

CITY OF TONAWANDA
TECHNIQUES FOR LOCAL IMPLEMENTATION
OF THE PROGRAM

As noted throughout this program, the City of Tonawanda has an excellent chance to capitalize on the recreational and economic development opportunities present along their shoreline. The City is fortunate to have approximately 70% of their waterfront in public ownership. It has also had the foresight to preserve a 50 ft. right of way along the shore for recreational development within the pending residential complex at the Niagara River and Barge Canal confluence. The proximity of these water bodies to the central business district and dense urban neighborhoods can hasten the integration of waterfront amenities into the City's urban fabric. It is essential, therefore, that a clearly defined blueprint for carrying out the LWRP be identified and followed by the City. An implementation blueprint is provided on page V-13 of this program. It identifies the regulatory, planning, management, and capital actions necessary to successfully undertake the LWRP. The lead agencies and timetable for completion are also shown.

The following pages briefly describe existing implementation mechanisms, and list additional mechanisms appropriate for realization of local waterfront policy objectives. The latter are included within the blueprint.

A. LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

1. Existing Local Laws and Regulation

- a. City of Tonawanda Zoning Ordinance: This local law divides the City into eight zoning districts which regulate uses, densities, bulk, yard, and parking requirements.

The zoning law is particularly relevant to that portion of the City's central business district lying within the waterfront revitalization area. The law ensures that future land uses and supplementary items (i.e. signs, parking) are consistent with adopted waterfront policy objectives.

- b. Sewers Ordinance: This local law regulates wastewater disposal procedures in the City. Developments are required to connect to public sewers (Article II and Section 51-5, 51-10). Prior approval for industrial discharges is required (Sections 51-27,28). The discharge of storm water into sanitary sewers is prohibited (Sections 51-21, 25). Untreated discharges into natural outlets are prohibited (Section 51-3).
- c. Excavation: Removal and Storage of Materials Ordinance: This local law establishes standards for soil erosion mitigation procedures and for site grading to ensure proper drainage (Section 23-5).
- d. Park Rules and Regulations: This local law establishes restrictions on littering, fires, animals, etc. within municipal parks. Given the large amount of waterfront devoted to parkland, this law directly affects waterfront use and promotes public enjoyment of a valuable recreation and scenic resource.
- e. Flood Damage Preservation Ordinance: This law is intended to minimize and prevent public and private damage due to flood conditions in specific areas. Standards are established and a procedure for securing a development permit in flood prone areas is described.

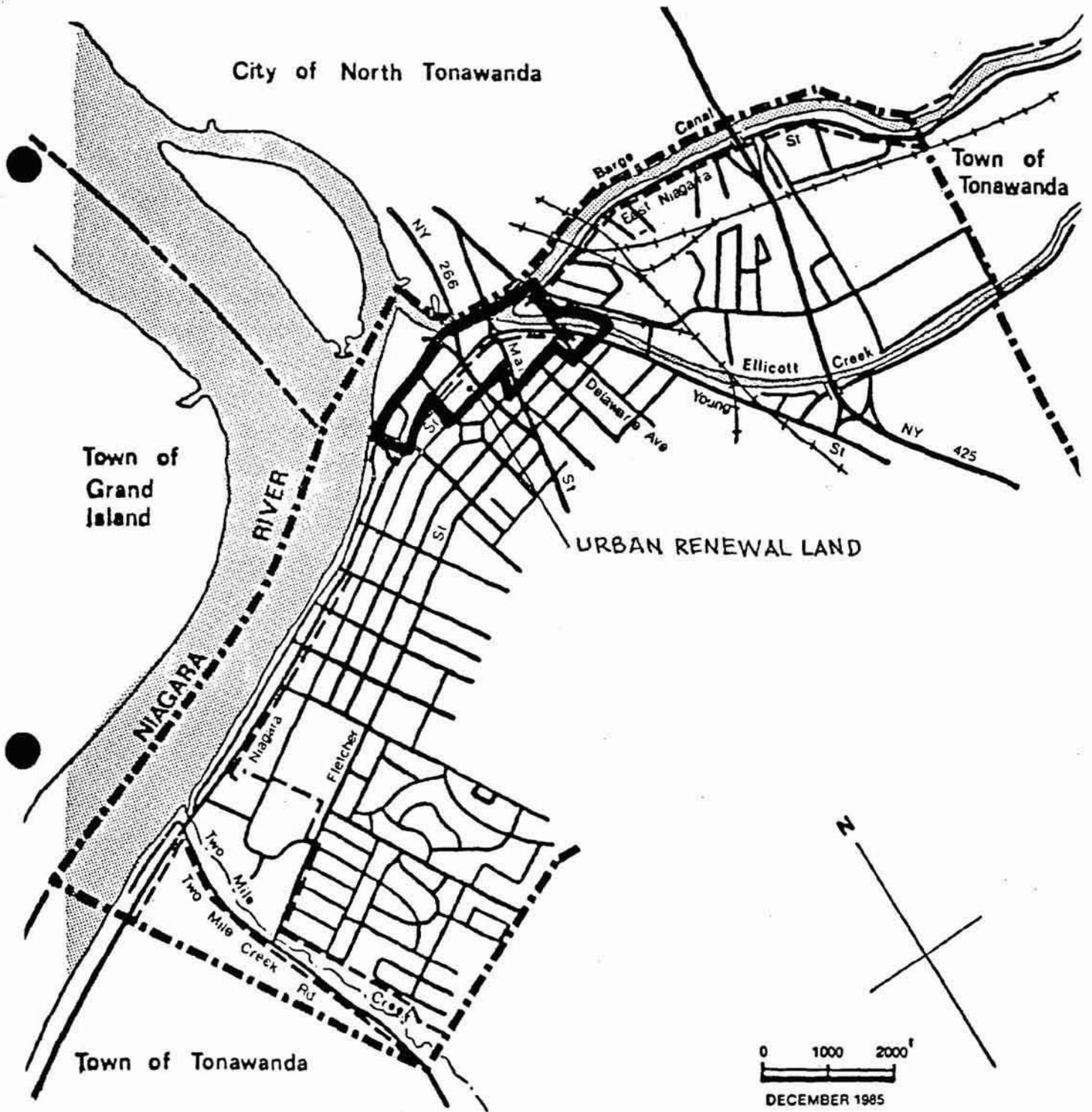
2. Additional Local Laws and Regulations (see Attachment (B))

- a. Local Waterfront Advisory Committee Law: This law establishes a 5-7 member Local Waterfront Advisory Committee designated as the lead local agency responsible for reviewing all actions within the waterfront area for ensuring compliance with the Local Waterfront Revitalization Program.
- b. Environmental Quality Review: The law designates the Local Waterfront Advisory Committee as the agency responsible for determining consistency of all proposed actions within the waterfront area. Applicants are required to submit a waterfront assessment form along with other standard documentation.
- c. Zoning Ordinance - Revisions: Two minor amendments to the City Zoning Ordinance require 1) pump out facilities at all marinas within the City waterfront and 2) the prohibition of solid waste storage within the local waterfront area.

B. OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

1. Local Government Actions Necessary to Implement the LWRP
 - a. Public Property Retention: Public parkland within the waterfront area will be retained by the City for public recreation purposes.
 - b. Municipal Budgeting: The City will continue to reserve funds for the construction and ongoing maintenance of public facilities within the waterfront revitalization area, including recreation facilities at Niawanda, Barge Canal, and Veteran's Parks (facilities include boat launch ramps, athletic fields, restrooms, etc.).

- c. **Common Council:** The Council has the authority to enact ordinances for the preservation of good order, peace and health, and for the safety and welfare of its inhabitants. This would include ordinances affecting the waterfront. The Council will also approve zoning amendments as pertains to the City Zoning Ordinance. It also adopts the annual City Budget which can affect implementation of the LWRP.
- d. **Technical Staff:** The staff and resources of the Parks, Building and Engineering Departments will provide necessary technical support to the Waterfront Committee as requested. Such support will include site plan reviews, environmental reviews, permit processing, and project initiation.
- e. **Non-Local Funding:** The City will continue to identify State and federal programs and other funding sources which may become available to implement waterfront development projects and plans. City personnel will assist in the preparation of specific grant applications to secure such funding.
- f. **Community Development Agency:** The City will maintain an operating Community Development Agency to promote redevelopment of the area shown on Map 9. The Agency has all those powers specified in Article 15 and 15A of the NYS General Municipal Law.
- g. **Inter-Municipal Cooperation:** The City will continue to maintain close coordination with the City of North Tonawanda through an intermunicipal committee on issues of mutual concern. Specifically, the two Cities will coordinate efforts to plan and implement improvements along the Barge Canal, including the construction of temporary mooring facilities and annual Canal Fest.



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DECEMBER 1985

<p>LOCAL WATERFRONT REVITALIZATION PROGRAM</p> <p>ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING</p> <p>STUART ALEXANDER AND ASSOCIATES, PLANNERS/ LANDSCAPE ARCHITECTS</p>	<p>MAP 9</p> <p>URBAN</p> <p>RENEWAL</p> <p>LAND</p> <p>CITY OF TONAWANDA</p>
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2. Private Actions Necessary to Implement the LWRP

A major policy objective of the City's waterfront program is revitalization of the central business district. The City is anxious to secure private development in the area, and has entered into a contract with Niawanda Edge Development for the construction of approximately 138 townhouse units on the 26 acre site. Such successful implementation of this project will result in direct privately-generated economic benefits to the downtown business district, and will stimulate additional privately-financed commercial development efforts.

C. MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

1. Overall Program Coordination

Successful implementation of the Local Waterfront Program will require participation of the City Council, Waterfront Committee, Community Development Agency, Planning Board, and technical support staff in the Parks, Building, and Engineering Departments. Overall coordination responsibilities will rest with the Waterfront Committee, with the Mayor acting as lead local official.

The City will continue to actively participate in the Erie County Waterfront Task Force which serves as a vehicle for intermunicipal coordination.

2. Management Responsibilities

- a. Waterfront Committee: The Committee will be responsible for overall program coordination and inter-agency cooperation. The Committee will review

all proposed public and private actions to ensure adherence to adopted waterfront policies. It will determine the necessity for various technical studies, and will initiate efforts to identify and implement various public and private projects that further enhance waterfront revitalization. The Committee will maintain ongoing communication with the City Council, Community Development Agency, and Planning Board. It will also maintain communication with the City of North Tonawanda officials. For all proposed development within the waterfront area, the Committee will forward its comments and recommendations to the City Council or, in matters pertaining to community renewal activities, to the Community Development Agency. The Committee will consist of seven-fifteen members, including the Mayor and a member of the Common Council (or their appointees).

- b. Community Development Agency: The Agency will be responsible for acquisition, demolition, and disposition activities within the downtown community renewal area. The Agency will solicit private developer proposals for the area, and will have site plan review and approval authority over all proposed actions. The Agency when acting as lead agency for SEQR determinations, will solicit determinations from the Waterfront Committee regarding an actions consistency with the City LWRP.

- c. Planning Board: Since the Planning Board only has review authority over subdivisions within the City, their involvement in LWRP implementation will be minimal.

- d. City Council: The Council will exercise final approval authority over all development proposals, based in part upon recommendations of the Waterfront Committee. Such Council decisions will be consistent with the Local Waterfront Revitalization Program. The Council will also enact and amend local laws affecting the implementation of waterfront policy objectives, including adoption of the municipal budget.
- e. Technical Staff: The staff and resources of the Parks, Building, and Engineering Departments will provide necessary technical support to the Waterfront Committee as requested. Such support will include site plan reviews, environmental reviews, permit processing, and project initiation.

3. Procedures For Local Consistency Reviews And Determination

All locally-initiated public and private actions within the waterfront area will be subject to scrutiny by the committee pursuant to the local Environmental Quality Review Law. Reference should be made to the Environmental Quality Review Law for the procedures to be used to ensure local compliance. They are contained in Appendix B.

4. Local Procedures For Review of Proposed Actions Involving State & Federal Consistency Determinations.

For all proposed State and Federal actions to be undertaken within the waterfront revitalization area, the Waterfront Committee will review all such proposals. Such reviews will be undertaken in

accordance with the procedures established by the New York State Department of State for coordinating State and Federal consistency determinations. (See Appendix C for a detailed description of such procedures).

D. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

Costs of Local Waterfront Revitalization Program implementation will include capital outlays for specific projects, ongoing maintenance costs, and administrative costs. Of these, initial capital outlays for proposed projects are expected to form the largest share.

Proposed reconstruction of the River Edge riverwall is estimated to cost \$1.25 - \$1.5 million. Funding for this project is anticipated to come from a joint State-Municipal-Federal venture; the municipal share would be provided from a 20-year bond to be repayed from tax revenue resulting from site development. State and/or Federal assistance would be sought for the remaining costs.

Proposed improvements to Niawanda Park (including the construction of fishing piers and installation of shoreline rip-rap) is estimated to cost \$64,000.

The City will pursue funding assistance for these projects through relevant State-sponsored programs which are listed under "Federal and State Programs and Actions Likely to Affect Implementation." (In the case of the Barge Canal dock, the project is being undertaken jointly with the City of North Tonawanda).

Ongoing maintenance costs at Niawanda, Barge Canal, and Veteran's Parks currently total \$150,000 annually. Funding is primarily obtained through the City's general fund.

Neighborhood and commercial revitalization efforts are expected to continue in the Gastown neighborhood (adjacent to Barge Canal Park), in the vicinity of Veteran's Park, and the central business district utilizing Community Development Block Grant funds. Current annual funding is \$78,000. Funds will be used for housing rehabilitation, infrastructure repair, commercial revitalization, and recreation improvements. Previous expenditures of Block Grant funds resulted in improvements to Veteran's Park and Barge Canal Park, restoration of the historic Long House, and construction of a segment of the Two Mile Creek bike path (all located within the waterfront revitalization area).

Other funding sources that may become available to the City will be actively pursued to assist in various aspects of program implementation (i.e. capital construction, planning/design, acquisition, economic development, administration). Depending upon the purpose of the expenditure, such funding sources might include special district assessments, private foundation endowments, user fees, and relevant State and federal assistance programs.

Private investment is actively being pursued for urban renewal property in the downtown waterfront area. In conjunction with publicly-funded riverwall reconstruction (\$1.25 - \$1.5 million) and site and infrastructure improvements (\$2.2 million), the River Edge development is expected to generate substantial benefits for downtown merchants.

IMPLEMENTATION BLUEPRINT

ACTION	IMPLEMENTOR	TIME FRAME
1. Regulatory Changes		
o Environmental Quality Review Law-Revisions	C. Tonawanda	1986
o Zoning Amendment-Marina Pump Out Facilities	C. Tonawanda	1986
o Zoning Amendment-Storage Solid Waste Provision	C. Tonawanda	1986
o Wetland Protection-Two Mile Creek	NYSDEC	1986
2. Management Structure		
o Local Waterfront Advisory Committee - Local Law	C. Tonawanda	1986
3. <u>Planning Actions</u>		
o Two Mile Creek Corridor Recreational Design Plan	Erie County	1988
4. Capital Actions		
o River Edge Residential Development	Private	1985-86
o River Edge-Riverwall Repair	C. Tonawanda	1990
o Transient Boat Docking Facilities	C. Tonawanda	1985
o Two Mile Creek Recreational Corridor Development	Erie County	1989-90
o Riverwalk-Niawanda Park; Barge Canal Sections	Erie County	1986
o Niawanda Park-Fishing Pier	C. Tonawanda	1988

- o State Barge Canal Trail New York State 1990
- o Swing Bridge-Tourist Center New York State 1990