



PEDC Meeting
Planning and Economic Development Committee
Ithaca Common Council

DATE: August 9, 2017
TIME: 6:00 p.m.
LOCATION: 3rd floor City Hall
Council Chambers

AGENDA ITEMS

Item	Voting Item?	Presenter(s)	Time Start
1) Call to Order/Agenda Review	No	Seph Murtagh, Chair	6:00
2) Special Order of Business			
a) Public Hearing – Amendment #1 to the 2017 City of Ithaca Action Plan (HUD)	Yes		6:05
3) Public Comment and Response from Committee Members	No		6:10
4) Updates, Announcements, Reports			
a) Community Bike Rack Design Project	No	JoAnn Cornish, Planning Director	6:30
5) Action Items (Voting to send on to Council)			
a) Amendment #1 to the 2017 City of Ithaca Action Plan (HUD)	Yes	Nels Bohn, IURA Director	6:45
6) Discussion			
a) Development Patterns on South Hill	No	JoAnn Cornish, Planning Director	7:00
b) Future of College Avenue Fire Station	No	Dan Cogan, Chief of Staff	7:40
7) Review and Approval of Minutes			
a) July 2017	Yes		8:25
8) Adjournment	Yes		8:30

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, August 8, 2017.

Ithaca Urban Renewal Agency
Customer #330780
108 East Green Street
Ithaca, NY 14850
(607)-274-6565
Contact Person: Nels Bohn

July 27, 2017
Legal Advertising Department
The Ithaca Journal
Sent via e-mail: cnylegals@gannett.com

LEGAL NOTICE

Please publish **as soon as possible** the following public hearing notice **once** in the Legals section of the *Ithaca Journal* in multiple columns to facilitate readability.

Public Hearing Notice Amendment #1 to the City of Ithaca 2017 Action Plan HUD Entitlement Program

The Planning and Economic Development Committee of the Ithaca Common Council will hold a public hearing on proposed Amendment #1 to the FY17 Action Plan, which allocates HUD Entitlement funds to community development projects. The public hearing will take place at 6:00 p.m., Wednesday, August 9, 2017 in Common Council Chambers, City Hall, 108 E. Green St., Ithaca, NY.

Amendment #1 responds to two events: (1) Lakeview Health Services, Inc. has declined receipt of HOME funding allocated for their affordable rental housing project at 709 W. Court Street; and (2) the actual FY17 HOME funding amount awarded to the City of Ithaca is 16% less than anticipated. The Ithaca Urban Renewal Agency recommends the City adopt the following reallocation of HOME funding to restore funding cuts to several HOME-assisted projects as Amendment #1 to the FY17 Action Plan:

Project Name	Sponsor	Funding Change	Final Funding
Lakeview Ithaca	Lakeview Health Services	Decrease: \$43,708.16	\$0.00
402 S. Cayuga Street Housing	Habitat of Tompkins/Cortland	Increase: \$10,066.95	\$80,000.00
Housing Scholarship Program	The Learning Web	Increase: \$8,253.89	\$65,592.00
Security Deposit Assist. 2017-18	Catholic Charities Tompkins/Tioga	Increase: \$5,379.52	\$42,750.00
Unallocated HOME Funds	NA	Increase: \$20,007.80	\$20,007.80

Written comments may be submitted to the City Clerk, 108 E. Green Street, Ithaca 14850. Contact the Ithaca Urban Renewal Agency at (607) 274-6565 if you have questions.

The public hearing location is fully accessible. If you have a disability and require accommodations in order to fully participate at the public hearing please contact the City Clerk at 274-6570 at least 72 hours prior to the meeting.

Please verify receipt of this order upon receipt to NBohn@cityofithaca.org. Please do not send an affidavit of publication. Send the bill to the Ithaca Urban Renewal Agency.

Respectfully,
Nels Bohn

Cc (email): City Clerk
K. Cook, IURA Accountant
D. Grunder, City Planning

**FY 2017 ACTION PLAN - Proposed Amendment #1
HUD Entitlement Program, City of Ithaca, NY**

7/24/17

#	Project	Sponsor	Funding Request	ANTICIPATED FUNDING AVAILABLE				AWARDED FUNDING - SUBMITTED ACTION PLAN TO HUD						Amendment #1			
				CDBG	HOME	CDBG PI	Total	CDBG		HOME		CDBG PI	Recaptured CDBG	Recaptured HOME	Total	Change	Revised Project Funding
				\$661,371	\$328,050	\$160,000	\$1,149,421	\$644,410.00	\$275,651.00	\$160,000.00	\$2,350.24	\$1,611.90	1,084,023.14				
change	final	change	final	final	final	final											
Housing																	
1	Lakeview Ithaca	Lakeview Health Services, Inc.	\$ 250,000		\$ 50,000		\$ 50,000				-6,291.84	43,708.16			43,708.16	-43,708.16	0.00
2	Chartwell House	Tompkins Community Action	\$ 208,270	\$ 14,305	\$ 7,695	\$ -	\$ 22,000	0.00	14,305.00	0.00	0.00	7,695.00			22,000.00		
3	2017 Homeowner Rehab	Ithaca Neighborhood Housing Services, Inc. (INHS)	\$ 150,000	\$ 75,000	\$ -	\$ -	\$ 75,000	0.00	75,000.00	0.00	0.00				75,000.00		
4	402 S. Cayuga Street	Habitat for Humanity of Tompkins/Cortland Counties, Inc.	\$ 80,000		\$ 80,000		\$ 80,000			-10,066.95	69,933.05				69,933.05	10,066.95	80,000.00
5	Housing Scholarship Program	The Learning Web, Inc.	\$ 65,592		\$ 65,592		\$ 65,592			-11,477.69	55,726.21		1,611.90		57,338.11	8,253.89	65,592.00
6	Security Deposit Assistance 2017-18	Catholic Charities of Tompkins/Tioga	\$ 42,750		\$ 42,750		\$ 42,750			-5,379.52	37,370.48				37,370.48	5,379.52	42,750.00
7	Mini-Repair Program	INHS	\$ 35,000	\$ 26,000	\$ -	\$ -	\$ 26,000	0.00	26,000.00		0.00				26,000.00		
	Mandatory CHDO Reserve	CHDO Set-Aside	\$ 49,208		\$ 49,208		\$ 49,208			-7,860.00	41,348.00				41,348.00		
HOUSING SUBTOTALS:			\$ 880,820								-41,076.00	248,085.90					
Economic Development																	
8	Hospitality Employment Training Program	Greater Ithaca Activities Center, Inc. (a CBDO)	\$ 115,036	\$ 100,000	\$ -	\$ -	\$ 100,000	0.00	100,000.00		0.00				100,000.00		
9	Ithaca ReUse Center Expansion	Finger Lakes ReUse, Inc.	\$ 100,000	\$ 50,000	\$ -	\$ -	\$ 50,000	0.00	50,000.00		0.00				50,000.00		
10	Harriet Gianelli Child Care Center	Tompkins Community Action	\$ 84,200	\$ -	\$ -	\$ 84,200	\$ 84,200				0.00	84,200.00			84,200.00		
11	Work Preserve Job Training: Job Placements	Historic Ithaca, Inc. (a CBDO)	\$ 67,500	\$ 67,500	\$ -	\$ -	\$ 67,500	0.00	67,500.00		0.00				67,500.00		
12	Food Entrepreneurship Program	CCE of Tompkins Co.	\$ 37,037	\$ 36,587	\$ -	\$ -	\$ 36,587	0.00	36,587.00		0.00				36,587.00		
ECONOMIC DEVELOPMENT SUBTOTALS:			\$ 403,773														
Public Facilities																	
13	Urban Bus Stop Signage & Amenities Upgrade	TCAT	\$ 112,772	\$ 25,000	\$ -	\$ -	\$ 25,000	0.00	25,000.00		0.00				25,000.00		
14	DICC Heating & Roofing Replacement	Downtown Ithaca Children's Center (DICC)	\$ 64,800	\$ 35,500	\$ -	\$ -	\$ 35,500	-13,569.00	21,931.00		0.00	11,218.76	2,350.24		35,500.00		
PUBLIC FACILITIES SUBTOTALS:			\$ 177,572														
Public Services																	
16	Immigrant Services	Catholic Charities	\$ 30,000	\$ 30,000			\$ 30,000	0.00	30,000.00		0.00				30,000.00		
19	Work Preserve Job Training: Job Readiness	Historic Ithaca, Inc.	\$ 20,000	\$ 20,000			\$ 20,000	0.00	20,000.00		0.00				20,000.00		
20	2-1-1/ I&R Service	Human Services Coalition (HSC)	\$ 20,000	\$ 20,000			\$ 20,000	0.00	20,000.00		0.00				20,000.00		
21	A Place to Stay: Supportive Services	Catholic Charities	\$ 20,000	\$ 15,925			\$ 15,925	0.00	15,925.00		0.00				15,925.00		
24	Housing for School Success: Year #2	ICSD	\$ 13,280	\$ 13,280			\$ 13,280	0.00	13,280.00		0.00				13,280.00		
PUBLIC SERVICES SUBTOTALS:			\$ 103,280	\$ 99,205													
Administration & Loan Fund																	
26	CDBG Administration	Ithaca Urban Renewal Agency	\$ 132,274.20	\$ 132,274			\$ 132,274	-3,392.00	128,882.00						128,882.00		
27	HOME Administration	IURA	\$ 32,805.00		\$ 32,805		\$ 32,805	0.00	0.00	-5,239.90	27,565.10				27,565.10		
28	Economic Development Loan Fund	IURA	\$ 75,800	\$ -		\$ 75,800	\$ 75,800	0.00	0.00			56,886.24			56,886.24		
ADMINISTRATION & LOAN SUBTOTALS:			\$ 240,879														
Unallocated HOME Funds																	
Totals:			\$ 1,849,319	\$661,371	\$328,050	\$160,000	\$1,149,421	-16,961.00	644,410.00	-46,315.90	275,651.00	160,000.00	2,350.24	1,611.90	1,084,023.14	0.00	

Acronyms
CDBG = Community Development Block Grant; HOME = Home Investment Partnerships Program; CDBG PI = CDBG Program Income; LMI = Low & Moderate Income; AMI = Area Median Income; FTE = Full Time Equivalent; CHDO = Community Housing Development Organization; CBDO = Community Based Housing Organization

Note: Lakeview Health Services, Inc. declined HOME funding assistance for the Lakeview Ithaca housing project due to regulatory requirements triggered by HOME funding. The project is anticipated to proceed without HOME assistance.

**Proposed Resolution
 Planning & Economic Development Committee
 August 9, 2017**

2017 Action Plan - Program Amendment #1, Reallocate HOME Funds Declined by Lakeview Health Services, Inc.

Whereas, the City adopted 2017 Action Plan allocated \$50,000 in HOME funds to assist the Lakeview Ithaca project, a 50-unit affordable rental housing building sponsored by Lakeview Health Services, Inc., (Lakeview), and

Whereas, on June 22, 2017, Lakeview declined the HOME funding award for the project due to regulatory requirements triggered by receipt of HOME federal funds, which are projected to create both a financial and administrative burden far in excess of the \$50,000 funding award, and

Whereas, on June 26, 2017, the City received formal notice that its FY17 HOME award declined by 16% from the prior year’s award, thereby requiring a pro-rata funding reduction in all HOME-assisted projects, and

Whereas, the Lakeview award declined to \$43,708.16 from \$50,000, and

Whereas, the Ithaca Urban Renewal Agency (IURA) is designated by the City of Ithaca as the Lead Agency to develop, administer and implement the HUD Entitlement grant program, including funds received through the Home Investment Partnerships (HOME) program, and

Whereas, the City’s HUD Citizen Participation Plan requires a public hearing and Common Council approval for a substantial amendment to the Action Plan, such as reallocation of more than \$25,000, and

Whereas, at their July 27, 2017 meeting, the IURA recommended reallocating funds awarded to Lakeview to restore funding cuts to other HOME-assisted projects; now, therefore, be it

RESOLVED, that the Common Council for the City of Ithaca hereby adopts the IURA-recommended program amendment #1 to the FY17 HUD Action Plan to reallocate HOME funding as follows:

Project Name	Sponsor	Funding Change	Final Funding
Lakeview Ithaca	Lakeview Health Services	Decrease: \$43,708.16	\$0.00
402 S. Cayuga Street	Habitat of Tompkins & Cortland Counties	Increase: \$10,066.95	\$80,000.00
Housing Scholarship Program	The Learning Web	Increase: \$8,253.89	\$65,592.00
Security Deposit Assistance 2017-18	Catholic Charities of Tompkins/Tioga	Increase: \$5,379.52	\$42,750.00
Unallocated HOME Funds		Increase: \$20,007.80	\$20,007.80



CITY OF ITHACA
108 East Green Street — 3rd Floor Ithaca, New York 14850-5690

DEPARTMENT OF PLANNING AND DEVELOPMENT

JOANN CORNISH, DIRECTOR OF PLANNING & DEVELOPMENT

Telephone: Planning & Development – 607-274-6550

Community Development/IURA – 607-274-6559

Email: dgrunder@cityofithaca.org

Email: iura@cityofithaca.org

Fax: 607-274-6558

Fax: 607-274-6558

TO: Planning Committee

FROM: JoAnn Cornish, Director of Planning and Development

DATE: August 3, 2017

RE: **Neighborhood Concerns Relating to New Duplexes on South Hill**

Over the past few years we have seen an increase in the number of duplexes being built on South Hill. The majority of these are being built on lots that have existing residential structures that were once single family homes. City zoning does not prohibit more than one primary use on a parcel so this currently an allowed right, provided it meets zoning and is in accordance with NYS Building Code.

Most of these duplexes are pre-manufactured and are quickly constructed for student housing. Residents of South Hill have expressed concern that the character of the neighborhood is changing because of this and that past issues with students is being exacerbated. We also know that we have a housing shortage at all price points and infill development is one way to solve this problem in a city where there is limited real estate.

Below are emails from area residents stating their concerns. We would like to begin a discussion at the August 9, 2017 Planning Committee meeting so that we can decide collectively how to move forward.

Comments Received from South Hill Residents in regards to the growing number of duplexes on South Hill as of August 3, 2017

From: Kenn Young [kenn@columbiabb.com]
Sent: Monday, July 17, 2017 10:18 PM
To: George McGonigal; Cynthia Brock; JES SEAVER
Subject: Fwd:

This is the proposal that Charley O'Conner, the new property owner at 217 Columbia Street, sent to his neighbor - an eight bedroom duplex attached to the existing 6 bedroom duplex. In his conversation with her he implied that I have "signed off" on his proposal because he was going to add some trees. I have not done so. This project has no legs. It is an opening gambit so that he can later offer a smaller version of it and seem reasonable. please post this so others can see it
Sincerely Kenn Young

On Mon, Jul 31, 2017 at 9:21 PM, John Graves
<johng Graves319@gmail.com> wrote:

Dear JoAnn and Lisa,

Downtown has the Strategic Plan, Collegetown has the Collegetown Urban Plan, the Waterfront has the Waterfront Plan, it's time for South Hill to have a South Hill Neighborhood Plan before our neighborhood no longer exists. Furthermore, a South Hill moratorium on development should be in effect (like Collegetown and the Waterfront) until the City can develop such a plan. Lots of neighborhood issues need to be resolved and we have been patiently waiting for PlanIthaca to arrive on South Hill.

Best,

John Graves

SHCA

[607-279-4980](tel:607-279-4980)

From: John Graves <johng Graves319@gmail.com>

Subject: Is the proposed project at 217 Columbia a problem?

Date: July 30, 2017 at 7:26:00 PM EDT

To: South Hill Civic Association <SHCA-list@yahoo.com>

Cc: Joseph Murtagh <jmurtagh@cityofithaca.org>, Cynthia Brock <cbrock@cityofithaca.org>,

George McGonigal <GMcGonigal@cityofithaca.org>, Lisa Nicholas

<lnicholas@cityofithaca.org>

Dear Neighbors,

If you think the proposed project at 217 Columbia Street is a problem for South Hill, think again. We have a bigger problem on South Hill than the proposed project at 217 Columbia Street, that project, if approved, will only compound the bigger problem.

I oppose the proposed project at 217 Columbia Street not because it demonstrates how a working class neighborhood is being transformed into a student ghetto. That is stating the obvious. I'm opposed to the project because of a serious and immediate threat that it poses to the properties on Pleasant Street, where my wife and I live downhill from the proposed project.

Exceeding the limits of our current infrastructure presents a serious threat to current home owners and tenants. This is particularly true on South Hill where this summer DPW completed a long overdue redesign and up-sizing of the stormwater system on Hillview Ave. and the South Hill Recreation Trail where excessive stormwater and sewage caused a major problem for homeowners in the area. .

The Department of Public Works and City Engineers previously commented that the stormwater runoff system is currently inadequate for the burgeoning development on South Hill in the City of Ithaca and beyond in the Town of Ithaca. You have surely noted the extensive work one water main on the South Hill Recreationway at Hudson and Hillview has caused this summer.

Many city and town experts indicated last winter that sewer lines had to be modified and expanded to avoid future flooding of stormwater (in crumbling old pipes) flooding into sewer mains and discharging. This one overflowing sewer main demonstrated the effect of development on aging infrastructure.

Our property at 319 Pleasant Street has experienced a dramatic increase in stormwater runoff due to housing and parking lot expansion uphill on Columbia Street. This construction has increased stormwater runoff and cost us time and money to temporarily repair the damages with no hope that it will cease until the stormwater and sewage system on Columbia St. are upgraded.

It is for this reason that I oppose Site Plan Approval for 217 Columbia Street and I hope the Planning & Economic Development Division at City Hall puts a moratorium on all new developments on Columbia Street until the DPW can ameliorate the situation that is causing excessive stormwater damage downhill.

--

John and Rita Graves
319 Pleasant Street
Ithaca, NY
14850

On Jul 31, 2017, at 8:44 PM, Kenn Young <kenn@columbiabb.com> wrote:

Dear Ms Nicholas,

I am appalled by the tasteless Monopoly board house blocks that are popping up on any open square of the residential neighborhoods. The trend of squeezing every student dollar out of family neighborhoods adjacent to local colleges has reached a tipping point on South Hill to the detriment of all but the absentee landlord developers. The student population that noisily roaming up and down South hill late at night after bars close and between house parties is a weekly ritual and negatively affects the families who cling to a semblance of a neighborhood. These tasteless building blocks, designed to cram in as many rent paying students as possible are turning the neighborhood into a student ghetto. The unit are designed as mini dormitories, single bedrooms, eat in kitchens with a couch instead of a living dining area will never be rented to families. There is no regard for the reality of the parking load this bring to the community as each 3 bedroom unit is only required to have one parking space.

Many of the areas in question are zoned R-1 and R-2. This designation was intended to be for family residences not student enclaves. The 2 of the R-2 designation was intended to allow for mother in law type additions or additional income for the owner occupants. The yards that were intended for family activities and gardens are now getting filled up with prefab student boxes. The majority of properties between Aurora and Hudson St are now student rentals and owner occupied properties are falling like dominos to developers with no regard to the character of the neighborhood or sense of design. I propose that Building code Section 325-8B(1) be amended to prohibit more than one dwelling in a R-1 and R-2 zones except where owner occupied.

With regard to the proposed addition of 6 student residences behind an existing 6 student residence at 217 Columbia st. This dwelling is already deficient in front yard, side yard and parking requirements. This project will be a detriment to the

neighborhood already overburdened with students, bring potentially six more cars to the parking problems on the street and annexing the rear yard party space to the adjacent properties that are already a problem for the neighboring owner occupants.

I proposed that a building permit for his project be denied or at least the owner be required to apply for a variance.

Re: proposed project at 217 Columbia st and Section 325-8B(1)

Kenn Young [kenn@columbiabb.com]

Sent: Tuesday, August 01, 2017 8:56 AM

To: gçÜå=dê~îÉë=xàçÜåÖê~îÉëPNV]Öã~áäKÅçãz

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I agree that there should be a moratorium on building multifamily dwelling projects on South Hill below Ithaca college until a plan is in effect.

August 2, 2017

We are writing to voice opposition to the proposed construction of a 2 unit, 6 bedroom dwelling behind the existing building at 217 Pleasant St. As 10 year residents of South Hill, we are dismayed by the continuing deterioration of the neighborhood qualities and the increase in noise and litter that is primarily attributable to the student population.

We urge that Section 325-88(1) be amended to prohibit accessory non owner occupied buildings in areas zoned R-1 and R-2.

Fred Schwartz 607-592-0020

Anne Mazer 607-262-8330

303 Columbia St.-

adding another voice to this chorus. South Hill should be a neighborhood first, with landlord and student concerns coming a distant second in planning considerations. It's time for a neighborhood plan.

Jed Sheckler

On Wed, Aug 2, 2017 at 9:18 AM, Chris McNamara

cmcnamara@ithaca.edu [SHCA-LIST] <SHCA-LIST-noreply@yahoogroups.com> wrote:

Lisa, JoAnn, and others,

I am in strong support of a moratorium on South Hill development until the city, with input from current homeowners living on South Hill, develop a neighborhood plan.

I value my neighborhood and my investment in my property and believe that neither is served by the recent student housing additions.

Chris McNamara

From: vboyd107@aol.com [vboyd107@aol.com]

Sent: Sunday, July 30, 2017 9:16 PM

To: jmirtagh@cityofithaca.org; Lisa Nicholas; Cynthia Brock; George McGonigal

Subject: R-1 and R-2 Zoning loophole

Dear Seph Murtagh,

I have just been informed that there is a loophole that allows secondary structures to be built in an R-1 and R-2 zone. Surely this can be fixed retrospectively. I am an 81 year-old who has lived at 315 Pleasant Street for 47 years. Until recently, I never had a problem with excessive run-off. But along with all my owner-occupied neighbors I have had to spend thousands of dollars on drainage solutions caused by the influx of cars, the pavement of backyards, and the denuding of the property uphill from my plot. And then I learned from the disaster on Aurora Street that the city storm sewers are inadequate to the job. Until such time that the city has plans in place for protection of air quality, of flooding potential, and sensible solutions to parking (already there is no space for my friends, many of whom are octogenarians, to park when I invite them to dinner) there must be a moratorium on any future development. Either the governance of the city is done by elected officials or it is taken over by student housing landlords who do not have the best interest of the city as their bottom line.

There are many other quality of life issues at risk here besides air pollution, parking and flooding. There is the idea of the city as a group of neighborhoods. We are losing that. And there is the historic significance of protecting the built environment. Architecture and the shady city streets that make small town America so special are at risk. Ithaca is blessed with many beautiful houses — places where the city's founders lived, as well as other important people who passed through. My house was built by a member of the Whitten family ca. 1830. I treasure that history. People travel to places worldwide simply to get a feel of the past. Don't deny that to future generations.

The proposed addition of another 6 units on Columbia Street is ridiculous. Down hill will get more run-off. There is nowhere to park except to cut down trees, remove grass, and pave the backyard. Noise and air pollution will worsen. The quality of life is being ignored yet again. Hours of police action, which on Pleasant Street is primarily devoted to areas of student housing, will rise. Who pays for this police action? Is that why we don't have money for other city services?

And whatever happened to health, fire, and building inspectors? For the first time in my 41 years I had rats in my garden. I called a pest control person and we are trying to deal with this. But clearly garbage is not being cared for in a proper way. It is most distressing.

I would like to know what if any plans the city has in place to deal with all the problems raised by future density building. Are they available to read on line? Can I see them in City Hall?

Sincerely,
Verlaine Boyd

315 Pleasant Street
Ithaca, NY 14850
verlaineboyd.com

Hi JoAnn,

What is the City's definition for a "functional family" when it comes to Permitted Primary Uses for R-1/R-2 Districts? It seems like the City's definition and the common definition are miles apart. Does the City's definition for a "functional Family" include rooming houses, fraternities and sororities? Because with what is currently happening on South Hill, it should.

--

John Graves
319 Pleasant St.
Ithaca, NY
607-279-4980

FUNCTIONAL FAMILY UNIT

[Added 2-4-1987 by Ord. No. 87-2]

A group of individuals living together in a single dwelling unit and functioning as a family with respect to those characteristics that are consistent with the purposes of zoning restrictions in residential neighborhoods.

(1)

In determining whether or not a group of unrelated individuals is a functional family unit under the definition set forth above, the following criteria must be present:

(a)

The occupants must share the entire dwelling unit. A unit in which the various occupants act as separate roomers cannot be deemed to be occupied by a functional family unit.

(b)

The household must have stability with respect to the purpose of this chapter. Evidence of such stability may include the following:

[1]

The presence of minor dependent children regularly residing in the household.

[2]

Proof of the sharing of expenses for food, rent or ownership costs, utilities and other household expenses and sharing in the preparation, storage and consumption of food.

[3]

Whether or not different members of the household have the same address for the purposes of:

[a]

Voter registration.

[b]

Drivers' licenses.

[c]

Motor vehicle registration.

[d]

Summer or other residences.

[e]

The filing of taxes.

[4]

Common ownership of furniture and appliances among the members of the household.

[5]

Enrollment of dependent children in local schools.

[6]

Employment of householders in the local area.

[7]

A showing that the household has been living together as a unit for a year or more, whether in the current dwelling unit or other dwelling units.

[8]

Any other factor reasonably related to whether or not the group or persons is the functional equivalent of a family.

(2)

A group of individuals living in the same dwelling unit shall be presumed not to be a functional family unit, as defined in this section, if such dwelling unit contains four or more college students over the age of 16 years.

(a)

A college student is a person who attends, at least half time, any college, university or other institution authorized to confer degrees by the State of New York.

(b)

For the purpose of this presumption, minor dependent children of any other member of the household shall be excluded in calculating the number of college students in the household.

(3)

A group of individuals living together in the same dwelling unit shall be presumed not to be a functional family unit, as defined in this section, if the dwelling unit is occupied by four or more unrelated adults over the age of 18 years and is not occupied by minor dependent children.

(4)

The presumptions set forth in Subsections (2) and (3) of this definition may be rebutted by sufficient evidence of the characteristics set forth in Subsection (1) of this definition.

JoAnn Cornish
Director of Planning and Development

On Aug 3, 2017, at 11:15 AM, Jennifer Dotson
<jdotsonblake@gmail.com> wrote:

Hi friends,

Not sure if JoAnn already answered this, but the functional family definition is in the city code 325-3, in the list of definitions in the Zoning chapter (and I pasted it in below). It's there for interesting and (I think) important reasons, if I understand the intent of the Council that put it there (a few of whom I have discussed it with). Basically, our families (and households) look different than that traditional Dick and Jane, all legally related, nuclear family which is what most legal definitions are based on (including zoning, often).

My understanding of the intent is that it's to define alternate households that are likely to have a similar relationship to the neighborhood as that Dick and Jane family, in terms of respect, interaction, contribution (and benefit), participation in social & similar structures (like neighborhood groups, schools, parks, etc). Definitions are always tricky and incomplete, but this one was intended (as I understand) to handle situations like multiple adults choosing to live together in a large house as a cohesive household, multiple (otherwise unrelated) parents choosing to share housing & childcare, and a variety of other shared situations that have a similar neighborhood effect as that Dick and Jane-style family situation. Changes in gender and relationship dynamics over the past 50+ years are a big part of these situations becoming more public, accepted, and often encouraged.

As a side note, I'm just completing a project (Ithaca Carshare with CCE/Way2Go and others), called **True Cost Tompkins**, which brings transportation costs into our understanding and conversation about housing costs locally. The point is to support a fuller conversation about these issues together. See more at this [link](#) (fun maps for data geeks, personal pictures and stories in case studies for social scientists, also a "meeting in a box" if you want to bring this to a group like aetc). What we discovered is that **many many many people in Tompkins County have unaffordable combined housing and transportation costs** (housing 30% of income, transportation 15% of income, together 45%), **even making our local median income**, and these people (= us) use several strategies to make life work.

One of the major strategies to make ends meet is **sharing a housing unit**, and there are a variety of ways this happens, of course each approach fits a bit differently into each type of neighborhood. What is very interesting to me is that, of the four major strategies we saw, this is the one that involves the least negative effect, and includes a very important positive social connection effect. (Other strategies were smaller housing units, rural living, and taking significant pains to avoid owning & driving a car, often in areas where that means big sacrifice). Listening in from down the hill,

Jennifer

Lisa, JoAnn, and others,

I am in strong support of a moratorium on South Hill development until the city, with input from current homeowners living on South Hill, develop a neighborhood plan.

I value my neighborhood and my investment in my property and believe that neither is served by the recent student housing additions.

Chris McNamara

Hello all

I agree that there should be a moratorium on building multifamily dwelling projects on South Hill below Ithaca college until a plan is in effect.

Best

Yvette Rubio

119 Columbia Street

Yvette Rubio

Organization Development

607-274-9505

All,

Aaron and I also oppose the building, as it will be in close proximity to our house. We already have enough problems with the houses on the 400 block of Hudson St (in very close proximity to the proposed building site) where there are large amounts of students living, and the houses are in disrepair. We would rather see those properties improve rather than adding more residents to an already overcrowded area. We need a plan for our neighborhood.

Jen Maclaughlin



CITY OF ITHACA
108 East Green Street — 3rd Floor Ithaca, New York 14850-5690

DEPARTMENT OF PLANNING AND DEVELOPMENT

JOANN CORNISH, DIRECTOR OF PLANNING & DEVELOPMENT

Telephone: Planning & Development – 607-274-6550

Community Development/IURA – 607-274-6559

Email: dgrunder@cityofithaca.org

Email: iura@cityofithaca.org

Fax: 607-274-6558

Fax: 607-274-6558

TO: Planning Committee

FROM: JoAnn Cornish, Director of Planning and Development

DATE: August 3, 2017

RE: **Possible Relocation of East Hill Fire Station on College Ave.**

The City Facilities Master Planning Committee met for several months beginning in February of 2016 to carry out the Mayor’s directive to “to evaluate the existing city facilities and make recommendations for improvements, relocations and consolidations.”

Pam Kingsbury Architects was hired to evaluate the feasibility, costs, and benefits of consolidating certain City facilities—City Hall, Central Fire Station, and the Police Department—into one central campus to be located between West Green Street and West State/M.L.K. Jr. Street (where the Central Fire Station is currently). This consolidation would involve the sale of several parcels of City-owned land, including City Hall, the Police Department, adjacent parking areas, and possibly the western portion of the Green Street Garage.

Included in this study is evaluating the cost of 1) renovating the East Hill Fire Station (formerly Station #9) to remain operational for the next 20 years, or selling the station and 2) constructing a new station somewhere on East Hill or 3) expanding the Central Fire Station to accommodate current operations of the East Hill Fire Station.

The City Facilities Master Planning Committee agreed to suspend their meetings while work was being done by the consultant to complete the following tasks:

- Review of a previous Thomas Associates report that analyzed departmental space needs;
- Meet with departments to discuss updates to space needs, location/layout requirements, and changes that could improve efficiency;
- Identification of additional space needs and configuration requirements for a new central campus;
- Based on information gathered in each facility/department, prepare a site concept plan for appropriate sized building(s) to accommodate City Hall, the Police Department, and Central Fire Station on West Green Street. The conceptual site plan will address siting, parking, and on-site circulation;
- Prepare Cost estimates for the construction of new facilities at a central campus on W. Green Street as well as cost estimates for the renovation of existing facilities to address deficiencies and ensure continued operation for approximately 20 years.

Prepare appraisals of existing City buildings and properties for potential sale;

- City Hall and adjacent parking lot (Tax Parcel 70.-5-23 and portion of 70.-4-5.2)
- Western 1/3rd of the Green Garage (Tax Parcel 70.-4-5.2)
- East Hill Fire Station #9 (64.-10-17.2)
- Police Department and associated parking lots (Not City Court Building; portion of 81.-3-1 & 81.-10-1)
- Privately owned parcels for their potential purchase by the City to assemble a site for a central campus.

Kingsbury Architects has substantially completed the special analysis for city departments, and Midland Appraisers has completed appraisals for the above properties. The next step will be to prepare the conceptual site plan and cost estimates, which will be brought to the committee for review.

In a second study, the consultant will evaluate the feasibility, costs, and benefits of consolidating Water & Sewer and Streets & Facilities to one central facility. At this time the study will focus on creating a consolidated facility on City-owned property in the Southwest. However, the City could determine that an alternate location, or co-location with the Town of Ithaca or Tompkins County, would be preferable to this Southwest site. This consolidation would involve the sale of several parcels of City-owned land at the existing Water & Sewer and Streets & Facilities locations.

Emphasis was placed on completing the central campus study first as development pressures are mounting in Collegetown (land value is estimated at \$15 million an acre). Recently, we received a development proposal for the adjacent parcel that houses the Nine's Restaurant, and there has been considerable private interest in the fire station property. In addition, the city received a \$1 million grant from Empire State Development (ESD) to help fund the relocation of the East Hill Fire Station, and it needs to be encumbered very soon. We were recently notified that we are a year behind schedule and at risk of losing this funding.

More information will be presented at the Planning committee meeting on Wednesday, August 9, 2017. This is an important conversation and I would encourage all members of Council to attend if at all possible. As always, I am available to answer questions and share additional information on these studies.

City of Ithaca
Planning & Economic Development Committee
Wednesday, July 12, 2017 – 6:00 p.m.
Common Council Chambers, City Hall, 108 East Green Street

Minutes

Committee Members Attending: Joseph (Seph) Murtagh, Chair; Josephine Martell, Rob Gearhart, and Steve Smith

Committee Members Absent: Alderpersons Brock and Smith

Other Elected Officials Attending: Alderpersons McGonigal and Nguyen

Staff Attending: JoAnn Cornish, Director, Planning and Development Department; Jennifer Kuszniir, Senior Planner; Nels Bohn, Director of Ithaca Urban Renewal Agency; Anisa Mendizabal, Ithaca Urban Renewal Agency; Deborah Grunder, Executive Assistant

Others Attending:

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

1) Call to Order/Agenda Review

There were no changes made to the agenda.

2) Special Order of Business

a) Public Hearing – Waterfront Zoning

Aldersperson Gearhart moved to open the public hearing; seconded by Aldersperson Martell. Carried unanimously.

Theresa Alt, is still concerned about Waterfront Zoning – there is no inclusionary zoning and no incentive zoning. There is no housing.

Aldersperson Martell moved to close the public hearing; seconded by Aldersperson Gearhart. Carried unanimously.

b) Public Hearing – Expansion of Street Level Active Use to Secondary Commons

Alderson Martell moved to open the public hearing; seconded by Alderson Gearhart. Carried unanimously.

Fay Gougakis, spoke about the dogs that continue to be on the Commons. If the Commons is being extended, will dogs be allowed on the secondary Commons?

Alderson Martell moved to close the public hearing; seconded by Alderson Gearhart. Carried unanimously.

C) Public Hearing – 2nd Amendment to HUD Entitlement Citizen Participation Plan

Alderson Gearhart moved to open the public hearing; seconded by Alderson Martell. Carried unanimously.

There was no one from the public to speak on this topic.

Alderson Martell moved to close the public hearing; seconded by Alderson Gearhart. Carried unanimously.

3) Public Comment and Response from Committee Members

Fay Gougakis spoke on the painting of the bike racks. She rides her almost every day. She is against this project. The City does not take care of the bicyclists' concerns, but the City wants to make the bike racks look pretty.

4) Updates, Announcements, Reports

Nels Bohn gave an update on the Ithaca Fall remediation. There will be no further remediation done. The remediation did collect lead samples at the base of the falls. It was determined that the samples are coming from the top of the site along the cliff. There has been a fence installed, and if people remain on the public side of the fence, there will be no harm to humans.

5) Action Items (Voting to send onto Council)

a) 2nd Amendment to HUD Entitlement Citizen Participation Plan

Moved by Alderperson Gearhart; seconded by Alderperson Martell. Carried unanimously.

Whereas, the Citizen Participation Plan establishes the City of Ithaca's procedures for involving the public in development and implementation of the HUD Entitlement Program, and

Whereas, grantees of HUD Entitlement funding have a statutory obligation to affirmatively further fair housing, but the statute did not establish clear guidelines for grantees, and

Whereas, in 2015, the U.S. Department of Housing and Urban Development (HUD) adopted a Affirmatively Furthering Fair Housing rule in 2015 that revised the process for grantees to assess fair housing issues and promote fair housing choice, and

Whereas, Ithaca is now required to submit an Assessment of Fair Housing to HUD every five years that incorporates a specific consultation and citizen participation process, and

Whereas, at their June 21, 2017 meeting the Ithaca URA recommended adoption of the 2nd amendment to the HUD Entitlement Citizen Participation Plan, dated June 9, 2017, to comply with the Affirmatively Furthering Fair Housing rule; now, therefore, be it

Resolved, the Common Council of the City of Ithaca hereby adopts the attached 2nd amendment to the HUD Entitlement Citizen Participation Plan, dated June 9, 2017.

b) **Waterfront Zoning**

An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning” To Establish New Zoning for the Waterfront Area — Declaration of Lead Agency

Moved by Alderperson Gearhart; seconded by Alderperson Martell. Carried unanimously.

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

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

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

RESOLVED, that the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposed new zoning for the waterfront area.

An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning” To Establish New Zoning for the Waterfront Area — Declaration of Environmental Significance

Moved by Alderperson Martell; seconded by Alderperson Gearhart. Carried unanimously.

1. **WHEREAS**, The Common Council is considering to adopt new zoning for the waterfront area, and
2. **WHEREAS**, the appropriate environmental review has been conducted, including the preparation of a Full Environmental Assessment Form (FEAF), dated April 17, 2017, and
3. **WHEREAS**, the proposed action is a “TYPE I” Action under the City Environmental Quality Review Ordinance, and

4. **WHEREAS**, the Common Council of the City of Ithaca, acting as lead agency, has reviewed the FEAF prepared by planning staff; now, therefore, be it
1. **RESOLVED**, that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Full Environmental Assessment Form, dated April 17, 2017, and be it further
2. **RESOLVED**, that this Common Council, as lead agency in this matter, hereby determines that the proposed action at issue will not have a significant effect on the environment, and that further environmental review is unnecessary, and be it further
3. **RESOLVED**, that this resolution constitutes notice of this negative declaration and that the City Clerk is hereby directed to file a copy of the same, together with any attachments, in the City Clerk's Office, and forward the same to any other parties as required by law.

DRAFT

PLANNING COMMITTEE:

An Ordinance Amending the Municipal Code of the City Of Ithaca, Chapter 325, Entitled "Zoning" To Establish New Zoning for the Waterfront Area

Moved by Alderperson Martell; seconded by Alderperson Gearhart. Passed unanimously,

John Green from the Waterfront Committee shared his concern that if this is passed now, he would like to see the amendments moving forwarded be handled efficiently.

JoAnn Cornish stated that this document is the recommendation of the Waterfront Committee which they were charged to do. This committee has worked very diligently and their recommendation should be accepted. Amendments to zoning can take a long time.

Chair Murtagh further stated that this is being handled this way due to the TMPUD expiration. Zoning changes usually come at the end of changing a plan.

John Green stated as a committee member, there was a vast array of talent and expertise on the Waterfront Committee. In his opinion, Form Ithaca has some very good ideas with their design expertise.

JoAnn Cornish stated that the City Planning Staff are design professionals and as such their expertise should be taken into account. The staff has a many collective years of experience.

Aldersperson McGonigal stated he is very proud of the Waterfront Committee and proud of the Planning Staff. They have many years of experience.

Aldersperson Gearhart thanked all that have worked endlessly on this. We may get caught in a situation that if we pass it tonight that there will be things that will come up during this process that may not be ideal or developers may come forward quicker than having the design guidelines in place.

1. **WHEREAS**, on September 2, 2015, the Common Council adopted Plan Ithaca as Phase I of the City Comprehensive Plan, and
2. **WHEREAS**, this plan identifies the desired future land uses in the City, as well as areas where development is anticipated and encouraged, and identifies community goals and recommendations for the City, and
3. **WHEREAS**, on August 17, 2015, the City of Ithaca Comprehensive Plan Committee submitted a written recommendation to the City that included developing a plan for the waterfront as a priority for the next phase of the City's Comprehensive Plan, and
4. **WHEREAS**, in November of 2015, the Planning and Economic Development Committee of the Common Council directed Planning Staff to begin working on a waterfront development plan as a part of the next phase for the Comprehensive Plan, and
5. **WHEREAS**, on March 2, 2016, the Common Council adopted legislation establishing a Temporary Mandatory Planned Unit Development (TMPUD) in order to provide the Common Council with transitional oversight for potential development projects to ensure development in the waterfront study area supports the goals of the City's Comprehensive Plan, while the plan for the waterfront and the associated new zoning could be established, and
6. **WHEREAS**, the TMPUD was established for a period of 18 months, during which time the Common Council was charged with adopting new zoning regulations for the waterfront area, and
7. **WHEREAS**, the City Comprehensive Plan identifies the goals for the Waterfront Mixed Use area as the creation of a mixed use district, including commercial, and housing, with an emphasis on uses that create an active waterfront environment, and
8. **WHEREAS**, the City Comprehensive Plan further notes that "new development should protect view sheds and allow public access to the waterfront, and

pedestrian and bicycle connections should be improved, and reducing the impacts of parking in new development should be carefully considered, and

9. **WHEREAS**, in order to develop recommendations for the plan and for the zoning, the City established a waterfront working group made up of 17 members of the public and City Planning Staff, and
10. **WHEREAS**, the waterfront working group began meeting in September of 2016 and in December of 2016 they hosted two open houses in order to solicit additional input from the public, and
11. **WHEREAS**, given the deadline of establishing new zoning prior to the expiration of the TMPUD in August 2017, the waterfront working group has focused on completing a land use section of the plan and making recommendations for future zoning for the Waterfront Study Area, and
12. **WHEREAS**, using feedback from the public and goals from Plan Ithaca the working group has completed the land use section of the draft plan and has used this section to make recommendations for changes to the current zoning in the Waterfront Study Area,
13. WHEREAS, the Waterfront Working Group received extensive comments from Form Ithaca, and the group reviewed and incorporated many of these comments, however, it is recommended that some of the comments, including glazing and building entrance requirements be addressed in design review guidelines.
14. WHEREAS, the Waterfront Working Group recommends that the City consider incorporating mandatory design review for all new construction in the waterfront in order to ensure that any new structures are constructed to conform with the common vision throughout the waterfront districts, and further recommends that the City develop Design Guidelines for all of the Waterfront Zoning districts, and
15. WHEREAS, other comments from Form Ithaca regarding maximum block perimeter and maximum block length were not included, but recognized to be important aspects of defining the future neighborhoods. However, the group thought that these should be recommendations that should wait until after the transportation chapter of the waterfront plan is completed. This would allow for a future transportation network to be defined and a vision of future block sizes and streetscapes to be developed, and
16. **WHEREAS**, the group chose not to incorporate the recommended parking location requirement due to the variety of lot sizes and types in the waterfront area, instead, it is the recommendation of the waterfront working group that the

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City consider the importance of maintaining on street parking in order to reduce the footprints of standalone parking lots, and

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17. Whereas, the Waterfront Working Group further recognizes that the recommended zoning may not always account for specific project proposals that may be of a benefit to the community, and therefore recommends that the City consider adopting legislation to allow for Planned Unit Developments in the waterfront districts, and

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now therefore be it

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RESOLVED, that the Common Council does hereby adopt the Land Use Chapter of the Waterfront Plan with the intent that the once the full Waterfront Plan is completed, this chapter will be inserted as a part of the plan, and

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

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

LIGHT INDUSTRIAL

Fabrication, processing, manufacturing, converting, altering, assembling or other handling of products that:

A. Does not result in:

- (1) Dissemination of noise, vibration, odor, dust, smoke, detectable gas or fumes or their atmospheric pollutant beyond the boundaries of the property lines in which such use is conducted;
- (2) Unusual hazard of fire, explosion or other physical danger to any person, building or vegetation;
- (3) Radiation or interference with radio or television reception beyond the boundary of the property;
- (4) A harmful discharge of waste material or any other means of disposal of waste material other than by delivery to an authorized, off-site treatment facility;

HEAVY INDUSTRIAL

Fabrication, processing, manufacturing, converting, altering, assembling or other handling of products. Heavy industrial uses may result in loud noises, vibrations, or odors. These negative effects must be mitigated, so that the impacts do not reach beyond the boundaries of the district where the use is permitted.

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HEALTH CARE FACILITY

Health Care Facilities are places that provide health care services, but are not intended for overnight stay. Health Care Facilities may include, ~~at~~ clinics, outpatient care centers, and urgent care facilities.

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FOOD PRODUCTION FACILITY

Any facility that is used to transform raw ingredients, by physical or chemical means, into food or other items meant for human consumption, or for food into other forms, including the processing and packaging of the food items. Food Production Facilities may include, but are not limited to bakeries, brew pubs, coffee roasters, wineries, food packaging facilities.

Section 2. Section 325-4 of the Municipal Code of the City of Ithaca, entitled "Establishment of Districts", is hereby amended in order to add the following zoning districts:

WE/WFD	West End/Waterfront District
CSD	Cherry Street District
ND	Newman District
MD	Market District

Section 325-4 is further amended to delete the following zoning districts:

M-1	Marine Commercial
WF-1	Waterfront 1
WF-2	Waterfront 2

Section 3. Section 325-8 of the Municipal Code of the City of Ithaca is hereby amended as follows to establish district regulations for the new WE/WF District and to amend the District Regulations Chart as follows:

West End/Waterfront District (WE/WF)

Permitted Primary Uses-Permitted primary uses may be combined in a single building. All new construction must go through a mandatory design review process.

1. Multiple Family dwelling (See § 325-3).
2. Rooming or boarding house.
3. Cooperative household (See § 325-3).
4. Townhouse or garden apartment housing.
5. Nursery school, child day care center, group Adult Day Care.
6. Nursing, convalescent or rest home.
7. Funeral Home or Mortuary
8. Business or professional Office
9. Bank or Monetary Institution
10. Office of Government
11. Public private parochial school
12. Retail store or service commercial facility.
13. Restaurant, fast food establishment, tavern.
14. Club, lodge or private social center.
15. Confectionery, millinery, dressmaking and other activities involving light hand fabrication as well as sales.

- 16. Theater, bowling alley, auditorium or other similar place of public assembly.
- 17. Hotel, motel.
- 18. Water Related Light Industrial Uses, including boat fueling stations
- 19. Sale, rental, repair or storage, of marine related recreational equipment such as boats, marine engines, sails, cabin equipment

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BY SPECIAL PERMIT OF BOARD OF APPEALS:

- 20. Redemption Center
- 21. Neighborhood commercial facility.
- 22. Hospital or Sanatorium.
- 23. Bed and Breakfast Inns
- 24. Church and related buildings.
- 25. Public park or playground.
- 26. Library, fire station
- 27. Public utility structure except office.
- 28. All school and related buildings
- 29. Parking Garage, with design review.

Specifically Prohibited in the WE/WF District:

Specifically Prohibited: Heavy Industrial Uses, Non Water Related Light Industrial, 1 and 2 family detached or semi-detached dwellings, Mobile Homes, Propane or Petroleum Fuel Storage, Cemeteries, Casinos, Fueling Stations, Single Story stand-alone Self-Storage Facilities and no storage uses of any kind on the ground floor, except as an accessory use, Big Box Retail, Drive Through Establishments, Large Beverage Producers, Motor Vehicle Sales and Service, Printing, Heating, a/c, etc.

Deleted: <#>Any Use Permitted in B-2 Zone, with the exception of 1 and 2 family detached or semi-detached dwellings, fraternity, sorority or group houses, or dormitories, or Bed and Breakfast homes-which are not permitted in the WE-WF District¶
 <#>Water Related Light Industrial Uses, including boat fueling stations¶
 <#> Sale, rental, repair or storage, of marine related recreational equipment such as boats, marine engines, sails, cabin equipment¶
 <#>Parking Garages-Permitted by Special Permit¶

Permitted Accessory Uses

- 1. Any accessory use permitted in the B-2 Zone
- 2. Boat fueling station
- 3. Snowmobile sales, service, rental in conjunction with boat sales, rental or service
- 4. Parking lot/parking garage
- 5. Dock
- 6. Outdoor storage of materials
- 7. Storage of marine related recreation equipment such as boats, marine engines, sails, cabin equipment as it relates to permitted primary uses under zoning

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Off Street Parking Requirement

None

Off Street Loading Requirement

1 space, unless an on street loading space is already provided for in the public right of way

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Minimum Lot Size (SF)

None

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Minimum Width in Feet at Street Line

None

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Maximum Building Length

New structures should be constructed to be no more than 100' in length. The Planning Board may grant an exception to this rule. A residential structure composed of three or more attached modules with shared sidewalls, the facade of each module measuring no more than 25 feet in length and maintaining a uniform setback from the street line. Modules within a row house may consist of a single dwelling unit or may contain multiple vertically stacked dwelling units. Each module must have one street-facing entry.

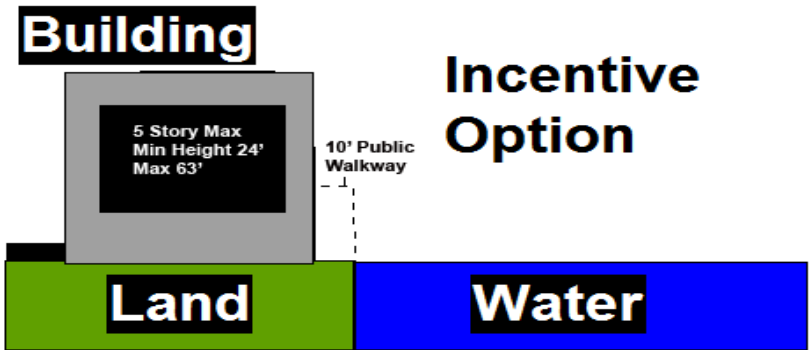
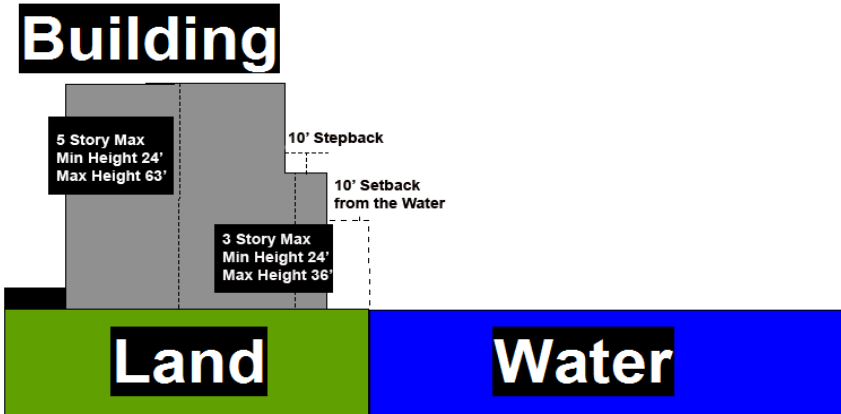
Maximum Building Height

Any building not located along the water can have a maximum building height of 63' and 5 stories.

Waterfront Stepback Requirement

For any buildings located along the water, the first 10' in depth of building facing the water, must be between 2-3 stories in height. After the first 10 feet, buildings may have a maximum height of 63' and 5 stories. Any property that provides a public walkway of at least 10' along the waterfront is exempt from the stepback requirement and may have a maximum building height of 63' and 5 stories.

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Maximum Percentage of Lot Coverage by Buildings

100%, Except for Required Setbacks

Yard Dimensions

Required Minimum/Maximum Front Yard Setback- No front yard setback is required, except as necessary to provide a minimum 5' sidewalk and an 8' tree lawn. Buildings may be setback no more than 10' from the sidewalk.

Required Minimum Side Yard-5'

Required Minimum Other Side Yard- 5'

Required Minimum Rear Yard- For properties located along the waterfront, there is a minimum setback of 20' from the top of bank, except for the eastern side of Inlet Island. On the eastern side of Inlet Island, the setback for buildings is 10' from the water, with the exception of uncovered at-grade structures such as decks, docks, and patios which have no setback from the water. Uncovered structures must maintain visual connectivity to uncovered structures on adjacent lots. Properties that are less than 50' in depth from the edge of the water are exempt from the setback from the water. In some areas an additional setback from the water may be required by the NYS DEC easement. For properties not located directly adjacent to the water the minimum rear yard setback is 10'.

Minimum Frontage Buildout

60%

Minimum Building Height

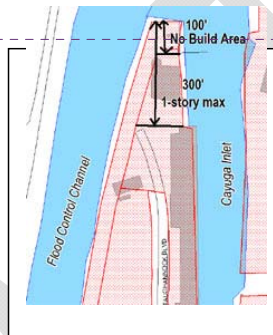
For Water Dependent Uses there is no minimum building height. For any non-water dependent uses, buildings must be a minimum of 2 stories in height. The first story of any new structure must be 12-15' in height, measured floor to floor. Each additional story must be 10-12' in height, measured from floor to floor. Accessory structures of less than 250 SF may be 1 story. As an exception any increase in first floor elevation, as required to comply with flood plain regulations, can be included in the first story minimum height requirement, however the first floor should not be less than 10' in height measured floor to floor.

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Additional Restrictions

1. Lookout Point Restrictions

a. The first 100 feet south from the northern tip of Inlet Island is to remain a no build area. In addition, in the first 300 feet south from the northern tip of Inlet Island no building may be constructed that is greater than 1 story in height.



Section 4. Section 325-8 of the Municipal Code of the City of Ithaca is hereby amended as follows to establish district regulations for the new Cherry Street District (CSD), and to amend the District Regulations Chart as follows:

Cherry Street District (CSD)

Permitted Primary Uses-Permitted primary uses may be combined in a single building. All new construction must go through a mandatory design review process.

1. No residential uses are permitted south of Cecil Malone Drive. For properties located north of Cecil Malone Drive, residential uses are not permitted on the ground floor of any building.

2. Multiple Family dwelling (See § 325-3).
3. Rooming or boarding house.
4. Cooperative household (See § 325-3).
5. Townhouse or garden apartment housing.
6. Nursery school, child day care center, group Adult Day Care.
7. Nursing, convalescent or rest home.
8. Funeral Home or Mortuary
9. Business or professional Office
10. Bank or Monetary Institution
11. Office of Government
12. Public private parochial school
13. Retail store or service commercial facility.
14. Restaurant, fast food establishment, tavern.
15. Club, lodge or private social center.
16. Confectionery, millinery, dressmaking and other activities involving light hand fabrication as well as sales.
17. Theater, bowling alley, auditorium or other similar place of public assembly.

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- 18. Hotel, motel.
- 19. Water Related Light Industrial Uses, including boat fueling stations
- 20. Sale, rental, repair or storage, of marine related recreational equipment such as boats, marine engines, sails, cabin equipment
- 21. Light Industrial Uses
- 22. Food Production Facilities
- 23. Large Beverage Producers
- 24. Multi-level storage facilities, no ground floor storage

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BY SPECIAL PERMIT OF BOARD OF APPEALS:

- 25. Redemption Center
- 26. Neighborhood commercial facility.
- 27. Hospital or Sanatorium.
- 28. Bed and Breakfast Inns
- 29. Church and related buildings.
- 30. Public park or playground.
- 31. Library, fire station
- 32. Public utility structure except office.
- 33. All school and related buildings
- 34. Production

Specifically Prohibited in the CSD:

Specifically Prohibited: Mobile Homes, Propane or Petroleum Fuel Storage, Casinos, Fueling Stations, Single Story stand-alone Self-Storage Facilities and no storage uses of any kind on the ground floor, except as an accessory use, Big Box Retail, Drive-thru Establishments, Cemeteries

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<#>Light Industrial Uses¶
<#>Large Scale Breweries¶
Food
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Permitted Accessory Uses

- 1. Any accessory use permitted in the B-2 Zone
- 2. Boat fueling station
- 3. Snowmobile sales, service, rental in conjunction with boat sales, rental or service
- 4. Parking lot/parking garage
- 5. Dock
- 6. Outdoor storage of materials
- 7. Storage of marine related recreation equipment such as boats, marine engines, sails, cabin equipment as it relates to permitted primary uses under zoning

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Off Street Parking Requirement

None

Off Street Loading Requirement

1 space, unless an on street loading space is already provided for in the public right of way.

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Minimum Lot Size (SF)

None

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Minimum Width in Feet at Street Line

None

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Maximum Building Height

63'
5 Stories

Maximum Percentage of Lot Coverage by Buildings

100%, Except for Required Setbacks

Yard Dimensions

Required Minimum Front Yard- No front yard setback is required, except as necessary to provide a minimum 5' sidewalk and a preferred 8' tree lawn-When an 8' tree lawn is not feasible, the Planning Board, at their discretion, may reduce the tree lawn requirement to 5'.

Required Minimum Side Yard- 10'

Required Minimum Other Side Yard- 10'

Required Minimum Rear Yard- For properties located along the waterfront, there is a minimum setback of 25' from the top of bank. For properties not located directly adjacent to the water the minimum rear yard setback is 10'.

Minimum Building Height

For Industrial Uses, including beverage producers and food production facilities, there is no minimum building height. For any non-industrial uses buildings must be a minimum of 2 stories in height. The first story of any new structure must be 12-15' in height, measured floor to floor. Each additional story must be 10-12' in height, measured from floor to floor. As an exception any increase in first floor elevation, as required to comply with flood plain regulations, can be included in the first story minimum height requirement, however the first floor should not be less than 10' in height measured floor to floor.

Accessory structures of less than 250 SF may be 1 story.

Section 5. Section 325-8 of the Municipal Code of the City of Ithaca is hereby amended as follows to establish district regulations for the new Newman District (ND), and to amend the District Regulations Chart as follows:

Newman District (ND)

Permitted Primary Uses-Permitted primary uses may be combined in a single building. All new construction must go through a mandatory design review process.

1. Multiple Family dwelling (See § 325-3).
2. Rooming or boarding house.
3. Cooperative household (See § 325-3).
4. Townhouse or garden apartment housing.
5. Nursery school, child day care center, group Adult Day Care.
6. Nursing, convalescent or rest home.
7. Funeral Home or Mortuary
8. Business or professional Office
9. Bank or Monetary Institution
10. Office of Government
11. Public private parochial school

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Any Use Permitted in B-1 Zone, with the exception of 1 and 2 Family Detached or Semi-Detached Dwellings, Fraternity, Sorority, or Dormitories, or Bed and Breakfast homes, and Funeral Homes, and Banks or Monetary Institutions, which are not permitted in the Newman District.

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12. Retail store or Service Commercial Facility
13. Restaurants, Fast Food Establishment, Tavern, with the exception of establishments where food or drink is intended to be served to or consumed by persons in automobiles
14. Club, Lodge or Private Social Center
15. Theater, Bowling Alley, Auditorium or Other Similar Place of Public Assembly
16. Hotel/Motel/Boatel
17. Recreational or Cultural Facilities such as a Park, Playground, Art Museum, fishing pier, or yacht club
18. Public Recreation
19. Sale, Rental, Repair, or Storage of Marine-related Recreational Equipment, such as boats, marine engines, sails, cabin equipment, and boat fueling
20. Community Gardens

Permitted Accessory Uses

1. Any accessory use permitted in the WE/WFD Zone,
2. Confectionary, Millinery, dressmaking, and Other Activities involving Light Hand Fabrication, as well as sales.
3. Parking Garages
4. Dock
- 5.

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Off Street Parking Requirement

None

Off Street Loading Requirement

None

Minimum Lot Size (SF)

None

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Minimum Width in Feet at Street Line

None

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Maximum Building Height

For properties located along the waterfront, the first 12' in depth of building facing the water is restricted to have a maximum building height of 2-3 stories after that the building may step up to 5 stories. Properties not located adjacent to the water have a maximum height of 5 stories and 63'.

Maximum Percentage of Lot Coverage by Buildings

100%, Except for Required Setbacks

Yard Dimensions

Required Minimum Front Yard- No front yard setback is required, except as necessary to provide a minimum 5' sidewalk and a preferred 8' tree lawn.

Required Minimum Side Yard- 5'

Required Minimum Other Side Yard- 5'

Required Minimum Rear Yard- For properties located along the waterfront, there is a minimum setback of 20' from the top of bank For properties not located directly adjacent to the water the minimum rear yard setback is 10'.

Minimum Building Height

All new construction must be a minimum of 25' in height and 2 stories. The first story of any new structure must be 12-15' in height, measured floor to floor. Each additional story must be 10-12' in height, measured from floor to floor. As an exception any increase in first floor elevation, as required to comply with flood plain regulations, can be included in the first story minimum height requirement, however the first floor should not be less than 10' in height measured floor to floor.

Accessory structures of less than 250 SF may be 1 story.

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2 Stories

Section 6. Section 325-8 of the Municipal Code of the City of Ithaca is hereby amended as follows to establish district regulations for the new Market District (MD), and to amend the District Regulations Chart as follows:

Market District (MD)

Permitted Primary Uses-Permitted primary uses may be combined in a single building. All new construction must go through a mandatory design review process.

1. Multiple Family dwelling (See § 325-3).
2. Rooming or boarding house.
3. Cooperative household (See § 325-3).
4. Townhouse or garden apartment housing.
5. Nursery school, child day care center, group Adult Day Care.
6. Nursing, convalescent or rest home.
7. Funeral Home or Mortuary
8. Business or professional Office
9. Bank or Monetary Institution
10. Office of Government
11. Public private parochial school
12. Retail store or Service Commercial Facility
13. Restaurants, Tavern, Fast Food Establishment, with the exception of establishments where food or drink is intended to be served to or consumed by persons in automobiles
14. Club, Lodge or Private Social Center
15. Theater, Bowling Alley, Auditorium or Other Similar Place of Public Assembly
16. Hotel/Motel/Boatel
17. Recreational or Cultural Facilities such as a Park, Playground, Art Museum, fishing pier, or yacht club
18. Public Recreation
19. Sale, Rental, Repair, or Storage of Marine-related Recreational Equipment, such as boats, marine engines,
20. Health Care facilities
21. B&B Inns
22. Confectionary, Millinery, dressmaking, and Other Activities involving Light Hand Fabrication, as well as sales.

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- 23. Food Production Facilities
- 24. Community Gardens

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Permitted Accessory Uses

- 1. Any accessory use permitted in the ND Zone
- 2. Drive-Thru Banking Services
- 3. Parking Garages
- 4. Dock

Off Street Parking Requirement

None

Off Street Loading Requirement

None

Minimum Lot Size (SF)

None

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Minimum Width in Feet at Street Line

None

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Maximum Building Height

For properties located along the waterfront, the first 12' in depth of building facing the water is restricted to have a maximum building height of 2-3 stories after that the building may step up to 5 stories. Properties not located adjacent to the water have a maximum height of 5 stories and 63'.

Maximum Percentage of Lot Coverage by Buildings

100%, Except for Required Setbacks

Yard Dimensions

Required Minimum Front Yard- No front yard setback is required, except as necessary to provide a minimum 5' sidewalk and an 8' tree lawn

Required Minimum Side Yard- 5'

Required Minimum Other Side Yard- 5'

Required Minimum Rear Yard- For properties located along the waterfront, there is a minimum setback of 20' from the top of bank. For properties not located directly adjacent to the water the minimum rear yard setback is 10'.

Minimum Building Height

All new construction must be a minimum of 25' in height and 2 stories. The first story of any new structure must be 12-15' in height, measured floor to floor. Each additional story must be 10-12' in height, measured from floor to floor. As an exception any increase in first floor elevation, as required to comply with flood plain regulations, can be included in the first story minimum height requirement, however the first floor should not be less than 10' in height measured floor to floor.

Accessory structures of less than 250 SF may be 1 story.

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2 Stories ¶

Section 7. Section 325-8 of the Municipal Code of the City of Ithaca is hereby amended to adjust the boundary of the Adult Use Overlay Zone in order to remove the newly established Market District from the overlay zone. The boundary of the Adult Use Overlay Zone is hereby established as shown on the map, entitled "Adult Use Overlay Zone - 2017"

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

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

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

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c) Expansion of Street Level Active Use to Secondary Commons

An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled "Zoning," To Expand the Requirement for Street Level Active Uses in the Downtown Area - Declaration of Lead Agency

Moved by Alderperson Martell; seconded by Alderperson Gearhart. Passed unanimously.

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

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

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

RESOLVED, that the Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review of the proposal to amending the Municipal Code Of The City Of Ithaca, Chapter 325, Entitled "Zoning," To Expand the Requirement for Street Level Active Uses in the downtown area.

An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled "Zoning," To Expand Street Level Active Use Requirements - Declaration of Environmental Significance

Moved by Alderperson Martell; seconded by Alderperson Gearhart. Passed unanimously.

1. WHEREAS, The Common Council is considering a proposal to amend the Municipal Code of the City Of Ithaca, Chapter 325, Entitled "Zoning," To Expand the Requirement for Street Level Active Uses in the Downtown Area, and

2. WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Full Environmental Assessment Form (FEAF), dated June 21, 2017, and

3. WHEREAS, the proposed action is a "TYPE I" Action under the City Environmental Quality Review Ordinance, and

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

1. **RESOLVED**, that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Full Environmental Assessment Form, dated June 21, 2017, and be it further

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

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

An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled "Zoning," To Expand the Street Level Active Use Zone

ORDINANCE NO. _____

Moved by Alderperson Gearhart; seconded by Alderperson Martell. Passed unanimously with amended changes made by Jennifer Kuznir regarding the addition of both sides of Green Street.

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

Section 1. Chapter 325 ("Zoning"), Section 325-8D(3).("Zoning Regulations-Additional Restriction in the CBD Districts") of the Municipal Code of the City of Ithaca is hereby amended to read as follows:

(3) All properties located in the CBD district that contain a storefront that fronts on the Primary Commons must contain an active use on the street level for that portion of the building that fronts onto the Primary Commons. **Additionally, all properties that front on the Secondary Commons, as defined in Section 157-3 if the City Code, along with properties fronting on the North side of Green Street between Geneva Street and the Tuning Fork, must also contain active use on the street level for the portions of the building that front onto the street.** Non-active uses are prohibited on the storefronts that front on the Primary Commons. Examples of non-active uses include, but are not limited to, any residential uses or commercial activities that have blocked windows. The boundaries of the street level active use zone are shown on the map, entitled "Proposed Boundary For Mandatory Street Level Active Use Zone-May 2017"

(a) "Active uses" are defined as uses that encourage high levels of pedestrian activity and enliven the streetscape, and create well-lit spaces with ample visibility into the storefront area. Active uses include, but are not limited to, the following:

- [1] Retail store or service commercial facility.
- [2] Restaurant, fast-food establishment, or tavern.
- [3] Theater, bowling alley, auditorium, or other similar public place of assembly.
- [4] Hotel.
- [5] Bank or monetary institution.

[6] Confectionary, millinery, dressmaking and other activities involving light hand fabrication, as well as sales.

(b) Additional uses may be permitted if the Planning and Development Board determines them to be an active use and grants special approval for the use. The Planning Board may also grant a special approval of a nonactive use if a property owner is able to show that the physical structure is not easily adaptable to be used as one of the above listed active uses.

Section 2. Chapter 325, Section 325-5, Zoning Map of the Municipal Code of the City of Ithaca is hereby amended to create a Street Level Active Use Overlay Zone (SLAUOZ) to include properties located in the Primary and Secondary Commons, and any properties located on the North Side of Green Street between Albany Street and the Tuning Fork. The boundaries of this amendment are shown on the map entitled "Proposed Boundary for Mandatory Street Level Active Use Zone-May 2017"," a copy of which shall be on file in the City Clerk's office.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this ordinance.

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.

d) Mural Installation – Dryden Parking Garage

Resolution to Select Artwork for a Mural Installation on the Dryden Road Parking Garage

Moved by Alderperson Martell; seconded by Alderperson Gearhart. Passed unanimously.

WHEREAS, the City of Ithaca Public Art Commission (PAC) was established to, among other duties, review and advise the Common Council on proposals for the exhibition and display of public art in the City's public spaces, and

WHEREAS, Plan Ithaca, the City's comprehensive plan, identifies public art as an important cultural resource that contributes to quality of life and economic vitality and calls for the City's continued support of public art (see *Cultural Resources*), and

WHEREAS, in 2010, the PAC created a mural and street art program to beautify blank walls within the city, while providing local artists from all sections of the community an opportunity to showcase their work, and

WHEREAS, the Board of Public Works approved several locations for future murals and street art, including the Dryden Road Parking Garage in July 2014, and

WHEREAS, Mary Beth Ihnken has submit her proposal for a mural titled "Sky" to be installed on the exterior of the west façade of the Dryden Road Parking Garage, and

WHEREAS, the PAC held a public comment period on the mural design and location at its meeting on April 27, 2017 to gather input on the proposed installation, and most of the responses to the proposal have been positive, and

WHEREAS, the mural will be funded through the Community Arts Partnership's Public Art Grant, and the installation will be budget-neutral to the City, and

WHEREAS, at its meeting on April 27, 2017, the Public Art Commission voted to recommend that the Common Council approve Mary Beth Ihnken's mural to be installed on the Dryden Road Parking Garage; now, therefore, be it

RESOLVED, that the City of Ithaca Common Council selects Mary Beth Ihnken's mural "Sky," as recommended by the Public Art Commission, to be installed on the exterior of the west façade of the Dryden Road Parking Garage and to be added to the City of Ithaca's public art collection; and be it further

RESOLVED, that the selected artist may proceed with the installation of the mural upon the execution of an agreement with the City as reviewed by the City Attorney.

e) Ithaca Community Bike Rack Design Project

Chair Murtagh stated he would be interested in how the BPAC and the broader community. JoAnn Cornish stated that this will have to also to send it to the BPW.

It was agreed that this would be circulated for further input from the biking community.

Resolution to Approve Creative Bike Rack Designs for Fabrication and Installation Moved by Alderperson Gearhart; seconded by Alderperson Martell. Passed unanimously.

WHEREAS, in the spring of 2017, the Downtown Ithaca Alliance, in partnership with the City of Ithaca and Tompkins County held a call for submissions for creative bike rack designs, and

WHEREAS, a design review board composed of bicycle advocates, the City's Public Art Commission and other community members worked with the Downtown Ithaca Alliance and were responsible for selecting the winning designs, and

WHEREAS, Plan Ithaca, the City's comprehensive plan, identifies public art as an important cultural resource that contributes to quality of life and economic vitality and calls for the City's continued support of public art (see *Cultural Resources*), and

WHEREAS, designs were judged on functionality, artistic innovation and creativity, and

WHEREAS, there were 79 submissions of which 13 were chosen for fabrication, and

WHEREAS, the PAC held a public comment period for the proposals through notification of surrounding property owners of all thirteen locations, and

WHEREAS, the public comments were discussed by members of the PAC on June 22, 2017, and

WHEREAS, after reviewing public comment, the PAC voted unanimously to recommend the bike racks and their locations be considered for approval by the Common Council, and

WHEREAS, according to the project sponsor, the racks will be donated and become the property of the City, and

WHEREAS, this project has not yet been approved by the Board of Public Works but is on their July 24, 2017 agenda, now, therefore, be it

RESOLVED, that the City of Ithaca Common Council approves the design, fabrication, and installation of thirteen bike racks, in the locations proposed, as recommended by the Public Art Commission, pending approval by the Board of Public Works.

6) Discussion

a) Ithaca Falls Tunnel and Natural Area

Photos were shown in these areas which indicate a lot of foot traffic, and people using the area. This is a very dangerous area. People have ventured in and have gotten stuck and need to be rescued. It was agreed that a site visit will be done to help determine the best way to make this safer.

7) Review and Approval of Minutes

a) June 2017

Moved by Alderperson Martell; seconded by Alderperson Gearhart. Passed unanimously.

8) Adjournment

Moved by Alderperson Gearhart; seconded by Alderperson Martell. Passed unanimously. The meeting was adjourned at 8:25 p.m.