# PEDC Meeting
Planning and Economic Development Committee
Ithaca Common Council

**AMENDED**

**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>Donna Fleming, Chair</td>
<td>6:00</td>
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<tr>
<td>2) Public Comment</td>
<td>No</td>
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<td>6:05</td>
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<tr>
<td>3) Special Order of Business</td>
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<tr>
<td>a) Public Hearing: INHS Immaculate Conception Planned Unit Development</td>
<td>No</td>
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<td>6:15</td>
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<tr>
<td>b) Public Hearing: Ithaca Wastewater Treatment Plant Disclosure Ordinance</td>
<td>Yes</td>
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<td>6:30</td>
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<tr>
<td>4) Announcements, Updates, Reports</td>
<td></td>
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<tr>
<td>a) Planning Board: Update on the Carpenter Circle Planned Unit Development</td>
<td>No</td>
<td>Lisa Nicholas, Planning</td>
<td>6:45</td>
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<tr>
<td>5) Action Items (Voting to Send on to Council)</td>
<td></td>
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<tr>
<td>a) Neighborhood Improvement Incentive Fund</td>
<td>Yes</td>
<td>Megan Wilson, Planning</td>
<td>6:50</td>
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<tr>
<td>b) Wastewater Treatment Plant Disclosure Ordinance</td>
<td>Yes</td>
<td>Cynthia Brock, Alderperson</td>
<td>7:00</td>
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<tr>
<td>c) Chainworks Planned Unit Development</td>
<td>Yes</td>
<td>Lisa Nicholas, Planning</td>
<td>7:30</td>
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<tr>
<td>d) Alterations to Non-Conforming Uses</td>
<td>Yes</td>
<td>JoAnn Cornish, Planning Director</td>
<td>7:45</td>
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<tr>
<td>e) Intercity Bus Resolution</td>
<td>Yes</td>
<td>JoAnn Cornish, Planning Director</td>
<td>8:00</td>
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<td>6) Action items (Approval to Circulate)</td>
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<tr>
<td>a) Green Building Policy</td>
<td>Yes</td>
<td>Nick Goldsmith, Planning</td>
<td>8:30</td>
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<tr>
<td>b) West MLK/State Zoning Changes</td>
<td>Yes</td>
<td>JoAnn Cornish, Planning Director</td>
<td>9:00</td>
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<tr>
<td>7) Review and Approval of Minutes</td>
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<tr>
<td>a) No Minutes to Approve</td>
<td>No</td>
<td></td>
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<tr>
<td>8) Adjournment</td>
<td>Yes</td>
<td></td>
<td>9:25</td>
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</tbody>
</table>

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 13, 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. **
LEGAL NOTICE

PLEASE TAKE NOTICE that the Common Council of the City of Ithaca, New York, will hold a public hearing to consider a proposed Planned Unit Development (PUD) zoning application for the Ithaca Neighborhood Housing Services project to be located at 320-324 & 330 W. Buffalo St, and 309 N. Plain Street.

The application being considered involves the redevelopment of the former Immaculate Conception School into a vibrant mixed-use community, specifically designed to address high-priority local needs. The over-arching goal of this project is to provide both rental and for-sale housing that is affordable at a range of household incomes (from less than 30% AMI up to 90% AMI for the rental units and 80% AMI or below for the for-sale units) and that is suitable for a range of household sizes (from single people to large families). The project will also provide space for non-profit organizations and will transfer the existing gymnasium to GIAC.

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, August 14, 2019, at 6:00 p.m.

A copy of the proposed ordinance can be viewed in Planning Division, 3rd Floor City Hall, 108 East Green Street, Ithaca, New York.

JoAnn Cornish
Director of Planning & Development

07/29/2019
LEGAL NOTICE

PLEASE TAKE NOTICE that the Planning and Economic Development Committee of Common Council of the City of Ithaca, New York, will hold a public hearing to consider a requirement for a "PRESERVATION OF ITHACA AREA WASTEWATER TREATMENT FACILITY (IAWWTF) DISCLOSURE NOTICE" within the IAWWTF Setback Zone, for all discretionary approvals by the City of Ithaca for parcel maps, subdivision maps or use permits relating to real property and for all building permit applicants for new residential or commercial construction issued by the City of Ithaca, and that the disclosure notice be filed with any grant deed, quitclaim deed or land sale contract and be returned to the grantee by the Clerk/Recorder/Assessor after recording, and that Owners of property within the IAWWTF Setback Zone land should be prepared to acknowledge the occasional inconveniences and discomfort associated with Municipal Waste Water Treatment Operations, including, but not necessarily limited to: odors, heavy trucks, lighting, smoke, operation of machinery, and the storage and disposal of bio solids and trucked waste and possible emergency discharge.

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, August 14, 2019, at 6:00 p.m.

A copy of the proposed requirement can be viewed in Planning Division, 3rd Floor City Hall, 108 East Green Street, Ithaca, New York.

JoAnn Cornish
Director of Planning & Development

7/31/19
To: Planning and Economic Development Committee
From: Lisa Nicholas, Deputy Director of Planning
Date: August 2, 2019
RE: Carpenter Circle PUD – Planning Board Update to Common Council

This update is submitted in accordance with the City’s PUD Ordinance, which requires that the Planning Board update Common Council after each Planning Board meeting where the project is considered and request ongoing written comments from the Common Council. Please submit any written comments for the Planning Board to me at nicholas@cityofithaca.org or Anya Harris at aharris@cityofithaca.org. Call (607-274-6557) or email me directly with questions or requests for information.

Planning Board Update
The Planning Board reviewed the project at their July 23, 2019 meeting. The applicant gave a comprehensive project presentation focused on site constraints, site layout and architecture. The Planning Board also declared itself Lead Agency for the environmental review. Planning Board members comments/requests included the following:

1. Board members appreciated the revised building elevations of the (affordable) residential building which brought it into parity the design, materials and detailing on the two proposed mixed use buildings.
2. Visualizations from the Cayuga Waterfront trail were requested
3. There were several comments regarding the architecture, including the following:
   a. Need to break up the monotony of the building facades with more articulation and variation of massing
   b. Incorporate light roofs/roof gardens/green roofs
   c. Colors seem dark and imposing
5. Investigate reduction of sealed surfaces – look into porous paving
6. Internal circulation roads need work- look at traffic calming, bus stop design and potential future connection to DOT site
7. Look at trail connection

The Planning Board expects to continue reviewing the project at the next meeting on August 27, 2019.
The planned topics of discussion are Site Plan & Parking. The project will be scheduled for the beginning of the agenda to accommodate attendance by interested members of Council.

Other Project updates:
None at this time– a full accounting of the status of other required approvals will be provided in the September update.
Attached is an application for the Neighborhood Improvement Incentive Fund (NIIF) for this year’s National Night Out (NNO) event, held on Tuesday, August 6, 2019. The applicant, the Ithaca Housing Authority Family Sites Tenant Council, represents low-moderate income residents living in the Northside neighborhood who spend considerable hours of volunteer time organizing and conducting the NNO event. The group has sponsored the annual NNO event in the neighborhood for more than 15 years and partnered this year with the Ithaca Police Department to host a larger community celebration at Conway Park.

In past years, the Neighborhood Improvement Incentive Fund has supported celebrations in city neighborhoods for this national occasion that focuses attention on neighborhood safety and solidarity. Expenditures related to the event include food, beverages, sound equipment, DJs, t-shirts, and give-aways for kids, all of which meet criteria for reimbursement. The group has had success procuring donations from local businesses in past years. Through this endeavor, it is furthering the aims of the fund to support resident initiatives to strengthen city neighborhoods.
RESOLUTION: Request for Neighborhood Improvement Incentive Funds from the Ithaca Housing Authority Family Sites Tenant Council for National Night Out, August 2019

WHEREAS, the City of Ithaca Common Council established the Neighborhood Improvement Incentive Fund in 1995 to provide financial assistance to city residents seeking to improve the quality of life in their neighborhoods, and

WHEREAS, the fund is intended to support residents' interest in community improvement and to encourage, not replace volunteerism, and

WHEREAS, the funds are intended to be used for projects or events that provide a general neighborhood benefit and not for the limited benefit of individuals or a select few residents, and

WHEREAS, activities specified by the Council as eligible for the funding include but are not limited to items such as neighborhood clean-ups, planting in public places, and organizing neighborhood events like block parties or meetings, and

WHEREAS, neighborhood groups are required to submit a completed application specifying other project donations, estimated volunteer hours, estimated costs to be covered by the fund and signatures of residents in the immediate neighborhood, and

WHEREAS, to streamline the process the Council has delegated authority to approve applications to the Planning & Economic Development Committee, and

WHEREAS, each neighborhood group is eligible to receive up to $300 per year as a reimbursement award payable on the submission of original receipts or invoices for approved activities, and

WHEREAS, the City cannot reimburse residents for sales tax expenses, and

WHEREAS, the Ithaca Housing Authority Family Sites Tenant Council submitted an application for reimbursement funds to off-set expenses that in past years have generally ranged from $500 – $1,000 for its annual National Night Out events, held this year on Tuesday, August 6, 2019, and

WHEREAS, this annual event is sponsored by the Family Sites Tenant Council at Conway Park, and the event provides opportunities for socializing with diverse groups of Northside residents; now, therefore, be it

RESOLVED, that the Planning and Economic Development Committee approves the request from the Ithaca Housing Authority Family Sites Tenant Council in an amount up to $300.00 for reimbursement upon presentation of original invoices and/or receipts.
APPLICATION
Neighborhood Improvement Incentive Fund (NIIF)

Applicant Information
Neighborhood Group/Ward #: Illume Housing Authority Family Sites Tenant Council
Applicant Contact: Stephanie Lowett
Address: 800 S. Plain St., Illume, NY 14850 Telephone: 607-273-8629 Ext. 248
E-Mail: stephanie.k@ithaca.com

Date & Time of Event/Project: Tues. 8/6/19 5:00 - 9:00 pm

Event/Project Description
Describe the entire event/project and clearly state how the incentive funds will be used.

35th National Night Out Block Party
ITHA provides a Free Dinner - Hamburger, Hot Dogs, Salads, Baked Beans, Cake, Ice Cream, Drinks. Along with a DJ, Face Painting, & Gift Bage for the Children & Door prizes

Who will benefit from the event/project and how? How will the neighborhood be notified of the event/project?
All Neighborhoods Surrounding Conway Park. Free Food, prizes & entertainment. Signatures with this application along with flyers & banners to notify the neighborhood.

Does the event/project involve any donated materials or labor? If yes, please explain.
Yes. We have a Committee that volunteers their time from beginning planning to the end cleanup. A wide range of donated items from local businesses.
Project Budget
List any additional sources of cash, approximate value of any donations, and approximate hours of donated labor.

<table>
<thead>
<tr>
<th>Total Budget</th>
<th>Amount Requested</th>
<th>Donated Labor</th>
<th>Donated Materials</th>
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<tbody>
<tr>
<td>$</td>
<td>$ 300.00</td>
<td>30-35 hrs</td>
<td>Ice Cream, Bikes, Ice, Water, Gift, Cards from local businesses.</td>
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<tr>
<td></td>
<td></td>
<td># of volunteers</td>
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List tasks:
Planning, Shopping, Setup, Food prep, Cooking, Serny, Cleanup.

For funding requests under $100, it is required you obtain signatures of five neighborhood residents on the following page; for funding requests over $100, twenty signatures are required.

Please attach any other information (e.g., flyers/invitations, photos from previous years, maps) that would help the committee evaluate your application.
Please note all signatures must be from City residents who live in the immediate area of the event/project.

**Signatures:** As a member of the immediate neighborhood, I am aware of and approve of the improvement project described on other side of this page.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbara Howard</td>
<td>301 7th ST</td>
</tr>
<tr>
<td>Eugene Scott</td>
<td>313 E 4th ST</td>
</tr>
<tr>
<td>Muzrin Scott</td>
<td>812 B 4th ST</td>
</tr>
<tr>
<td>Ei Lai Paw</td>
<td>812 B 4th ST</td>
</tr>
<tr>
<td>Thuy Lai Paw</td>
<td>812 B 4th ST</td>
</tr>
<tr>
<td>May Nh Paw</td>
<td>812 B 4th ST</td>
</tr>
<tr>
<td>Win Soy</td>
<td>812 B 4th ST</td>
</tr>
<tr>
<td>A.B.</td>
<td>812 B 4th ST</td>
</tr>
<tr>
<td>Phyo That</td>
<td>312 A 3rd Street</td>
</tr>
<tr>
<td>Shasta Carl</td>
<td>312B 3rd Street</td>
</tr>
<tr>
<td>Jamie Carl</td>
<td>312A 3rd Street</td>
</tr>
<tr>
<td>Tierra Minton</td>
<td>507 Hancock St. # 4B</td>
</tr>
<tr>
<td>Paul Mcdonley</td>
<td>503 Hancock St. # 8</td>
</tr>
<tr>
<td>Jessica Marks</td>
<td>503 Hancock St. # 11</td>
</tr>
<tr>
<td>Derek Maguire</td>
<td></td>
</tr>
<tr>
<td>Linh Shue Hua</td>
<td></td>
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<tr>
<td>Min Tun Aung</td>
<td></td>
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<tr>
<td>Xionara Mante Suero</td>
<td></td>
</tr>
<tr>
<td>Joel Cuevas Mante</td>
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<tr>
<td>Jordamy Cuevas</td>
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</tbody>
</table>

Submit completed applications to:

Megan Wilson, Planner  
Division of Planning & Economic Development  
City Hall – 3rd Floor  
108 E. Green St.  
Ithaca, NY 14850  
TEL: 274-6550  
FAX: 274-6558  
E-Mail: mwilson@cityofithaca.org
Please note all signatures must be from City residents who live in the immediate area of the event/project.

Signatures: As a member of the immediate neighborhood, I am aware of and approve of the improvement project described on other side of this page.

NAME
1. Charles Fong
2. Michael Proctor
3. Matthew Perry
4. Mackenzie Proctor
5. Kristine Luoma
6. Elin Say
7. Will Mu Hao
8. Nancy Zang
9. Nan Yu Shao
10. Mark Yang
11. Soo Han Soe
12. Hee Soo Taw Soe
13. Cathy Nguyen
14. Ngan Le
15. Xue Chun Guan
16. Hung Ding
17. Melissa Simmons
18. Tran Ngoc My din
19. Judy

ADDRESS
1. 20. Monroe Ave
2. 
3. 
4. 125.1 1ht CA
5. 129 Fifth St
6. 141 Fifth St
7. 129 Hancock St
8. 609 Hancock St
9. 119 Fifth St, Ithaca, NY 14850
10. 115 Fifth St.
11. 516 Madison St
12. 522 Madison St
13. 514 McClure

Submit completed applications to:
Megan Wilson, Planner
Division of Planning & Economic Development
City Hall – 3rd Floor
108 E. Green St.
Ithaca, NY 14850
TEL: 274-6550 FAX: 274-6558
E-Mail: mwilson@cityofithaca.org
Please note all signatures must be from City residents who live in the immediate area of the event/project.

Signatures: As a member of the immediate neighborhood, I am aware of and approve of the improvement project described on other side of this page.

NAME
1. Jessica McKe
2. Chris Thomas
3. Derrick Little
4. Jami McRe
5. Paw Paw Khin
6. Ta Kue
7. Si Sii Po
8. Eh De Wah
9. Law Ah
10. Luay Ku
11. Eh Lir Paen
12. Khin Khin Paw
13. paw ler
14. Luh Ku
15. Voe Mu
16. Saul Wilson
17. Carol Santmyer
18. Angel Montalvo
19. Chris Montalvo
20. Netty Montalvo

ADDRESS
210 Fourth Street
210 Fourth Street
210 Fourth Street
212 Fourth St.
202 Fourth St.
202 Fourth St.
513 Hancock St.
513 Hancock St.
410 Hector St.
410 Hector St.
508 Hancock St.
508 Hancock St.
309 Fourth St.
516 Hancock St.
516 Hancock ST.
306 Third St.
311 Fourth Street
206 4th Street
206 4th Street

Submit completed applications to: Megan Wilson, Planner
Division of Planning & Economic Development
City Hall – 3rd Floor
108 E. Green St.
Ithaca, NY 14850
TEL: 274-6550 FAX: 274-6558
E-Mail: mwilson@cityofithaca.org

Revised: 8/5/14
Ithaca Housing Authority & Ithaca Police Department
Join Together in Hosting
The 36th Annual National Night Out Block Party

When: Tues., August 6th, 2019
Where: Conway Park (500 Cascadilla St)
5:00 PM – 9:00 PM

This is an opportunity for the community to meet and embrace each other and generate support for anti-crime programs, strengthen neighborhood spirit and police-community partnerships. And to send a message to criminals letting them know that neighborhoods are organized and fighting back.

Free Food  Face Painting  Bike Rodeo

Thank you to our Community Sponsors and Donors:

Donors:
Bed, Bath & Beyond
Boatyard Grill
CVS
Chili's Restaurant
DiBella's Subs
Dunkin' Donuts
Eastern Mountain Sports
Five Guys
GreenStar Cooperative
Ithaca Bakery
Ithaca Ice Company
Ithaca Marriott
Joe's Restaurant
Love's
Ollie's Bargain Outlet
Papa John's Pizzeria
Pat's Pizzeria
Pudgie's Pizza
Purity Ice Cream
Sal's Pizzeria
Short Stop Deli
Target
Texco Roadhouse
The Home Depot
Thrifty Shopper
 Tops Supermarket
Waffle Froto
Walmart
Wegmans
YMCA
Sponsors:
Big Brothers Big Sisters
Bike Walk Tompkins
Cancer Resource Center
Child Development Council
Cornell Cooperative Ext.
Finger Lakes Independence Ctr
Finger Lakes Residential Ctr
Ithaca Fire Dept.
Ithaca Police Dept.

Photo Release: this is a public event where pictures will be taken by IHA staff for use on its website or printed material. By attending this event, you grant the IHA permission to use your photograph or your minor children's photograph on its website or printed material without payment or other consideration.

Music by DJ Double A
To: Svante Myrick, Mayor
   Planning and Development Board
Common Council
   Community Life Commission, Chair
Julie Holcomb, City Clerk
   Gino Leonardi, Zoning Administrator
Aaron Lavine, City Attorney
Public Safety and Information Commission, Chair
Mike Niechwiadowicz, Director of Code Enforcement
Mike Thorne, Superintendent of Public Works
JoAnn Cornish, Director of Planning, Building, and Economic Development
Katie Borgella, Tompkins County Commissioner of Planning and Sustainability
Parks, Recreation and Natural Resources Commission, Chair
Mobility, Accessibility and Transportation Commission, Chair

CC: City Harbor
   Carpenter Circle
   Aldi's
   B&W Supply
   Farmer's Market
   New York State Department of Transportation
   Bob Andree

FROM: Jennifer Kuszniir, Senior Planner
DATE: July 17, 2019
RE: Proposal to Create a Disclosure Requirement for Properties within the Vicinity of
   the Ithaca Area Waste Water Treatment Facility

The purpose of this memo is to provide information on a proposal to amend the City code in order
to create disclosure requirements for properties in close vicinity of the Ithaca Area Waste Water
Treatment Plan (IAWWTP).

The Ithaca Area Waste Water Treatment Facility (IAWWTF), built in 1987 and located at 525
Third Street, Ithaca is a 13.1 MGD waste water treatment facility providing secondary treatment
and phosphorus removal, jointly owned by three municipalities: the City of Ithaca, Town of Ithaca
and Town of Dryden. The IAWWTF represents over $30 million in investments by the municipal
partners in providing wastewater treatment services to over 50,000 residents, and commercial,
aricultural, and industrial users in the region. The treatment process may at times include any of
the following: odors, heavy trucks, lighting, smoke, operation of machinery, and the storage and
disposal of biosolids and trucked waste and possible emergency discharge. The industrial nature
of this facility and all of its functions has the potential at times to create conditions that may be
uncomfortable to non-industrial uses. Given that there is imminent potential for non-industrial
redevelopment of property located within the vicinity of the IAWWTF, the City is considering a
proposal to create a disclosure requirement for any properties that are located within 1200 feet of the IAWWTF on the west side of Route 13.

The Disclosure Requirement is intended to protect the IAWWTF from nuisance complaints, which may request the curtailment of municipal waste water treatment operations, and discourage investments, improvement and expansion of municipal waste water treatment operations by educating residents and businesses, through the notification of owners and users of real property in the vicinity of the IAWWTF of potential conditions that can be present in and around municipal waste water treatment operations.

Enclosed for your consideration is a draft ordinance which states that upon any transfer by sale, exchange, rental agreement, installment land sale contract, lease, lease with an option to purchase, any other option to purchase, or ground lease coupled with improvements, of real property, or residential stock cooperative, the transferor will provide a disclosure agreement.

The Planning & Economic Development Committee will consider the proposed amendment on August 14, 2019, and your comments are respectfully requested prior to this meeting. If you have any questions, please contact me at 274-6550 or jkusznir@cityofithaca.org.
ORDINANCE 2019-

PRESERVATION OF ITHACA AREA WASTE WATER TREATMENT FACILITY DISCLOSURE REQUIREMENT

WHEREAS, The Ithaca Area Waste Water Treatment Facility (IAWWTF), built in 1987 and located at 525 Third Street, Ithaca is a 13.1 MGD waste water treatment facility providing secondary treatment and phosphorus removal, jointly owned by three municipalities: the City of Ithaca, Town of Ithaca and Town of Dryden; and

WHEREAS, On December 31, 2003, the City of Ithaca, Town of Ithaca, Town of Dryden, Village of Cayuga Heights, Town of Lansing and Village of Lansing entered into an Intermunicipal Wastewater Agreement (IWA) as a condition of receiving New York State Clean Water/Clean Air Bond Act funding to install and implement capital improvements and phosphorus removal systems; and

WHEREAS, The IWA and New York State Clean Water/Clean Air Bond Act funding stipulations requires the IAWWTF and Village of Cayuga Heights Waste Water Treatment Plant (CHWWTP) jointly agree to provide wastewater services to the six municipalities by allocating excess treatment capacity at the IAWWTF to the CHWWTP, allowing for future growth within the six sponsoring communities; and

WHEREAS, In addition to representing over $30 million in investments by the municipal partners in providing wastewater treatment services to over 50,000 residents, and commercial, agricultural, and industrial users in the region, the IAWWTF receives and treats high volumes of trucked septage, light industrial, and agricultural waste, anticipates receiving and processing food scraps in coming years, provides the highest achievable levels of phosphorus and contaminant removal, and captures methane and heat to produce electricity and natural gas; and

WHEREAS, The IAWWTF, in partnership with Cornell University and Ithaca College, regularly engages in scientific research and innovative technology research programs to better protect and
preserve water resources, and foster the development of innovative industry advancements, current examples include research on pharmaceuticals, emergent contaminants, and microplastics and the efficacy of current removal techniques, biochar analysis and development, and energy production from municipal waste water treatment processes and byproducts; and

WHEREAS, It is the declared policy of the City of Ithaca to conserve, enhance and encourage adequate and appropriate municipal waste water treatment operations in the City, and to minimize potential conflict between IAWWTF operations and non-industrial land uses within the vicinity of the IAWWTF; and

WHEREAS, Where non-industrial land uses, especially residential development, extend into the vicinity of the IAWWTF, municipal waste water treatment operations may be the subject of nuisance complaints, such complaints may request the curtailment of municipal waste water treatment operations, and discourage investments, improvement and expansion of municipal waste water treatment operations; and

WHEREAS, Constraints on operations, management and possible expansion of the IAWWTF is detrimental to the health, safety, and economic viability of Cayuga Lake, the City of Ithaca, Town of Ithaca, Town of Dryden and surrounding areas for which it serves; and

WHEREAS, A Disclosure Requirement can educate residents and businesses, through the notification of owners and users of real property in the vicinity of the IAWWTF of inherent potential conditions associated with municipal waste water treatment operations including, but not limited to, odors, trucks, lighting, construction activities, noise, dust, chemicals, discharge, smoke and extended hours of operation, and through the use of such disclosure requirement owners and users of real property within the vicinity of the IAWWTF will better understand the conditions in and around municipal waste water treatment operations and be prepared to acknowledge such conditions as the natural result of living and operating near the IAWWTF; and

WHEREAS, On August 2, 2017, included in the Ordinance to Establish New Zoning for the Waterfront Area, Common Council adopted the following:
WHEREAS, The City recognizes the importance of the Ithaca Area Waste Water Treatment Plant (IAWWTP) to the economic vitality and environmental protection of the region, and supports the future inclusion into the Waterfront Zone of disclosure requirements for properties surrounding the IAWWTP to protect the facility from nuisance claims, and now, therefore be it

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

Section 1. Legislative Intent and Purpose.
Common Council makes the following findings of fact:

A. It is the declared policy of the City of Ithaca to conserve, enhance and encourage adequate and appropriate Municipal Waste Water Treatment Operations within the City, and to minimize potential conflict between the IAWWTF and non-industrial land users within the vicinity of the IAWWTF.

B. Where non-industrial land uses, especially residential development, extend into the IAWWTF Setback Zone, IAWWTF may be the subject of nuisance complaints. Such complaints may request the curtailment of Municipal Waste Water Treatment Operations, and discourage investments, improvement and expansion of Municipal Waste Water Treatment Operations. Constraints on operations, management and possible expansion of the IAWWTF is detrimental to the health, safety, and economic viability of Cayuga Lake, the City of Ithaca, Town of Ithaca, Town of Dryden and surrounding areas for which it serves. It is the purpose and intent of this Ordinance to protect the resources and services provided by the IAWWTF to the larger community.

C. This policy can best be implemented by educating residents and businesses, and by notifying owners and users of real property in the IAWWTF Setback Zone of inherent potential conditions associated with Municipal Waste Water Treatment Operations, including, but not limited to, odors, heavy trucks, light, construction activities, noise, dust, chemicals, discharge, smoke and extended hours of operation. It is intended that through the use of such disclosure requirement owners and users of real property within the IAWWTF Setback Zone will better understand the conditions in and around the IAWWTF and be prepared to
acknowledge such conditions as the natural result of living and operating near the IAWWTF.

D. Therefore, the Common Council intends for this Ordinance to implement the above-described education and notification disclosure requirement to all property users within the IAWWTF Setback Zone.

Section 2. Creation of Section 262-137, Preservation of Ithaca Area Waste Water Treatment Facility Disclosure Requirement.

The Ithaca Municipal Code shall be amended so as to create a new Section 262-137 as follows:

§262-137 Preservation of Ithaca Area Waste Water Treatment Facility Disclosure Requirement

A. Definitions. For the purposes of this section:

(1) “IAWWTF” shall be the Ithaca Area Waste Water Treatment Facility located at 525 Third Street, Ithaca.

(2) "IAWWTF Setback Zone" shall mean those land areas of the City of Ithaca west of Route 13 within 1,200 feet of the property boundary of the Ithaca Area Waste Water Treatment Facility.

(3) "Municipal Waste Water Treatment Operations" shall mean the operations of the IAWWTF and include, but not be limited to, the delivery and receiving of trucked waste, and sanitary waste, aeration and treatment of municipal waste water, biosolids management, processing of wastewater and biogas, and activities incident to or in conjunction with the treatment and handling of wastewater, agricultural waste, organic waste, and residual materials.

B. PRESERVATION OF ITHACA AREA WASTE WATER TREATMENT FACILITY DISCLOSURE NOTICE REQUIREMENT.

(1) Upon any transfer by sale, exchange, rental agreement, installment land sale contract, lease, lease with an option to purchase, any other option to purchase, or ground lease coupled with improvements, of real property, or residential stock cooperative, the transferor shall deliver to the prospective transferee the written statement required by subsection B(2) of this section.

(2) The disclosure statement shall contain the following:
Preservation of Ithaca Area Waste Water Treatment Facility
Disclosure Notice
THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN
TOMPKINS COUNTY, CITY OF ITHACA.
DESCRIBED AS ________________.
THIS STATEMENT IS A DISCLOSURE OF THE CONDITION
OF THE ABOVE DESCRIBED PROPERTY
IN COMPLIANCE WITH SECTION 262-137 OF THE ORDINANCE CODE OF THE
CITY OF ITHACA AS OF __________.

THE FOLLOWING ARE THE REPRESENTATIONS MADE BY THE
SELLER(S)/PROPERTY OWNERS AS REQUIRED BY THE CITY OF ITHACA.
It is the declared policy of the City of Ithaca to conserve,
enhance and encourage adequate and appropriate Municipal Waste
Water Treatment Operations within the City, and to minimize
potential conflict between the IAWWTF and non-industrial land
users within the vicinity of the IAWWTF. As the property in
which you are taking an interest is located within the IAWWTF
Setback Zone, you may be subject to inconveniences or discomfort
arising from Municipal Waste Water Treatment Operations
performed in conformance with existing laws and regulations, and
accepted professional standards. Such inconveniences may at
points include, but may not necessarily be limited to: odors,
heavy trucks, lighting, smoke, operation of machinery, and the
storage and disposal of biosolids and trucked waste and possible
emergency discharge. If you live or operate near the IAWWTF,
you should be prepared to acknowledge such inconveniences and
discomfort as a normal and necessary aspect of living or
operating in proximity to a municipal waste water treatment
facility.

Owner/Seller:________________________ Date:________________________
____
Owner/Seller:________________________ Date:________________________
____
Buyer/Renter:________________________ Date:________________________
____
Buyer/Renter:________________________ Date:________________________
____
(1) All discretionary approvals by the City of Ithaca for parcel maps, subdivision maps or use permits relating to real property located within the IAWWTF Setback Zone, shall include a condition that the owners of such real property record a "PRESERVATION OF ITHACA AREA WASTEWATER TREATMENT FACILITY DISCLOSURE NOTICE" in substantially the form provided in subsection B(2) of this section.

(2) All applicants for building permits for new residential or commercial construction to be issued by the City of Ithaca located within the IAWWTF Setback Zone shall be provided with a "PRESERVATION OF ITHACA AREA WASTEWATER TREATMENT FACILITY DISCLOSURE NOTICE" in substantially the form provided in subsection B(2) of this section.

(3) The Clerk/Recorder/Assessor of the County shall include a "PRESERVATION OF ITHACA AREA WASTEWATER TREATMENT FACILITY DISCLOSURE NOTICE" in substantially the form provided in subsection B(2) of this section with any grant deed, quitclaim deed or land sale contract located within the IAWWTF Setback Zone returned to the grantee by the Clerk/Recorder/Assessor after recording.

(4) "City of Ithaca PRESERVATION OF ITHACA AREA WASTEWATER TREATMENT FACILITY DISCLOSURE NOTICE". It is the declared policy of the City of Ithaca to conserve, enhance and encourage Municipal Waste Water Treatment Operations within the City of Ithaca. Residents, operators, and owners of property within the IAWWTF Setback Zone land should be prepared to acknowledge the occasional inconveniences and discomfort associated with Municipal Waste Water Treatment Operations, including, but not necessarily limited to: odors, heavy trucks, lighting, smoke, operation of machinery, and the storage and disposal of biosolids and trucked waste and possible emergency discharge.

C. NOTICE TO CORRECT. After receiving a complaint from an occupant within the IAWWTF Setback Zone, the City of Ithaca Assistant Superintendent of Water and Sewer shall immediately notify the Chief Operator of the Ithaca Area Waste Water Treatment Facility of the complaint. If the City of Ithaca Assistant Superintendent of Water and Sewer determines that such operations at the IAWWTF do not conform to current accepted professional practices, and do not comply with current regulatory standards, he or she shall endeavor specify any measures required to correct the
situation, and the time within which the measures must be taken.
To: Planning and Economic Development Committee

From: Jennifer Kusznir, Senior Planner

Date: August 1, 2019

RE: Chain Works District Planned Unit Development (PUD) – Draft Zoning and Design Guidelines

Please find attached the draft design guidelines and PUD for the proposed Chainworks District PUD. These documents were previously discussed by this committee earlier this year.

As a part of the approval process, the project team met with the City Zoning Administrator to ensure that the proposed zoning is appropriate for this site. Upon reviewing the documents, it was discovered that the proposed zoning regulations and design guidelines would not be feasible for the few existing structures that will remain on the site. Minor changes have been made to the enclosed documents in order to exempt buildings that are pre-existing at the time the PUD is adopted are exempt from the building and site area requirements. However, any expansions of pre-existing structures will require the structure to be in compliance with the PUD and the design guidelines.

The project is currently working with the Planning Board in order to obtain a conditional site plan approval. Once the project receives site plan approval, it will return to the Common Council for final PUD approval, possibly in September. After Council approval of the PUD all relevant required mitigations outlined in the Generic Environmental Impact Statement must be implemented before any construction can begin on site. These include, but are not limited to the following (See the GEIS Finding Statement for a more complete description):

1. NYSDEC must approve an amendment to the existing Record of Decision (ROD) to allow development of the Site in a manner that protects public health and the environment under a mixed-use redevelopment scenario with a residential component.

2. The Site must be remediated to restricted residential, commercial and/or industrial Soil Cleanup Objectives (SCOs) as appropriate based on the proposed uses at the Site, or to protection of groundwater standards if a particular area of the Site experiences impacts to groundwater

3. A plan for long term monitoring must be developed, approved by NYSDEC and implemented by the property owner. This included the filing of an environmental easement covering the entire site.

4. All other City and state approvals must be in place including an accepted Stormwater Pollution Prevention Plan (SWPP), site plan approval for future phases, building permits, street permits, NYSDOR permits, etc.

Please contact me if you have questions or comments on this proposal jkusznir@cityofithaca.org 607-274-6410.
The Chain Works District
Planned Unit Development
Zoning Code for the City of Ithaca: §325-13
Draft August 7, 2019
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Sub Areas
A. Intent

1. The City of Ithaca’s Comprehensive Plan encourages development of community-oriented, environmentally conscious mixed-use developments; encourages focusing development in areas where adequate public infrastructure and facilities exist; encourages sustainable, dynamic developments designed to minimize the use of energy; encourages avoiding sprawl by focusing development within existing, repurposed structures and on sites where infrastructure already exists; encourages the conservation and protection of environmentally sensitive areas by siting potential new development in strategic locations; and

2. The Chain Works District is suitable for a Planned Unit Development (PUD) Zone within the City of Ithaca as it will include repurposing existing former industrial buildings for mixed-use consisting of residential, offices, commercial, retail, restaurants/cafes, warehousing/distribution, small business incubator and flex spaces, manufacturing, and open space, as well as potential future infill development, creating a mix and density of uses greater than that allowed as of right within the current zoning districts that apply to the property within both the City of Ithaca and Town of Ithaca; and

3. The Chain Works District is also suitable for development as a sustainable redevelopment to create a vibrant and walkable mixed-use neighborhood; and

4. The Chain Works District is intended to:
   a. Develop and model a neighborhood district designed to accommodate pedestrians and cyclists, with functional and attractive landscaping;
   b. Create an identifiable community that bridges the City and Town of Ithaca by reactivating a formerly idle industrial complex;
   c. Avoid sprawl by repurposing existing structures with potential future development where adequate infrastructure and appropriate environmental conditions exists, comprised of a greater mix of uses than the existing Industrial zoning allows;
   d. Protect environmentally valuable and sensitive areas by limiting all intense development to approximately one-third of the 95-acre property, retaining open space as an ecological and recreational amenity for the neighborhood and surrounding community;
   e. Promote human-scaled development and social connectivity within the Chain Works District and around the community by creating pedestrian oriented pathways and streets;
   f. Encourage walking, biking, car sharing, and public transit by providing the minimum amount of parking necessary for Chain Works District residences and businesses;
   g. Utilize a zoning strategy that creates an aesthetic and safe neighborhood district to help foster a sense of community and connectivity with the surrounding communities;
   h. Improve public access to the South Hill Recreation Way and Black Diamond Trail with the planned Gateway Trail through the Chain Works District;
   i. Celebrate the property’s history by retaining the existing industrial character of the structures in their repurposing;
   j. Demonstrate how a meaningful open space network may be created within a former
800,000+ sf industrial complex, in conjunction with potential new infill development of mixed uses, retaining greater open space than is ordinarily required;

k. Encourage a vibrant and walkable mixed-use neighborhood.

B. Using This Code

The Chain Works District PUD is composed of two parts that work together to provide the consistency and predictability desired by the City of Ithaca as well as the flexibility appropriate for a long-term redevelopment project. The two parts are: 1, The Chain Works District Planned Unit Development Zoning Code for the City of Ithaca (this document, the PUD); and 2, Schedule A: Design Guidelines.

The Zoning Code includes the intent and vision for the redevelopment of the Chain Works District, administrative processes for review, approval and permitting, allocation of allowed uses by sub area, performance standards for nuisance conditions, and other general requirements and processes. Compliance with the PUD is mandatory. The PUD also includes mandatory design standards for Maximum Building Footprint Area, Building Setbacks, Required Buffer Area, Building Heights, and Maximum Front Facade Length.

The Schedule A: Design Guidelines provide objectives for bulk, articulation, and design that are specific to individual building types, building materials guidelines, as well as public planting guidelines, and an inventory of suggested traffic calming measures. Compliance with the Design Guidelines is expected for new buildings constructed after the adoption of this PUD, unless the Board determines that there are clear and completing reasons for non-compliance.

C. Applicability and Administration

1. Applicability
   a. Except as otherwise specified in this section, all provisions of the City of Ithaca Code shall apply to all development, structures and uses in this PUD.
   b. The language in this PUD is intended to supersede any provision of the City Code insofar as said provision is inconsistent with and language in this PUD.
   c. If any section, subsection, sentence, clause, phrase or portion of this Section 325-13 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.
   d. This code applies to the Chain Works District, which is bounded by...(insert Legal Description of the Property)
   e. No Building or part thereof within the Chain Works District shall be erected, moved, or altered on its exterior unless in conformity with the regulations herein.
   f. In the event that provisions of the Chain Works District Planned Unit Development conflict with other sections of the City Municipal Code, the Chain Works Planned Unit Development shall prevail. Existing building at the time of the adoption of the Chain Works District Planned Unit Development are exempt from the requirements of Table 3 Chain Works District Building and Site Requirements
In cases of pre-existing buildings and lots, refer to City Municipal Code Chapter 325 Zoning, Article VI or the currently effective regulations in the municipality where the building or use is located.

Notwithstanding the provisions of this Ordinance, the New York State Uniform Fire Prevention and Building Code, and State Energy Conservation Construction Code, are applicable and controlling at all times.

2. Administration
   a. Building permits shall be required for any construction except as otherwise provided by Chapter 146, Building Construction of the City of Ithaca Code.
   b. Site Plan Approval shall be in accordance with the City of Ithaca Code, Section 325-12E., Site Plan Approval in a Planned Unit Development, No structure shall be erected or placed within the PUD, no building permit shall be issued for a building or structure within a PUD, and no existing building structure, or use in a PUD shall be changed, unless the proposed building and/or use is in accordance with a site plan approved pursuant to the provisions of chapter 276 of the City of Ithaca Code.

3. Environmental Quality Review
   a. Environmental review for any new construction in the PUD will be in accordance with the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”) §176-4 (I), and the State Environmental Quality Review Act (“SEQRA”) § 617.4.
   b. Chain Works District Generic Environmental Impact Statement (GEIS)
      i) GEIS Process: The City of Ithaca Planning Board established itself as Lead Agency for Environmental Review and issued a Positive Declaration of Environmental Significance on October 28, 2014. The Lead Agency held a public scoping session on November 18, 2014, accepted comments through December 10, 2014, and adopted the Final Scope on January 13, 2014. The Lead Agency filed a Notice of Complete Draft GEIS on March 14, 2016, held a public hearing on March 29, 2016 and accepted public comments until May 10, 2016. The Lead Agency filed a Notice of Completion for the Final GEIS on 02/27/19 and adopted Findings on 03/26/19
      ii) GEIS Rationale: In accordance with §176-10 of the City Code, the Lead Agency determined that a GEIS should be undertaken because the project consists of “A sequence of actions, contemplated by a single agency or individual.” The project would be constructed in phases with the Project’s initial phase of development more clearly defined than later phases.
      iii) Chain Works District GEIS Thresholds and Conditions: Should a particular Project component, when fully designed, exceed any threshold or standard established in the GEIS or be determined to result in an impact not evaluated in the GEIS, additional environmental review will be required in accordance with the City of Ithaca Environmental Quality Review Ordinance (“CEQRO”) §176-4 (I), and the State Environmental Quality Review Act (“SEQRA”) § 617.4.
Table 1: Environmental Quality Review Thresholds and Conditions*

<table>
<thead>
<tr>
<th>CHAIN WORKS PUD-ENVIRONMENTAL THRESHOLDS</th>
</tr>
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<tbody>
<tr>
<td>Environmental Setting</td>
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<tr>
<td>------------------------</td>
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<tr>
<td>Land Use</td>
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<tr>
<td>Land – Topography</td>
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<td>Water Resources – Stormwater</td>
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<td>Vegetation</td>
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<td>Public Health</td>
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<td>Air Quality</td>
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<td>Visual and Aesthetic Resources</td>
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<td>Open Space</td>
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<tr>
<td>Noise</td>
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</tbody>
</table>

*Table from DGEIS (with an additional edit regarding noise) will be revised for FGEIS. This is intended as a placeholder.
D. Sub Area and Character Intent

1. Natural Area / CW1. These areas consist of lands approximating or reverting to a wilderness condition, including lands unsuitable for development due to topography, hydrology, or vegetation. The CW1 Sub Area is intended to permanently protect areas from development that would damage the contiguity, quality, character, and ecological function of natural areas. These are permanently preserved as natural open space with the following permitted uses: passive recreation, stormwater management facilities which may consist of constructed wetland or other water cleansing and stormwater practices, gardens, walking / recreational trails that may provide pedestrian connectivity to other zones, and other alike or corresponding non-intrusive uses. New structures are only allowed if they serve as auxiliary to a permitted use. Sheds, park restrooms, pavilions, gazebos, visitor centers, or affiliated buildings needed to maintain this area are examples of permitted auxiliary structures allowed in the Natural Area / CW1. Parking is permitted by special approval, but only appropriate amounts and types of parking will be permitted to support the allowable uses within the district.
2. **Neighborhood Center Area / CW3 A&B.** These areas will consist of higher density mixed-use buildings that accommodate retail, office, and other commercial uses, rowhouses, apartments, and incubator/artisan uses, and light industrial use are permitted by special permit in buildings #13A, 13B, and 35. Adult uses are excluded. It has a tight network of streets, with sidewalks, and buildings set close to the sidewalks. Open spaces consist of plazas in addition to green space. In the CW3A Sub Area, development is limited to 4 stories. Development in the CW3B Sub Area is limited to 6 stories, with an allowance for an additional 1-2 stories on the downhill side below grade plane.

3. **Neighborhood Edge Area / CW3C.** This area will consist of higher density residential buildings. Adult uses are excluded. It has a tight network of streets, with sidewalks, and buildings set close to the sidewalks. Open spaces consist of plazas and parks. In the CW3C Sub Area, development is limited to 6 stories with no additional stories allowed on the downhill side below grade plane.
E. Permitted Uses.

Permitted Uses and relevant standards apply to new development and existing buildings based on Sub Areas specified in the Chain Works District Planned Unit Development.

NP = Not Permitted Use
P = Permitted Use
S = Allowed by Special Permit

Use definitions are mutually exclusive. Broader general use types do not include more specific use types in the use table. (Example: retail and service: general does not include adult uses or restaurant/bar uses.) A use must follow use-specific conditions and standards (if any), and applicable performance standards in this section and other applicable regulations. If any use-specific requirements, conditions and standards, or performance standards found in other regulations conflict with this section, this section shall prevail. A use-specific requirement for spacing, separation, or buffering from another use does not impose a “vice versa” requirement for that other use.

Table 2: Permitted Uses

<table>
<thead>
<tr>
<th>Residential</th>
<th>Definition and conditions</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>Any building or structure or part thereof used that is occupied for human habitation or intended to be so used.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Collective Living</td>
<td>Principal housing unit, for occupancy by ≥3 unrelated people, where the collective living arrangement is intentional, and not transient, temporary, seasonal, or arranged by a non-resident third party. Number: ≤1.5 residents per bedroom at the housing unit.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Live-work housing</td>
<td>Principal housing unit, with separate but connected space for a non-residential use the subarea allows. The non-residential space may occupy ≤75% of the GFA of a live-work unit. It must have direct internal access from living space. The operator of a non-residential use in live-work space must live in the live-work unit as their primary residence</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Residential care</td>
<td>Multi-unit or group housing, with ancillary on-site supervision, services, and care, to people who need help with daily living activities, or who cannot care for themselves. Adult day health care (10 NYCRR §425), day programs, social adult day care (9 NYCRR §6654.20), or outpatient physical rehabilitation, may be an ancillary use.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>
### Commercial Lodging Uses

<table>
<thead>
<tr>
<th>Lodging</th>
<th>Definition and conditions</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inn</td>
<td>A building containing rooms occupied for sleeping purposes provided by the owner/occupant for compensation for the accommodation of transient guests with or without meals.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Hotel</td>
<td>A building containing rooms occupied for sleeping purposes by guests and where a general kitchen and dining room are provided within the building or in an accessory building.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
</tbody>
</table>

### Commercial Office Uses

<table>
<thead>
<tr>
<th>Office</th>
<th>Definition and conditions</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health/Wellness Practice</td>
<td>Establishment providing outpatient medical, medical allied health care, or alternative medical services.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Professional Office</td>
<td>Establishment providing professional, administrative, clerical, or information processing services.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Veterinary Practice</td>
<td>Establishment providing veterinary services. Veterinary care may include short-term boarding for recovery and observation, but not general boarding.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Retail and Service</td>
<td>Definition and conditions</td>
<td>CW1</td>
<td>CW3A</td>
<td>CW3B</td>
<td>CW3C</td>
</tr>
<tr>
<td>--------------------</td>
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</tr>
<tr>
<td>Commercial recreation: indoor</td>
<td>Establishment or facility, not associated with or ancillary to a civic use, providing an indoors recreation or entertainment-oriented activity to the public.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Day care center</td>
<td>Child day care (18 NYCRR §418.1), small day care (18 NYCRR §418.2), school-aged child care (18 NYCRR §414), adult day health care (10 NYCRR §425), social adult day care (9 NYCRR §6654.20), or adult day or program, to unrelated children or adults in a protective setting. A fence 4' to 8' high must enclose an outdoor play area. A day care center may be an accessory use to a place of assembly, or primary or secondary school.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Pet Care Facility</td>
<td>Establishment providing a supervised area where groups of pets can socialize and play. This includes related training, grooming, and/or overnight boarding. Outdoor play yard use ≥8AM to ≤8PM.</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Restaurant / bar</td>
<td>Establishment preparing and selling food, drinks, and/or alcoholic beverages in a ready-to-consume state, to customers onsite or delivery offsite. <strong>CW3B subarea only:</strong> Alcohol production and packaging for distribution offsite may be an ancillary use. For the CW3B subarea, GFA above the following limits needs special permit approval:</td>
<td>NP</td>
<td>S</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Production and packaging area: ≤50% of total GFA; Beer: 15 bbl (bbl = standard 31 gallon barrel) brewing system; Distilled spirits: 150 gallon still capacity; Wine or cider: 1,700 gallon fermenter capacity.</td>
<td></td>
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</tr>
<tr>
<td>Retail and service – general</td>
<td>Retail/rental or service activity, providing a service or tangible product to the general public of less than 10,000 sqft.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Retail and service – heavy</td>
<td>Retail/rental or service activity, providing a service or tangible product to the general public of greater than 10,000 sqft; or any retail/rental or service activity involving permanent operations or storage in outdoor areas or partly enclosed structures greater than 10,000 sqft; or retail/rental or service activity providing specialized equipment, supplies, or services for businesses or workers in the industrial, building, construction, transportation, extraction, or agricultural sectors. <strong>(Examples:</strong> bulk building or landscaping materials, bulk fuel, portable buildings, building supply, farm or garden equipment, industrial or construction equipment, heavy/commercial vehicles, recreational vehicles, trailers, boats.)</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Retail and service – vehicular</td>
<td>Retail/rental or service of light motor vehicles, motorsports or powersports products, or related accessories; or vehicle fueling or washing/detailing.</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Retail outdoor market</td>
<td>Regularly recurring grouping of retail and service-general or restaurant uses at a purpose-built outdoor or unenclosed facility. <strong>(Example:</strong> farmers’ market, food truck corral).</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Industrial and Semi-Industrial Uses</td>
<td>Definition and conditions</td>
<td>CW1</td>
<td>CW3A</td>
<td>CW3B</td>
<td>CW3C</td>
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<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Agriculture</td>
<td>Farming and similar commercial endeavors relating to the land and its use for growing crops for profit.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Artisan</td>
<td>Establishment or studio where people use handheld tools or small-scale table-mounted equipment to make art or products by hand. This includes related sales onsite.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Industrial - low impact</td>
<td>Manufacture mainly from previously prepared materials, preparation, processing, indoor warehousing, or repair of items for offsite distribution or sale, where impacts are minimal or undetectable beyond the site. In CW3B, Industrial – low impact uses permitted only in Buildings 13A, 13B, and 35</td>
<td>NP</td>
<td>NP</td>
<td>S-only in buildings 13A, 13B, and 35</td>
<td>NP</td>
</tr>
<tr>
<td>Industrial - high impact</td>
<td>Large scale processing or manufacture of materials or products mainly from extracted or raw materials; significant outdoor storage areas or manufacturing processes which may generate substantial impact on surrounding properties.</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Research/Laboratory</td>
<td>Establishment conducting scientific research, investigation, testing, or experimentation. This includes related manufacture or sale of products incidental to the main purpose of the laboratory.</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Self-storage facility</td>
<td>Facility providing secured storage units or areas in a structure for passive, short-term storage of household items, or other non-hazardous, non-perishable durable items. Storage units/areas may be in a fully enclosed structure. A storage facility must not have outdoor storage. Related sales of packing, moving, and storage supplies may be an ancillary use. A storage unit/area may be for passive storage only. It must not have active uses (examples: office or manufacturing work, band practice, art studio, auto repair). A storage unit/area must not have electrical outlets, plumbing, or other improvements that could make it useful for active uses. Electrical service to a storage unit/area may be for lighting and climate control.</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Civic use</td>
<td>Definition and conditions</td>
<td>CW1</td>
<td>CW3A</td>
<td>CW3B</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>------</td>
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</tr>
<tr>
<td>Incubator Space</td>
<td>Community facility providing an open, collaborative environment for people to learn, experiment, invent, or make things using shared tools, resources, and knowledge. (Examples: makerspace, hackerspace, community kitchen.)</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Cultural facility</td>
<td>Facility for display, performance, or enjoyment of heritage, history, arts, or sciences. (Examples: museum, gallery, library, arts performance venue by a public or private entity.)</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Government facility</td>
<td>Facility or office owned, occupied, or run by a government agency. (Examples: town hall, courthouse, government office, social service facility, public works facility.)</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Park</td>
<td>Land used mainly for active or passive recreation, or natural resources protection. Park buildings are limited to bathrooms, information booths, visitor centers, outdoor community pavilions, gazebos, and other gathering spaces that are open to the public, warming huts, storage sheds for park uses and play structures.</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Facility used mainly for public/resident assembly for worship, meeting, or community purposes. (Examples: religious congregation, secular assembly, community center, common house, amenity center.) The main entrance of a use triggering distance requirements for liquor license issuance must be ≥200 feet from commercial storefront frontage space on the same street.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Club</td>
<td>Any organization catering exclusively to members and their guests or premises and buildings for recreational or athletic purposes which are not conducted primarily for gain, provided that there are not any vending stands, merchandising or commercial activities, except as required for the membership and purposes of such club. It shall include fraternal, social and service organizations. Any such organization's premises or building which provides sleeping accommodations for more than five persons shall be considered a multiple dwelling.”</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Public safety</td>
<td>Police station, fire station, ambulance service, or other public safety service.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>School: primary / secondary</td>
<td>Institution providing primary or secondary education. (Examples: kindergarten, elementary school, junior high school, middle school, high school.)</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>School: vocational</td>
<td>Establishment providing training in technical subjects or skills for specific occupations or trades.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
</tbody>
</table>
### Utility and Infrastructure Uses

<table>
<thead>
<tr>
<th>Utility and infrastructure use</th>
<th>Definition and conditions</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar panels/farm</td>
<td>Solar photovoltaic cells, panels, or arrays, or solar hot air or water collector devices, which rely upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.                                                                                     <em>In CW1 Solar Panels permitted only for on-site energy use within CW1, for example a pole mounted panel that powers a trail light fixture or other amenity.</em></td>
<td>S*</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Utility substation</td>
<td>Facility for collecting, processing, or distributing a public utility commodity. <em>(Examples: electrical substation, water tank and pumps, telephone switching office and exchange.)</em> An enclosed building, or screening wall that is architecturally compatible with the nearest principal building, must screen and conceal a utility substation, switchyard, or other area with exposed outdoor equipment (examples: transformer, regulator, breaker, switch, pump) from public vantage points and adjacent uses. Screening does not need to be taller than 12’</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>District Heating/ Cooling</td>
<td>Facility providing centralized heating or cooling for multiple buildings or developments.</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Personal Wireless Service</td>
<td>A facility for the provision of personal wireless services, as defined by Section 704 of the Telecommunications Act of 1996. A PWSF is any facility for the transmission and/or reception of personal wireless services, usually consisting of an antenna array, transmission cables, equipment shelter and a mount.</td>
<td>NP</td>
<td>NP</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

See City Code Ch. 325: Communications Facilities and Services
<table>
<thead>
<tr>
<th>Accessory uses</th>
<th>Definition and conditions</th>
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<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building or Structure</td>
<td>A structure, the use of which is incidental to that of the main building and which is located on the same premises.</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Antenna</td>
<td>A whip (omnidirectional antenna), panel (directional antenna), disc (parabolic antenna) or similar device used for transmission and/or reception of radio frequency signals. Conditions: refer to zoning/land use regulations for amateur radio antennas for the underlying municipality.</td>
<td>NP</td>
<td>NP</td>
<td>S</td>
<td>NP</td>
</tr>
<tr>
<td>Day care home</td>
<td>Establishment providing group family day care (18 NYCRR §416) or family day care (18 NYCRR §417) in a protective setting, for all or part of a day.</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Drive-through facility</td>
<td>Facility used by a retail and service use to provide products or services to customers in queued vehicles.</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Off Street Parking</td>
<td>Off-street garage or parking space for the occupants, users, and employees in connection with the uses specified in its Sub Area only, but subject to other provisions of this section.</td>
<td>S</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

Note-Special permit approval will provide an additional level of review to ensure that only appropriate amounts and types of parking will be permitted to support the allowable uses within the district.
1. **Additional Requirements for Specified Uses**
   a. **Day Care – Pet Day Care** – Pet facilities must conform to the following standards, which are minimum requirements for special permit approval:
      i. The actual facility and all associated runs or fenced areas shall be setback a minimum of one hundred fifty (150) feet from all lot lines.
      ii. All Day Care – Pet facilities: All associated runs or fenced areas shall be adequately screened by fence, plantings, or landscaping from streets and adjacent properties.
      iii. All animal wastes shall be disposed of properly to avoid odor, diseases, and contamination of soils, creeks, waterways, and drinking water supplies.
      iv. Fencing surrounding exterior exercise areas must be between six and seven feet in height to prevent escape, and must be buried a minimum of one foot to prevent escape by digging beneath the fence.
      v. Indoor area per animal shall be a minimum of 16 sq. ft. in size.
      vi. Outdoor runs per animal must be a minimum of 4-1/2 feet wide and 12 feet long and must be appropriately separated from adjacent runs by fencing, concrete block or other appropriate materials.
      vii. Any exterior boarding quarters and exercise areas located outside must be designed to provide shelter against weather.
   b. **Retail and Service-Vehicular** - Retail and service – vehicular facilities must conform to the following standards, which are minimum requirements for special permit approval:
      i. For unstaffed self-wash facilities, a security system must be installed and maintained, including a functional security camera to monitor all areas of the car wash.
      ii. Vehicle rental and sales must be located within a fully enclosed building.
      iii. Any repair and service operations must be performed within a fully enclosed building. Bay doors may be open during hours of operation.
      iv. No partially dismantled, wrecked, or unregistered vehicle may be stored outdoors on the premises.
   c. **Industrial-Low Impact** - Industrial-low impact must conform to the following standards, which are minimum requirements for special permit approval:
      i. The processing or manufacturing of finished products or parts from previously prepared materials (including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products) must be contained entirely within a fully enclosed building.
      ii. All incidental outdoor storage must be screened from public view by opaque fencing, screening, or landscaping.
      iii. A light industrial use may include a showroom or ancillary sales of products related to the items manufactured on-site.
      iv. Storage of materials that are explosive, corrosive, combustible, or which are controlled substances due to being pharmaceutical in nature, infectious in nature,
putrescent in nature, or which have a toxic or deleterious health or environmental impact are prohibited.

v. Any heat, glare, dust, smoke, fumes, odors, or vibration must be confined to the building.

vi. Industrial - low impact uses are permitted only in existing Buildings 13A, 13B, and 35.

d. **Restaurant/bar** - Restaurants/bars in the CW3A subarea must conform to the following standards, which are minimum requirements for special permit approval:
   
i. Restaurants/bars are limited to 5,000 square feet per establishment.
   
   ii. Bakery floor area used for production is limited to 500 square feet per establishment.
   
   iii. Outdoor dining must not interfere with ingress and egress points, including building entrances, parking spaces, and drive aisles, and must maintain a minimum of five feet of sidewalk clearance at all times.
   
   iv. Outdoor dining areas must be located on private property.
   
   v. Ventilation systems may not be installed on any front facade unless the applicant can prove that no other feasible alternative is available. To the maximum extent feasible, ventilation systems must be directed away from adjacent residential properties.

e. **Self-Storage Facility** - Self-storage facilities must conform to the following standards, which are minimum requirements for special permit approval:
   
i. The individual storage units of a self-storage facility must be located in a fully enclosed building, with access to individual storage units provided from common areas located indoors.

f. **Solar Panels/Farm**
   
i. To the maximum extent practicable, solar panels must not obscure architectural details or features.
   
   ii. A ground-mounted solar energy system is limited to a maximum height of 20 feet. Power transmission lines from a ground-mounted solar energy system to any structure must be located underground to the greatest extent practicable, and must be completely shielded against shock hazard.

g. **Utility Substation**
   
i. Utility substation infrastructure located underground and structures accessory to utilities, such as transformers, poles, transmission lines, and cabinet structures, may encroach upon required yards, except that such utility infrastructure, when located aboveground, may be located in front yards only where locating such structures in
alternate locations is not practicable. Nothing in this Law shall restrict the construction or use of underground or overhead distribution facilities of public Utilities operating under the Laws of the State of New York.

h. District Heating / Cooling
i. Demonstrate compliance with the New York State Department of Public Service Standardized Interconnection Requirements (SIR) or equivalent.

i. Antenna
i. The antenna is enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer; or the antennas are mounted on or in a structure that is already allowed within the zone, such as an existing wireless communication tower, and does not increase the overall height of the structure.
ii. Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the antenna. Any equipment not used in direct support of such operation must not be stored on the site.
iii. The facility must be unstaffed.
iv. Signs for the ancillary communication structure are limited to ownership and contact information, FCC antenna registration number (if required), and any other information required by a governmental authority. Commercial advertising is prohibited.
v. Flags hung from antennas are prohibited.
F. Required Buffer Areas

Buffers Applying to all Sub Areas

• A minimum 30 foot Side and/or Rear Yard Buffer is required for all primary structures within 100’ of existing residential buildings located outside the Chain Works District.

• A 30 foot buffer area is required wherever the Chain Works District directly abuts R-1, R-2 or R-3 Zoning Districts (except at the Route 96B street line) where no new structures are permitted.

• Vegetation within the required Buffer must be permanently maintained in a healthy growing condition at all times.
G. Site

In order to regulate buildings that do not have their own parcel, site requirements should be applied to a Building Site Envelope delineated around any primary building. Building Site Envelopes must not overlap.

1. **Maximum Building Area** - See Table 1 – Chain Works District Building and Site requirements

2. **Yard Dimensions** - The network of Thoroughfares and Building Site Envelopes will define Yard Dimensions for the existing and proposed buildings. See Table 1 – Chain Works District Building and Site Requirements

3. **Building Projections** - No part of any building shall encroach into any Setback, except as described below:
   
   i. Overhanging eaves and bay windows may project up to 2 feet into any required Setback.

   ii. Awnings and balconies may extend up to 5 feet into any required Setback provided that such extension is at least 2 feet from the vertical plane of any edge of a thoroughfare.

   iii. Arcades may overlap Sidewalks.
H. Parking

1. All parking must occur in approved Parking Spaces, Parking Areas or Parking Structures meeting the general guidelines herein. Parking is specifically not permitted on lawns, sidewalks, or other spaces not developed as a Parking Space.

2. Clear boundaries. All Parking Areas, including associated driveways and vehicle maneuvering areas, shall have clearly defined boundaries. A “clearly defined boundary” shall mean, at a minimum, the existence of a distinct edge to the material used to pave the parking area, such that the yard area where parking is permitted is clearly distinguished from the yard area where parking is not permitted. Where approved parking areas are contiguous with sidewalks or other paved areas, there shall be a minimum 4-inch-high curb or other equivalent continuous permanent barrier separating the Parking Area from other paving, except as required to allow for accessibility.

3. Physical character of Parking Spaces. Each Parking Space shall be even-surfaced and internally unobstructed by structures, walls, landscape elements or other obstructing features, except that low curbs or wheel stops may be located within or adjoining a space if they do not impede vehicular access to or egress from the Parking Space. Acceptable surface materials include crushed stone, brick, concrete, asphalt, permeable pavement, or similar materials.

4. Drainage. All newly constructed or enlarged Parking Areas, including associated driveways and vehicle maneuvering areas, shall have adequate provisions to prevent surface or runoff water from draining to or across adjoining properties, Sidewalks or streets in accordance with the City of Ithaca Stormwater Standards. All drainage systems in existing Parking Areas shall be maintained in good working order. These requirements must be met in addition to, and do not pre-empt, existing City, State, and Federal stormwater requirements.

5. Access requirements. The portion of access driveways extending from the street to the Sidewalk, or to the Building Site Envelope if no Sidewalk exists, must be hard-surfaced with concrete, brick, asphalt or other approved material, as required by the municipal engineer.

6. Driveways. Where permitted, one-way driveways shall have a minimum width of 10 feet and a maximum width of 12 feet. Two-way driveway aisles shall have a minimum width of 20 feet and a maximum width of 24 feet.

   a) Parking Area aisles. All Parking Area aisles shall have a minimum width of 20 feet for both single and double loaded parking.

7. Parking Location. Parking Spaces including attached and detached garages must be behind the Parking Setback line as described in Table 1 – Chain Works District Building and Site Requirements
8. Internal or underground Parking Areas must be wrapped by active uses on street-facing facades (except for entries/exits) and may not be visible from a thoroughfare, except as described below:
   a) Entries/exits to Parking Areas
   b) Parking in stories below grade plane as defined by the New York State Uniform Fire Prevention and Building Code.

9. Off-Street Parking: There is no minimum off-street parking requirement.
I. Buildings

1. **Building Height** - To accommodate existing tall stories that may be necessary for specific uses, stories taller than the max heights specified in Table 1 may be allowed if they are counted as multiple stories based on the allowed height of individual stories. For example, a 24’ story for a gymnasium is considered two 12’ stories. See Table 1 – Chain Works District Building and Site Requirements below.

2. **Front Façade Length** - The Front Façade Length allowed in each Sub Area is listed in Table 1 – Chain Works District Building and Site Requirements below. Buildings may exceed the maximum Front Façade Length if the City of Ithaca Planning and Development Board grants a conditional approval for a longer facade. The Planning and Development Board may allow facades to be as long as the Maximum Façade Length with Conditional Approval shown in the table below. Existing buildings are exempt from Maximum Facade Length regulations.
<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Lot Size</th>
<th>Maximum Building Height</th>
<th>Maximum Percent Lot Coverage by Buildings</th>
<th>Yard Dimensions</th>
<th>Front Façade Length</th>
<th>Minimum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area in Square Feet</td>
<td>Width in Feet at Street Line</td>
<td>Max stories above Grade Plane</td>
<td>Max stories below Grade Plane</td>
<td>Max Height, First Story</td>
<td>Max Height, Other Stories</td>
</tr>
<tr>
<td>CW1</td>
<td>NONE</td>
<td>NONE</td>
<td>2</td>
<td>NONE</td>
<td>15'</td>
<td>12'</td>
</tr>
<tr>
<td>CW1A</td>
<td>NONE</td>
<td>NONE</td>
<td>4</td>
<td>2</td>
<td>18'</td>
<td>12'</td>
</tr>
<tr>
<td>CW1B</td>
<td>NONE</td>
<td>NONE</td>
<td>6</td>
<td>2</td>
<td>18'</td>
<td>12'</td>
</tr>
<tr>
<td>CW1C</td>
<td>NONE</td>
<td>NONE</td>
<td>4</td>
<td>NONE</td>
<td>18'</td>
<td>12'</td>
</tr>
</tbody>
</table>

Building and Site Requirements do not apply to buildings that existed at the time of the adoption of the Chain Works District Planned Unit Development. Area requirements apply to any additions to existing buildings.
J. Signage

Signage is permitted in accordance with the following specifications and the requirements of City of Ithaca Code Chapter 272: Signs.

Throughout the Chain Works District, up to 10 (ten) interactive directional kiosks may be constructed so long as backlit screens are not visible from city roads and the kiosks do not exceed eight (8) feet in height. Unlit painted metal directional and wayfinding signs may be erected (one per interior access road intersection) within the Chain Works District; design may not exceed 15 square feet in viewing area.

K. Performance standards

1. Intent. The intent of this section is to permit a broad range of uses by establishing standards of performance to protect residential districts from adverse effects of industrial activities and to promote a safe and healthy environment.

2. General restrictions. All uses in districts where reference is made to this section shall conform to performance standards herein and shall be constructed, maintained and operated so as not to be injurious or offensive to occupants of adjacent properties or to those passing by on a public way by reason of the emission of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazards or glare.
   a. All production or processing of materials or substances shall be enclosed by a fence or other safe barriers for the public safety and visual screening.
   b. All storage shall be effectively screened from the view of adjacent properties, pedestrian passersby on any public way adjacent to the premises containing such storage.
   c. Storage of waste products must be completely enclosed within a building or storage shed.
   d. Outside display of finished or semi-finished products must be effectively screened from the view of adjacent properties, pedestrian passersby on any public way adjacent to the premises on which such products are displayed.
3. Noise. Sound levels shall be measured with a sound-level meter and associated octave-band filter, and they shall not exceed standards prescribed by the American Standards Association at any point along the sound-producer's lot line. Objectionable noises due to intermittance, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

4. Vibration. No use or associated activity shall be operated so that ground vibration is perceptible without instruments at any point along the lot lines of such use.

5. Smoke. No smoke shall be emitted in violation of this Code. Industries shall be required to monitor their own emissions when the County Health Department finds it necessary for environmental health reasons to check an industry's smoke, particulate or heat pollution levels.

6. Dust, dirt, odor and fumes. No amount of dust, dirt, soot, cinders, odors or fumes shall be emitted in violation of this Code. Every use shall be so operated as to prevent the emission into the air of dust or other solid matter, odors or fumes in amounts which exceed the maximum standards of the New York State Board of Health. No objectionable, noxious, toxic or corrosive fumes or gases shall be emitted. A noxious or objectionable odor concentrate shall be deemed to be present at the point at which it can be perceived by smell or otherwise affects the breathing process.

7. Fire and safety. All uses must conform to Building Code standards and shall operate so as to minimize the danger of fire or explosion by conforming to the requirements of the National Fire Code.

8. Glare and heat. Glare or heat resulting from the day-to-day operation or from exterior signs, building materials or other objects situated on the lot shall not be detectable beyond the lot line of that land use.

9. Industrial sewage and waste. Every use shall be in conformance with Chapter 264 of the City Code. All uses shall be operated so as to prevent the discharge into any public sewer, stream, river, lake or the ground of waste or other matter in amounts which will exceed the maximum standards of the Tompkins County Health Department and the New York State Department of Environmental Conservation. No connection with any public sewer or appurtenance shall be made or maintained in such a manner that there may be conveyed or created any hot, suffocating, corrosive, flammable, poisonous or explosive liquid, gas, vapor or substance or material of any kind. No wastes conveyed to or allowed to flow in or through the sewer or appurtenance shall contain materials which contain or create deposits obstructing the flow in the sewer.

10. Enforcement. The Director of Zoning Administration shall be responsible for alerting the appropriate agency or department of a need for performance measurement when he/she becomes aware of a possible infraction of the special performance standards. Enforcement of this section shall be under the jurisdiction of the Director of Zoning Administration and shall comply with City Code Article VII: Administration and Enforcement.

11. Penalties for violation. Any person who violates any provision of this section shall be guilty of an offense. Each week's continued violation will constitute a separate offense. Each offense shall be punishable by a fine not exceeding $1,000.
12. Civil proceedings. In addition to other remedies, the Director of Planning and Development or designee may institute appropriate action or proceedings to prevent any unlawful conduct or emissions prohibited by this section or to compel compliance with the provisions of this section.

L. Appeals

1. The determination (by the Director of Planning and Development or his/her designee) of whether a development proposal is subject to Site Plan Review may be appealed to the Planning and Development Board within 30 days of the written notification that Site Plan Review is required.

2. Any person aggrieved by any decision of the Director may appeal to the Planning & Development Board.

3. Any person aggrieved by any decision of the Planning & Development Board, or any officer or agency of the City, regarding Site Plan Review, may apply to the Supreme Court for review by a proceeding under Article 78 of the Civil Practice Law and Rules.

M. Violations

Any violations of the terms of this section shall constitute a violation of the City of Ithaca Zoning Ordinance and shall be punishable as set forth in said ordinance and in §276-11 of the City Law of the State of New York. Each day’s continued violation shall constitute a separate offense. Notwithstanding the foregoing, the City of Ithaca reserves for itself, its agencies, and all other persons having an interest, all remedies and rights to enforce the provisions of this section, including, without limitation, actions for any injunction or other equitable remedy, or action and damages, in the event the owner of the parcel covered by this section fails to comply with any of the provisions hereof. If any building or land development activity is installed or conducted in violation of this section, the Code Enforcement Officer may withhold any building permit or certificate of occupancy and/or prevent the occupancy of said building or land.

N. Compliance with City of Ithaca Code

Except as otherwise specified in this section, or as otherwise shown on the final site plan or final subdivision plat, all provisions of the City of Ithaca Code shall apply to all development, structures, and uses in Planned Unit Development Zone No. X.

O. Area rezoned

The area encompassed and rezoned in accordance with this section as a Planned Unit Development Zone is described in Schedule A of this section. The Official Zoning Map of the City of Ithaca, New York, is hereby amended by adding such district at the location described.
Chain Works District Planned Unit Development

SCHEDULE A:
DESIGN GUIDELINES

December 3, 2018 DRAFT
City of Ithaca Planned Unit Development Zone
A. Introduction

The purpose of this document is to describe the Design Guidelines intended to create a vibrant and walkable mixed-use district in a way that respects and enhances the form and character of the industrial heritage of the Chain Works District. Below, Figure 1 – Chain Works District Location Map, depicts the Chain Works District boundary and its location within the Town and City of Ithaca.
1. Intent

The Chain Works District is intended to:

a) Develop and model a neighborhood district designed to accommodate pedestrians and cyclists, with functional and attractive landscaping;

b) Create an identifiable community that bridges the City and Town of Ithaca by reactivating a property with an idle industrial complex;

c) Avoid sprawl by repurposing existing structures with potential future development where adequate infrastructure exists, comprised of a greater mix of uses than the existing Industrial zoning allows;

d) Protect environmentally valuable and sensitive areas by limiting all intense development to approximately one-third of the 95-acre property, retaining open space as an ecological and recreational amenity for the neighborhood and surrounding community;

e) Promote human-scaled development and social connectivity within the Chain Works District and around the community by creating pedestrian oriented pathways and streets;

f) Encourage walking, biking, car sharing, and public transit by providing the minimum amount of parking necessary for Chain Works District residences and businesses;

g) Utilize a zoning strategy that creates an aesthetic and safe neighborhood district to help foster a sense of community and connectivity with the surrounding communities;

h) Improve public access to the South Hill Recreation Way and Black Diamond Trail with the planned Gateway Trail through the Chain Works District;

i) Celebrate the property’s history by retaining the existing industrial character of the structures in their repurposing;

j) Demonstrate how a meaningful open space network may be created within a former 800,000+ sf industrial complex, in conjunction with potential new infill development of mixed uses retaining greater open space than is ordinarily required;

k) Encourage a vibrant and walkable mixed-use neighborhood.
**B. Sub Area and Character Intent**

Sub Areas are delineated within the Chain Works District as shown in Figure 2, Chain Works District Sub Areas.

**Sub Area and Character Intent**

**Natural Area / CW1.** These areas consist of lands approximating or reverting to a wilderness condition, including lands unsuitable for development due to topography, hydrology, or vegetation. The CW1 Sub Area is intended to permanently protect areas from development that would damage the contiguity, quality, character, and ecological function of natural areas. These are permanently preserved as natural open space with the following permitted uses: passive recreation, stormwater management facilities which may consist of constructed wetland or other water cleansing and stormwater practices, gardens, walking / recreational trails that may provide pedestrian connectivity to other zones, and other alike or corresponding non-intrusive uses. New structures are only allowed if they serve as auxiliary to a permitted use. Sheds, park restrooms, pavilions, gazebos, visitor centers, or affiliated buildings needed to maintain this area are examples of permitted auxiliary structures allowed in the Natural Area / CW1. Parking is permitted by special approval, but only appropriate amounts and types of parking will be permitted to support the allowable uses within the district.
Neighborhood Center Area / CW3 A&B. These areas will consist of higher density mixed-use buildings that accommodate retail, office, and other commercial uses, rowhouses, apartments, and incubator/artisan uses, and light industrial use are permitted by special permit in buildings #13A, 13B, and 35. Adult uses are excluded. It has a tight network of streets, with sidewalks, and buildings set close to the sidewalks. Open spaces consist of plazas in addition to green space. In the CW3A Sub Area, development is limited to 4 stories. Development in the CW3B Sub Area is limited to 6 stories, with an allowance for an additional 1-2 stories on the downhill side below grade plane.

Neighborhood Edge Area / CW3C. This area will consist of higher density residential buildings. Adult uses are excluded. It has a tight network of streets, with sidewalks, and buildings set close to the sidewalks. Open spaces consist of plazas and parks. In the CW3C Sub Area, development is limited to 6 stories with no additional stories allowed on the downhill side below grade plane.

C. Design Review Process

The City of Ithaca Design Review Ordinance requires design review of projects in the Chain Works District in accordance with Chapter 160: Design Review. The intent is to promote desirable growth and promote excellence in architecture and urban design. The Design Review Committee of the Planning and Development Board is responsible for design review. The Committee will use this document to guide the design review process and make recommendations. Existing buildings, which establish the industrial character of the Chain Works District, are exempt from the Design Guidelines. Expansions of existing buildings are not exempt.

In addition to design review, a project must be reviewed by the full Planning and Development Board to verify that it complies with the base zoning standards in the City of Ithaca Municipal Code (in this case, Planned Unit Development 1), the provisions of the Site Plan Review Ordinance and the Findings Statement adopted after completion of the FGEIS for this project. All locally designated historic properties are exempt from design review because they undergo a special approval process conducted by the Ithaca Landmarks Preservation Commission (ILPC).
D. Precedent Images

The following images were selected as precedents to provide examples of qualities or characteristics that are reflective of and complementary to the Project goals of creating a vibrant, human-scaled mixed-use development while respecting and enhancing the specific industrial heritage of the Project site.

CW2A – Scale, Massing and Articulation

These images exhibit preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
CW2B – Scale, Massing and Articulation

These images exhibit preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Front Façade
- Structural Articulation / Expression
These images exhibit preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Front Façade
- Front Stoop
- Recessed Entry
- Landscaped Buffer
- Mitigation of Site Grade
These images exhibit preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Front Façade
- Front Stoop
- Recessed Entry
- Landscaped Buffer
- Mitigation of Site Grade
This image exhibits preferred characteristics related to:

- Building Height
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- Building Scale
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- Glazing Percentage
- Blank Wall Extents
- Façade Length
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- Façade Length
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- Recessed Entry
- Structural Articulation / Expression

This image exhibits preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Front Façade
- Articulation / Expression
This image exhibits preferred characteristics related to:

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- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Front Façade
- Front Stoop
- Landscaped Buffer
- Mitigation of Site Grade
These images exhibit preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Front Façade
- Integration of Existing and New
This image exhibits preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Compact Streetscape

These images exhibit preferred characteristics related to:

- Building Height
- Building Massing
- Building Scale
- Material / Cladding Variety
- Glazing Percentage
- Blank Wall Extents
- Façade Length
- Integration of Existing and New
E. Building Guidelines

The reuse of buildings that existed at the time of adoption are exempt from this Section. Expansions of existing buildings should comply with the Guidelines in this Section as practicable.

Energy

a. In new buildings, natural ventilation should be made available to all rooms by providing operable windows where the open window area is at least 4% of the floor area of the room being ventilated. The operable windows should be distributed to maximize the direction of prevailing breezes.

b. The Solar Reflectivity Index for flat roofs should be a minimum of 78.

c. The Solar Reflectivity Index for sloped roofs should be a minimum of 29.

d. The Solar Reflectivity Index for pavement should be a minimum of 29. Except pavement shaded by trees.

e. Solar photovoltaic/solar thermal energy systems are permitted.

Architecture

a. Pitched roofs along frontage line facing facades, if provided, should be symmetrically sloped no less than 5:12, except that roofs for porches, dormers and attached sheds may be no less than 2:12.

b. Flat roofs should be screened from view from the frontage line by parapets a minimum of 24 inches high, or higher as required to conceal mechanical equipment.

All utilities and mechanical equipment must be screened from public view.

(a) Incorporation of mechanicals into stories with occupiable space is encouraged; if this is done, mechanicals will be calculated as part of building height.

(b) Alternatively, mechanicals will not be measured as part of building height, provided that:

1) The mechanical equipment is not incorporated into stories with occupiable space;
2) The mechanical equipment is architecturally integrated into the building; and
3) The mechanical equipment is less than one-third of the building footprint and does not exceed 9 feet in height above the roof.

c. Frontage line facing facades on floors below 50 feet tall or below any required stepback, should use a durable outer material with a thickness greater than 1/4 inch.

Examples: Brick, stone, wood, cement, and traditional stucco/plaster are almost always thicker than ¼ inch. Thin stucco as applied in many Exterior Insulation and Finish Systems (EIFS), vinyl and aluminum siding, fiberglass and sheet metal panels are frequently thinner than ¼ inch, and would not comply with this guideline.

d. Frontage line facing facades should be constructed from a material that provides small-scale detail.

Either the height or width of any material uninterrupted by a change in color or thickness should be less than 8 inches. (For example, lap siding may be unlimited in length as long as it is no more
than 8” high) Alternative larger scale durable façade materials may be allowed through Planning Board review.

e. Structures should blend in with natural surroundings and with the colors and textures of the existing/adjacent early twentieth century industrial/historic structures through preferred use of stone, brick, concrete and/or natural wood and/or metal siding.

In all cases, structures shall be constructed and maintained so predominating exterior wall colors (including the colors of basement walls on the downhill side of the structure) and sloped roof surfacing materials repeat the colors found most commonly in the land, vegetation and historic buildings around the site. Furthermore, at least 65% of the building facade area should have a light reflectance value (LRV) less than 65%.

f. Architectural variety is important for community character. While primary facades facing thoroughfares should be prioritized, secondary facades visible from other properties should include architectural detailing that is consistent with the primary façade.

Windows, Awnings and Doors

a. All windows larger than 6 SF in area (with the exception of shopfronts) should be vertical or square in proportion. Arched-top windows are allowed so long as the overall dimensions of the window assembly are taller than they are wide.

b. Multi-pane glass or the appearance of multipane glass should be used to break up windows larger than 20 SF, except for shopfront windows.

c. Openings above the first story should not exceed 50% of the total building wall area, with each facade being calculated independently.

d. Awnings should not be backlit.

e. Awnings on shopfronts should be a minimum of 4 feet deep. Adjustable roll-up awnings are encouraged.

f. Shopfront awnings are encouraged to encroach above the public pedestrian way as long as no support or structure is lower than 7 feet high within the public right of way.

g. Doors of commercial buildings should allow visual access to the interior of the building.

h. Balconies and porches should be visibly supported by columns, or architectural brackets, made of or covered by cement, stone, cast iron, wood, steel, aluminum or brick.

i. The maximum distance between functional entries measured along thoroughfare is 85 feet.

j. Residential façade glazing (% front façade area between 2'-12’ above the sidewalk) should be at least 30%.

k. Commercial façade glazing (% front façade area between 2'-12’ above the sidewalk) should be at least 70%.

l. A maximum of 20% of the glazing area should be obscured by opaque or translucent obstructions including but not limited to signs, Mullions, muntins, decorative architectural elements, screening, frosting, and etching.

m. Maximum length of blank walls should be 85’.

Renovation & Reuse of Buildings

a. The retention of at least 20% of the surface of historic buildings is required except when authorized by the Ithaca Landmarks Preservation Commission and/or NYSOPRHP.

Calculating Surface:
1. Each assembly (vertical or horizontal) may be calculated as up to three layers of surface area. For vertical building elements, the layers include structure, enclosure, and interior finish. For horizontal building elements, the layers include structure, floor finish, and ceiling finish.

2. Structural support elements, such as columns, beams, and studs, are considered part of the larger surfaces they support. Calculate the surface area of these elements as equal to surface area of the wall.

3. Not all projects will have all layers present at the beginning of construction, depending on the state of the building. If a layer that existed before construction or demolition is removed and replaced with new material, it must be included in the calculation. If an existing layer was removed and not replaced, it is excluded from the calculations.

Examples:

- A project has a floor assembly consisting of structural slab, ceiling tiles, and carpeting. The structural slab and ceiling tiles are reused, but the carpet is removed and not replaced because the design uses the exposed structural concrete as the finish material. Exclude the carpeting from the calculation but count the slab as reused.
- A building has an existing steel structure, brick enclosure, and drywall. The project is reusing the structure and enclosure but replacing the existing drywall with new drywall. The team must include all three existing layers in the denominator but only the reused portions in the numerator.
- A building has an existing steel structure and brick enclosure, with no drywall or interior finish. Include only those two layers in the reuse calculations.

b. Restoring and/or rehabilitating existing structures-to-remain in a way that preserves, reflects, and promotes the inherent historic and architectural significance of these selected buildings. This may include:

- Cleaning and repairing existing exterior walls
- When practical, repairing and restoring existing fenestration at existing openings
- Replacing existing windows (deteriorated to the point of inoperability) to closely emulate the design, pattern, color, and perhaps material construction of what currently exists on various existing CWD structures
- Wherever possible, restoring and maintaining the interior character of key existing structures with additional modifications developed to meet the needs and requirements of potential tenants.
- Working with a preservation professional to adequately photo document those structures that will be demolished, so that an historical record will remain of the architecture, context and materials removed.
- Selectively preserving historically significant elements of buildings, both internal and external, that contribute to the historical narrative of both the structure and the Morse Chain Factory itself.
F. Landscaping and General Site Guidelines

Street and Yard Landscaping

a. Where feasible and environmentally acceptable, stormwater should be treated, slowed and infiltrated as close to where it falls as possible:
   - Street trees should be planted below the grade of the sidewalk and the street in structural cells with sufficient root space, or in tree lawns.
   - Rain gardens and bioswales should be installed to infiltrate runoff from parking lots, thoroughfares, plazas and other impervious surfaces.
   - Where vegetative solutions are not feasible, porous concrete or porous asphalt may be specified for sidewalks, parking lots, and plazas to infiltrate stormwater.

b. Native or climate adapted plant perennial landscapes should replace turf grass where possible and should be diverse. They should be placed lower than walkways, not mounded up.

c. All landscaping should be restricted to non-invasive species.

d. In addition to these guidelines, all projects should comply with all DEC stormwater requirements.

e. Screening, ground cover and other plantings will be considered in site design and site plan review.

Street Screens and Fences

a. Street screens should be used to screen parking when it is placed along the side of a building. Screening should cover at least 75% of the linear frontage that is not dedicated to the access drive.

b. Street screens should be constructed of a material with durability similar to materials guidelines for front facades. Screening should be no more than 25% open and at least 6 feet high.

c. Street screens should match the setbacks of adjacent buildings.

d. Fences and walls along thoroughfares should be 3.5 feet or lower.

e. Chain link fencing should not be erected between the front facade and frontage line.

Public Planting Areas

a. Planting details should be appropriate to growing healthy trees, taking into account tree species, root medium, and width and soil volume of planter strips or wells.

b. Tree species in the project area should not be considered invasive according to USDA or Cornell Cooperative Extension.

Street Trees

Street trees should be provided on both sides of all streets where possible and practical. Exceptions relate to topography, soil conditions or areas where road follows existing forest that will be maintained. Other site constraints may make street trees inappropriate for a particular location.

In addition, the following guidelines apply:

CW3A+B: Provide street trees on both sides of at least 60% of new and existing streets within the
project between the vehicle travel way and walkway, at intervals averaging no more than 40 feet (excluding driveways and utility vaults). Planting intervals should be appropriate based on type of tree proposed.

**Parking Lot Requirements**

Provide shade by planting no fewer than one (1) tree per ten (10) parking spaces in islands within parking areas. Existing trees that are preserved on the edges of parking lots may count against the required tree count if at least 30% of their canopy extends over parking spaces.

**Site Selection for Tree Planting**

a. Tree lawns should be equal to or greater than 8 feet wide, wherever possible
b. Tree pits should have a porous opening at least 50 square feet (e.g. 5’ x 10’, 8’ x 8’, etc.).
c. Trees should not be planted:
   - within 20’ from the corner of intersecting streets
   - within 35’ in front of a stop sign
   - within 15’ from hydrants
   - within 15’ from a utility or street light pole
   - within 15’ of where driveway intersects with thoroughfare
   - within 4’ of the street curb (additionally, trees should be planted as far from the sidewalk as possible)
d. Breakout underground soil paths between tree lawns and adjacent private green space should be considered when tree lawns are less than or equal to 8 feet wide. This provides a deep path for tree roots to grow into the adjacent private property while minimizing sidewalk damage as the tree grows.
e. No tree is to be planted directly under or in competition with an existing large tree.
f. For tree planting sites under single or triple phase utility wires, trees that mature at 30’ tall or less should be specified. It is preferred that utility wires be located underground.
g. Smaller trees (<30’ at maturity) require a minimum of 240 cubic feet of soil (e.g. 8 x 10 x 3=240 cubic feet) per tree, unless there is opportunity for the tree to grow into adjacent green space.
h. Small trees should have a mature shape and stature so that pedestrians may eventually walk under them.
i. Medium-large trees (>30’ at maturity) require a minimum of 720 cubic feet of soil (e.g. 60’ x 6’ x 2’=720 cubic feet) per tree, unless there is opportunity for the tree to grow into adjacent green space on the other side of the sidewalk.
j. Planning staff may grant an administrative exception to site selection for tree planting guidelines a-i based on professional judgment and site conditions.

**Tree Planting**

a. Open planting sites in areas with little or no shade should be given priority over already shaded streets.
b. Where feasible, pavement should be removed to make spaces for trees in areas lacking shade.
c. On main thoroughfares, large trees maturing at a height greater than 30’ should be planted in all sites unless there are primary electric lines overhead. Where primary wires are present, trees maturing at a height of 30’ or less should be planted.
d. Based on research, planting of bare-root trees in the fall should continue to be the main method of planting. Evergreens or large trees should be planted balled and burlapped in the spring.
e. All newly planted trees should have irrigation bags and mulch during their first growing season.
f. After the first year, the mulch should be renewed and low expandable tree trunk guards placed around the bases of young trees until they reach 6” caliper.
g. In areas with heavy pedestrian traffic, sunken tree pits with grates or a permeable tree pit system aggregate covering are appropriate.
h. Species should not be over-planted. As a rule, no one species should make up more than 5% of the total population.
i. Species should be used that:
   1) Are tolerant of site conditions and not invasive
   2) Have few management problems
   3) Meet functional and aesthetic needs
   4) Are resistant to pests

**Plaza Design**

Locate 90% of planned and existing dwelling units and nonresidential use entrances within a 1/4-mile walk of at least one civic and passive use space. The spaces must be at least 1/6 acre in area. Spaces less than 1 acre, such as ‘pocket parks,’ must have a proportion no narrower than 1 unit of width to 4 units of length.

Open Space Courtyards, street-adjacent plazas, linear outdoor dining areas and other open spaces provide places for customers and tenants to gather and engage in activities. When located adjacent to a public space, these features can activate and enhance the pedestrian experience. A project should incorporate open space into a site design where feasible via the following guidelines:

- Consider placing an open space so that it is visually and physically connected to a public space.
- Link an open space to internal site features and the public realm.
- Size an open space to be adequate for its function.
- Enclose an open space by framing it with building edges, landscaping or other site elements.
- Site an open space to maximize sun exposure.
- Program an open space with site features or activities that will keep it lively and occupied.

**G. Thoroughfare Assembly**

Intent – Thoroughfare assemblies for the Chain Works District are intended to create streets, roads and sidewalks that prioritize in the following order, slow and safe travel for people walking; people riding bikes; people taking transit; people driving in cars; and lastly, people moving freight. The specific dimensions focus on keeping lane widths to the minimum that is practical in order to calm traffic. Life safety and fire protection takes precedence in the development of any new thoroughfares and is at the discretion of the Chief of Fire Department or his designated representatives. On-street parking is encouraged wherever possible to buffer and protect people walking on sidewalks from auto traffic.
Vehicular traffic speed and counts are kept low in order to facilitate shared multi-modal uses. Many of the thoroughfare assemblies are designed around a yield condition where two-way traffic is allowed but autos must yield to oncoming traffic in order to pass. This yield condition is described by American Association of State Highway and Transportation Officials (AASHTO) as “typical” for residential streets and it creates the conditions most conducive to naturally slow and careful driving, as is necessary to make roads safe for people walking and biking.

In general sidewalks should be at least 5’; however, the City of Ithaca Planning & Development Board may grant approval for the ADA minimum, 4’, at its discretion if all ADA conditions are met and special site conditions such as topography or very low expected pedestrian traffic merit an exception.
Assembly Type A is intended to serve most of the development, this yield condition street may include occasional bump-outs into the parking area to accommodate street trees if there is not room for a continuous tree lawn due to site topography. With two 8’ travel lanes, average size cars (6’ wide) will easily pass each other but will naturally slow down to do so. On rare occasions when two larger vehicles encounter each other they may need to yield to pass in driveways, intersections or open parking spaces. People riding bikes will ride in the traffic lanes due to the low expected speeds and traffic counts on these streets.

<table>
<thead>
<tr>
<th>THOROUGHFARE ASSEMBLIES: TYPE A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Thoroughfare Type</strong></td>
</tr>
<tr>
<td><strong>Sub Area Assignment</strong></td>
</tr>
<tr>
<td><strong>Right-of-Way Width</strong></td>
</tr>
<tr>
<td><strong>Pavement Width</strong></td>
</tr>
<tr>
<td><strong>Movement</strong></td>
</tr>
<tr>
<td><strong>Design Speed</strong></td>
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<tr>
<td><strong>Pedestrian Crossing Time</strong></td>
</tr>
<tr>
<td><strong>Traffic Lanes</strong></td>
</tr>
<tr>
<td><strong>Parking Lanes</strong></td>
</tr>
<tr>
<td><strong>Curb Radius</strong></td>
</tr>
<tr>
<td><strong>Walkway Type</strong></td>
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<tr>
<td><strong>Planter Type</strong></td>
</tr>
<tr>
<td><strong>Curb Type</strong></td>
</tr>
<tr>
<td><strong>Landscape Type.</strong></td>
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<tr>
<td><strong>Transportation Provision</strong></td>
</tr>
</tbody>
</table>
Assembly Type B is intended to be used between residential clusters where parking is not needed and as access between existing surface parking lots. This yield condition street will handle low traffic volumes and will encourage slow travel speeds where walking and biking are prioritized. With 16’ clear space in the lane and the availability of adjacent sidewalk space without obstructions firetrucks will be able to access and spread supports easily in emergency situations but other large vehicles should not frequently use these roads under non-emergency circumstances.
Assembly Type C is a one way alley/driveway with parallel parking on one side. The narrow lanes, low speeds and limited traffic make this assembly appropriate for people riding bikes to share the lane with slow moving cars.

**THOROUGHFARE ASSEMBLIES: TYPE C**

<table>
<thead>
<tr>
<th>Thoroughfare Type</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub Area Assignment</td>
<td>CWS</td>
</tr>
<tr>
<td>Right-of-Way Width</td>
<td>38 feet minimum</td>
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<tr>
<td>Pavement Width</td>
<td>15 feet</td>
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<tr>
<td>Movement</td>
<td>Slow</td>
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<tr>
<td>Design Speed</td>
<td>25 MPH</td>
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<tr>
<td>Pedestrian Crossing Time</td>
<td>XX seconds</td>
</tr>
<tr>
<td>Traffic Lanes</td>
<td>1 lane</td>
</tr>
<tr>
<td>Parking Lanes</td>
<td>One-side @ 7 feet minimum un-marked</td>
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<tr>
<td>Curb Radius</td>
<td>10 feet</td>
</tr>
<tr>
<td>Walkway Type</td>
<td>4 foot minimum sidewalk</td>
</tr>
<tr>
<td>Planter Type</td>
<td>8 foot continuous planter</td>
</tr>
<tr>
<td>Curb Type</td>
<td>Granite curb</td>
</tr>
<tr>
<td>Landscape Type.</td>
<td>Trees at 30° o.c. avg.</td>
</tr>
<tr>
<td>Transportation Provision</td>
<td>Bikes share lane</td>
</tr>
</tbody>
</table>

**Perspective View**

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5'-0"  4'-0"  7'-0"  8'-0"  8'-0"  4'-0"
  15'-0"
  36'-0"
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Assembly D is an off-street parking area that also provides emergency fire access, the 20 foot fire lane could be stripped smaller or include a rolled curb area to reduce the space available for cars to keep speed low while maintaining emergency access options.

<table>
<thead>
<tr>
<th>Thoroughfare Type</th>
<th>Parking alley</th>
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</thead>
<tbody>
<tr>
<td>Sub Area Assignment</td>
<td>CWB</td>
</tr>
<tr>
<td>Right-of-Way Width</td>
<td>N/A</td>
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<tr>
<td>Pavement Width</td>
<td>36 feet</td>
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<tr>
<td>Movement</td>
<td>Slow</td>
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<tr>
<td>Design Speed</td>
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<tr>
<td>Pedestrian Crossing Time</td>
<td>N/A</td>
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<tr>
<td>Traffic Lanes</td>
<td>1 lane</td>
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<tr>
<td>Parking Lanes</td>
<td>Reverse angled</td>
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<tr>
<td>Curb Radius</td>
<td>10 feet</td>
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<tr>
<td>Walkway Type</td>
<td>4-8 foot sidewalk</td>
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<tr>
<td>Planter Type</td>
<td>8 foot continuous tree lawn</td>
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<tr>
<td>Curb Type</td>
<td>Granite curb</td>
</tr>
<tr>
<td>Landscape Type</td>
<td>Trees at 30’ o.c. avg.</td>
</tr>
<tr>
<td>Transportation Provision</td>
<td>Bikes share lane</td>
</tr>
</tbody>
</table>

Perspective View
Assembly E is a pedestrian priority shared street, also known as a Woonerf. This neighborhood street type allows vehicles as infrequent guests but is mainly intended for people walking and biking. Assembly E will be used exclusively in the space that will be created between the existing buildings when the development process opens the space between buildings 2-6 and buildings 8, 10 and 13. The area where slow and careful driving is allowed is flush with the sidewalks where driving is not allowed, people walking and biking will generally use the middle of the road, but have the option of moving to the side to let slow vehicles through.

### THOROUGHFARE ASSEMBLIES: TYPE E

<table>
<thead>
<tr>
<th>Thoroughfare Type</th>
<th>Through alley</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub Area Assignment</td>
<td>CWG</td>
</tr>
<tr>
<td>Right-of-Way Width</td>
<td>N/A</td>
</tr>
<tr>
<td>Pavement Width</td>
<td>21 feet +/-</td>
</tr>
<tr>
<td>Movement</td>
<td>Slow</td>
</tr>
<tr>
<td>Design Speed</td>
<td>25 MPH</td>
</tr>
<tr>
<td>Pedestrian Crossing Time</td>
<td>N/A</td>
</tr>
<tr>
<td>Traffic Lanes</td>
<td>1 lane</td>
</tr>
<tr>
<td>Parking Lanes</td>
<td>None</td>
</tr>
<tr>
<td>Curb Radius</td>
<td>10 feet</td>
</tr>
<tr>
<td>Walkway Type</td>
<td>4-8 foot flush sidewalk</td>
</tr>
<tr>
<td>Planter Type</td>
<td>None</td>
</tr>
<tr>
<td>Curb Type</td>
<td>flush in-ground lights, bollards, or change of materials</td>
</tr>
<tr>
<td>Landscape Type</td>
<td>None</td>
</tr>
<tr>
<td>Transportation Provision</td>
<td>Bikes share lane</td>
</tr>
</tbody>
</table>
Assembly F is an option for part of the woonerf between the existing buildings, Assembly E, where a planter can further compress the auto traffic lane, forcing a queuing/yield condition where cars in opposite directions must slow and wait for an opportunity to carefully pass – having an exceptional traffic calming effect while also introducing some natural beauty into the area where there is enough light for trees to survive. Bicycles and people walking will dominate the roadway but vehicles will be allowed as careful guests.
H. Signage

Signage plays a major role in expressing the character and quality of a place. The Chain Works District is intended to create a lively, walkable, and people centered community of residents, businesses and shopping/dining opportunities. In an evolving and flexible space where start-up businesses are expected to grow and thrive it is important to minimize red tape for small local enterprise while also protecting the community from noxious and out of scale impacts. To meet both goals, strict standards limit signs to pedestrian scale sign types that are consistent with the low speed and high quality commercial and retail place types that are desired. Within these strict standards, the high quality and small scale signs are allowed by right.

Monument signage at driveway entries and oversized building mounted signage may be determined appropriate in rare circumstances by the Planning Board to enhance the overall identity and character of the Chain Works District and reference the District’s industrial history. Signs that are not in compliance with the strict pedestrian scale regulations will be considered by the Planning Board on an individual basis for artistic quality, impact on the development and surrounding community, and potential to have a negative community impact.

Throughout the Chain Works District up to 10 interactive directional kiosks may be constructed so long as backlit screens are not visible from city roads. Unlit painted metal directional and wayfinding signs are allowed without a permit.

Encouraged - Affordable but High Quality Human Scale Signs

Discouraged - Low Quality but Expensive Highway Oriented Signs
<table>
<thead>
<tr>
<th>Nameplate Sign</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPECIFICATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Quantity (max)</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Area</td>
<td>max 3 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Width</td>
<td>max 18 in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Height</td>
<td>max 2 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Depth / Projection</td>
<td>max 3 in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Clearance</td>
<td>min 4 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Apex</td>
<td>max 7 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Letter Height</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outdoor Display Case</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPECIFICATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Quantity</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Area</td>
<td>max 6 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Width</td>
<td>max 2.5 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Height</td>
<td>max 3.5 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Depth / Projection</td>
<td>max 5 in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Clearance</td>
<td>min 4 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Apex</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Letter Height</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Shingle Sign</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPECIFICATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Quantity</td>
<td>1 per facade, 2 max</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Area</td>
<td>4 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Width</td>
<td>max 2 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Height</td>
<td>max 3 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Depth / Projection</td>
<td>max 2 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Clearance</td>
<td>min 7 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Apex</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Letter Height</td>
<td>max 8 in</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sidewalk Sign</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPECIFICATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Quantity</td>
<td>1 per business</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Area</td>
<td>max 8 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Width</td>
<td>max 6 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Height</td>
<td>max 42 in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Depth / Projection</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Clearance</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Apex</td>
<td>max 42 in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Letter Height</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Window Sign</th>
<th>CW1</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW3C</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPECIFICATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Quantity</td>
<td>1 per anchor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Area</td>
<td>max 25% of glass</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Width</td>
<td>varies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Height</td>
<td>varies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Depth / Projection</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Clearance</td>
<td>4 ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Apex</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Letter Height</td>
<td>max 8 in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specifications</td>
<td>CW1</td>
<td>CW3A</td>
<td>CW3B</td>
<td>CW3C</td>
</tr>
<tr>
<td>----------------</td>
<td>-----</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>a. Quantity</td>
<td>1 max per business</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Area</td>
<td>max 6 sq ft</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Width</td>
<td>max 3 ft (not counting post)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Height</td>
<td>max 2 ft (not counting post)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Depth / Projection</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Clearance</td>
<td>min 3 ft to sign edge</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Apex</td>
<td>max 6 ft to top of post</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Letter Height</td>
<td>max 8 in</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
I - Public Lighting

Lighting varies in brightness and also in the character of the fixture according to the Sub Area. “Table XX Lighting Standards by Sub Area” shows three sizes of street light that are appropriate for different contexts and building mounted light requirements. Maximum light levels measured at the building Frontage Line are described for each Sub Area. All new lighting in the City of Ithaca must comply with dark sky requirements.
Table XX Lighting Standards by Sub Area

<table>
<thead>
<tr>
<th>Sub Area</th>
<th>CW1</th>
<th>CW2A</th>
<th>CW2B</th>
<th>CW3A</th>
<th>CW3B</th>
<th>CW 4</th>
<th>Specifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>*</td>
<td>&lt; 30’ and &gt; 20’ Task - These lights should only be used in auto-oriented areas:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>*</td>
<td>arterial streets, industrial areas and large parking lots.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>*</td>
<td>* May be used in existing parking lots that are more than 100’ from a building</td>
</tr>
<tr>
<td>Post</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>&gt; 20’ and &lt; 20’ Task - Ideal for neighborhood streets and plazas.</td>
</tr>
<tr>
<td>Column</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5-12’ Task - Focused on providing light for pedestrians.</td>
</tr>
<tr>
<td>Bollard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>&gt; 4’ Task - Focused on providing light for pedestrians.</td>
</tr>
<tr>
<td>Building Misted</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Each new fixture must have a backlight-uplight glare (BULG) rating (as defined in IES TM-15-11, Addendum A) of no more than B2-U2-A2.</td>
</tr>
</tbody>
</table>

Table 13 Light Standards by Task Area

<table>
<thead>
<tr>
<th>Task Area</th>
<th>Average</th>
<th>Not to Exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Building Entrance</td>
<td>2 fc</td>
<td>5 fc</td>
</tr>
<tr>
<td>Active Building Approach</td>
<td>0.2 fc</td>
<td>5 fc</td>
</tr>
<tr>
<td>Sidewalks</td>
<td>0.2 fc</td>
<td>5 fc</td>
</tr>
<tr>
<td>Surface of Signs</td>
<td>n/a</td>
<td>2 fc</td>
</tr>
<tr>
<td>Parking Lots (Uniformity ratio 20:1 / 4:1)</td>
<td>0.8 fc (0.2 fc min.)</td>
<td>2 fc</td>
</tr>
</tbody>
</table>
At last month’s meeting, the Planning & Economic Development Committee discussed a change to the City’s current policy pertaining to the alteration of nonconforming uses. A nonconforming use is a building that contains a use that is not permitted in the zoning district where it is located. For example, a three-unit building that is located in a district that only allows one- or two-family dwelling is a nonconforming use. Nonconforming uses are the result of changes to the City’s Zoning Code over the years and are present in most areas of the city.

The Zoning Code requires a property owner to obtain a use variance in order to extend or enlarge a nonconforming use. Current policy allows the owner to make alterations within individual residential units that do not increase permitted occupancy without a variance. This allows the owner to make improvements, such as the enlargement of a bathroom or addition of a closet, without going through the variance process. However, a variance is required to reconfigure the interior layout of the building, such as converting two three-bedroom apartments to three two-bedroom apartments. Staff recommends that this policy be changed to allow residential units to be reconfigured without a use variance, provided that such alterations do not increase the allowable occupancy of the building. This change will make it easier for residential buildings to be renovated and brought up to current code. Any alteration that would allow for increased occupancy will still be considered an extension or enlargement of a nonconforming use and will require a use variance.

The proposal is a change to current policy, not an amendment to the City’s Zoning Code. A draft resolution to approve this change is attached for the Committee’s consideration. Staff will attend the August 14th Planning and Economic Development Committee to address any additional questions.
Proposed Resolution
Planning & Economic Development Committee
August 14, 2019

Approval of a Zoning Policy Change to Allow Alterations of Nonconforming Uses that Do Not Increase Occupancy – Resolution

WHEREAS, nonconforming uses are buildings that contain a use that is not permitted in the zoning district where the building is located, and

WHEREAS, nonconforming uses are the byproduct of changes to the Zoning Code over time and are now part of many neighborhoods throughout the city, and

WHEREAS, the City’s Zoning Code requires a property owner to obtain a use variance in order to extend or enlarge a nonconforming use, and

WHEREAS, current policy permits a property owner to make alterations within an individual residential unit that do not increase permitted occupancy without obtaining a use variance but requires a use variance to reconfigure the interior layout of residential buildings (i.e. convert two three-bedroom apartments to three two-bedroom apartments), even if an increase in occupancy is not permitted, and

WHEREAS, the City wants to encourage property owners to maintain and improve residential properties and would like to provide a more streamlined process for those projects that will have positive impacts on the community; now, therefore, be it

RESOLVED, that the Common Council hereby approves a revised zoning policy that allows alterations within a structure containing a nonconforming use to proceed without a use variance, provided that such alterations would not permit an increase in occupancy under NYS Residential Code or NYS Building Code, and be it further

RESOLVED, that any alteration to a structure containing a nonconforming use that would allow an increase in occupancy or other extension or enlargement of the nonconforming use shall only be permitted by means of a use variance granted by the Board of Zoning Appeals.
To: Planning and Economic Development Committee Members
From: JoAnn Cornish, Director of Planning and Development
Date: August 12, 2019
Re: Inter City Bus Service on Green Street

In September of 2018 and again in March of 2019 Common Council passed resolutions allowing the use of East Green Street as an intercity bus stop. The March resolution was for an extension of the usage until August 31st, 2019, which allowed for a full year of observation and evaluation.

When the buses started using Green Street in September of 2018, there were many challenges. Most notably, Columbus Day Weekend which was the first weekend of the bus operations and happened to be fall break for both Cornell and Ithaca College. We were not prepared for the mass confusion that ensued. We have, since then, been able to work out many of the issues. Over the spring and summer, we have had little to no complaints about the intercity bus operations on Green Street, due in part, to the staggered exit of students at the end of the academic year rather than everyone leaving at one time.

Just as we had hoped, Planning Staff, working with the Downtown Business Alliance, has observed the positive outcome of having the intercity buses in the heart of downtown. One of the biggest benefits is that riders can reach their Ithaca destination (both coming and going) via TCAT buses. Increased foot traffic on and near the Commons has increased as a result of the intercity bus operations, boosting downtown businesses.

With classes starting in a few weeks, it would be very difficult for the bus companies to find another location for their operations and would put students and visitors at a great disadvantage since most tickets are bought online in advance of the departure date. City staff have been looking for other locations for this operation but have not been able to find a workable solution.

Many of the suggestions brought forward by the bus operators, riders, and businesses have not been implemented or enforced. Painting the bus lane and curbs on both sides of Green Street to signal “Busses Only” and “Passenger Drop-off/Pick-up Only” signs have not been installed. To do this we need DOT permission, which to date, we have not received.

Some of the things we have been able to accomplish are the placement of a Jersey barrier at the Tioga Street stub so that buses do not block the area where Gadabout drops off and picks up Mental Health Facility clients. A bench has been placed in front of Urban Outfitters for passengers to use while waiting for their bus, which has helped to keep the walkway unencumbered for passersby. Other conditions will continue to be worked on by staff in partnership with Shortline/Coach USA, New York Trailways, and Greyhound as needed.

Meanwhile, staff continues to look for other suitable interim locations for intercity bus operations while planning for a long term permanent location for an intercity transportation depot.
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

DRAFT RESOLUTION – Extension to Allow Continued Use of Green Street by Intercity Bus Companies

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 ending on March 31, 2019, and

4. WHEREAS, on April 3, 2019, staff recommended that the Common Council conditionally renew the agreement until August 31, 2019, in order to allow for a full year of consideration of this site, and

5. WHEREAS, staff from Planning and Public Works have been continually evaluating this program in order 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, increased foot traffic helps to support local businesses, , and

7. WHEREAS, staff also found that the inclusion of intercity buses to downtown did not create significant challenges to the extent that bus companies adhered to agreed schedules generally, and since the April 3, 2019 extension, in part due to the staggered exit of students at the end of the academic year, and

8. WHEREAS, because staff recognized that the Green Street location 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 stop 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 significant travel days, and

9. WHEREAS, in April 3, 2019, staff recommended that the agreement for the extension include conditions in order to ensure that the on street traffic continued to flow safely and effectively, including

   • 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, and

Page 1 of 3
• 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, and

• 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, and

• all of the bus companies will be required 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, and

• 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, and

• 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, and

10. WHEREAS, City staff and bus operators have been in contact to meet the above conditions concerning safety issues and passenger amenities, and as to painting the bus lanes, the City has requested approval to implement from the New York State Department of Transportation and has yet to receive such approval, and

11. WHEREAS, current intercity bus companies permit agreements are in effect until termination, which must be upon no less than 30 days notice, and

12. WHEREAS, with the anticipated return of students via intercity bus, it does not seem prudent to end the use of Green Street as the intercity bus stop at this time, and

13. WHEREAS, on November 7, 2018 Common Council set a bus permit fee of $5 per bus arrival or departure from the intercity bus location from Green Street, and

14. WHEREAS, the approved fee did not account for the cost of painting improvements or other costs actually or expected to be incurred by the City, and

15. WHEREAS, staff continues to look for other suitable interim locations for intercity bus operations while planning for a long term permanent location for an intercity transportation depot, now, therefore be it

16. RESOLVED, that Common Council approves the continued use of the Green Street stop by Shortline/Coach USA, New York Trailways, and Greyhound indefinitely until an alternate location or permanent solution can be found with an increase in fee to $15 per bus arrival or departure (but if the arrival or departure occurs within 30 minutes of the other, only one $15 per bus fee will be imposed), and be it further
17. RESOLVED, that Common Council continues to authorize the Board of Public Works to modify the above-established Intercity Bus Permit fee from time to time, but retains the sole legislative discretion as to issuance of bus permits, and be it further

18. RESOLVED, that Common Council instructs city staff to continue to work on the conditions specified above to minimize disruption to riders and the community and continue to provide this valuable service to the community.
To: Planning and Economic Development Committee  
From: Nick Goldsmith, Sustainability Coordinator  
Date: August 9, 2019  
Re: Ithaca Energy Code Supplement Draft

The City of Ithaca and the Town of Ithaca have been working on a Green Building Policy (GBP) since 2017. In May 2018 the Common Council adopted the GBP Report, which contained recommendations for code requirements that would substantially reduce carbon emissions in all new buildings, while emphasizing and supporting affordability.

Since then, a working group made up of City of Ithaca and Town of Ithaca elected officials, senior staff, and other staff members, in conjunction with consultants Stream Collaborative and Taitem Engineering, have worked to add the necessary details to the GBP report recommendations. A list of working group members is included at the end of this document for reference.

The product is the attached draft of the Ithaca Energy Code Supplement, dated August 8, 2019. This is meant to be an easy-to-understand document that contains all of the content that will be in the final Energy Code Supplement, but is formatted for ease of discussion and editing.

The Working Group is asking for permission to circulate this document for public comment. Staff and consultants will incorporate public feedback and work with City and Town committees and departments to more formally codify the Code Supplement before bringing it back to PEDC. The goal is to maintain one unified regulation that covers both the Town and the City. Below is a rough timeline for adopting the code:

**August**
- City Planning and Economic Development Committee (8/14) – Request approval for circulation
- Town Codes & Ordinances Committee (8/14) - Introduction to GBP/Code Supplement
- Town Board (8/26) – Discuss draft Code Supplement
- Start public outreach

**September**
- Public outreach
- Codification with City Attorneys and Building Division, Town C&O Committee

**October/November**
- Finish codification
- City PEDC and Town C & O Committees consider codified draft

**November/December**
- Town Board and Common Council consider adoption of final legislation
### Green Building Policy – 2019 Working Group Members

<table>
<thead>
<tr>
<th>Name</th>
<th>Position and Affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill Goodman</td>
<td>Town of Ithaca, Town Supervisor</td>
</tr>
<tr>
<td>Ducson Nguyen</td>
<td>City of Ithaca, Common Council Alderperson</td>
</tr>
<tr>
<td>JoAnn Cornish</td>
<td>City of Ithaca, Director or PBZED</td>
</tr>
<tr>
<td>Laura Lewis</td>
<td>City of Ithaca, Common Council Alderperson</td>
</tr>
<tr>
<td>Lisa Nicholas</td>
<td>City of Ithaca, Deputy Director of Planning and Dev.</td>
</tr>
<tr>
<td>Marty Moseley</td>
<td>Town of Ithaca, Code Inspector</td>
</tr>
<tr>
<td>Mike Niechwiadowicz</td>
<td>City of Ithaca, Deputy Building Commissioner</td>
</tr>
<tr>
<td>Nels Bohn</td>
<td>City of Ithaca, Director of Ithaca Urban Renewal Agency</td>
</tr>
<tr>
<td>Nick Goldsmith</td>
<td>Town/City of Ithaca, Sustainability Coordinator</td>
</tr>
<tr>
<td>Rob Fell-Dewalt</td>
<td>City of Ithaca, Code Inspector</td>
</tr>
<tr>
<td>Sue Ritter</td>
<td>Town of Ithaca, Director of Planning</td>
</tr>
<tr>
<td>Noah Demarest</td>
<td>STREAM Collaborative, Consultant</td>
</tr>
<tr>
<td>Ian Shapiro</td>
<td>Taitem Engineering, Consultant</td>
</tr>
</tbody>
</table>

If you have any questions, please contact me at ngoldsmith@cityofithaca.org or 607-274-6562.
1 Purpose

This energy code supplement provides requirements that are in addition to the requirements of the New York State Energy Conservation Construction Code (NYSECCC). In other words, building design must comply with both the NYSECCC and with this supplement.

Climate change is a real and significant threat to our community, as it is to the nation and the world. The Intergovernmental Panel on Climate Change has indicated that to limit global warming to 1.5°C, we must reduce greenhouse gas (GHG) emissions globally by about 45% by 2030 and that we must achieve carbon-neutrality by 2050 at the latest. The building sector, responsible for more than half of GHG emissions locally, is a critical sector to address. The most affordable and cost-effective time to reduce GHG emissions is when a building is built, rather than at a time of later retrofit. This document establishes a local energy code supplement with requirements above and beyond the state energy code. A separate Reference Manual provides examples and other non-binding resources to support the requirements set forth in this document. More background is provided at www.ithacagreenbuilding.com.

The requirements set forth give priority to electrification, renewable energy, and affordability. Objectives include:

- To deliver measurable and immediate reductions in GHG emissions from new buildings, major renovations, and new additions.
- To promote best practices in the design of affordable buildings to deliver reduced GHG emissions.
- To provide a rapid but orderly transition to buildings that do not use fossil fuels for major building energy needs such as space heating and hot water heating, by 2030. Reductions in GHGs happen in three steps: 2020, 2025, and 2030.

Discussions and implementation of incentives and other support for reducing GHG’s are not included in these requirements and will be considered separately.

This local energy code supplement is enabled by state law, as long as it is more stringent than the state Energy Code. Per the 2016 New York State Energy Code Supplement (Revised August 2016): “C107.1.2 More stringent local energy codes. Pursuant to section 11-109 of the New York State Energy Law, and subject to the provisions and requirements of that section, any 2016 Energy Code Supplement (Revised August 2016) Part 1 – Amendments to 2015 IECC Commercial Provisions - Page 14 municipality has the power to promulgate a local energy conservation construction code that is more stringent than the Energy Code.”

For the City of Ithaca, this Ithaca Energy Code Supplement forms a part of City Code section 146, Building Permits.
2 Applicability

The requirements of this Ithaca Energy Code Supplement shall apply to:

1) All new construction, excluding additions and major renovations (as defined in this document) that are not specified in this list
2) All new additions 1,000 square feet or larger
3) All new additions 500 square feet or larger to single family homes or duplexes
4) All major renovations, in which over 75% of the space in a building is being renovated and in which two or more of the following major energy components are being substantially renovated: heating, lighting, and envelope.

Two compliance paths are provided:

1. The **Easy Path** emphasizes energy improvements that also reduce construction cost, as well as electrification of building energy systems. This is a point system; a building must meet a minimum of 6 points.
2. The **Whole-Building Path** allows more flexibility in building design. Buildings must comply with any one of several recognized third party green building standards and/or use modeling to show compliance.

In addition to the requirements of the Ithaca Energy Code Supplement, all new buildings shall comply with the New York State Energy Conservation Construction Code.

Grace period: The Ithaca Energy Code Supplement will go into effect six months following adoption.

3 Definitions and Resources

In addition to the following definitions, the following non-mandatory resources are available at [www.ithacagreenbuilding.com](http://www.ithacagreenbuilding.com).


**ACCREDITED ENERGY PROFESSIONAL** - A professional holding a current accreditation in the energy field from BPI, AEE, ASHRAE, RESNET, or other body approved by the Authority Having Jurisdiction, or a licensed design professional (PE or RA).

**ADAPTIVE REUSE** – The repurposing of a building for a new use (change in occupancy type). Must maintain at least 50% (based on surface area) of the existing building structure and envelope.

**AFFORDABILITY IMPROVEMENT** – An improvement to a building that reduces both the building’s energy use and the building’s construction costs. The savings from these improvements tend to persist well over time. Examples of such improvements include building smaller buildings/buildings with smaller
room sizes, placing heating systems within heated spaces, designing buildings with efficient building shapes, right-lighting spaces, and constructing buildings with low window-to-wall ratios.

BENCHMARKING – The measurement of a building’s energy use over time, which is then reported and shared.

BIOMASS – Organic material that is processed and burned to provide energy, particularly for space heating through direct thermal energy. Biomass for space heating purposes includes cord wood, pellets, and chips.

CERTIFICATION – Third-party certification programs that use guidelines and specific criteria to evaluate buildings’ design, construction, and performance in terms of energy efficiency and environmental sustainability.

- **GREEN BUSINESS CERTIFICATION, INC. (GBCI)** – An American organization that provides third-party credentialing and verification for several rating systems relating to the built environment, including most prominently LEED.
- **HOME ENERGY RATING SYSTEM (HERS) INDEX** – A scoring index for residential energy efficiency, developed and administered by RESNET.
- **LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED)** – A green building rating/certification system, developed by the U.S. Green Building Council (USGBC) and administered by Green Business Certification, Inc. (GBCI).
- **NATIONAL GREEN BUILDING STANDARD (NGBS, OR ICC/ASHRAE 700-2015)** – A green building rating/certification system approved by the American National Standards Institute (ANSI), under which points can be earned for energy efficiency; water efficiency; resource efficiency; lot development; operation and maintenance; and indoor environmental quality.
- **PASSIVE HOUSE** – A certification program for buildings constructed to high-performance “passive building standards.”
- **RESIDENTIAL ENERGY SERVICES NETWORK (RESNET)** – The organization that developed and maintains the HOME ENERGY RATING SYSTEM (HERS) index standard.

COMMERCIAL BUILDING - In this document, the term Commercial refers to all buildings covered by the New York Commercial Energy Code EXCEPT residential buildings that are four stories and higher.

CONDITIONED FLOOR AREA – The floor area associated with the conditioned space.

CONDITIONED SPACE – An area or room that is heated or cooled.

DENSITY – For this code, density primarily refers to the number of dwelling units per unit of area. 7 dwelling units per acre is considered the threshold to support frequent transit service and walkable development. Non-residential development can be converted to dwelling units by dividing the area of conditioned space, in square feet, by 1,000. Dwelling units and non-residential square footage area of all
buildings (including existing buildings) on the entire parcel should be counted, and the acreage of the entire parcel should be used in this calculation.

EASY PATH – One possible compliance path for this Code, under which a certain number of points must be earned.

EFFICIENT ELECTRIFICATION – The use of energy-efficient electric technologies that result in lower greenhouse gas emissions than their fossil-fuel counterparts.

FLOOR AREA – The total square footage of all levels as measured from the inside finished surface of the walls, but excluding courts, unconditioned garages, and uninhabitable crawl spaces and attics.

LIGHTING POWER ALLOWANCE (LPA) - Maximum allowed lighting power density.

LIGHTING POWER DENSITY (LPD) - Lighting power consumption per square foot of floor area (watts per square foot).

LOW-RISE RESIDENTIAL BUILDING - A residential building with three stories or fewer

MAJOR RENOVATION – A renovations in which at least 75% of the space in a building is being renovated and in which two out of three major energy systems (heating, lighting, and envelope) are being substantially renovated.

RESIDENTIAL - The term Residential applies to all buildings covered by the New York Residential Energy Code, AND ALSO residential buildings that are four stories and higher that are covered by the New York Commercial Energy Code.

RENEWABLE ENERGY CREDIT (REC): a tradable instrument that represents the environmental attributes of one megawatt hour of renewable electricity generation and is transacted separately from the electricity generated by the renewable energy source. Also known as renewable energy certificate, energy attribute and energy attribute certificate.

SPLIT SYSTEM - A heat pump or air conditioner in which one component is located outdoors and the other component(s) indoors, and which components are connected by refrigerant piping.

WHOLE BUILDING PATH – One possible compliance path for the Ithaca Energy Code Supplement, under which a building must comply with the standards of one of several certification programs and/or use modeling to show compliance.

WINDOW-TO-WALL RATIO – The ratio of a building’s exterior glazed (window) area divided by the total area of its exterior envelope walls, expressed as a percentage. Spandrel window assemblies and
windows in front of insulated wall assemblies, which comply with the NYSECCC, do not count as windows in this ratio. Skylights and roof areas also do not form part of this calculation.

4 Compliance Summary

The following tables are summaries of compliance options for residential and commercial buildings, respectively, using either the Easy Path or the Whole Building Path. These are only summaries and should not be considered definitive. Further details are provided following the tables.
# Table 1 Residential Compliance Summary

## EASY PATH - Buildings must achieve 6 points

<table>
<thead>
<tr>
<th>Category</th>
<th>Improvement</th>
<th>Points</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EFFICIENT ELECTRIFICATION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EE1</td>
<td>Heat pumps for space heating</td>
<td>3 - 5</td>
<td>3 points for air source heat pumps. 5 points for ground source heat pumps.</td>
</tr>
<tr>
<td>EE2</td>
<td>Heat pumps for domestic hot water heating</td>
<td>1</td>
<td>1 point for water heating systems that use heat pumps.</td>
</tr>
<tr>
<td>EE3</td>
<td>Other electrification</td>
<td>1</td>
<td>1 point total for electric stoves AND ventless heat pump clothes dryers. Prerequisite: no fossil fuels in the building.</td>
</tr>
<tr>
<td><strong>AFFORDABILITY IMPROVEMENTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AI1</td>
<td>Smaller building/room size</td>
<td>1 - 2</td>
<td>1 point for building/room size 15% smaller than reference size. 2 points for building/room size 30% smaller than reference size. Available for Hotels and Residential buildings only.</td>
</tr>
<tr>
<td>AI2</td>
<td>Heating systems in heated space</td>
<td>1</td>
<td>1 point for placing heating/cooling systems inside actively heated and finished spaces.</td>
</tr>
<tr>
<td>AI3</td>
<td>Efficient building shape</td>
<td>1</td>
<td>1 point if exterior surface area divided by gross floor area is less than maximum value provided in table.</td>
</tr>
<tr>
<td>AI4</td>
<td>Right-lighting</td>
<td>NA</td>
<td>Not applicable to Residential buildings.</td>
</tr>
<tr>
<td>AI5</td>
<td>Modest window-to-wall ratio</td>
<td>1</td>
<td>1 point for overall window-to-wall ratio less than 20% (individual spaces may exceed 20%).</td>
</tr>
<tr>
<td><strong>RENEWABLE ENERGY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RE1</td>
<td>Renewable energy (non-biomass) systems</td>
<td>1 - 3</td>
<td>Up to 3 points for on-site or off-site renewable electric systems or up to 3 points for on-site renewable thermal systems.</td>
</tr>
<tr>
<td>RE2</td>
<td>Renewable energy biomass</td>
<td>5</td>
<td>5 points for approved biomass space heating systems.</td>
</tr>
<tr>
<td><strong>OTHER POINTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OP1</td>
<td>Development density</td>
<td>1</td>
<td>1 point for density of more than 7 dwelling units per acre.</td>
</tr>
<tr>
<td>OP2</td>
<td>Walkability</td>
<td>1</td>
<td>1 point if the building meets the walkability criteria.</td>
</tr>
<tr>
<td>OP3</td>
<td>Adaptive reuse</td>
<td>1</td>
<td>1 point for substantial re-purpose of existing building.</td>
</tr>
<tr>
<td>OP4</td>
<td>Meet NY Stretch Code</td>
<td>2</td>
<td>2 points for complying with NYStretch Energy Code-2020 Version 1.0</td>
</tr>
<tr>
<td>OP5</td>
<td>Custom energy improvement</td>
<td>1 - 2</td>
<td>1 point for each 1.2 kwh/sf/year reduction in energy use. Prerequisite: no fossil fuels in the building.</td>
</tr>
<tr>
<td><strong>Whole Building Path</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WB1</td>
<td>Comply with high performance building standard</td>
<td>N/A</td>
<td>See details below.</td>
</tr>
</tbody>
</table>
Table 2. Commercial Compliance Summary

<table>
<thead>
<tr>
<th>Category</th>
<th>Improvement</th>
<th>Points</th>
<th>Details</th>
</tr>
</thead>
<tbody>
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<td>EASY PATH - Buildings must achieve 6 points</td>
<td></td>
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</tr>
<tr>
<td><strong>EFFICIENT ELECTRIFICATION</strong></td>
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<td></td>
</tr>
<tr>
<td>EE1</td>
<td>Heat pumps for space heating</td>
<td>2 - 3</td>
<td>2 points for air source heat pumps. 3 points for ground source heat pumps.</td>
</tr>
<tr>
<td>EE2</td>
<td>Heat pumps for domestic hot water heating</td>
<td>NA</td>
<td>Not applicable to Commercial buildings.</td>
</tr>
<tr>
<td>EE3</td>
<td>Other electrification</td>
<td>3</td>
<td>3 points for electric stoves in restaurants and other food service buildings that have commercial kitchen hoods.</td>
</tr>
<tr>
<td><strong>AFFORDABILITY IMPROVEMENTS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
<td>AI2</td>
<td>Heating systems in heated space</td>
<td>1</td>
<td>1 point for placing heating/cooling systems inside actively heated and finished spaces.</td>
</tr>
<tr>
<td>AI3</td>
<td>Efficient building shape</td>
<td>1</td>
<td>1 point if exterior surface area divided by gross floor area is less than maximum value provided in table.</td>
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<tr>
<td>AI4</td>
<td>Right-lighting</td>
<td>1</td>
<td>1 point for reducing overlighting and other lighting improvements.</td>
</tr>
<tr>
<td>AI5</td>
<td>Modest window-to-wall ratio</td>
<td>1</td>
<td>1 point for overall window-to-wall ratio less than 20% (individual spaces may exceed 20%).</td>
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<td><strong>RENEWABLE ENERGY</strong></td>
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<tr>
<td>OP1</td>
<td>Development density</td>
<td>1</td>
<td>1 point for density of more than 7,000 SF of non-residential space per acre.</td>
</tr>
<tr>
<td>OP2</td>
<td>Walkability</td>
<td>1</td>
<td>1 point if the building meets the walkability criteria.</td>
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<td>Adaptive reuse</td>
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<tr>
<td>OP5</td>
<td>Custom energy improvement</td>
<td>1 - 2</td>
<td>1 point for each 2.4 kwh/sf/year reduction in energy use. Prerequisite: no fossil fuels.</td>
</tr>
<tr>
<td><strong>Whole Building Path</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WB1</td>
<td>Comply with high performance building standard</td>
<td>N/A</td>
<td>See details below.</td>
</tr>
</tbody>
</table>
5 Note on Fossil Fuels

Various points in the Easy Path require that a building be free of fossil fuels and, furthermore, all buildings are required to be free of fossil fuels in 2030. Such fossil-fuel-free requirements allow exceptions for manufacturing/industrial/process uses, agricultural uses, and cooking. In other words, “free of fossil fuels” applies specifically to the use of fossil fuels for the following applications: space heating (including general space heating and also the heating of all ventilation makeup air, including for hoods), space cooling (e.g. absorption chillers), domestic hot water heating, and clothes drying. Where there is a requirement for “fossil-fuel-free,” allowed uses of fossil fuels include but are not limited to cooking, emergency generators, and industrial/agricultural processes.

6 Easy Path

A building must achieve a minimum of six (6) points, from among the following points. Points in the Easy Path that are labelled “Residential” apply to all buildings covered by the New York Residential Energy Code, AND ALSO residential buildings that are four stories and higher that are covered by the New York Commercial Energy Code. Points that are labelled “Commercial” apply to all buildings covered by the New York Commercial Energy Code EXCEPT residential buildings that are four stories and higher. Mixed-use buildings, where a portion of the building is residential and a portion of the building is commercial, shall be evaluated based on the criteria for the use that covers a majority of the building’s floor area. If more than 50% of the floor area is residential then the buildings shall be scored using residential criteria, if 50% or more of the floor area is commercial then the building shall be scored using commercial criteria.

For compliance with the Easy Path, submit a checklist showing which points are included in the design.

6.1 Points for Efficient Electrification (EE):

EE1 Heat Pumps for Space Heating: 3 points (residential), or 2 points (commercial buildings) - use air source heat pumps. 5 points (residential) and 3 points (commercial) for ground source heat pumps. Water loop boiler/tower heat pumps do not comply, as these heat pumps rely on fossil fuels. Ventilation must also not be fossil-fuel heated. To obtain points for space-heating heat pumps, no fossil fuel backup heat can be used. To allow flexibility for small rooms, electric resistance heat is allowed for up to 10% of the building’s projected annual space heating load. Air source heat pumps shall be listed in the NEEP Cold Climate database, for product types/sizes covered by the NEEP requirements (generally, split systems smaller than 65,000 Btu/hr). For air source heat pumps not covered by NEEP, the heat pumps shall operate in heat pump mode to below 0° F, and shall use variable speed compressors.

EE2 Heat Pumps for Domestic Hot Water: 1 point (residential) - The heat pump water heaters shall initially be set on heat pump-only mode.
**EE3 Other Electrification**: 1 point total for electric stoves AND ventless heat pump clothes dryers (residential, this point requires that the building be free of fossil fuels). 3 points for electric cooking equipment in restaurants and other food service buildings that have commercial kitchen hoods (all cooking equipment must be electric, e.g. ranges, griddles, fryers, etc).

**6.2 Affordability Improvements (AI):**

**AI1 Smaller Building/Room Size (Single Family Homes, Multifamily, or Hotel only)**: 1 or 2 points - Design to maximum areas in table below. For hotels or multifamily buildings, the size is the weighted average of all units or rooms; individual units or rooms may exceed the requirement. Hotels: 1 point - 280 SF/room, 2 points - 230 SF/room.

<table>
<thead>
<tr>
<th>Table 3. Maximum heated floor areas, by number of bedrooms, in square feet (SF).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bedrooms</td>
</tr>
<tr>
<td>--------------------</td>
</tr>
<tr>
<td>Single Family Homes</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Multi-family Buildings (2 or more units). Area refers to in-unit area only, not common areas.</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**AI2 Heating System in Heated Space**: 1 point - Place heating/cooling systems inside actively heated and finished spaces. No heating systems, ductwork, or water piping shall be located in unheated or unfinished basements, in unheated attics, in crawl spaces, outdoors, on roofs, in exterior wall cavities, or through-
wall such as packaged terminal equipment or window-mounted systems. Outdoor units of split system heat pumps may be located outdoors and there are no limitations on the location of refrigerant piping.

**Al3 Efficient Building Shape:** 1 point - Exterior surface area divided by gross floor area is less than the maximum value provided in the table below. For the exterior surface area, include the above-grade exposed insulated surface, typically including above-grade walls, floor of vented attics (or roofline if insulated at the roof), floors above vented crawl spaces. Include windows and doors as part of walls, include skylights as part of roofs. Include exposed floors, such as below a cantilever. Make the area measurement along the thermal envelope, such as along the wall between heated spaces and unheated spaces that are on the outside of the building, such as the wall between a house and an attached garage. For additions, the area of the shared wall (or floor of the addition, if the addition is above the existing building) is not counted as part of the exposed above-ground wall/roof area.

*Table 4. Maximum wall plus roof to floor area ratio*

<table>
<thead>
<tr>
<th>Gross Floor Area (SF)</th>
<th>Maximum (wall+roof)/floor area ratio</th>
<th>Gross Floor Area (SF)</th>
<th>Maximum (wall+roof)/floor area ratio</th>
<th>Gross Floor Area (SF)</th>
<th>Maximum (wall+roof)/floor area ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>100-199</td>
<td>4.7</td>
<td>1500-1599</td>
<td>2.1</td>
<td>10000-14999</td>
<td>1.05</td>
</tr>
<tr>
<td>200-299</td>
<td>3.9</td>
<td>1600-1699</td>
<td>2.1</td>
<td>15000-19999</td>
<td>0.94</td>
</tr>
<tr>
<td>300-399</td>
<td>3.5</td>
<td>1700-1799</td>
<td>2.0</td>
<td>20000-29999</td>
<td>0.84</td>
</tr>
<tr>
<td>400-499</td>
<td>3.2</td>
<td>1900-1899</td>
<td>2.0</td>
<td>30000-39999</td>
<td>0.75</td>
</tr>
<tr>
<td>500-599</td>
<td>3.0</td>
<td>1900-1999</td>
<td>2.0</td>
<td>40000-49999</td>
<td>0.68</td>
</tr>
<tr>
<td>600-699</td>
<td>2.8</td>
<td>2000-2499</td>
<td>1.9</td>
<td>50000-59999</td>
<td>0.64</td>
</tr>
<tr>
<td>700-799</td>
<td>2.7</td>
<td>2500-2999</td>
<td>1.7</td>
<td>60000-69999</td>
<td>0.61</td>
</tr>
<tr>
<td>800-899</td>
<td>2.7</td>
<td>3000-3999</td>
<td>1.6</td>
<td>70000-79999</td>
<td>0.58</td>
</tr>
<tr>
<td>900-999</td>
<td>2.6</td>
<td>4000-4999</td>
<td>1.5</td>
<td>80000-89999</td>
<td>0.55</td>
</tr>
<tr>
<td>1000-1099</td>
<td>2.5</td>
<td>5000-5999</td>
<td>1.4</td>
<td>90000-99999</td>
<td>0.53</td>
</tr>
<tr>
<td>1100-1199</td>
<td>2.4</td>
<td>6000-6999</td>
<td>1.3</td>
<td>100,000-199,999</td>
<td>0.46</td>
</tr>
<tr>
<td>1200-1299</td>
<td>2.3</td>
<td>7000-7999</td>
<td>1.2</td>
<td>200,000-299,999</td>
<td>0.39</td>
</tr>
<tr>
<td>1300-1399</td>
<td>2.2</td>
<td>8000-8999</td>
<td>1.2</td>
<td>300,000-399,999</td>
<td>0.35</td>
</tr>
<tr>
<td>1400-1499</td>
<td>2.2</td>
<td>9000-9999</td>
<td>1.1</td>
<td>&gt; 400,000</td>
<td>0.33</td>
</tr>
</tbody>
</table>

**Al4 Right Lighting:** 1 point - Commercial buildings only. All requirements of this section must be met (e.g. reduced overlighting AND lighting controls) in order to obtain the point.

Reduce overlighting by using 50% lower lighting power density (LPD) than required by the New York State Energy Conservation Construction Code, 2016. The required lighting power allowances are specified in Table 8 (see Appendix A).
Perform photometric lighting design on a space-by-space basis, using the space-by-space lighting power density method (not the whole-building method). Construction documents shall include a table of space-by-space as-designed lighting power density along with the lighting power allowance from Table 8.

For the Space-by-Space Method, the allowable lighting power is determined by multiplying the floor area of each space times the value for the space type in the lighting table that most closely represents the proposed use of the space, and then summing the allowable lighting power for all spaces to calculate the allowable total lighting power. Trade-offs among spaces are permitted.

Motion sensors are required for all exterior lighting, combined with photocells to ensure that lighting stays off during the day. Motion sensors are required for interior lighting in the following spaces: offices, conference rooms, kitchenettes, corridors, stairwells, bathrooms, lobbies. Short off-delay (1 minute or less) is required for motion sensors. Provide for manual control to allow lights to be kept off.

Commissioning of lighting and lighting controls is required. A commissioning plan shall be developed by a registered design professional or approved agency and shall include the following items:

1. A narrative description of the activities that will be accomplished during each phase of commissioning, including the personnel intended to accomplish each of the activities.
2. A listing of specific lighting and controls to be tested and a description of the tests to be performed.
3. Functions to be tested including, but not limited to, lighting power density (to show compliance with lighting power allowance requirements) and control settings.
4. Conditions under which the tests will be performed.
5. Measurable criteria for performance.

A commissioning report, consistent with the commissioning plan, shall be submitted prior to the Certificate of Occupancy being issued.

Additional interior lighting power. Where using the Space-by-Space Method, an increase in the interior lighting power allowance is permitted for specific lighting functions. Additional power shall be permitted only where the specified lighting is installed and automatically controlled separately from the general lighting, to be turned off during non-business hours. This additional power shall be used only for the specified luminaires and shall not be used for any other purpose. An increase in the interior lighting power allowance is permitted in the following cases:

1. For lighting equipment to be installed in sales areas specifically to highlight merchandise, the additional lighting power shall be determined in accordance with Equation 4-10.
   Additional interior lighting power allowance = 500 watts + (Retail Area 1 * 0.6 W/ft²) + (Retail Area 2 * 0.6 W/ft²) + (Retail Area 3 * 1.4 W/ft²) + (Retail Area 4 * 2.5 W/ft²)  
   (Equation 4-10)
   Where:
   Retail Area 1 = The floor area for all products not listed in Retail Area 2, 3 or 4
   Retail Area 2 = The floor area used for the sale of vehicles, sporting goods and small electronics.
   Retail Area 3 = The floor area used for the sale of furniture, clothing, cosmetics and artwork.
Retail Area 4 = The floor area used for the sale of jewelry, crystal and china. **Exception:** Other merchandise categories are permitted to be included in Retail Areas 2 through 4, provided that justification documenting the need for additional lighting power based on visual inspection, contrast, or other critical display is approved by the code official.

2. For spaces in which lighting is specified to be installed in addition to the general lighting for the purpose of decorative appearance or for highlighting art or exhibits, provided that the additional lighting power shall be not more than 1.0 w/ft² (10.7 w/m²) of such spaces.

**AI5 Modest Window-to-Wall Ratio:** 1 point - Overall window-to-wall ratio less than 20%. For calculations, include glazed portions of doors in the window area, but not opaque portions of doors. Include glazed portions of curtain walls, but not spandrel/opaque areas.

**6.3 Renewable Energy (RE):**

**RE1 Renewable Energy (Non-Biomass) System:** Up to 3 points

On-site and off-site renewable energy systems that meet the requirements of this section will earn points based on their annual electrical or thermal production, as displayed in tables 5, 6, and 7, below. Renewable energy systems shall produce electricity from solar, wind, hydroelectric, or biomass, or produce thermal energy from solar. No more than three total points may be earned for any combination of renewable energy systems in this category.

Documentation for contractual commitment to ownership or procurement of, or other long-term commitment to, renewable energy system(s) shall be submitted to the code department/building division. All contracts shall have a duration of not less than 20 years, and shall be structured to survive a partial or full transfer of ownership of the property. Where the renewable energy producer ceases operation, the building owner shall produce or procure alternative qualifying renewable energy.

Records on power sent to or purchased by the building project from the off-site renewable energy producer that specifically assign power production to the building project shall be retained by the building owner and made available for inspection by the code department/building division upon request.

Documentation shall be provided to the code department/building division that indicates that there is an exclusive chain of custody and ownership of the Renewable Energy Credits (RECs) from the renewable energy system to the building owner. RECs shall be conveyed and retired on behalf of the entity(s) that has financial or operational control over the building’s electricity consumption. If chain of custody of the REC cannot be verified, or if the project otherwise demonstrates to the code department/building division that they cannot convey and retire the RECs associated with the renewable energy system(s), the project shall contract for renewable electricity products complying with the Green-e Energy National Standard for Renewable Electricity products of not less than 100% of the modeled annual energy usage multiplied by
20 years. A combination of renewable electricity products and renewable energy systems shall be permitted to demonstrate compliance.

Where multiple buildings are served by the same renewable energy system, or are allocated energy procured by a single contract subject to this section, the owner shall allocate for not less than 20 years the energy produced or procured from the system to the buildings served by the system. Renewable energy production or procurement that is not allocated before issuance of the certificate of occupancy is permitted to be reserved for future use, for allocation to other buildings constructed within five years. Allocation shall be documented as part of the building project and shall be retained by the building owner and made available for inspection by the code department/building division upon request.

Annual reporting, where required, shall be provided for a minimum of five years. Deployment of renewable systems must occur within one year of the certificate of occupancy. If off-site renewable energy generation is not associated with a specific building and electric meter, the developer shall maintain an allocation of production with each building and electric meter, for reporting purposes.

Qualifying renewable energy sources are as follows:
- a. On Site Renewable Energy System
- b. Directly Owned Off-Site Renewable Energy System – an offsite renewable energy system owned by the building project owner.
- c. Community Renewable Energy Facility
- d. Purchase contract (PPA) – a power purchase agreement for offsite renewable energy, where the owner agrees to purchase renewable energy output at a fixed price schedule.

The generation source shall be located where the energy can be delivered to the building site by any of the following:
- a. By direct connection to the renewable energy facility
- b. By the local utility or distribution entity
- c. By an interconnected electrical network where energy delivery capacity between the generator and the building site is available (Informative Note: Examples of interconnected electrical networks include regional power pools and regions served by Independent System Operators or Regional Transmission Organizations.)

Note: Non-biomass renewable energy points are capped at three (3) points maximum as detailed in the tables below. The maximum will rise to six (6) points on January 1, 2025.
### Table 5. On-site Renewable Electricity Systems

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Annual Electric Production (kwh/sf)</th>
<th>Points Earned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1.20 - 2.39</td>
<td>1</td>
</tr>
<tr>
<td>Residential</td>
<td>2.40 - 3.59</td>
<td>2</td>
</tr>
<tr>
<td>Residential</td>
<td>at least 3.6</td>
<td>3</td>
</tr>
<tr>
<td>Commercial</td>
<td>2.40 - 4.79</td>
<td>1</td>
</tr>
<tr>
<td>Commercial</td>
<td>4.80 - 7.19</td>
<td>2</td>
</tr>
<tr>
<td>Commercial</td>
<td>at least 7.2</td>
<td>3</td>
</tr>
</tbody>
</table>

### Table 6. Off-site Renewable Electricity Systems

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Annual Electric Production (kwh/sf)</th>
<th>Points Earned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1.60 - 3.19</td>
<td>1</td>
</tr>
<tr>
<td>Residential</td>
<td>3.20 - 4.79</td>
<td>2</td>
</tr>
<tr>
<td>Residential</td>
<td>at least 4.8</td>
<td>3</td>
</tr>
<tr>
<td>Commercial</td>
<td>3.20 - 6.39</td>
<td>1</td>
</tr>
<tr>
<td>Commercial</td>
<td>6.40 - 9.59</td>
<td>2</td>
</tr>
<tr>
<td>Commercial</td>
<td>at least 9.6</td>
<td>3</td>
</tr>
</tbody>
</table>

### Table 7. Renewable Thermal Systems

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Annual Thermal Production (kBtu/sf)</th>
<th>Points Earned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>4.0 - 7.9</td>
<td>1</td>
</tr>
<tr>
<td>Residential</td>
<td>8.0 - 11.9</td>
<td>2</td>
</tr>
<tr>
<td>Residential</td>
<td>at least 12</td>
<td>3</td>
</tr>
<tr>
<td>Commercial</td>
<td>8.0 - 15.9</td>
<td>1</td>
</tr>
<tr>
<td>Commercial</td>
<td>16.0 - 23.9</td>
<td>2</td>
</tr>
<tr>
<td>Commercial</td>
<td>at least 24</td>
<td>3</td>
</tr>
</tbody>
</table>
**RE2 Renewable Energy Biomass**: 3 points (Commercial) or 5 points (Residential) - Use a biomass space heating system. All eligible biomass equipment must comply with NYSERDA’s Renewable Heat NY guidelines. To obtain points for biomass space-heating, no fossil fuel backup heat can be used.

### 6.4 Other Points (OP):

**OP1 Development Density**: 1 point for lots developed at more than 7 dwelling units per acre density. Non-residential development can be converted to dwelling units by dividing the area of conditioned space, in square feet, by 1,000. Dwelling units and non-residential square footage area of all buildings (including existing buildings) on the entire parcel should be counted, and the acreage of the entire parcel should be used in this calculation.

**OP2 Walkability**: 1 point for being within 1/4 mile of at least five Use Types, where no more than two uses in each Use Type may be counted, and where at least two Use Categories must be represented. Use types and categories are described below.

OR

1 point for being within a Town development priority area, if a regulating plan has been developed and adopted.

For all projects, at the time of project completion, sidewalks, walkways and/or trails must be present on the property, along with connection to an existing network of pedestrian infrastructure.

### USE TYPES AND CATEGORIES

**Use Category: Food retail**
- Supermarket
- Grocery with produce section

**Use Category: Community-serving retail**
- Convenience store
- Farmers market
- Hardware store
- Pharmacy
- Other retail

**Use Category: Services**
- Bank
- Family entertainment venue (e.g., theater, sports)
- Gym, health club, exercise studio
- Hair care
- Laundry, dry cleaner
- Restaurant, café, diner (excluding those with only drive-thru service)

Use Category: Civic and community facilities
- Adult or senior care (licensed)
- Child care (licensed)
- Community or recreation center
- Cultural arts facility (museum, performing arts)
- Education facility (e.g., K–12 school, university, adult education center, vocational school, community college)
- Government office that serves public on-site
- Medical clinic or office with medical facility
- Place of worship
- Post office
- Public library
- Public park
- Social services center

**OP3 Adaptive Reuse**: 1 point - When an existing building structure is retained in place and is re-purposed for a different use (for example, when an old school is adapted for use as apartments). A major renovation of a building and re-use for the same purpose (e.g. old apartments are renovated) is not eligible for this point. Maintain at least 50% (based on surface area) of the existing building structure and envelope.

**OP4 Meet NY Stretch Code**: 1 point (Commercial), 2 points (Residential) - Comply with the NYStretch Energy Code-2020 Version 1.0.

**OP5 Custom Energy Improvement**: 2 points - Can only be applied to buildings that do not use fossil fuels. Reduce energy use by 1.2 kWh/SF/year per point (residential buildings) or 2.4 kWh/SF/year per point (commercial buildings). Cannot be provided by renewable energy savings. Savings must be shown through energy analysis performed by an accredited energy professional. For a baseline, use the NYS Energy Conservation Construction Code (NYSECCC), 2016. If the baseline condition is not addressed by the NYSECCC, use baseline conditions as defined in ASHRAE Standard 90.1-2013, or RESNET HERS (latest edition). Savings must be calculated after applying all other proposed energy improvements to the proposed design. In other words, interactive energy savings must be performed. Simplified calculations (e.g. spreadsheet) are acceptable. Multiple improvements may be combined to achieve each point under this improvement. The proposed energy improvement shall be submitted to the code department/building division in writing, signed by the experienced energy professional or licensed design professional.
7 Whole Building Path (WB1)

In lieu of using the Easy Path, the developer can choose to comply with one of the following whole-building high-performance approaches:

1. For commercial buildings, 17 energy points (Optimize Energy Performance) based on LEED Version 4, to be demonstrated either with LEED review/certification or by other approved third party certification of the energy model, such as NYSERDA. The energy model (printed complete input and output reports) shall be submitted with the design documents with the application for a building permit, with a statement by the energy modeler that the energy model meets the requirements for 17 energy points based on LEED Version 4.

2. For low-rise residential buildings, RESNET HERS/ERI (with a maximum score of 40). Compliance shall follow procedures defined for the ERI compliance path in the New York State Energy Conservation Code.

3. For residential buildings (single-family, multifamily low-rise or high-rise): National Green Building Standard (“NGBS”, also known as ICC/ASHRAE 700-2015) with a minimum of 80 NGBS Energy Efficiency points. The professional documenting compliance will provide a statement that the design meets the intent of a minimum 80 Energy Efficiency points per ICC/ASHRAE 700-2015, and documentation supporting these points.

4. For commercial or residential buildings, Passive House. Submit approved pre-certification from either PHIUS or Passive House International, according to current-version standards of either organization, when submitting construction documents in application for a building permit.

5. Carbon Calculation Method: For commercial or residential buildings, demonstrate a minimum 40% reduction in carbon emissions, through energy modeling. For commercial buildings, energy modeling shall comply with Appendix G of ASHRAE Standard 90.1-2013. For low-rise residential buildings, energy modeling shall comply with RESNET-HERS. The carbon reduction assessment and requirement shall exclude energy use by process loads (such as the energy used for commercial cooking, the energy used for specialty equipment such as industrial machinery), but the energy model shall include the energy used for these process loads because energy used by heating, ventilation (including exhaust fans/hoods, makeup air fans, and heating/cooling for makeup air) is subject to the carbon reduction requirement. The following greenhouse gas emissions factor shall be used: 545.79 lb CO2/MWh, except for electricity from combined heat and power plants, for which the most recent factor shall be used from https://www.eia.gov/electricity/annual/html/epa_08_02.html, for the specific type of generation plant used, for electricity used the proposed building. For combined heat and power plants, the baseline (reference building) electricity use carbon emissions shall be the same as for buildings not served by a combined heat and power plant.

On-site or off-site (remote) renewable energy generation is allowed for compliance using one of the Whole Building options. All requirements for renewable energy systems described in Easy Path point RE1 (Renewable Energy (Non-Biomass) System) must be met.
8 Renovations and Additions

For all major renovations, in which over 75% of the space in an existing building is being renovated and in which at least two out of three major energy components (heating, lighting, and envelope) are being substantially renovated, the renovation shall comply with the requirements for new buildings (Easy Path or Whole Building Path).

For all additions over 500 square feet (single-family and duplex) and over 1,000 square feet (all other building types), additions may comply in any one of three ways:

1. Independent of the existing building. Demonstrate compliance for the addition alone either with the Whole Building path or the Easy Path. Additions shall be treated on their own, and not as part of a larger building. For the window area point, treat the shared wall area (where the addition meets the existing building) as part of the new addition’s exterior wall. For the building shape point, the area of the shared wall (or floor of the addition, if above the existing building) is not counted as part of the exposed above-ground wall/roof area.

2. Together with the existing building, as a whole. Demonstrate compliance with the Whole Building Path or the Easy Path.

3. Together with the existing building, as a whole, by showing that the proposed design will have lower carbon emissions than the existing building. Submit an energy audit of the existing building, including existing energy use over at least one recent year and anticipated energy use for the new addition and modified existing building. Calculate current and proposed carbon emissions using the Carbon Calculation Method (see Whole Building). Results shall be in a report, accompanied by a letter stating that proposed carbon emissions for the building and addition are less than existing carbon emissions for the existing building, signed and stamped by an accredited energy professional.

9 Exemptions

Consistent with the New York State energy code, historic buildings are exempt from the Ithaca Energy Code Supplement. In renovation of a historic building, steps to reduce carbon emissions are encouraged that preserve the historic fabric of the building, such as rehabilitation of windows, installation of heat pumps for space and water heating, insulation and air sealing, high-efficiency lighting where lighting needs to be replaced, and, where appropriate, renewable energy systems.

10 Future

On January 1, 2025, the requirements shall change to:

1. Easy path: 12 points. Note: Points from the Efficient Electrification section are doubled.

2. Whole building path:
a. LEED: 17 energy points (LEED version 4) AND 7 of the Easy Path points (excluding the Stretch Energy Code and lighting point)
b. 80% less energy than ASHRAE 90.1-2013, using Performance Rating Method. Energy model and achievement of 80% goal shall be certified by an independent third party.
c. HERS Score Maximum 40, AND 7 of the Easy Path points (excluding the Stretch Energy Code and lighting point), OR a HERS Score Maximum 20
d. National Green Building Standard (“NGBS”, also known as ICC/ASHRAE 700-2015) with a minimum of 80 NGBS Energy Efficiency points, AND 7 of the Easy Path points (excluding the Stretch Energy Code and lighting point)
e. Passive House
f. 80% reduction in carbon emissions using the Carbon Calculation method. The following greenhouse gas emissions factor shall be used: 295.9 lb CO2/MWh, except for electricity from combined heat and power plants, for which the most recent factor shall be used from https://www.eia.gov/electricity/annual/html/epa_08_02.html, for the specific type of generation plant used.

On January 1, 2030, the requirements shall further change to net-zero building designs that are free of fossil fuels for space heating, water heating, or clothes drying. The standard by which net-zero is defined will be established before January 1, 2024. In the absence of such a standard being defined, the following standards will be used:

1. For commercial buildings and for residential buildings four stories and higher: The Zero Code (https://zero-code.org/).
2. For residential buildings three stories and lower (including low-rise multifamily buildings): RESNET HERS, with a HERS score of 5 or lower.

11 Compliance, Enforcement, and Appeals

A successful green building policy is one that does not place a significant burden on those who will review and approve building planning, design, and construction. The following compliance documentation shall be submitted:

1. For the proposed point system, a checklist that shows which points are sought, and support for each point. For example, if a developer is seeking the size credit for a house design, the checklist would show the house area (square feet), number of bedrooms, required house size, and proposed house size, to show that the house meets the size requirement.
2. For the proposed whole-building compliance, a report by an accredited energy professional, at the time of planning review and again when applying for a building permit.

At the planning review phase, a preliminary green building checklist shall be submitted, indicating which green compliance items are proposed/planned. A checklist shall be submitted with the construction documents, prior to the building department issuing the building permit.
Non-compliance with the Ithaca Energy Code Supplement during construction is grounds for the code department/building division to withhold a Certificate of Occupancy.

Appeals
The review board that will consider appeals for this regulation will be the [Building Code Board of Appeals?] for the City of Ithaca and the [name of body] for the Town of Ithaca. Smaller issues may be approved at the staff level.
## 12 Appendix A - Lighting Power Allowances (LPA)

Table 8 below provides the Lighting Power Allowances (LPA), by space type, that are used to determine compliance with Easy Path point AI4, Right Lighting.

### Table 8. Interior Lighting Power Allowances

<table>
<thead>
<tr>
<th>COMMON SPACE TYPES</th>
<th>LPA (watts/sq. ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Atrium</strong></td>
<td></td>
</tr>
<tr>
<td>Less than 40 feet in height</td>
<td>0.015 per foot in total height</td>
</tr>
<tr>
<td>Greater than 40 feet in height</td>
<td>0.2 + 0.01 per ft in total height</td>
</tr>
<tr>
<td><strong>Audience seating area</strong></td>
<td></td>
</tr>
<tr>
<td>In an auditorium</td>
<td>0.32</td>
</tr>
<tr>
<td>In a convention center</td>
<td>0.41</td>
</tr>
<tr>
<td>In a gymnasium</td>
<td>0.33</td>
</tr>
<tr>
<td>In a motion picture theater</td>
<td>0.57</td>
</tr>
<tr>
<td>In a penitentiary</td>
<td>0.14</td>
</tr>
<tr>
<td>In a performing arts theater</td>
<td>1.22</td>
</tr>
<tr>
<td>In a religious building</td>
<td>0.77</td>
</tr>
<tr>
<td>In a sports arena</td>
<td>0.22</td>
</tr>
<tr>
<td>Otherwise</td>
<td>0.22</td>
</tr>
<tr>
<td><strong>Banking activity area</strong></td>
<td>0.51</td>
</tr>
<tr>
<td><strong>Breakroom (See Lounge/Breakroom)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Classroom/lecture hall/training room</strong></td>
<td></td>
</tr>
<tr>
<td>In a penitentiary</td>
<td>0.67</td>
</tr>
<tr>
<td>Otherwise</td>
<td>0.62</td>
</tr>
<tr>
<td><strong>Conference/meeting/multipurpose room</strong></td>
<td>0.62</td>
</tr>
<tr>
<td><strong>Copy/print room</strong></td>
<td>0.36</td>
</tr>
<tr>
<td><strong>Corridor</strong></td>
<td></td>
</tr>
<tr>
<td>In a facility for the visually impaired (and not used primarily by the staff)</td>
<td>0.46</td>
</tr>
<tr>
<td>In a hospital</td>
<td>0.40</td>
</tr>
<tr>
<td>In a manufacturing facility</td>
<td>0.21</td>
</tr>
<tr>
<td>Otherwise</td>
<td>0.33</td>
</tr>
<tr>
<td><strong>Courtroom</strong></td>
<td>0.86</td>
</tr>
<tr>
<td><strong>Computer room</strong></td>
<td>0.86</td>
</tr>
<tr>
<td><strong>Dining area</strong></td>
<td></td>
</tr>
<tr>
<td>In a penitentiary</td>
<td>0.48</td>
</tr>
<tr>
<td>In a facility for the visually impaired (and not used primarily by the staff)</td>
<td>0.95</td>
</tr>
<tr>
<td>In bar/lounge or leisure dining</td>
<td>0.54</td>
</tr>
<tr>
<td>In a cafeteria or fast food dining</td>
<td>0.33</td>
</tr>
<tr>
<td>BUILDING TYPE SPECIFIC SPACE TYPES^a</td>
<td>GBP LPA (watts/sq.ft)</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Facility for the visually impaired^b</td>
<td>0.61</td>
</tr>
<tr>
<td>Otherwise</td>
<td>0.49</td>
</tr>
<tr>
<td>Sales area</td>
<td>0.80</td>
</tr>
<tr>
<td>Seating area, general</td>
<td>0.27</td>
</tr>
<tr>
<td>Stairway (See space containing stairway)</td>
<td></td>
</tr>
<tr>
<td>Stairwell</td>
<td>0.35</td>
</tr>
<tr>
<td>Storage room</td>
<td>0.32</td>
</tr>
<tr>
<td>Vehicular maintenance area</td>
<td>0.34</td>
</tr>
<tr>
<td>Workshop</td>
<td>0.80</td>
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</tbody>
</table>

- In family dining
  - Otherwise: 0.33
- Electrical/mechanical room: 0.48
- Emergency vehicle garage: 0.28
- Food preparation area: 0.61
- Guest room: 0.24
- Laboratory
  - In or as a classroom: 0.72
  - Otherwise: 0.91
- Laundry/washing area: 0.30
- Loading dock; interior: 0.24
- Lobby
  - In a facility for the visually impaired (and not used primarily by the staff)^b: 0.90
  - For an elevator: 0.32
  - In a hotel: 0.53
  - In a motion picture theater: 0.30
  - In a performing arts theater: 1.00
  - Otherwise: 0.45
- Locker room: 0.38
- Lounge/Breakroom
  - In a healthcare facility: 0.46
  - Otherwise: 0.37
- Office
  - Enclosed: 0.56
  - Open plan: 0.49
- Parking area: 0.10
- Pharmacy area: 0.84
- Restroom
  - In a facility for the visually impaired (and not used primarily by the staff)^b: 0.61
  - Otherwise: 0.49

^a For specific building types, additional space types and energy requirements are applicable.
^b For spaces used by the visually impaired, additional energy requirements apply.
<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Area Description</th>
<th>Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>In a chapel (and not used primarily by the staff)</td>
<td></td>
<td>1.11</td>
</tr>
<tr>
<td>In a recreation room (and not used primarily by the staff)</td>
<td></td>
<td>1.21</td>
</tr>
<tr>
<td>Automotive (See Vehicular Maintenance Area above)</td>
<td></td>
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<tr>
<td>Convention Center-exhibit space</td>
<td></td>
<td>0.73</td>
</tr>
<tr>
<td>Dormitory-living quarters</td>
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<td>0.19</td>
</tr>
<tr>
<td>Fire Station-sleeping quarters</td>
<td></td>
<td>0.11</td>
</tr>
<tr>
<td>Gymnasium/fitness center</td>
<td></td>
<td></td>
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<tr>
<td>In an exercise area</td>
<td></td>
<td>0.36</td>
</tr>
<tr>
<td>In a playing area</td>
<td></td>
<td>0.60</td>
</tr>
<tr>
<td>Healthcare facility</td>
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<td></td>
</tr>
<tr>
<td>In an exam/treatment room</td>
<td></td>
<td>0.83</td>
</tr>
<tr>
<td>In an imaging room</td>
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<td>0.76</td>
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<tr>
<td>In a medical supply room</td>
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<td>0.37</td>
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<tr>
<td>In a nursery</td>
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<tr>
<td>In a nurse's station</td>
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<tr>
<td>In an operating room</td>
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<td>1.24</td>
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<tr>
<td>In a patient room</td>
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</tr>
<tr>
<td>In a physical therapy room</td>
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<tr>
<td>In a recovery room</td>
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<tr>
<td>Library</td>
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<tr>
<td>In a reading area</td>
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<tr>
<td>In the stacks</td>
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<tr>
<td>Manufacturing facility</td>
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<tr>
<td>In a detailed manufacturing area</td>
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</tr>
<tr>
<td>In an equipment room</td>
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<td>0.37</td>
</tr>
<tr>
<td>In an extra high bay area (greater than 50' floor-to-ceiling height)</td>
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</tr>
<tr>
<td>In a high bay area (25-50' floor-to-ceiling height)</td>
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<tr>
<td>In a low bay area (less than 25' floor-to-ceiling height)</td>
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<tr>
<td>Museum</td>
<td></td>
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<tr>
<td>In a general exhibition area</td>
<td></td>
<td>0.53</td>
</tr>
<tr>
<td>In a restoration room</td>
<td></td>
<td>0.51</td>
</tr>
<tr>
<td>Performing arts theater-dressing room</td>
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<td>0.31</td>
</tr>
<tr>
<td>Post Office-Sorting Area</td>
<td></td>
<td>0.47</td>
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<tr>
<td>Religious buildings</td>
<td></td>
<td></td>
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<tr>
<td>In a fellowship hall</td>
<td></td>
<td>0.32</td>
</tr>
<tr>
<td>In a worship/pulpit/choir area</td>
<td></td>
<td>0.77</td>
</tr>
<tr>
<td>Retail facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In dressing/fitting room</td>
<td></td>
<td>0.36</td>
</tr>
<tr>
<td>In a mall concourse</td>
<td></td>
<td>0.55</td>
</tr>
<tr>
<td>Sports arena-playing area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Space Type</td>
<td>Level Rate</td>
<td></td>
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<tr>
<td>------------------------------------</td>
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<td></td>
</tr>
<tr>
<td>For a Class I facility</td>
<td>1.84</td>
<td></td>
</tr>
<tr>
<td>For a Class II facility</td>
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<td></td>
</tr>
<tr>
<td>For a Class III facility</td>
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<td></td>
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<tr>
<td>For a Class IV facility</td>
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<td></td>
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<tr>
<td>Transportation facility</td>
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<tr>
<td>In a baggage/carousel area</td>
<td>0.27</td>
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</tr>
<tr>
<td>In an airport concourse</td>
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<td></td>
</tr>
<tr>
<td>At a terminal ticket counter</td>
<td>0.40</td>
<td></td>
</tr>
<tr>
<td>Warehouse-storage area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For medium to bulky, palletized items</td>
<td>0.29</td>
<td></td>
</tr>
<tr>
<td>For smaller, hand-carried items</td>
<td>0.48</td>
<td></td>
</tr>
</tbody>
</table>

a. In cases where both a common space type and a building area specific space type are listed, the building area specific space type shall apply.

b. A 'Facility for the Visually Impaired' is a facility that is licensed or will be licensed by local or state authorities for senior long-term care, adult daycare, senior support or people with special visual needs.
TO: City of Ithaca Planning and Economic Development Committee

FROM: JoAnn Cornish, City of Ithaca, Director of Planning and Development

DATE: August 8, 2019

RE: Proposal to Amend Sections of Chapter 325, Zoning, of the City Municipal Code Pertaining to Proposed Revisions to the CBD 60 Zoning District on the 300, 400, and 500 Blocks of West State Street in the City of Ithaca

For several months (members of the City of Ithaca Planning and Economic Development Committee (PEDC) have been discussing changes to zoning in the West State Street/MLK corridor. The discussion has been around reducing the current CBD 60 to CBD 52 in an effort to insure that new development would be in keeping with the existing character along much of West State Street that the City would like to see remain intact.

To date, there has not been a clear path forward as several questions and recommendations have been brought forward.

1.) Limit the façade length to 60 feet and the footprint to a maximum of 7,200 square feet.

For comparison purposed, the east façade of Simeons (Aurora Street side), which has been held up as a good example of an appropriate façade length is approximately 80 feet long. The Commons facing façade is 21.5 feet and the footprint (it is an L shaped building) is 2,614 square feet.
Other examples include 502 W. State/MLK Street that has a front façade length (on W. State/MLK) of 33 feet and is 88 feet long on Corn Street. This results in a footprint of 2,904 square feet.

Conversely, the former Bishops Hardware Store shown above, currently houses Mimi’s Attic Mama Goose, and Bishop’s Carpet One on the ground floor. The building has an irregular shape, not uncommon in the commercial areas of downtown, and offers the square footage required for these types of very successful businesses. Mama Goose has a façade length of 70 feet with the remainder of the façade measuring approximately 110 feet in length.

From the discussions by members of Common Council over the past several months, the following are suggested changes to the CBD 60 Zoning District on the 300, 400, and 500 Blocks of West State Street:

- Reduce the allowable height from 60 feet to 52 feet.
- Require a 15 foot stepback between the third and fourth stories.
- Require the first story to be 12 feet floor to floor.
- Require stories two through 5 to be 10 feet floor to floor.
- Require a first floor active use.
- Set a maximum façade length of 60 feet.
- Set a maximum building footprint of 7,200 square feet (approximately 60 feet by 120 feet).

In addition, staff was asked to follow up on an email from a local developer, Todd Fox, to Alderperson Ducson Nguyen. I have attached relevant emails with the responses prepared by Director of Code Enforcement, Mike Niechwiadowicz (in blue) as well as two other emails relating to the proposed rezoning.

The hope is for PEDC members to come to some decision on the suggested changes so that we can incorporate them into a revised draft ordinance for recirculation followed up by a public hearing in September. I am attaching what was circulated originally for your review. If no changes are made to the original document, the proposed changes can go directly to Council.

Please do not hesitate to contact me should you have questions or require additional information.
To: Svante Myrick, Mayor Planning and Development Board
Common Council Board of Public Works
Julie Holcomb, City Clerk City Advisory Commissions
Aaron Lavine, City Attorney
Mike Thorne, Superintendent of Public Works
Mike Niechwiadowicz, Director of Code Enforcement
JoAnn Cornish, Director of Planning, Building, and Economic Development
Katie Borgella, Tompkins County Commissioner of Planning and Sustainability

FROM: JoAnn Cornish, City of Ithaca, Director of Planning and Development

DATE: May 17, 2019

RE: Proposal to Amend Sections of Chapter 325, Zoning, of the City Municipal Code Pertaining to Proposed Revisions to the CBD 60 Zoning District on the 300, 400, and 500 Block of West State Street in the City of Ithaca

In June of 2013, the Common Council rezoned the West State Street/MLK corridor from B-2c to CBD-60. This was done to encourage and accommodate anticipated development. However, it was generally agreed upon at that time that there existed a desirable character along much of West State Street that the City would like to see remain intact.

Upon further consideration and analysis, and when comparing a sixty foot tall building to existing buildings, it has become clear that 60 feet at the street front on the 300, 400, and 500 block of West State Street (blocks between South Albany Street and North Meadow Street), is not appropriate and would result in a dramatic change to the existing character of the area. The pictures below compare the existing structures along West State/MLK Street with an image of a proposed building 60 feet in height.
It is also important to note that this area is now located in the City’s Planned Unit Development Overlay District, which allows for projects that provide significant community benefits to apply for alternate zoning. Given that this additional zoning flexibility exists, staff feels that it is appropriate to revisit the existing zoning.

1. Staff recommends adding minimum story heights of 12 feet, floor to floor on the ground floor and 10 feet floor to floor on subsequent floors. The City has similar minimum story height regulations in various other districts, including in the West End, Waterfront, and Collegetown Zoning Districts. This language is intended to encourage ground floor commercial uses, as well as to establish minimum standards for housing development.

2. Member of the Planning and Economic Development Committee of Common Council are recommending a revision to the zoning ordinance that would limit the overall height to 52 feet and 5 stories (12 feet floor to floor height on the first story and 10 feet floor to floor on subsequent stories) with an opportunity to build an 10 additional feet in height for a 6th story, under the City’s Planned Unit Development Ordinance, if the developer includes 20% of the total unit count as affordable (50% to 80% of Area Median Income) or other community benefit(s)

3. Additionally, in order to maintain the existing character of West State/MLK Street, staff recommends all new construction located in the existing portion of the CBD-60 Zoning District, directly fronting on the 300, 400, and 500 blocks of West State Street, shall require that the front façade of any newly-constructed building contain a stepback of 15 feet after the first 32 feet in height.

This will help maintain the look of pedestrian scale buildings along the street while still allowing for increased density in the center of the block. This proposed change in the zoning would be for properties on West State/MLK Street that are currently zoned CBD-60 between South Albany Street and North Meadow Street.

If the Committee is in agreement, staff will circulate this proposal and return next month with any comments that are received. Please feel free to contact me with any questions.
July 15, 2019

Dear JoAnn,

As you already know, as a Realtor and an Ithaca native, I keep track of zoning matters in the city of Ithaca. The ones I am currently following are the proposals for changes in what is allowed to be built in the 300, 400 and 500 blocks of W. State St.

I thought I would like to add some information for you, your staff and the Planning and Development Committee to consider.

In 2015 I was hired to do an appraisal of the City Health Club properties located at 323 and 327 W. State St. and 402 and 404 W. Green St. In doing my analysis I gave heavy weight to the new CBD 60 zoning and to the increased attention that the city has been giving to that area. With the Department of Social Services in the area as well as the Office for the Aging, office uses, commercial, existing residential and other uses, I felt this would be a prime parcel to develop into a mixed use project similar to what is currently found on and near the Commons. It could include retail, offices and housing. The frontage of these properties on W. State St./MLK, Jr. Blvd. totals 151 feet. I have no knowledge at this time of the intent of the current owners of the property. I was representing the Estate of one of the former owners when I was asked to do this analysis. This email is not a solicitation or expression of interest or behalf of the current owner. Rather it is to point out this great opportunity that could be affected by a façade limitation of 60 feet, if that is adopted as part of the proposed change.

The successes of your department and planning board and committee is exemplified by the cover page of the July 10th Ithaca Times [attached]. These are prime examples of the work you have done by controlling design. The north side of the Commons is visually one façade running from N. Tioga to N. Cayuga. The buildings are either common wall or zero lot line. What alters is the design [and ownership but I’m talking about visuals].

With this email I am not discussing lot coverage or building height. That’s up to greater minds than mine. I am however asking that the limitation of the length of the façade be reconsidered to something greater or no limitation placed at all.

Regards,

Chris
Christopher J. Anagnost, Broker
Licensed Realtor since 1973
Christopher George Real Estate since 1978
418 N. Tioga Street
Ithaca, NY 14850
Cell/Text: 607-279-5520
From: Ducson Nguyen  
Sent: Monday, July 22, 2019 11:05 PM  
To: JoAnn Cornish; Mike Niechwiadowicz  
Cc: Tom Parsons; Robert Fell-deWalt  
Subject: RE: W MLK Zoning notes from Fox

Thank you, Mike! Very informative.

I just wanted to clarify that with regard to the “3 times _____” items I was referring to a zoning suggestion (maximum building footprint) that might require a large building currently being proposed by Visum to be redesigned as 3 separate buildings. In this scenario, that 5-story building that originally required only one elevator would presumably need one per building, independent mechanicals, etc.

Thanks again!

July 22, 2019

HI Duc,

Yes, if a large building is broken up into smaller buildings that are not connected then that would triple the exit stairs, elevators, etc.

Just to throw out an interesting twist on this. The large building could be built as 'separate' buildings under the building code and be connected allowing the complex to share elevator service and exits. We need to be careful with the zoning definitions because by building code a building could be multiple separate buildings yet appear to be one large building to the casual observer.

Take care,
Mike

From: Ducson Nguyen  
Sent: Wednesday, July 10, 2019 1:08 AM  
To: Common Council  
Cc: JoAnn Cornish; Jennifer Kusznir  
Subject: W MLK Zoning notes from Fox

Hi PEDC, staff:

Visum’s Todd Fox reached out to express that my proposed changes (even with the greater height) would be more harmful to his affordable housing project than the original downzoning. Obviously we should not zone to accommodate developers, but to the extent that developer interests sometimes align with our housing and economic development goals, I figure it’d be worth at least getting his perspective.
In short, the maximum facade length and footprint requirements would be an affordable housing killer in Fox's eyes:

On Jul 22, 2019, 2:34 PM -0400, Mike Niechwiadowicz <MNiechwiadowicz@cityofithaca.org>, wrote:

Hi JoAnn,

I responded in the body of Ducson's email to the comments that are related to building construction. Please see my responses in blue.

Take care,
Mike

* He wasn't that upset about the downzone from 6 to 5 stories. Going to 5 stories allows them to move to less expensive wood frame construction (concrete podium for the retail portion, 4 stories of wood for the apartments), which offsets the loss of extra units. It's about a wash. At least by his numbers, using steel starts making more sense at 7+ stories.

* Related, he feels one path to greater affordability would be to convince NYS to adopt the International Building Code's (IBC) allowance for 5 stories of wood construction rather than the state's 4 stories. He thought the city could do this, but I'm pretty sure city code can only be stricter than NYS code, not looser. **There is no difference between NYS requirements and International Building Code for number of stories of wood construction, both are limited to 4 stories. NYS is not more restrictive when it comes to construction type, size or number of stories, it adopted the requirements of the International Building Code with no modifications. I also checked the upcoming 2018 International Building Code; no change, it still limits wood frame construction to 4 stories.**

* The stepback isn't a huge deal for him either, but he thinks it'll look bizarre (I guess he’s worried about something like this<http://www.ocfrealty.com/naked-philly/rittenhouse/can-we-eliminate-3rd-floor-setbacks-already>)

* He's opposed to the minimum floor heights because they incur significant additional expense in terms of requiring non-standard lengths of wood, needing more drywall, etc. He also doesn't understand the reasoning that this came from the building dept's desire for space for mechanicals. He notes this may have made sense back when you needed ductwork, but in an era when everyone (hopefully) is moving to heat pump minisplits, you don't need 14-inch joists. He was planning on 8-inch joists for the W MLK project which would've provided more headroom. **There is a lot more to consider than just heat pumps. There is sprinkler piping which can have nothing attached to it, water supply piping, waste piping which has a required slope, vent ducts for bathrooms and kitchens, electrical wiring typically in conduit, fire alarm wiring, etc. We have had many developers say that can build in a much tighter space and it turned out to be a disaster.**
* One needs at least 65' of facade to accommodate a "double-loaded corridor" (hallway with units to either side). Otherwise he'd (supposedly) be limited to doing studio apartments and the like. That is only if you configure the unit perpendicular to the central corridor. If the units are parallel to the central corridor and they are close to the code minimums it can be done in a thirty foot wide building (and this is without going to the absolute minimum allowed by code, absolute minimum would allow twenty-three foot wide building). There have been buildings built this way with multi-bedroom apartments. Admittedly you cannot get as many dwelling units configured parallel to the central corridor as you can get perpendicular to the central corridor. So this is about maximizing the number of apartments in a building and therefore maximizing rental income.

* The maximum footprint would make his projects infeasible. His calculations indicated that without further subsidy (like what INHS gets) 4% LIHTC projects need 75 units minimum, or 70,000-80,000 square feet (so a building with 7200 sq ft footprint would have to be 10 stories). The footprint limit means having 3 times the number of stairwells, 3 times the number of elevators, 3 times the mechanics, etc. By code two exits are required for up to 500 people per floor, you don't need a third exit until you exceed 500 occupants per floor, more than 500 people per floor is a big building. Those two exits can be up to 500 feet apart before a third exit is required. There have been very few buildings built that required three exit stairwells, the building would be huge or oddly shaped so that the travel distance between the exits exceeds 500 feet. The only time the code requires more than one elevator is when the building exceeds 120 feet in height, only one elevator is required in buildings five or more stories in height up to 120 feet in height no matter what the square footage of the building is. The amount of mechanics in dependent on the number of apartments and not on the size of the building.

* He says the buildings that many people like will never get redeveloped because the financials don't work. INHS' property next to Gimme (with the frame shop) is on too small a lot. The Westy building's owner wants 3X what Fox would pay because the revenue he gets from rents and the bar far exceeds what Fox would get from developing rentals so it'll likely stay a bar.

* He believes issues of character should be should be handled by the planning board and steered by design guidelines as JoAnn has suggested. You can break up the facade with different materials to give the illusion of separate buildings (I'm not a fan of this fakery, btw; I think long facades can be attractive, like the Simeon's building).

* That said, the design guidelines are a little restrictive. He can do brick, but for a similar cost he could instead do stucco and commission a local artist to do a mural (which for that size apparently would cost $40,000). Obviously a purely aesthetic question, but it is interesting.

Some notes to add to tomorrow’s discussion.

Ducson Nguyen
City of Ithaca Ward 2 Alderperson
text/call: 607-269-7877
July 15, 2019

Common Council
City of Ithaca

Re: Proposal to Amend Sections of Chapter 325, Zoning, of the City Municipal Code Pertaining to Proposed Revisions to the CBD 60 Zoning District

To whom it may concern:

As the stewards of one of the larger parcels (and two small businesses) located in the affected area along West State Street, we have some concerns regarding the proposed zoning changes, particularly the suggested building footprint and façade length restrictions. Our property at 430-444 W. State Street is an irregular shape, something that is not uncommon in the neighborhood, and had the proposed 7,200 square foot maximum building footprint restriction previously been in effect, we (and those who managed the property before us) would not have been able to create the vibrant, interconnected, mixed-use community we see today.

Reuse businesses require a lot of space in order to serve their community well and be profitable. When Mama Goose grew out of its small storefront on Seneca Street in 2007, we had great difficulty finding a large enough storefront in downtown Ithaca. We felt very fortunate that we found the Bishops Building which met all of our requirements and offered space for future growth (such as opening Mimi’s Attic in 2010), and synergy opportunities with other retailers renting space in the building. Under the proposed zoning changes, such large, versatile retail spaces could no longer be built.

Additionally, we would like to point out that the façade of the building that houses Mama Goose has a length of around 75 feet. At that size, we believe the building actively and positively contributes to the character of the neighborhood and therefore see no reason why a 60 foot limit for façades should be required moving forward.

Thank you for taking the time to consider our thoughts.

Sincerely,

Kelly Moreland
Founder & Owner, Mama Goose & Mimi’s Attic
Co-Owner, 430-444 W State St, Ithaca

David Moreland
Property Manager & Co-Owner, 430-444 W State St, Ithaca