PEDC Meeting  
Planning and Economic Development Committee  
Ithaca Common Council  

DATE: March 13, 2019  
TIME: 6:00 pm  
LOCATION: 3rd floor City Hall  
Council Chambers

### AGENDA ITEMS

<table>
<thead>
<tr>
<th>Item</th>
<th>Voting Item?</th>
<th>Presenter(s)</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>
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</tbody>
</table>
| 2) Special Order of Business  
  a) Public Hearing – Southside Plan | Yes | | 6:05 |
| 3) Public Comment | | | |
| 4) Announcements, Updates, and Reports | | | 6:30 |
| 5) Action Items (Voting to Circulate)  
  a) Special Units and Accessory Apartments  
  b) Carpenter Business Park Planned Unit Development | Yes | Yes | 6:35 |
| 6) Action Items (Voting to Send on to Council)  
  b) Intercity Bus Resolution | Yes | Yes | 7:15 |
| 7) Discussion  
  a) Presentation – Tompkins County Purchase of Tioga/Sears Properties  
  b) Launch of E-scooters in Ithaca | No | No | 7:45 |
| 8) Review and Approval of Minutes  
  a) February 2019 minutes | Yes | Yes | 8:15 |
| 9) Adjournment | Yes | | 8:45 |

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, March 12, 2019.

**Out of consideration for the health of other individuals, please try to refrain from using perfume/cologne and other scented personal care products at City of Ithaca meetings. Thank you for your cooperation and understanding. **
Please take notice that the Common Council of the City of Ithaca, New York, will hold a public hearing to consider the proposal to adopt the Greater Southside Neighborhood Plan as part of Phase II of the City’s Comprehensive Plan. The plan expands upon Phase I of the City’s Comprehensive Plan, Plan Ithaca, and addresses the broader plan’s goals at the neighborhood level and provides specific action steps for implementation. The neighborhood plan covers a wide range of topics including land use, transportation, economic development, housing, natural and cultural resources, public safety, and infrastructure.

The public hearing will be held in the Common Council Chambers, City Hall, 108 East Green Street, in the City of Ithaca, New York, on Wednesday, March 13, 2019, at 6:00 p.m. If you have a disability and require accommodation in order to fully participate, contact the City Clerk’s Office at 274-6570 by 12:00 p.m. on Tuesday, March 12, 2019.

A copy of the proposed plan can be accessed on the City’s website at http://www.cityofithaca.org/629/Southside-Neighborhood-Plan or can be viewed in the City of Ithaca Planning Division, 3rd Floor City Hall, 108 East Green Street, Ithaca, New York.

JoAnn Cornish
Director of Planning & Development

2/20/2019
City of Ithaca HUD Entitlement Program

Consolidated Plan 2019-2023: The Consolidated Plan (Con Plan) is designed to help local jurisdictions assess their affordable housing and community development needs and make place-based investment decisions. The consolidated planning process occurs every five years and serves as a framework for community-wide dialogue to identify up-to-date housing and community development priorities. The Con Plan is carried out through Annual Action Plans, which provide a concise summary of the activities and projects selected each year to address the Con Plan’s priority needs and specific goals. The Consolidated Planning process will run concurrently with the 2019 Action Planning process.

Public Hearings: Two public hearings will be held to obtain citizen views and to respond to proposals and questions:

Public Hearing #1 (Part 1) – Thursday, March 28, 2019 from 8:30 – 11:30 A.M. (Ithaca Urban Renewal Agency meeting)
Public Hearing #1 (Part 2) – Thursday, April 4, 2019 from 8:30 – 11:30 A.M. (Ithaca Urban Renewal Agency meeting)
Public Hearing #2 – Wednesday, May 8, 2019, 6:00 P.M. (Planning & Economic Development Committee)

All public hearings are held in Common Council Chambers, City Hall, a fully accessible site. Should special accommodation be required, please contact the IURA at (607) 274-6553, at least 48 hours prior to meeting.

The 2019 Action Plan will fund activities in the first program year of the 2019-2023 Consolidated Plan. The 2019 Action Plan will advance the statutory objectives of CDBG and HOME programs and address the goals identified in the 2019-2023 Consolidated Plan. As an example, below are the goals from the City’s previous Con Plan (2014-2018).

- Improve and Expand Affordable Housing Options
- Expand Economic and Employment Opportunities
- Strengthen Neighborhoods
- Increase Access to Resources Leading to Physical and Economic Mobility* *Preliminary input has suggested separating physical and economic mobility
- Meet Essential Needs for Food, Shelter and Safety
- The goals from the City’s 2017 Assessment of Fair Housing (AFH) will be incorporated into the City’s 2019-2023 Consolidated Plan.

Overview of Planning Process: See Draft 2019 City of Ithaca HUD Entitlement Grant Action Plan Schedule. The Request for Proposals was released in early January 2019, followed by four Public Engagement/Information Sessions. Applications will be due February 28. Applicants are afforded the opportunity to present their proposals to the IURA in a two-part Public Hearing. Substantive work for the 2019 Con/Action Plan is to be completed by late April, with anticipated adoption of the Draft Plan by IURA on April 25, followed by the 30-day Public Comment Period and Public Hearing. Adoption of the 2019 Action Plan by Common Council is anticipated on June 5, 2019.

HUD Submission Deadline for 2018 Action Plan: June 14, 2018

Snapshot of IURA’s Historic Funding Levels & Activities

Contact Person: Anisa Mendizabal, Community Development Planner, Ithaca Urban Renewal Agency, amendizabal@cityofithaca.org or (607) 274-6553
Color codes: Green indicates increase over previous year’s award; red indicates decrease.

<table>
<thead>
<tr>
<th>PROGRAM YEAR</th>
<th>CDBG Award</th>
<th>HOME Award</th>
<th>FUNDED ACTIVITIES</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Housing</td>
<td>Econ Dev</td>
<td>Public Fac</td>
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<tr>
<td>2018</td>
<td>$686,071</td>
<td>$368,803</td>
<td>10</td>
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<tr>
<td>2017</td>
<td>$644,410</td>
<td>$275,651</td>
<td>7</td>
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<tr>
<td>2016</td>
<td>$661,371</td>
<td>$329,841</td>
<td>8</td>
</tr>
<tr>
<td>2015</td>
<td>$671,646</td>
<td>$368,661</td>
<td>8</td>
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<tr>
<td>2014</td>
<td>$675,538</td>
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<tr>
<td>2013</td>
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<td>2012</td>
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<td>$486,909</td>
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<tr>
<td>2011</td>
<td>$742,713</td>
<td>$508,879</td>
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</tr>
<tr>
<td>2010</td>
<td>$890,297</td>
<td>$574,472</td>
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Anticipated Funding Levels: Generally, the City has experienced an incrementally declining allocation of CDBG and HOME funding, due in part to the growing number of entitlement communities and changing federal priorities. In the 2017 Program Year, the City’s CDBG and HOME awards were reduced by amounts greater than anticipated, by approximately 2.5% and 16%, respectively. Conversely, in the 2018 Program Year, the City’s awards were higher than anticipated—approximately 6% higher for CDBG and 34% higher for HOME. To arrive at 2019 Program Year anticipated funding levels, IURA staff has revisited its estimates for 2018, which were arrived at by reviewing published information regarding expected reductions to HUD’s budget.

<table>
<thead>
<tr>
<th>2017 Anticipated Award</th>
<th>2017 Actual Award</th>
<th>Anticipated 2018 and 2019 Reduction</th>
<th>Anticipated 2019 Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDBG $661,371</td>
<td>$644,410</td>
<td>1.66%</td>
<td>$634,000</td>
</tr>
<tr>
<td>HOME $328,050</td>
<td>$275,651</td>
<td>5.25%</td>
<td>$261,000</td>
</tr>
<tr>
<td>Total $989,421</td>
<td>$920,061</td>
<td>-</td>
<td>$895,000</td>
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Considerations:

- CDBG regulations cap funding for Public Service activities at 15% of the jurisdiction’s total CDBG award, except in the case of Public Service activities which include job creation/placement sponsored by a Community-Based Development Organization (CBDO).
- Administrative costs are capped at 20% for CDBG and 10% for HOME.
- HUD is closely monitoring spend-down requirements (i.e., May 31 Timeliness Test).
- Some projects or funded activities require more administrative support than others.
- Sponsors of funded activities will receive orientation to vouchering process.
- If a funded project does not go forward, funding must be reallocated or returned to HUD.

Contact Person: Anisa Mendizabal, Community Development Planner, Ithaca Urban Renewal Agency, amendizabal@cityofithaca.org or (607) 274-6553
In June 2018, Common Council voted to assign the responsibility for issuing special permits to the Planning and Development Board. This work was previously a responsibility of the Board of Zoning Appeals, and the legislative change that was adopted simply transferred the duties from one board to the other. As the Planning Board began to review applications for special permits, it became clear that the review process outlined under the City’s current special permits ordinance is not consistent with the Board’s other review processes. Planning staff began preparing a revision to the special permits section of the code to make the review process consistent with the Board’s processes for site plan and subdivision review.

As work progressed, staff noted a connection between §325-9, Standards for special conditions and special permits, and §325-10, Accessory Apartments. Both sections outlined a review procedure for special permits, and it seemed appropriate to consolidate all procedural steps for special permits in one new section. At the same time, the revision to the accessory apartments section provided an opportunity to review the City’s criteria for accessory apartments and to make some changes that would reflect the Planning Committee’s recent conversations related to infill housing. To implement a standardized special permit process and remove barriers related to accessory apartments, there are four separate ordinances for the Planning Committee’s consideration.

Ordinance 1: Revise Special Permits Process and Accessory Apartments Conditions
This ordinance repeals both §325-9, Standards for special conditions and special permits, and §325-10, Accessory Apartments, in their entirety and replaces them with revised sections. In addition to wording and formatting changes to improve clarity, the following substantive changes have been incorporated:

§325-9, Special Permits

- Removed special permit applicability for “signs in all districts, as provided in the sign ordinance” because the sign ordinance does not require a special permit for signage. Signs remain subject to the City’s Sign Ordinance and may require a variance from the Board of Zoning Appeals if the requirements are not met. All signage for a use allowed by special permit will be reviewed by the Planning Board during the special permit process. Language to indicate this effect was added as §325-9B(2).

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1 Accessory apartments are defined in the City Municipal Code as “a small dwelling unit, added to an owner-occupied single-family residential property, which is subordinate to the principal residential use in terms of size and appearance.”
• Eliminated the option to obtain a special permit for any use not allowed as-of-right in the I-1 zone. At this time, there is only one remaining I-1 zone and it is anticipated that this area will become a PUD in the coming months.

• Incorporated a new special permit review procedure that reflects the requirements and procedures of site plan and subdivision review.

• Removed additional conditions for specific uses (see §325-10 below)

§325-10, Additional Conditions for Special Permits

• Additional conditions for bed-and-breakfast homes and inns, community or neighborhood gardens, and schools and related uses were relocated from §325-9 to this section. This allows the focus of §325-9 to be on the applicability of and procedures for special permits. A few unenforceable special conditions for community gardens were removed.

• Removed the requirement that an owner-occupant must have lived in the main dwelling unit of the property for at least five years before moving into the smaller accessory unit. This would allow an owner-occupant to purchase a property and immediately move into the smaller unit while renting the larger main unit. The owner-occupant(s) must still live on the property.

• Implement a requirement that both the main dwelling unit and the accessory apartment can be occupied by an individual or family plus not more than one unrelated occupant.

• Revised the area requirements to allow the issuance of a special permit in spite of legal area deficiencies for either a main or accessory structure (previously only a main structure) unless the Board identifies a negative impact on surrounding properties. However, any existing structure must meet a minimum of side and rear yard setback of 5’.

Ordinance 2: Revise Permitted Accessory Uses in the R-3 Districts

This ordinance removes the requirement for a special permit for an accessory apartment in R-3 districts and the subsequent districts with uses of higher intensity and density. Multiple dwelling units are already allowed in R-3 districts so the provision for accessory apartments by special permit is not necessary. This ordinance also updates a section reference to the revised special permits section and includes the elimination of the special permit option for the I-1 zone noted above.

Ordinance 3: Relocate Transition Regulations for R-3 Districts that abut R-1 Districts

The current §325-9, Standards for special conditions and special permits, includes a sub-section on additional regulations for R-3 Districts that abut R-1 Districts. This sub-section would be more appropriately accommodated with other transition regulations in §325-19, Transition Regulations. No changes to the content of the section have been made.

Ordinance 4: Remove Special Permits from BZA Powers and Duties

In 2018, §325-9, Standards for special conditions and special permits, was amended to reassign the responsibility for granting special permits to the Planning and Development Board, but the change was not carried through to §325-40, Board of Appeals; Variances, to remove the responsibility from the charge of the BZA. This ordinance makes that change.

Staff will attend the March 13th Planning and Economic Development Committee meeting to present the proposals and address any questions before seeking approval to circulate the draft amendments for further comment. If you have any questions prior to the meeting, please feel free to contact me at 274-6560 or mwilson@cityofithaca.org.
An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled "Zoning" To Article III, Special Conditions and Special Permits

The ordinance to be considered shall be as follows:

ORDINANCE NO.

BE IT ORDAINED AND ENACTED by the City of Ithaca Common Council as follows:

Section 1. The title of Article III of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended to read “Special Permits and Related Special Conditions”.

Section 2. Section 9 of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby repealed in its entirety.

Section 3. A new section 9, entitled “Special Permits”, of Chapter 325, Zoning, is hereby added to the Municipal Code of the City of Ithaca, to read as follows:

A. Intent. The intent of this section is to set forth regulations and conditions which shall apply to certain land uses and activities which are incongruous or sufficiently unique in terms of their nature, location and effect on the surrounding environment and the quality of the community to warrant special evaluation of each individual case.

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:
      (a) Accessory apartments in all R-1, R-2, CR-1, and CR-2 districts.
      (b) Cemeteries in all districts.
      (c) Public utility facilities in all districts.
      (d) Schools and related uses in all residential districts.
      (e) Nursery schools or child day-care centers in R-2, CR-2 and R-U districts.
      (f) Neighborhood retail or service commercial facilities in R-2, R-3, CR-2, CR-3, and CR-4 districts.
      (g) Hospitals or sanatoriums in R-3, CR-3, and CR-4 districts.
      (h) Any use other than public recreation, classrooms, or living accommodations in P-1 districts that are located within 200 feet of adjoining residential districts.
(1) In such P-1 districts, living accommodations within 200 feet of an adjoining residential district shall conform to the use and area regulation applying to the strictest adjoining residential district.

(i) Home occupations in all residential districts, unless the home occupation meets all of the following criteria:

(1) The occupation does not carry a stock of merchandise or store materials for resale or use in the occupation, except for a reasonable quantity of office supplies incidental to a small office;

(2) The occupation does not create traffic or need for parking beyond that which is incidental to the residential use of the property. Factors that are not to be considered incidental to residential use are regularly scheduled events such as deliveries, client or customer visits, or similar events; and

(3) The occupation requires or performs no exterior alterations and maintains no exterior display visible from outside the residence (including vehicle with signage parked outside of the buildings) except a nameplate as permitted by Chapter 272, Signs, of the City Municipal Code.

(j) Towers or structures for the transmission or receipt of radio or other electronic communications signals (except those subject to Article V-A of this chapter), unless:

(1) The towers or structures are antennas or satellite dishes with a maximum diameter of six feet or less;

(2) Such antennas or satellite dishes are not in a front yard;

(3) The maximum height (top to bottom) of such antenna or satellite dish, including attached mounting supports, is 10 feet or less; and

(4) Such antennas or satellite dishes, if they are to be located where they would ordinarily be visible from a public way adjoining the property, are subject to the following conditions:

(a) If in a residential district or on a lot abutting or across a street or waterway from a residential district they shall be screened from such view.
(b) In all other locations, they shall be screened from such view or be of a color and/or location that will minimize their visual impact.

(k) Telecommunications Facilities and Services.

(l) Towers or structures intended for the generation of electricity for the premises on which such tower is located in all districts.

(m) Community or neighborhood gardens in all districts.

(n) Group or adult day-care facilities in R-2 and CR-2 districts.

(o) Redemption centers in B-2 districts.

(p) Bed-and-breakfast homes and bed-and-breakfast inns.

(q) Neighborhood parking in any district where such parking is permitted.

(2) Any use allowed by special permit and requiring signage is subject to the provisions of Chapter 272, Signs, of the City Municipal Code, and such signage shall be reviewed by the Planning and Development Board as part of the special permit approval process.

(3) All additional conditions for specific uses, as identified in §325-10, Additional Conditions for Special Permits, must be met or specifically waived by resolution of the Planning and Development Board.

C. Special Permit Procedures.

(1) Submission of application materials. Applicants must submit a complete special permit application, including all applicable materials as described in the application checklist. The Planning and Development Board may require additional application materials, depending on the scope and complexity of the project.

(2) Public notice.

(a) By mail. The applicant shall notify the owners of record of all properties within 200 feet of the project site at least 20 days before the Planning and Development Board meeting. Such notice shall be in the form approved by the Board, briefly state essential facts about the proposed special permit, and inform recipients of the date, time, and place of the meeting and the place where further information about the proposal and review process may be obtained. The applicant shall provide the Board with certification of compliance with notice procedures.

(b) By posting. The applicant shall post a sign at the center of each property line of the project site which front on a public or private roadway or a public right-of-way at least 20 days before
the Planning and Development Board meeting. Such signs shall be continuously maintained and displayed facing the roadway until final action has been taken by the Board to approve or deny the special permit. The required signs shall be obtained from the Division of Planning and Development, and a nonrefundable fee shall be paid for each sign or replacement obtained. At the time such signs are obtained, the applicant or the applicant’s representative shall indicate, in writing, the date on which the signs are to be erected.

(c) By newspaper. The hearing on the special permit application shall be advertised in a newspaper of general circulation in the City at least five days before the hearing.

(3) Planning and Development Board meeting. Following timely receipt of a complete application for a special permit, the Board shall schedule consideration of the application at its earliest possible scheduled meeting. The Board may establish its procedures and requirements, within the framework provided by this chapter, for the review of special permits.

(4) Public hearing. Prior to rendering any decision on a special permit application, the Board shall first hold a public hearing on the proposed use. This may begin concurrently with any required public hearing for the purpose of environmental review and/or site plan review of the same project and may continue after any such environmental review or site plan review public hearings are closed.

(5) Within 65 days after completion of environmental review on a special permit application, the Board shall render one of the following decisions:
   (a) Final approval.
   (b) Final approval with conditions.
   (c) Denial of the special permit.

(6) Communication of decisions. The Director of Planning and Development and the applicant shall be notified, in writing, of the decision on a special permit application no later than 10 working days after the date of the decision.

D. Permit Review Criteria.
   (1) General Criteria.
      (a) A special permit shall be granted for a proposed use or activity if it meets the following criteria:
          (1) The location and size of the use, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to
it shall be such that the use will be in harmony with the existing or intended character of the neighborhood and will not discourage the appropriate development of adjacent land and buildings or impair the enjoyment or value thereof.

(2) Operations in connection with the use shall not be more objectionable to nearby property by reason of noise, fumes, increased vehicular traffic or parking demand, vibration, or flashing lights that would be the operations of any use permitted without a special permit.

(3) The granting of a special permit may be conditioned on the effect the use would have on traffic, congestion, property values, municipal services, character of the surrounding neighborhood, or the general plan for the development of the community.

(b) The Planning and Development Board shall deny a special permit where it finds that a proposed use would have a significant negative impact on traffic, congestion, property values, municipal services, character of the surrounding neighborhood, or the general plan for the development of the community.

(c) The applicant may be required by the Board to submit plans for the site and parking facilities and to disclose other features of the applicant’s proposed use so as to afford the Board an opportunity to weigh the proposed use in relation to neighboring land uses and to cushion any adverse effects by imposing conditions designed to mitigate them. If the Board finds that the adverse effects cannot be sufficiently mitigated, then the Board shall deny the special permit.

(2) Additional conditions for specific uses may be found in §325-10, Additional Conditions for Special Permits.

E. Application Fees. The application fee shall be based on the type of use for which the special permit is sought in accordance with the following schedule.

(1) Accessory apartments and home occupations - $100
(2) All other special permits (including bed-and-breakfast homes and inns) - $150

F. Expiration and Renewals.

(1) Special permits do not expire, with the following exceptions:
(a) An accessory apartment special permit shall be issued for a three-year period.
(1) The renewal of accessory apartment special permits for additional three-year periods shall be granted by the Director of Planning and Development or designee following the issuance of a Certificate of Compliance for the entire property, verifying that the conditions originally set forth have not changed in any way. To prevent expiration of the special permit, the Certificate of Compliance must be obtained within the three-year period.

(b) A home occupation special permit shall be issued for a three-year period.
(1) The renewal of home occupation special permits for additional three-year periods shall be granted by the Director of Planning and Development or designee following the issuance of a Certificate of Compliance for the entire property, verifying that the conditions originally set forth have not changed in any way. To prevent expiration of the special permit, the Certificate of Compliance must be obtained within the three-year period.

(c) A bed-and-breakfast home or inn special permit in all residential districts shall be issued for a five-year period.
(1) All requirements pertaining to the application for and granting of a first-time special permit for a bed-and-breakfast home or inn shall also apply to the application for and granting of a renewed special permit, including the application and notification procedures set forth in §325-9C and the expiration of such renewed special permit after five years.

(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.
(2) It is the responsibility of permit holders to renew their special permits prior to expiration.

G. Appeals. Any person aggrieved by any decision of the Board, or any officer or agency of the City, regarding the issuance of a special permit, may apply to the Supreme Court for review
by a proceeding under Article 78 of the Civil Practice Law and Rules.

H. Revocation. The Director of Planning and Development or designee shall revoke any special permit issued hereunder should the applicant or the applicant’s tenant violate any provision of this chapter or any condition imposed upon the issuance of the special permit by the Planning and Development Board.

Section 4. Section 10 of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby repealed in its entirety.

Section 5. A new section 10, entitled “Additional Conditions for Special Permits”, of Chapter 325, Zoning, is hereby added to the Municipal Code of the City of Ithaca, to read as follows:

A. Intent. The intent of this section is to set forth additional requirements and conditions which shall apply to certain uses allowed by special permit under §325-8, District Regulations, of the City Municipal Code.

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.
   (1) Accessory Apartments. The following specific conditions shall be applicable to all special permits for accessory apartments:
      (a) The owner(s) of the lot upon which the accessory apartment is located shall occupy and maintain at least one of the dwelling units on the premises as a legal full-time residence, except for temporary absences not to exceed 18 months in any five-year period. Longer absences will result in revocation of the special permit unless approved by the Planning and Development Board.
      (b) The main dwelling unit and the accessory apartment unit each may be occupied by an individual or a family plus not more than one unrelated occupant. Minor dependent children in the care of a parent or relative shall be excluded in determining the number of unrelated occupants in a dwelling unit.
      (c) Accessory apartments may be located on one-family properties in any district in which residential use is permitted. An accessory apartment may be located either in the main structure or in an
accessory building, provided that such accessory building and main structure meet all the requirements of the City of Ithaca Building Code.

(d) There shall be no more than one accessory apartment per lot.

(e) The floor area of an accessory apartment within a principal dwelling building shall not exceed 33 1/3% of the total habitable floor area of the building in which it is located. If the Planning and Development Board determines that a greater floor space is necessary because the configuration of the building makes meeting these requirements impractical, then the Board may waive the maximum.

(f) Each accessory apartment shall be limited to a maximum of two bedrooms.

(g) Area requirements.
   (1) A special permit for an accessory apartment shall be granted by the Planning and Development Board in spite of existing legal area deficiencies, except where the Board determines that there would be a negative effect on surrounding properties.
   (2) Notwithstanding any other requirements of this section, a minimum side and rear yard setback of five feet shall be required for all existing structures.
   (3) New structures housing accessory apartments shall meet all applicable codes, including the area requirements of this chapter.
   (4) Temporary relief of area requirements for purposes of a special permit shall terminate with the special permit and shall not be viewed as a variance.

(h) If an accessory apartment is located in the main building, the entry to the building and its design shall be such that the appearance of the building shall remain as a single-family residence. New or additional front entrances or windows are discouraged but in any event must be in keeping with the architectural style of the rest of the structure. Exterior stairways may only be constructed in the rear, except where an alternate location would be less publicly visible.

(i) One additional off-street parking space is required for an accessory apartment.

(j) Within 30 days of approval of an accessory apartment special permit, the owner(s) must record at the Tompkins County Clerk’s office a declaration of covenants on the subject property, with cross-referencing to the original deed, and
provide proof of such recording and cross-referencing to the Department of Planning, Building and Development, who may then issue a building permit. The declaration shall state that the right to use the property as a two-family dwelling ceases if the property is not occupied by the owner of this real property for his or her legal full-time residence as required by §325-10C(1) of the City of Ithaca Municipal Code. The declaration shall go on to state that the special permit granted by the Planning and Development Board expires unless renewed every three years as required by §325-9F(1)(a) of the City of Ithaca Municipal Code. The Director of Planning and Development or designee shall note the existence of an accessory apartment on the record of the property.

(k) Unapproved accessory apartments. Owners of unapproved accessory apartments in existence as of the effective date of this section shall have 90 days from the date of enactment to apply for an accessory apartment temporary permit and to meet the requirements of this section. Any such property owner who is not in the process of completing or who has not completed these requirements within the required 90 days shall be found in violation if the apartment is occupied.

(2) Bed-and-breakfast homes and bed-and-breakfast inns. The following specific conditions shall be applicable to all special permits for bed-and-breakfast homes and bed-and-breakfast inns:

(a) The bed-and-breakfast home or inn must obtain a Certificate of Compliance.

(b) A bed-and-breakfast home must be owner-occupied and owner-managed. A bed-and-breakfast inn must be owner-managed.

(c) Bed-and-breakfast homes or inns in residential zones must be compatible with the surrounding residential neighborhood.

(d) No alterations to the exterior of the house for the purpose of establishing or expanding bed-and-breakfast operations shall be permitted except for routine maintenance, alterations not requiring a building permit, restoration, or requirements related to safety or handicapped accessibility. There shall be no exterior indication of a business, except the one permitted sign as indicated below, and required parking. Drawings illustrating any proposed exterior modifications must be submitted with the special permit application.
(e) No cooking facilities are permitted in the individual guest rooms.

(f) In-house food service shall only be provided to guests, owner-occupants, owner-managers, and staff.

(g) In R-2 districts, no bed-and-breakfast home may be located on a lot closer than 500 feet to any other lot containing a bed-and-breakfast home, with only one such establishment permitted per block face.

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

(a) At least one responsible adult, who shall be a participant in the gardening, a representative of the sponsoring organization, or the owner of the subject property, shall administer or coordinate the operation and act as a contact person for the duration of the gardening activity.

(b) The area to be used will be operated in a responsible manner at all times so as not to present a nuisance to or interfere with the use of enjoyment of neighboring private or public property.

(c) Unused portions of the site shall be maintained in a neat and orderly manner at all times.

(d) Gardening activity on individual plots must be confined to the hours of 7:00 a.m. to 10:00 p.m., except that power machinery shall not be operated before 8:00 a.m. or after 8:00 p.m.

(e) Power or motorized machinery used in preparing and maintaining individual plots shall be no larger than that normally used in connection with home gardening (e.g. a typical walk-behind rototiller).

(f) Farm tractors or other heavy machinery shall not be employed on the site except for initial site development and for annual spring preparation and fall cleanup, if necessary. In those instances, it shall be operated only between 8:00 a.m. and 6:00 p.m. weekdays.

(g) Mulch, compost, or organic fertilizer employed in the gardening is confined to the site in a neat and orderly manner, and no fresh manure shall be used or composted.

(h) All organic refuse and trash from the gardening operations shall be promptly and properly disposed of on at least a weekly basis and, pending disposition, it shall be stored neatly in such a way that it does not produce offensive odors or attract dogs, racoons, or vermin.

(i) Noxious fertilizers or noxious chemicals employed in the gardening are used only with the knowledge and consent of all gardeners using the site, all adjoining property owners, and, in the event that
adjoining properties are rental residential properties, with the knowledge and consent of the head of each tenant household.

(j) No flammable liquids shall be stored on the site.

(k) Noise and odors produced in connection with the gardening activity shall be no greater than those normally associated with home gardening.

(l) The entire site will be cleaned and left with a neat appearance at the end of each gardening season or within 30 days of revocation or expiration of a permit, whichever occurs first.

(m) The Planning and Development Board may prescribe any conditions that it deems necessary or desirable, including but not limited to additional off-street parking spaces, so that the character of the neighborhood shall be preserved and public safety and welfare secured.

(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 violate exists, notice of such violate 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 property unsuited for other uses permitted under this chapter, the district regulations specified for permitted uses under §325-8 of this chapter shall be superseded, where applicable, by the following regulations for community or neighborhood gardens:

(1) Minimum lot size: none

(2) Width in feet at the street line: none required; however, sites lacking street frontage shall be accessible to vehicles and pedestrians via a right-of-way of at least eight feet in width.

(3) Permitted structures: No structures for human habitation or occupancy shall be permitted except for a weather shelter for gardeners, which may have a maximum floor area of 64 square feet. A light accessory structure for storage of gardening equipment and materials for plant propagation, with a maximum floor
area of 64 square feet, may be erected separately or attached to the weather shelter. If necessary, a well-housing structure for the production of water for garden use may be erected with permission of the owner of the site.

(4) Parking and loading space: At least one off-street space on or immediately adjacent to the site shall be provided for the use of the gardeners for each 15 individual garden plots on the site or portion thereof.

(5) Yard setbacks shall not be required, except that the provisions of §325-17B and C and §325-25 of this chapter shall apply to any plantings, fences or accessory structures on the site.

(4) Schools and related uses. The following specific conditions shall be applicable to all special permits for schools and related uses in all residential districts:

(a) If the proposed use is the expansion of an existing educational use, the applicant must show a need to expand into the residential area rather than into a less-restrictive area. No special permit shall be granted by the Planning and Development Board unless the applicant can demonstrate that there is no reasonable alternative to location or expansion on the site proposed.

(b) The location and size of the use, the size of the site in relation to it, the operations in connection with the use and the parking and traffic related to the operations shall not be such as to create a significant hazard to the safety or general welfare of the surrounding area.

(c) The proposed use or operation shall not produce or present substantial danger of excessive noise, noxious odors, noxious or harmful discharge, fire or explosion, radiation, chemical or toxic release or other conditions injurious to the health or general welfare of occupants of nearby properties.

(d) The size and use of the facility or the concentration with similar facilities in the neighborhood shall not be so substantially out of proportion to the character of the neighborhood as to jeopardize the continued use of the neighborhood for residential purposes.

Section 6. Severability. If any section, paragraph or provision of this ordinance shall be determined to be invalid, such invalidity shall apply only to the section, paragraph or provision adjudged invalid, and the rest of the section shall remain valid and effective.
Section 7. Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” To Amend §325-8, District Regulations, for the R-3 Zoning District

The ordinance to be considered shall be as follows:

ORDINANCE NO.

BE IT ORDAINED AND ENACTED by the City of Ithaca Common Council as follows:

Section 1. Section 8, District Regulations, of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended to update a section reference in the district regulations for Permitted Accessory Uses in the R-1 Zoning District to read as follows (changes will appear on the District Regulations Chart, which is a part of Chapter 325):

<table>
<thead>
<tr>
<th>Column 3: Permitted Accessory Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Home occupations: Special permits are required in certain situations. See §325-9B(1) §3259C(i).</td>
</tr>
</tbody>
</table>

Section 2. Section 8, District Regulations, of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended to modify the district regulations for Permitted Accessory Uses in the R-3 Zoning District to read as follows (changes will appear on the District Regulations Chart, which is a part of Chapter 325):

<table>
<thead>
<tr>
<th>Column 3: Permitted Accessory Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Required off-street parking.</td>
</tr>
<tr>
<td>2. Private garage for 4 or more cars.</td>
</tr>
<tr>
<td>3. Structures for construction purposes, not to remain over two years.</td>
</tr>
<tr>
<td>4. Sign in connection with permitted use (see Sign Ordinance, Ch. 272 of City of Ithaca Municipal Code).</td>
</tr>
<tr>
<td>5. By special permit: Tower or structures for receipt or transmission of electronic signals for commercial purposes or for the generation of electricity to be used on the premises where generated in any district (see §325-9). Except for personal wireless service facilities.</td>
</tr>
<tr>
<td>6. Adult Day Care Home.</td>
</tr>
<tr>
<td>7. Home occupations: special permits are required in certain situations (see §325-9B(1)).</td>
</tr>
<tr>
<td>8. By special permit: Neighborhood parking area subject to regulation of §325-20(B).</td>
</tr>
</tbody>
</table>

Section 3. Section 8, District Regulations, of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended to modify the district regulations for Permitted Primary Uses in the I-1 District to read as follows (changes will appear on the District Regulations Chart, which is a part of Chapter 325):

<table>
<thead>
<tr>
<th>Column 2: Permitted Primary Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Required off-street parking.</td>
</tr>
<tr>
<td>9. By special permit: Neighborhood parking area subject to regulation of §325-20(B).</td>
</tr>
</tbody>
</table>
3. Any use not permitted in any other zoning district, subject to the issuance of a special permit of the Board of Zoning Appeals in accordance with §325-9 and concurrence by the Common Council.

Section 4. Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
Ordinance 3: Relocate Transition Regulations for R-3 Districts that abut R-1 Districts

An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” To Amend §325-19, Transition Regulations

The ordinance to be considered shall be as follows:

ORDINANCE NO.

BE IT ORDAINED AND ENACTED by the City of Ithaca Common Council as follows:

Section 1. Section 19, Transition Regulations, of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended to add the following subsection:

E. Development in R-3 Districts which abut R-1 Districts. The development of any permitted use in the R-3a or R-3b Zoning Districts, except a one-family or two-family dwelling, shall be subject to the following special conditions if the land on which the development occurs directly abuts land in either the R-1a or R-1b Zoning District:

(1) Minimum lot size (area in square feet): The required area in square feet needed to satisfy the minimum lot size requirement shall be 150% of the requirement shown on the District Regulations Chart for the R-3a or R-3b District.

(2) Maximum building height: The maximum building height requirement shall be the same as the requirement for the abutting R-1a or R-1b District.

(3) Maximum percent of lot coverage by buildings: The maximum percent of lot coverage by buildings shall be 75% of the requirement shown on the District Regulations Chart for the R-3a or R-3b District.

(4) Yard dimensions, side or rear yards: The minimum required side or rear yard requirement shall be 150% of the requirement shown on the District Regulations Chart for the R-3a or R-3b District if the side or rear yard abuts land in the R-1a or R-1b District.

Section 2. Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled “Zoning” To Amend §325-40, Board of Appeals; Variances

The ordinance to be considered shall be as follows:

ORDINANCE NO.

BE IT ORDAINED AND ENACTED by the City of Ithaca Common Council as follows:

Section 1. Section 325-40B(2)(b) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended as follows:

(b) Required information. Every appeal or application for relief shall set forth the interpretation that is claimed or the use for which a special permit is sought or the details of the variance applied for and the grounds for which it is claimed that the variance should be granted, as the case may be. Appeals and applications shall be in writing, on forms prescribed by the Board of Appeals, and shall be filed with the Secretary of the Board. The applicant shall provide a site plan and such other drawings and/or additional information as is necessary for the Board of Appeals to properly consider the appeal or application for relief.

Section 2. Section 325-40B(2)(d) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended as follows:

(6) Special permit applications for accessory apartments, bed-and-breakfast homes, and home occupations: $100
(7) All other special permit applications (including bed-and-breakfast inns): $150

Section 3. Section 325-40B(2)(e) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended as follows:

(e) Notices to the public. If a variance or interpretation or a special permit is requested, the appellant shall send notice of the same by mail to all property owners within 200 feet of the boundaries of the lot under consideration. Such notice shall state the relief sought, the type of use contemplated and such additional information as shall be required by the Zoning Administrator or the designee of the Director of Planning and Development and shall be mailed five days prior to the meeting of the Planning Board which next precedes the public hearing. Proof of such mailing shall be filed with the Board of Appeals prior to the holding of the public hearing.

Section 4. Section 325-40B(2)(f) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended as follows:
(f) Report by the City Planning and Development Board. At least seven days before any meeting of the Planning and Development Board which precedes the date of the hearing required by law on any application or appeal to the Board of Appeals, the Secretary of the Board shall transmit to the Planning and Development Board a copy of said application or appeal, together with a copy of the notice of the aforesaid hearing. When a variance, or interpretation or special permit is requested, no Board of Appeals action thereon shall be taken until the Planning and Development Board has had the opportunity to submit a report as to conformance with long-range planning objectives. The Planning and Development Board shall have the right to request that action by the Board of Appeals be adjourned for one month to allow the Planning and Development Board to submit such a report as to conformance with long-range planning objectives.

Section 5. Section 325-40C(1) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby deleted in its entirety and the subsequent subsections shall be renumbered accordingly.

Section 6. Section 325-40C(5) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby deleted in its entirety and the subsequent subsections shall be renumbered accordingly.

Section 7. Section 325-40C(6) of Chapter 325, Zoning, of the Municipal Code of the City of Ithaca is hereby amended as follows:

(6) Imposition of conditions. The Board of Appeals shall, in the granting of use variances, and area variances, and special permits, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the Zoning Ordinance and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Section 8. Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.
TO: Planning and Economic Development Committee

FROM: Jennifer Kusznir, Senior Planner

DATE: March 8, 2019

RE: Planned Unit Development Application for Park Grove Realty and Cayuga Medical Center at Carpenter Circle

On February 19, 2019, the City of Ithaca received an application from Whitham Planning and Design, on behalf of Park Grove Realty and Cayuga Medical Center for a Planned Unit Development (PUD) project to be located at Carpenter Circle.

According to § 325-12 Planned Unit Developments (PUD), properties located within the City’s Planned Unit Development Overlay District (PUDOD), that contain a project proposal that offers community-wide benefits, may apply to the Common Council for consideration to establish a PUD in order to permit uses not explicitly allowed by the underlying zoning. The PUD legislation states that the Common Council will consider the application for any PUD on the following criteria, among others:
1. Does the project further the health and welfare of the community?
2. Is the project in accordance with the City Comprehensive Plan?
3. Does the project create at least one long-term significant community benefit?

The proposed Carpenter Circle project involves the redevelopment of an 8.9 acre parcel located adjacent to Route 13 and off of Third Street. The project includes a 5-story Cayuga Medical Center medical office building, two 6-story mixed use buildings with retail space on the ground floor and market rate residential units on the upper floors, and a 4-story residential building, containing 40 units of affordable housing for those earning between 50-60% of AMI. The project will also include approximately 400 parking spaces to support the development and will include a permanent Community Gardens site.

The applicant notes that this project will result in the following community benefits:

- There are +/-400 surface parking spots serving the site, utilizing a mix of dedicated and shared parking.
- The applicant will collaborate with the Community Gardens in order to provide an improved permanent location for the Community Gardens; CMC and Park Grove Realty will be offering substantial economic assistance and significant professional time towards the improvement of the gardens.
- Site access via Route 13 via a curb cut across from Fifth Street, which will require a Break in Access Agreement with NYSDOT;
• High-quality public amenities, including improved pedestrian, transit, and bicycle access throughout the site, and public spaces including open green space, plazas for events and/or outdoor dining, a playground, and storm water management gardens featuring native plantings;

• An improved gateway into the City of Ithaca on Route 13;

• Generation of +/-150 job.

• Alignment with the City’s Comprehensive Plan and ongoing planning related to the Route 13 corridor and the Waterfront Zone

The application has been reviewed by staff for completeness and has been found to be satisfactorily complete for distribution and review. Should the committee be in agreement, this application will be circulated for comments and a public information session will be held, in accordance with the PUD requirements. If the Committee is in agreement, staff will begin this process and return in May with any comments that are received.

If you have questions or require additional information, please feel free to contact me.
Part 1. – Applicant Information

Application Date: 02/19/2019

1. Applicant Information

Applicant Name (All principal owners of 15% or more must be listed): _______
____________________________________________________________________
____________________________________________________________________
Address: __________________ City: __________ State: ______ Zip: ________
Phone: ______________________ Email: ______________________________

Cayuga Medical Center.

Address: 142 East State Street City: Ithaca State: NY Zip: 14850
Phone: (607) 272-1290 Email: fournier@whithamdesign.com

Property Owner (If different from applicant): Cayuga Medical Center

Address: 101 Dates Drive City: Ithaca State: NY Zip: 14850
Phone: (607) 274-4410 Email: tvotaw@cayugamed.org

2. Property Information
(Applicant must provide either proof of ownership or an owner’s authorization)

Property Street Address: Carpenter Circle

Tax Parcel Number: 36.-1-3.3, 36.-1-3.5

Legal description of Property: Vacant indus, Commercial Vacant w/imp

Zoning District: WE/WF Area: 0.28, 8.59 ac Frontage: n/a

Current Uses: Currently vacant.
3. Project Information

Project Name: Carpenter Park

Project Narrative and Summary of Community Benefits (attach additional sheets as needed):

SEE ATTACHED Project Narrative and Summary of Community Benefits, pages 5-6, orange header

Project Location: Carpenter Circle, at 3rd Street and Route 13

Property Size (acres) – both existing & proposed: 8.87

Building Size (square feet) – both existing & proposed: 4 buildings, 411,626 sq ft

Proposed Project Start & Completion Dates: start Fall 2019, completion Fall 2021

Approx. # of rental housing units: 208 units

Approx. # of for-sale housing units: 0

Approx. SF of office: 64,000

Approx. SF of retail/commercial: +/-22,000

Approx. SF of community/non-profit use: Project will support adjacent Ithaca Community Garden

Approx. SF of light industrial/high-tech: 0

Approx. SF of industrial/manufacturing: 0

Approx. SF of other uses specify: n/a

Part 4. – Project Costs
Cost of New Construction: **TBD**

Value of Improvements: **TBD**

Value of Equipment to Be Acquired: **TBD**

Other: ________________________________

Total: **TBD**

Part 5. – Criteria and Potential Project Benefits

Minimum Qualification Criteria

A PUD can only be established if the following criteria are all determined to have been met:

- Does the project further the health and welfare of the community; and
- Is the project in accordance with the City Comprehensive Plan
- Does the project create at least one long term community benefit
- Is the property located within the established PUDOD

PUD Approval Considerations

In addition to meeting the minimum criteria, the following will also be considered when evaluating whether to grant a PUD for a proposed project:

SEE ATTACHED Approval Considerations, pages 7-11, purple header

(1) Please demonstrate why this project can’t move forward under existing zoning. Why should a PUD be a desirable way to regulate development on this site?

(2) Will the project provide for public access pedestrian linkages (active recreation)?

(3) What are the heights of buildings in this project? How do building masses and locations compare to each other and to other structures in the vicinity?

(4) Are there available and adequate transportation systems within the PUD for pedestrians, bicycles, and motor vehicles, including transit? What is the impact on the external transportation network?

(5) What is the character of the neighborhood in which the PUD is being proposed? Are there safeguards provided to minimize possible detrimental effects of the proposed use on adjacent properties and the neighborhood in general?
6. How do the proposed open space and recreational systems function within the PUD and in relation to the City’s overall open space and recreational systems?

7. What is the general ability of the land to support the development, including such factors as slope, depth to bedrock, depth to water table and soil type?

8. What potential impacts are there on environmental, historical, and architectural resources? Does the proposed PUD serve to protect these resources?

9. What potential impacts are there on local government services?

10. Is there available and adequate water service?

11. Is there available and adequate sewer service?

12. Will the PUD provide several of the community benefits listed below that contribute to making the project a long-term asset for the community?

**Potential Community Benefits Resulting from the PUD Project**

1. What will be the increase to the tax roll value of new real property?

2. How many FTE jobs will be created as a result of the project? Will the project result in job creation of positions that pay at least a living wage?

3. Will the project result in job creation of which at least 51% will be held by persons earning 80% or less of Area Median Income?

4. Will the applicant provide affordable housing at rents that do not exceed Fair Market Rents occupied by households earning no more than 80% of Area Median Income, adjusted for family size (must determine duration)?

5. Will the project fill vacant store fronts?

6. Will the project involve environmental remediation?

7. Is the project a historic preservation project (in accordance with the Secretary of Interior’s standards)?

8. Will the project be assisting/contracting/renting to MWBEs?

9. Will the project provide free (reduced cost) community space in the project (for example to a 501c3 non-profit)?

10. Will the project produce large-scale alternative energy, local energy or combined heat/power that results in a significant reduction in greenhouse gas emission?

11. Will the project result in high tech job creation?

12. Does the project contain the redevelopment of a Brownfield site?

13. Will this project provide any other community wide benefits?
Carpenter Park Project Narrative & Summary of Community Benefits

The Carpenter Park project seeks to develop an existing 8.9 acre parcel located adjacent to Route 13 and off of Third Street in the City of Ithaca. The majority of the site is vacant and the parcel has never seen major development, however, there is an asphalt road into the site known as Carpenter Circle and there is a +/-7,000sf building at the south end of the site, used for warehousing or storage. Significantly, NYSEG maintains several power transfer lines running through the site with easements that limit the buildable portions of the site. A small portion of the future site is currently part of the Ithaca Community Gardens and a land trade is being negotiated at present.

There has been no development within 200’ in the last two years, however the newly proposed Greenstar location is directly adjacent to the south of the site. The project received a conditional Final Site Plan Approval in September of 2018.

The site plan calls for a new urban neighborhood, comprised of a medical facility, two mixed-use buildings and one affordable housing building, unified by neighborhood streets, pedestrian connections, transit connections, some shared parking, and green space, while working closely with Project Growing Hope to reconfigure and improve the Ithaca Community Gardens.

The existing parcel will require a subdivision, separating each of the program elements onto its own parcel.

The proposal includes the following buildings (from south to north):

- **A Cayuga Medical Center walk-in healthcare and medical office location (Building A)**
  - Building size: 64,000 sf
  - Height: 5 stories; 78’-0”
  - Parking: +/-211 dedicated spaces, plus shared spaces
  - Zoning: requires a height variance, setback variance
  - Construction Method: Steel frame structure, concrete slabs
  - Foundations: In-situ soil improvements and/or pile supported foundation systems are expected to support the proposed 5-story office structure.

- **Two 6-story mixed-use buildings with retail space on the ground floor, dedicated residential parking on the ground and second floor, market-rate residential units on floors 3-6. All units will be 1 or 2 bedrooms ranging from 692-1,380 sf per unit. Zoning in the Market District limits buildings to 5 stories. Both these buildings are proposed as 6 story buildings. The odd shape and limited size of the buildable area outside of the NYSEG easements limits the buildable area, revenue created by the additional story of market-rate rentals will offset the costs associated with the inclusion of the affordable building. Without the additional story, the ability to include a building with affordable units, as desired by the neighbors, the City, and the developer, becomes financially infeasible.**
  - **Building B**
    - Overall building size: 117,528 sf
      - Ground floor: +/-7,270sf retail, +/-2,340 amenity space, and 17 parking spaces
      - 2nd floor: 24,864 sf with 59 parking
  - **Building C**
    - Overall building size: 185,727 sf
      - Ground floor: +/-15,000sf retail, +/-2,400 amenity space, and 42 parking spaces,
      - 2nd Floor: 37,296 sf with 75 parking
spaces
Floors 3-6: 17,284 per floor, 64 units total
  - Height: 6 stories, 74'-2"
  - Parking: ±76 internal, plus shared surface parking
  - Zoning: requires a height variance
  - Construction Method: 4 levels Type V-A, 2 Levels Type I-A (non-combustible) podium

Floors 3-6: 28,132 sf per floor, 102 units total
  - Height: 6 stories, 74'-4"
  - Parking: ±117 internal, plus shared surface parking
  - Zoning: requires a height variance
  - Construction Method: 4 levels Type V-A, 2 Levels Type I-A (non-combustible) podium

- Affordable housing of +/-40 units for 50-60% AMI (Building D
Building D
  - Overall building size: 44,641 sf; 42 units
  - Height: 4 stories, 45'-6"
  - Parking: +/-24 in surface lot, plus shared surface parking
  - Zoning: requires a ground floor height variance, setback variance

Notable site-wide features and project benefits
- There are +/-400 surface parking spots serving the site, utilizing a mix of dedicated and shared parking.
- The Ithaca Community Gardens will remain in place, with minor adjustments to accommodate a 1:1 land trade in which the Project Sponsors will trade the same amount of non-buildable land within the NYSEG easement for buildable land that is outside of the NYSEG easement; this will involve the participation of the City, the Project Sponsor, and the Gardens and will result in physical improvements to and a permanent location for the Gardens; CMC and Park Grove Realty will be offering substantial economic assistance and significant professional time towards the improvement of the gardens.
- Site access via Route 13 via a curb cut across from Fifth Street, which will require a Break in Access Agreement with NYSDOT;
- High-quality public amenities, including improved pedestrian, transit, and bicycle access throughout the site, and public spaces including open green space, plazas for events and/or outdoor dining, a playground, and storm water management gardens featuring native plantings;
- An improved gateway into the City of Ithaca on Route 13;
- Generation of +/-150 jobs
- Alignment with the City’s Comprehensive Plan and ongoing planning related to the Route 13 corridor and the Waterfront Zone
Please demonstrate why this project can’t move forward under existing zoning. Why should a PUD be a desirable way to regulate development on this site?

The site does not meet zoning regulations for height and some setbacks. The site is an unusual one, significantly constrained by the NYSEG easement, the Ithaca Community Garden, and difficult soils. An internal road structure and a DOT right-of-way also create unusual situations for setbacks with front yards yet to be determined.

HEIGHT:
The existing zoning limits building heights to 63’ and 5 stories. Moving beyond the prescribed story and height restrictions will allow this project to meet program requirements, without sacrificing green space or extending surface parking. Three of the four buildings that are part of the Carpenter Park Development are seeking additional height.

Medical Facility: The design of the CMC Medical Office Building has involved the balancing of a number of factors. The poor soils on the site require the utilization of deep foundations (the type of deep foundation has not been determined for this project, but the driven piles that are frequently used in Ithaca are one option). The need to minimize the number of deep foundations for cost reasons and the need to provide a footprint that can be flexibly planned for a variety of tenant sizes and types results in minimizing the number of columns. The resulting column spacing requires deeper structural beams. Medical facilities require higher than typical ventilation and, in some instances, fully ducted return air ducts. Attaining the desired ceiling heights, accommodating the ductwork and depth of structure leads a five story building that exceeds the current zoning requirement.

Two Mixed-Use Residential Buildings: Originally intended to meet zoning regulations with a ground floor of commercial and upper stories of residential, all above subterranean parking, the buildings have been changed in response to soils. Geotechnical testing has indicated that subterranean parking is not feasible. Rather than an increase in surface parking throughout the site, impacting green space, including space that will become community gardens, and increasing impermeable surfaces, the project will include some ground level and second story parking within the building, offset by an additional story of height. The additional story will allow the project to meet target unit quantities without compromising green space. Meeting the program goals for unit count is essential for this project as the number of market-rate units offset the costs of the affordable building and the high costs associated with poor soils. Without the 166 market-rate units generating revenue, the affordable building becomes infeasible. In addition, the 2015 City of Ithaca Comprehensive Plan identified this site for compact high-density mixed-use development as is proposed by this application.

Affordable Building: This building meets overall height regulations but does not meet ground floor height regulations. The program for the building is the same on all floors, so there is no program-driven need for additional height on the ground floor. Since the project relies on state tax credit funding, there are significant restrictions on building and development cost in order for the project to be eligible for an award. Increasing the floor to floor height for the first floor would make the project much more expensive on a per unit basis and likely limit the project’s ability to be financially viable.

SETBACKS:
Building setbacks are also potentially non-conforming. Because the site is unusually-shaped, constrained by NYSEG transmission line easements, buffered from Route 13 by a DOT right-of-way that ranges from about 20’ wide to about 60’ wide, and bisected the long way by an internal road, the methodology and rationale for determining setbacks elsewhere in the City may not apply as clearly. Additionally, the site will need to be
subdivided to provide the Community Garden with its modified location, and the Cayuga Medical Center, the affordable building, and the two mixed-use buildings with discrete lots. A proposed subdivision map is provided with this application. This project proposes to work with the City to propose setbacks that are rational to the internal block structure of this new neighborhood, consider the newly proposed parcels an their relationship to each other, and take into account the easements and right-of-way that border the site.

Medical Facility: Per existing Market District Zoning, the northeast corner of the building does not conform to setback requirements. The medical facility is located at the southeastern corner of the site, to anchor the site, address Route 13, and leave adequate travel lanes for the internal road structure. Its lower floors sit 7' from the property line between it and the new Greenstar location and about 10' between the face of the building and the property line between it and Route 13. The upper floors bring the building to 5' from the Greenstar property line and 4'8" from the Route 13 side. Because of the DOT right-of-way between this property and Route 13, the impact of this non-conforming distance is minimized.

Affordable Building: Per existing Market District Zoning, the north and east sides of the building does not conform to setback requirements. The affordable building has been set within its proposed parcel with minimal yard facing the new entry road and 3rd street. It was positioned this way to maximize the space between it and the railroad, provide a parking area with adequate fire access, and provide a playground that can serve the tenants of this building directly. Because this parcel is being designed in concert with all other parcels in this neighborhood, the design includes a 4'6" sidewalk between the building and Carpenter Circle, and provides a 3,200' entry plaza at the northeast corner, balancing maximizing the lot size for the number of proposed units, while designing a dignified, welcoming building.

2) Will the project provide for public access pedestrian linkages (active recreation)?
This project sees itself not only as a gateway to Ithaca's waterfront, but as a gateway to Ithaca itself. Ithaca is known as an environmentally aware city with a large percentage of residents who choose to walk instead of drive. The design of this project reflects that, with extensive tree-lined or garden-lined sidewalks linking all buildings within the site as well as creating a pedestrian-friendly link between the new Greenstar location and the Farmer's Market. The project is in discussion with the NY State Department of Transportation for a break-in-access agreement along Route 13, creating an additional pedestrian link to and through the site, and making the medical office easier to access. This 5th Street link would provide a perpendicular crossing to Route 13, shorter and safer than the diagonal crossing at 3rd Street.

3) What are the heights of buildings in this project? How do building masses and locations compare to each other and to other structures in the vicinity?
Medical Facility: 5 stories, 78’-0”
2 Mixed Use Buildings: 6 stories, 74’-2” and 74’-4”
Affordable Building: 4 stories, 45’-6”
These structures are taller than surrounding buildings, however, as part of the new Waterfront District, the choice to allow taller buildings is a deliberate one, born of the city’s desire to encourage denser development in selected areas. All the buildings for the site are being designed in coordination with each other to ensure that the massing and the building relationships are aesthetically satisfying.

4) Are there available and adequate transportation systems within the PUD for pedestrians, bicycles, and motor vehicles, including transit? What is the impact on the external transportation network?
Yes. The Carpenter Park Project is rare opportunity for the City to expand and improve the pedestrian, bicycle, and transit network. The internal block structure has been designed to accommodate pedestrians, bicyclists, vehicles, and transit, and has been designed to foster strong multi-modal connection outside of the
site. The developers are aware that this site offers connectivity between the Farmers Market and the new Greenstar site, and have designed pedestrian and bicycle ways that support and encourage non-vehicular transport. The break-in-access along Route 13 that is being discussed with the DOT will offer direct access to south end of the site, including the new medical facility, and will create a much-desired perpendicular (shorter and safer) crossing of Route 13. The project team is in conversation with TCAT and with surrounding property owners to explore bringing a transit route from 3rd Street connecting through the site to Cascadilla Street. This 3rd Street to Cascadilla connection has long been a desire of TCAT and the project team is eager to help the agency meet this goal.

5) What is the character of the neighborhood in which the PUD is being proposed? Are there safeguards provided to minimize possible detrimental effects of the proposed use on adjacent properties and the neighborhood in general?
The existing neighborhood character is light industrial, but considering this proposal is the first to be put forward after the new waterfront zoning efforts, it is an opportunity to set a new tone for the waterfront area. The project team has worked closely with City and with neighbors such as Northside United and the Ithaca Community Gardens to ensure that the project is a welcome one.

6) How do the proposed open space and recreational systems function within the PUD and in relation to the City’s overall open space and recreational systems?
The internal block structure and the external connections offer an opportunity to connect this site, and thus the waterfront area as a whole, to the city grid offering additional connections to the Ithaca Community Gardens, and connections from the Farmers Market to the new Greenstar. The site is being designed to preserve the Ithaca Community Gardens and to preserve as much open space as possible. The inclusion of in-building parking within the two mixed-use buildings is a strategy to minimize surface parking. The project team is in discussion with the DOT to add significant plantings and sidewalks within the DOT right of way area between the project site and Route 13, creating an additional pedestrian way and a vegetated buffer.

7) What is the general ability of the land to support the development, including such factors as slope, depth to bedrock, depth to water table and soil type?
The soil on the property is difficult for development, though manageable with deep-pile foundations and additional engineering. This makes building on the site rather expensive, in turn driving the program for the higher density necessary to make the project financially viable.

8) What potential impacts are there on environmental, historical, and architectural resources? Does the proposed PUD serve to protect these resources?
There are no listed environmental, historical, or architectural resources on the site, with the exception that the region is listed as a breeding area for Gray Petaltail dragonfly. Allowing for additional height, particularly for the mixed-use buildings, will allow for garage parking instead of additional surface parking, preserving open space. The landscape architecture for the site includes many more trees, shrubs, and plantings for stormwater management than currently exist on the site. The inclusion of many native species in the planting plan will create a rich habitat to support bird and insect species.

9) What potential impacts are there on local government services?
The site will require capacity from police and fire services. The additional residents may enroll children into local schools.

10) Is there available and adequate water service?
Yes.
Potential Community Benefits Resulting from the PUD Project

1) What will be the increase to the tax roll value of new real property?
   The entirety of the new development will be taxable; however, the taxable value is yet to be determined. The assessment value, as well as PILOT terms, will be determined during the Spring of 2019. Even with a PILOT agreement in place, the project will certainly result in a substantial increase in taxes for the site from the current taxes.

2) How many FTE jobs will be created as a result of the project? Will the project result in job creation of positions that pay at least a living wage?
   The Carpenter Park project is expecting to create a significant number of jobs divided into the following segments:
   Building Management: 3-4 FTE jobs, all living wage or higher.
   Commercial: The ground floor commercial space will generate an estimated 15-20 FTE jobs. Wages will be dependent on management of individual tenants.
   Medical: Cayuga Medical Center estimates the creation of 110-140 jobs at this site, of which approximately 85% will be living wage or higher.

3) Will the project result in job creation of which at least 51% will be held by persons earning 80% or less of Area Median Income?
   Yes. Of the estimated 128-164 jobs that will be created by the Carpenter Park project, approximately 60% will be aimed at persons earning 80% or less of AMI.

4) Will the applicant provide affordable housing at rents that do not exceed Fair Market Rents occupied by households earning no more than 80% of Area Median Income, adjusted for family size (must determine duration)?
   Yes. The project includes an affordable residential building of 42 units targeted at residents earning 50-60% AMI.

5) Will the project fill vacant store fronts?
   No.

6) Will the project involve environmental remediation?
   Environmental reviews are in progress to determine what, if any, environmental remediation is necessary.

7) Is the project a historic preservation project (in accordance with the Secretary of Interior's standards)?
   No.

8) Will the project be assisting/contracting/renting to MWBEs?
   This project will offer opportunities for bidding to MWBEs.
9) Will the project provide free (reduced cost) community space in the project (for example to a 501c3 non-profit)?
The project has been in communication with Project Growing Hope, the organization that administers the Ithaca Community Gardens. The project will be offering substantial economic assistance and significant professional time to help make the community gardens work.

10) Will the project produce large-scale alternative energy, local energy or combined heat/power that results in a significant reduction in greenhouse gas emission?
No.

11) Will the project result in high tech job creation?
No.

12) Does the project contain the redevelopment of a Brownfield site?
The status of the site is currently in review by the NY State Department of Environmental Conservation.

13) Will this project provide any other community wide benefits?
This site is the first manifestation of the City's desire to change the nature of Ithaca's waterfront area from an industrial one, to one with higher density, mixed-uses, improved infrastructure, and enhancement of quality of life elements, such as parks, neighborhoods, and social equity.

This project will set the tone for future development along the waterfront area in a positive way - creating a new neighborhood with a well-defined block structure; pedestrian, bicycle, and transit connections; a nod to the importance of our environment with the inclusion of densely planted areas and the retention of the Ithaca Community Gardens; and including a mix of uses and a mix of income levels. It will serve as a gateway to the waterfront area and to the City itself.

The inclusion of a medical facility in this project marks the first opportunity patients will have to gain access to treatment without needing to travel beyond the City limits. The Cayuga Medical Office Building will provide easily accessible medical care - walkable, bikeable, and with nearby transit stops.

This project includes both market rate and affordable housing - an acknowledgement that Ithaca’s future needs to be economically inclusive and needs to address our housing shortage at all levels.
BUILDING KEY
1. BUILDING 'A' CAYUGA MEDICAL CENTER
2. BUILDING 'W' MIXED-USE
3. BUILDING 'C' MIXED-USE
4. BUILDING 'D' AFFORDABLE
5. B & W SUPPLY
6. ALDI
7. ITHACA WASTE WATER TREATMENT
8. FARMERS MARKET
9. DOT
10. COLLYER BOATHOUSE
11. WARD ROMER BOATHOUSE
12. FLX DEVELOPMENT
13. GREEN STAR
14. MIRABITO
15. PURITY
16. ZAZA'S CUCINA
17. HOWARD HAINA ITHACA
18. FINGER LAKES INDEPENDENCE CENTER
19. ALL STONE & TILE
20. GUTHRIE MEDICAL SUPPLY DEPOT
21. FRANKLIN MARKET
22. THE PIGGERY
23. BOWL-O-DRUM
Carpenter Park Redevelopment Project: Pre Application Review

WHITHAM PLANNING & DESIGN 2/22/2019

ALLOWABLE IN CODE

<table>
<thead>
<tr>
<th>PRIMARY USES</th>
<th>Building A</th>
<th>Building B</th>
<th>Building C</th>
<th>Building D</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Multiple Family Dwelling</td>
<td>Business/ professional office</td>
<td>Multiple Family Dwelling</td>
<td>Business/ professional office</td>
<td>Multiple Family Dwelling</td>
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<tr>
<td>11. Business/ professional office</td>
<td>Multiple Family Dwelling</td>
<td>Business/ professional office</td>
<td>Multiple Family Dwelling</td>
<td>Business/ professional office</td>
</tr>
<tr>
<td>17. Retail store or Service Commercial Facility</td>
<td>Retail store (potential)</td>
<td>Retail store (potential)</td>
<td>Retail store (potential)</td>
<td>Retail store (potential)</td>
</tr>
<tr>
<td>18. Restaurant</td>
<td>Restaurant (potential)</td>
<td>Restaurant (potential)</td>
<td>Restaurant (potential)</td>
<td>Restaurant (potential)</td>
</tr>
<tr>
<td>2. Health Care Facilities</td>
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<td>Health Care Facility</td>
<td>Health Care Facility</td>
<td>Health Care Facility</td>
</tr>
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</table>

ACCESSORY USES

See Code

OFF-STREET PARKING REQUIREMENTS

<table>
<thead>
<tr>
<th>NONE</th>
<th>91 Dedicated surface parking spaces</th>
<th>75 dedicated surface parking spaces</th>
<th>23 dedicated surface parking spaces</th>
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<tbody>
<tr>
<td>78 in-building dedicated parking spaces for residents, shared spaces for retail tenants</td>
<td>78 in-building dedicated parking spaces for residents, shared spaces for retail tenants</td>
<td>148 in-building dedicated parking spaces for residents, shared spaces for retail tenants</td>
<td></td>
</tr>
<tr>
<td>160 shared surface parking spaces (rear parking area)</td>
<td>65 shared surface parking spaces (parallel parking)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OFF-STREET LOADING REQUIREMENT

NONE

MINIMUM LOT SIZE (SF)

NONE

MINIMUM WIDTH IN FEET AT STREET LINE

NONE

MAXIMUM BUILDING HEIGHT

"Properties not located adjacent to the water have a maximum height of 5 stories and 63.'" 78'-0" height, 5 stories 74'-2" height, 6 stories 74'-4" height, 6 stories 45'-6" height, 4 stories

MAXIMUM PERCENTAGE OF LOT COVERAGE BY BUILDINGS

100%, except for required setbacks 15% 25% 33%

YARD DIMENSIONS

"No front yard setback is required, except as necessary to provide a minimum 5' sidewalk and an 8' tree lawn" non-conforming, odd parcel, see drawing shared parcel - 67' at narrowest non-conforming, see drawing

REQUIRED MINIMUM SIDE YARD

"Minimum 5' side yard setback, with the exception of townhouses and row houses..." non-conforming, odd parcel, see drawing shared parcel - 39' to southern property line non-conforming, see drawing

REQUIRED MINIMUM OTHER SIDE YARD

"Minimum 5' side yard setback, with the exception of townhouses and row houses..." non-conforming, odd parcel, see drawing shared parcel - 40' to northern property line 40'

REQUIRED MINIMUM REAR YARD

"For properties not located directly adjacent to the water the minimum rear yard setback is 10'" non-conforming, odd parcel, see drawing shared parcel - 55' at narrowest 40'

MINIMUM BUILDING HEIGHT

1st story min.12.5'-15' in height, measured floor to floor. Each addl' story must be 10'-12' in height. Increases in 1st floor elevation, as required to comply with flood plain regulations, can be included in 1st story min. height requirement, 1st floor can be no less than 10' in height measured floor to floor. Ground floor 14'-4" 5th floors: 14'-4" 6th floors: 14'-4"

Ground floor 14'-0" 2nd floor: 12'-0" 3rd floors: 11'-2" 4th floors: 11'-2"

Ground floor 14'-0" 2nd floor: 12'-0" 3-6th floors: 11'-2"

Ground floor 10'-6" 2-4th floors: 10'-6"
The above illustrations are representative of the architectural style. They are not meant to illustrate the final design or materials but are intended to depict the size, mass, and general materials of the proposed building.

43% of Exterior Openings* (2015 IBC: Section 705)

30% of Exterior Openings*

39% of Exterior Openings*

35% of Exterior Openings*

34% of Exterior Openings*

38% of Exterior Openings*

40% of Exterior Openings*

35% of Exterior Openings*

43% of Exterior Openings*

43% of Exterior Openings*

38% of Exterior Openings*

40% of Exterior Openings*

35% of Exterior Openings*

43% of Exterior Openings*

Building Elevations: Building B & C
Scale: 1" = 20'-0"
To: Planning & Economic Development Committee

From: Megan Wilson, Senior Planner

Date: March 7, 2019

RE: Draft Greater Southside Neighborhood Plan

Following the last Planning & Economic Development Committee meeting, staff circulated the draft Greater Southside Neighborhood Plan, dated December 19, 2018, for additional review and comment. No comments have been submitted to date, and no additional revisions have been made. The draft plan was also submitted to the Tompkins County Department of Planning and Sustainability for review pursuant to §239-l-m of New York State General Municipal Law. The County’s response to this review will be distributed separately once received.

The draft Greater Southside Neighborhood Plan remains available for review on the City’s website at http://www.cityofithaca.org/629/Southside-Neighborhood-Plan. Staff will attend the March 13th meeting to discuss the plan and address any questions. If you have questions or comments prior to the meeting, please feel free to contact me at 274-6560 or mwilson@cityofithaca.org.
Adoption of the *Greater Southside Neighborhood Plan* as Part of Phase II of the City of Ithaca Comprehensive Plan – Declaration of Lead Agency for Environmental Review

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 adoption of an amendment to the comprehensive plan is a “Type I” Action under the City of Ithaca Environmental Quality Review Ordinance, and the State Environmental Quality Review Act and is subject to 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 adoption of the *Greater Southside Neighborhood Plan* as part of Phase II of the City of Ithaca Comprehensive Plan.
Adoption of the *Greater Southside Neighborhood Plan* as Part of Phase II of the City of Ithaca Comprehensive Plan – Determination of Environmental Significance

WHEREAS, the City of Ithaca is considering the adoption of the *Greater Southside Neighborhood Plan* as part of Phase II of the City’s Comprehensive Plan, and

WHEREAS, appropriate environmental review has been conducted including the preparation of a Full Environmental Assessment Form (FEAF), dated February 20, 2019, and

WHEREAS, the proposed plan has been reviewed by the Tompkins County Department of Planning and Sustainability pursuant to §239-l-m of New York State General Municipal Law, which requires that all actions within 500 feet of a County or State facility, including County and State highways, be reviewed by the County Planning Department, and has also been distributed for review by the City of Ithaca Parks, Recreation, and Natural Resources Commission and the City of Ithaca Planning and Development Board, and

WHEREAS, the proposed action is a “Type I” Action under the City Environmental Quality Review Ordinance and the State Environmental Quality Review Act, and

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

**RESOLVED,** that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth in the Full Environmental Assessment Form, dated February 20, 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.
Adoption of the Greater Southside Neighborhood Plan as Part of Phase II of the City of Ithaca Comprehensive Plan – Resolution

WHEREAS, the Comprehensive Plan outlines a vision for the city’s future and serves as a guide for future decision-making, policies, and funding, and

WHEREAS, the City decided to pursue a two-phased approach to its new Comprehensive Plan, where Phase I entailed the preparation of an “umbrella” plan, Plan Ithaca, that sets forth broad goals and principles to guide future policies throughout the city and where Phase II includes the preparation of specific neighborhood and thematic plans, and

WHEREAS, the Common Council adopted Plan Ithaca in September 2015, and the planning process then began to focus on the Phase II plans, and

WHEREAS, the Phase II plans provide an opportunity to take a proactive look at specific areas throughout the city, particularly those with significant potential for change, and to implement policies and capital improvements to help implement a shared vision, and

WHEREAS, in accordance with the City of Ithaca Municipal Code and New York State General City Law, the Planning and Development Board is responsible for preparing and recommending a new Comprehensive Plan to the Common Council for adoption, and

WHEREAS, formed in September 2016, the Southside Neighborhood Plan Committee was composed of 15 area residents, including members of the Planning and Development Board and Common Council, and worked with City Planning staff to conduct public outreach and prepare the draft plan, and

WHEREAS, the complete draft Greater Southside Neighborhood Plan was made available for public review in September 2018, and the Committee hosted community events, neighborhood meetings, and an online survey to gather comments on the draft plan, and

WHEREAS, following its review of the comments, the Committee revised the draft plan to incorporate public input, and

WHEREAS, at its meeting on December 19, 2018, the Southside Neighborhood Plan Committee voted to recommend the draft Greater Southside Neighborhood Plan, dated December 19, 2018, for review and consideration by the Planning and Development Board as part of Phase II of the Comprehensive Plan, and

WHEREAS, the City of Ithaca Planning and Development Board reviewed the draft plan at its December 2018 and January 2019 meetings and voted unanimously on January 22, 2019 to
recommend the draft *Greater Southside Neighborhood Plan*, dated December 19, 2018, for review and adoption by the Common Council as part of Phase II of the Comprehensive Plan, and

WHEREAS, the draft plan was presented to the Planning & Economic Development Committee on February 13, 2019, and following that meeting, was circulated for additional comment, and

WHEREAS, the draft *Greater Southside Neighborhood Plan* was submitted for review by the Tompkins County Department of Planning and Sustainability pursuant to §239-l-m of New York State General Municipal Law, which requires that all actions within 500 feet of a county or state facility, including county and state highways, be reviewed by the County Planning Department, and was also distributed for review by the City’s boards and commissions, and

WHEREAS, the adoption of the *Greater Southside Neighborhood Plan* as part of Phase II of the Comprehensive Plan is a Type I action, and the Common Council, as lead agency, has completed environmental review and determined that the action will not have a significant impact on the environment, and

WHEREAS, a public hearing for the adoption of the plan was held on March 13, 2019, and

WHEREAS, the Common Council has considered the draft *Greater Southside Neighborhood Plan* as recommended by the Southside Neighborhood Plan Committee and the Planning and Development Board; now, therefore, be it

RESOLVED, that the Common Council hereby adopts the *Greater Southside Neighborhood Plan*, dated December 19, 2018, as part of Phase II of the Comprehensive Plan, and be it further

RESOLVED, that this Comprehensive Plan shall serve as a guide for future decisions made by Common Council, City boards and commissions, and City staff, and be it further

RESOLVED, that Common Council shall establish regular reviews and updates of the Comprehensive Plan every five years.
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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

### A. Project and Sponsor Information.

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Adoption of Greater Southside Neighborhood Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a general location map):</td>
<td>Greater Southside and Titus Flats neighborhoods (see attached study area map)</td>
</tr>
<tr>
<td>Brief Description of Proposed Action (include purpose or need):</td>
<td>The proposed action is the adoption of a neighborhood plan for the Greater Southside area. The plan expands upon Plan Ithaca and address the broader plan's goals at the neighborhood level, providing specific recommendations to implement the City's comprehensive plan. Topics covered include: land use, transportation, economic development, housing, natural and cultural resources, and public safety.</td>
</tr>
</tbody>
</table>

<table>
<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:</td>
</tr>
<tr>
<td>Address: 108 E. Green Street</td>
<td></td>
</tr>
<tr>
<td>City/PO:  Ithaca</td>
<td>State: NY</td>
</tr>
<tr>
<td></td>
<td>Zip Code: 14850</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>Megan Wilson, Senior Planner</td>
<td>E-Mail: <a href="mailto:mwilson@cityofithaca.org">mwilson@cityofithaca.org</a></td>
</tr>
<tr>
<td>Address: 108 E. Green Street</td>
<td>State: NY</td>
</tr>
<tr>
<td></td>
<td>Zip Code: 14850</td>
</tr>
<tr>
<td>Property Owner (if not same as sponsor):</td>
<td>Telephone:</td>
</tr>
<tr>
<td>Address:</td>
<td>E-Mail:</td>
</tr>
<tr>
<td>City/PO:</td>
<td>State:</td>
</tr>
<tr>
<td></td>
<td>Zip Code:</td>
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</table>
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>
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<tbody>
<tr>
<td>a. City Council, Town Board, or Village Board of Trustees</td>
<td>☑ Yes ☐ No Adoption</td>
<td>April 3, 2019 (projected)</td>
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<tr>
<td>b. City, Town or Village Planning Board or Commission</td>
<td>☑ Yes ☐ No Recommendation</td>
<td>January 22, 2019</td>
</tr>
<tr>
<td>c. City Council, Town or Village Zoning Board of Appeals</td>
<td>☐ Yes ☑ No</td>
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<td>d. Other local agencies</td>
<td>☐ Yes ☑ No</td>
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<tr>
<td>e. County agencies</td>
<td>☑ Yes ☐ No GML Review</td>
<td>March 13, 2019 (projected)</td>
</tr>
<tr>
<td>f. Regional agencies</td>
<td>☐ Yes ☑ No</td>
<td></td>
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<tr>
<td>g. State agencies</td>
<td>☐ Yes ☑ No</td>
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<tr>
<td>h. Federal agencies</td>
<td>☐ Yes ☑ No</td>
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<tr>
<td>i. Coastal Resources.</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>
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<tr>
<td>iii. Is the project site within a Coastal Erosion Hazard Area?</td>
<td>☑ Yes ☐ No</td>
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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?

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, ☑ Yes ☐ No

or an adopted municipal farmland protection plan?

If Yes, identify the plan(s):

City of Ithaca Parks and Recreation Master Plan

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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? B-2a, B-2d, B-4, CBD-100, P-1, R-2b, R-3a, R-3aa, R-3b, SW-2, WEDZ-1b
   □ Yes ☑ No

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?

C.4. Existing community services.

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

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

c. Which fire protection and emergency medical services serve the project site? City of Ithaca Fire Department; Bangs Ambulance

d. What parks serve the project site? Southside Park; Titus Triangle Park; Baker Park; Wood Street 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)? Adoption of a comprehensive plan

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 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:

Page 3 of 13
f. Does the project include new residential uses?  
If Yes, show numbers of units proposed.  
<table>
<thead>
<tr>
<th>Initial Phase</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>At completion 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)?  
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?  
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.  

iv. Approximate size of the proposed impoundment.  
   - Volume: _________ million gallons; surface area: _________ acres  

v. Dimensions of the proposed dam or impounding structure: _________ height; _________ length  

vi. 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?  
   (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.  

iv. Will there be onsite dewatering or processing of excavated materials?  
If yes, describe: ____________  

v. What is the total area to be dredged or excavated? _________ acres  

vi. What is the maximum area to be worked at any one time? _________ acres  
vii. What would be the maximum depth of excavation or dredging? _________ feet  
viii. Will the excavation require blasting?  
   - Yes  
   - No  

ix. 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?  
If Yes:  
1. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): ____________  

Page 4 of 13
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 proposed action cause or result in disturbance to bottom sediments?  
If Yes, describe:  
□ Yes □ No

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  
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:

<table>
<thead>
<tr>
<th>c. Will the proposed action use, or create a new demand for water?</th>
<th>□ Yes □ No</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Total anticipated water usage/demand per day: _________________ gallons/day</td>
<td></td>
</tr>
<tr>
<td>ii. Will the proposed action obtain water from an existing public water supply?</td>
<td>□ Yes □ No</td>
</tr>
</tbody>
</table>
| If Yes:  
- Name of district or service area:  
- Does the existing public water supply have capacity to serve the proposal? □ Yes □ No  
- Is the project site in the existing district? □ Yes □ No  
- Is expansion of the district needed? □ Yes □ No  
- Do existing lines serve the project site? □ Yes □ No |
| iii. Will line extension within an existing district be necessary to supply the project? | □ Yes □ 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? | □ Yes □ 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), maximum pumping capacity: _________________ gallons/minute. |

d. Will the proposed action generate liquid wastes? □ Yes □ No  
If Yes:  
- Total anticipated liquid waste generation per day: _________________ gallons/day  
- 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? | □ Yes □ 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? □ Yes □ No  
- Is the project site in the existing district? □ Yes □ No  
- Is expansion of the district needed? □ Yes □ No |
### Questionnaire

**iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?**
- **□ Yes**
- **□ No**

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:**

**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?**
- **□ Yes**
- **□ No**

If **Yes**:
1. 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)
2. 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:

**iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?**
- **□ Yes**
- **□ No**

**f. 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**, identify:
1. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
2. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
3. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

**g. 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**:
1. 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)
2. 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)? □ Yes □ No

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? □ Yes □ No

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? □ Yes □ No

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 semi-trailer truck trips/day:
   
   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? □ Yes □ No
   vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? □ Yes □ No
   viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? □ Yes □ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? □ Yes □ No

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 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 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 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>
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<tr>
<td>Forested</td>
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<tr>
<td>Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td>
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<tr>
<td>Agricultural (includes active orchards, field, greenhouse etc.)</td>
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<tr>
<td>Surface water features (lakes, ponds, streams, rivers, etc.)</td>
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<tr>
<td>Wetlands (freshwater or tidal)</td>
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<tr>
<td>Non-vegetated (bare rock, earth or fill)</td>
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<tr>
<td>Other Describe: ___________________</td>
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<tr>
<td>Question</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>c. Is the project site presently used by members of the community for public recreation?</td>
<td>☐</td>
<td>☑</td>
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<tr>
<td>i. If Yes: explain:</td>
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<tr>
<td>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?</td>
<td>☐</td>
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<tr>
<td>If Yes,</td>
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<tr>
<td>i. Identify Facilities:</td>
<td></td>
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<td>e. Does the project site contain an existing dam?</td>
<td>☐</td>
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<tr>
<td>If Yes:</td>
<td></td>
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<tr>
<td>i. Dimensions of the dam and impoundment:</td>
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<td></td>
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<tr>
<td>• Dam height:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>• Dam length:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Surface area:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Volume impounded:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>ii. Dam's existing hazard classification:</td>
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<td></td>
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<tr>
<td>iii. Provide date and summarize results of last inspection:</td>
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</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>If Yes:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>i. Has the facility been formally closed?</td>
<td>☐</td>
<td>☑</td>
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</tr>
<tr>
<td>• If yes, cite sources/documentation:</td>
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<tr>
<td>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</td>
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<tr>
<td>iii. Describe any development constraints due to the prior solid waste activities:</td>
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<tr>
<td>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?</td>
<td>☐</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>If Yes:</td>
<td></td>
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<tr>
<td>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</td>
<td></td>
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</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☑</td>
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<tr>
<td>If Yes:</td>
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</tr>
<tr>
<td>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>• Yes – Spills Incidents database Provide DEC ID number(s):</td>
<td></td>
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<tr>
<td>• Yes – Environmental Site Remediation database Provide DEC ID number(s):</td>
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<tr>
<td>• Neither database</td>
<td></td>
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<tr>
<td>ii. If site has been subject of RCRA corrective activities, describe control measures:</td>
<td></td>
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<tr>
<td>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</td>
<td>☐</td>
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<td></td>
</tr>
<tr>
<td>If yes, provide DEC ID number(s):</td>
<td></td>
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<tr>
<td>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
v. Is the project site subject to an institutional control limiting property uses? □ Yes □ No
   • 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: __________________________
m. Identify the predominant wildlife species that occupy or use the project site:

n. Does the project site contain a designated significant natural community?
   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?

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?

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?
   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?
   If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present?
   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?
   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?
   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, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?  
☐ Yes ☐ No

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

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  
☐ Yes ☐ No
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 6NYCRR 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  Megan Wilson  Date 2/20/19

Signature  ___________________________  Title  Senior Planner
Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:
- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

### 1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1)

*If "Yes", answer questions a-f. If "No", move on to Section 2.*

<table>
<thead>
<tr>
<th>Relevant Part 1 Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may involve construction on land where depth to water table is less than 3 feet.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. The proposed action may involve construction on slopes of 15% or greater.</td>
<td></td>
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</tr>
<tr>
<td>c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.</td>
<td></td>
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<tr>
<td>d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.</td>
<td></td>
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<tr>
<td>e. The proposed action may involve construction that continues for more than one year or in multiple phases.</td>
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<tr>
<td>f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).</td>
<td></td>
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</tr>
<tr>
<td>g. The proposed action is, or may be, located within a Coastal Erosion hazard area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Other impacts:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2. **Impact on Geological Features**
   The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)
   If "Yes", answer questions a - c. If "No", move on to Section 3.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Identify the specific land form(s) attached:</td>
<td>E2g</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:</td>
<td>E3c</td>
<td>☐</td>
</tr>
<tr>
<td>c. Other impacts:</td>
<td></td>
<td>☐</td>
</tr>
</tbody>
</table>

3. **Impacts on Surface Water**
   The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)
   If "Yes", answer questions a - l. If "No", move on to Section 4.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may create a new water body.</td>
<td>D2b, D1h</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.</td>
<td>D2b</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.</td>
<td>D2a</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.</td>
<td>E2h</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.</td>
<td>D2a, D2h</td>
<td>☐</td>
</tr>
<tr>
<td>f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.</td>
<td>D2c</td>
<td>☐</td>
</tr>
<tr>
<td>g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).</td>
<td>D2d</td>
<td>☐</td>
</tr>
<tr>
<td>h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.</td>
<td>D2e</td>
<td>☐</td>
</tr>
<tr>
<td>i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.</td>
<td>E2h</td>
<td>☐</td>
</tr>
<tr>
<td>j. The proposed action may involve the application of pesticides or herbicides in or around any water body.</td>
<td>D2q, E2h</td>
<td>☐</td>
</tr>
<tr>
<td>k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.</td>
<td>D1a, D2d</td>
<td>☐</td>
</tr>
</tbody>
</table>
### 4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

*If “Yes”, answer questions a - h. If “No”, move on to Section 5.*

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.</td>
<td>D2c</td>
<td>[]</td>
</tr>
<tr>
<td>b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:</td>
<td>D2c</td>
<td>[]</td>
</tr>
<tr>
<td>c. The proposed action may allow or result in residential uses in areas without water and sewer services.</td>
<td>D1a, D2c</td>
<td>[]</td>
</tr>
<tr>
<td>d. The proposed action may include or require wastewater discharged to groundwater.</td>
<td>D2d, E2I</td>
<td>[]</td>
</tr>
<tr>
<td>e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.</td>
<td>D2c, E1f, E1g, E1h</td>
<td>[]</td>
</tr>
<tr>
<td>f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.</td>
<td>D2p, E2I</td>
<td>[]</td>
</tr>
<tr>
<td>g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.</td>
<td>E2h, D2q, E2I, D2c</td>
<td>[]</td>
</tr>
<tr>
<td>h. Other impacts: __________________________________________________________</td>
<td>[]</td>
<td>[]</td>
</tr>
</tbody>
</table>

### 5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

*If “Yes”, answer questions a - g. If “No”, move on to Section 6.*

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may result in development in a designated floodway.</td>
<td>E2i</td>
<td>[]</td>
</tr>
<tr>
<td>b. The proposed action may result in development within a 100 year floodplain.</td>
<td>E2j</td>
<td>[]</td>
</tr>
<tr>
<td>c. The proposed action may result in development within a 500 year floodplain.</td>
<td>E2k</td>
<td>[]</td>
</tr>
<tr>
<td>d. The proposed action may result in, or require, modification of existing drainage patterns.</td>
<td>D2b, D2e</td>
<td>[]</td>
</tr>
<tr>
<td>e. The proposed action may change flood water flows that contribute to flooding.</td>
<td>D2b, E2I, E2j, E2k</td>
<td>[]</td>
</tr>
<tr>
<td>f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?</td>
<td>E1e</td>
<td>[]</td>
</tr>
</tbody>
</table>
6. Impacts on Air
The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f, D.2.h, D.2.g) If “Yes”, answer questions a - f. If “No”, move on to Section 7.
☑ NO ☐ YES

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. More than 1000 tons/year of carbon dioxide (CO₂)</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>ii. More than 35 tons/year of nitrous oxide (N₂O)</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>iv. More than 0.045 tons/year of sulfur hexafluoride (SF₆)</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>vi. 43 tons/year or more of methane</td>
<td>D2h</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU’s per hour.</td>
<td>D2f, D2g</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above.</td>
<td>D2g</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.</td>
<td>D2s</td>
<td>☐</td>
</tr>
<tr>
<td>f. Other impacts:</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

7. Impact on Plants and Animals
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) If “Yes”, answer questions a - j. If “No”, move on to Section 8.
☑ NO ☐ YES

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.</td>
<td>E2o</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.</td>
<td>E2o</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.</td>
<td>E2p</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.</td>
<td>E2p</td>
<td>☐</td>
</tr>
</tbody>
</table>
e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.

f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.

Source: 


g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.

h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.

Habitat type & information source: 

i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.

j. Other impacts: 

<table>
<thead>
<tr>
<th>8. Impact on Agricultural Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed action may impact agricultural resources. (See Part 1, E.3.a. and b.)</td>
</tr>
<tr>
<td>If “Yes”, answer questions a - h. If “No”, move on to Section 9.</td>
</tr>
<tr>
<td></td>
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<tr>
<td>Relevant Part I Question(s)</td>
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<tr>
<td>-----------------------------</td>
</tr>
<tr>
<td>a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.</td>
</tr>
<tr>
<td>b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.).</td>
</tr>
<tr>
<td>c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.</td>
</tr>
<tr>
<td>d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.</td>
</tr>
<tr>
<td>e. The proposed action may disrupt or prevent installation of an agricultural land management system.</td>
</tr>
<tr>
<td>f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.</td>
</tr>
<tr>
<td>g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.</td>
</tr>
<tr>
<td>h. Other impacts:</td>
</tr>
</tbody>
</table>
9. Impact on Aesthetic Resources
The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
If “Yes”, answer questions a - g. If “No”, go to Section 10.

<table>
<thead>
<tr>
<th>Relevan Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.</td>
<td>E3h</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.</td>
<td>E3h, C2b</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round</td>
<td>E3h</td>
<td>☐</td>
</tr>
<tr>
<td>d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities</td>
<td>E3h, E2q, E1c</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.</td>
<td>E3h</td>
<td>☐</td>
</tr>
<tr>
<td>f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile</td>
<td>D1a, E1a, D1f, D1g</td>
<td>☐</td>
</tr>
<tr>
<td>g. Other impacts:</td>
<td></td>
<td>☐</td>
</tr>
</tbody>
</table>

10. Impact on Historic and Archeological Resources
The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
If “Yes”, answer questions a - e. If “No”, go to Section 11.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.</td>
<td>E3e</td>
<td>☑</td>
</tr>
<tr>
<td>b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.</td>
<td>E3f</td>
<td>☑</td>
</tr>
<tr>
<td>c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source:</td>
<td>E3g</td>
<td>☑</td>
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</tbody>
</table>
d. Other impacts: The plan's study area includes all of the Henry St. John Local Historic District and the AME Zion Church, a local historic landmark. No impacts are anticipated.

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</table>

If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:

i. The proposed action may result in the destruction or alteration of all or part of the site or property.
   E3e, E3g, E3f
   □ □

ii. The proposed action may result in the alteration of the property’s setting or integrity.
   E3e, E3f, E3g, E1a, E1b
   □ □

iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.
   E3e, E3f, E3g, E3h, C2, C3
   □ □

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>D2e, E1b E2b, E2m, E2o, E2n, E2p</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>C2a, E1c, C2c, E2q</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>C2a, C2c E1c, E2q</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>C2c, E1c</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

If "Yes", answer questions a - c. If "No", go to Section 13.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>E3d</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>E3d</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

Page 7 of 10
13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)
If “Yes”, answer questions a - f. If “No”, go to Section 14.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Projected traffic increase may exceed capacity of existing road network.</td>
<td>D2j</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.</td>
<td>D2j</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action will degrade existing transit access.</td>
<td>D2j</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action will degrade existing pedestrian or bicycle accommodations.</td>
<td>D2j</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may alter the present pattern of movement of people or goods.</td>
<td>D2j</td>
<td>☐</td>
</tr>
<tr>
<td>f. Other impacts: __________________________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)
If “Yes”, answer questions a - e. If “No”, go to Section 15.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action will require a new, or an upgrade to an existing, substation.</td>
<td>D2k</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.</td>
<td>D1f, D1q, D2k</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.</td>
<td>D2k</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.</td>
<td>D1g</td>
<td>☐</td>
</tr>
<tr>
<td>e. Other Impacts: __________________________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)
If “Yes”, answer questions a - f. If “No”, go to Section 16.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may produce sound above noise levels established by local regulation.</td>
<td>D2m</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.</td>
<td>D2m, E1d</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may result in routine odors for more than one hour per day.</td>
<td>D2o</td>
<td>☐</td>
</tr>
</tbody>
</table>
d. The proposed action may result in light shining onto adjoining properties.  

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D2n</td>
<td></td>
</tr>
</tbody>
</table>

e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D2n, E1a</td>
<td></td>
</tr>
</tbody>
</table>

f. Other impacts: ____________________________________________________________  

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

16. Impact on Human Health
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1.d, f, g, and h.) If “Yes”, answer questions a - m. If “No”, go to Section 17.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.</td>
<td>E1d</td>
<td></td>
</tr>
<tr>
<td>b. The site of the proposed action is currently undergoing remediation.</td>
<td>E1g, E1h</td>
<td></td>
</tr>
<tr>
<td>c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.</td>
<td>E1g, E1h</td>
<td></td>
</tr>
<tr>
<td>d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).</td>
<td>E1g, E1h</td>
<td></td>
</tr>
<tr>
<td>e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.</td>
<td>E1g, E1h</td>
<td></td>
</tr>
<tr>
<td>f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.</td>
<td>D2t</td>
<td></td>
</tr>
<tr>
<td>g. The proposed action involves construction or modification of a solid waste management facility.</td>
<td>D2q, E1f</td>
<td></td>
</tr>
<tr>
<td>h. The proposed action may result in the unearthing of solid or hazardous waste.</td>
<td>D2q, E1f</td>
<td></td>
</tr>
<tr>
<td>i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.</td>
<td>D2r, D2s</td>
<td></td>
</tr>
<tr>
<td>j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.</td>
<td>E1f, E1g, E1h</td>
<td></td>
</tr>
<tr>
<td>k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.</td>
<td>E1f, E1g</td>
<td></td>
</tr>
<tr>
<td>l. The proposed action may result in the release of contaminated leachate from the project site.</td>
<td>D2s, E1f, D2r</td>
<td></td>
</tr>
<tr>
<td>m. Other impacts: ____________________________________________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 17. Consistency with Community Plans
The proposed action is not consistent with adopted land use plans.  
(See Part 1. C.1, C.2, and C.3.)  
*If "Yes", answer questions a - h. If "No", go to Section 18.*

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
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</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).</td>
<td>C2, C3, D1a, E1a, E1b</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.</td>
<td>C2</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action is inconsistent with local land use plans or zoning regulations.</td>
<td>C2, C2, C3</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action is inconsistent with any County plans, or other regional land use plans.</td>
<td>C2, C2</td>
<td>□</td>
</tr>
<tr>
<td>e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.</td>
<td>C3, D1c, D1d, D1f, D1d, E1b</td>
<td>□</td>
</tr>
<tr>
<td>f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.</td>
<td>C4, D2c, D2d, D2j</td>
<td>□</td>
</tr>
<tr>
<td>g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)</td>
<td>C2a</td>
<td>□</td>
</tr>
<tr>
<td>h. Other:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 18. Consistency with Community Character
The proposed project is inconsistent with the existing community character.  
(See Part 1. C.2, C.3, D.2, E.3)  
*If "Yes", answer questions a - g. If "No", proceed to Part 3.*

<table>
<thead>
<tr>
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<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.</td>
<td>E3e, E3f, E3g</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action may create a demand for additional community services (e.g., schools, police and fire)</td>
<td>C4</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.</td>
<td>C2, C3, D1f, D1g, E1a</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.</td>
<td>C2, E1a</td>
<td>□</td>
</tr>
<tr>
<td>e. The proposed action is inconsistent with the predominant architectural scale and character.</td>
<td>C2, C3</td>
<td>□</td>
</tr>
<tr>
<td>f. Proposed action is inconsistent with the character of the existing natural landscape.</td>
<td>C2, C3, E1a, E1b, E2g, E2h</td>
<td>□</td>
</tr>
<tr>
<td>g. Other impacts:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Please see attached.

---

<table>
<thead>
<tr>
<th>Determination of Significance - Type 1 and Unlisted Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEQR Status: □ Type 1 □ Unlisted</td>
</tr>
<tr>
<td>Identify portions of EAF completed for this Project: □ Part 1 □ Part 2 □ Part 3</td>
</tr>
</tbody>
</table>
Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Common Council as lead agency that:

✓ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

| Name of Action: Adoption of the Greater Southside Neighborhood Plan |
|------------------------|-------------------|
| Name of Lead Agency: Common Council |
| Name of Responsible Officer in Lead Agency: Svante L. Myrick |
| Title of Responsible Officer: Mayor |
| Signature of Responsible Officer in Lead Agency: |
| Signature of Preparer (if different from Responsible Officer) Megan Wilson |
| Date: 2/20/2019 |

For Further Information:
Contact Person: Megan Wilson, Senior Planner
Address: 108 E. Green Street, Ithaca, NY 14850
Telephone Number: (607) 274-6580
E-mail: mwilson@cityofithaca.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:
Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
FULL ENVIRONMENTAL ASSESSMENT FORM PART 3 – ATTACHMENT

PROPOSED ACTION: Adoption of the Greater Southside Neighborhood Plan

DATE: February 14, 2019

PROJECT DESCRIPTION

The proposed action is the adoption of the Greater Southside Neighborhood Plan as part of Phase II the City’s Comprehensive Plan. The plan will serve as a guide for the implementation of Plan Ithaca at the neighborhood level. It addresses issues identified by neighborhood residents and provides specific recommendations to address those concerns and implement Plan Ithaca’s broader goals. The Greater Southside Neighborhood Plan follows the format of Plan Ithaca and includes the following chapters: Land Use; Economic Vitality; Community Livability; Mobility & Transportation; Natural & Cultural Resources; and Sustainable Energy, Water, & Food Systems.

Plan Ithaca’s three thread-through themes again serve as overarching concepts that guide the entire Greater Southside Neighborhood Plan. Each chapter reflects the principles of sustainability, equity, and collaboration, as described below.

- **SUSTAINABILITY:** Living in a way that allows present generations to meet their needs without compromising the ability of future generations to meet their own needs. A sustainable community must safeguard the health and well-being of its economic, social, and environmental systems — including food security, clean air and water, healthy ecosystems, and effective governance.

- **EQUITY:** The services, amenities, and opportunities that are available through City efforts are accessible to all residents through means that preserve dignity and that are free of discrimination. These may include participation in decision-making, as well as access to information, housing, transportation, economic opportunity, jobs and job training, recreation, and a safe and healthy environment.

- **COLLABORATION:** The City works in partnership with other municipalities, educational institutions, and community organizations to realize the goals of Plan Ithaca.

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

The study area includes the Henry St. John Historic District, a certified local historic district, and the St. James AME Zion Church, a local and National Register landmark. Neither the adoption of the Greater Southside Neighborhood Plan nor the implementation of any of the plan’s recommendations will have a negative impact on these historic resources.
To: Planning and Economic Development Committee Members  
From: Jennifer Kuszniir, Senior Planner  
Date: March 8, 2019  
Re: Inter City Bus Service on Green Street

This memo is intended to provide information regarding the intercity bus service on Green Street. In October of 2018, the Common Council directed staff to enter into an agreement with the intercity bus providers in order to allow them to use the Green Street stop for a period of six months. The current agreement is scheduled to expire at the end of March. This topic was discussed at last month’s meeting and staff was directed to draft a resolution to extend the agreement for an additional six months.

In order to continue using Green Street as an intercity bus stop, staff recommends that the City include the following conditions, in order to ensure safety and convenient traffic flow:

- City staff convene a meeting with bus providers to discuss necessary changes that need to be made in order to continue with Green Street intercity bus service. The bus companies will also be informed that there is no room for expansion of future service at this location so that they can make an informed decision of whether this space meets their needs now and in the future.
- The City will need to paint the bus lanes on Green Street and will charge the intercity bus providers for this improvement. This will be an additional charge above the use agreement fee.
- Buses will need to specify dates that will have additional buses (holidays, student arrival and departure dates) and will need to provide on street staff on these dates to direct customers to their buses, and to direct bus drivers to the appropriate locations. If the City determines that an additional CSO needs to be assigned to this area during heavy traffic times in order to issue tickets, the City will charge the bus operators for this service. This will also be a charge above the agreement fee.
- All of the bus companies will be required to provide accommodations for their passengers. This can be accomplished through an agreement with an existing facility, but they will need to show proof that they have permission to use existing facilities.
- The bus permit agreement should continue to allow for revocation for failure to comply with requirements. There will be no tolerance of unloading luggage on the street side, encroaching on the bike lane, unloading from a travel lane, or any other behavior deemed unsafe by the City.
- If additional improvements are determined to be necessary in order to allow for traffic flow, the City will pass the costs onto the bus operators.

Enclosed for your consideration is a draft resolution to extend the intercity bus agreements until August 31, 2019. Please feel free to contact me with any questions or concerns.
DRAFT RESOLUTION - Renewal of Bus Operator Agreements to Continue Bus Operations on Green Street

1. WHEREAS, Section 346-31 of the City Code states that no bus shall operate, stop on or stand on any City street, nor shall such bus pick up or discharge passengers on any such City street or curb, or any other public property, or within 200 feet of any City bus stop in the corporate limits of the City of Ithaca, unless a permit is obtained from the Common Council or its designee, and

2. WHEREAS, in September 2018, Common Council passed a resolution to allow the use of East Green Street as an intercity bus stop, and

3. WHEREAS, staff prepared and executed agreements with the intercity operators for a 6 month trial period, and

4. WHEREAS, the intercity bus operator agreements will expire in on March 31, 2019, and

5. WHEREAS, staff from Planning and Public Works have been continually evaluating this program to determine whether this location is feasible as a long term solution for intercity bus use, and

6. WHEREAS, staff has determined that the inclusion of an intercity bus stop is convenient for bus patrons to be able to connect to points around the City or to alternate travel modes, that increased foot traffic helps to support local businesses, and that on most days during the trial period, there have not been significant issues, and all of the buses have been able to use the street, and

7. WHEREAS, staff also found that the inclusion of intercity buses to Downtown has created some challenges, including City crews not having the capacity to remove snow from the street and sidewalk early enough to allow for the bus top to remain functional; intercity buses parking in the TCAT spaces; lack of rest areas for intercity passengers; drivers and passengers loading luggage on the street side of the buses; and too many on street buses during holidays and other large travel days; and

8. WHEREAS, staff recommends that the Common Council conditionally renew the agreement until August 31, 2019, in order to allow for a full year evaluation of this site, and

9. WHEREAS, staff recommends that the agreement include conditions in order to ensure that the on street traffic continue to flow safely and effectively; now, therefore be it,
1. **RESOLVED**, that the Common Council approves the continued use of East Green Street/NYS Route 79 for Shortline/Coach USA, Trailways of New York, and Greyhound to operate transit services for an additional 6 month period, to expire on August 31, 2019, with the following conditions:

- City staff will convene a meeting with bus providers to discuss changes that need to be made in order to continue with Green Street intercity bus service. The bus companies will also be informed that there is no room for expansion of future service at this location so that they can make an informed decision of whether this space meets their needs now and in the future.
- The City will paint the bus lanes on Green Street and will charge the intercity bus providers for this improvement. This will be an additional charge above the use agreement fee.
- Buses will specify dates with additional buses (holidays, student arrival and departure dates) and will provide on street staff on these dates to direct customers to their buses and bus drivers to the appropriate pick-up locations. If the City determines that an additional CSO needs to be assigned to this area during heavy traffic times in order to issue tickets, the City will charge the bus operators for this service. This will be an additional charge above the agreement fee.
- All of the bus companies will be required to provide accommodations for their passengers. This can be accomplished through an agreement with an existing facility, but they must show proof that they have permission to use existing facilities.
- The bus permit agreement will continue to allow for revocation for failure to comply with requirements. There will be no tolerance of unloading luggage on the street side, encroaching on the bike lane, unloading from a travel lane, or any other behavior deemed unsafe by the City.
- If additional improvements are determined to be necessary to allow for safe, unimpeded traffic flow, the City will pass the costs onto the bus operators.

Be it further;

2. **RESOLVED**, that the Common Council will re-assess this agreement prior to August 31, 2019, in order to determine whether to continue to allow Green Street to be used for intercity buses.
Compilation of e-Scooter Research
Prepared for the Ithaca PEDC and Common Council

Sarah Barden and Megan Powers
Members, Mobility Accessibility, and Transportation Commission

Created 5 February 2019
Revised 6 March 2019

Sarah Barden and Megan Powers (SB/MP, “we”) have done this research on behalf of the
Mobility, Accessibility, and Transportation Commission (MATCom) at the request of the
Planning and Economic Development Committee (PEDC). We presented our draft report and
findings to MATCom, which has reviewed and commented on the evolving report and has
approved its moving forward to PEDC for review on its merits.
Executive Summary

The City of Ithaca Planning and Economic Development Committee (PEDC) asked the Mobility, Accessibility, and Transportation Commission (MATCom) to research several facets of e-scooter implementation to help the City of Ithaca determine whether and how to launch an e-scooter sharing pilot program. This research was undertaken by Sarah Barden and Megan Powers.

Given our research, we believe e-scooters represent an exciting opportunity for the City of Ithaca and that it is in Ithaca’s best interest to establish a Memorandum of Understanding (MOU) for an e-scooter pilot program beginning in Spring 2019. Creating a pilot program for e-scooter sharing allows Ithaca to observe how e-scooter sharing impacts Ithaca and to collect ridership data without tying the city to a permanent decision. Until e-scooter riding in Ithaca is well understood, we believe establishing an exclusive agreement with one e-scooter provider is reasonable.

The basics of a dockless e-scooter sharing program typically include:

- Access to e-scooters via a smartphone app, unless using the LimeAcess program (see Equitable Ridership for more details).
- In-app User Agreement, education, and safety instructions.
- A daily curfew (as determined by the municipality) after which all e-scooters are turned off and removed from city streets; during this time they are re-charged.
- A minimum age requirement of 18.

Any MOU regarding e-scooters should follow the guidelines outlined by NACTO and should establish clear regulations regarding e-scooter usage, including points listed below.

- Inclusion of insurance and indemnification clauses
- Establishment of a maximum e-scooter speed of 15 mph
- Establishment of fees or payments made to Ithaca by the e-scooter provider

Ithaca should consider requiring Lime to maintain a minimum fleet of bicycles along with the e-scooter program to serve the youth and underprivileged population.

Even with a detailed MOU, Ithaca should expect challenges with an e-scooter program. Citizens and tourists will ride e-scooters illegally on the sidewalks, and residents will express concern about both improper ridership and lack of enforcement. Further, some e-scooters will be parked inappropriately, possibly impacting ADA or rescue access. Ithaca can address these concerns proactively by creating education initiatives, leveraging local interested NGOs, and formally documenting expectations with Lime.

All the cities we interviewed faced some challenges in implementing their e-scooter programs, but all have chosen to renew the programs for the next year.
Methodology

Sarah Barden and Megan Powers have spoken with representatives from several cities to learn how these municipalities have approached e-scooter sharing and what challenges they have faced. We have also researched best practices for e-scooter implementation. We have shared our initial findings with several city departments (City Clerk, Engineering, Planning and Economic Development, and Fire) and collected their feedback. Finally, we have spoken with Jeff Goodmark, local Operations Manager for Lime, to understand Lime’s hopes and expectations for an e-scooter program in Ithaca. Our findings are summarized in the following sections.

Pros and Cons of E-Scooter Sharing

E-scooters provide a new transportation option for residents and tourists, but they also have drawbacks. See also data from


Pros of E-Scooter Sharing

- E-scooters help solve the “last-mile” problem, giving people an easy option to make a trip that is too long for a comfortable walk but too short for a car ride. In specific, the DePaul study found e-scooters were a strong, cost-efficient, time-competitive alternative to cars for trips between 0.5 and 2 miles.
- E-scooters have a smaller parking footprint than bicycles or automobiles.
- E-scooters require little effort or skill to ride, especially compared to bicycles.
- E-scooters can provide a reliable means of transportation for those who cannot use or afford a car. This, in turn, can have a positive impact on job accessibility and business commuting.
- E-scooters have the potential to make jobs more accessible compared to public transit or walking alone. For example, DePaul’s study found this to be true for 16% of jobs in their study area.
- E-scooters can replace cars, especially among tourists. In Portland, 34% of residents and 48% of tourists reported choosing to take a scooter rather than a personal vehicle or taxi, Uber, or Lyft ride.
Cons of E-Scooter Sharing

- E-scooters are a new technology. Cities and residents must learn how to integrate them into daily living while their risks are not yet understood.
- E-scooters are often used on sidewalks, increasing pedestrian discomfort and frustrating those who would like to see sidewalk riding regulations enforced.
- E-scooters that are parked improperly can cause accessibility concerns.
- E-scooters bring some people a perception of danger and risk. The studies needed to assess the risk have not yet been completed. A careful evaluation of bike-sharing and e-scooter-sharing statistics would reveal the relative risks, but this has not been done.
- E-scooters may be more sensitive to irregular pavement than bicycles. Because of their bigger wheels, bicycles tend to be more stable across bad pavement than e-scooters. Note: the diameter of the Lime-S Gen 3.0 e-scooter is 10 inches, while the diameter of a toddler’s balance bike is 12 inches.
- E-scooters are less visible than Lime bicycles. They can be less visible than general bicycles because of their smaller profile, but they also have front and rear lights.

Safety

Like bicycles and other small transportation devices, e-scooters are associated with safety risks. To date, few extensive studies have been completed regarding e-scooter safety, and results are mixed. Most evidence suggests that the injury risk associated with e-scooter usage is comparable to that of bicycle usage.

Fatalities

There have been two fatalities associated with e-scooter sharing programs in the United States. At the time these fatalities occurred, there had been approximately 21 million rides on e-scooters. One report (https://usa.streetsblog.org/2018/09/24/e-scooter-deaths-underscore-the-urgent-need-for-safer-streets/) used this statistic to suggest that e-scooter sharing was approximately six times more deadly than bike share programs, using two US bike share fatalities over the course of 123 million rides. With such a small number of incidents in each case, however, the statistical uncertainty in the actual fatality rate is larger than the difference between the two modes of transportation (2 ± 1.4 in each case). It is thus impossible to draw useful conclusions from this data. A later report by the same author (https://usa.streetsblog.org/2018/12/19/deep-dive-are-e-scooters-unsafe-at-any-speed/) took a more nuanced approach.

Injuries

Comprehensive Injury statistics for e-scooter use are not yet available, but the CDC launched its first study of e-scooter safety by evaluating data collected in Austin, TX, last fall (https://www.texasmonthly.com/article/cdc-study-electric-scooters-austin/). Until those results
are released, there are a few other sources of injury data collection available for review. Austin’s Mobility Committee of Council reported that between Sept. 29, 2018 and Oct. 31, 2018, there were nine scooter injuries, compared to 32 bicycle injuries, 44 pedestrian injuries, and 592 motor vehicle injuries in the same period (<http://www.austintexas.gov/edims/document.cfm?id=311739>).

The city of Portland, OR, found there were 176 e-scooter-related injuries reported to the emergency room between July 25 and Nov. 20, 2018. During the same period, there were 429 bicycle-related ER visits (<https://www.portlandoregon.gov/transportation/article/709719>).

As explained in the Portland report, it is difficult to compare e-scooter and bicycle injury rates because there is relatively little information about the number and length of bicycle trips.

Among the cities we contacted to discuss e-scooter programs, Memphis and Harrisonburg reported evidence of e-scooter injuries. In Memphis, there were a couple serious head injuries in Memphis during the pilot period that were related to e-scooter use. The city responded by mandating the e-scooter apps include rider education, and they pushed for safety demonstrations and free helmet giveaways. Memphis also trained its downtown tourism representatives about e-scooter usage for tourists. These measures appeared to make a positive impact on rider safety.

Harrisonburg reported a James Madison University student fell while riding down a steep hill, breaking his arm.

Providence and St. Paul all commented that safety was a priority for them and that they wanted to provide education initiatives, but that they did not have injury statistics and had only limited injury anecdotes.

**Additional Comments about Safety**

There is a learning curve associated with riding e-scooters that results in an initial elevated risk of crashes when riding an e-scooter. Further, because e-scooter tires are smaller in diameter than most bicycle tires, they can be comparatively more difficult to ride safely over cracks and uneven pavement.

Lime is replacing all their e-scooters with the new Lime-S Gen 3.0, which Wired reviewed in October of 2018 (<https://www.wired.com/story/lime-scooter-gen3-design/>). This model has notable safety improvements over previous models, including larger (10-inch) tires, dual suspension, an improved braking system (electrical and mechanical in front; step-based at the back), a maximum speed of 14.8 mph, and an active rear light and reflectors for increased visibility.
Educational outreach and demonstration programs, along with customized safety tips, could be used to help address e-scooter ridership risks. Eric Hathaway from Engineering has begun the process of working with Cayuga Medical Center to help collect injury statistics.

Lime requires all e-scooter riders to be at least 18 years old.

**Insurance and Liability**

It is common for cities to include insurance and indemnification clauses in their agreements with e-scooter providers, and NACTO guidelines recommend that cities require providers to hold insurance and to indemnify the city in the event of injury.

The current MOU between Ithaca and Lime for bicycle sharing includes provisions for both indemnification and insurance:

6. Indemnification. LimeBike shall defend, pay, indemnify and hold harmless City, its officers, officials, employees, agents, invitees, and volunteers (collectively "City Parties") from all claims, suits, actions, damages, demands, costs or expenses of any kind or nature by or in favor of anyone whomsoever and from and against any and all costs and expenses, including without limitation court costs and reasonable attorneys' fees, resulting from or in connection with loss of life, bodily or personal injury or property damage arising directly or indirectly out of or from or on account of:
   a. Any occurrence upon, at or from City Property or occasioned wholly or in part by the entry, use or presence upon City Property by LimeBike or by anyone making use of City Property at the invitation or sufferance of LimeBike, except such loss or damage which was caused by the sole negligence or willful misconduct of City.
   b. Use of LimeBike's bikes by any individual, regardless of whether such use was with or without the permission of LimeBike, including claims by users of the bikes or third parties.

7. Insurance. LimeBike shall procure and maintain for the duration of this agreement insurance against claims for which LimeBike has indemnified the City pursuant to Section 5 of this Agreement. LimeBike shall maintain General Liability limits no less than One Million and no/100 Dollars ($1,000,000.00) per occurrence for bodily injury, personal injury and property damage, and in the sum of One Million and no/100 Dollars ($1,000,000.00) for injury to or death of more than one person for each occurrence, and Umbrella coverage no less than Five Million and no/100 Dollars ($5,000,000.00). Each insurance policy shall name the City as an additional insured and it shall be endorsed to state that: (i) coverage shall not be suspended, voided, or cancelled by either party, or reduced in coverage or in limits except after thirty (30) calendar days prior written notice by certified mail, return receipt requested, has been given to City; and (ii) for any covered claims, the LimeBike's insurance coverage shall be primary insurance as respects the City and any insurance or self-insurance maintained by the City shall be in excess of the LimeBike's insurance and shall not contribute with it.
The insurance required to be provided herein, shall be procured by an insurance company approved by City, which approval shall not be unreasonably withheld.

Currently, insurance coverage for riders is handled through the e-scooter companies' usage agreements. There is no explicit coverage to protect riders in the event of an injury or malfunction.

Lime’s User Agreement can be found here: https://www.li.me/user-agreement

**Equitable Ridership**

Access to e-scooters can potentially provide a new, affordable mode of transportation to those who need it most. To help encourage equitable distribution and usage of e-scooters, several cities, including Providence, Portland, and St. Louis, have stipulations requiring e-scooter providers to ensure e-scooters are distributed among a variety of neighborhoods.

St. Louis did so by specifying Social Equity and Inclusion Target Neighborhoods (http://www.stlbikeshare.org/uploads/7/8/3/3/7833643/bike_share_social_equity_and_inclusion_target_neighborhoods.pdf) “which mapped out areas with high concentrations of low income households, people of color, households with no access to a vehicle, and non-English speakers. The neighborhoods with high concentrations of those factors that were also within reasonable biking distance of MetroLink and the urban core of the city were chosen as places that could benefit the most from additional affordable transportation option.”

Lime has a program called Lime Access which provides access to their bicycles for people without smartphones, bank cards, or people who live in a low-income household. Lime Access users can text-to-unlock bikes, pay in cash, and receive a 95% discount on pedal bikes and 50% discount on Lime-E. Jeff Goodmark from Lime has confirmed that Lime Access will be active for e-scooters as well.

**Geography**

Because of their relatively small motors, e-scooters struggle to climb steep hills such as those that surround the Ithaca Commons. Scooters can be staged along hills and at the tops of hills to provide users with downhill access.

Of the cities we questioned, both Providence and Harrisonburg have some significant hills.

Harrisonburg has a similar geography to Ithaca, with a flat downtown area surrounded by steep hills. Harrisonburg reported that Bird stages quite a few e-scooters to serve students living at the top of the hill. Ridership declines sharply in areas where the hills are steepest, but they did report one student broke his arm as a result of a fall while riding an e-scooter down a steep section of hill.
Providence reported that e-scooters are not used as much on hills.

Lime has indicated that the hills surrounding Ithaca can be geofenced to prevent riding the scooters up or down the hills.

E-Scooter Sharing in Other Cities

Sarah Barden and Megan Powers have communicated firsthand with city employees about their e-scooter programs in four cities: Harrisonburg, VA, Memphis, TN, Providence, RI, and St. Paul, MN. Portland, OR, provides extensive information about its e-scooter program online. Reviewing conversations with these cities revealed several common themes.

- Cities use the NACTO Guidelines to model their MOUs and ordinances.
- Cities rely on their existing bike infrastructure for e-scooters (as opposed to building new infrastructure).
- Cities limit e-scooter speed to 15 mph, at least in some areas.
- Cities employ selective geofencing to prohibit e-scooters from particular areas. Geofencing uses GPS to establish a virtual perimeter around an area. The device’s software can respond to the geofence in a variety of ways. For example, a geofence can be set up so that an e-scooter cannot be ridden within a particular boundary (for example, on the Ithaca Commons).
- Cities are concerned about poorly parked e-scooters. Lime scooters have generally been parked well, and Lime staffing has been responsive.
- Cities are concerned about safety and want to launch education initiatives. Most have not done so because of the logistics and cost involved.
- Cities struggle with citizens riding e-scooters on sidewalks but do not have a good solution.

Harrisonburg, VA

Of all the cities MATCom investigated, Harrisonburg is closest in size to Ithaca. Like Ithaca, it is a college town with a centralized downtown area. Harrisonburg was the least prepared of the cities for the influx of e-scooters. Both Bird and Lime brought e-scooters to Harrisonburg before the city had prepared e-scooter guidelines or established an MOU. Harrisonburg found itself at the center of an escalating e-scooter competition between Bird and Lime and became overwhelmed with the number of e-scooters.

The city was able to rein in the e-scooter companies and now has a good relationship with Lime. It has worked with Lime to implement temporary geofencing for events. Harrisonburg is now looking to expand the Lime fleet to include bicycles.
More so than other cities we researched, Harrisonburg reported conflict between drivers and e-
scooters.

After the first 32 days with Bird scooters, Bird told Harrisonburg that there had been 26,779 total
rides, with an average ride length of 0.77 miles and duration of 8.9 minutes. During this period,
Harrisonburg estimates the scooters received an average of close to 5 trips per day.

During January and February, the Lime scooters averaged only 1.6 rides per scooter per day,
but this included two days of inclement weather where there were no rides recorded. Removing
these days, the scooters average between 2 and 2.2 rides per day.

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Memphis, TN

Memphis studied how other cities responded to e-scooters and created an ordinance in
advance of their arrival in the city. When Nashville ejected Bird e-scooters from the city,
Memphis invited Bird there instead and quickly worked with Bird to create an interim operating
agreement.

Lime introduced 250 e-scooters after being asked by the city to wait for the interim agreement
with Bird, but Memphis responded by impounding the Lime e-scooters. Memphis negotiated a
deal with Lime two months later.

Improper parking that blocked ADA access was initially a problem in Memphis, but Bird helped
address the issue by firing some of the chargers who were not complying with regulations and
by including staffers who ride around the city and reposition poorly parked devices.

Memphis added e-scooter specific parking. Its bike infrastructure was lightly used, so the
introduction of e-scooters has not caused a strain.

Memphis manages volume by requiring e-scooters to average 3 rides per day.

A few citizens needed care at a trauma center following head injuries related to e-scooter use.
Memphis has since required that the e-scooter apps include rider education. Memphis has also
educated its downtown representatives about e-scooter usage for tourists.

Contact:
   Doug McGowen
   Chief Operating Officer, City of Memphis
Providence, RI

Providence is interesting because it allows both cycling and e-scooter riding on its sidewalks. The sidewalks in Providence are not particularly wide, and the increased ridership has caused increasing tension. So far, there isn’t enough data to determine whether crashes between e-scooter riders and pedestrians are more likely to occur in Providence than in other cities. Providence is investigating several options to limit e-scooter riding on sidewalks, including introducing a ban to riding e-scooters on downtown streets and explicitly linking allowed sidewalk use with the lack of a designated bike lane.


Citizens’ reception to the e-scooter program has been less enthusiastic than the reaction to the bike-sharing program. The on-the-ground team for the bike share component has generally been more responsive than a similar team for the e-scooter program.

Providence currently hosts two e-scooter companies. One of them pulled out for the winter, and the other has significantly reduced ridership, even though Providence has had relatively little snowfall to date.

Providence charges its scooter providers $1 per scooter per day, and its scooters have averaged 2.5 trips per day per scooter.

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Principal Planner
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St. Paul, MN

St. Paul currently has agreements with both Bird and Lime for e-scooter sharing. The city preemptively addressed concerns about poorly parked e-scooters by including a provision that the e-scooter providers would pay the city whenever a city employee was called to reposition an e-scooter. The agreement gives the e-scooter company a window before the city employee is called. St. Paul has still struggled with illegally or poorly parked e-scooters, but the city has found that the e-scooters are repositioned or re-rented before its staff can arrive on the scene.
St. Paul struggles with citizens riding e-scooters on the sidewalks (which is illegal) and in various parks where bicycles and similar devices are banned. They hope to launch an education initiative in the future.

Overall response to the e-scooter program has been positive. There have been complaints about negative pedestrian-scooter interactions, but there has not been a noticeable uptick in crashes.

St. Paul does not have an e-scooter program active for the winter but plans to renew agreements for the spring.

The St. Paul MOU can be viewed here: https://drive.google.com/file/d/0B3kAZ5t5YyDKem5LR3F3TDBoX1h5TUhxNHZpOU83YXVMeTQ4/view?usp=sharing

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Portland, OR

We have not spoken with anyone in Portland firsthand, but Portland has made a wealth of information available online.

Portland commissioned an independent, scientific study of e-scooter ridership and perceptions as part of its pilot program.

On the whole, the people of Portland approve of the e-scooter program. Citizens with positive views of the program stressed the flexibility, convenience, and fun of the program. Those with negative views were concerned about improper or illegal use of e-scooters. Top priorities among all survey respondents were education about and enforcement of the current rules.

See Portland’s PBOT page for more information and to read its reports: https://www.portlandoregon.gov/transportation/77294

Feedback from City Departments

Representatives from city departments we have interviewed have generally been positive about implementing an e-scooter program. Most are concerned about helping to ensure safety and/or to curtail improper parking.
City Clerk

Julie Holcomb is especially concerned about safety and is willing to collaborate with Lime and NGO’s like BikeWalk Tompkins to deploy education initiatives. In particular, she would like to see a proactive education campaign prior to the launch of any pilot program. She recommends a FAQ and timeline to be provided to City staff and downtown representatives. She prefers a curfew that aligns with sunset to prevent scooter use after dark.

Engineering

Tim Logue suggests Ithaca ask the Health Department to help collect e-scooter incident data. He also recommends we ask Lime to sponsor an independent study about e-scooter usage. He recommends we wait to see where the e-scooters are used before introducing new infrastructure requests. He is in favor of using a pilot program to learn more about how this alternate form of transportation would be utilized by residents and visitors.

Fire Department

Chief Tom Parsons has concerns about insurance and liability, but his top priority is safety. He would be in favor of e-scooters if Ithaca can implement requirements and education to make their use as safe as possible.

Planning and Economic Development

The Planning and Economic Development Division was particularly interested in ensuring the scooters and bikes are spread equitably throughout Ithaca. Scooter use is limited to people who are 16 or older, but Ithaca Youth can benefit strongly from enhanced mobility options. An agreement with Lime could also require Lime Bikes to be distributed so that they’re easy for middle- and high-school students to use for accessing after-school activities.

They saw an opportunity to make The Commons more accessible by allowing scooters on The Commons but limiting their speed to 5 mph. Unfortunately, the technology for scooters to achieve this is not quite ready, and Lime recommends enforcing having no scooters on the Commons.

JoAnn Cornish strongly endorses education initiatives and encourages training downtown tourism staff to promote safe scooter ridership.

To address concerns about parking, Planning recommended considering drop-off zones for bike and scooter share vehicles as seen in Seattle (https://sdotblog.seattle.gov/2018/03/15/new-designated-bike-share-parking-areas-come-to-ballard/) to be designated with on-street/sidewalk paint or installation of physical corrals or barriers. Locations would be chosen not to detract from vehicle parking or interfere with accessibility.
The Planning Division appeared open to an interim scooter agreement with Lime and would appreciate a draft MOU that meets the NACTO Guidelines to serve as a basis moving forward. They believe Lime should pay an operating fee of some amount to the City of Ithaca.

City Attorney

Aaron Levine recommended that he be involved in drafting the MOU if the city indicated interest in pursuing a pilot program for e-scooters, but that he did not need to weigh in at this time.

Police Department

To date, we have not been able to schedule a meeting with the Ithaca Police Department.

Feedback from Lime

Jeff Goodmark from Lime says his company places emphasis on safety foremost and also concentrates on accessibility, affordability, and availability of shared transport devices. Since its bicycle-sharing launch in April 2018, there have been approximately 90,000 rides, with 12,000 of these on e-bikes. Lime currently employs several people in Ithaca depending on the season. Currently, in the winter, Lime has two full-time employees and six part-time employees. This will be increasing soon as temperatures increase.

Lime attests it will not launch e-scooters without a formal agreement to do so with the city of Ithaca. The company is willing to conduct education and publicity events leading up to a program launch. The maximum scooter speed will be set to 15 mph. The company will target an average ridership of four rides per scooter per day. The Lime Access program is still available with e-scooters.

While e-scooters are profitable to Lime, the bicycles are not. Consequently, Lime feels it is important to introduce e-scooters to Ithaca. Lime would like to see e-scooters introduced in April and requests that Ithaca sign an exclusive agreement with Lime for e-scooters.

New York State Law

Currently, e-scooters are illegal in New York State, but enforcement appears to be largely left to individual municipalities.

A proposal in Gov. Andrew Cuomo’s state budget would establish state traffic laws governing electric bikes and scooters and authorize local governments to authorize them as they prefer.

NACTO Guidelines

NACTO, the National Association of City Transportation Officials, developed a set of policy guidelines it believes all cities should follow when navigating “shared active transportation.” These are on pages 6-9 of “Guidelines for the Regulation and Management of Shared Active Transportation”, v. 1, July, 2018: [https://nacto.org/wp-content/uploads/2018/07/NACTO-Shared-Active-Transportation-Guidelines.pdf](https://nacto.org/wp-content/uploads/2018/07/NACTO-Shared-Active-Transportation-Guidelines.pdf)

Conclusion

Sarah Barden and Megan Powers have found that on the whole, e-scooters represent an exciting opportunity for the City of Ithaca. We believe Ithaca should develop an exclusive e-scooter agreement with Lime, separate from the bike-share MOU, to launch a pilot e-scooter program for a predefined, renewable period of time.

Ithaca should expect citizens to ride e-scooters illegally on the sidewalks. Residents will express concern about both improper ridership and lack of enforcement. The city can help alleviate these concerns by working with Lime to ensure proper ridership is supported and to leverage local interested NGOs and groups to better educate residents. We strongly support a proactive education campaign prior to the launch of the pilot program.

The parking of e-scooters will be a second area of concern. Ithaca should act proactively with Lime to ensure its employees are actively monitoring scooters for improper parking.

Any MOU regarding e-scooters should follow the guidelines outlined by NACTO. Ithaca should ensure the insurance and indemnification clauses are in place and that the maximum scooter speed is limited to 15 mph. Ithaca should establish fees associated with e-scooter operation in the city. Because e-scooters are more expensive to ride than bicycles, and because e-scooter ridership is limited to those 18 and older, Ithaca should consider requiring Lime to maintain a minimum fleet of bicycles along with the e-scooter program. Lime asked for an exclusivity agreement for e-scooters. Ithaca is small enough that it is reasonable to work exclusively with one provider until e-scooter riding is well understood.
Committee Members Attending:

Committee Members Absent:

Other Elected Officials Attending: 15

Staff Attending:

Others Attending: 6 00

1) Call to Order/Agenda Review

2) Special Order of Business

a) Public Hearing – Acquisition of the Former Immaculate Conception School Gymnasium
3) Public Comment and Response from Committee

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

Theresa Alt, 206 Eddy Street, stated there is an Ithaca rental brochure. She forwarded the url address to committee members. There is a state-wide change coming regarding renter protections.

Dan Hoffman, 415 Elm Street, pointed out a number of excerpts from the Ithaca comprehensive plan. It clearly states the need to protect the neighborhoods. The back yards on these properties are a very important part of their properties. There are changes coming. Infill housing will create a huge impact on neighborhoods. The City needs to save these neighborhoods.

Fred Muratori, 214 Lake Street, spoke on infill guidelines. Because there is not a significant definition of "tiny" house, approvals are granted without much of a site-plan review. Backyard infill should be the last option for the City to look at.

Ashley Miller, 126 Sears Street, spoke on infill development and asked for a clarification of whether a limited site-plan review will be required. With a limited a site-plan review, there is no committee to review, no public hearing or meeting. This will produce harmful neighborhood problems.

Ken Jaffe, 218 Lake Avenue, spoke on infill housing. The recommendation does not mention any reference as to unused green space. Community character needs to be protected. We need an overall community plan, flood plan, etc.

Fay Gougakis, 171 East State Street, stated that she often is characterized as a loud person with devious mannerisms. She further stated that when watching Common Council meetings on TV, they can be hardly heard. She also spoke on the LimeBikes now in the City. They are a nuisance to the City. She has talked about this problem for a year, and no one is listening. Fines should be implemented. The Ithaca Times ran an article about scooters coming to the area. We need to discuss this further.

Tom Shelley, 118 East Court Street, spoke on chickens and thanked the Planning Board for their work. It took nine years to get the ordinance in place. Seventeen families currently raise chickens. He would like to see the chicken ordinance continue.

Joe Wilson, 75 Hunt Hill Road, thanked the Planning Board for the letter in the packet regarding climate change and building environmental issues.

Response from the Committee:
Chair Murtagh thanked all those who came to speak. He further stated the infill development guidelines are being looked at. When infill came to this committee
4) Updates:
   a) Energy Issues / Green Building Policy

5) Action Items (Voting to Circulate)
   a) Southside Plan

   Alderperson Smith moved to circulate; seconded by Alderperson Lewis. Carried unanimously.

6) Action Items (Voting to Send on to Council)
   a) Acquisition of the former Immaculate Conception School Gymnasium

   Acquisition of the Former Immaculate Conception School Gymnasium – Declaration of Lead Agency
   Moved by Alderperson Lewis; seconded by Alderperson Smith. Carried Unanimously.
   WHEREAS, the City of Ithaca Common Council is considering acquisition of a parcel of land containing the 9,156 square foot gymnasium on the former Immaculate Conception school campus, located at 320 W. Buffalo Street, Ithaca, NY, and
WHEREAS, the proposed acquisition of less 2.5 acres of contiguous land is an Unlisted Action under the City Environmental Quality Review Ordinance (CEQRO), and

WHEREAS, State Law and Section 176.6 of CEQRO require that a Lead Agency be established for conducting environmental review of proposed actions 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, no other agency than the City of Ithaca Common Council has jurisdiction to approve or undertake the proposed action; now, therefore, be it

RESOLVED, that the City of Ithaca Common Council does hereby declare itself Lead Agency for the environmental review of the proposed acquisition of the former Immaculate Conception school gymnasium.

Acquisition of the Former Immaculate Conception School Gymnasium – Environmental Significance

Moved by Alderperson Smith; seconded by Alderperson Flemming. Carried unanimously.
WHEREAS, the City of Ithaca Common Council is considering acquisition of a parcel of land containing the 9,156 square foot gymnasium on the former Immaculate Conception school campus, located at 320 W. Buffalo Street, Ithaca, NY, and

WHEREAS, the City of Ithaca Common Council declared itself Lead Agency for the environmental review of this proposed action, and

WHEREAS, such proposed action for the acquisition of less than 2.5 contiguous acres of land is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance (“CEQR”) and an Unlisted Action under the State Environmental Quality Review Act (“SEQR”), both of which require environmental review, and

WHEREAS, a Short Environmental Assessment Form (SEAF) and supporting information has been prepared and provided to the City of Ithaca Parks, Recreation, and Natural Areas Commission for review of the proposed action, and

WHEREAS, the Common Council for the city of Ithaca, acting as Lead Agency, has reviewed the SEAF prepared by the Ithaca Urban Renewal Agency and City planning staff; now, therefore, be it

RESOLVED, that the Common Council for the City of Ithaca, as Lead Agency in this matter, adopts as its own, the findings and conclusions more fully set forth in the SEAF, and be it further
RESOLVED, that the Lead Agency 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.

Revised Allocation of New York State Administered CDBG Program Income
Moved by Alderperson Smith; seconded by Alderperson Lewis. Carried 4-1. (Brock)
Whereas, New York State requires communities in possession New York State (NYS) Administered CDBG Program Income to use such funds for CDBG-eligible uses by March 31, 2019 or return the funds to New York State, and

Whereas, CDBG program income in the form of loan repayments from this economic development activity are projected to total over $561,000 by March 31, 2019, and

Whereas, the Ithaca Urban Renewal Agency (IURA) administers CDBG funds on behalf of the City, and

Whereas, on November 7, 2018, the Common Council for the City of Ithaca adopted the IURA’s recommendation to allocate NYS administered CDBG program to the following projects:

- $175,000 - Cherry Street public road extension, and
- $386,583 - S. Aurora Street sidewalk extension (Hillview Place to City/Town line), and

Whereas, the prospective employer to be served by the Cherry Street road extension has informed the IURA that they are pursuing an alternative location to address their space needs due to unforeseen soil conditions at Cherry Street, and

Whereas, the Cherry St. Public road project is no longer an eligible CDBG economic development activity without job creation, and

Whereas, Ithaca Neighborhood Housing Services, Inc. (INHS) has recently negotiated acquisition of the former Immaculate Conception school campus, and

Whereas, INHS has indicated willingness to sell the former Immaculate Conception school gymnasium to the City of Ithaca at their pro-rated cost of $290,000, and

Whereas, the IURA recommends the following revised allocation of CDBG funds:

- $0 - Cherry Street industrial park extension
- $175,000 - Acquisition of the former Immaculate Conception school gymnasium, subject to securing $115,000 in match funding
• If match funding for the gym is not secured, then allocate $175,000 for purchase and installation of pedestrian-scale, solar lighting in Titus Triangle, Baker, and Conway public parks, and,

Whereas, environmental review for acquisition of the gymnasium has been completed; now, therefore be it

RESOLVED, the Common Council for the City of Ithaca hereby amends its November 7, 2018 resolution to approve the allocation of NYS-administered CDBG funds for the following projects:

• $386,583 - S. Aurora Street sidewalk extension (Hillview Place to City/Town line), and
• $175,000 - Acquisition of the former Immaculate Conception school gymnasium, subject to securing $115,000 in match funding
• If match funding for the gym is not secured, then $175,000 shall be allocated for purchase and installation of pedestrian-scale, solar lighting in Titus Triangle, Baker, and Conway public parks, and be it further,

RESOLVED, that the IURA is authorized to request approval from the NYS Office of Community Renewal for use of CDBG funds.

Alderperson Brock serves on the GIAC Board and all her children attended BJM (Beverly J. Martin). She stated this area is a wonderful area in the center of Ithaca. There are many other areas within the City that need assistance as well. As much as she recognizes the importance of this for the GIAC community, she will not be voted for it.

Alderperson Lewis agrees the need for park space in the City. We have seen months of inclement weather when a gym for kids to go and play would be ideal. The housing component of this project is also huge asset.

Travis Brooks from GIAC stated there is a $30 per hour fee for the use of the BJM gymnasium as well as any other City School gym. The size of the GIAC gym is not doable. There’s no place for these kids to go. The YMCA is costly and requires transportation.

Nels Bohn explained some of the processes that will be involved. The building and facilities staff has reviewed the building as well as GIAC staff.

Brooks stated that there will not be a huge change in staff.

Alderperson Brock asked if a tour of the facility could be arranged. Nels Bohn stated he would try to set that up, however there are pictures of the facility on line.

Mayor Svante Myrick joined the meeting at 7:15 p.m.
b) Enforcement of Housing Standards

ORDINANCE __-2019

All ordinances were moved by Alderperson Smith; seconded by Alderperson Fleming. Carried unanimously.

WHEREAS 210-43

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WHEREAS

BE IT ORDAINED AND ENACTED

Section 1. Findings of Fact.

Section 2. Additions to Chapter 210-43.

§ 210-43

A. …

(3) Any rental dwelling that has obtained a valid certificate of compliance shall be presumed to continue being a rental dwelling or rental unit thereafter, regardless of the expiration of the certificate of compliance or until such time that the owner provides a written statement to the Building Division that the dwelling or unit is no longer rented and it is inspected by the Building Division to confirm that it is no longer rented.

Section 3. Severability.

Section 4. Effective Date.

ORDINANCE __-2019

WHEREAS 25

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BE IT ORDAINED AND ENACTED
Section 1. Findings of Fact.

Section 2. Additions to Chapter 258.
Article III Displaced Tenants

§258-12 Definitions

DISPLACED TENANT

A tenant, as defined in this chapter, who cannot occupy the premises that the tenant is entitled to due to the landlord’s failure to adhere to any applicable provision, statute, rule or regulation relating to the rental unit, including but not limited to the New York State Uniform Fire Prevention and Building Code, and Chapters 210 and 325 of the Ithaca City Code.

§258-13 Landlord’s Obligation

The landlord is responsible for the cost of providing housing that is of at least equal value and in a comparable location to every displaced tenant for the time period beginning from the date of displacement until the expiration date of the tenant’s lease term or until all deficiencies have been corrected and inspected by the Building Division and the Building Division has determined that the until is suitable for occupancy, whichever date comes first.

Section 3. Severability.

Section 4. Effective Date.

ORDINANCE __-2019

WHEREAS 325-3

WHEREAS

WHEREAS

WHEREAS,

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WHEREAS

BE IT ORDAINED AND ENACTED

Section 1. Findings of Fact.

Section 2. Amendments to Section 325-3.

§ 325-3 Definitions and word usage

B. OCCUPANT

(1) For the purposes of determining the number of occupants for all provisions of this chapter, an occupant is defined as person that has the right to occupy a dwelling unit or building notwithstanding actual occupation. Such a right to occupy may be demonstrated by any one of the following:

  (a) payment of rent;
  (b) being a lessee;
  (c) having permission of the owner to occupy a dwelling unit or building;
  (d) other evidence of a right to occupy

(2) [Added 1-8-1990 by Ord. No. 90-2]

In R-2c Zones only, a person that is permitted to occupy a dwelling unit or building in an R-2c Zone.

  (a) The number of such occupants that are permitted to legally occupy a dwelling unit or building is based on the amount of habitable space in the dwelling unit or building and on the basis of lot size. The minimum amounts of habitable space that are required for occupancy by one or more persons are as follows:

[1] In R-2c dwelling units, the maximum number of occupants shall be limited to the number determined on the basis of lot size and on the basis of the floor areas of habitable space, other than kitchens, as shown in the following table:

<table>
<thead>
<tr>
<th>Number of Persons</th>
<th>Type of Space</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>
4 or more

Sleeping room, minimum square feet
80
120
180
240, plus 60 for each additional person

Dwelling unit (other than kitchen), minimum square feet
150
250
350
450, plus 100 for each additional person

[2] In any other lodging units permitted in R-2c Zones, the maximum number of occupants shall be limited to the number determined on the same basis as for dwelling units.

(b) Nothing herein shall be construed to limit the maximum size of any room in a dwelling unit. Bedrooms that exceed the minimum square footage in the above chart may not sleep more persons unless the appropriate lot size requirements are met.

(c) Notwithstanding anything herein to the contrary, once an R-2c dwelling unit is constructed and legally occupied, the term "occupant" shall not include additional family members or members of a functional family unit that are added to a household.

Section 3. Severability.

Section 4. Effective Date.

ORDINANCE __-2019
210-43

WHEREAS

210-43

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Section 1. Findings of Fact.

Section 2. Additions to Chapter 210-43.
§ 210-43
A. ...

(3) Any rental dwelling that has obtained a valid certificate of compliance shall be presumed to continue being a rental dwelling or rental unit thereafter, regardless of the expiration of the certificate of compliance or until such time that the owner provides a written statement to the Building Division that the dwelling or unit is no longer rented and it is inspected by the Building Division to confirm that it is no longer rented.

Section 3. Severability.

Section 4. Effective Date.

ORDINANCE __-2019
325-4

WHEREAS 325-4

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BE IT ORDAINED AND ENACTED

Section 1. Findings of Fact.

Section 2. Amendments to Section 325-47.
325-46
§ 325-47
Penalties for offenses.
[Amended 8-1-1984 by Ord. No. 84-12]
A. If a property is in violation of any provision of this chapter, the owner of the property shall be
guilty of an offense. In addition, any other person who shall violate any provision of this chapter
shall be guilty of an offense. Each day's continued violation constitutes a separate offense unless
otherwise provided herein. For any violation of over-occupancy provisions herein, each
additional occupant over the maximum shall constitute a separate offense. [Amended 2-8-
1994 by Ord. No. 94-1]

Section 3. Severability.

Section 4. Effective Date.

c) Local Control of City Speed Limits and Related Safety Discussion

ORDINANCE __-2019
325-4

WHEREAS 325-4

- 325-4

WHEREAS

WHEREAS

WHEREAS

WHEREAS

WHEREAS

BE IT ORDAINED AND ENACTED

Section 1. Findings of Fact.

Section 2. Amendments to Section 325-47.

§ 325-47
Penalties for offenses.
[Amended 8-1-1984 by Ord. No. 84-12]
A. If a property is in violation of any provision of this chapter, the owner of the property shall be
guilty of an offense. In addition, any other person who shall violate any provision of this chapter
shall be guilty of an offense. Each day's continued violation constitutes a separate offense unless otherwise provided herein. **For any violation of over-occupancy provisions herein, each additional occupant over the maximum shall constitute a separate offense.** [Amended 2-8-1994 by Ord. No. 94-1]

Section 3. Severability.

Section 4. Effective Date.

**A Resolution Supporting the City of Ithaca's Vision Zero Plan to Eliminate all Traffic-Related Fatalities and Serious Injuries**

WHEREAS, traffic crashes are among the leading cause of death and injury within the United States, and

WHEREAS, traffic crashes are the leading cause of injury related death, second leading cause of injury related hospitalizations and third leading cause for injury related emergency department visits in New York State. On average, three New Yorkers die every day due to a traffic-related crash. The combined hospitalization and emergency department charges average $1.1 billion, annually, and

WHEREAS, from 2008 to 2017 the City of Ithaca had a total of 182 serious injury crashes including 5 fatalities, and

WHEREAS, the City is hereby recognizing that these crash statistics are not acceptable for citizens, commuters, and tourists who live, work and play in the City of Ithaca, and

WHEREAS, death and injury on our streets is unacceptable and many serious crashes are preventable, and

WHEREAS, traffic deaths and serious injuries in the United States have disproportionately impacted pedestrians, cyclists, people of color, low-income households, older adults and youth, people with disabilities, and households with limited vehicle access, and

WHEREAS, the City will hereby commit to decreasing these crash statistics by endorsing Vision Zero, which is a safe systems approach and strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all, and

WHEREAS, the City of Ithaca will create a Vision Zero action plan that focuses on safety as a primary objective in designing transportation projects; now, therefore, be it

RESOLVED,
RESOLVED,

RESOLVED

7) Discussion

a) Intercity Busses

To: Planning and Economic Development Committee Members
From: Jennifer Kusznir, Senior Planner
Date: February 7, 2019
Re: Inter City Bus Service on Green Street (Submitted to give a planning perspective of the downtown intercity bus service.)

This memo is intended to provide information regarding the intercity bus service on Green Street. In October of 2018, the Common Council directed staff to enter into an agreement with the intercity bus providers in order to allow them to use the Green Street stop for a period of six months. The current agreement is scheduled to expire in six month and staff has prepared an evaluation of this program in order to allow for the Common Council to determine whether or not to renew the permits.

Inter City Bus Service Evaluation

Positive Impacts

- The City has received positive feedback from many riders and downtown businesses on the relocation of the buses to Green Street.
- The increased foot traffic helps to support local businesses, with a significant positive impact on the businesses located on the south side of Green Street and on the Commons.
- The convenience of the location allows for easy transfers to and from other forms of transportation.
- Having all the intercity buses in one location is convenient and easy to understand for passengers.
- Visitors are brought to the heart of downtown for easy access to goods, services, and attractions.
- Some of the bus providers have contracted with the Green Street Pharmacy to provide convenient nearby ticket sales for customers.
On most days during the trial period there have not been significant issues and all of the buses have been able to use the street. In fact many of the challenges listed below are limited to a handful of heavy travel days or days with unexpected weather related issues (snow, ice, delays)

**Challenges**

- In order to fit two buses in front of Urban Outfitters, buses must encroach on the bike lane, which is currently not active but is scheduled to be reinstated once City Centre is completed (early summer 2019).
- The pull out in front of the Mental Health building is heavily used by Gadabout and taxis, and Mental Health has asked that it not be used for buses during regular business hours.
- There are 15 times during the week, using current schedules, when three intercity buses need to be staged concurrently.
- Large snowfalls are problematic, as there is no place to put snow, so it has to be completely removed from the sidewalk and the bus pullout to not impact bus parking and passenger access.
- Before and after holidays, high demand results in additional non-scheduled buses, which this site cannot accommodate simultaneously. Some buses have double parked to load/unload passengers.
- The intercity buses sometimes park in the area set aside for TCAT.
- The City required that loading/unloading of luggage only take place on the curb side of the bus, however, staff has observed buses violating this rule and passengers standing in or close to traffic.
- The City has added signage to communicate where passengers should be loaded/unloaded. However, staff observed violations by cars and intercity buses, resulting in safety hazards, confusion, and the inability of buses to pull into their pickup areas. Enforcement is challenging, since cars only stand for a few minutes, which is not long enough to write tickets, but is long enough to prevent a bus from pulling into their space and cause a traffic back up. True enforcement would likely require a dedicated CSO in the vicinity for numerous hours.
- Buses have blocked the Tioga Street stub on the south side of Green Street, which has interfered with emergency access to the Mental Health Building.
- During heavy traffic days, large crowds of bus patrons can fill the sidewalk blocking the entrances to the Mental Health Building and to the retail shops.
- There are currently no bathroom or indoor waiting facilities for passengers.
- The City has limited ability to enforce rules and parking regulations with current staffing during regular hours and has no staff available during evenings and weekends.

**Recommendations**

If the City decides to continue allowing intercity buses to service Green Street, staff recommends that the following actions be considered in order to maintain healthy traffic flows and a successful public experience:

- City staff would convene a meeting with bus providers to discuss necessary changes that need to be made in order to continue with Green Street intercity bus service. The bus companies will also be informed that there is no room for expansion of future service at this location so that they can make an informed decision of whether this space meets their needs now and in the future.
- Due to the limited capacity for schedule flexibility or expansion, the number of bus providers that can use the street should be limited. Buses that don’t require on-site ticket
sales, or that require greater schedule flexibility should not be permitted to use this location. The remaining providers rely on ticketing services that are offered at Green Street Pharmacy, so the Green Street location is critical to their operation. Staff can assist these bus providers in locating alternate locations, which would likely have to include agreements with private lots.

- In order to ensure that snow is removed before buses arrive, this block of Green Street should be seasonally contracted for private early morning snow removal, with a requirement that the snow be removed off site.

- Consider limiting the hours that the space in front of the Mental Health building can be used for bus service to off-peak times (after 5pm or before 9am).

- Consider whether to create one shared bus lane (TCAT and InterCity) on Green Street.

- Require bus companies to specify dates that will have additional buses (holidays, student arrival and departure dates) and to provide on street staff on these dates to direct customers to their buses, and to direct bus drivers to the appropriate locations.

- Consider if the City needs to have a CSO assigned to this area during heavy traffic times in order to issue tickets.

- Require bus companies to provide accommodations for their passengers. This can be accomplished through and an agreement with an existing facility, but they will need to show proof that they have permission to use existing facilities.

- The bus permit agreement should continue to allow for revocation for failure to comply with requirements. There would be no tolerance of unloading luggage on the street side, encroaching on the bike lane, unloading from a travel lane or any other behavior deemed unsafe by the City.

- City staff will work with NYSDOT to assess whether changes can be made to Green Street that would allow for greater flexibility for buses at the curb and to improve the distance between the bike lane and merging buses or consider whether the bike lane should be removed.

- The following infrastructure improvements should be explored in order to accommodate the buses:
  - Move curb line along Urban Outfitters pull-off away from the street by four feet to allow buses adequate space to not encroach on the adjacent bike lane. This could impact the existing trees offset from the curb by four feet.
  - Consider whether to construct a new bus shelter
  - Improve lighting in the waiting area
  - Rebuild curb ramps crossing the Tioga Street stub
  - Relocate existing utilities and fire hydrants to accommodate curb line relocation
  - Paint all bus lanes in a solid color (red or blue) to assist buses and drop-off vehicles in wayfinding.

**Costs**

The Engineering Department has estimated costs for the suggested improvements to be between $200,000-350,000, depending on what improvements are deemed necessary. In addition, a snow removal contract is estimated to be a $15,000 annual contract. If a dedicated CSO is requested for this location, it would be an annual cost of $62,000.

**Contribution by Inter-City Buses**

Per the current agreement with the City, Greyhound, Trailways and Coach USA contribute a combined annual fee of $51,220.00
To: Common Council

From: Eric Hathaway, Transportation Engineer, Tim Logue, Director of Engineering, Peter Messmer, Director of Parking

Date: 2/8/19

Re: Inter-City Bus Trial

We are writing this memorandum in advance of April 1, when the Green Street intercity bus six month trial will end. We identify the positive and negative impacts of having the buses at this location and discuss various changes that could be made, along with the expected impacts of those changes. We hope this will help Common Council decide whether to continue to have intercity buses use this location and under what conditions.

In short, if Green Street is to continue to be used as an intercity bus location, the City will need to provide additional funding to create a functional space and will need to limit the number of bus companies that can use the space.

The Positives

- The City has received positive feedback from many riders and downtown businesses on the relocation of the buses to Green Street.
- The increased foot traffic helps to support local businesses, with a significant positive impact on the businesses located on the south side of Green Street and on the Commons.
- The convenience of the location allows for easy transfers to and from other forms of transportation.
- Having all the intercity buses in one location is convenient and easy to understand; passengers and drivers don’t have to think about which bus company in order to know where to go.
- Visitors are brought to the heart of downtown for easy access to goods, services, and attractions.
- On most days during the trial period there have not been significant issues and all of the buses have been able to use the street.

The Challenges

- In order to fit two buses in front of Urban Outfitters, buses must encroach on the bike lane, which is currently not active but which will be reestablished once City Centre is completed (early summer 2019)
- The pull out in front of the Mental Health building is heavily used by Gadabout and taxis, and Mental Health has asked that it not be used for buses during regular business hours (8:30 AM - 4:30 PM, M, TH, FR, 8:30 AM – 6 PM, TU, W)
Residents of apartments near the bus stop have complained of noise and pollution related to the buses.

There are 15 times during the week, using current schedules, when three intercity buses need to be staged concurrently.

Large snowfalls are problematic, as there is no place to put snow, so it has to be completely removed from the sidewalk and the bus pullout to not impact bus parking and passenger access. City staff are unable to remove all of the snow after a large snowfall as their focus is on getting streets and sidewalks opened. This results in buses encroaching further into the bike lane and even into the travel lane.

Before and after holidays, high demand results in many more buses than usual, which this site cannot accommodate simultaneously. Some buses have double parked to load/unload passengers.

The intercity buses sometimes park in the area set aside for TCAT, which can interfere with their operations during peak times.

Although the City was careful to include language in the agreements with the bus companies that loading and unloading of luggage cannot take place on the street side of the bus, we have continued to receive complaints that this continues to happen, and passengers are standing in or close to traffic.

The City has invested significant effort in signing and communicating to drop-off vehicles and to bus operators where they should load and unload passengers. However, we continually see these rules violated by cars and inter-city buses, resulting in a significant safety hazard, gridlock, confusion and inability of buses to pull into their pickup areas

- Enforcing no cars in the bus zone - In time it takes to spot an offender and get to car, it will typically drop off or pick up and be gone. In a minimum number of cases is it possible to write a ticket.
- Enforcing passenger drop off/pickup in 15 min zone (north side of street) - Requires constant vigilance. Difficult to prevent parkers other than bus customers, from using it. Would require a CSO in vicinity for long hours with limited enforcement results.
- Enforcing Commercial Bus rules would require constant vigilance to enforce limited violations of unpredictable frequency.

Staff have received complaints that buses are not staying on their permitted routes and are cutting through areas such as the 600 block of E Seneca Street.

Buses have blocked the Tioga Street stub on the south side of Green Street, which has interfered with emergency access to the Mental Health Building.

Mental Health Building staff have reported that large groups of pedestrians waiting for buses have created accessibility concerns for individuals trying to access their building via the Green Street sidewalk.

There are currently no bathroom or indoor waiting facilities for passengers.

The City has very limited ability to enforce rules and parking regulations with current staffing during regular hours. The City has no ability to enforce rules during evenings and weekends.

**Necessary Changes**

- Buses that don’t require ticketing (Big Red Bullet and OurBus) should be required to relocate as soon as practicable. The remaining providers rely on ticketing services that are offered at Green Street Pharmacy, so the Green Street location is critical to their operation. An updated schedule showing bus demand without OurBus and Big Red Bullet is attached). With this revised schedule, a maximum of two buses would occupy the space at any given time.
The City could help OurBus and Big Red Bullet connect with owners of downtown plazas or large parking lots, such as the DMV or Northside Plazas, or stores in Southwest, to see if they can make arrangements to use excess spaces there.

This block of Green Street should be contracted out for private snow removal, with a requirement that the snow be removed rather than simply pushed somewhere where it will become someone else’s problem.

Designate the pull-off space in front of the County Mental Health building as drop-off only. No inter-city buses would be permitted during weekdays 8 AM – 6 PM.

The bus permit agreement should require that on holidays and other days with increased demand, each bus company must have on-street staff to direct customers to their buses, and to direct bus drivers to the appropriate locations. Note however, that this bus company staff would not be authorized to enforce the parking regulations and therefore the aforementioned challenges in this area would remain unmitigated, unless a city CSO person were assigned (see notes below about this option).

The bus permit agreement should require the bus companies to provide accommodations for their passengers. This can be accomplished through and an agreement with an existing facility, but they will need to show proof that they have permission to use existing facilities.

The bus permit agreement should continue to allow for revocation for failure to comply with requirements. There would be no tolerance of unloading luggage on the street side, encroaching on the bike lane, unloading from a travel lane or any other behavior deemed unsafe by the City.

City staff would convene a meeting with Greyhound, Coach USA and Trailways to discuss necessary changes to the existing schedule that would allow the Urban Outfitters location to accommodate demand. The bus companies will also be informed that there is no room for expansion of future service at this location so that they can make an informed decision of whether this space meets their needs now and in the future.

City staff will work with NYSDOT to assess whether changes can be made to Green Street that would allow for greater flexibility for buses at the curb and to improve the distance between the bike lane and merging buses.

The following infrastructure changes would be needed by 2020 to provided adequate long-term viability of this space to accommodate passengers and traffic operations:

- Move curb line along Urban Outfitters pull-off away from the street by 4 feet to allow buses adequate space to not encroach on the adjacent bike lane. This could impact the existing trees offset from the curb by 4 feet.
- Build a bus shelter
- Improve lighting in the waiting area
- Rebuild curb ramps crossing the Tioga Street stub
- Relocate existing utilities and fire hydrants to accommodate curb line relocation
- Paint all bus lanes in a solid color (red or blue) to assist buses and drop-off vehicles in finding

Costs

The above needed changes on Green Street will come with a cost, so we want to make you aware of the investment the City would be required to make to accommodate the buses in the near-term and long-term. Aside from significant investment of staff time, the following are the estimated up-front and ongoing costs to make this space viable for inter-city bus operation:

Infrastructure changes described above - $200,000-$350,000

Annual maintenance of above investments – $15,000

Annual snow removal contract - $15,000
Community Service Officer Needs – $62,000 for One Additional Full Time CSO would be needed (current CSO staff is at capacity, especially with school crossing guard duties). Enforcement demand during normal days and hours would be unpredictable and low, and high on holidays and holiday weekends. Therefore, the additional CSO would have to be assigned other duties on normal days and attempt to return regularly to Green Street to catch violations. On holidays regulatory enforcement needs would be at the highest demand. However, it would be a difficult position to fill and manage, if all holidays (which inherently include overtime) would be required work time, throughout the year. This would create a management challenge overall, likely negatively impacting the incumbent staff as well.

**Contribution by Inter-City Buses**

Per the current agreement with the City, Greyhound, Trailways and Coach USA contribute a combined annual fee of $51,220.

3
b) Backyard Chickens

Review of the City of Ithaca Pilot Chicken Ordinance and recommendations for a Permanent Ordinance to keep chickens in the City of Ithaca.

Fall 2017 – Pilot project review conducted by Monika Roth, CCE Tompkins, and two Cornell Graduate students taking an agriculture and food policy course in the Law school.
Stephen Flynn is a 3rd year Law Student.
Jonathan Burk is a senior economics student.

Review process
-Students investigated ordinances for chicken keeping in other cities to determine how similar or different those are from Ithaca’s and to determine if some provisions might be removed or added to a permanent City ordinance.
-Students and Ms. Roth, visited 5 of the residents with Chickens to evaluate compliance and satisfaction with the City Ordinance.
All chicken owners were generally in compliance – two had coops located on the property line but in both cases there was no residence on the adjacent properties and in one case, the owner had permission. There was a mix of coop styles and run space available at all sites. The coops were either homemade or prefabricated and the runs used a variety of fencing including both wire and mesh. All appeared to be secure enough to contain chickens and at least provide a deterrent from predators. Feed and water were appropriately provided. Manure was commonly being turned into a compost bin covered with straw bedding. No odors were detected during the Fall day on which we conducted our visit.
Residents were satisfied with the city ordinance. Most indicated they had prior chicken raising experience so for these people, a class did not provide much additional information. One person who has a 6-person household, indicated that 4 hens were not quite enough to meet their egg needs and that 6 hens would be ideal. Most people raised the chickens for eggs, and valued having access to fresh eggs from their own chickens and the folks with children also valued the opportunity to teach them about animal care. A number of people had dogs and chickens with no issue arising. Only one resident suspected a hawk might have taken a chicken. Some indicated there were some mice and rats about but did not feel the numbers had increased over what they had seen before having chickens. All were interested and supportive of a permanent ordinance.
Recommendations
- **Remove the 3000 SF Lot requirement** – given the setbacks and the requirement to locate chickens in the rear yard and that to coop and run not cover more than 50% of the lots it seems that there is appropriate space on smaller lots while at the same time maintaining distance from neighboring residences. Another option might be to have a lower SF minimum.
- **Consider allowing up to 6 hens** – as long as the 4 SF per bird requirement is met, many yards could accommodate 6 hens and provide more fully for the family food needs.
- **Consider allowing coops to be located against a garage or even home where appropriate.** This gives the homeowner more flexibility in locating a pen on their properties.
- **CCE class on chicken keeping** – may not be needed if someone has experience, but then there is no standard set of “instructions” that all residents have received. The class does not seem to have been a huge impediment to getting registered as CCETC is now offering the instruction by appointment in cases where we do not have a class scheduled and someone is eager to keep chickens.
- **Consider some sort of re-registration or check in process** – should residents re-register after so many years? Or should the clerk annually check on how many people in the city are keeping chickens? And document complaints. This may take time and may not be a top priority for the clerk or police dept. Perhaps contract with CCETC to conduct an annual survey/site visit and to be the first responder for complaints. Or the City Life Commission might take this on?

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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</thead>
<tbody>
<tr>
<td>LOT</td>
<td>As defined in § C-73C(1) of the City Charter.</td>
</tr>
<tr>
<td>LOT SQUARE FOOTAGE</td>
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<td>REAR YARD</td>
<td>325-3</td>
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164-2 **Pilot program.**

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164-2 **Requirements for keeping chickens.**

**A.**

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<tr>
<th>Lot Size</th>
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<tr>
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**B.**

<table>
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<th>Lot Size</th>
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<td>4</td>
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<td>3000</td>
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</table>
C.

(1) Within the setback requirements of the zone in which it is located;

(2) Within 20 feet of any adjacent lot's residential principal structure or accessory structure that contains a residential unit, or within five feet of any principal structure on the lot housing the chickens; and Remove this requirement. In many cases it would make sense to locate a coop off a garage or even the back of a house.

(3) Within five feet from any abutting residential property line, unless the adjacent owner agrees, in writing, to a lesser setback.

D.

Chickens may only be kept by a domiciliary of a dwelling unit located on the lot on which the chickens are kept.

E.

Chickens must be kept in and confined in a properly designed and constructed coop or chicken house, within a fenced and covered enclosure that is at least four square feet per chicken in size, which additionally includes a run. Each covered coop and run combined shall be located in, and shall not cover more than 50% of, the rear yard of the lot.

F.

It shall be unlawful for any person to allow hens to run at large upon the streets, alleys or other public places of the City, or upon the property of any other person.

G.

During daylight hours, the adult chickens shall have access to the chicken coop and, weather permitting, shall have access to an outdoor enclosure on the subject property, adequately fenced to contain the chickens and to prevent access to the chickens by dogs and other predators.

H.

Chicken feed must be in rodent-resistant and weather-proof containers.

I.

A chicken coop, and the premises where the chicken coop is located, shall be maintained in a condition such that the facility or chickens do not produce noise or odor that creates a nuisance for adjoining lots and the responsible domiciliary and the owner shall remove any odorous or unsanitary condition. The lot owner shall be responsible for the repair on any adjoining lot of any damage caused by the chickens, including but not limited to damage to dwellings, structures and yards, and shall be responsible for any unsafe condition.

J.

The person keeping the chickens shall abide by all solid waste storage and collection standards of the City's Exterior Property Maintenance Code, § 331-7.

K.

Roosters and guinea fowl are expressly prohibited, regardless of the age or maturity of the bird.

L.

– Remove section, no longer a pilot.

Pilot registration pursuant to § 164-29 is required for the keeping of chickens.

M.

Not sure a class is really needed….except for folks with no experience. Approved pilot registrants must complete a seminar regarding the care of chickens in an urban environment from the Cornell Cooperative Extension Tompkins County (CCETC), or similarly qualified organization acceptable to the Clerk's Office.
164-29 Pilot registration process and parameters.

A. No more than 20 pilot registrations for the keeping of chickens shall be approved under this Article.

B. Registration shall take place at the City of Ithaca Clerk’s office upon submission of a registration fee of $35 and verification of a completed chicken-keeping seminar.

C. The City Clerk and Police Department shall report to a Committee of Common Council on the status of the pilot program. Change to something like – The City Clerk and Police Department shall report to a Committee of Common Council annually about the numbers of households registered to keep chickens and whether there are complaints or other issues arising as a result of improper chicken keeping.

D. Should the pilot program not be extended after the two-year period, the Cornell Cooperative Extension Office may help rehome the hens in the program.

E. The City Clerk may revoke registration for a specific site via written notice to the property owner when the City Clerk or designee finds, at his or her sole discretion, that any requirements of this article are not met, a rebuttable presumption of which shall be created by a record of three or more complaints to the Ithaca Police Department about a specific site’s chickens, on the recommendation of CCETC, or on the recommendation of the Ithaca Police Department. Upon revocation, the City Clerk shall notify the owner, in writing, of the same, in compliance with §164-30, and if the revocation stands, the owner must remove the hens from the property in coordination with such assistance as may be available from the CCETC, who may assist with rehoming them.

164-30 Remedies not exclusive.

A. Any chickens that are not kept as required in this article shall be deemed a public nuisance, and the owner or custodian shall be given 30 days to rectify the conditions creating the public nuisance. In any case in which the City intends to correct a violation of this chapter, including removing and confiscating any chickens present, and then bill the property owner for the correction of the violation, the City Clerk or his/her designee shall notify the registrant and the owner of the property and, where relevant, the registered agent who has assumed responsibility as outlined in §178-5 of this Code, in writing, of any violation of this chapter.

B. Any notice required by this section shall be served in person or by mail to the address on the registration form and the address appearing on the City tax roll, requiring such person, within a time specified in such notice but in no event less than 30 days from the service or mailing thereof, to comply with this chapter and to abate the
nuisance and, as appropriate, to remove the chickens. Such notice shall also state that the property owner may contest the finding of the City Clerk by making a written request to have a hearing on the matter held at the next regularly scheduled meeting of the Board of Public Works.

C. Any request for such a hearing must be mailed and postmarked or personally delivered to the City Clerk within 14 days of the service or mailing of notice, and any such written request for a hearing shall automatically stay further enforcement concerning the alleged violation pending such hearing. The decision of the Board of Public Works, by majority vote, shall be binding, subject to any further judicial review available to either the City or the property owner.

D. Upon the failure of a registrant or property owner to comply with the notice of violation of this chapter (or, alternatively, to request a hearing as aforesaid within the time limit stated in such notice, or upon a Board of Public Works' determination, after such a hearing, that a violation exists), the City Clerk shall refer the matter, by memorandum, to the Superintendent of Public Works, who shall cause such premises to be put in such condition as will comply and shall charge the cost thereof to the owner of said premises, including a charge of 50% for supervision and administration. The minimum charge to the property owner for such work shall be $50.

E. The City Chamberlain shall promptly present to the owner of any parcel so corrected a bill rendered for such services, as certified by the Superintendent of Public Works. If not paid within 30 days, the cost thereof shall be assessed against the property, added to its tax and become a lien thereon, collectible in the same manner as delinquent City taxes. Appeals from this section shall only be permitted if written notice of appeal is received by the Ithaca City Clerk within 45 days after the mailing of the bill from the Chamberlain, and such appeals shall be taken to the Board of Public Works.

c) Infill Development Guidelines

JoAnn Cornish will take the suggestions from tonight's meeting back to staff and work on it.

d) Priority Work Plan and 2019 Goals

JoAnn Cornish asked for feedback on the priority work plan and the 2019 goals.

8) Review and Approval of Minutes

a) January 2019
9) Adjournment

9 35