

Town of Ithaca Planning Committee
Thursday, November 29, 2018

Committee Members: Rich DePaolo, Chair; Rod Howe and Pat Leary

Board/Staff Members Present: Bill Goodman; Susan Ritter, Bruce Bates, Dan Tasman.

Guests: Bill Reed (Chain Works District); several others.

- 1. Persons to be heard:** None
- 2. Committee announcements and concerns:** None
- 3. Consider October meeting minutes:** Approved with no changes.
- 4. Consider revisions to Chain Works District Planned Development Zone (PDZ) language:**

Sue explained that the revised (11/21/18) PDZ document reflects changes from the October meeting. The previously redlined language, approved by the committee in October, has been incorporated into this document and the new redlined edits are those changes requested at the October meeting. There are still yellow highlighted sections that need consideration and most of the Design Guidelines section remains to be reviewed by the committee. Sue also reported that she received Susan Brock's (attorney for town) comments, but because Susan only received the revised PDZ last week, Sue would be reporting her comments verbally during the meeting.

The committee went through the document reviewing the redlined and yellow highlighted text and considering comments from Susan Brock. The committee concurred with the new redlined changes shown in the draft (and described/listed in the October minutes) and discussed the following new proposed changes:

271-17.2 Transect Subzone

The term "Transect Subzone" is use interchangeable with "Transect Subarea", in this section and elsewhere. For consistency, use "Subarea" throughout the document, including the zoning map.

Zoning map:

The committee agreed to adjust the boundary between CW2A and CW2B. CW2A will be shifted to a narrow section along 96B, similar to CW3A. CW2A was created for the purposes of having a lower height limit along the road and this change maintains that goal.

271-17.3 Permitted principal and accessory uses

Use Table and associated key:

Use "SP" to denote uses that require special approval, instead of "P".

Use table/Residential care:

Keep the term "ancillary" in the description for adult day health care, etc.

Use table/Day care center:

The garbled language was corrected in the description to: "...or adult day program for children and adults in a protective setting." Also, for each legislative reference, the period will be replaced with a dash.

Use table/Home occupation:

The Town Code reference needs to be corrected to: 270-219.2.

271-17.4 Neighborhood design

(2)(b) Public/open space table:

For Green/square and Pocket Park types, add symbol “≥” for the “perimeter with street frontage” threshold to indicate that the dimension can be greater or equal to the value indicated.

(2)(d) Public and open space configuration:

At the end of the second sentence that begins with “The outer edge of a public or open space area must have as much direct frontage on a thoroughfare as possible...” add the following: “The preceding sentence does not apply to trail/linear parks.” In the table it indicates n/a for perimeter with street frontage and the added statement creates concurrence with that.

(4) Utilities:

Delete those utilities that must be underground or that cannot be underground, to read as: Permanent utilities (natural gas [if any], district heating/cooling, electricity, wired communications) must be underground”.

271-17.5 Site and building design

(2) Building types and disposition:

Move the second sentence, “Zoning code (or successor code) provisions allowing certain building features to encroach beyond setback or height limits also apply” to its own new subsection. It currently appears out of place, but it is a relevant statement that should come after the building type section.

(3) Other Buildings:

Clarify what a “corner side elevation” is by adding a description in the definitions section.

271-17.6 Design Guidelines

(1) Precedent image:

CW2A – Town houses, fix the last statement on the page to read “This image exhibits medium sized housing types including townhouses and small apartment in small scale traditional buildings.”

The committee did not complete the review of the Building Guidelines in section 271-17.6. This will be picked up at the December meeting.

Staff will investigate the question of solar reflectivity. There are differing opinions about this. In the northeast, heating in the winter is more energy intensive than cooling in the summer, so roof reflectivity may be less important, or even undesirable from an energy perspective. The figures come from LEED, and while possibly not appropriate for small residential buildings in the northeast, they may be appropriate for some large buildings. Consideration of light colored roofs and their visual impact was also discussed.

For the architectural requirements, staff prepared a help document that explains in words and graphics the different requirements. The document also provides input on how some of the standards can be improved.

271-17.7 Definitions

Per attorney advice, the committee agreed to put back in the Definitions section, those definitions that were removed previously because of duplication with the Use Table.

271-17.8 Administration

A. Site plan

The PDZ is missing site plan requirements and staff will need to come back with proposed language.

5. Discuss interpretation of rental registry law:

Bruce explained two issues that were recently raised that are not clearly addressed in the rental registry law. One dealt with the renting of units in a housing cooperative and the other pet/house sitting.

Bill noted that since this issue deals with EcoVillage, and he is a resident there, that he will stay out of the discussion. But he did offer to provide a description of how a cooperative housing arrangement works. He explained that people don't own real estate with cooperative housing, instead they are shareholders in a corporation and the corporation owns the real estate. As a shareholder you own an indefinite lease to your unit, but the cooperative is the actual owner. Under the bylaws for EcoVillage, a shareholder can sublease their unit for up to one year with permission from the Board of Directors, and subleases can be for successive years. There are a number of subleases at EcoVillage, so the question of how this works with the rental registry has come up.

Rich raised the point that under the town law it is the owner that is required to get the operating permit and the law also requires a local contact.

Bruce suggested exempting coops from the law given that there is ample oversight from the entity already. If there are any issues, the complaints can be directed to the Board of Directors who have oversight. There are only two co-ops in the town that this would affect, EcoVillage and Longhouse.

Rich reviewed the rationale for the rental registry (health/safety, misuse of accessory apartment provision and architectural issues). He asked Bill how the Board of Directors determines whether to approve a sublease and what is their criteria.

Bill explained that for a tenant/shareholder to sublease they must go through an application process, and issues such as whether the shareholder has been following all the rules is a consideration. The shareholder is required to introduce the subletter(s) to the neighborhood and the subletter must also go through a membership process. Each year requires reconsideration of the sublease application.

The committee agreed to exempt cooperatives from the rental requirements given the amount of oversight that is already involved. Bruce said that he would work with Susan Brock on potential language.

The other question was whether housesitting/petsitting, where the sitter pays the cost of the utilities but not the rent, would be required to apply to the rental registry.

After some discussion, the committee agreed that house/pet sitting should be exempt and requested staff to devise language, with help from the attorney for the town, and bring it back to the committee for consideration.

6. Discuss next meeting date and upcoming agenda items:

Next meeting is Thursday, December 20th starting at 4:00 pm.

Agenda topics:

- Continue review of draft Chain Works District PDZ
- Discussion potential modification to rental registry law