



DATE: January 18, 2023
 TIME: 6:00 pm
 LOCATION: [City of Ithaca Public Meetings YouTube Channel](#)

PEDC Meeting

Planning and Economic Development Committee

This meeting will be conducted in person in Common Council Chambers, Third Floor, City Hall. The public and staff may participate remotely via the online platform Zoom, or in person. All public speakers must register (see instructions below). A live stream is available at [City of Ithaca Public Meetings YouTube Channel](#)

**** Please refer to the second page of this agenda to learn how to participate either by written comment or joining the meeting to speak ****

Item	Voting Item	Presenter	Time Start
1) Call to Order/Agenda Review	No		6:00
2) Public Comment	No		6:05
3) Special Order of Business			
a) Presentation – Planning & Development 2022 Accomplishments and 2023 Goals	No	Lisa Nicholas, Director	6:15
4) Announcements, Updates, Reports			
a) Unsanctioned Encampments – Working Group Update	No	Lisa Nicholas, Director	6:30
b) ADU Update – Funding w/INHS	No	Lisa Nicholas, Director	6:35
5) Voting Items (To Council)			
a) No voting items	No		
6) Discussion Items			
a) Short-Term Rentals – Discussion and Next Steps	No	Megan Wilson and Tom Knipe	6:40
7) Review and Approval of Minutes			
a) December 2022	Yes	All	7:10
8) Adjournment	Yes	All	7:15

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, January 17, 2023.

How to Participate in the meeting:

Register to Speak at the Meeting Via Zoom

At 9:00 am on the day of the PEDC meeting, a link will be opened on the [Committee Webpage](#) for people to register to speak at the beginning of the meeting. Registration will close at 3:00 pm the day of the meeting in order to allow staff to prepare and distribute an e-mail with the meeting link to the registered speakers. The first hour of the meeting will be dedicated to public speaking. Based on the total number of speakers, speaking times may be adjusted to fit within the public comment period. In person speakers will be called to speak first in order to decrease density in the room. Remote speakers will be called to speak in the order that they were registered. You must be present in the meeting, however you participate, when it is your turn to speak or you will forfeit your time. Remote speakers may use video or telephone to participate.

Email Common Council Your Comments

Written comments can be submitted to Common Council using this form: [PEDC Public Comment Form](#). Comments should be submitted no later than 5:00 pm the day before the meeting in order to give Committee members time to review them. Comments received after 5:00 pm will be saved for consideration at the next meeting.

Watch the meeting Live

A live stream of the meeting is available on the City's YouTube Channel: https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg

Meetings are also archived on this site for on-demand viewings. The agenda and written materials will be posted on the [City's Agenda Center](#) prior to the meeting. Following the meeting, a recording of the proceedings will be posted on the [City's YouTube Channel](#) and [minutes will be made available here](#).



CITY OF ITHACA
108 E. Green St. — Third Floor Ithaca, NY 14850-5690
DEPARTMENT OF PLANNING AND DEVELOPMENT
Lisa Nicholas, Director
Planning & Development – 607-274-6550
E-Mail: dgrunder@cityofithaca.org

Community Development/IURA – 607-274-6565

TO: Planning & Economic Development Committee

FROM: Megan Wilson, Deputy Director of Planning & Development

DATE: January 12, 2023

RE: Short-Term Rentals Policy: Update and Next Steps

At the September Planning and Economic Development Committee meeting, Josephine Ennis, a graduate intern with the Planning Division, presented her research on short-term rental policy goals, regulatory options, and their potential impacts. Following her presentation, Ms. Ennis submitted her final report on short-term rental regulations. The executive summary is attached, and the full report is available for review at https://www.cityofithaca.org/DocumentCenter/View/14701/Ennis-STR-Report_Final-with-Appendices. This report provides a lot of important information as the City considers its own short-term rental policy.

The primary goal identified for a short-term rental policy in the report is to preserve housing affordability in the long-term rental and home ownership markets. Additional identified goals include:

- Limit negative effects on neighbors from noise, parking, and other nuisances.
- Protect health and safety of guests.
- Ensure even playing field for formal lodging industry and compliance with City's hotel occupancy taxes.
- Increase lodging supply during peak demand periods.
- Allow residents the ability to generate additional income from their properties.
- Ensure feasibility of administration and enforcement of any new regulation.

As we move forward with development of our own short-term rental policy, staff would like additional feedback from the Planning & Economic Development Committee on their reactions to the policy goals and regulatory options that Ms. Ennis presented. Staff would like to begin this discussion by having members consider the following questions:

- What is your reaction to the policy goals outlined in the report and noted above? Is there anything you would like to add or change?
- The reports discusses several different regulatory options. Are there any specific options that you are particularly interested in? Are there any that you are opposed to?
- Is there any additional information that you would like as the development of the policy moves forward?

Staff will attend the January PEDC meeting to discuss these questions with the Committee. Once the Committee provides this additional feedback, staff will begin preparing a proposal for a short-term rental policy. Staff will then return to the PEDC to present the proposal, including recommended regulations, an implementation strategy, and enforcement needs. At this point, community input on the proposal will be gathered prior to the development of legislation.

EXECUTIVE SUMMARY

Background. In recent years, an increasing number of housing units in Ithaca have been converted to short-term rentals (“STRs”). STRs present both challenges and benefits to the community. Benefits include allowing residents to earn additional income from their homes and providing additional tourist lodging capacity. However, STRs can displace long-term housing in the City and generate noise, trash, and other nuisance concerns. Properly regulating the STR market can help minimize these negative externalities, while still allowing residents flexibility to earn income from their properties. In this report, I recommend policies for the City of Ithaca that fairly balance these concerns and take local market dynamics into consideration, as summarized below, and outlined in **Part III** of the report.

Permit Requirement. To effectively regulate short-term rentals, the City should require that each STR operator obtain a permit and register for payment of the required City hotel room occupancy tax. Permit requirements, supported by inspections where appropriate, ensure that rental properties are safe and in compliance with City codes and regulations. They also mitigate nuisance concerns, by registering a local point of contact to respond to disruptions and requiring hosts to enforce rules related to noise, trash, parking, and occupancy.

Three-Prong Strategy. Higher education dominates Ithaca’s economy and housing market. My recommendations take these university dynamics into account, and suggest separate permits for three categories of short-term rental operators (“Hosts”):

1. Primary Residence Permit: Hosts may rent out their entire home so long as it qualifies as their primary residence. They may also host guests in private rooms or accessory units while present on the property for an unlimited number of days per year.
2. Seasonal Rental Permit: Hosts may rent out a non-primary residence during a defined period of time (e.g., May 15-August 15). This time period could be expanded to include university winter breaks, or other time periods, if desired.
3. Occasional (14 day) Rental Permit: Hosts may rent their residence for up to 14 days per year through a streamlined permitting process with reduced fees and without an inspection requirement. This permit is specifically designed to address the needs of residents and guests during university graduation weekends.

Conclusion. This report provides an analysis of possible STR regulations, including those recommended above and those used in other communities to regulate STRs. It is designed to supplement the presentation given to the Planning and Economic Development Committee on September 21, 2022.

City of Ithaca
December 14, 2022 Planning and Economic Development
Draft Minutes

Committee Members Attending: Laura Lewis, Chair; Alderpersons Cynthia Brock, Phoebe Brown, Rob Gearhart, and Patrick Mehler

Committee Members Absent: Alderperson Nguyen

Other Elected Officials Attending: Mayor Laura Lewis

Staff Attending: Lisa Nicholas, Director, Planning and Development Department; Nels Bohn, IURA Director; Nikki Cerra, Environmental and Landscape Planner; and Deborah Grunder, Executive Assistant

Others Attending: Chief of Staff Faith Vavra, Vicki Taylor-Brous, and Jamie Gensel

1) Call to Order/Agenda Review

2) Special Order of Business

a) Public Hearing – Proposed Amendment to Chapter 8 of the City Code

Alderperson Brock moved to open the public hearing; seconded by Alderperson Mehler. Carried unanimously.

No one was present to speak.

Alderperson Mehler moved to close the public hearing; seconded by Alderperson Brock. Carried unanimously.

b) Public Hearing – RESTORE NY7 Grant Application

Alderperson Mehler moved to open the public hearing; seconded by Alderperson Brock. Carried unanimously.

No one was present to speak.

Alderperson Brock moved to close the public hearing; seconded by Alderperson Mehler. Carried unanimously.

3) Public Comment

Zach Winn, 229 South Geneva Street, Ithaca, New York, spoke on the unsanctioned encampments. Provided photos of burnt encampments. The County is ready; the City is lagging. Something must be done with enforcement, access roads, etc.

Theresa Alt, 206 Eddy Street, commented on TIDES and CITTAP.

Aldersperson Brock thanked both for their comments. She agrees with Theresa Alt to dismantle the CITTAP.

4) Announcements, Updates, Reports

a) **Unsanctioned Encampments – Working Group Update**

Lisa Nicholas provided an update. The group did see the video of the encampments. Mike Thorne and DPW staff have visited most of the encampments as most of them are vacant at this time. Talks are happening about a clean up of these areas. A draft plan will be submitted to the Mayor in February.

Aldersperson Brock mentioned she has been at the encampments. Often when the encampments are cleaned up, they often go back to what they were. She further stated a visit or scheduled cleanup is always coordinated with outreach workers.

5) Voting Items (to Council)

a) **Proposed Amendment to Chapter 8 of the City Code**

Ordinance to Amend Chapter 8 (Advisory Commission) of Part I (Administrative Legislation) of the Code of the City of Ithaca to Establish a Sustainability and Climate Justice Commission

Moved by Aldersperson Gearhart; seconded by Aldersperson Mehler. Carried unanimously.

WHEREAS: the City of Ithaca has demonstrated its desire and commitment to be a leader in sustainability and social equity, as exemplified by the adoption of the Ithaca Green New Deal (IGND) on June 5, 2019; and

WHEREAS; the IGND set out specific climate and social justice goals, and

WHEREAS; Common Council subsequently funded two positions, a Director of Sustainability and Sustainability Planner to lay out a strategic plan and to coordinate across departments and community-wide to meet the stated goals, and

WHEREAS; Sustainability staff, working in coordination with other staff and departments have, and will continue to, bring forward policies, plans and other proposals that may impact city operations, staffing, urban design, capital budgeting and existing programs, and other areas, and

WHEREAS: a dedicated advisory group is needed to support this work to provide the guidance of subject area experts, coordinate public outreach and information and advice Council and other bodies on the impact of proposed initiatives, now, therefore

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

Section 1. Legislative findings, intent, and purpose.

The Common Council makes the following findings:

1. Council affirms its commitment to sustainability and social justice as laid out in the adoption of the IGND of June 5, 2019, and
2. In considering programs, policies, plans and initiatives to meet the goals of the IGND Common Council and other bodies, require the input and advise of subject area experts and outreach to and input from the public,
3. Therefore, a dedicated Advisory Commission is needed to serve these and other related functions.

Based upon the above findings, the intent and purpose of this ordinance is to create a Sustainability and Climate Justice Commission as a fifth Advisory Commission.

Section 2. Chapter 8 (Advisory Commissions) of Part I (Administrative Legislation) of the Code of the City of Ithaca, Section 8-2 (Establishment) is hereby amended as follows:

§ 8-2 Establishment

The Common Council of the City of Ithaca hereby establishes the Public Safety and Information Commission; Community Life Commission; Mobility, Accessibility, and Transportation Commission; ~~and~~ Parks, Recreation, and Natural Resources Commission; and Sustainability and Climate Justice Commission. These Commissions shall be collectively known as the "advisory commissions." The advisory commissions serve the City of Ithaca, the City of Ithaca Common Council and committees thereof, and the City of Ithaca's quasi-judicial boards. The advisory commissions serve solely in

an advisory capacity and, absent approval of the Common Council, may take no action binding the City, its officers, or employees.

Section 3. Chapter 8 (Advisory Commissions) of Part I (Administrative Legislation) of the Code of the City of Ithaca, Article III (Community Life Commission), § 8-12 is hereby amended as follows:

§ 8-12 Purpose.

The purpose of the Community Life Commission is to provide the Common Council, appropriate committees thereof, the City's quasi-judicial boards, and City staff with advisory research, public input, and analysis for matters related to community livability, arts and culture, diversity, community youth and youth development, seniors and aging, refugees and immigrants, college students, LGBTQIA+ issues, housing, ~~[sustainability]~~ food and food systems, and environmental remediation.

Section 4. Chapter 8 (Advisory Commissions) of Part I (Administrative Legislation) of the Code of the City of Ithaca, Article III (Community Life Commission), § 8-13 subsections (H) and (I) are hereby amended as follows:

H. To advise on issues ~~[of sustainability,]~~ related to food and food systems, and environmental remediation and contamination.

I. To serve as a means of engaging in community outreach and receiving community input on the above-described subject matter in a manner consistent with the diversity~~[,]~~ and accessibility ~~[, and sustainability]~~ goals of the City and in conjunction with all appropriate commissions, as necessary, to achieve such goals.

Section 5. Chapter 8 (Advisory Commissions) shall be further amended so as to create a new Article VI thereof, entitled Sustainability and Climate Justice Commission, as follows:

Article VI Sustainability and Climate Justice Commission

§ 8-19. Purpose.

The purpose of the Sustainability and Climate Justice Commission is to provide the Common Council, appropriate committees thereof, the City's quasi-judicial boards, and City staff with advisory research, public input, and analysis for matters related to sustainability, climate justice and the City's goals as described in the June 5, 2019 Resolution adopting an Ithaca Green New Deal.

§ 8-20. Duties.

The duties of the Sustainability and Climate Justice Commission shall include, as needed, the following:

- A. To advise on issues and programs pertaining to sustainability and climate justice, such as waste reduction, electrification of buildings, electrification of

the city fleet, renewable energy, equitable distribution of program benefits, etc, and

- B. To review and recommend policies, plans and programs to Common Council to implement the goals of the City's Green New Deal, including but not limited to a climate action plan (CAP) and any subsequent updates, a Green Building Policy for existing buildings, and the Justice50 program framework, and
- C. To monitor progress towards the goals of the Green New Deal, including the goal that benefits are shared among all of our local communities to reduce historical social and economic inequities.
- D. To serve as a means of engaging in community outreach and receiving community input on the above-described subject matter in a manner consistent with the diversity, accessibility, and sustainability goals of the City and in conjunction with all appropriate commissions, as necessary, to achieve such goals.

Section 6. Severability Clause.

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

Section 7. Effective Date.

This ordinance shall take effect in accordance with law upon publication of notices as provided in the Ithaca City Charter.

An Ordinance to Amend The Municipal Code Of The City Of Ithaca, Chapter 8 (Advisory Commission) of Part I (Administrative Legislation) of the Code of the City of Ithaca to Establish a Sustainability and Climate Justice Commission – Lead Agency

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

WHEREAS: Common Council is considering a proposal to amend the Municipal Code of the City Of Ithaca, Chapter 8, Entitled Advisory Commission of Part I (Administrative Legislation) to Establish a Sustainability and Climate Justice Commission and

WHEREAS: this is an Unlisted Action under the City of Ithaca Environmental Quality Review Ordinance §176-4 and the State Environmental Quality Review Act ("SEQRA") §617.4 and is subject to environmental review, and

WHEREAS: Common Council of the City of Ithaca, acting as lead agency, has reviewed and accepted as adequate a Short Environmental Assessment Form (SEAF) Parts 1-3 prepared by planning staff and other relevant materials, *now, therefore, be it*

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

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

An Ordinance to Amend the Municipal Code Of The City Of Ithaca, Chapter 8 (Advisory Commission) of Part I (Administrative Legislation) of the Code of the City of Ithaca to Establish a Sustainability and Climate Justice Commission – Negative Declaration of Environmental Significance

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

WHEREAS, The Common Council is considering a proposal to amend the Municipal Code of the City Of Ithaca, Chapter 325, Entitled "Zoning," to amend the definitions of "Multiple Dwelling" and "Dormitory" and related parking requirements, and

WHEREAS, the appropriate environmental review has been conducted, including the preparation of a Short Environmental Assessment Form (SEAF), dated August 24, 2021, and

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

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

RESOLVED, that this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Full Environmental Assessment Form, dated August 24, 2021, and be it further

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

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

b) RESTORE NY7 Grant Application

Authorize Restore NY7 Funding Application

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

Whereas, the 2022-23 New York State budget provided \$250 million for the Restore New York's

Communities Initiative ("Restore NY"), which are awarded in two rounds:

- 1)** \$100 million in round 6; applications due October 11, 2022
- 2)** \$150 million in round 7; applications due January 27, 2023, and

Whereas, the goals of the Restore NY program are to (1) revitalize urban centers, (2) induce commercial investment, and (3) improve the local housing stock, and

Whereas, Restore NY funding is available only for projects involving the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, condemned or surplus properties, and

Whereas, municipalities with populations under 40,000 are eligible to submit one project, not to exceed a request for \$2,000,000 in each funding round, and

Whereas, of six proposals received in response to a call for proposals, the following projects scored highest against state and local evaluation criteria:

- 3)** Cayuga Street Rehabilitation, Urban Encore, LLC
- 4)** Chainworks District – Building 24, Unchained Properties, LLC, and

Whereas, the City submitted the Cayuga Street Rehabilitation project for Round 6 and is awaiting announcement of awards, and

Whereas, the Chainworks District has been rebranded Southworks, and

Whereas, a Restore NY7 application must include a municipal resolution in support of the application, proof that a public hearing was held on proposed application, and a site control affidavit for projects located on non-municipally owned property, and

Whereas, the property owner has agreed to provide all required local match contribution, so no City funding is required; now, therefore, be it

RESOLVED, that the City of Ithaca Common Council hereby endorses a Restore NY7 application for up to \$2,000,000 for the Southworks Ithaca – Demolition and Abatement project, sponsored by Shift Chainworks District Development, LLC that includes abatement of lead paint and asbestos hazards in building #24 and selective demolition of various buildings at the

former Emerson Power Transmission factory complex located at 620 S. Aurora Street, and be it further

RESOLVED, that the City of Ithaca Common Council hereby finds the proposed project is consistent with the City comprehensive plan and Urban Renewal Plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of the existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or facilities in a manner that will attract, create, and sustain employment opportunities where applicable, and be it further

RESOLVED, that the Mayor, upon advice from the City Attorney, is hereby authorized to take all actions necessary to submit a Restore NY7 application in accordance with this resolution, including, but not limited to, certification of the application, and be it further

RESOLVED, that the Mayor is authorized to modify the proposal to address any unforeseen feasibility issues that would impact competitiveness of the application, and

RESOLVED, that, if awarded, the Mayor, upon advice from the City Attorney, is hereby authorized to execute an agreement with the Empire State Development Corporation, and any other documents necessary to receive the Restore NY grant, as well as agreements with the property owner to implement the project, and be it further

RESOLVED, the IURA is hereby authorized to administer and implement the City's Restore NY7 grant award.

c) Annual LA Concurrence

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

2023 Annual Common Council Concurrence that the City of Ithaca Planning and Development Board be Lead Agency in Environmental Review for Site Plan Review Projects for which the Common Council is an Involved Agency Resolution

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

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

WHEREAS, State Law also specifies that when an agency proposes to directly undertake, fund or approve a Type I or Unlisted Action undergoing coordinated review with other involved agencies, it must notify them that a lead agency must be agreed upon within 30 calendar days

of the date that the Environmental Assessment Form (EAF) or draft EIS was transmitted to them, and

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

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

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

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

RESOLVED, that Common Council does hereby consent to the Planning & Development Board acting as Lead Agency in environmental review for site plan review projects for which Common Council has been identified as an Involved Agency through December 31, 2023; and, be it further

RESOLVED, that for any future project Common Council may withhold or withdraw its consent should it so desire.

6) Review and Approval of Minutes

a) October and November 2022

Moved by Alderperson Mehler; seconded by Alderperson Brock. Passed unanimously.

7) Adjournment

Alderperson Mehler moved to adjourn the meeting; seconded by Alderperson Brock. The meeting adjourned at 7:50 p.

