DATE: May 13, 2020
TIME: 6:00 pm
LOCATION: https://zoom.us

PEDC Meeting
Planning and Economic Development Committee
Ithaca Common Council

City Hall Remains Closed to the Public
This meeting will be conducted remotely via the online platform Zoom, pursuant to the Governor’s Executive Order 202.1. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFafW2lVCnTrDg

*General Public Comments
Send written comments to the contact(s) listed below. All comments received will be forwarded it to the Common Council for their consideration. Written comments received in advance of the meeting give the Committee members time to fully consider them. If you want your comment read aloud, please state so in your email and limit the comment to three minutes. A minimum of 15 minutes will be allotted at the beginning to read comments, if needed. The Chair will make an effort to accommodate as many read comments as time permits.

**Scheduled Public Hearings
There are two options to participate in a public hearing:
1. Submit comments by email no later than 4 p.m. on the day of the meeting (contacts below), and they will be read into the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing.
2. To speak at the meeting, sign up and receive instructions through the contact(s) listed below.

All comments and questions can be emailed to Deborah Grunder at dgrunder@cityofithaca.org or call (607) 274-6551.

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### Agenda Items

<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item</th>
<th>Presenter</th>
<th>Time Start</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Call to Order/Agenda Review</td>
<td>No</td>
<td>Seph Murtagh, Chair</td>
<td>6:00</td>
</tr>
<tr>
<td>2) Public Comment *</td>
<td>No</td>
<td></td>
<td>6:05</td>
</tr>
<tr>
<td>3) Special Order of Business</td>
<td></td>
<td></td>
<td>6:20</td>
</tr>
<tr>
<td>b) Public Hearing: Waterfront Zoning Amendments**</td>
<td></td>
<td></td>
<td>6:25</td>
</tr>
<tr>
<td>4) Announcements, Updates, Reports</td>
<td></td>
<td></td>
<td>6:30</td>
</tr>
<tr>
<td>5) Action Items (Voting to Send on to Council)</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) 2020 HUD Entitlement Action Plan</td>
<td></td>
<td>Nels Bohn, Director, IURA</td>
<td>6:35</td>
</tr>
<tr>
<td>b) Emergency Rental Assisting Program</td>
<td></td>
<td>Anisa Mendizabal, IURA</td>
<td>7:45</td>
</tr>
<tr>
<td>c) Waterfront Zoning Amendments</td>
<td></td>
<td>Jennifer Kusznir, Planning</td>
<td>8:00</td>
</tr>
<tr>
<td>6) Review and Approval of Minutes</td>
<td>Yes</td>
<td></td>
<td></td>
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<tr>
<td>a) January 2020</td>
<td></td>
<td></td>
<td>8:20</td>
</tr>
<tr>
<td>7) Adjournment</td>
<td>Yes</td>
<td></td>
<td>8:25</td>
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</tbody>
</table>

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If you have a disability and require accommodations in order to fully participate, please contact the City Clerk at 274-6570 by 12:00 noon on Tuesday, May 12, 2020.
Notice of Availability and Public Comment Period
& Public Hearing Notice
City of Ithaca 2020 Action Plan Development
HUD Entitlement Program

The City of Ithaca’s draft 2020 Action Plan will be made available for public comment until 5:00 p.m., June 2, 2020 on the Ithaca Urban Renewal Agency website (www.IthacaURA.org) in compliance with social distancing requirements.

The Planning and Economic Development Committee of Ithaca Common Council will hold a Virtual Public Hearing on the draft 2020 Action Plan at 6:00 p.m., Wednesday, May 13, 2020. This is the second of two Public Hearings to gain public input on development of the City of Ithaca’s 2020 Action Plan. Following is a summary list of proposed 2020 activities:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Sponsor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Repair Program</td>
<td>INHS</td>
<td>$32,500.00</td>
</tr>
<tr>
<td>Founder’s Way For-Sale Townhomes</td>
<td>INHS</td>
<td>$200,000.00</td>
</tr>
<tr>
<td>Northside Apartments</td>
<td>Cayuga Housing Develop. Corp.</td>
<td>$90,877.94</td>
</tr>
<tr>
<td>Security Deposit Assistance for Vulnerable Households</td>
<td>Catholic Charities</td>
<td>$76,416.48</td>
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<tr>
<td>Security Deposit Assistance Delivery</td>
<td>Catholic Charities</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>ReUse Job Skills Training &amp; Employment Connections</td>
<td>Finger Lakes ReUse</td>
<td>$75,000.00</td>
</tr>
<tr>
<td>Work Preserve Job Training: Job Placements</td>
<td>Historic Ithaca</td>
<td>$67,500.00</td>
</tr>
<tr>
<td>Hospitality Employment Training Program</td>
<td>GIAC</td>
<td>$75,000.00</td>
</tr>
<tr>
<td>Reimagining Ithaca Community Gardens</td>
<td>Project Growing Hope</td>
<td>$25,150.00</td>
</tr>
<tr>
<td>Food Pantry Mechanical Dock Leveler</td>
<td>Tompkins Community Action</td>
<td>$14,470.00</td>
</tr>
<tr>
<td>ADA Curb Ramps at West Village/Elm St. Bus Stop</td>
<td>IURA</td>
<td>$11,000.00</td>
</tr>
<tr>
<td>GO ITHACA Low-Income Support</td>
<td>Ctr. for Community Transport</td>
<td>$12,200.00</td>
</tr>
<tr>
<td>2-1-1 Information &amp; Referral</td>
<td>Human Services Coalition</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Work Preserve Job Training: Job Readiness</td>
<td>Historic Ithaca</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Immigrant Services Program</td>
<td>Catholic Charities</td>
<td>$30,000.00</td>
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<td>Economic Development Loan Fund</td>
<td>IURA</td>
<td>$255,917.61</td>
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<tr>
<td>CDBG Administration</td>
<td>IURA</td>
<td>$136,546.40</td>
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<tr>
<td>HOME Administration</td>
<td>IURA</td>
<td>$33,517.30</td>
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<tr>
<td>TOTAL:</td>
<td></td>
<td>$1,178,595.73</td>
</tr>
</tbody>
</table>

This list includes allocation of anticipated CDBG and HOME awards of $682,732 and $335,173, respectively, and allocation of $160,690.73 from anticipated repayments of prior-year economic development loans and other funds.

Written comments may also be submitted to the IURA via e-mail amendizabal@cityofithaca.org, or 108 E. Green St., Ithaca, NY 14850. Please submit all comments by 5:00 p.m., June 2, 2020.

This will be a virtual Public Hearing with the opportunity to comment in real-time: https://www.youtube.com/channel/UC7RtJN1P_RFaFW2lVCnTrDg (or search for “City of Ithaca YouTube”). If you have a disability and require accommodation to fully participate, please contact IURA at 274-6553 or -6565 at least 72 business hours prior to the meeting.
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City of Ithaca
2020 Action Plan
Development
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<tr>
<td>Connections</td>
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<td>Work Preserve Job Training: Job Placements</td>
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<td>Hospitality Employment Training Program</td>
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5/4/2020
LEGAL NOTICE

PLEASE TAKE NOTICE that the Common Council of the City of Ithaca, New York, will hold a public hearing to consider amendments to the waterfront zoning districts. In 2017, the Waterfront Zoning Districts were amended in order to establish the Cherry, the West End/Waterfront, the Market, and the Newman Districts. However, at the time that the zoning was amended the City had not yet completed the Waterfront Area Plan. The ordinance that was passed acknowledged that once the plan was complete the City would need to revisit the zoning to ensure that it was in line with the goals and recommendations of the plan. In 2019, the City completed and adopted the Waterfront Area Plan. After reviewing the existing waterfront zoning, the City is now considering a number of changes to the existing zoning in order to bring it more in alignment with the adopted Waterfront Plan.

The hearing will be held online via Zoom (see below), on Wednesday, May 13, 2020, at 6:00 p.m. A copy of the proposed zoning amendment can be viewed electronically by request to Jennifer Kusznir at jkusznir@cityofithaca.org.

JoAnn Cornish
Director of Planning & Development

04/29/2020

MEETING ACCESS: In response to the COVID-19 pandemic, all City facilities are closed to the public and this meeting will be conducted remotely via Zoom. You can join by phone, computer, smartphone, or other similar device (instructions below).

You do not need a Zoom account to join a meeting but can register for a free account and download the meetings client at zoom.us.

To join the meeting by computer, smartphone or other device, go to https://us02web.zoom.us/j/86260217588?pwd=WS9KWnQzVUh1VE9sWU1yZGVZYXRaZz09. If you have not done so already, you will be prompted to download the Zoom client. After downloading, click the link again to join the meeting.

To join by telephone, call (646) 558-8656 (Meeting ID: 862 6021 7588, Password: 006569).
<table>
<thead>
<tr>
<th>#</th>
<th>Project</th>
<th>Sponsor</th>
<th>Funding Request</th>
<th>Matching Funds (Sec. &amp; Unsec.)</th>
<th>Total Project Cost</th>
<th>Project Summary Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2020 Homeowner Rehab</td>
<td>Ithaca Neighborhood Housing Services, Inc. (NHIS)</td>
<td>$125,000</td>
<td>$68,446.76</td>
<td>$193,446.76</td>
<td>Assist at least 6 LMI homeowners with projects that improve the condition and performance of their homes.</td>
</tr>
<tr>
<td>2</td>
<td>Small Repair Program</td>
<td>Ithaca Neighborhood Housing Services, Inc. (NHIS)</td>
<td>$32,500</td>
<td>$193,305</td>
<td>$181,855</td>
<td>Provide 40 LMI homeowners with maintenance and repairs focused on health/safety issues, accessibility, and providing links to other programs and services.</td>
</tr>
<tr>
<td>3</td>
<td>Fowler’s Way For-Sale Townhomes</td>
<td>Ithaca Neighborhood Housing Services, Inc. (NHIS)</td>
<td>$200,000</td>
<td>$1,050,000</td>
<td>$1,250,000</td>
<td>Construct 4 new 2-BDR and 3-BR for sale townhomes in northeast portion of the former Immaculate Conception School site.</td>
</tr>
<tr>
<td>4</td>
<td>Howe Ave 82 Clinton Street Project</td>
<td>Jerome Hawkins</td>
<td>$119,000</td>
<td>$230,000</td>
<td>$349,000</td>
<td>Construction of affordable/mixed-income housing for 1 family at/lake 80% AMI and 1 fair market rent family, for a minimum of 1 year.</td>
</tr>
<tr>
<td>5</td>
<td>Benton St 512 Clinton Street Project</td>
<td>Kenneth Benton</td>
<td>$50,000</td>
<td>$100,000</td>
<td>$150,000</td>
<td>Conversion of affordable/mixed-income housing for 1 family with 80% of AMI and 1 fair market value family housing unit, for a minimum of 1 year.</td>
</tr>
<tr>
<td>6</td>
<td>Security Deposit &amp; Rental Subsidy Assistance for Formerly Incarcerated</td>
<td>Opportunities, Alternatives and Resource (OAR) of Tompkins County</td>
<td>$44,000</td>
<td>$19,000</td>
<td>$63,000</td>
<td>Direct payments to landlords to cover security deposits and some modest rental subsidies for formerly incarcerated individuals returning home to the community and at risk of homelessness.</td>
</tr>
<tr>
<td>7</td>
<td>Northside Apartments</td>
<td>George Housing Development Corporation (NHDC)</td>
<td>$200,000</td>
<td>$42,125</td>
<td>$242,125</td>
<td>Professional fees (e.g., engineering/architecture), environmental testing, permit fees, market survey, Legal Needs Assessment, energy assessment, and rape fees to rehabilitate 70 housing units for LMI persons and constructing up to 12 housing units for LMI persons.</td>
</tr>
<tr>
<td>8</td>
<td>Security Deposit Assistance for Vulnerable Households (2021-21)</td>
<td>Catholic Charities of Tompkins/Tonga Councils</td>
<td>$61,500</td>
<td>$22,000</td>
<td>$83,500</td>
<td>Provide security deposits to 100 LMI households (incl. elderly, disabled, single parents) at risk of homelessness to access safe/stable housing and avoid eviction, with 5 security deposits reserved for homeless families/children in Housing for School Success program.</td>
</tr>
</tbody>
</table>

**HOUSING SUBTOTAL:** $932,000 - $43,981,440.76 = $44,913,440.76

| 9  | Residential Job Training & Employment Connections | Finger Lakes Reprise, Inc. (FLRIR)                                     | $56,447.75       | $153,167.72                    | $249,615.48        | Participant stipends and staff salaries to provide job training opportunities for LMI populations and place at least 21 adults with employment barriers into permanent unsubsidized positions. |
| 10 | Work Preserve Job Training: Job Placements   | Historic Ithaca, Inc.                                                 | $67,500           | $90,136                        | $177,636           | Staff salaries and participant stipends for job placements of 6 LMI individuals (e.g., youth, adults, formerly incarcerated, people with developmental/physical/behavioral/mental issues, people with barriers to employment, new entrants to workforce), following job-readiness training. |
| 11 | Hospitality Employment Training Program (HETP) | Greater Ithaca Activities Center, Inc. (GIAO)                        | $120,000          | $72,000                        | $192,000           | Work supplies, stipends, and professional fees to train 20 job seekers to achieve employment and/or worksite readiness (e.g., people with disabilities, formerly incarcerated, homeless, recovering addicts, immigrants, single parents) into hospitality and office/administrative positions. |
| 12 | Family Child Care Microenterprise Business Development | Child Development Council of Central NY, Inc.                      | $66,650           | $32,875                        | $99,525            | Administrative salaries to develop and launch 10-week family child care business training course with supporting materials, including assistance with micro-enterprise licenses, quality assurance, and long-term viability. |

**ECON. DEV. SUBTOTAL:** $552,578.76 - $248,178.72 = $304,400.04

| 13 | Southside Park Enhancement Project | City of Ithaca                                                        | $115,930          | $19,185                        | $135,115           | Replace of existing deteriorated park amenities and construction of new park features in three neighborhood parks (Baker Park, Tioga Triangle Park, Wood Street Park) in South of the Creek area. |
| 14 | Reimagining Ithaca Community Gardens | Project Growing Hope                                                  | $34,900           | $183,000                       | $217,900           | Storage sheds, wheelchair ramps, garden benches and signs, and maintenance to shield gardens closest to BWI from sound 'triangle' that bounces off building from Route 13. |
| 15 | New Gym Renovation               | Greater Ithaca Activities Center, Inc. (GIAO)                        | $200,000          | $903,407                       | $1,103,407         | Building/architectural, materials, and construction costs to renovate former Immaculate Conception School gymnatorium for indoor recreation space and weekend program space for GIAC Teen Program and the community. |
| 16 | Food Pantry Mechanical Dock Leveler | Tompkins Community Action, Inc.                                     | $14,425           | $3,000                         | $17,425            | Professional fees and concrete repair-work to replace obsolete movable mechanical dock leveler that allows receipt of food from Southern Tier Food Bank delivery truck for weekly Food Pantry for households with very low incomes. |
| 17 | Roof Replacement                 | Regional Church of Jesus Christ of the Apostolic Faith               | $16,000           | $8,000                         | $24,000            | Pay contractor and purchase materials to replace church roof, so the food pantry can continue to serve people in need (e.g., youth, adults, elderly, formerly incarcerated). |

**PUBLIC FACILITIES SUBTOTAL:** $352,578.76 - $248,178.72 = $104,400.04

| 18 | 2-1-1 Information & Referral | Human Service Coalition of Tompkins County, Inc. (HSC)                     | $10,000           | $1,015,590                     | $1,025,590         | Materials and labor to provide referral services. |
| 19 | Work Preserve Job Training: Job Readiness | Greater Ithaca, Inc.                                                 | $20,000           | (same as #10 above)             | (same as #10 above) | Staff salaries to provide 20 LMI youth and adults with job-readiness training, workplace evaluations, and support transitioning to other services or employment. |

**PUBLIC SERVICES SUBTOTAL:** $510,375 - $1,015,590 = $1,526,230

| 20 | GO ITHACA Low-Income Support | Center for Community Transportation                                    | $12,280           | $176,000                       | $188,280           | Assist families of box and cereal items to reduce transportation barriers to work and services for households at/below 150% of Federal Poverty Level FPL, and some staffing costs. |
| 21 | P-I-I Information & Referral | Human Service Coalition of Tompkins County, Inc. (HSC)                     | $20,000           | $133,105                       | $153,105           | Staff salaries to support 2-1-1 Call Center information and referral services for 2,700 LMI persons. |
| 22 | Immigration Services Program (ISP) | Catholic Charities of Tompkins/Tonga Councils                          | $30,000           | $82,500                        | $112,500           | Staff salary, materials, and overhead costs to increase access to housing for vulnerable LMI populations (e.g., elderly, disabled, formerly incarcerated, domestic violence victims, people at risk of homelessness) and improve Ithaca's housing stock. |

**PUBLIC SVCES. SUBTOTAL:** $172,200 - $352,726.75 = $637,728
### HOUSING

<table>
<thead>
<tr>
<th>#</th>
<th>Project</th>
<th>Sponsor</th>
<th>Funding Request</th>
<th>Matching Funds (Sec. 106 &amp; 108)</th>
<th>Total Project Cost</th>
<th>2020 CDBG</th>
<th>CDBG (RIU)</th>
<th>2020 HOME</th>
<th>HOME (RIU)</th>
<th>2020 CDBG PI</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>2</td>
<td>Staff Repair Program</td>
<td>Ithaca Neighborhood Housing Services, Inc. (INHS)</td>
<td>32,500</td>
<td>128,355</td>
<td>161,855</td>
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<tr>
<td>3</td>
<td>Founder's Way For Sale Townhomes</td>
<td>Ithaca Neighborhood Housing Services, Inc. (INHS)</td>
<td>216,500</td>
<td>1,000,000</td>
<td>1,216,500</td>
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<tr>
<td>20</td>
<td>Southside Apartments</td>
<td>Group Housing Development Corporation (GHDC)</td>
<td>308,500</td>
<td>42,612.15</td>
<td>451,112.15</td>
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<tr>
<td>37</td>
<td>Security Deposit Assistance for Affordable Housing (2005-21)</td>
<td>Catharsis Chamber of Commerce/Tioga Counties</td>
<td>41,500</td>
<td>69,900</td>
<td>111,400</td>
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<tr>
<td>84</td>
<td>Security Deposit Assistance for Affordable Housing (2005-21)</td>
<td>Catharsis Chamber of Commerce/Tioga Counties</td>
<td>2,500</td>
<td>3,168</td>
<td>5,668</td>
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<td>Construct 4 new 2-BR and 3-BR for-sale townhomes in northeast portion of the former Innocente Conception School site.</td>
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<td>Professional fees (e.g., engineering/architectural), environmental testing, permit fees, market study, Capital Needs Assessment, energy consultant, and legal fees to rehabilitate 35 housing units for LMI persons and constructing up to 12 housing units for LMI persons.</td>
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<td>Security deposits for 100 LMI households (incl. elderly/disabled/single parents), incl. $10,000 for CDBG deposits (unless unexpended by predetermined date); 5 deposits received for 500 families in Housing for School Success, and $5,000 for housing inspections.</td>
</tr>
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### ECONOMIC DEVELOPMENT

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<td>Job Skills Training &amp; Employment Connections</td>
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<td>10</td>
<td>Workforce Job Training &amp; Employment Programs</td>
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<td>11</td>
<td>Hospitality Employment Training Program (HEPT)</td>
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<tr>
<th>#</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Storing/Using Shaws Community Gardens</td>
</tr>
<tr>
<td>15</td>
<td>Food Pantry Mechanical Dock Leveler</td>
</tr>
<tr>
<td>16</td>
<td>Art-Curb Ramps at West Village/Bee St Bus Stop</td>
</tr>
</tbody>
</table>

### ADMINISTRATION

<table>
<thead>
<tr>
<th>#</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>CDBG Administration (2%)</td>
</tr>
<tr>
<td>25</td>
<td>HOME Administration (2%)</td>
</tr>
</tbody>
</table>

Min. Required HOME Set-Aside for CDBG Activities (15%): $10,275.00
*CDBG San-Acuit-Egrin Projects: 1

IURA Recommended Draft 2020 HUD Entitlement Program (City of Ithaca, NY)

Drafted: 4/16/20 | Amended: 4/23/20
Draft 2020 Action Plan: City of Ithaca HUD Entitlement Program

WHEREAS, the City of Ithaca (City) is eligible to receive an annual formula allocation of funds to address community development needs through the U.S. Department of Housing & Urban Development (HUD) Entitlement Program from the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program funding sources, and

WHEREAS, the City has contracted with the Ithaca Urban Renewal Agency (IURA) to administer, implement and monitor the City’s HUD Entitlement program in compliance with all applicable regulations, and

WHEREAS, on an annual basis, an Action Plan must be submitted to HUD to access HUD Entitlement Program funding allocated to the City, and

WHEREAS, the 2020 Action Plan identifies a specific list of budgeted community development activities to be funded from the 2020 HUD Entitlement Program allocation and associated funds administered by the IURA, and

WHEREAS, funding available to be allocated through the 2020 Action Plan funding process is anticipated to include the following:

- $682,732.00 CDBG 2020 HUD Entitlement Program Allocation
- $120,000.00 CDBG 2020 Program Income (projected)
- $2,607.85 CDBG Recaptured/Unallocated (R/U) Funds
- $335,173.00 HOME 2020 HUD Entitlement Program Allocation
- $38,082.88 HOME Recaptured/Unallocated (R/U) Funds
- $1,178,595.73 Total, and

WHEREAS, the IURA utilized an open and competitive project selection process for development of the 2020 Action Plan, in accordance with the City of Ithaca Citizen Participation Plan, and

WHEREAS, due to the COVID-19 pandemic and emergency measures in place, the U.S. Department of Housing and Urban Development (HUD) has provided certain specific waivers and modifications to the Action Planning process that IURA will implement as necessary and appropriate, now, therefore, be it

RESOLVED, that the IURA hereby adopts the attached summary table titled “IURA Recommended Draft 2020 Action Plan (City of Ithaca, NY),” originally dated April 16, 2020, as amended at the April 23, 2020 meeting; and forwards it to the City of Ithaca Common Council for review and recommends its approval for allocating the 2020 HUD Entitlement Program award, along with associated funds listed above, and be it further

RESOLVED, that should the Ithaca Community Gardens project be unable to demonstrate compliance with the 51% low/mod-income benefit test, $25,150 shall be reallocated to the Economic Development Loan Fund activity, and be it further

RESOLVED, that the Urban Renewal Plan shall be amended to include activities funded in the adopted 2020 Action Plan.

Attachment: Draft 2020 City of Ithaca Action Plan Summary Chart
SUMMARY: WRITTEN PUBLIC COMMENT (PART I & PART II)

City of Ithaca HUD Entitlement CDBG-CV (COVID-specific)
Proposal for Emergency Rental Assistance

Comments and IURA Responses have been grouped by theme. Commentor name and identifying information has been redacted. IURA maintains a full record of comments received.

Comments were initially collected from May 1 - May 5, 2020. The comment period was then extended to Monday, May 11, 2020 at 5:00 pm. This summary contains all comments received. Most recent comments are at the end of the document.

Public Comment compiled by Ithaca Urban Renewal Agency, Anisa Mendizabal, Community Development Planner

PART I: Comments received May 1 - May 5, 2020

I. Concerns/Questions about Outreach/How Vulnerable People Will Receive Information about Available Assistance/Safeguards Against Predatory Behavior

Has the city has started planning for ways to reach people because I do not think that these things should be handled only by the general public going forward. Even well meaning people can endanger others when there is not a system requiring education and accountability. While things like Facebook help people connect with essential services, there are people who do not have internet access. Is there a way that the city can [ensure] underprivileged [receive information] and ensure that checking in with them is made a priority? If the city confirms that a relative helps them, or if the city sends a liaison, that prevents vulnerable people from exposure to predatory people looking to take advantage in times of crisis.
For this comment/question, please refer to “IURA Community Development Planner’s email response to Inquiry about Reaching Vulnerable Populations” (attached)

II. Questions about INHS as project sponsor, program design, and future funds (How was INHS selected as proposed sponsor for Emergency Rental Assistance project? Will INHS be partnering to administer funds? Will there be a coordinated entry approach to assist people applying for Emergency Rental Assistance? What about future funding?)

I am not sure why other agencies wouldn’t be provided some funds that could support INHS residents.

IURA Response: INHS will be administering approximately $600,000 in reprogrammed CDBG funding from Tompkins County for Emergency Rental Assistance. INHS has funding from other streams that will be directed or redirected to this purpose (emergency rental assistance) both inside and outside of the City. In order to promote cooperation and collaboration with Tompkins County to provide a seamless entry point for area households who are applying for Emergency Rental Assistance (whether they live inside or outside of the County), IURA proposed that INHS be the project sponsor. Additionally, INHS has demonstrated capacity for the compliant administration of multiple funding streams with variation in regulations between them.

There was a meeting at HSC to talk about how we all can work together with rental and I am wondering why we had that meeting if INHS was just going to be made the main source.

IURA Response: HSC's Housing Tompkins program convened an exploratory discussion among providers to discuss how/whether there might be a coordinated entry approach to administration of emergency rental assistance funds. At that time, INHS had already been identified by Tompkins County as the County’s proposed sponsor for emergency rental assistance funds. The City and IURA were exploring a similar program with INHS. IURA was at the meeting convened by HSC's Housing Tompkins program as a participant.

I was told that for the rest of the funds there would be a grant application that may be coming out for agencies to apply for funds. If this is true why wouldn’t that also apply for INHS? Why would they be approved so much funding without applying for it like the other agency will need to, if this is the case.
IURA Response: HUD has provided limited guidance to date on the administration of CDBG-CV funding. HUD has encouraged communities slated to receive this funding to distribute funding quickly and compliantly in order to maximize relief, recovery, and prevention efforts. In order to expedite relief efforts, the IURA has gathered stakeholder input about priority needs and has recommended a dual pathway for project proposals and dispersal for funds: 1) IURA will solicit, review, and recommend projects for priority needs in order to promote expeditious delivery of programs; and 2) IURA will develop and distribute a streamlined RFP and make a Call for Proposals so that community organizations identifying other needs can propose and sponsor activities to address needs. The Emergency Rental Assistance was a solicited, reviewed, and recommended project. IURA is developing a streamlined RFP and will issue a Call for Proposals in the near future.

There are agencies that have been doing rental assistance for a long time and doing a great job that should have equal share to INHS.

IURA Response: The City of Ithaca is fortunate to have a wealth of agencies providing excellent services to its residents. IURA will continue to seek input from as many stakeholders as possible, review comments and suggestions, and seek a variety of pathways to marshaling the resources necessary to address the vast human need being experienced because of this crisis.

III. Applicants for rental assistance will likely need a variety of other kinds of services. This is an opportunity to reduce barriers/assist people with other emergency needs. How will this be addressed?

There is a lot of case management that should go into each case to look at a person’s whole situation and not just their rental crisis. Helping someone with a month or two of rent doesn’t always benefit a person if their situation will still be there after the month or two. Will INHS be providing that much case management?

IURA Response: This project is for emergency rental assistance of not more than three consecutive months, per CDBG regulation. INHS is in the process of developing its program framework and delivery process. To date, case management has not been specified as a requirement of this project.

IV. Amount of City Entitlement CDBG-CV (COVID-specific) funding directed to Emergency Rental Assistance proposal
I have been made aware that the decision was made to provide INHS with more than half the available rental funds and as much as I appreciate all that INHS does for the community and [organizations] I do have some concerns with this.

IURA Response: Clarification - The City of Ithaca will receive approximately $320,000 in HUD Entitlement CDBG-CV, which may be utilized for COVID-specific uses (response, recovery, prevention). Emergency Rental Assistance is but one compliant use. It is true that $190,000 was recommended for this use by IURA. Just want to clarify that the remainder of the funds may be used for the same or different COVID-specific compliant uses.

V. Concerns about Conflict of Interest

I find it a conflict that INHS can provide rental to their own residents, they are essentially paying themselves.

I realize that HUD has lifted some regulations but this still seems like a big conflict.

IURA Response: IURA has reviewed CDBG-related Conflict of Interest guidelines and has reached out to HUD for further guidance on this matter.

VI. Is this Tenant-Based Rental Assistance?

IURA Response - Clarification: The project being proposed is Emergency Rental Assistance of not more than three-consecutive months, and is a CDBG-specific use. Though it sounds similar, this proposed project is not the same as Tenant-Based Rental Assistance (TBRA) that is generally funded through HOME. The two programs (CDBG and HOME) have different regulations.

VII. General Support for Emergency Rental Assistance

The City must participate: to protect human, environmental and economic health. The County is obtaining State consent to utilize funding for renters and property owners; this may avert a Rent Freeze. The funding would be administered via INHS.

VIII. Comments about Other Crisis Response Needed

Crisis Management Task Force (CMTF) is desperately needed. It must be a holistic body comprised of 30 ppl: residents, businesses, property owners, nonprofits and politicians. The CMTF can align with NY Forward.”
IURA Community Development Planner’s email response to Inquiry about Reaching Vulnerable Populations:

My name is Anisa, I'm the IURA's Community Development Planner. I am reaching out in hopes I might be able to help answer your question about what efforts are being made to reach vulnerable people.

1. IURA has recommended an initial allocation of $190K (from total available $32K) for Emergency Rental Assistance for households within the City of Ithaca. By doing this, the City is joining the County, INHS, and other partners in directing funds to this purpose. The City is prioritizing households with incomes of 0-60% of area median income for this assistance. There is a Public Hearing on this matter at tonight's Common Council meeting. If you would like to give comment, you are invited to do so. Find information on our webpage http://www.cityofithaca.org/DocumentCenter/View/11379/CDBG-CV--2020-Action-Plan-Virtual-Public-Hearing-Participation-Instructions

However, it seems from your original email that you may be most interested in knowing what outreach, specifically, is happening to reach people where they live or stay. Is that correct? If so, here's what I know:

2. Street Outreach efforts to people experiencing homelessness have been increased, with more providers participating, harm reduction, and telemedicine being offered.

3. Service providing organizations that work with people who are housed but vulnerable have taken a variety of approaches. Most have suspended home visits but are trying to keep in touch via phone or internet.

4. You mentioned TC Mutual Aid, so you have probably seen other community-based efforts that are happening.

What's next:

5. The IURA has been reaching out to stakeholders to assess other priority needs. We expect to bring forward future resolutions to allocate funding to assist people experiencing homelessness and other community development needs. I will continue to post on TC Mutual Aid's FB page, among other places.

6. Ithaca's philanthropy community is also coordinating efforts to fund COVID-specific needs.

7. As you may know, Tompkins County Department of Social Services is continuing its services in a modified way.
PART II: Comments received May 6 - May 11, 2020

I. Comments in Favor of Emergency Rental Assistance

The City must use the 190,000 to assist struggling renters within the residential sector. The City must reinstate the fines against property owners, due to there being way too many slumlords in Ithaca.

The Governor has extended the eviction moratorium till August. This is still a band-aid. We all deserve a qualified resolution.

Rental assistance, where needed, is a great benefit for the entire community. And, INHS will be a superb manager of such assistance.

II. In Favor of Need for Homeless Assistance

The City has ignored proper housing for the Jungle. This is totally and outrageously unacceptable. Minus safe and clean housing, no one can be a positive citizen in their community.

III. Miscellaneous Comments

The Mayor, in his Facebook Live video on May 7, referred to “families” within the City that could be assisted by the proposed rental assistance. “Households” is the appropriate term.

The Mayor indicated he wanted a new word for “Crisis” -- call it the Resiliency Management Task Force (RMTF) instead of Crisis Management Task Force.

After managing affordable rental housing in Ithaca for over 30 years, I am opposed to a rent freeze for any length in time. Instead, I support a Section 8 style form of rental assistance for those who have lost income and can not pay their rent, or all of their rent. Such a program will benefit both renters and property owners.

Currently, there is a movement requesting a rent freeze, regardless of income or ability to pay rent. For those receiving both stimulus funds and unemployment benefits (including short-term unemployment supplement) paying rent may actually be more possible than before.
2020 CDBG-CV: EMERGENCY RENTAL ASSISTANCE

WHEREAS, the City of Ithaca (City) has received an initial supplemental funding allocation of Community Development Block Grant (CDBG) funds from The Coronavirus Aid, Relief, & Economic Security (CARES Act), which funding is hereafter referred to as CDBG-CV, and

WHEREAS, additional supplemental CDBG-CV funding may be forthcoming, and

WHEREAS, HUD is providing administrative flexibility and waivers to speed approval and delivery of funds for activities responding to the COVID-19 Pandemic, and

WHEREAS, the 15% cap on public service activities is waived for CDBG-CV funds, and

WHEREAS, the initial CDBG-CV allocation to the City provides $321,299 to invest in CDBG-eligible activities, and

WHEREAS, the City contracts with the Ithaca Urban Renewal Agency (IURA) to administer, implement and monitor the City’s HUD Entitlement program in compliance with all applicable regulations, and

WHEREAS, in order to expedite delivery of funding to the community, IURA has gathered information from stakeholders and solicited proposals for disaster response/recovery/prevention projects, and

WHEREAS, the IURA is following a two-prong approach to develop recommended uses of CDBG-CV funding:

- Directed activities to address priority needs where a capable sponsor is pre-identified, and
- Activities selected through an open competitive process, and

WHEREAS, the IURA has preliminarily identified the following priority community needs:

1. Renter households whose ability to pay rent has been reduced by COVID-19 impacts
2. Persons experience homelessness and homeless prevention
3. Small businesses adversely impacted by public health mandates and guidelines
4. Anchor non-profits entities with at least 51% earned income adversely impacted by public health mandates and guidelines, and

WHEREAS, according to the City’s 2019-2023 Consolidated Plan for HUD Entitlement Funding 74% of the City’s residents are renters, of which 56% are cost-burdened, and 41% of these are severely so, and

WHEREAS, at least 30 million Americans have filed jobless claims since the beginning of the coronavirus pandemic in March 2020, including many renters in the City of Ithaca, and
WHEREAS, emergency grant payment for a household’s rent for up to three consecutive months is an eligible CDBG public service activity authorized at 24 CFR §570.201(e), and

WHEREAS, Ithaca Neighborhood Housing Services, Inc. (INHS) proposes to implement an emergency rental assistance activity in partnership with Tompkins County and other funders with the following preliminary parameters subject to finalization with funders:

- rent/current income ratio > 31%
- proof of adverse COVID-19 impact/client statement
- landlord signs a form agreeing to accept rent, waive late fees, not pursue eviction for non-payment, no code violations
- household AMI < 80%
- asset cap of $5,000 liquid assets (netting out stimulus payment)
- must have a current lease or landlord willing to sign for current rent amount, waive late fees, accept payments
- building must pass environmental requirements for CDBG
- tenant NOT to pay any portion of the rent, because it is only three months of relief and this will hopefully allow clients to build savings,
- the projected average total assistance per renter household is $3,700, and

WHEREAS, Tompkins County CDBG funding of approximately $590,000 for the activity can only be used to assist renter households located outside of a HUD Entitlement community, such as the City, and

WHEREAS, INHS possesses the knowledge and administrative capacity necessary to effectively administer such a program, and

WHEREAS, supporting housing stability in the form of three consecutive months rental assistance for people in vulnerable groups with extremely low- and/or very-low-income (0-60%) AMI can prevent widespread eviction, homelessness and economic hardship for tenants and landlords, and

WHEREAS, emergency rental assistance furthers disaster recovery goals by stabilizing neighborhoods and communities, and

WHEREAS, the IURA recommends allocation of CDBG-CV funds for an emergency rental assistance program to assist renters financially impacted by the COVID-19 pandemic, and

WHEREAS, the proposed activity is not subject to SEQR as it does not affect the environment by changing the use, appearance or condition of any natural resource or structure, and

WHEREAS, a public hearing on this matter was held on May 5, 2020 and a 5-day public comment period has expired; now, therefore be it

RESOLVED, that the City of Ithaca Common Council hereby allocates $190,000 from the CDBG-CV funding award to the City to the Emergency Rental Assistance Program activity to be implemented by Ithaca Neighborhood Housing Services, Inc., and be it further
RESOLVED, CDBG-CV funds shall be used first to assist renter households earning 0-60% of AMI with less than $5,000 in liquid assets, before assisting other CDBG-eligible renter households, and be it further

RESOLVED, that the calculation of current household income for eligible households to be assisted with CDBG-CV funds shall include unemployment benefits, but exclude any one-time CARES Act stimulus payment, and be it further

RESOLVED, that the City requests INHS to conduct affirmative marketing to underserved persons, such as persons who speak English as a Second Language (ESL), to provide them with an equitable opportunity to take advantage of the program, and be it further

RESOLVED, that the Urban Renewal Plan shall be amended to include activities funded in the adopted 2020 HUD Entitlement Program Action Plan.
To: Planning and Economic Development Committee

From: Jennifer Kusznir, Economic Development Planner

Date: May 8, 2020

Re: Amendments to the Waterfront Zoning Districts

The purpose of this memo is to provide information regarding several proposed amendments to the Waterfront Zoning Districts.

As was previously discussed at the April Planning Committee meeting, four new zoning districts for the Waterfront Study Area were established in August of 2017. However, this was prior to the completion and adoption of the Waterfront Area Plan. When the zoning was adopted there was general agreement that the zoning would need to be revisited once the plan was completed. After reviewing the plan and pending developments, staff is recommending the following changes to the zoning:

- Add a Definition for a Row House in Section §325-3. This use is defined in the Collegetown Area Form Districts but not in the general zoning definitions section of the zoning ordinance. Staff is recommending that the definition be removed from §325-45, Collegetown Area Form Districts, and be placed in the General Definitions §325-3. In addition, staff recommends that the requirement that each row house maintain a uniform distance from the street be removed. Having a uniform setback is not always desired, as it prevents differentiation in the facades of the individual row houses.

- Update Permitted Primary Uses. In each of the waterfront districts, staff recommends replacing the term townhouse with the term row house as a permitted primary use. Town houses are attached side by side, while row houses can be vertical or side by side. Town houses are a type of row house, so it is not necessary to have both of these as permitted uses.

- Add a Maximum Building Length. When the waterfront zones were established in 2017, a maximum building length was only included for the West End/Waterfront District. However, one of the recommendations of the plan is to maintain frequent visual and physical breaks to allow access to the water. If buildings have no restrictions on length, access to the water, both physically and visually, will be blocked. Staff is recommending updating Section §325-8C to add maximum building lengths in all of the waterfront districts.

- Add a requirement for a minimum 20’ break between buildings in all waterfront zoning districts. Exceptions may be made to allow for a physical break in the building with a
minimum of 24’ in height measured from floor to ceiling, allowing for public access to the waterfront. This would allow for a building to connect on the upper floors while leaving an opening to the water.

- Front Yard Setback, Sidewalk and Tree Lawn Requirements. Staff recommends amending the minimum front yard setback requirements in the Cherry Street, West End/Waterfront, Market, and Newman Districts to remove language that states there is no front yard setback requirement except as necessary to provide a minimum 5’ sidewalk and an 8’ tree lawn” and replace it with language requiring a minimum front yard setback of 5’ measured from the inside edge of the sidewalk. In addition, staff recommends amending §325-8C to add minimum sidewalk and tree lawn requirements in all of the waterfront districts.

- Stepback Requirement. When the zoning was established in 2017, each of the districts had a stepback requirement for all buildings facing the water to prevent a “canyon” effect. In the review of recent development proposals, it has become clear that this requirement will not achieve the aesthetic goals that were intended, particularly in the Market and Newman Districts where there is already a generous setback from the water and the waterway is much wider.

- Reduce Maximum Lot Coverage from 100% to 75%, with a 10% requirement for greenspace.

At the request of the Committee, an environmental review of this action has been completed, and the draft Full Environmental Assessment Form and Ordinance are enclosed. The proposed ordinance and environmental assessment have been circulated to the City Planning Board, the Tompkins County Planning Department and various other City staff and departments. No comments have been received at this time. Enclosed is a resolution establishing lead agency and a resolution for environmental significance.

If you have any concerns or questions regarding any of this information, feel free to contact me at 274-6410.
5/8/20
An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning” in Order to Make Changes to the Waterfront Zoning Districts, including the Cherry Street District, the Market District, the Newman District, and the West End/Waterfront District, in order to meet the Established Goals of the Waterfront Plan • Declaration of Lead Agency

WHEREAS, State Law and Section 176-6 of the City Code require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, the proposed zoning amendment is a “TYPE I” Action pursuant to the City Environmental Quality Review (CEQR) Ordinance, which requires environmental review; now, therefore, be it

RESOLVED, that the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposed amendments to the Cherry Street District, the Market District, the Newman District, and the West End/Waterfront District.
An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning” for revisions to the Waterfront Zoning Districts, including the Cherry Street District, the Market District, the Newman District, and the West End/Waterfront District, in order to meet the Established Goals of the Waterfront Plan — Declaration of Environmental Significance

1. WHEREAS, on August 2, 2017, the Common Council established four new zoning districts for the Waterfront Study Area, the Newman, the Market, The West End/Waterfront, and the Cherry Street Districts, and,

2. WHEREAS, when the new Waterfront Zoning Districts were established it was recognized that the City was in the process of completing a plan for the waterfront area and that once completed, the zoning would need to be revisited to ensure that it fulfilled the goals of the plan, and

3. WHEREAS, in 2019, the City completed and adopted the Waterfront Area Plan, and

4. WHEREAS, after reviewing the existing waterfront zoning, the City is recommending changes to the zoning that would allow for development that meets the goals of the Waterfront Area Plan, and

5. WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Full Environmental Assessment Form (FEAF), dated April 15, 2020, and

6. WHEREAS, the proposed action is a “TYPE I” Action under the City Environmental Quality Review Ordinance, and

7. WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the FEAF prepared by planning staff; now, therefore, be it

1. RESOLVED, that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Full Environmental Assessment Form, dated April 15, 2020, and be it further

2. RESOLVED, that this Common Council, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and
that further environmental review is unnecessary, and be it further

3. RESOLVED, that this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk’s Office, and forward the same to any other parties as required by law.
PLANNING COMMITTEE:
An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter §325, Entitled “Zoning” To Establish New Zoning for the Waterfront Area Zoning Districts

ORDINANCE NO. ____

BE IT NOW ORDAINED AND ENACTED by the Common Council of the City of Ithaca that Chapter 325 of the City Code be amended as follows:

Section 1. Chapter 325-3B of the Municipal Code of the City of Ithaca, entitled “Definitions and Word Usage”, is hereby amended to add the following new definition:

ROW HOUSE
A residential structure composed of three or more attached modules with shared sidewalls, the facade of each module measuring no more than 25 feet in length. Modules within a row house may consist of a single dwelling unit or may contain multiple vertically stacked dwelling units. Each module must have one street-facing entry.

Section 2. Chapter 325-45.2B, Definitions for Collegetown Districts, is hereby amended to remove the definition of “Row House”.

Section 3. Section 325-8, District Regulations, is hereby amended to change the permitted primary uses in the Cherry, West End/Waterfront, Market, and Newman Districts in order to replace the definition of townhouses with row houses in each of these districts.

Section 4. Section 325-8, District Regulations, is hereby amended to change the minimum front yard setback in the Cherry Street, West End/Waterfront, Market, and Newman Districts to require a 5’ minimum required front yard setback measured from the inside edge of the sidewalk.

Section 5. Section 325-8, District Regulations, is hereby amended to change the maximum lot coverage from 100% in the Cherry Street District to 75%, with a 10% green space requirement.
Section 6. Section 325-8C. Additional Restrictions in the West End/ Waterfront, Cherry Street District, Market District, and the Newman Districts, is hereby amended to add new subsections (5) and (6), to read as follows:

   (5) Sidewalk and Tree Lawn Requirements. All new construction located in the Cherry Street, the West End/Waterfront, Market, and Newman Districts must provide a 8’ tree lawn and 5’ sidewalk along the street frontage of the property. The Planning Board may amend this requirement based on site conditions.

   (6) Maximum Building Length. All new structures located within the Cherry Street District and the West End/Waterfront District shall be constructed to be no more than 100’ in length. In addition, there needs to be a minimum of a 20’ break between buildings. Exceptions may be made to allow for a physical break in the building with a minimum 24’ in height measured from floor to ceiling, allowing for public access to the waterfront. Exceptions to maximum building length may be granted by the Planning Board.

Section 7. Section 325-8C.(3), “Stepback Requirements” is hereby amended to remove the stepback requirements in the Newman and Market Districts.

Section 8. The City Planning and Development Board, the City Clerk and the Planning Department shall amend the district regulations chart in accordance with the amendments made herewith.

Section 9. Severability. Severability is intended throughout and within the provisions of this local law. If any section, subsection, sentence, clause, phrase or portion of this local law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portion.

Section 10. Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Amendments to the Cherry Street, Market, Newman, and the West End/Waterfront Zoning Districts.</th>
</tr>
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<tbody>
<tr>
<td>Project Location (describe, and attach a general location map):</td>
<td>Cherry Street, Market, Newman, and the West End/Waterfront Zoning Districts</td>
</tr>
<tr>
<td>Brief Description of Proposed Action (include purpose or need):</td>
<td>In 2017, the Waterfront Zoning Districts were amended in order to establish the Cherry, the West End/Waterfront, the Market, and the Newman Districts. However, at the time that the zoning was amended the City had not yet completed the Waterfront Area Plan. The ordinance that was passed acknowledged that once the plan was complete the City would need to revisit the zoning to ensure that it was in line with the goals and recommendations of the plan. In 2019, the City completed and adopted the Waterfront Area Plan. After reviewing the existing waterfront zoning, the City is considering various amendments to the existing zoning, including establishing a maximum building length, establishing a minimum break between buildings, amending lot coverage, amending maximum lot coverage requirements, amending setback and stepback requirements, and amending definitions and primary uses.</td>
</tr>
</tbody>
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<thead>
<tr>
<th>Name of Applicant/Sponsor:</th>
<th>Telephone: 607-274-6550</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Ithaca</td>
<td>E-Mail: <a href="mailto:jkusznir@cityofithaca.org">jkusznir@cityofithaca.org</a></td>
</tr>
<tr>
<td>Address: 108 East Green Street</td>
<td></td>
</tr>
<tr>
<td>City/PO: Ithaca</td>
<td>State: NY</td>
</tr>
<tr>
<td>Project Contact (if not same as sponsor; give name and title/role):</td>
<td>Telephone: 607-274-6550</td>
</tr>
<tr>
<td>Jennifer Kusznir</td>
<td>E-Mail: <a href="mailto:jkusznir@cityofithaca.org">jkusznir@cityofithaca.org</a></td>
</tr>
<tr>
<td>Address: 108 East Green Street</td>
<td></td>
</tr>
<tr>
<td>City/PO: Ithaca</td>
<td>State: NY</td>
</tr>
</tbody>
</table>

Property Owner (if not same as sponsor): Telephone: E-Mail:

Address:

City/PO: State: Zip Code:
**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

<table>
<thead>
<tr>
<th>Government Entity</th>
<th>If Yes: Identify Agency and Approval(s) Required</th>
<th>Application Date (Actual or projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. City Counsel, Town Board, or Village Board of Trustees</td>
<td>☐ Yes ☐ No</td>
<td>Common Council Adoption June 2020-Projected date of Council Consideration</td>
</tr>
<tr>
<td>b. City, Town or Village Planning Board or Commission</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>c. City, Town or Village Zoning Board of Appeals</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>d. Other local agencies</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>e. County agencies</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>f. Regional agencies</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>g. State agencies</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>h. Federal agencies</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>i. Coastal Resources.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td>iii. Is the project site within a Coastal Erosion Hazard Area?</td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
</tbody>
</table>

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

C. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No

If Yes, identify the plan(s):
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  
   Yes ☑ No ☐
If Yes, what is the zoning classification(s) including any applicable overlay district?
Cherry Street District, Market District, West End/Waterfront District, and Newman District

b. Is the use permitted or allowed by a special or conditional use permit?  
   Yes ☑ No ☐

c. Is a zoning change requested as part of the proposed action?  
   Yes ☑ No ☐
   i. What is the proposed new zoning for the site?  
   The zoning designation will remain the same, but the requirements will be amended

C.4. Existing community services.

a. In what school district is the project site located?  
   City of Ithaca

b. What police or other public protection forces serve the project site?  
   City of Ithaca

c. Which fire protection and emergency medical services serve the project site?  
   City of Ithaca

d. What parks serve the project site?  
   Stewart Park and Cass Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action?  
   __________ acres
   b. Total acreage to be physically disturbed?  
   __________ acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  
   __________ acres

c. Is the proposed action an expansion of an existing project or use?  
   Yes ☑ No ☐
   i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?  
   % __________ Units: __________

d. Is the proposed action a subdivision, or does it include a subdivision?  
   Yes ☑ No ☐
   i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
   ii. Is a cluster/conservation layout proposed?  
   Yes ☑ No ☐
   iii. Number of lots proposed?  
   ________
   iv. Minimum and maximum proposed lot sizes?  
   Minimum __________ Maximum __________

e. Will the proposed action be constructed in multiple phases?  
   Yes ☑ No ☐
   i. If No, anticipated period of construction:  
   _____ months
   ii. If Yes:
   • Total number of phases anticipated
   • Anticipated commencement date of phase 1 (including demolition)  
   _____ month _____ year
   • Anticipated completion date of final phase  
   _____ month _____ year
   • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
f. Does the project include new residential uses?  
If Yes, show numbers of units proposed.  

<table>
<thead>
<tr>
<th></th>
<th>One Family</th>
<th>Two Family</th>
<th>Three Family</th>
<th>Multiple Family (four or more)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Phase</td>
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<tr>
<td>At completion</td>
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<tr>
<td>of all phases</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If Yes, show numbers of units proposed. 

<table>
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</tr>
<tr>
<td>of all phases</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

g. Does the proposed action include new non-residential construction (including expansions)?  
Yes  No

If Yes, 

1. Total number of structures ________
2. Dimensions (in feet) of largest proposed structure: ________ height; ________ width; and ________ length
3. Approximate extent of building space to be heated or cooled: ____________ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  
Yes  No

If Yes, 

1. Purpose of the impoundment: ________________________________________________________
2. If a water impoundment, the principal source of the water:  
   - Ground water
   - Surface water streams
   - Other specify: ________________________________________________________
3. If other than water, identify the type of impounded/contained liquids and their source.  
   ________________________________________________________
4. Approximate size of the proposed impoundment.  
   - Volume: ________ million gallons; surface area: ________ acres
5. Dimensions of the proposed dam or impounding structure: ________ height; ________ length
6. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
   _______________________________________________________________________________

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  
Yes  No  
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes, 

1. What is the purpose of the excavation or dredging?  
2. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
   - Volume (specify tons or cubic yards): ________
   - Over what duration of time? ________
3. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
   ________________________________________________________
   ________________________________________________________
4. Will there be onsite dewatering or processing of excavated materials?  
Yes  No
   If yes, describe.  
   ________________________________________________________
5. What is the total area to be dredged or excavated? ________ acres
6. What is the maximum area to be worked at any one time? ________ acres
7. What would be the maximum depth of excavation or dredging? ________ feet
8. Will the excavation require blasting?  
Yes  No
9. Summarize site reclamation goals and plan:  
   ________________________________________________________
   ________________________________________________________

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  
Yes  No

If Yes, 

1. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):  
   ________________________________________________________
ii. Describe how the proposed action would affect that waterbody or wetland, e.g., excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

|iii. Will the proposed action cause or result in disturbance to bottom sediments? | Box for Yes or No |
|---|
| If Yes, describe: |
|iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? | Box for Yes or No |
| If Yes: |
| acres of aquatic vegetation proposed to be removed: |
| expected acreage of aquatic vegetation remaining after project completion: |
| purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): |
| proposed method of plant removal: |
| if chemical/herbicide treatment will be used, specify product(s): |
| v. Describe any proposed reclamation/mitigation following disturbance: |

|c. Will the proposed action use, or create a new demand for water? | Box for Yes or No |
|i. Total anticipated water usage/demand per day: __________ gallons/day |
|ii. Will the proposed action obtain water from an existing public water supply? | Box for Yes or No |
| If Yes: |
| Name of district or service area: |
| Does the existing public water supply have capacity to serve the proposal? | Box for Yes or No |
| Is the project site in the existing district? | Box for Yes or No |
| Is expansion of the district needed? | Box for Yes or No |
| Do existing lines serve the project site? | Box for Yes or No |
|iii. Will line extension within an existing district be necessary to supply the project? | Box for Yes or No |
| If Yes: |
| Describe extensions or capacity expansions proposed to serve this project: |
| Source(s) of supply for the district: |
|iv. Is a new water supply district or service area proposed to be formed to serve the project site? | Box for Yes or No |
| If Yes: |
| Applicant/sponsor for new district: |
| Date application submitted or anticipated: |
| Proposed source(s) of supply for new district: |
|v. If a public water supply will not be used, describe plans to provide water supply for the project: |

|vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: __________ gallons/minute |

|d. Will the proposed action generate liquid wastes? | Box for Yes or No |
|---|
|i. Total anticipated liquid waste generation per day: __________ gallons/day |
|ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): |

|iii. Will the proposed action use any existing public wastewater treatment facilities? | Box for Yes or No |
|---|
| If Yes: |
| Name of wastewater treatment plant to be used: |
| Name of district: |
| Does the existing wastewater treatment plant have capacity to serve the project? | Box for Yes or No |
| Is the project site in the existing district? | Box for Yes or No |
| Is expansion of the district needed? | Box for Yes or No |
iv. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  
If Yes: 
- Applicant/sponsor for new district: _____________________
- Date application submitted or anticipated: _____________________
- What is the receiving water for the wastewater discharge?

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste:

<table>
<thead>
<tr>
<th>Source Type</th>
<th>Tons/year (short tons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydrofluorocarbons (HFCs)</td>
<td></td>
</tr>
<tr>
<td>Perfluorocarbons (PFCs)</td>
<td></td>
</tr>
<tr>
<td>Sulfur Hexafluoride (SF₆)</td>
<td></td>
</tr>
</tbody>
</table>

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  
If Yes: 
   i. How much impervious surface will the project create in relation to total size of project parcel?  
      - Square feet or acres (impervious surface)  
      - Square feet or acres (parcel size)  
   ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
   - If to surface waters, identify receiving water bodies or wetlands:
   - Will stormwater runoff flow to adjacent properties?

- Do existing sewer lines serve the project site?  
  - Yes ☐ No ☐
- Will a line extension within an existing district be necessary to serve the project?  
  - Yes ☐ No ☐
  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project:

- Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  
  - Yes ☐ No ☐
  If Yes:
  - Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
  - Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
  - Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  
  - Yes ☐ No ☐
  If Yes:
  - Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  
    - Yes ☐ No ☐
  - In addition to emissions as calculated in the application, the project will generate:
    - Tons/year (short tons) of Carbon Dioxide (CO₂)
    - Tons/year (short tons) of Nitrous Oxide (N₂O)
    - Tons/year (short tons) of Perfluorocarbons (PFCs)
    - Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
    - Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
    - Tons/year (short tons) of Hazardous Air Pollutants (HAPs)
h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?
   If Yes:
   i. Estimate methane generation in tons/year (metric):
   ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?
   If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?
   If Yes:
   i. When is the peak traffic expected (Check all that apply):
   Morning
   Evening
   Weekend
   Randomly between hours of _________ to _________.
   ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks):

   iii. Parking spaces: Existing _________ Proposed _________ Net increase/decrease _________
   iv. Does the proposed action include any shared use parking? Yes No
   v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?
   If Yes:
   i. Estimate annual electricity demand during operation of the proposed action:
   ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
   iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
   i. During Construction:
   • Monday - Friday: _________________________
   • Saturday: _________________________
   • Sunday: _________________________
   • Holidays: _________________________
   ii. During Operations:
   • Monday - Friday: _________________________
   • Saturday: _________________________
   • Sunday: _________________________
   • Holidays: _________________________
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?
   - Yes
   - No
   If yes:
   i. Provide details including sources, time of day and duration:

   ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?
       - Yes
       - No
       Describe:

n. Will the proposed action have outdoor lighting?
   - Yes
   - No
   If yes:
   i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

   ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?
       - Yes
       - No
       Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day?
   - Yes
   - No
   If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?
   - Yes
   - No
   If Yes:
   i. Product(s) to be stored
   ii. Volume(s) _______ per unit time _________ (e.g., month, year)
   iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?
   - Yes
   - No
   If Yes:
   i. Describe proposed treatment(s):

   ii. Will the proposed action use Integrated Pest Management Practices?
       - Yes
       - No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?
   - Yes
   - No
   If Yes:
   i. Describe any solid waste(s) to be generated during construction or operation of the facility:
      - Construction: ___________ tons per ___________ (unit of time)
      - Operation: ___________ tons per ___________ (unit of time)
   ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
      - Construction:
      - Operation:
   iii. Proposed disposal methods/facilities for solid waste generated on-site:
      - Construction:
      - Operation:
s. Does the proposed action include construction or modification of a solid waste management facility? □ Yes □ No
  If Yes:
   i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities):

   ii. Anticipated rate of disposal/processing:
       • _______ Tons/month, if transfer or other non-combustion/thermal treatment, or
       • _______ Tons/hour, if combustion or thermal treatment

   iii. If landfill, anticipated site life: ______________________ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? □ Yes □ No
  If Yes:
   i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:

   ii. Generally describe processes or activities involving hazardous wastes or constituents:

   iii. Specify amount to be handled or generated ______ tons/month

   iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:

   v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? □ Yes □ No
  If Yes: provide name and location of facility:

  If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
   i. Check all uses that occur on, adjoining and near the project site.
      □ Urban □ Industrial □ Commercial □ Residential (suburban) □ Rural (non-farm)
      □ Forest □ Agriculture □ Aquatic □ Other (specify): ______________________

   ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

<table>
<thead>
<tr>
<th>Land use or Covertype</th>
<th>Current Acreage</th>
<th>Acreage After Project Completion</th>
<th>Change (Acres +/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, buildings, and other paved or impervious surfaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forested</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural (includes active orchards, field, greenhouse etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surface water features (lakes, ponds, streams, rivers, etc.)</td>
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</tr>
<tr>
<td>Wetlands (freshwater or tidal)</td>
<td></td>
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<td></td>
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<tr>
<td>Non-vegetated (bare rock, earth or fill)</td>
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<tr>
<td>Other</td>
<td></td>
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</tr>
</tbody>
</table>

  Describe: ___________________________________________
c. Is the project site presently used by members of the community for public recreation?  
   i. If Yes: explain: ____________________________________________________________

   □ Yes □ No

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed  
   day care centers, or group homes) within 1500 feet of the project site?  
   If Yes,  
   i. Identify Facilities:  

   □ Yes □ No

  i. If Yes: explain: __________________________________________________________________________________________

  □ Yes □ No

e. Does the project site contain an existing dam?  
   i. Dimensions of the dam and impoundment:  
      • Dam height: _______________________________ feet  
      • Dam length: _______________________________ feet  
      • Surface area: _______________________________ acres  
      • Volume impounded: ___________________________ gallons OR acre-feet  
   ii. Dam’s existing hazard classification:  
   iii. Provide date and summarize results of last inspection:  

   □ Yes □ No

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility,  
   or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  
   If Yes:  
   i. Has the facility been formally closed?  
      • If yes, cite sources/documentation: ____________________________________________
   ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  

   □ Yes □ No

   iii. Describe any development constraints due to the prior solid waste activities:  

   □ Yes □ No

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin  
   property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  
   If Yes:  
   i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  

   □ Yes □ No

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any  
   remedial actions been conducted at or adjacent to the proposed site?  
   If Yes:  
   i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site  
      Remediation database? Check all that apply:  
      □ Yes – Spills Incidents database Provide DEC ID number(s): ____________________________
      □ Yes – Environmental Site Remediation database Provide DEC ID number(s): ____________________________
      □ Neither database  
   ii. If site has been subject of RCRA corrective activities, describe control measures:  

   □ Yes □ No

   iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  
   If yes, provide DEC ID number(s):  

   □ Yes □ No

   iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  

   □ Yes □ No
v. Is the project site subject to an institutional control limiting property uses?  
   - If yes, DEC site ID number: ____________________________________________________________________________
   - Describe the type of institutional control (e.g., deed restriction or easement): ________________________________
   - Describe any use limitations: ___________________________________________________________________________
   - Describe any engineering controls: _______________________________________________________________________
   - Will the project affect the institutional or engineering controls in place?  
     - Yes  
     - No  
   - Explain: ____________________________________________________________________________________________  

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site?  
   ________________ feet

b. Are there bedrock outcroppings on the project site?  
   - Yes  
   - No  
   If Yes, what proportion of the site is comprised of bedrock outcroppings?  
     ________________ %

c. Predominant soil type(s) present on project site:  
   ____________________________________  %
   ____________________________________  %
   ____________________________________  %

d. What is the average depth to the water table on the project site?  
   Average:  
   ________________ feet

e. Drainage status of project site soils:  
   - Well Drained:  
     ________________ % of site
   - Moderately Well Drained:  
     ________________ % of site
   - Poorly Drained  
     ________________ % of site

f. Approximate proportion of proposed action site with slopes:  
   - 0-10%:  
     ________________ % of site
   - 10-15%:  
     ________________ % of site
   - 15% or greater:  
     ________________ % of site

g. Are there any unique geologic features on the project site?  
   - Yes  
   - No  
   If Yes, describe:  
     ____________________________________________________________________________________________  

h. Surface water features.
   i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers,  
      ponds or lakes)?  
   - Yes  
   - No  
   ii. Do any wetlands or other waterbodies adjoin the project site?  
      - Yes  
      - No  
      If Yes to either i or ii, continue.  If No, skip to E.2.i.
   iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal,  
        state or local agency?  
        - Yes  
        - No  

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
   - Streams:  
     Name ________________________________ Classification _______________________
   - Lakes or Ponds:  
     Name ________________________________ Classification _______________________
   - Wetlands:  
     Name ________________________________ Approximate Size _______________________
   - Wetland No. (if regulated by DEC)  
     _____________________________

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired  
   waterbodies?  
   - Yes  
   - No  
   If yes, name of impaired water body/ bodies and basis for listing as impaired:  
     ____________________________________________________________________________________________  

i. Is the project site in a designated Floodway?  
   - Yes  
   - No  

j. Is the project site in the 100-year Floodplain?  
   - Yes  
   - No  

k. Is the project site in the 500-year Floodplain?  
   - Yes  
   - No  

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  
   - Yes  
   - No  
   If Yes:  
      i. Name of aquifer:  
         ____________________________________________________________________________________________  

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m. Identify the predominant wildlife species that occupy or use the project site:

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

n. Does the project site contain a designated significant natural community?
   □ Yes □ No
   If Yes:
   i. Describe the habitat/community (composition, function, and basis for designation):
      __________________________________________________________________________
   ii. Source(s) of description or evaluation:
   iii. Extent of community/habitat:
       • Currently: ______________________ acres
       • Following completion of project as proposed: ______________________ acres
       • Gain or loss (indicate + or -): ______________________ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?
   □ Yes □ No
   If Yes:
   i. Species and listing (endangered or threatened):
      __________________________________________________________________________

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?
   □ Yes □ No
   If Yes:
   i. Species and listing:
      __________________________________________________________________________

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?
   □ Yes □ No
   If yes, give a brief description of how the proposed action may affect that use:
      __________________________________________________________________________
      __________________________________________________________________________

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?
   □ Yes □ No
   If Yes, provide county plus district name/number:
      __________________________________________________________________________

b. Are agricultural lands consisting of highly productive soils present?
   □ Yes □ No
   i. If Yes: acreage(s) on project site?
   ii. Source(s) of soil rating(s):
      __________________________________________________________________________

E.3. Designated Public Resources On or Near Project Site

  a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?
     □ Yes □ No
     If Yes, provide county plus district name/number:
     __________________________________________________________________________

b. Are agricultural lands consisting of highly productive soils present?
   □ Yes □ No
   i. If Yes: acreage(s) on project site?
   ii. Source(s) of soil rating(s):
      __________________________________________________________________________

  c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?
     □ Yes □ No
     If Yes:
     i. Nature of the natural landmark: □ Biological Community □ Geological Feature
     ii. Provide brief description of landmark, including values behind designation and approximate size/extent:
        __________________________________________________________________________
        __________________________________________________________________________

  d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?
     □ Yes □ No
     If Yes:
     i. CEA name:
     ii. Basis for designation:
     iii. Designating agency and date:
        __________________________________________________________________________
e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?
   If Yes:
   i. Nature of historic/archaeological resource: □ Archaeological Site □ Historic Building or District
   ii. Name: ________________________________________________________________
   iii. Brief description of attributes on which listing is based: ________________________________________________________________

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?
   □ Yes □ No

f. Have additional archaeological or historic site(s) or resources been identified on the project site?
   If Yes:
   i. Describe possible resource(s): ________________________________________________________________
   ii. Basis for identification: ________________________________________________________________

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?
   □ Yes □ No
   If Yes:
   i. Identify resource: ________________________________________________________________
   ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): ________________________________________________________________
   iii. Distance between project and resource: _____________________ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?
   □ Yes □ No
   If Yes:
   i. Identify the name of the river and its designation: ________________________________________________________________
   ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?
      □ Yes □ No

F. Additional Information
   Attach any additional information which may be needed to clarify your project.

   If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification
   I certify that the information provided is true to the best of my knowledge.

   Applicant/Sponsor Name  City of Ithaca __________________________  Date 1/15/2020 __________________________

   Signature  Jennifer Kusznir  Jennifer Kusznir __________________________  Title  Senior Planner __________________________
May 13, 2020

Jennifer Kusznir, Senior Planner
City of Ithaca
108 East Green St.
Ithaca, NY  14850

Re:  Review Pursuant to §239 -l, -m and -n of the New York State General Municipal Law
Action:  Proposed City of Ithaca Waterfront Zoning Amendments

Dear Ms. Kusznir:

This letter acknowledges your referral of the proposal identified above for review and comment by the Tompkins County Department of Planning & Sustainability pursuant to §239 -l, -m and -n of the New York State General Municipal Law. The Department has reviewed the proposal, as submitted, and has determined that it has no negative inter-community, or county-wide impacts.

Please inform us of your decision so that we can make it a part of the record.

Sincerely,

M. Megan McDonald
Deputy Commissioner of Planning and Sustainability
City of Ithaca  
Planning & Economic Development Committee  
Wednesday, January 22, 2020 – 6:00 p.m.  
Common Council Chambers, City Hall, 108 East Green Street

Minutes

Committee Members Attending: Joseph (Seph) Murtagh, Chair; Cynthia Brock, Stephen Smith, Donna Fleming, and Laura Lewis

Committee Members Absent: None

Other Elected Officials Attending: Alderperson McGonigal

Staff Attending: JoAnn Cornish, Director, Planning and Development Department; Jennifer Kusznir, Senior Planner; Alex Phillips, Planner; Nick Goldsmith, Sustainability Coordinator; and Deborah Grunder, Executive Assistant

Others Attending: Jeanne Grace, City Forester

Chair Seph Murtagh called the meeting to order at 6:00 p.m.

1) Call to Order/Agenda Review

No changes to the agenda were made.

2) Public Comment

Peggy Tully, 329 W. Buffalo Street, spoke in support of making ADUs accessible throughout the City. Encouraging ADUs will do so much to the City. Owner-operated will be a detriment.

John Graves, 319 Pleasant Street, spoke on ADUs stating that 26.4% of the housing stock is ADUs. The current owner-occupied parcels is at an overall low.

Tom Shelley, 118 East Court Street, supports the community gardens ordinance. Is concerned about the green space requirement in the ADU proposed amendments. He is also in support of saving the trees. We need to maintain our tree stock.
Jed Scheckler, 142 Hawthorne Place, spoke against not requiring ADUs to be owner occupied.

Sally Lockwood, 641 Hudson Street, would like to see the requirement of owner-occupied ADUs. If the owner is there, they may take more interest in the neighborhood. We need a better balance who is buying these homes. Too many developers come in and buy up homes well before anyone else is able to do so.

Theresa Alt, 206 Eddy Street, doesn’t agree with the home-owner requirement for ADUs. Landlords are often seen as the problem. We are trying to use zoning to fight against capitalism.

Pam Mackesey, 323 Pleasant Street, has a two-family home purchased 43 years ago. She has been able to improve the property via a home equity loan. Her story is the typical story of the middle class. Buying a home became a major path to increase their wealth and pave their way in the best popular situation. The City does not need to decrease the owner-occupied requirement.

Sandy Kelly, 141 Hawthorn Place, supports the owner-occupied requirement in ADUs.

Ashley Miller, 126 Sears Street, spoke on ADUs. Many people have come forward on multiple times urging the City to keep the owner-occupied requirement. The public concerns haven’t been respected and is noted as such in tonight’s resolution.

David Ritchie, 160 Crescent Place, spoke on ADUs. This area of the City is a nice mixture of owner-occupied and tenant dwellings.

Sheryl Swink, 321 N. Albany Street, talked about the Norway maple in her lawn before commenting on the tree ordinance which states thirteen different cities were used in the research of the proposed resolution. Do these cities identify with Ithaca? This ordinance must be handled cautiously with all people are involved.

Ellie Pfeffer, Adin Burnwell, etc., 1667 Dixson Hall. Spoke in favor of on the ADU ordinance. A suggestion was also made to change in the name of the PEDC to include sustainability within the title like the county does.

Deborah Justice, 10 Second Street supports ADUs within the City. It will help the tax base. The owner-occupied clause complicates the process. Lives on the Northside. She was fortunate that her parents have helped her with her housing. Not all are as fortunate. Renting is expensive in Ithaca. We need options for smart, mobile people.

Kenneth Young, 228 Columbia Street, spoke on ADUs. Living on South Hill, he is well aware of the ADU population. It requires management.
Dan Hoffman, Elm Street, stated he was reminded that years ago while on Council he did vote in support of ADUs. This isn’t a one-size fits all. The neighborhoods are different. He would also like to see the limit to one primary ADU per lot.

Susie Cramer, lived in an ADU while in college. She know owns property of her own. Why isn’t there the research provided like the tree ordinance has been provided? Comparing Ithaca to Portland and Seattle isn’t a comparison. There’s an assumption that these ADUs are affordable. That’s not the case. Let’s look at the ADUs currently here in the City.
3) **Special Order of Business**

   a) **Public Hearing – Community Gardens Zoning Amendment**

   Alderperson Lewis moved to open the public hearing; seconded by Alderperson Fleming. Carried unanimously.

   Marty Hiller, 110 W. Lewis Street, spoke on behalf of Project Growing Hope. She thanked the Planning staff working with them on the definitions of the neighborhood and community gardens.

   Dan Hoffman, Elm Street, spoke in favor of the proposed changes to the ordinance. Will a ‘community garden’ be allowed in other areas of the City? Alderperson Brock moved to close the public hearing; seconded by Alderperson Fleming. Carried unanimously.

   **Response from Committee:**

   Alderperson Brock thanked all who spoke and asked that we all be patient while we work through this process.

   Alderperson Fleming stated that the City of Ithaca has a wonderful variety of neighborhoods which house all different types. She further thanked the owners of Hawthorne Place keeping such good care of it. She and her husband bought that home years ago.

   Chair Murtagh thanked all who came and shared their thoughts. This legislature is complicated. There are many ADUs in place within the city. We need to find a way to manage and control this. The City is committed to home ownership as well as renters.

   Alderperson Lewis also thanked all those that came and spoke. She started that we do see the public comments and take them to help make these difficult topic. This is not being treated lightly by staff, this committee, or council.

4) **Announcements, Updates, Reports**

   a) **Call for Proposals: HUD Action Plan**

   Chair Murtagh read the ‘call for proposals’ for the HUD Action Plan.
b) Green Building Policy

Nick Goldsmith, Sustainability Coordinator, provided what the group has been doing so far and provided the time line of the adoption of the final legislature. This time line was provided in the meeting agenda packet.

Alderperson McGonigal stated that Nick has done an excellent job with this green building policy. He also asked how NYSEG was helping. Will any new electrical service be placed underground or using poles?

Alderperson Brock asked how the change in the historic district restriction will be handled. Will it be re-circulated? The answer is yes, it will be re-circulated. Goldsmith stated comments will be addressed by way of a public hearing.

c) Tree Ordinance

To: Parks Recreation and Natural Areas Commission  
From: Shade Tree Advisory Group  
Date: 9/9/2019  
Subject: Summary of residential tree removal ordinances

**Background:** Urban Trees are very important to city life. The trees in the City of Ithaca provide millions of dollars of benefits per year and provide countless ecological services for urban communities; reducing erosion, reducing heating and cooling costs, aiding in storm water mitigation, cleaning the air of harmful particulate pollution, producing oxygen, acting as a carbon sink and providing habitat for wildlife. Trees increase property values, enhance economic vitality of business areas and beautify our communities. A community devoid of trees would barely be livable as connection with the natural environment is key for human health and wellbeing. For these reasons, residents of the City of Ithaca have raised concerns about removal of mature trees from private property for reasons of infill development or in preparation for largescale development of a site prior to submittal of site plan review application.

While the City of Ithaca does have ordinances that protect the removal of trees on public property (street trees, park trees and trees in City natural areas), there is currently no ordinance restricting the removal of trees from private property outside of the Site Plan Review process. The 2nd Ward Common Council members, Nyugen and Murtagh, have requested information from the Parks, Recreation and Natural Areas Committee on potential adoption of a new City ordinance regulating the removal of trees from private property with a summary report to be sent to Planning and Economic Development Committee. That request was then passed on to the Shade Tree Advisory Group (STAG), the former Shade Tree Advisory Committee.

**Summary:** Municipalities around the country try to protect all trees in their City, not just the street and park trees. The STAG researched the tree preservation ordinances for 13 communities in the US and Canada with community populations ranging from 56,000 to 994,000. The attached spreadsheet contains our findings. A summary of common themes is as follows:

- 2 classes of trees, “Significant” and “Historic”. Significant trees begin “6-8” in DBH and Historic trees are very large trees at least 24” in DBH
- Trees growing near slopes, riparian, flood zones are taken into special consideration and cannot be removed if they provide a benefit to protecting critical zones.
- Certain species are valued more than others. Large, unique, or certain species are taken into consideration more than small weed trees or undesirable species (ie invasive trees).
- Dead, dying, or diseased trees do not need a permit to remove if there is an imminent hazard or if the problem cannot be mitigated by pruning.
Most municipalities require an arborist report, or a tree protection/removal plan to be submitted before any work is done on the property, provided by the owner or developer to be reviewed by City Forester. Location, size, health, species should all be included.

Site is then reviewed by City Forester 2-4 weeks from receiving the tree plan

Appeals can be made to remove additional trees after Forester’s final decision

Significant or Historic trees that are approved for removal are required to be replaced either with multiple trees that will take up the same crown area as a large tree at time of planting, or with similar species that will take up the same space once they get old enough.

Payment in lieu of planting is possible and should take into account the cost of the trees, and cost of maintenance for ~2 years

If a property owner significantly clears trees from a property prior to submittal of a site plan review or prior to submittal of tree removal application, the developer will be forbidden from submitting a site plan review for a number of years.

Goals: The idea of this ordinance is not to create a prohibition of removing trees from private property. The goal is not to require the retention of every tree that falls into the “regulated” category. This permit process will require a conversation about each tree removal request. Possibilities for retention of high quality trees can be explored before removal permission would be granted. If removal is granted requirements and guidance for tree re-planting would be provided to the applicant. In this way tree canopy across the city can be conserved.

STAG sees the goals of this ordinance as being:
1) To preserve tree canopy for the benefit all of the Ithaca community
2) To address resident concerns with tree removal related to in-fill development
3) To close a loophole by which developers can currently clear-cut a property prior to submittal of a site plan review application and as a result, not have to deal with tree preservation for their development plans
4) To create an ordinance that is not overly burdensome to city staff or property owners

Proposal: To achieve these goals the following points are recommended to be included in a residential tree preservation ordinance:

- Regulation of tree removal will apply to “regulated trees”, being trees greater than 12” in DBH (truck diameter) or greater than 6” DBH for trees located in an environmentally critical area (ie on slopes, in riparian zones or flood zones)
- Some undesirable species would not be regulated, possibly including Tree of Heaven (Ailanthus), boxelder (Acer negundo), and ash (Fraxinus).
- Tree removal permit approval would take into consideration; health of tree, structural condition of tree, future utility conflicts, current utility easements, public safety concerns, potential significant burden to economic development of the site.
- An approved certified Arborist could submit a short report to confirm tree species, tree health, and structural condition which would exclude a tree from the “regulated tree” status. Alternatively, the City Forester or Forestry Technician could confirm with a brief site visit that the tree is excluded from the “regulated tree” category.
- There would be a small fee for permit applications to prevent frivolous requests and offset the cost of staff time. The City Forester would respond to permit applications within 2 weeks.
- Appeal of the Forester’s decision would be to the Board of Public Works.
Tree retention would be ideal in the majority of situations but if that was not deemed to be possible, replacement of “regulated trees” by planting or payment in lieu of planting would be expected; details to be determined.

Ordinance could be restricted to specific neighborhoods or zones of concern as a test before being expanded to cover residential trees city-wide.

It should not apply to the easements or rights-of-way of utility companies, to federal, state, or local governments.

Property owners that knowingly remove a tree or trees from private property without a permit may be assessed a fine or be restricted from submitting a site plan application for a number of years.

If this is a direction that the committee feels is appropriate, more time would be invested to develop additional details, draft application forms and devise public communication strategies.

A few suggestions for next steps would be:

- To contact some of the municipalities we evaluated to see how the ordinance is working for staff and planners there. This may enlighten us if we decide to proceed to drafting an ordinance.

- To poll a few of the local tree companies to gauge how much work they do in the city. This could help get an idea of how many permit applications we would have to process. May only be able to use this ordinance in a few neighborhoods with current staffing levels.

- To think about allocating city funds to help replant trees on residential property. A topic that was brought up was the recent NPR reporting on heat islands and how low income neighborhoods generally have lower percentages of tree canopy coverage and thus higher temperature. We could explore the idea of creating a grant type program to help lower income property owners in the city replant residential trees that are removed, or if the removal of a neighboring tree results in loss of shade for an adjacent neighbor. I think a big stumbling block for people to successfully plant trees on their own property is lack of knowledge and the cost of purchasing trees. Buying them wholesale as the City does makes tree planting much less expensive and advising people on proper species selection would be very effective in increasing successful tree planting.

Jeanne Grace, City Forester, asked for direction. Should we continue this?

Alderperson Brock asked how we got here. Isn’t there a process to follow?

Alderperson Fleming stated she likes the concept, but it is private property. She is also concerned about the time burden and implementation. She further asked about the process of tree removal through the site-plan review.

Director Cornish’s concern is with Jeanne’s time. This will be costly for homeowners.

Alderperson Smith stated he needs more time to digest this and think it through. It’s a good idea to maintain our ‘tree city’ reputation.

Alderperson Brock is concerned that this may cause problems within neighbors. She further commented her concern of these trees are on private property and the homeowners should have the rites to decide what to do with their trees.

Chair Murtagh is also concerned about the amount of time for Jeanne Grace.
Alderperson Lewis would like more information to get more finite data. She shares the concerns of the others regarding staff time.

Alderperson Brock would like to see those who work in the tree industry be used to identify which tree is which.

It was agreed that this will be brought back to this committee with more information as to how this will all work out.

5) Action Items (Voting to Send on to Council)

a) Lead Agency Concurrence for Planning Board

2020 Annual Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for Site Plan Review Projects for which the Common Council is an Involved Agency Resolution

Moved Alderperson Brock; seconded by Alderperson Fleming. Carried unanimously.

WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law and Chapter 176.6 of the City Code, Environmental Quality Review, require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, State Law also specifies that when an agency proposes to directly undertake, fund or approve a Type I or Unlisted Action undergoing coordinated review with other involved agencies, it must notify them that a lead agency must be agreed upon within 30 calendar days of the date that the Environmental Assessment Form (EAF) or draft EIS was transmitted to them; and

WHEREAS, Projects submitted to the Planning Board for Site Plan Review and Approval, at times involve approvals or funding from Common Council, making Council an involved agency in environmental review, and

WHEREAS, in accordance with the State Environmental Quality Review Law and the City of Ithaca Environmental Quality Review Ordinance, involved agencies are provided with project information and environmental forms for their review, as well as all environmental determinations, and

WHEREAS, Common Council did consent to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency since 2015, and

WHEREAS, in order to avoid delays in establishing a Lead Agency and to make the environmental review process more efficient, it is desirous to continue the agreement in which the Planning Board will assume Lead Agency status for such projects; therefore be it

RESOLVED, that Common Council does hereby consent to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency through December 31, 2020; and, be it further
RESOLVED, that for any future project Common Council may withhold or withdraw its consent should it so desire.

b) Community Gardens Zoning Amendment

A Proposal to Amend The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” to Clarify the Definition of Community Gardens and to Add a Definition for Neighborhood Gardens and to Establish Guidelines for Special Permit Requirements for Neighborhood Gardens — Declaration of Lead Agency

Moved by Alderperson Smith; seconded by Alderperson Fleming. Carried Unanimously.

WHEREAS, State Law and Section 176-6 of the City Code require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, the proposed action is an “Unlisted” Action under the City Environmental Quality Review Ordinance, which requires environmental review; now, therefore, be it

RESOLVED, that the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposal to amend The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” to Clarify the Definition of Community Gardens and to Add a Definition for Neighborhood Gardens and to Establish Guidelines for Special Permit Requirements for Neighborhood Gardens
A Proposal to Amend The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” to Clarify the Definition of Community Gardens and to Add a Definition for Neighborhood Gardens and to Establish Guidelines for Special Permit Requirements for Neighborhood Gardens - Declaration of Environmental Significance

Moved by Alderperson Brock; seconded by Alderperson Smith. Carried unanimously.

WHEREAS, the Common Council of the City of Ithaca is considering a proposal Amend The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” to Clarify the Definition of Community Gardens and to Add a Definition for Neighborhood Gardens and to Establish Guidelines for Special Permit Requirements, and

WHEREAS, the proposed action is an “Unlisted” Action under the City Environmental Quality Review Ordinance, and

WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Short Environmental Assessment Form (SEAF), Parts 1 and 2, dated December 9, 2019, and

WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the SEAF prepared by Planning Staff; now, therefore, be it

RESOLVED, that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Short Environmental Assessment Form, dated December 9, 2019, and be it further

RESOLVED, that this Common Council, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary, and be it further

RESOLVED, that this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk’s Office, and forward the same to any other parties as required by law.
An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” to Clarify the Definition of Community Gardens and to Add a Definition for Neighborhood Gardens and to Establish Guidelines for Special Permit Requirements for Neighborhood Gardens

Moved by Alderperson Fleming; seconded by Alderperson Lewis. Carried unanimously.

The ordinance to be considered shall be as follows:

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF ITHACA, CHAPTER 325, ENTITLED “ZONING” TO DEFINE NEIGHBORHOOD AND COMMUNITY GARDENS

BE IT NOW ORDAINED AND ENACTED by the Common Council of the City of Ithaca that Chapter 325 (Zoning) of the Municipal Code of the City of Ithaca is hereby amended as follows:

Section 1. Chapter 325, Section 325-3, Definitions, be amended to add a new definition of Neighborhood Garden and to amend the existing definition of Community Gardens, to read as follows:

§ 325-3. Definitions and word usage.

COMMUNITY OR NEIGHBORHOOD GARDEN. An area used by several individuals or families, operating in association with each other and under sponsorship by a nonprofit or voluntary organization, primarily for seasonal production of vegetables and other garden produce for home consumption by the individuals or families directly engaged in such production or for food donations. [Added 7-10-1985 by Ord. No. 85-6]

COMMUNITY GARDEN. A lot that is specifically intended to be gardened by a group of people, with membership open to the public, operating in association with each other and under sponsorship by a nonprofit or voluntary organization utilizing either individual or shared plots on private or public land. The land may produce fruit, vegetables, and other garden produce; culinary, medicinal, or beneficial plants; and/or ornamentals. It may also contain structures intended to support year round gardening, community events or education of the gardening process.

Section 2. Chapter 325, Section 325-9, Special Permits, be amended to remove Community Gardens from this section, to read as follows:
§ 325-9 Special Permits

B. Applicability.

(1.) The uses listed under the district regulations in §325-8, District Regulations, which require a special permit from the Planning and Development Board are as follows:

(m) Community or neighborhood gardens in all districts.

F. Expiration and Renewals.

(1.) Special permits do not expire, with the following exceptions:

(d) A community or neighborhood garden special permit shall expire automatically if the site is not used as a community or neighborhood garden, as defined in §325-3, for one complete garden season.

(1) If a community or neighborhood garden special permit should expire, a new application must be submitted pursuant to §325-9C of this chapter.

Section 3. Chapter 325, Section 325-10, Additional Conditions for Special Permits, be amended to remove Community Gardens from this section, to read as follows:

§ 325-10 Additional Conditions for Special Permits

B. Applicability. All uses allowed by special permit shall be subject to the criteria set forth in §325-9, Special Permits. In addition, accessory apartments, bed-and-breakfast homes, bed-and-breakfast inns, community or neighborhood gardens, and schools and related uses shall be subject to additional conditions as set forth in §325-10C.

C. Additional Conditions.

(3) Community or neighborhood gardens. The following specific conditions shall be applicable to all special permits for community or neighborhood gardens:

(n) Approved special permits for community and neighborhood gardens shall be reviewed by the Director of Planning and Development or designee at least annually for compliance with the above noted conditions and other conditions specific to each permit’s approval. If, following such review or investigation of any complaint, the Director of Planning and Development or designee determines that a substantial violation exists, notice of such violation shall be mailed to the designated contact person, requiring that such violation be corrected within 15 days. If satisfactory correction is not made, the special permit may be revoked by the Director of Planning and Development or designee.

(o) In consideration of the fact that such gardens may be of an interim nature, may occupy only a portion of a parcel and may be located on
Section 6. Severability. Severability is intended throughout and within the provisions of this local law. If any section, subsection, sentence, clause, phrase or portion of this local law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portion.

Section 7. Effective date. This ordinance shall take affect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.

c) Accessory Dwelling Units

An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning” To Establish Regulations for Accessory Dwelling Units (ADUs) — Declaration of Lead Agency

Moved my Alderperson Smith; seconded by Alderperson Lewis. Carried unanimously.

WHEREAS, State Law and Section 176-6 of the City Code require that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS, State Law specifies that, for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS, the proposed zoning amendment is a “Unlisted” Action pursuant to the City Environmental Quality Review (CEQR) Ordinance, which requires environmental review; now, therefore, be it

RESOLVED, that the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the establishment of regulations regarding accessory dwelling units.
An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning” To Establish Regulations for Accessory Dwelling Units (ADUs) — Declaration of Environmental Significance

Moved by Alderperson Fleming; seconded by Alderperson Brock. Carried unanimously.

1. WHEREAS, demand for additional housing development has resulted in an increase in residential infill development within neighborhoods in the City, and

2. WHEREAS, the City would like to allow for appropriate levels of residential development of accessory dwelling units, while also protecting neighborhoods from development that is out of scale and character with the surrounding neighborhoods, and

3. WHEREAS, in August 2019, staff held a community conversation on accessory dwelling units and solicited comments from the public, and

4. WHEREAS, staff evaluated all of the public feedback and spent several months evaluating options to regulate accessory dwelling units, while taking into consideration public concerns, and

5. WHEREAS, staff has drafted an ordinance that will establish guidelines for developing accessory dwelling units in the R-1 and R-2, CR-1, and CR-2 zoning districts, and

6. WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Full Environmental Assessment Form (FEAF), dated November 22, 2019, and

7. WHEREAS, the proposed action is a “unlisted” Action under the City Environmental Quality Review Ordinance, and

8. WHEREAS, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the FEAF prepared by planning staff; now, therefore, be it

1. RESOLVED, that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and
conclusions more fully set forth on the Full Environmental Assessment Form, dated November 22, 2019, and be it further

2. RESOLVED, that this Common Council, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary, and be it further

3. RESOLVED, that this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk’s Office, and forward the same to any other parties as required by law.

Chair Murtagh supports the special permit.
Alderperson Lewis supports the special permit in lieu of a moratorium.
Alderperson Smith seconded. Carried 3-2.

Alderperson McGonigal asked whether the special permits language needs to be reviewed. Cornish stated she would like to revisit the process of the special permit.

Chair Murtagh stated he would like to move this forward tonight. There is a diverse opinion on this process.

Alderperson Brock stated that nothing that has been circulated says anything of special permits. The definition of green space in the Collegetown plan. There is no definition of green space in this ordinance.

Alderperson Smith moved as written; seconded by Alderperson Lewis. Carried 3-2.

Alderperson Brock moved to add an owner occupant requirement; seconded by Alderperson Fleming. Failed 2-3.

All in favor to forward to Council 3-2.

6) Discussion

a) Housing Strategy – Next Steps

It was agreed that the next steps will be discussed at the February meeting.
b) 2019 Accomplishments – 2020 Goals and Work Plan

Director Cornish will update these two items and bring them back to the February meeting.

7) Review and Approval of Minutes

a) November 2019

Moved by Alderperson Brock as amended; seconded by Alderperson Fleming. Carried unanimously.

8) Adjournment

Moved by Alderperson Lewis; seconded by Alderperson Brock. Carried unanimously. The meeting was adjourned at 9:30 p.m.