Real Property Tax Credit. Applications for the Excelsior Jobs Program are accepted as part of the Consolidated Funding Application Process.

3. Regional Tourism Marketing Grant Initiative (I LOVE NEW YORK Fund)

<http://regionalcouncils.ny.gov/assets/documents/2012-Available-CFA-Resources.pdf>

Empire State Development administers the I LOVE NEW YORK tourism marketing program. The program seeks to attract tourists, visitors, and other interested persons from outside the state to work with organizations to publicize the facilities and attractions of New York State. Through the Regional Tourism Marketing Grant Initiative, funds are made available for projects that focus on promoting regional tourism destinations, attractions, events, and other tourism activities. Eligible applicants include: non-profit organizations, municipalities, and public benefit corporations. The Regional Tourism Marketing Grant Initiative has been placed in the NYS Consolidated Funding Application process.

New York State Energy Research and Development Authority (NYSERDA)

1. Economic Development Growth Extension Program

<http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Community-Resources/EDGE.aspx>

The Economic Development Growth Extension Program offers local, regionally-based access to NYSERDA energy efficiency, renewable energy and research and development programs. There are 26 Regional Outreach Contractors located throughout New York State's 10 regions, which provide program outreach to commercial, institutional, municipal, industrial, and residential customers. Greater Rochester Enterprise is the Regional Outreach Contractor for the nine-county Genesee-Finger Lakes Region.

2. NYSERDA Cleaner, Greener Communities Program

<http://www.nyserdera.ny.gov/Governor-Initiatives/Cleaner-Greener-Communities.aspx>

The Cleaner, Greener Communities Program was announced by Governor Cuomo in his 2011 State of the State address as a \$96 million competitive grant program to encourage communities to develop regional sustainable growth strategies. The first phase of the program was development of a Regional Sustainability Plan, which established a statewide sustainability planning framework to aid in statewide infrastructure investment decision making; outline actions to reduce greenhouse gas emissions; inform municipal land use policies; and serve as a basis for local government infrastructure decision making.

The second phase of the program will make available \$90 million for implementation of specific projects that provide the greatest opportunities for achieving carbon reductions, energy efficiency savings, and renewable energy deployment consistent with region's sustainability and Regional Economic Development Council strategic plans.

3. NYSERDA Flexible Technical Assistance

<http://www.nyserdera.ny.gov/Energy-Efficiency-and-Renewable-Programs/Commercial-and-Industrial/CI-Programs/FlexTech-Program.aspx>

FlexTech Audits are offered under the Green Jobs Green New York program and allow for free walk-through audits of small businesses, commercial facilities, and not-for-profit corporations to identify energy efficiency improvements.

4. Existing Facilities Program

<http://www.nyserdera.ny.gov/Energy-Efficiency-and-Renewable-Programs/Commercial-and-Industrial/CI-Programs/Existing-Facilities-Program.aspx>

The Existing Facilities Program offers performance based incentives to encourage applicants to implement energy efficiency projects to lower energy costs. The program also offers incentives to encourage applicants to purchase and install energy-efficient equipment for qualifying projects.

5. Industrial and Process Efficiency Program

<https://www.nyserdera.ny.gov/Energy-Efficiency-and-Renewable-Programs/Commercial-and-Industrial/CI-Programs/Industrial-and-Process-Efficiency.aspx>

The Industrial and Process Efficiency Program assists commercial and industrial manufacturers and data centers in identifying ways to improve energy efficiency through capital investments and process improvements. Assistance is provided through capital incentives and practical technical assistance.

6. New Construction Program

<http://www.nyserdera.ny.gov/Energy-Efficiency-and-Renewable-Programs/Commercial-and-Industrial/CI-Programs/New-Construction-Program.aspx>

The New Construction Program provides technical assistance and financial incentives to promote the installation of energy-efficient electric equipment in new and renovated commercial and industrial buildings.

Federal - Additional Funding and Programs

National Park Services (NPS)

The Preserve America and the Save America's Treasures programs are no longer administered by the NPS.

National Heritage Areas (NHA)

<http://www.nps.gov/history/heritageareas/INDEX.html>

http://www.nationalheritageareas.us/heritage_areas.html

The National Heritage Area program is similar to the New York State Heritage Area System in that it utilizes public-private partnerships to support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects. It is a program managed by the NPS, similar to the National Register of Historic Places and National Historic Landmarks. National Heritage Areas (NHAs), however, are not parks owned or managed by the NPS; they are living landscapes connected by nationally significant natural, historic, and cultural resources that further the mission of the NPS through community-driven stewardship.

NHAs are designated by Congress, as New York State Heritage Areas are designated by the New York State Legislature, and are similarly required to develop a comprehensive management plan that focuses on the distinct qualities that make their region special. The NPS is a partner and advisor to communities and helps connect local citizens to the preservation and planning process through technical assistance and matching federal funds from Congress to NHA entities. There are four NHAs in New York State: Erie Canalway National Heritage Corridor; Hudson River Valley National Heritage Area; Niagara Falls National Heritage Area; and the Champlain Valley National Heritage Partnership (NY and VT).

The Erie Canalway National Heritage Corridor (ECNHC) is among the largest of the 49 NHAs in the country and spans through a section of the Western Erie Canal Heritage Corridor (WECHC), a State Heritage Area. While the Western Erie Canal Heritage Corridor is a countywide designation that includes the 136-mile section of the Erie Canal, the Erie Canalway National Heritage Corridor spans New York State from east to west for 524 miles, encompassing all 234 municipalities linked by the Erie, Champlain, Cayuga-Seneca and Oswego Canals, and Cayuga and Seneca Lakes.

<http://www.eriecanalway.org/>

The ECNHC provides limited funding for projects that help to achieve the goals set forth in the *Erie Canalway National Heritage Corridor Preservation and Management Plan*.

http://www.eriecanalway.org/get-involved_grants-fund.htm

1. Erie Canalway National Heritage Corridor Grants

Nonprofit, municipal, and federally-recognized Native American tribes located within the congressionally-designated boundaries of the ECNHC are eligible to apply. Grant requests generally range from \$2,000 to \$7,000. All applicants must show as part of the application a secured one-to-one match of requested grant funds. Grants are targeted to fund projects or programs that directly relate to the goals, strategies, and priority projects identified in the Preservation & Management Plan such as historic and cultural resource preservation; economic and waterfront revitalization; and tourism development and marketing.

National Endowment for the Arts

1. Our Town

<http://arts.gov/grants-organizations/our-town>

The National Endowment for the Arts will provide a limited number of grants for creative placemaking projects that contribute toward the livability of communities and help transform them into lively, beautiful, and sustainable places with the arts at their core. Our Town will invest in creative and innovative projects in which communities, together with their arts and design organizations and artists, seek to: improve their quality of life; encourage greater creative activity; foster stronger community identity and a sense of place; and revitalize economic development. These partnerships must involve two primary partners: a nonprofit organization and a local government entity. One of the two primary partners must be a cultural (arts or design) organization. Matching grants range from \$25,000 to \$200,000. Application deadline usually occurs once a year in May for projects beginning January of the following year.

U.S. Department of Housing and Urban Development (HUD) – Affordable Housing Programs

1. HOPE VI Main Street

http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph/hope6/grants/mains_treet

HUD's HOPE VI Main Street program makes grants to support the development of affordable housing projects in areas that are engaged in a broader Main Street revitalization effort. Obsolete commercial offices or buildings can be reconfigured into rent producing affordable housing. Between 2005 and 2010, awards totaling nearly \$14.5 million were made to 18 municipalities. Applicants must be an official unit of local government and must have a population of 50,000 or less. The entity must also not be served by a local government, county/parish, regional, or state public housing agency (PHA) that administers more than 100 physical public housing units within the local government's jurisdiction. In general, the grant funds can be used to reconfigure obsolete or surplus commercial space (or extremely substandard, vacant housing) into, or build new, Main Street affordable housing units. The grant funds cannot be used on general infrastructure or commercial development. The funds must be used to assist units of local government that have existing Main Street area rejuvenation projects and have the population and public housing unit limits stated above. Main Street housing units must be affordable to the initial residents that occupy the Main Street housing project.

2. Section 203(k) Program

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/sfh/203k/203k--df

The Section 203(k) program is HUD's primary program for the rehabilitation and repair of properties with one to four residential units. 203(k) insured loans can finance the rehabilitation of the residential portion of a property that also has non-residential uses and they can also cover the conversion of a property of any size to a one to four unit structure.

The program enables a borrower to get one mortgage loan, at a long-term fixed (or adjustable) rate, to finance acquisition and the rehabilitation of a property. To provide funds for the rehabilitation, the mortgage amount is based on the projected value of the property with the work completed, taking into account the cost of the work. To minimize the risk to the mortgage lender, the mortgage loan is endorsement by HUD. The program can be used in one of three ways: to purchase a dwelling and the land and rehabilitate it; to purchase a dwelling on another site, move it onto a new foundation on the mortgaged property and rehabilitate it; or to refinance existing liens secured

against the subject property and rehabilitate it. The owner can use the 203(k) program to finance such items as painting, room additions, decks and other items even if the home does not need any other improvements.

To be eligible, the property must be a one to four family dwelling that has been completed for at least one year. All newly constructed units must be attached to the existing dwelling. A 203(k) mortgage may be originated on a “mixed use” residential property provided: (1) The property has no greater than 25 percent (for a one story building); 33 percent (for a three story building); and 49 percent (for a two story building) of its floor area used for commercial (storefront) purposes; (2) the commercial use will not affect the health and safety of the occupants of the residential property; and (3) the rehabilitation funds will only be used for the residential functions of the dwelling and areas used to access the residential part of the property.

Improvements can include: structural alterations and reconstruction; modernization; elimination of health and safety hazards; appearance improvements; replacing plumbing; installing a well and/or septic system; adding or replacing roofing and gutters; adding or replacing floors/floor treatments; major landscape work and site improvements; enhancing accessibility for a disabled person; and making energy conservation improvements.

U.S. Department of Agriculture (USDA)

1. USDA Rural Development

<http://www.rurdev.usda.gov/business.html>

USDA Rural Development is the leading advocate for rural America. The mission area supports rural communities and enhances quality of life for rural residents by improving economic opportunities, community infrastructure, environmental health, and the sustainability of agricultural production. Programs include job training and business development for rural residents, including cooperative business development, community economic development and strategic community planning. Funding is administered by *USDA Rural Business Programs*.

USDA Rural Development also provides funding opportunities in the form of payments, grants, loans, and loan guarantees, for the development and commercialization of *vital utility services*.

2. Community and Economic Development

http://www.rurdev.usda.gov/Community_Development.html

Community and Economic Development includes programs that assist communities realize their long-term goals through provision of technical assistance and grants for strategic planning, community visioning for economic development and essential community facilities. Priority is given to health care, education, and public safety projects. Typical projects are hospitals, health clinics, schools, fire houses, community centers and other community based initiatives.

3. Community Facilities Loans and Grants

http://www.rurdev.usda.gov/hcf_cf.html

Community Programs provides grants for the development of essential community facilities in towns of up to 20,000 people. Grants are available to public entities as well as non-profits. Applicants must have the legal authority for construction, operation, and maintenance of the proposed facility and also be unable to obtain traditional funding.

Grant funds can be used to construct, enlarge, or improve community facilities for health care, public safety, and community and public services. This can include the purchase of equipment required for a facility's operation. Grant assistance may be available for up to 75% of project costs.

4. Rural Community Development Initiative

http://www.rurdev.usda.gov/had-rcdi_grants.html

Provides technical assistance and training funds to private, nonprofit community-based housing and community development organizations, and low income rural communities to develop their capacity to undertake housing, community facilities, and community and economic development projects in rural areas. Rural Community Development Initiative grants may be used for but are not limited to (a) training to conduct home-ownership education; (b) training for minority business entrepreneurs; (c) technical assistance on how to prepare a strategic plan; (d) technical assistance on how to access funding; (e) board training; (f) developing training tools, such as videos, workbooks, and reference guides; (g) training on how to develop child care facilities; and (h) training on effective fundraising techniques.