

## **OFFICIAL NOTICE OF MEETING**

A Regular meeting of the Common Council will be held on Wednesday, July 5, 2017, at 6:00 p.m. in the Common Council Chambers at City Hall, 108 East Green Street, Ithaca, New York. Your attendance is requested.

### **AGENDA**

1. **PLEDGE OF ALLEGIANCE:**
2. **ADDITIONS TO OR DELETIONS FROM THE AGENDA:**
3. **PROCLAMATIONS/AWARDS:**
4. **SPECIAL ORDER OF BUSINESS:**
5. **SPECIAL PRESENTATIONS BEFORE COUNCIL:**
6. **PETITIONS AND HEARINGS OF PERSONS BEFORE COUNCIL:**
7. **PRIVILEGE OF THE FLOOR – COMMON COUNCIL AND THE MAYOR:**
8. **CONSENT AGENDA ITEMS:**  
**City Administration Committee:**
  - 8.1 Approval and Endorsement of the Downtown Ithaca Alliance Application to NYS Homes and Community Renewal for Funding Under the New York Main Street Program – Resolution
  - 8.2 Authorization of Alex Haley Pool Lease with Ithaca City School District – Resolution
  - 8.3 Establishing Energy Benchmarking Requirements for Certain Municipal Buildings – Resolution
  - 8.4 Police Department – Request to Amend 2017 Authorized Budget for Homeland Security Grant - Resolution
9. **CITY ADMINISTRATION COMMITTEE:**
  - 9.1 A Resolution Authorizing Implementation and Funding in the First Instance 100% of the Federal Aid-Eligible Costs and State Transportation Alternatives Program (TAP) Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore.
  - 9.2 An Ordinance to Add Chapter 8 entitled, “Advisory Commissions,” to the City of Ithaca Municipal Code
  - 9.3 A Local Law Entitled “Amendment of the City of Ithaca Charter and Code to Reflect New Advisory Commissions Established by Companion Ordinance.”
  - 9.4 City Controller’s Report

10. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:**
10. An Ordinance to Amend Chapter 325 of the City of Ithaca Municipal Code Entitled "Zoning," to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern, and Amend Allowable Uses in B-2, B-5, & CBD Districts
  - A. Declaration of Lead Agency – Resolution
  - B. Determination of Environmental Significance – Resolution
  - C. Adoption of Ordinance
11. **REPORTS OF SPECIAL COMMITTEES:**
12. **NEW BUSINESS:**
13. **INDIVIDUAL MEMBER – FILED RESOLUTIONS:**
14. **MAYOR’S APPOINTMENTS:**
15. **REPORTS OF COMMON COUNCIL LIAISONS:**
16. **REPORT OF CITY CLERK:**
17. **REPORT OF CITY ATTORNEY:**
18. **MINUTES FROM PREVIOUS MEETINGS:**
- 18.1 Approval of the Minutes of the June 7, 2017 Common Council Meeting – Resolution
19. **ADJOURNMENT:**

If you have a disability that will require special arrangements to be made in order for you to fully participate in the meeting, please contact the City Clerk at 274-6570 at least 48 hours before the meeting.

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Julie Conley Holcomb, CMC  
City Clerk

Date: June 29, 2017

8. **CONSENT AGENDA ITEMS:**  
**City Administration Committee:**

8.1 **Approval and Endorsement of the Downtown Ithaca Alliance Application to NYS Homes and Community Renewal for Funding Under the New York Main Street Program - Resolution**

WHEREAS, the Downtown Ithaca Alliance desires to apply for up to \$500,000 in financial assistance through the 2017 Consolidated Funding Application (CFA) under the New York Main Street Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings in the Downtown Ithaca Business Improvement area; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; now, therefore, be it

**RESOLVED**, That the Common Council of the City of Ithaca approves and endorses the 2017 New York Main Street Program application for assistance prepared and to be submitted by the Downtown Ithaca Alliance.

**8.2 Authorization of Alex Haley Pool Lease with Ithaca City School District - Resolution**

WHEREAS, Ithaca City School District (ICSD) is the owner of the block bordered by Esty, North Albany, West Court, and North Plain Streets and identified as tax map parcel 50.-2-1; and

WHEREAS, the City currently operates the Alex Haley Municipal Pool, and through GIAC, utilizes the basketball courts located on the southeastern corner of said parcel; and

WHEREAS, in 1987, the City and ICSD executed a lease to govern the terms and conditions of the City's use, and the original lease term has now expired; and

WHEREAS, General City Law Section 20 empowers the City to lease real property within and without the limits of the city, and as such, the parties have come to agreeable terms and wish to enter into a new lease incorporating existing uses and the City's development of a wading pool; now, therefore be it

**RESOLVED**, That Common Council supports the continued operation of the pool and related amenities; and, further be it

**RESOLVED**, That the Mayor, upon the advice of the City Attorney, is authorized to execute a lease with ICSD at the rate of \$8,050 per year payable from GIAC budget allotments.

### **8.3 Establishing Energy Benchmarking Requirements for Certain Municipal Buildings - Resolution**

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the City of Ithaca is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the City of Ithaca 2015 Comprehensive Plan contains the recommendation to explore required disclosures of energy use for all properties and required annual energy benchmarking for large buildings, and the Energy Action Plan recommends to benchmark City facilities; and

WHEREAS, the City of Ithaca Common Council desires to use Building Energy Benchmarking—a process of measuring a building’s energy use, comparing performance to similar buildings, and tracking that use over time—to promote the public health, safety, and welfare by making available accurate, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the City of Ithaca; and

WHEREAS, the City of Ithaca currently collects energy use data for many of its facilities and enters energy benchmarking data for these facilities into Portfolio Manager; and

WHEREAS, the City of Ithaca Common Council desires to establish a more formal policy for City staff to conduct such Building Energy Benchmarking;

**NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED**, that the following specific policies and procedures are hereby adopted.

### **BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES**

#### **§1. DEFINITIONS**

(1) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(2) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(3) "Superintendent" shall mean the Superintendent of Public Works, or his/her designee.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the City of Ithaca or the Special Joint Commission that is 1,000 square feet or larger in size.

(5) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in utility bills or other documentation of actual Energy use.

(6) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(7) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(8) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(9) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(10) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(11) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

## **§2. APPLICABILITY**

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 1 of this policy.

(2) The Superintendent may exempt a particular Covered Municipal Building from the benchmarking requirement if the Superintendent determines that it has characteristics that make benchmarking impractical.

### **§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

(1) No later than June 1, 2018, and no later than June 1 every year thereafter, the Superintendent shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Superintendent shall begin inputting data in the following year.

### **§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

(1) The Superintendent shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) No later than September 1, 2018 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Superintendent shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 4(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

### **§5. MAINTENANCE OF RECORDS**

The Superintendent shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved for a period of three (3) years.

### **§6. ENFORCEMENT AND ADMINISTRATION**

(1) The Superintendent may promulgate regulations necessary for the administration of the requirements of this Policy.

(2) No later than September 1, 2018, and by September 1 of each year thereafter the Superintendent shall submit a report to the Board of Public Works and Common Council including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Superintendent determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

**§7. EFFECTIVE DATE**

This policy shall be effective immediately upon passage.

**§8. SEVERABILITY**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.



**CITY OF ITHACA**  
**108 East Green Street Ithaca, New York 14850-5690**

**MAYOR'S OFFICE**

NICK GOLDSMITH, SUSTAINABILITY COORDINATOR

Telephone: 607-274-6562

Email: [ngoldsmith@cityofithaca.org](mailto:ngoldsmith@cityofithaca.org)

Fax: 607-274-6558

To: Common Council  
 From: Nick Goldsmith, Sustainability Coordinator  
 Date: June 13, 2017  
 Re: Energy Benchmarking Policy Resolution

Dear Common Council,

This document provides context and additional information regarding the Energy Benchmarking Policy Resolution that is on the agenda for the City Administration meeting on June 21.

**NYSERDA's Clean Energy Communities Program**

Pursuit of this policy was prompted by a funding opportunity. The New York State Energy Research and Development Authority (NYSERDA) Clean Energy Communities program provides grants to municipalities that earn the Clean Energy Community designation. This is accomplished by completing four "high-impact" actions from a list of ten possible. The four actions that I believe would be easiest and quickest for the City to complete are:

**Energize NY Finance:** Participate in ENYF program, which allows property owners to pay back the cost of clean energy upgrades to their commercial or non-profit property through a special charge on their property tax bill. (*Status: Completed – Program running as of 2016*);

**Solarize:** Undertake a solarize campaign to increase the number of solar rooftops in the jurisdiction (*Status: Completed – Our previous participation in Solar Tompkins satisfies the requirements*);

**Clean Fleets:** Install an electric vehicle (EV) charging station and/or other alternative fuel infrastructure or deploy alternative fuel vehicles in the municipal fleet (*Status: In progress – Two Tesla chargers to be installed in Seneca Street Garage*); and

**Benchmarking:** Adopt a policy to report the energy use of municipal buildings on an annual basis (*Status: Under Consideration*);

Once the City has earned the Clean Energy Community designation, it has three months to apply for one of the grants; there are four \$100,000 grants and ten \$50,000 grants available in the Southern Tier, on a first-come, first-served basis. None of these awards have been claimed to date, but there is mounting interest in the program.

### **Energy Benchmarking Policy**

Many municipalities nationwide have adopted energy benchmarking and disclosure policies that require public and private buildings across the entire municipality to track energy usage and report that data to the municipality. The City will be researching such a policy in the context of the Green Building Policy Project, which is examining energy and sustainability standards for new construction, and ways the City could promote or mandate those standards. The Green Building Policy project, a joint project with the Town of Ithaca, just kicked off in April and will run through early 2018.

The City has a chance to lead by example by adopting this municipal energy benchmarking policy, which would only cover facilities affiliated with the City. The City of Ithaca 2015 Comprehensive Plan contains the recommendation to explore required disclosures of energy use for all properties and annual energy benchmarking for large buildings. The Energy Action Plan also recommends to benchmark City facilities and to use the results to prioritize energy audits. The City has adopted a goal of reducing GHG emissions 80% by the year 2050, which is in line with the globally recognized Paris Climate Agreement. The benchmarking policy is also in our own self-interest: it will identify opportunities to save money and reduce energy use.

Implementing this policy will require a low level of City resources. The policy as written covers about 25 buildings. The Sustainability Coordinator currently benchmarks 13 City facilities in Energy Star Portfolio Manager, the online tool referenced in this policy. In addition, the GIS department already keeps annual energy use data. Building maintenance staff could potentially be incorporated into the process as well. By working together, the Sustainability Coordinator and GIS department can create a streamlined process for meeting the annual requirements of this policy with little or no extra work than is already being performed, and the information can be used by building maintenance staff to identify problems and prioritize repair efforts and capital improvements.

I am happy to discuss the items above in more detail with you. Please feel free to contact me at your convenience.

8.4 **Police Department – Request to Amend 2017 Authorized Budget for Homeland Security Grant - Resolution**

WHEREAS, the Ithaca Police Department (IPD) recently received a US Department of Homeland Security’s State Homeland Grant administered by New York State for \$100,000; and

WHEREAS, the grant will be used to improve and develop tactical team capabilities through equipment, training, and exercise with funding through August 31, 2019; and

WHEREAS, equipment and resources purchased through this grant will include:

*Helmets and night vision helmet mounts, self-contained breathing apparatus, throwable remote robot, air purifying respirator, handheld sensor radar unit, pole camera and training.*

; now, therefore be it

**RESOLVED**, That Common Council hereby amends the 2017 authorized Police Department budget to account for the \$100,000 New York State Homeland Security and Emergency Services Grant as follows:

Increase Revenue Account:

A3120-4320	Police Federal Aid	\$100,000
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Increase Appropriations:

A3120-5125-5001	Police Overtime	\$19,500
A3120-5225-5022	Police Equipment	\$80,500
		\$100,000

Homeland Security  
and Emergency ServicesANDREW M. CUOMO  
GovernorJOHN P. MELVILLE  
Commissioner

February 27, 2017

The Honorable Svante Myrick  
Mayor, City of Ithaca  
108 East Green St.  
Ithaca, NY 14850

Dear Mayor Myrick:

I am pleased to announce that the City of Ithaca has been awarded \$100,000 in federal funding under the FY2016 Tactical Team Grant Program. Funding for this initiative is provided by the U.S. Department of Homeland Security's (DHS) State Homeland Security Grant Program (SHSP) and is administered by the New York State Division of Homeland Security and Emergency Services (DHSES). The performance period for this award is April 1, 2017 through August 31, 2019.

As outlined in your application, this funding is provided to improve and develop tactical team capabilities through equipment, training, exercise, and planning projects that support counter terrorism missions in your jurisdiction as well as your team's attainment of the New York State Division of Criminal Justice Services (DCJS) SWAT Team Standards.

Additionally, your application indicated that you were applying as a Regional Partnership with the Tompkins County Sheriff's Office for funding. As a condition of that partnership, you must provide an executed Inter-Municipal Agreement to DHSES within six (6) months of this letter (if you have not done so already) or funding through this program may be rescinded. Templates for the Inter-Municipal Agreements can be obtained by contacting Dave Mahany of DCJS at [DaveJ.Mahany@dcjs.ny.gov](mailto:DaveJ.Mahany@dcjs.ny.gov).

As a reminder, all capabilities developed through federal FY2016 SHSP funding are required to be deployable regionally and nationally per the Federal guidelines. In addition, funding through this grant program is subject to both New York State and federal guidelines and regulations. Finally, all training that is funded through this grant program must be submitted to DHSES within six (6) months of the date of this letter for review and approval.

In order to ensure these funds are made available as quickly as possible a representative from DHSES's Grants Program Administration Unit will be reaching out to your grant point of contact. If you have any questions about this program, please contact my Director of Grants Program Administration, Shelley Wahrlich at (518) 402-2123.

Congratulations on your award and I look forward to working with you to administer this program.

Sincerely,

John P. Melville  
Commissioner

Cc: Sgt. Jacob Young, City of Ithaca Police Department

9. **CITY ADMINISTRATION COMMITTEE:**

9.1 **A Resolution Authorizing Implementation and Funding in the First Instance 100% of the Federal Aid-Eligible Costs and State Transportation Alternatives Program (TAP) Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore.**

WHEREAS, a Project for the Hector Street Complete Street, P.I.N. 395063 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Ithaca desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering/Design/ROW Incidentals; and

WHEREAS, preliminary engineering, design, and ROW incidentals are exempt from further environmental review as Type II actions; now, therefore, be it

**RESOLVED**, That Common Council, duly convened does hereby approve the above-subject project, subject to further environmental review of construction; and, be it further

**RESOLVED**, That the Common Council hereby authorizes the City of Ithaca to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering/Design/ROW Incidentals work for the Project or portions thereof; and, be it further

**RESOLVED**, That the sum of \$331,800 is hereby advanced from the General Fund with later repayment from the issuance of serial bonds and made available to cover the cost of participation in the above phase of the Project; and, be it further

**RESOLVED**, That Common Council hereby creates Capital Project #846, Hector Street Complete Street, to include the Project costs of \$331,800; and, be it further

**RESOLVED**, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council of the City of Ithaca shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and, be it further

**RESOLVED**, That the Mayor of the City of Ithaca be and is hereby authorized to execute all necessary Agreements, and the Superintendent of Public Works is hereby authorized to execute all necessary certifications or reimbursement requests for Federal Aid on behalf of the City of Ithaca with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and, be it further

**RESOLVED**, That this project be undertaken with the understanding that the final cost of the Project to the City of Ithaca will be roughly 20% of said portion, paid via respective Sidewalk Improvement District #5 funds, currently estimated at \$66,360 of the \$331,800 authorized for this portion of the project, in monies and in-kind services as managed by the Superintendent of Public Works and monitored by the City Controller; and, be it further

**RESOLVED**, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, be it further

**RESOLVED**, This Resolution shall take effect immediately.



CITY OF ITHACA  
108 East Green Street, Ithaca, New York 14850-5690

Office of City Engineer  
Telephone: 607 / 274-6530

Fax: 607 / 274-6415

To: City Administration Committee  
From: Tim Logue, Director of Engineering  
Date: June 13, 2017  
Re: Master Agreement for Hector Street Complete Street Project

Please find enclosed a resolution authorizing the master agreement with the NYSDOT for a new federal-aid, capital project to construct a sidewalk and an uphill bikeway along Hector Street (Rt 79). The City of Ithaca is a recipient and will receive \$1,400,000 in federal funding assistance for a \$1,700,000 project to enhance pedestrian, bicycling, and bus conditions and to improve safety along Hector Street (Rt. 79) between Floral Avenue and 500 feet past the City line towards Linderman Creek Apartments. This grant application was recommended by the Board of Public Works and approved by Common Council in November 2016.

The project scope includes:

1. Connect to the existing Hector Street sidewalk and construct 4,100 linear feet of new sidewalk
2. Create an uphill bikeway along Hector Street
3. Establish 2 enhanced bus stops at Warren Place and North Taylor Place
4. Enhance walking and bicycling conditions throughout the corridor – including across municipal boundaries via a cost-sharing agreement with the Town of Ithaca in order to extend the walkway to Linderman Creek Apartments
5. Improve traffic safety in the vicinity via select infrastructure investments in curbing, stormwater pipes, retaining walls, and street lighting

Though the City has to front the monies for this project, 80% of the project costs are reimbursable from federal funding. Over the next few months, Sidewalk Improvement District #5 will evaluate funding strategies to cover the City's 20% share (\$350,000). At this point, I am only asking for approval for the design and ROW incidental phases of the project. Once the design work is complete, construction funds will be made available and I will return for further approvals. As an engineering study, this project, so far, is a Type II action in accordance with the City and State environmental review laws. The environmental review of construction activities will be included in the scope of work for design and preliminary engineering. I expect that the Board of Public Works will likely be the lead agency for this review.

"An Equal Opportunity Employer with a commitment to workforce diversification."

**9.2 An Ordinance to Add Chapter 8 entitled, “Advisory Commissions,” to the City of Ithaca Municipal Code**

WHEREAS, in 2011, the City of Ithaca contracted with an outside consulting firm to evaluate the city’s organizational structure as it relates to performance measurement and efficiencies; and

WHEREAS, in February of 2012, the Common Council convened at a retreat to look at the report’s recommendations in greater depth and develop and prioritize a work plan; and

WHEREAS, one of the report’s recommendations regarding the Board of Public Works was expanded to consider a comprehensive analysis of all boards and committees and was assigned to the now-defunct Government Performance and Accountability Committee; and

WHEREAS, on May 4, 2016, the Common Council unanimously passed a resolution establishing a Boards and Committees Restructuring Working Group (the “Working Group”) to gather input from existing boards and committees, and the public, on possible models for restructuring, and to propose to the City Administration Committee a realigned structure for the City’s boards and committees; and

WHEREAS, the Working Group has engaged in diligent analysis, received input from the existing boards and committees and public, and developed a new advisory commission structure as set forth in this Ordinance; and now, therefore

**ORDINANCE 2017-**

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

**Section 1. Findings of Fact.**

The Common Council makes the following findings of fact:

1. The current boards and committees organizational structure is confusing to the public and challenging for citizens to understand how to participate.
2. The Comprehensive Plan includes the following public participation goals, which will be better realized by the Advisory Commission structure herein adopted:
  - a. All members of the community will know of and have opportunities to participate in governing and decision-making processes of interest to them.
  - b. The City’s active outreach to the community will support high-quality public participation.
  - c. All members of the community will feel confident that their voices will be taken seriously and given respect in City decision-making processes that are important to them.
  - d. All members of the community will know how to access information about decisions being made and what information is informing those decisions, and all this information will be easily accessible to the public

- d. All members of the community will know how to access information about decisions being made and what information is informing those decisions, and all this information will be easily accessible to the public
3. As a result of limited City staff resources coupled with a large number of boards and committees, many boards and committees lack regular administrative and support staff, limiting their effectiveness.
4. Many issues that come before Common Council lack a corresponding board or committee to vet the issues, gather public input, and develop recommendations for Common Council.
5. Under the current boards and committees structure, there is overlap between several boards and committees causing inefficiencies, wasted resources, and breakdowns in communication. The practice of appointing liaisons from one board or committee to another only partially addresses these breakdowns.
6. The recruitment, application, and appointment process necessary to fill all positions in the current boards and committees' structure is cumbersome, time consuming, and leads to long vacancies on the boards and committees.
7. It is, therefore, desirable to create four "umbrella" Advisory Commissions with thirty-six appointed voting members that will replace twelve existing boards, commissions, and committees.

## **Section 2. Creation of Chapter 8, "Advisory Commissions."**

The City of Ithaca Municipal Code is hereby amended to add a new Chapter 8, entitled "Advisory Commissions." Such Chapter shall read as follows:

### **Chapter 8 – Advisory Commissions**

#### **Article I – Purpose, Establishment, and General Provisions**

##### **§ 8-1. Purpose.**

The purpose of this Chapter is to establish Advisory Commissions that shall provide the City of Ithaca, City of Ithaca Common Council and committees thereof, and the City of Ithaca's quasi-judicial boards with research, public input, and analysis and other assistance as necessary in the subject areas impacting the City of Ithaca to which each Advisory Commission is tasked.

##### **§ 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. 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.

**§ 8-3. Duties.**

The general duties of the Advisory Commissions, in addition to those specific duties of each Advisory Commission set forth in this Chapter, are as follows:

- A. To draft and update as necessary a work plan in consultation with the Advisory Commission's Common Council liaisons and City staff designees.
- B. To draft and vote on advisory resolutions or summary statements on matters before the Common Council, committees thereof, or the City's quasi-judicial boards.
- C. To receive public input on, and facilitate public discussion of, matters before Common Council, committees thereof, or the City's quasi-judicial boards.
- D. To conduct research on matters before the Common Council, committees thereof, or the City's quasi-judicial boards.
- E. To research and make recommendations regarding City processes and policies.
- F. To hold regular meetings as set forth in this Article.
- G. To maintain records of proceedings.

**§ 8-4. Membership.**

- A. Membership and appointment. Each Advisory Commission shall consist of nine voting members who shall be appointed as follows:

- (1) Voting members. Each Advisory Commission shall have nine voting members, comprised of one Chairperson and eight Commissioners.
- (2) Chairperson. The Mayor, with approval of the Common Council, shall appoint one voting Chairperson to each Advisory Commission. The Chairperson shall preside over the Advisory Commission and set the Advisory Commission's meeting agendas in consultation with designated City staff and the Common Council liaisons.
- (3) Commissioners. The Mayor, with approval of the Common Council, shall appoint eight voting Commissioners to each Advisory Commission.

- (4) Common Council liaisons. The Mayor shall appoint two non-voting Common Council liaisons to each Advisory Commission, neither of which should, if feasible, be the committee chair for any standing committee of the Common Council.
- (5) Advisors. Each Advisory Commission may appoint up to ten non-voting advisors who have expertise in one or more subject matter areas addressed by the Advisory Commission. Any such appointed advisor shall serve as a resource to the Advisory Commission and may participate in meetings, subcommittees, or working groups as permitted by the Advisory Commission's rules and procedures in their discussion of agenda items as to which the appointed advisor has expertise to offer. Subject to renewal by the Advisory Commission to which the advisor serves, such advisors' terms shall expire one year after appointment, unless earlier terminated by that Commission.

B. Residency.

- (1) No more than two commissioners may reside outside the City of Ithaca. When appointing a non-resident commissioner, the Mayor shall strive to appoint non-resident commissioners with demonstrable ties to or interests in the City, including, but not limited to, ownership of real property in the City, ownership of a business that is located in the City or conducts business in the City, employment in the City, membership on the board of a not-for-profit organization located in the City or serving the City, or other significant volunteer work in the City.
- (2) The Chairperson must reside in the City of Ithaca.

C. Terms of office. Terms of office for the voting members of the Advisory Commissions shall be two years, except that of the initial appointments, four shall expire on December 31, 2018 and five shall expire on December 31, 2019.

D. Vacancies. Vacancies on the Advisory Commissions shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by expiration of term of office shall be filled only for the remainder of the unexpired term. Applications to fill the vacancy of an expiring term that have been submitted by October 31 of the year in which the term expires, or on such other date as the Common Council may deem appropriate, shall be considered for appointment to the subsequent term. In the event that a vacancy arises for reasons other than the expiration of the term, applications to fill the vacancy that have been submitted by April 30 shall be considered for appointment to the vacancy effective no later than July 1 and applications

that have been submitted by October 31 shall be considered for appointment to the vacancy effective no later than January 1 of the following year.

**§ 8-5. Meetings.**

Each Advisory Commission shall hold regular meetings once each month. Each Advisory Commission's Chairperson, or at least three Commissioners, may call special meetings as required to conduct the business of the Advisory Commission. All regular and special meetings of the Commission shall be open to the public.

**§ 8-6. Agenda.**

All meetings of the Advisory Commissions shall have an agenda which shall be available to the public before the meeting.

**§ 8-7. Quorum.**

The Advisory Commissions shall not conduct public business without the presence of a quorum, which shall be five voting members.

**§ 8-8. Records.**

Each Advisory Commission shall keep a record, which shall be open to the public view, of its resolutions, proceedings and actions. The vote or failure to vote of each voting member shall be recorded. The concurring affirmative vote of a majority of the full voting membership shall constitute approval of the adoption of any resolution, motion or other action of the Advisory Commission.

**§ 8-9. Promulgation of rules and procedures; working groups.**

- A. The Common Council may by resolution adopt such rules and procedures of the Advisory Commissions as required to conduct the business of the Advisory Commissions and which are not inconsistent with the provisions of this Chapter.
- B. Each Advisory Commission, with approval of Common Council, may adopt supplemental rules and procedures as required to conduct its business, which are not inconsistent with the provisions of this Chapter, and which are not inconsistent with all other rules and procedures applicable to the Advisory Commission adopted by the Common Council.
- C. Each Advisory Commission shall have the authority to create, and to dissolve, *ad hoc* working groups that are generally limited in purpose and scope to a particular issue or topic and that exist only for a limited duration of time. When forming a working group, the Advisory Commission shall appoint the majority of the working group's membership from the advisors serving the Advisory Commission that is forming the working group. No such working group may exist for more than one year from the date of the working group's formation, or from the date of the working group's most recent renewal, unless the Commission which formed the working group renews the working group by a majority vote.

## **Article II – Public Safety and Information Commission**

### **§ 8-10. Purpose.**

The purpose of the Public Safety and Information 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 the Ithaca Fire Department, Ithaca Police Department, emergency preparedness, public information and communication, drug abuse, gorge safety, the Ithaca Commons, noise, and special events.

### **§ 8-11. Duties.**

The duties of the Public Safety and Information Commission shall include, as needed, the following:

- A. To advise on issues related to policing, fire protection, and emergency response.
- B. To advise on emergency preparedness plans, documents, and policies.
- C. To advise on issues of public access to information and City communication with the public.
- D. To advise on issues related to substance abuse.
- E. To advise on issues related to gorge safety.
- F. To advise on issues related to the use, maintenance, and design of the Ithaca Commons so as to promote the general welfare and beneficial public use of the Ithaca Commons.
- G. To advise on issues of public health, peace, welfare, and good order with respect to noise and the regulation of noise under Chapter 240 of the City Code.
- H. To advise on issues related to special events, assemblies, and parades in the City of Ithaca, including such events considered in Chapter 132 of the City Code.
- 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, accessibility, and sustainability goals of the City and in conjunction with all appropriate Commissions, as necessary, to achieve such goals.

## **Article III – Community Life Commission**

### **§ 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.

### **§ 8-13. Duties.**

The duties of the Community Life Commission shall include, as needed, the following:

- A. To advise on issues related to art and public art in Ithaca, including public art displays, programs, and exhibitions.
- B. To advise on issues related to rental housing, including the accessibility, affordability, and quality of rental housing, tenant's rights, and such other matters considered by Chapter 258 of the City Code.
- C. To advise on issues relevant to Ithaca's youth and youth development, including rendering such advice and assistance to the Ithaca Youth Bureau regarding its operation and programs.
- D. To advise on issues impacting Ithaca's most vulnerable communities, including refugee, immigrant, and elderly communities.
- E. To advise on issues related to the college and graduate student populations of, and the administrations of, local institutions of higher education, including Cornell University, Ithaca College, and Tompkins Cortland Community College.
- F. To advise on issues of concern to Ithaca's lesbian, gay, bi-sexual, transgender, and queer communities, including fostering a sense of inclusion for all persons regardless of gender, gender identity or expression, or sexual orientation.
- G. To advise on issues relevant to diversity and the importance of diversity in Ithaca, including fostering a sense of inclusion for all persons regardless of actual or perceived age, creed, color, disability, domestic violence victim status, ethnicity, familial status, gender, gender identity or expression, height, immigration or citizenship status, marital status, military status, national origin, predisposing genetic characteristics, race, religion, sex, sexual orientation, socioeconomic status, or weight.

- H. To advise on issues of sustainability, 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, accessibility, and sustainability goals of the City and in conjunction with all appropriate Commissions, as necessary, to achieve such goals.

## **Article IV – Mobility, Accessibility, and Transportation Commission**

### **§ 8-14. Purpose.**

The purpose of the Mobility, Accessibility, and Transportation 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 mobility, accessibility, and transportation, including but not limited to bicycles, pedestrians, sidewalks, parking, traffic calming and management, public transit, multiuse trails, taxis, and accessibility for persons with disabilities.

### **§ 8-15. Duties.**

The duties of the Mobility, Accessibility, and Transportation Commission shall include, as needed, the following:

- A. To advise on issues related to bicycle and pedestrian access and infrastructure.
- B. To advise on issues related to obstacles to equal rights, access, and privileges of persons with disabilities.
- C. To advise on issues related to parking, parking garages, residential parking permits, traffic calming, and traffic management.
- D. To advise on issues related to all forms of public transit within, into, and from the City of Ithaca and the surrounding area.
- E. To advise on issues related to sidewalks, sidewalk maintenance, the sidewalk improvement districts, and multiuse trails.
- F. To advise on issues related to taxi, limousine, and livery services and all other forms of private vehicular transportation for hire.
- G. 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.

**§ 8-16. Common Council Liaison.**

One of the two Common Council Liaisons to the Mobility, Accessibility, and Transportation Commission, as set forth in Article I of this Chapter, must also be a Common Council liaison to the Board of Public Works.

**Article V – Parks, Recreation, and Natural Resources Commission**

**§ 8-17. Purpose.**

The purpose of the Parks, Recreation, and Natural Resources 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 parks, recreation, natural areas, trees, waterways and waterfront, boating, docks, the City of Ithaca Cemetery, and the Newman Municipal Golf Course.

**§ 8-18. Duties.**

The duties of the Parks, Recreation, and Natural Resources Commission shall include, as needed, the following:

- A. To advise on issues affecting the City of Ithaca's parks and open spaces, including the City of Ithaca Cemetery and the Newman Municipal Golf Course, and on the public use of, and access to, such parks and open spaces for recreation and other purposes.
- B. To advise on issues related to the conservation of the designated Natural Areas of the City of Ithaca set forth in Chapter 114 of the City Code, the public use of such areas, and education about the importance and fragility of such areas.
- C. To advise on issues related to trees and shrubs, and the maintenance thereof, in the City of Ithaca, including the provisions of Chapter 306 of the City of Ithaca Municipal Code.
- D. To advise on issues related to the City of Ithaca's waterways and waterfront, marinas, docks, boats, and boating.
- E. To advise on issues affecting the preservation, development, and use of the natural and physical features and conditions of the City of Ithaca so as to enhance the long-range value of the environment to the people of the City.
- F. To advise the Planning and Development Board or City staff on environmental assessments and environmental impact statements required under Chapter 176 of the City Code for proposed actions.

- G. 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 3. Amendments to City Code Repealing Certain Advisory Bodies.**

The City of Ithaca Municipal Code is hereby amended to repeal code provisions establishing advisory bodies to the City that are replaced by the new Commissions set forth in new Chapter 8.

- (a) The following Chapters of the City Code are repealed in their entirety:

Chapter 5, "Public Art Commission"

Chapter 12, "Bicycle/Pedestrian Advisory Council"

Chapter 22, "Circle Greenway Commission"

Chapter 45, "Disability Advisory Council"

Chapter 86, "Parks Commission"

Chapter 100, "Rental Housing Advisory Commission"

Chapter 112, "Shade Tree Advisory Committee"

Chapter 113, "Natural Areas Commission"

- (b) The following Sections of the City Code are repealed in their entirety:

Chapter 157, Section 4, "Creation of Board; responsibilities."

Chapter 4, Section 21, "Advisory Council."

- (c) The following Sections of the City Code are amended as follows:

Chapter 157, Section 3, "Definitions." The definition for "Commons Advisory Board" is removed:

~~Commons Advisory Board~~

~~That board, duly appointed by the Mayor, with approval of the Common Council, charged with various activities and/or powers relating to the Ithaca Commons by the Common Council.~~

## **Section 5. Additional Amendments to the City Code.**

To reflect the new Advisory Commissions set forth in new Chapter 8, the City Code is further amended to repeal or amend any now-mooted reference to superseded advisory bodies. Such amendments shall read as follows:

(a) Chapter 90, Section 11 is amended as follows:

Employment prohibited in department which reports to relative's board. Relatives of members of appointed boards shall not be employed within a department which is responsible to that board, i.e., Board of Public Works, ~~Board of Police Commissioners, Board of Fire Commissioners or Planning and Development Board,~~ **or Board of Zoning Appeals.**

(b) Chapter 114, Section 3 is amended as follows:

~~Natural Areas~~**Parks, Recreation, and Natural Resources** Commission. The ~~Natural Areas~~**Parks, Recreation, and Natural Resources** Commission shall be the advisory body to the Board of Public Works (and Common Council, when appropriate) that shall coordinate city and public concerns about the natural areas. ~~The purposes, duties and membership of the Commission are set forth in further detail in Chapter 113, Natural Areas Commission, of this Code.~~

(c) Chapter 114, Subsection 4(B) is amended as follows:

Except for necessary emergency repairs to the water supply system at Six Mile Creek and routine maintenance of existing facilities, no significant, permanent changes shall be made in the natural areas without prior approval from the Board of Public Works or the Common Council, acting after soliciting the advice of the ~~Natural Areas~~**Parks, Recreation, and Natural Resources** Commission. "Routine maintenance" refers to work carried out on a regular basis and according to standardized, general procedures set forth in the "ecologically-informed guidelines" described in § 114-5 of this chapter.

(d) Chapter 114, Subsection 4(C) is amended as follows:

In the event that physical change to or change in the use of any property adjacent to or within 100 feet of a designated natural area is proposed and requires nonministerial City approval of any type, the ~~Natural Areas~~**Parks, Recreation, and Natural Resources** Commission shall be notified in writing, as soon as is practical, by the involved City board or department, and shall be notified, in advance, when action may be taken on the proposal or if the nature or substance of the proposal changes.

(e) Chapter 114, Section 5 is amended as follows:

Maintenance.

Ecologically-informed general guidelines for Department of Public Works maintenance activities within the natural areas shall be promulgated and updated as necessary by the Department of Public Works, in consultation with the ~~Natural Areas~~ **Parks, Recreation, and Natural Resources** Commission, and subject to the approval of the Board of Public Works.

- (f) Chapter 114, Section 6 is amended as follows:

Restoration.

Any significant disruption of a natural area by the city shall be restored to as natural or compatible a state as practical, on the basis of a restoration plan promulgated with the advice of the ~~Natural Areas~~ **Parks, Recreation, and Natural Resources** Commission. If the Department of Public Works and the ~~Natural Areas~~ **Parks, Recreation, and Natural Resources** Commission cannot agree on the plan, the Board of Public Works shall make a final determination.

- (g) Chapter 114, Section 8 is amended as follows:

Ranger(s).

The position of Natural Area Ranger is hereby established to advise users of regulations governing the natural areas and to demonstrate the city's intention to protect said areas and enforce the regulations. The Ranger(s) shall be provided with adequate equipment to communicate readily with law enforcement agencies. The Ranger(s) shall work under the direction of the ~~Superintendent of Public Works~~ **Chief of Police** and shall consult regularly with the ~~Natural Areas~~ **Public Safety and Information** Commission.

- (h) The title of Chapter 157, Article I is amended as follows:

~~General Provisions; Commons Advisory Board~~

- (i) Chapter 157, Section 2 is amended as follows:

The purpose of this chapter is to regulate the use and maintenance of the Ithaca Commons so as to promote the general welfare and public use of said area. **In addition to the authorities vested in the Superintendent of Public Works and the Board of Public Works set forth in this Chapter, the Public Safety and Information Commission shall have the authority to advise on issues related to the use, maintenance, and design of the Ithaca Commons so as to promote the general welfare and beneficial public use of the Ithaca Commons.**

- (j) Chapter 157, Subsection 5(A) is amended as follows:

Permit classes. Commons use permits will be required for all events, activities, displays, exhibits, commercial sales and other uses of the Commons. Such use permits will be issued in accordance with the provisions of this section. General classes of permits that will be referred to the Superintendent or the ~~Commons Advisory Board~~ **Board of Public Works** include:

(k) Chapter 157, Subsection 5(B) is amended as follows:

#### Permit Issuance

- (1) All requests for permits must be submitted to the Superintendent's office. The Superintendent may ask for additional information and/or request a personal appearance before the ~~Commons Advisory Board~~ **Board of Public Works for a hearing** to present the details of a permit application **and, if the Superintendent deems it appropriate, for a vote by the Board of Public Works on such permit application.**
- (2) Review of permit requests shall include scheduling of specific time, duration, and location of the proposed use or activity. It may also include any special conditions or restrictions that should be placed on the permit. Permits will be approved by the Superintendent for a specific activity, specific date, specific time period, and specific location on the Commons.
- (3) The ~~Commons Advisory Board~~ **Board of Public Works** shall serve as an appeals board for people whose permit applications have been denied **by the Superintendent** or who feel that unreasonable restrictions have been placed **by the Superintendent** upon their permit.
- (4) When a request is approved or conditionally approved by the ~~Board~~ **Superintendent**, the issuance of a permit will be authorized subject to any conditions which have been imposed by the ~~Board~~ **Superintendent** or which may be required by the City. Permits will be issued by the Superintendent. The applicant will be notified of the ~~Board's~~ **Superintendent's** decision within five business days after a decision has been rendered.
- (5) Any permit which has been reviewed and approved by either the Superintendent or the ~~Commons Advisory Board~~ **Board of Public Works** may be revoked or amended if it is determined that the activity for which the permit was issued is not being carried out in a manner that meets the terms of the permit.
- (6) If a request for a permit is denied by the ~~Board~~ **Superintendent**, the applicant will be informed of the reasons therefor, in writing, within five business days of the decision.
- (7) The Superintendent will be responsible for notifying appropriate City staff of permit issuance.

~~(8) A record of all Board actions will be maintained pursuant to applicable laws.~~

(l) Chapter 157, Subsection 5(C) is hereby deleted in its entirety.

(m) Chapter 157, Subsection 6(A)(6) is amended as follows:

Comply with all of the applicable conditions and guidelines as set forth by ~~the Commons Advisory Board and~~ the City of Ithaca.

(n) Chapter 157, Subsection 6(A)(7) is amended as follows:

Provide a security deposit, when required by the Superintendent of Public Works, ~~or the Commons Advisory Board,~~ to cover anticipated cleaning and repair costs.

(o) Chapter 157, Subsection 7(A)(3) is amended as follows:

Requests for multiple permitted events (three or more) in a calendar year by a single user requires approval by the ~~Commons Advisory Board~~ **Superintendent**. Requests for weekly recurring events will be considered by the ~~Commons Advisory Board~~ **Superintendent** for Mondays, Tuesdays, and Wednesdays.

(p) Chapter 157, Subsection 7(A)(7) is amended as follows:

Sale of merchandise on the sidewalks or public thoroughfares on the Primary/Secondary Commons shall not be permitted without a valid permit, except that the sale of event-specific items and items related to, and being sold by, a not-for-profit organization, or a business located on the Primary/Secondary Commons, shall be allowed pursuant to approval and permit by the Superintendent and/or ~~Commons Advisory Board~~ **Superintendent**.

(q) Chapter 157, Subsection 7(A)(13) is amended as follows:

Overnight sleeping on the Commons is prohibited except upon approval of a permit by the ~~Commons Advisory Board~~ **Board of Public Works**.

(r) Chapter 157, Section 8 is amended as follows:

Amplified sound, lights and other electrical equipment.

A. Except by special permit issued by the ~~Commons Advisory Board~~ **Superintendent** or designee, no person shall operate or cause to be operated on the Ithaca Commons any boom box, tape recorder, radio or other device for electronic sound amplification in a loud, annoying or offensive manner such that noise from the device interferes with conversation or with the comfort, repose, health or safety of others. Refer to City of Ithaca Municipal Code Chapter 240, entitled "Noise," for further information.

- B. Except by special permit issued by the ~~Commons Advisory Board~~**Superintendent** or designee, no person shall operate or cause to be operated any boom box, stereo system, tape recorder, radio or other device from on or inside any building on the Ithaca Commons, the sound from which is directed outside towards the pedestrian area.
- C. The provisions of Subsections A and B above shall not apply to emergency warning devices, sirens, alarms or other devices being used solely for public safety purposes.
- D. Amplified sound may be used between 11:00 a.m. and 2:00 p.m. Monday through Friday and 5:00 p.m. and 9:00 p.m. Sunday through Thursday. On Friday, amplified sound is allowed from 5:00 p.m. to 10:00 p.m. and on Saturday, amplified sound is allowed from 10:00 a.m. to 10:00 p.m. Performers are required to schedule 20 minutes of quiet time for every hour of amplified sound. Approval of a noise permit by the ~~Commons Advisory Board~~**Superintendent** or designee is required. Sound levels are subject to immediate volume reduction upon request by any City official, or staff member of the Downtown Ithaca Alliance, ~~or member of the Commons Advisory Board~~. Requests to extend the hours of amplified sound may be made to the ~~Commons Advisory Board~~**Board of Public Works**.
- E. The use of supplemental lighting, movie and slide projectors and any other type of electrical equipment or display will be carefully reviewed by the Superintendent, City Electrician, and the ~~Commons Advisory Board~~**Special Events Committee** so as to minimize nuisance or hazard conditions.

(s) Chapter 157, Subsection 12(D) is amended as follows:

The permit shall not be transferable and is revocable at any time should the permit holder fail to comply fully with the terms of the permit. The permit shall be valid for the duration of the owner's lease or ownership of premises on the Commons or for a period of one year, whichever is shorter. The permit shall be renewable annually upon application to the Superintendent. The permit fee shall be set by the ~~Commons Advisory Board~~**Board of Public Works or Common Council**. No more than two permits shall be issued for each residential or commercial unit. In the case of a business that requires the presence of animals to perform the function of the business, one permit shall cover the business and all of its customers. In addition, a valid New York State dog license is required, and must be presented at the time of application for the permit.

(t) Chapter 157, Subsection 12(E) is amended as follows:

The ~~Commons Advisory Board~~**Superintendent** shall review each application for a business permit and shall grant such permit upon the following conditions:

- (u) Chapter 157, Section 14 is amended as follows:

Newsracks.

The Downtown Ithaca Alliance shall administer the placement of newsracks on the Commons. Requests to use the newsracks will be considered in accordance with the policy approved by the ~~Commons Advisory Board~~ **Board of Public Works**.

- (v) Chapter 157, Section 19 is amended as follows:

Fees.

Permit and use fees will be established by the ~~Commons Advisory Board~~ **Board of Public Works or Common Council** in consultation with the ~~Board of Public Works~~. Fees may be waived or reduced by the ~~Commons Advisory Board~~ **Board of Public Works or Common Council** if deemed in the best interest of the community. All fees shall be paid at the time the permit is issued.

- (w) Chapter 157, Subsection 20(A) is amended as follows:

Street performers and acoustical musicians may perform on the Commons between 10:00 a.m. and 9:00 p.m. Sunday through Thursday and 10:00 a.m. and 10:00 p.m. on Friday and Saturday. All street performers shall locate along the edge of the fire lane and must remain mobile at all times in case emergency vehicles require access to the area. Performance equipment and materials may not be left unattended. Street performers must move to a different location every 45 minutes. The ~~Commons Advisory Board~~ **Superintendent** reserves the right to designate specific areas for street performers.

- (x) Chapter 157, Subsection 20(B) is amended as follows:

The use of amplified sound or fire during a performance is only allowed by permit from the ~~Commons Advisory Board~~ **Superintendent**. Loud-natured acoustical instruments such as horns, drums and other percussion instruments require a noise permit from the ~~Commons Advisory Board~~ **Superintendent**. Performers are responsible for monitoring and controlling the volume of sound they make and must reduce the volume upon the request of the Ithaca Police Department, City staff, **or** Downtown Ithaca Alliance staff, ~~or a member of the Commons Advisory Board~~.

- (y) Chapter 157, Subsection 21(B)(12) is amended as follows:

If the agreement is terminated for cause, the agreement period shall end immediately, and no refunds will be issued. Notice of proposed suspension or revocation of an agreement for outdoor dining shall be given in writing, setting forth specifically the grounds of the complaint. The applicant shall have a right to a hearing in front of the ~~Commons Advisory Board~~ **Board of Public Works** on the proposed revocation or suspension.

(z) Chapter 157, Subsection 21(B)(13) is amended as follows:

The ~~Commons Advisory Board~~ **Board of Public Works** shall have the right to terminate or reinstate the agreement. Such decision shall become effective immediately.

(aa) Chapter 157, Subsection 21(D) is amended as follows:

Appeals for denied agreements. Any person or group that has been denied an agreement for outdoor dining on the Ithaca Commons may appeal such decision to the ~~Commons Advisory Board~~ **Board of Public Works**. Such appeal shall be submitted, in writing, to the Superintendent's office within 10 days from the date of denial. The ~~Commons Advisory Board~~ **Board of Public Works** may act to sustain the original decision or to revise it, with or without conditions.

(bb) Chapter 157, Subsection 22(C)(7) is amended as follows:

Lighting: lighting can be used for preparing and serving food and illuminating a menu. Decorative lighting is not permitted unless approved by the ~~Commons Advisory Board~~ **Superintendent**. Lighting not approved by the ~~Commons Advisory Board~~ **Superintendent** must be removed immediately.

(cc) Chapter 157, Subsection 22(C)(14) is amended as follows:

Tables: no freestanding tables. Built in, folding-down tables attached to the actual vendor cart are acceptable, provided they have been approved by the ~~Commons Advisory Board~~ **Superintendent**.

(dd) Chapter 157, Section 23 is amended as follows:

Mobile vending locations.

The ~~Commons Advisory Board~~ **Board of Public Works** is authorized to determine appropriate locations where vending shall take place. The Superintendent's office shall maintain and make available to the public a map of approved vending locations.

(ee) Chapter 157, Section 24 is amended as follows:

Hours of operation.

Operating hours for mobile vending carts are between 10:00 a.m. and 10:00 p.m. Carts must be removed from the Primary Commons between the hours of 10:00 p.m. and 9:00 a.m. Vendors who wish to operate outside regular hours must obtain permission from the ~~Commons Advisory Board~~ **Superintendent**.

(ff) Chapter 157, Subsection 25(A) is amended as follows:

The Superintendent may issue agreements for mobile vending on the Primary Commons pursuant to the Mobile Vending Map, which is approved by the ~~Commons Advisory Board~~ **Board of Public Works** annually. The Superintendent may refuse to issue an agreement:

(gg) Chapter 157, Subsection 27(C) is amended as follows:

Vending hours are from 10:00 a.m. to 10:00 p.m. unless special permission is granted by the ~~Commons Advisory Board~~ **Superintendent**.

(hh) Chapter 157, Subsection 27(F) is amended as follows:

All vendors must maintain the submitted list of items for sale and prices throughout the agreement period unless special permission is granted by the Superintendent or the ~~Commons Advisory Board~~ **Superintendent**.

(ii) Chapter 157, Subsection 28(B) is amended as follows:

If the agreement is terminated for cause, the agreement period shall end immediately, and no refunds will be issued. Notice of proposed suspension or revocation of an agreement for mobile vending shall be given in writing, setting forth specifically the grounds of the complaint. The vendor shall have a right to a hearing on the proposed revocation or suspension before the ~~Commons Advisory Board~~ **Board of Public Works** no sooner than 10 days after requesting such a hearing, in writing. Grounds for termination include, but are not limited to:

(jj) Chapter 157, Subsection 28(C) is amended as follows:

The ~~Commons Advisory Board~~ **Board of Public Works** shall have the right to terminate or reinstate the agreement. Such decision shall become effective immediately.

(kk) Chapter 157, Section 31 is amended as follows:

Appeals for denied agreements.

Any person or group that has been denied an agreement to vend on the Commons may appeal such decision to the ~~Commons Advisory Board~~ **Board of Public Works**. Such appeal shall be submitted in writing to the Superintendent's office within 10 days from the date of denial. The ~~Commons Advisory Board~~ **Board of Public Works** may act to sustain the original decision or to revise it, with or without conditions.

(ll) Chapter 157, Section 32 is amended as follows:

Limited waivers and exceptions.

The ~~Commons Advisory Board~~**Superintendent** is authorized to grant limited waivers and exceptions to the provisions of this chapter, as appropriate and for temporary periods not to exceed one week in duration. Such waivers and exceptions shall be subject to any appropriate review by ~~the Superintendent~~, the Fire Department, or the Police Department, **or other affected department**.

(mm) Chapter 170, Subsection 5(A) is amended as follows:

The authority to grant approval for a permit for a use located on the primary or secondary Ithaca Commons (for outdoor dining, mobile vending, events, exhibits, freestanding signs and temporary planters) is and shall be vested in the ~~Commons Advisory Board~~**Board of Public Works** or its designee, subject to the provisions of Chapter 157, Commons, of this Code.

(nn) Chapter 170, Subsection 6(C) is amended as follows:

The placement of public art upon City-owned property is regulated by Chapter ~~58~~, **Article III, Public Art** **Community Life** Commission, of this Code, rather than by this chapter.

(oo) Chapter 170, Subsection 12(A)(1) is amended as follows:

For property that is part of the Ithaca Commons: the ~~Commons Advisory Board~~**Board of Public Works**, pursuant to Chapter 157 of this Code;

(pp) Chapter 170, Subsection 12(B) is amended as follows:

Factors to be considered. In considering whether to grant such approval, the ~~Commons Advisory Board~~**Board of Public Works** or the Superintendent may, in their discretion, consult with other appropriate City officials and boards, and shall consider the following factors:

(qq) Chapter 176, Subsection 3(J) is amended as follows:

The City of Ithaca ~~Conservation Advisory Council~~**Parks, Recreation, and Natural Resources Commission** has no specific responsibility for implementing the Environmental Quality Review Ordinance, except that its input and assistance shall be solicited for all actions for which a short or long environmental assessment form has been prepared and for all action for which a positive declaration is made or a draft environmental impact statement is prepared.

(rr) Chapter 176, Subsection 6(A)(4)(d) is amended as follows:

Any City agency receiving or filling out an environmental assessment form shall, within five days, provide a copy of the document to the Chairperson of the ~~Conservation Advisory Council~~**Parks, Recreation, and Natural Resources**

**Commission** and to the Common Council liaisons to the ~~Conservation Advisory Council~~ **Parks, Recreation, and Natural Resources Commission** for their comments and recommendations.

(ss) Chapter 181, Subsection 3(C)(1) is amended as follows:

An annual fee shall be assessed to each premises which has a master fire alarm box which interconnects the building fire alarm system with the municipal fire alarm system. This fee shall be the reasonable and expected costs associated with the maintenance of the municipal fire alarm system, as developed through the program budget accounting system. This cost will be divided by the number of master fire alarm boxes connected to the system, as documented by the Fire Chief. The fee for a master box connection shall be calculated each year and approved by the ~~Board of Fire Commissioners~~ **Fire Chief**. Upon approval, the Fire Chief shall send notices of such charge and the locations of each master box to the City Chamberlain, but not sooner than March 1 of each year.

(tt) Chapter 181, Subsection 3(B)(3) is amended as follows:

The ~~Board of Fire Commissioners of the City~~ **Common Council** shall have the power to make such additional rules, regulations, conditions and restrictions not inconsistent herewith as it may deem proper and desirable.

(uu) Chapter 215, Section 8 is amended as follows:

Fire departments; fire companies and volunteer fire associations.

It shall be an unlawful discriminatory practice for any fire department or fire company therein, through any member or members thereof, officers, ~~board of fire commissioners or other~~ body or office having power of appointment of volunteer firefighters, directly or indirectly, by ritualistic practice, constitutional or bylaw prescription, by tacit agreement among its members, or otherwise, to deny to any individual membership in any volunteer fire department or fire company therein, or to expel or discriminate against any volunteer member of a fire department or fire company therein, based on the actual or perceived age; creed; color; disability; ethnicity; familial status; gender; height; immigration or citizenship status; marital status; national origin; race; religion; sexual orientation; socioeconomic status; or weight of such individual.

(vv) The definition for "Decorative Banner," set forth in Chapter 272, Section 3, is amended as follows:

#### DECORATIVE BANNER

Cloth banners designed for long-term use that are not intended to act as signage to advertise a specific business or the sale of a specific product. Decorative banners may, however, contain sponsor tags, if they are part of a formally approved program by the ~~Public Art~~ **Community Life** Commission.

(ww) Chapter 272, Subsection 6(A)(6)(b) is amended as follows:

Upon receipt of a proposal for a mural for any property subject to the provisions of Chapter 160, Design Review, or Chapter 325, Zoning, Article VIII, Courthouse Special Use Zone, or Chapter 228, Landmarks Preservation, of this Code, or facing such property, the Director of Planning and Development or designee shall notify the Planning and Development Board, the ~~Public Art~~**Community Life** Commission, and/or the Landmarks Commission, as applicable, for their information and any appropriate action and shall so inform the applicant.

(xx) Chapter 272, Subsection 8(B) is amended as follows:

Exemptions. Temporary signs advertising an event for less than 10 days are exempt from the permit requirement, provided that the sign be removed immediately following the event. Signs temporarily advertising the sale, lease or rental of the premises upon which the sign is located, temporary political posters, and signs denoting the architects, engineers and/or contractors placed on premises where construction, repair or renovation is in progress are also exempt from the permit requirement, as provided in § 272-6 above. Decorative cloth banners designed for long-term use, reviewed by the ~~Public Art~~**Community Life** Commission and as approved by the Building Department, are exempt from the permit time period. However, should the banner become damaged or severely worn, it must be removed immediately.

(yy) Chapter 276, Subsection 3(B)(1) is amended as follows:

The Director shall have the authority to review and act on a development proposal if the proposed project meets the description in § 276-3A but is below the thresholds described below. For such projects of limited scope, reviewed by the Director, a public hearing is not required. The Planning and Development Department shall be the lead agency in the environmental review of such projects, except for projects that meet the description in § 276-3A(2), which shall follow environmental review laws or regulations for determination of lead agency. There shall be no requisite review of the environmental assessment forms (EAF) by the ~~Conservation Advisory Council (CAC)~~**Parks, Recreation, and Natural Resources Commission** in these cases. See § 276-5C for situations when projects of limited scope will be referred to the Board for a full review. The upper thresholds for projects of limited scope are:

(zz) Chapter 276, Subsection 7(B)(4) is amended as follows:

For projects on City property, the City Forester and the ~~Shade Tree Advisory Committee~~**Parks, Recreation, and Natural Resources Commission** shall be consulted in plant species selection and planting soil specification.

(aaa) Chapter 306, Section 1 is amended as follows:

Purpose.

This chapter regulates the planting, maintenance, protection and removal of trees and shrubs on public streets, parks and other city-owned property; ~~provides for a Shade Tree Advisory Committee~~; and establishes the office of a City Forester in the Department of Public Works. This chapter also provides for the issuing of permits for the planting, maintenance, protection and removal of trees and shrubs in city-owned places.

(bbb) Chapter 306, Subsection 4(B) is amended as follows:

The City Forester, in consultation with the ~~Shade Tree Advisory Committee (STAC)~~ **Parks, Recreation, and Natural Resources Commission** and the Board of Public Works, shall have the authority to implement and enforce the provisions of this chapter.

(ccc) Chapter 306, Subsection 4(C) is amended as follows:

In furtherance of the purposes of this chapter, the Board of Public Works, in consultation with the City Forester and the ~~STAC~~ **Parks, Recreation, and Natural Resources Commission**, shall have the authority to adopt rules and regulations regarding arboricultural specifications and standards of practice and such additional rules and regulations as the Board determines are necessary. These regulations shall govern the planting, maintenance, removal, fertilization, pruning and protection of trees and shrubs on public streets, parks or other city property.

(ddd) Chapter 306, Subsection 5(F) is amended as follows:

Requests from private citizens that new street trees be planted near their property shall be accommodated in accordance with planting priorities set by the City Forester in consultation with the ~~STAC~~ **Parks, Recreation, and Natural Resources Commission** and the Board of Public Works.

(eee) Chapter 320, Subsection 1(B)(6) is amended as follows:

Ecologically informed guidelines for Department of Public Works maintenance activities within the Six Mile Creek Natural Area shall be promulgated by the Department of Public Works, in consultation with the Six Mile Creek Advisory Committee, ~~Circle Greenway, the Parks Commission and the Conservation Advisory Council~~ **Parks, Recreation, and Natural Resources Commission**, and subject to the approval of the Board of Public Works.

(fff) Chapter 320, Subsection 4(B) is amended as follows:

The Board of Public Works is authorized to grant specific, revocable exceptions to any of the above prohibitions, upon consultation with the ~~Natural Areas Commission~~ **Parks, Recreation, and Natural Resources Commission** and a finding of special circumstances. When granting such an exception, the Board shall retain the right of the city to impose reasonable conditions intended to protect public safety, the water supply system or the natural environment or to control the city's potential liability.

(ggg) Chapter 320, Section 5 is amended as follows:

Ranger(s).

The position of Natural Area Ranger is hereby established to advise users of regulations governing the natural areas and to demonstrate the city's intention to protect said areas and enforce the regulations. The Ranger(s) shall be provided with adequate equipment to communicate readily with law enforcement agencies. The Ranger(s) shall work under the direction of the ~~Superintendent of Public Works~~ **Chief of Police** and shall consult regularly with the ~~Natural Areas~~ Public Safety and Information Commission.

(hhh) Chapter 325, Subsection 46(C)(3)(b)[2][b] is amended as follows:

Concept memo. The Planning Committee directs the Planning and Development staff to draft a memorandum explaining the concept of the proposed zoning change. The memorandum is referred to the Planning and Development Board, the **four Advisory Commissions of the City**, ~~Conservation Advisory Council~~, the City Attorney, the City Engineer, the Director of Planning and Development, and other relevant boards, commissions, or City departments, for review and comment.

(iii) Chapter 325, Subsection 46(C)(3)(b)[2][d] is amended as follows:

Amendment first draft. The Planning Committee directs the Planning and Development staff in conjunction with the City Attorney to draft the proposed change. Environmental review is initiated. If possible, the Planning Committee Chairperson reviews the draft. The draft, edited by the Chairperson, is circulated to the Attorney, the Department of Planning, Building and Economic Development, the Engineering Department, the ~~Conservation Advisory Council~~ **Parks, Recreation, and Natural Resources Commission**, the Planning and Development Board and other relevant boards, commissions or City departments.

### **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 immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter, but only after the filing of Local Law \_\_\_-2017 in the office of the Secretary of State, after that Local Law's approval by the electorate at referendum, but at no time earlier than January 1, 2018.

**9.3 A Local Law Entitled “Amendment of the City of Ithaca Charter and Code to Reflect New Advisory Commissions Established by Companion Ordinance.”**

WHEREAS, in 2011, the City of Ithaca contracted with an outside consulting firm to evaluate the city’s organizational structure as it relates to performance measurement and efficiencies; and

WHEREAS, in February of 2012, the Common Council convened at a retreat to look at the report’s recommendations in greater depth and develop and prioritize a work plan; and

WHEREAS, one of the report’s recommendations regarding the Board of Public Works was expanded to consider a comprehensive analysis of all boards and committees and was assigned to the now-defunct Government Performance and Accountability Committee; and

WHEREAS, on May 4, 2016, the Common Council unanimously passed a resolution establishing a Boards and Committees Restructuring Working Group (the “Working Group”) to gather input from existing boards and committees, and the public, on possible models for restructuring, and to propose to the City Administration Committee a realigned structure for the City’s boards and committees; and

WHEREAS, the Working Group has engaged in diligent analysis, received input from the existing boards and committees and public, and developed a new advisory commission structure as set forth in Ordinance No. 2017-\_\_\_, a companion ordinance to this local law, creating Chapter 8, “Advisory Commissions,” in the City Code; and

WHEREAS, portions of the City Charter and Code must be amended by Local Law to reflect the new Advisory Commissions; now, therefore

**LOCAL LAW 2017-**

**BE IT 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 of fact:

1. The current boards and committees organizational structure is confusing to the public and challenging for citizens to understand how to participate.
2. The Comprehensive Plan includes the following public participation goals, which will be better realized by the new Advisory Commission structure to be adopted by separate ordinance:
  - a. All members of the community will know of and have opportunities to participate in governing and decision-making processes of interest to them.

- b. The City's active outreach to the community will support high-quality public participation.
  - c. All members of the community will feel confident that their voices will be taken seriously and given respect in City decision-making processes that are important to them.
  - d. All members of the community will know how to access information about decisions being made and what information is informing those decisions, and all this information will be easily accessible to the public
3. As a result of limited City staff resources coupled with a large number of boards and committees, many boards and committees lack regular administrative and support staff, limiting their effectiveness.
4. Many issues that come before Common Council lack a corresponding board or committee to vet the issues, gather public input, and develop recommendations for Common Council.
5. Under the current boards and committees structure, there is overlap between several boards and committees causing inefficiencies, wasted resources, and breakdowns in communication. The practice of appointing liaisons from one board or committee to another only partially addresses these breakdowns.
6. The recruitment, application, and appointment process necessary to fill all positions in the current boards and committees' structure is cumbersome, time consuming, and leads to long vacancies on the boards and committees.
7. Chapter 8, "Advisory Commissions," is, therefore, to be added to the City Code to create four "umbrella" Advisory Commissions with thirty-six appointed voting members that will replace twelve existing boards, commissions, and committees.

Based upon the above findings, the intent and purpose of this Local Law is to amend the Charter and City Code to recognize the new Advisory Commissions. Specifically, this Local Law repeals those portions of the Charter and Code that created the Board of Fire Commissioners and Conservation Advisory Council, each to be replaced by the Advisory Commissions created by Ordinance 2017-\_\_\_, and amends additional provisions of the Charter or Code that are impacted by the establishment of the Advisory Commissions.

### **Section 2. Charter Amendments.**

To reflect the creation of Chapter 8 of the City of Ithaca Municipal Code established in Ordinance 2017-\_\_\_, and the Advisory Commissions set forth therein, the City of Ithaca Charter requires various amendments.

(a) Subsection C-5(C)(1) of the Charter is amended as follows:

Members of boards, councils and commissions: the six Commissioners of the Board of Public Works, the nine members of the Public Safety and Information Commission, the nine members of the Community Life Commission, the nine members of the Mobility, Accessibility, and Transportation Commission, the nine members of the Parks, Recreation, and Natural Resources Commission, the 10 members of the Workforce Diversity Advisory Committee, ~~the eleven members of the Bicycle Pedestrian Advisory Council,~~ the three members of the Building Code Board of Appeals, ~~the five Commissioners of the Board of Fire Commissioners,~~ the five members of the Board of Zoning Appeals, the three members of the Civil Service Commission, ~~the 11 members of the Commons Advisory Board,~~ the nine members of the Community Police Board, ~~the nine members of the Conservation Advisory Council,~~ the five members of the Design Review Board, ~~the 12 members of the Disability Advisory Council,~~ the three members of the Examining Board of Electricians, the three members of the Examining Board of Plumbers, the five members of the Housing Board of Review, the five members of the Ithaca Housing Authority, the seven members of the Ithaca Landmarks Preservation Commission, the five members of the Ithaca Urban Renewal Agency, ~~the nine members of the Parks Commission,~~ the seven members of the Planning and Development Board, ~~the nine members of the Rental Housing Advisory Commission,~~ ~~the six or more members of the Shade Tree Advisory Committee,~~ the 10 members of the Natural Areas Commission, the five members of Pegasys Access Oversight Committee, ~~the seven members of the Public Art Commission,~~ and ~~the nine members of the Youth Bureau Board,~~ all of whom shall be appointed by the Mayor in accordance with the provisions of the Charter or the ordinances or resolutions which create such boards, commissions or councils.

(b) Subsection C-23(B) of the Charter is amended as follows:

Prior to payment of any bill, claim or demand against the City, ~~the Board of Fire Commissioners,~~ the Board of Public Works or the Common Council, as the case may be, shall certify that the materials, supplies or equipment have been received according to purchase order or that the work, labor or service has been rendered according to order or contract.

(c) Article VI of the Charter, Sections C-93 - C-99, is amended as follows:

§ C-93 Fire Department. All such persons as are now or shall hereafter be members of any fire company now organized in the City of Ithaca ~~or which may hereafter be organized by the Board of Fire Commissioners herein provided~~ shall be and continue a body corporate by the name of the "Ithaca Fire Department," and such corporation, through ~~its Board of Fire Commissioners~~ the Common Council of the City of Ithaca, is authorized to purchase, receive by gift or otherwise hold and convey real and personal property for the use of said corporation; provided, however, that the title of all real property shall be vested in the name of the City of

Ithaca and the purchase or conveyance of any real property shall be subject to the approval of the Common Council of said City.

~~§ C-94 Membership, terms and compensation of Board. There shall be a Board of Fire Commissioners, consisting of five Commissioners appointed by the Mayor and confirmed by the Common Council. At least three of these Commissioners shall be residents of the City of Ithaca. The remaining Fire Commissioners may be residents of either the City of Ithaca or the Town of Ithaca in Tompkins County, New York. The term of office of a Fire Commissioner shall be three years, commencing on the first day of July, two Commissioners to be appointed in each of two successive years and one Commissioner to be appointed in the third year. Such appointments shall be made at a meeting of the Common Council held in June of each year. A Commissioner shall hold office until the Commissioner's successor shall have been chosen and qualified. A vacancy for an unexpired term may be filled in the manner provided in this Charter. Permanent removal from the municipality of appointment, or other cause to be determined by the Common Council, rendering impossible the proper discharge of the Commissioner's duties as a Commissioner shall create a vacancy.~~

~~§ C-95 Organization and meetings of Board. At their first meeting in July, the Fire Commissioners shall organize as a Board by electing one of their number as Chairperson and another as Vice Chairperson, and by the appointment of a Clerk and such other officers and employees as authorized for the ensuing year. The Board shall hold such stated and special meetings at such times as the Board may determine, but at least once in each month. Three members of the Board shall constitute a quorum.~~

~~§ C-96 Powers and duties of Board~~ **the Common Council relevant to the Fire Department.** It shall be its duty and said Board of Fire Commissioners **The Common Council of the City of Ithaca, or its designee,** shall have power:

- ~~A. To assume control and management of all apparatus, fire alarm systems, equipment, appliances, supplies, buildings and employees exclusively in the Fire Department service.~~
- ~~B. To organize new companies and to disband any Department company, subject to the approval of the Common Council; to admit new members and to transfer members, upon application and certification of company officers, from one company to another; and to try, reprimand, suspend or expel any member or officer of any company for cause.~~
- ~~C. To authorize and direct the payment of bills and accounts incurred by it and to make such rules and regulations in regards to the auditing and payment of such bills and accounts and for the payment of all amounts payable out of the moneys appropriated to the use of the Board as it may deem necessary and proper, and the same shall be paid by the City Chamberlain. The Board shall file monthly with the Common Council a detailed statement of all bills and expenses paid, together~~

~~with the original vouchers therefor, and shall render to the Common Council at such other times as may be required either by the Mayor or by the Common Council an itemized statement of all its receipts and disbursements properly classified and showing the balance on hand at the beginning and at the close of the period covered; and at the close of each fiscal year, it shall submit an annual statement showing by suitable summaries the expenses and income of the Department. Whenever requested by either the Mayor or the Common Council, the Board shall also furnish any additional information in regard to its work or the cost thereof.~~

~~D. To submit to the Common Council, on or before the first day of May in each year, an estimate of the amount of money necessary to cover the expenses of maintenance of the Department, including all salaries and wages, equipment and supplies and for the maintenance, heating, lighting and ordinary repairs of buildings.~~

~~E. To make and promulgate from time to time such rules, regulations and bylaws as it may deem necessary and expedient for the government and discipline of the Department not inconsistent with this Charter or the ordinances of the City of Ithaca or of the laws or Constitution of this state or of the United States.~~

~~**FA.** To be trustees of all moneys now constituting the Active Firemen's Relief Fund, together with 1/2 of all moneys that may hereafter be received by the City of Ithaca as a Fire Department tax on premiums on policies of foreign and alien fire insurance companies pursuant to §§ 9104 and 9105 of the Insurance Law (except the amount payable under the provisions of such law to the Firemen's Association of the State of New York), together with any other moneys, gifts or property whatsoever acquired for relief or benefit purposes, to be accumulated as a relief fund for sick, indigent or disabled fire fighters, with power to draw upon such fund for temporary relief and benefits only, as the Common Council shall determine. Said moneys shall not be used for any other purposes, except that the ~~Board~~**Common Council** may, at any time, distribute such Fire Department tax moneys so received equally among each of the volunteer fire companies of the City for the use and benefit of the Ithaca Fire Department and the company or companies comprising the same so long as the balance of said relief fund shall be at least the sum of \$90,000. Said ~~Board~~**Common Council** shall have full power and authority to invest such funds in any investments legal for trust funds under the laws of the State of New York. At the close of each fiscal year and at such other times as the Common Council shall require, said Board of Fire Commissioners, as such trustees, shall submit to the Common Council a detailed accounting of such fund.~~**The City Chamberlain shall have authority to disburse such monies over which Common Council acts as Trustee.**

~~**GB.** To be trustees of all moneys now constituting the Veteran Volunteer Firemen's Relief Fund and to pay the interest thereon to the Veteran Volunteer Firemen's Association of Ithaca annually. **The City Chamberlain shall have authority to disburse such monies over which Common Council acts as Trustee.**~~

- (1) ~~Said Board~~ **Common Council** is further authorized to pay from the principal of such fund from time to time such amounts as it may deem necessary or desirable for the relief of any sick, indigent or disabled member of the Veteran Volunteer Firemen's Association of Ithaca, but the total amount so paid to any one member shall not exceed the sum of \$200. Such expenditures from principal shall be made, however, only upon the written recommendation of the Board of Trustees and President of said Association. Said Veteran Volunteer Firemen's Association of Ithaca is hereby authorized to adopt any further regulation or restriction relating to the expenditure of the principal of such fund not inconsistent herewith as it may deem desirable for the preservation of the fund and for the purpose of limiting properly the amount to be withdrawn and the use thereof.
- (2) ~~Said Board of Fire Commissioners~~ **Common Council** shall also pay to the Veteran Volunteer Firemen's Association of Ithaca on March 1 and September 1 of each year 1/2 of all moneys received by the City of Ithaca pursuant to the provisions of § 9104 of the Insurance Law of the State of New York as a Fire Department Tax on premiums on policies on foreign and alien fire insurance companies, except the amount payable under the provisions of such law to the Firemen's Association of the State of New York. ~~Said Board~~ **Common Council** shall have full power and authority to invest such funds in any investments legal for trust funds under the laws of the State of New York.
- (3) ~~At the close of each fiscal year and at such other times as the Common Council shall require, said Board of Fire Commissioners and said Veteran Volunteer Firemen's Association of Ithaca, New York, shall submit to the Common Council a detailed accounting of such fund.~~

~~H To divide the employees of the Fire Department into platoons and prescribe the tours of duty for said employees. Such tours of duty shall be in accordance with § 1015 of the Unconsolidated Laws, except that, in the event of conflagrations or riots or other emergencies, said employees shall remain on duty, subject to the orders of their superiors, and shall receive an extra allowance based on their salary if they are required to perform their duties during such period of emergency at a time when they usually would be off duty or receive compensatory time off as provided in § 1015 of the Unconsolidated Laws.~~

~~C-97 Limitation of expenditures. Said Board of Fire Commissioners shall in no year expend a sum or incur any indebtedness in excess of the amounts appropriated by the Common Council for the use of said Fire Department and the amounts made available pursuant to the Local Finance Law, and such Commissioners shall be personally liable for any expenditure or indebtedness incurred in excess of such appropriations.~~

~~C-98 (Reserved)~~

~~C-99 Student bunkers; workers' compensation. The Board of Fire Commissioners of the City of Ithaca is hereby authorized to contract with student bunkers at the various fire stations so that said bunkers will be covered by Workers' Compensation pursuant to § 3, Article 1, Subdivision 1, Group 19, and § 50 of the Workers' Compensation Law of the State of New York, and such Workers' Compensation coverage is hereby extended to said student bunkers.~~

**Section 3. Code Amendments.**

To reflect the creation Chapter 8 of the City of Ithaca Municipal Code established in Ordinance 2017-\_\_\_, and the Advisory Commissions set forth therein, the following provisions of the City Code are hereby repealed in their entirety:

Chapter 31, "Conservation Advisory Council."

**Section 4. Severability Clause.**

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

**Section 5. Mandatory Referendum and Effective Date.**

This Local Law shall be submitted to a referendum at the next feasible general election. This Local Law shall take effect upon the filing of the Local Law in the office of the Secretary of State, after approval by the electorate at referendum, but at no time earlier than January 1, 2018.

10. **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE:**

10.1 **An Ordinance Amending The Municipal Code Of The City Of Ithaca, Chapter 325, Entitled "Zoning," to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern, and Amend Allowable Uses in B-2, B-5, & CBD Districts**

A. **Declaration of Lead Agency – Resolution**

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

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

WHEREAS, the proposed zoning amendment is a "Type I" Action pursuant to the City of Ithaca Environmental Quality Review Ordinance, (CEQR), §176-4 which requires review under CEQR; now, therefore, be it

**RESOLVED**, That Common Council of the City of Ithaca does hereby declare itself lead agency for the environmental review for the adoption of amendments to The Municipal Code of the City Of Ithaca, Chapter 325, Entitled "Zoning," to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern, and to Amend the Allowable Uses in B-2, B-5, & CBD Districts.

**B. Determination of Environmental Significance – Resolution**

WHEREAS, The Common Council is considering a proposal to amend the Municipal Code of the City Of Ithaca, Chapter 325, Entitled “Zoning,” To include definitions for Urban Beverage Producer, Large Beverage Producer, and Tavern, and also to amend the allowable uses in the B-2, B-5, and CBD zones; and

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

WHEREAS, the proposed action is a “TYPE I” 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 FEAF prepared by planning staff; now, therefore, be it

**RESOLVED**, That this Common Council, as lead agency in this matter, hereby adopts as its own the findings and conclusions more fully set forth on the Full Environmental Assessment Form, dated May 21, 2017; 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.

### C. Adoption of Ordinance

#### ORDINANCE NO. 2017-

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

**Section 1.** Section 325-3B, entitled, "Definitions and Word Usage," is hereby amended to add the following definitions:

**Urban Beverage Producer** — An establishment licensed by the State of New York to sell beverages containing less than 16% alcohol (whether beer, cider, wine) at retail with limited manufacturing and wholesale privileges. An urban beverage manufacture may not produce more than 5,000 barrels (beer) or 75,000 gallons (wine, cider, other beverages) of alcoholic beverages annually at any location. An urban beverage producer must offer on-site consumption, but may also produce beverages for off-site sale. An urban beverage producer may also have a restaurant in or adjacent to it, as permitted by law. Any silos for storage of raw materials may not exceed 25 feet in height (including any supporting structures) in areas where there is no fire department ladder truck access, and a may not exceed 40 feet in height (including any supporting structures) in areas where there is fire department ladder truck access. In addition, silos must contain some sort of filtration to prevent grain or dust from escaping when the silo is being filled or emptied.

**Large Beverage Producer** — An establishment licensed by the State of New York to manufacture alcohol (whether beer, cider, wine and/or liquor) with wholesale and retail privileges. A Large Producer may not produce more than ~~4575~~,000 barrels (beer) or 250,000 gallons (wine, cider, other beverages) of alcoholic beverages annually at any location. A Large Producer may have a restaurant in or adjacent to it, as permitted by law. Any silos for storage of raw materials must be no more than 25 feet in height (including any supporting structures) for areas where there is no fire department ladder truck access, and a maximum of 40 feet in height (including any supporting structures) in areas where there is fire department ladder truck access. In addition, silos must contain some sort of filtration to prevent grain or dust from escaping when the silo is being filled or emptied.

**Tavern** — An establishment for the sale of beer and other alcoholic beverages to be consumed on the premises, sometimes also serving food.

**Section 2.** Section 325-8 of the Municipal Code of the City of Ithaca, entitled District Regulations, is hereby amended in order to add Urban Beverage producer as an allowable primary use in the B-2a district and a Large Beverage Producer as an allowable use in the B-5-I-1 district.

**Section 3.** Section 325-8 of the Municipal Code of the City of Ithaca, entitled District Regulations, is further amended to add the following allowable accessory use in the B-2 zones: Incidental parking for any uses allowed in any of the B2 zones.

**Section 4.** The City Planning and Development Board, the City Clerk and the Planning Department shall amend the District Regulations Chart in accordance with the amendments made herewith.

**Section 5.** Severability. Severability is intended throughout and within the provisions of this local law. If any section, subsection, sentence, clause, phrase or portion of this local law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portion.

**Section 6.** Effective date. This ordinance shall take effect immediately and in accordance with law upon publication of notices as provided in the Ithaca City Charter.


**CITY OF ITHACA**
**108 East Green Street — 3rd Floor Ithaca, New York 14850-5690**
**DEPARTMENT OF PLANNING, BUILDING, ZONING, & ECONOMIC DEVELOPMENT**  
**Division of Planning & Economic Development**

JOANN CORNISH, DIRECTOR OF PLANNING &amp; ECONOMIC DEVELOPMENT

PHYLLISA A. DeSARNO, DEPUTY DIRECTOR FOR ECONOMIC DEVELOPMENT

 Telephone: Planning & Development – 607-274-6550      Community Development/IURA –  
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Fax: 607-274-6558

Fax: 607-274-6558

To: Planning and Economic Development Committee

From: Jennifer Kuszniir, Economic Development Planner

Date: June 9, 2017

**Re: Proposal to Amend Chapter 325, Entitled “Zoning,” to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern, and Amend Allowable Uses in B-2, B-5, & CBD Districts**

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The purpose of this memo is to provide information regarding a proposal to establish definitions for Beverage Producer, Large beverage Producer, and Tavern, and to establish them as permitted uses in specific zones.

This proposal was previously discussed at the May Planning and Economic Development Committee meeting. At that meeting staff was directed to circulate the ordinance for comments. At the request of the Committee an environmental review of this action has been completed, and the draft Full Environmental Assessment Form and ordinance are enclosed. The proposed ordinance and environmental assessment have been circulated to the City Planning Board, the Conservation Advisory Council, the Tompkins County Planning Department and various other City staff and departments. No comments have been received regarding this proposal. Also enclosed for your consideration is a resolution establishing lead agency for this action and a resolution for environmental significance. If you have any concerns or questions regarding any of this information, feel free to contact me at 274-6410.



**CITY OF ITHACA**

**FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF)**

**Purpose:** The Full Environmental Assessment Form (FEAF) is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently there are aspects of a proposed action that are subjective or immeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be aware of the broader concerns affecting the question of significance.

The FEAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**FEAF Components:**

- Part 1:** Provide objective data and information about a given action and its site. By identifying basic project data, it assists in a review of the analysis that takes place in Parts 2 and 3.
- Part 2:** Focus on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially large, then Part 3 is used to evaluate whether or not the impact is actually important.

**THIS AREA IS FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE—TYPE I AND UNLISTED ACTIONS**

**Identify the Portions of FEAF completed for this action:**  Part 1     Part 2     Part 3

Upon review of the information recorded on this FEAF (Parts, 2, and 3, if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the Lead Agency that:

- A.** The Proposed Action **will not** result in any large and important impact(s) and is one that will not have a significant impact on the environment; therefore, **A NEGATIVE DECLARATION WILL BE PREPARED.**
- B.** Although the proposed action could have a significant impact on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required; therefore, **A CONDITIONED NEGATIVE DECLARATION WILL BE PREPARED.**  
\*
- C.** The proposed action may result in one or more large and important impacts that may have a significant impact on the environment; therefore, **A POSITIVE DECLARATION WILL BE PREPARED.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action:        **Proposal to Amend Chapter 325, Entitled “Zoning” to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern; to Amend Allowable Uses in B-2, B-5, & CBD Districts; and to amend the allowable accessory uses in B-2 Zones to include incidental parking.**

Name of Lead Agency: **City of Ithaca**

Name & Title of Responsible Officer in Lead Agency: **Mayor Svante Myrick**

Signature of Responsible Officer in Lead Agency: \_\_\_\_\_

Name & Title of Preparer: **Jennifer Kuszniir, Economic Development Planner**

Signature of Preparer: 

Date: **May 21, 2017**

**FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF)**  
**PART 1—PROJECT INFORMATION**

**NOTICE:** This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3. It is expected that completion of the Full Environmental Assessment Form (FEAF) will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

<b>Name of Action: Prop osal to Amend Chapter 325, Entitled “Z oning” to Include Definitions for Urban Beverage Producer, Large Beverage Producer, &amp; Tavern; to Amend Allowable Uses in B-2, B-5, &amp; CBD Districts; and to amend the allowable accessory uses in B-2 Zones to include incidental parking.</b>		
Location of Action: <b>City of Ithaca</b>		
Name of Applicant/Sponsor: <b>City of Ithaca</b>		
Address: <b>108 E. Green St. (City Hall)</b>		
City/Town/Village: <b>Ithaca</b>	State: <b>NY</b>	ZIP: <b>14850</b>
Business Phone: <b>607-274-6550</b>		
Name of Owner(if different): <i>n/a</i>		
Address: <i>n/a</i>		
City/Town/Village: <i>n/a</i>	State: <i>n/a</i>	ZIP: <i>n/a</i>
Business Phone: <i>n/a</i>		
Description of Action: <b>The action being considered is a proposal to amend Chapter 325, Entitled “Zoning,” to Include Definitions for Urban Beverage Producer, Large Beverage Producer, &amp; Tavern; to Amend Allowable Uses in B-2, B-5, &amp; CBD Districts; and to amend the allowable accessory uses in B-2 Zones to include incidental parking.</b>		

## A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

<b>1. Present Land Use:</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Public <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural <input type="checkbox"/> Other: _____		
<b>2. Total area of project area: ~6.1 sq. mi. (Chosen units apply to following section also)</b>		
<b>Approximate Area (Units in question 2 apply to this section)</b>	<b>Currently</b>	<b>After Completion</b>
<b>2a.</b> Meadow or Brush land (non-agricultural)		
<b>2b.</b> Forested		
<b>2c.</b> Agricultural		
<b>2d.</b> Wetland [as per Articles 24 of Environmental Conservation Law (ECL)]		
<b>2e.</b> Water Surface Area		
<b>2f.</b> Public		
<b>2g.</b> Water Surface Area		
<b>2h.</b> Unvegetated (rock, earth or fill)		
<b>2i.</b> Roads, buildings and other paved surfaces	<b>~6.1 sq. mi.</b>	<b>~6.1 sq. mi.</b>
<b>2j.</b> Other (indicate type)		
<b>3a.</b> What is predominant soil type(s) on project site (e.g. HdB, silty loam, etc.): <i>n/a</i>		
<b>3b.</b> Soil Drainage: <i>n/a</i> <input type="checkbox"/> Well-Drained _____% of Site <input type="checkbox"/> Moderately Well Drained _____% of Site <input type="checkbox"/> Poorly Drained _____% of Site		
<b>4a.</b> Are there bedrock outcroppings on project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>4b.</b> What is depth of bedrock? <i>n/a</i> (feet)		
<b>4c.</b> What is depth to the water table? <i>n/a</i> (feet)		
<b>5.</b> Approximate percentage of proposed project site with slopes: <i>n/a</i>	<input type="checkbox"/> 0-10% _____% <input type="checkbox"/> 10-15% _____%	
	<input type="checkbox"/> 15% or greater _____%	
<b>6a.</b> Is project substantially contiguous to, or does it contain a building, site or district, listed on or eligible for the National or State Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>6b.</b> Or designated a local landmark or in a local landmark district?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>7.</b> Do hunting or fishing opportunities presently	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	

exist in the project area?	If yes, identify each species:
----------------------------	--------------------------------

**SITE DESCRIPTION (concluded)**

8. Does project site contain any species of plant or animal life that is identified as threatened or endangered?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A According to: Identify each Species:
9. Are there any unique or unusual landforms on the project site? (i.e., cliffs, other geological formations)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Describe:
10. Is the project site presently used by the community or neighborhood as an open space or recreation area?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If yes, explain:
11. Does the present site offer or include scenic views known to be important to the community?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Describe:
12. Is project within or contiguous to a site designated a Unique Natural Area (UNA) or critical environmental area by a local or state agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Describe:
13. Streams within or contiguous to project area:	a. Names of stream or name of river to which it is a tributary: <u>N/A</u>
14. Lakes, ponds, wetland areas within or contiguous to project area: <u>n/a</u>	a. Name: b. Size (in acres):
15. Has the site been used for land disposal of solid or hazardous wastes?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Describe:
16. Is the site served by existing public utilities?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
a. If Yes, does sufficient capacity exist to allow connection?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
b. If Yes, will improvements be necessary to allow connection?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

## B. PROJECT DESCRIPTION

<b>1.</b> Physical dimensions and scale of project (fill in dimensions as appropriate)
<b>1a.</b> Total contiguous area owned by project sponsor in acres: <u>N/A</u>
<b>1b.</b> Project acreage developed: <u>NA</u> initially <u>NA</u> ultimately
<b>1c.</b> Project acreage to remain undeveloped: <u>N/A</u>
<b>1d.</b> Length of project in miles: (if appropriate) <u>N/A</u> or feet: <u>N/A</u>
<b>1e.</b> If project is an expansion, indicate percent of change proposed: <u>N/A</u>
<b>1f.</b> Number of off-street parking spaces existing: <u>N/A</u> proposed: <u>N/A</u>
<b>1g.</b> Maximum vehicular trips generated (upon completion of project) per day: <u>N/A</u> and per hour: <u>N/A</u>
<b>1h.</b> Height of tallest proposed structure: feet. <u>N/A</u>
<b>1j.</b> Linear feet of frontage along a public street or thoroughfare that the project will occupy? <u>N/A</u>
<b>2.</b> Specify what type of natural material (i.e. rock, earth, etc.) and how much will be removed from the site: <u>N/A</u> or added to the site: <u>N/A</u>
<b>3.</b> Specify what type of vegetation (trees, shrubs, ground cover) and how much will be removed from the site: acres: <u>N/A</u> type of vegetation: <u>N/A</u>
<b>4.</b> Will any mature trees or other locally important vegetation be removed by this project? <u>N/A</u>
<b>5.</b> Are there any plans for re-vegetation to replace that removed during construction? <u>N/A</u>
<b>6.</b> If single phase project, anticipated period of construction <u>N/A</u> months, (including demolition)
<b>7.</b> If multi-phased project, anticipated period of construction <u>N/A</u> months, (including demolition)
<b>7a.</b> Total number of phases anticipated: <u>N/A</u>
<b>7b.</b> Anticipated date of commencement for first phase <u>N/A</u> month <u>N/A</u> year (including demolition)
<b>7c.</b> Approximate completion date of final phase <u>N/A</u> month <u>N/A</u> year.
<b>7d.</b> Is phase one financially dependent on subsequent phases? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>8.</b> Will blasting occur during construction? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A; if yes, explain:
<b>9.</b> Number of jobs generated: during construction <u>0</u> after project is completed <u>0</u>
<b>10.</b> Number of jobs eliminated by this project: <u>0</u> Explain:
<b>11.</b> Will project require relocation of any projects or facilities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A; if yes, explain:
<b>12a.</b> Is surface or subsurface liquid waste disposal involved? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A; if yes, explain:
<b>12b.</b> If #12a is yes, indicate type of waste (sewage, industrial, etc): <u>N/A</u>
<b>12c.</b> If surface disposal, where specifically will effluent be discharged? <u>N/A</u>
<b>13.</b> Will surface area of existing lakes, ponds, streams, or other surface waterways be increased or decreased by proposal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A; if yes, explain:
<b>14a.</b> Will project or any portion of project occur wholly or partially within or contiguous to the 100 year flood plain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

- 14b.** Does project or any portion of project occur wholly or partially within or contiguous to: **Cayuga Inlet Fall Creek, Cascadilla Creek, Cayuga Lake, Six Mile Creek, Silver Creek?** (Circle all that apply.)
- 14c.** Does project or any portion of project occur wholly or partially within or contiguous to wetlands as described in Article 24 Of the ECL?  Yes  No  N/A;
- 14d.** If #14a, b or c is yes, explain: N/A
- 15a.** Does project involve disposal or solid waste?  Yes  No  N/A
- 15b.** If #15a is yes, will an existing solid waste disposal facility be used?  Yes  No  N/A
- 15c.** If #15b is yes, give name of disposal facility: N/A and its location:
- 15d.** Will there be any wastes that will not go into a sewage disposal system or into a sanitary landfill?  Yes  No  N/A; if yes, explain:
- 15e.** Will any solid waste be disposed of on site?  Yes  No  N/A; if yes, explain:
- 16.** Will project use herbicides or pesticides?  Yes  No  N/A; if yes, specify:
- 17.** Will project affect a building or site listed on or eligible for the National or State Register of Historic Places or a local landmark or in a landmark district?  Yes  No  N/A; if yes, explain:
- 18.** Will project produce odors?  Yes  No  N/A; if yes, explain:
- 19.** Will project product operating noise exceed the local ambient noise level during construction?  Yes  No  N/A; After construction?  Yes  No  N/A
- 20.** Will project result in an increase of energy use?  Yes  No  N/A; if yes, indicate type(s) N/A
- 21.** Total anticipated water usage per day: gals/day. N/A Source of water N/A

### C. ZONING & PLANNING INFORMATION

- 1.** Does the proposed action involve a planning or zoning decision?  Yes  No  N/A; if yes, indicate the decision required:  
 Zoning Amendment  Zoning Variance  New/Revision of Master Plan  Subdivision  
 Site Plan  Special Use Permit  Resource Management Plan  Other:
- 2.** What is the current zoning classification of site? B-2a, B-2b, B-2c, B-2d, B-4, B-5, CBD-50, CBD-60, CBD-85, CBD-100, CBD-120, CBD-140, , I-1, WEDZ-1a, WEDZ-1b, , SW-1, SW-2, SW-3, WF-1, WF-2,
- 3.** If the site is developed as permitted by the **present** zoning, what is the maximum potential development?  
N/A

4. Is proposed use consistent with present zoning?  Yes  No  N/A

5. If #4 is no, indicate desired zoning: N/A

6. If the site is developed by the **proposed** zoning, what is the maximum potential development of the site?  
N/A

7. Is the proposed action consistent with the recommended uses in adopted local land-use plans?  
 Yes  No  N/A; If no, explain:

8. What is the dominant land use and zoning classification within a ¼ mile radius of the project?  
N/A

9. Is the proposed action compatible with adjacent land uses?  Yes  No  N/A Explain:

10a. If the proposed action is the subdivision of land, how many lots are proposed? N/A

10b. What is the minimum lot size proposed? N/A

11. Will the proposed action create a demand for any community-provided services? (recreation, education, police, fire protection, etc.) ?  Yes  No  N/A Explain:  
If yes, is existing capacity sufficient to handle projected demand?  Yes  No  N/A  
Explain: N/A

12. Will the proposed action result in the generation of traffic significantly above present levels?  
 Yes  No  N/A If yes, is the existing road network adequate to handle the additional traffic?  
 Yes  No  N/A Explain:

## D. APPROVALS

1. Approvals: **Common Council Adoption**

2a. Is any Federal permit required?  Yes  No  N/A; Specify:

2b. Does project involve State or Federal funding or financing?  Yes  No  N/A; If Yes, Specify:

2c. Local and Regional approvals:

Agency	Yes/No	Type of Approval Required	Submittal Date	Approval Date
COMMON COUNCIL	YES	ADOPTION		
Board of Zoning Appeals (BZA)	No			

Planning & Development Board	<b>No</b>			
Ithaca Landmarks Preservation Commission (ILPC)	<b>No</b>			
Board of Public Works (BPW)	<b>No</b>			
Fire Department	<b>No</b>			
Police Department	<b>No</b>			
Building Commissioner	<b>No</b>			
Ithaca Urban Renewal Agency	<b>No</b>			

## **E. INFORMATIONAL DETAILS**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

## **F. VERIFICATION**

I certify the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name: City of Ithaca (Jennifer Kuszniir)

Signature: 

Title: Economic Development Planner

**City of Ithaca Full Environmental Assessment Form (FEAF)**

**Part 2 — Project Impacts**

**Proposal to Amend Chapter 325, Entitled “Zoning” Entitled “Zoning,” to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern; to Amend Allowable Uses in B-2, B-5, & CBD Districts; and to amend the allowable accessory uses in B-2 Zones to include incidental parking.**

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON LAND</b>			
<b>1. Will there be an effect as a result of a physical change to project site?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Any construction on slopes of 15% or greater (15-foot rise per 100 feet of length) or where general slope in the project exceeds 10%.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction on land where depth to the water table is less than 3 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction of parking facility/area for 50 or more vehicles.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction that will continue for more than 1 year or involve more than one phase or stage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Evacuation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction of any new sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction in designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Will there be an effect on any unique land forms found on the site (i.e., cliffs, gorges, geological formations, etc.)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Specific land forms (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
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<b>IMPACT ON WATER</b>			
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<b>3. Will project affect any water body designated as protected (under article 15 or 24 of Environmental Conservation Law, E.C.L.)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
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Developable area of site contains protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Dredging more than 100 cubic yards of material from channel of protected stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Extension of utility distribution facilities through protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
--	--------------------------	--------------------------	--

Construction in designated freshwater wetland.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
--	--------------------------	--------------------------	--

Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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<b>4. Will project affect any non-protected existing or new body of water?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
--	--	--	--

A 10% increase or decrease in surface area of any body of water or more than 10,000 sq. ft. of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Construction, alteration, or conversion of body of water that exceeds 10,000 sq. ft. of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Fall Creek, Six Mile Creek, Cascadilla Creek, Silver Creek, Cayuga Lake, or Cayuga Inlet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON WATER (cont.)</b>			
<b>5. Will project affect surface or groundwater quality?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Project will require discharge permit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project requires use of source of water that does not have approval to serve proposed project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Construction or operation causing any contamination of a public water supply system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project will adversely affect groundwater.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Liquid effluent will be conveyed off the site to facilities which do not currently exist or that have inadequate capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project requiring a facility that would use water in excess of 20,000 gallons per day or 500 gallons per minute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will require storage of petroleum or chemical products greater than 1,100 gallons.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON WATER (cont.)</b>			
<b>6. Will project alter drainage flow, drainage patterns, or surface water runoff?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Project would impede floodwater flows.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project is likely to cause substantial erosion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Project is incompatible with existing drainage patterns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**IMPACT ON AIR**

**7. Will project affect air quality?**  Yes  No

Project will induce 500 or more vehicle trips in any 8-hour period per day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project will result in the incineration of more than 2.5 tons of refuse per 24-hour day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project emission rate of all contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTUs per hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	<b>Small-to-Moderate Impact</b>	<b>Potential Large Impact</b>	<b>Can Impact Be Reduced by Project Change?</b>
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**IMPACTS ON PLANTS AND ANIMALS**

**8. Will project affect any threatened or endangered species?**  Yes  No

Reduction of any species, listed on New York or Federal list, using the site, found over, on, or near site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Application of pesticide or herbicide more than twice a year other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

**9. Will proposed action substantially affect non-threatened or non-endangered species?**

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Proposed action would substantially interfere with any resident or migratory fish, or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action requires removal or more than ½ acre of mature woods or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON AESTHETIC RESOURCES</b>			
<b>10. Will proposed action affect views, vistas, or visual character of the neighborhood or community?</b> <input type="checkbox"/>			
Yes <input checked="" type="checkbox"/> No			
Proposed land uses or proposed action components obviously different from, or in sharp contrast to, current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed land uses or proposed action components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will result in elimination or major screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES</b>			
<b>11. Will proposed action impact any site or structure of historic, prehistoric, or paleontological importance?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Proposed action occurring wholly or partially within, or contiguous to, any facility or site listed on or eligible for the National or State Register of Historic Places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Proposed action occurring wholly or partially within, or contiguous to, any site designated as a local landmark or in a landmark district.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON OPEN SPACE AND RECREATION</b>			
<b>12. Will the proposed action affect the quantity or quality of existing or future open spaces, or recreational opportunities?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
The permanent foreclosure of a future recreational opportunity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
A major reduction of an open space important to the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON UNIQUE NATURAL AREAS OR CRITICAL ENVIRONMENTAL AREAS</b>			
<b>13. Will proposed action impact the exceptional or unique characteristics of a site designated as a unique natural area (UNA) or a critical environmental area (CEA) by a local or state agency?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Proposed action to locate within a UNA or CEA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will result in reduction in the quality of the resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will impact use, function, or enjoyment of the resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON TRANSPORTATION</b>			
<b>14. Will there be an effect to existing transportation systems?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Alteration of present patterns of movement of people and/or goods.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will result in major traffic problems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON ENERGY</b>			
<b>15. Will proposed action affect community's sources of fuel or energy supply?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Proposed action causing greater than 5% increase in any form of energy used in municipality.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action requiring creation or extension of an energy transmission or supply system to serve more than 50 single- or two-family residences.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON NOISE AND ODORS</b>			
<b>16. Will there be objectionable odors, noise, glare, vibration, or electrical disturbance during construction of, or after completion of, this proposed action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Blasting within 1,500 feet of a hospital, school, or other sensitive facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Odors will occur routinely (more than one hour per day).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Proposed action will produce operating noise exceeding local ambient noise levels for noise outside of structure.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will remove natural barriers that would act as noise screen.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other impacts (if any):</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON PUBLIC HEALTH</b>			
<b>17. Will proposed action affect public health and safety?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Proposed action will cause risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there will be chronic low-level discharge or emission.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action may result in burial of "hazardous wastes" in any form (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action may result in excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous wastes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will result in handling or disposal of hazardous wastes (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc., including wastes that are solid, semi-solid, liquid, or contain gases).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Small-to-Moderate Impact	Potential Large Impact	Can Impact Be Reduced by Project Change?
<b>IMPACT ON PUBLIC HEALTH (cont.)</b>			
Storage facilities for 50,000 or more gallons of any liquid fuel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Use of any chemical for de-icing, soil stabilization, or control of vegetation, insects, or animal life on the premises of any residential, commercial, or industrial property in excess of 30,000 square feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD</b>			
<b>18. Will proposed action affect the character of the existing community?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
The population of the city in which the proposed action is located is likely to grow by more than 5% of resident human population.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
The municipal budgets for capital expenditures or operating services will increase by more than 5% per year as a result of this proposed action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will conflict with officially adopted plans or goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will cause a change in the density of land use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will replace or eliminate existing facilities, structures, or areas of historic importance to the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Development will create demand for additional community services (e.g., schools, police, and fire, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will set an important precedent for future actions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will relocate 15 or more employees in one or more businesses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<b>Small-to-Moderate Impact</b>	<b>Potential Large Impact</b>	<b>Can Impact Be Reduced by Project Change?</b>
<b>IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD (cont.)</b>			
Other impacts (if any):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

19. Is there public controversy concerning the proposed action?  Yes  No  Unknown

— If any action in Part 2 is identified as a potential large impact,  
or if you cannot determine the magnitude of impact, proceed to Part 3 —

**City of Ithaca Full Environmental Assessment Form (FEAF)**  
**Part 3 — Explanation of Impacts**

**Proposal is to Amend Chapter 325, Entitled “Zoning” to Include Definitions for Urban Beverage Producer, Large Beverage Producer, & Tavern; to Amend Allowable Uses in B-2, B-5, & CBD Districts ; and to amend the allowable accessory uses in B-2 Z ones to include incidental parking.**

Project Impacts

The proposal being evaluated will add Urban Beverage Producer as an allowable use in the B-2 districts and subsequent districts that allow B-2 uses, and will allow Large Beverage Producers in the B-5 districts and subsequent districts that allow B-5 uses. These uses are compatible with the uses that are already permitted in these zones. Any projects that are proposed will need to undergo separate environmental review.